

**Tooele City Council and
Joint Tooele City Redevelopment Agency
Business Meeting Minutes**

Date: Wednesday, February 17, 2010
Time: 7:30 p.m.
Place: Council Chambers
90 North Main Street, Tooele Utah

City Council Members Present:

Scott Wardle, Chair
Mike Johnson
Steve Pruden
Dave McCall
Shawn Milne

City Employees Present:

Mayor Patrick Dunlavy
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder
Chief Ron Kirby, Chief of Police
Cary Campbell, Public Works Director
Rachelle Custer, City Planner
Jaclynn Sagers, Communities that Care

Others Present:

Debbie Winn, Chamber of Commerce
Tim Gillie, Tooele Transcript

Minutes prepared by Elisa Jenkins

Chairman Wardle called the meeting to order at 7:30 p.m. He welcomed Boy Scout Troop 1152 who were working on the Citizenship in the Community Merit Badge. Chairman Wardle also recognized County Commissioner Clegg who was in attendance.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 960.

2. Mayor's Community Recognition Awards

Presented by Mayor Patrick Dunlavy, Councilman McCall and Chief Kirby

Mayor Dunlavy explained that this is the best thing he does which is recognize the youth in the Community. He feels it is very important to recognize the youth and the good things they do. He congratulated all the recipients who will receive this award. He thanked all those who have come to support these students.

Councilman McCall explained that each student will receive a certificate signed by the Mayor and a bag of various items donated by different businesses in the Community.

Councilman McCall then presented the awards to the following students:

Emily Rice, Tooele Junior High
Tanessa Cottrell, Tooele Junior High
Allyssa Allie, Stansbury High School
Shelby Mall, Tooele High School
Patrick McAtee, Tooele High School
Amara Christopherson, Stansbury High School
Hannah Murphy, Tooele High School
Jordan Boucher, Stansbury High School
Caleb Albers, Tooele High School

Mayor Dunlavy congratulated these students again. He thanked the families for the role they play in these students live. He explained that this program is part of the Communities that Care program. This program is a wonderful program that is in the schools helping students deal with the challenges of today. There is another program that is offered called Guiding Good Choices, which is a parenting program. Mayor Dunlavy invited anyone interested to contact Jacklyn Sagers who is the Director of the Communities that Care program.

A brief recess was taken for a picture with the Mayor.

3. Mayor's State of the City Address

Presented by Mayor Patrick Dunlavy

Mayor Dunlavy delivered his State of the City Address. The speech in its entirety is included with the minutes as Exhibit "A".

4. Open Forum for Public Comment

Chairman Wardle invited anyone who would like to come forward and address the Council to do so.

Clarence Allred addressed the Council. Mr. Allred is interested in purchasing property by the old animal shelter. The Council directed Mr. Allred to contact Mr. Sant because that property is part of the RDA. Mr. Allred indicated that he is a local contractor. He urged the Council to consider local contractors in their construction projects. He realizes

that they are not always the lowest bid but he feels it is important to keep the jobs in Tooele.

Chairman Wardle stated that the Council does try to accommodate local bids when possible.

Chairman Wardle closed the open forum at 8:08 p.m.

5. **Resolution 2010-12 A Resolution of the Tooele City Council Adopting the Natural Hazard Pre-Disaster Mitigation Plan as Required by the Federal Disaster Mitigation and Cost Reduction Act of 2000**

Presented by Mayor Patrick Dunlavy

Mayor Dunlavy indicated that in order to qualify for federal funding in the event of a disaster this resolution has to be adopted by the governing body of the City.

Councilman Milne moved to approve Resolution 2010-12. Councilman McCall seconded the motion. All members present voted “Aye”.

6. **Resolution 2010-13 A Resolution of the Tooele City Council Authorizing a Contract with RS Contract Management Services L.L.C. for Professional Services Relating to Economic Development**

Presented by Mayor Patrick Dunlavy

Mr. Baker suggested that this item be handled in conjunction with item 10; they are for the same contract.

Chairman Wardle noted that this is a joint City Council and RDA meeting.

Mayor Dunlavy stated that these resolutions are for the renewal of a contract with RS Contract Management Services L.L.C.

Councilman Johnson noted that this resolution is for a two year contract.

Councilman Milne moved to approve Resolution 2010-13 and RDA Resolution 2010-01. Councilman McCall seconded the motion. