

**Tooele City Council, Tooele City Redevelopment Agency, and  
Tooele City Water Special Service District  
Business Meeting Minutes**

Date: Wednesday, March 15, 2017  
Time: 7:00 p.m.  
Place: Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

**City Council Members Present:**

Debbie Winn, Chairwoman  
Steve Pruden  
Brad Pratt  
Dave McCall  
Scott Wardle

**City Employees Present:**

Mayor Patrick Dunlavy  
Roger Baker, City Attorney  
Glenn Caldwell, Finance Director  
Chief Ron Kirby, Police Department  
Chief Bucky Whitehouse, Fire Department  
Jim Bolser, Public Works and Community Development Director  
Heidi Peterson, Communities that Care Director  
Michelle Pitt, City Recorder  
Lisa Carpenter, Deputy Recorder

Minutes prepared by Cami Cazier.

Chairwoman Winn called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Councilman Wardle.

**2. Roll Call**

Debbie Winn, Present  
Steve Pruden, Present  
Brad Pratt, Present  
Scott Wardle, Present  
Dave McCall, Present

### **3. Mayor's Youth Recognition Awards**

Presented by Mayor Patrick Dunlavy, Heidi Peterson and Chief Ron Kirby

Mayor Dunlavy welcomed everyone and expressed his gratitude to be able to honor some special young people. As elected officials, they know that our future is our youth so they have developed programs through the Communities that Care Department and Police Department to help recognize these outstanding students in a public meeting.

The Mayor introduced Heidi Peterson, Director of Communities that Care, and Chief Ron Kirby of the Tooele City Police Department. The Police Department sends officers into the schools to help the kids deal with difficult challenges and pressures that many of them face.

Ms. Peterson thanked the Mayor and those in attendance. Before giving out the awards, Ms. Peterson wished to explain the Communities that Care department and the programs offered through it. Tooele City is one of the only cities in the State and Nation that has invested in prevention, in making sure that our youth have as many resources as they can to help them grow up and lead happy successful lives. A number of years ago, Tooele City participated in a grant from the University of Washington to invest in a program that was steeped in research, two decades worth of research about what helps kids succeed. There had been a lot of guesswork up to that point, and it's actually a field of science now. Tooele City was selected to be one of the pilot communities to try this research. Because of the foresight and priority that our community leaders have in our youth and families, they decided to make that grant, Communities that Care, a permanent part of Tooele City. Because of that, we're able to look at data within our community, find out where our kids are at the most risk, and then bring the very best programming here to our City and offer it to families.

Ms. Peterson went on to highlight the programs offered. The first program is a parenting class called Guiding Good Choices. Ms. Peterson encouraged all families to attend if they haven't already done so. It's a five-week class, absolutely free of charge, which makes good families even better. The next class starts at the end of this month. The Tooele City website has more information, and registration is available there as well.

The next program highlighted by Ms. Peterson has been in our community for about three years. The program is called QPR, or Question, Persuade, and Refer. It's been implemented to help combat increasing depression symptoms, especially suicidality. This has been a rising problem in our State and Nation. Because we have Communities that Care, we're able to stay ahead of that curve and do all that we can to help. QPR is a program that lasts 90 minutes, and participants learn to recognize the risk factors and warning signs associated with suicide. A three-step skill is also taught to use with someone you know or love who is at risk. Registration information can be found on the Tooele City website. This program can also be brought to an organization or group.

The last program highlighted is called Second Step. This program is an evidence-based prevention program partnered with the Tooele County School District. This program helps children develop skills such as how to handle stress, anger, and anxiety, how to make and keep good friends, how to make goals for their life, and how to resist offers to use drugs and alcohol.

They partner with the Police Department and have a fantastic officer that goes into the classrooms to teach resistance skills to the sixth graders.

The recipients of this award will be receiving backpacks that include donations and prizes from local agencies and business that want to congratulate and support these students. There is also a copy of the narrative to be read by Ms. Peterson and a certificate signed by the Mayor.

Ms. Peterson presented the Mayor's Youth Recognition Awards to the following students:

- \* Hadlee Jean Hardeman, Clarke N. Johnsen Jr. High
- \* Ainsley Thurber, Clarke N. Johnsen Jr. High
- \* Michael Freeman, Stansbury High School
- \* Trinity Hunt, Stansbury High School
- \* Caron West, Tooele High School
- \* Emily Smith, Tooele High School

Mayor Dunlavy again emphasized that these students are truly amazing young people who are unselfish and kind. They are the reason why our community is so special. He thanked the parents and congratulated them on the wonderful job they're doing. He also thanked the grandparents and other family members involved in supporting these youth.

A brief recess was taken for a picture of the recipients and their certificates with the City Council members and Mayor. The photo will be included in the Tooele Transcript Bulletin.

Chairwoman Winn welcomed and recognized Boy Scout Troop #85.

#### **4. Public Comment Period**

Chairwoman Winn opened the public comment period to anyone who would like to come forward to the podium and address the Council with any concerns or comments. She asked those interested to sign their name on the roster, speak clearly into the microphone, and to keep comments brief.

There were no public comments.

Chairwoman Winn closed the public comment period at 7:25 p.m.

#### **5. Resolution 2017 – 17 A Resolution of the Tooele City Council Approving a Cooperative Agreement Between the Utah Division of Forestry, Fire, and State Lands, and Tooele City Corporation**

Presented by Chief Bucky Whitehouse

On behalf of the Tooele City Fire Department, Chief Whitehouse presented for approval an agreement for what is known as the Catastrophic Wildfire Cooperative Agreement. As was mentioned in a previous meeting, this is an agreement set forth by legislation that was passed in

2016 which gives the State an opportunity to be able to assist local entities in the event they have a catastrophic wildfire. They will assist with both response resources as well as financial resources if the need arises. The Fire Department considers this to be an important addition to what they already do for Tooele City because if there is wildfire within the City limits, it allows them to receive the support of the State Division of Forestry and Fire to put out the fire.

This agreement requires an in-kind, or participating, match of around \$20,000. This will be accounted for as an in-kind or donated service related to mitigating or preventing wildfires from occurring. A variety of mitigation and prevention projects will be going on between the public, Tooele City Departments, and the Tooele City Fire Department.

Councilman Pruden thanked Chief Whitehouse for their efforts in protecting the City. He stated that it was a privilege to sign the agreement.

Chairwoman Winn thanked Chief Whitehouse for the education that the Fire Department provides to the public.

**Councilman McCall moved to approve Resolution 2017 – 17.** Councilman Pruden seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

**6. Tooele City Water Special Service District Resolution 2017-01 A Resolution of the Tooele City Water Special Service District Approving a Water Right Lease Agreement with Metro Ready Mix**

Presented by Paul Hansen

Tooele City holds a number of water rights that are held for future use. This water lease agreement began in 2014 with Metro West, which allows them to lease 200 acre feet of water from Tooele City on a yearly basis. The revenue created from that provides \$20,000 annually. This is a great benefit for the City to be able to use our resources. This agreement is a new agreement because the last agreement lapsed. Metro Ready Mix has paid current through July of this year, so this agreement would start July of this year and then continue on a yearly term.

**Councilman Wardle moved to approve Tooele City Water Special Service District Resolution 2017-01.** Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, “Aye,” Councilman Pratt, “Aye,” Councilman Pruden, “Aye,” Councilman McCall, “Aye,” and Chairwoman Winn, “Aye.”

**7. Resolution 2017 - 14 A Resolution of the Tooele City Council Establishing Fees for Recycling**

Presented by Mayor Patrick Dunlavy

The recycling program is underway and has been very successful. New customers are continually signing up. The contract is being formalized with Rocky Mountain Recycling.

Roger Baker has reviewed the agreement and found a few minor changes that Rocky Mountain Recycling has changed on the agreement. The agreement is ready for approval by the Council.

**Councilman Pruden moved to approve Resolution 2017 - 14.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

**8. Resolution 2017 – 16 A Resolution of the Tooele City Council Authorizing an Agreement with Tooele County for Municipal Elections**

Presented by Michelle Pitt

Tooele City is required to hold municipal elections in odd numbered years, so an election will be held this year. Tooele County Clerk’s Office has assisted Tooele City in the past by providing the voting machines, election judges, and preparing the ballots. It has worked out very well. The estimated cost for the election is just over \$20,000 for each election. Therefore, if both primary and general elections are held, the cost will be about \$41,000. The City Recorder’s Office and Communities that Care help with early voting to help keep the cost down.

**Councilman Pratt moved to approve Resolution 2017 - 16.** Councilman Pruden seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

**9. Ordinance 2017 – 07 An Ordinance of Tooele City Amending Tooele City Code Title 6 Regarding Animal Control**

Presented by Roger Baker

As a brief summary of this ordinance, Mr. Baker began by proposing that the entire Title 6 be rewritten and overhauled. Most of it is minor housekeeping amendments, but Mr. Baker first wished to summarize each chapter that needed changing.

In Chapter 6-1, the changes are intended mostly to clarify how the Animal Control Division fits into the Police Department structure, and how the Animal Control Shelter fits into the Animal Control Division and who has what responsibilities.

Chapter 6-2 is to modernize, correct, and add to the definitions. Definitions are critical in any regulation. If they are unclear or lacking, it leads to disagreements and litigation.

Chapter 6-3 modernizes the language. There is a \$1 fee for a license replacement that is so diminutive, it doesn’t make sense. Therefore, it is proposed to raise this fee to \$5, which is still nominal.

Chapter 6-4 regards animals that are at large, specifically cattle and other livestock. The concern is protecting the groundwater supplies.

Chapter 6-5 regards nuisances, specifically animals that are repeat offenders that attack domesticated animals, to protect the farming interests and prosecute those violations.

Chapter 6-5b is the aggressive animal chapter that regards dangerous animals that attack or bite. There is a very detailed hearing procedure with two levels of hearings. The first level being the Police Department and another level at the Administrative Hearing Officer stage. If it's found that an animal is dangerous or potentially dangerous based on its behavior, the determination is allowed to be appealed because it is proposed that the animal is either euthanized or impose severe restrictions on the animal's ability to live on someone's property. Those procedures have been made clearer as to how to go about the appeal process.

Chapter 6-6 is to modernize rabies control. The former chapter required that in every instance of an animal bite, the head of the biting animal be severed and sent to the State for rabies testing. Now in only certain instances determined by the State, must the head be secured and delivered to the State for rabies testing.

Chapter 6-7 is regarding impounding. In various provisions of the Code, there were different time periods that an animal had to be kept before it could be released, anywhere from 3-5 business or calendar days. To the benefit of the animal owners and to ease administrative burdens, all of those waiting periods will now be 5 business days.

Councilman Wardle pointed out that this change will be favorable to the public by allowing them extra time to retrieve their animals.

Chapters 6-8 and 9 regards animal shelters and cruelty to animals. Simple modifications and modernizations were completed.

Chapter 6-10 regards wild animals. There is a chapter that lists the types of animals that may not be kept as pets. For example, a pet crocodile is not allowed within the City limits. These wild animals are violations of City law and State law as well. However, Mr. Baker recommended that the severity of the violation be reduced from a Class B misdemeanor to a Class C misdemeanor.

Chapter 6-11 regards kennels. Mr. Baker proposed that the chapter be repealed. It currently provides that not only will the City control the kennels, but another chapter requires the Police Department to establish health regulations for kennels and to inspect them and monitor their progress. Mr. Baker believes that those responsibilities can be best served by zoning, the Health Department, and nuisances.

Chief Kirby expressed his appreciation to Mr. Baker for his efforts in overhauling this section of the Code.

**Councilman Pruden moved to approve Ordinance 2017 - 07.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," and Chairwoman Winn, "Aye."

**10. Resolution 2017 – 12 A Resolution of the Tooele City Council Approving the Municipal Wastewater Planning Program Self-Assessment Report for Tooele City for 2016**

Presented by Jim Bolser

This is a requirement from the State on a yearly basis to perform a self-assessment and submit a report to the State of the results. The report contains comparisons of data obtained over previous years as well as any predicted significant improvements in the future. For about the fifth year in a row, Mr. Bolser has presented this report to the Council to say that the results show that Tooele City is just fine. This is due in part to the foresight and support of the Council and Mayor Dunlavy. The sewer system and treatment programs have been developed to meet the City's needs for many years to come. There were no significant issues or concerns. Once this report is approved by Resolution by the Council, it will be submitted to the State.

**Councilman Wardle moved to adopt Resolution 2017 - 12.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," and Chairwoman Winn, "Aye."

**11. Resolution 2017 – 13 A Resolution of the Tooele City Council Establishing Fees for Water Modeling Associated with New Developments**

Presented by Jim Bolser

A couple of years ago, the State Legislature adopted rules that required any new development within a municipal culinary water system to undergo some modeling of the system. As new development comes online, this needs to be added in with a new modeling procedure to review the capacities as well as systems to accommodate that growth. Since the adoption of that new regulation, Tooele City hasn't had a lot of new developments come online. This is partially due to the downturn in the economy and partially due to the fact that we had a fairly sizable stock of available lots at that time. We've reached the end of that economic downturn as well as the stock of lots that were available. Development pressures are starting to come in again. Therefore, these modeling procedures will need to be implemented. However, due to the support of the Council and Mayor, this modeling has already been going on for quite some time. It's been used as part of the preparation for drilling new wells, tanks, etc.

This modeling does incur costs to the City. Because of the lack of development pressure in the past, there hasn't been a need for modeling specific to new development. Now that development is picking up again, a fee is being proposed to transfer to the applicants and new developments to cover that cost for the City. The fee structure was included in the Resolution information provided to the Council.

**Councilman Pratt moved to approve Resolution 2017-13.** Councilman Pruden seconded the motion. The vote was as follows: Councilman Wardle, “Aye,” Councilman Pratt, “Aye,” Councilman Pruden, “Aye,” Councilman McCall, “Aye,” and Chairwoman Winn, “Aye.”

## **12. Copper Canyon Phase 5 – Final Subdivision Plat Request**

Presented by Jim Bolser

The Copper Canyon Development is a PUD (Planned Unit Development) with a development agreement for a number of phases to constitute that development. The time has come to approve another phase of that development – Phase 5. Phase 4 has not been brought for approval as yet. The Phases will not be approved in numerical order, but are in order geographically. The Plat has been prepared and reviewed by Staff and has been found to be within the terms of the Ordinance as well as the development agreement for that development. A positive recommendation is proposed for this request. The Planning Commission has heard this item and has forwarded a positive, unanimous recommendation.

Councilman Pruden asked if the sidewalk issues have been resolved.

Mr. Bolser responded that the infrastructure issues in previous phases have all been resolved prior to the submission of this phase. This development is located at about 800 North and 200 West.

**Councilman McCall moved to approve the Copper Canyon Phase 5 – Final Subdivision Plat Request.** Councilman Pratt seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

## **13. Minutes: Mar. 1, 2017 and Mar. 8, 2017**

**Councilman Pruden moved to adopt the minutes for the meetings held on Mar. 1, 2017 and Mar. 8, 2017 as presented.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

## **14. Invoices**

Presented by Michelle Pitt

Ms. Pitt present the following invoice for Tooele City Council approval.

\* Performance Ford for 4 pick-up trucks totaling \$86,524.00

**Councilman Pruden moved to approve the invoice as presented by Ms. Pitt.** Councilman Pratt seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

**15. Adjourn**

**Councilman Wardle moved to adjourn the meeting.** Councilman Pratt seconded the motion. The vote was as follows: Councilman McCall, “Aye,” Councilman Pruden, “Aye,” Councilman Pratt, “Aye,” Councilman Wardle, “Aye,” and Chairwoman Winn, “Aye.”

The meeting adjourned at 7:51 p.m.

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 5<sup>th</sup> day of April, 2017

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Debbie Winn, Tooele City Council Chair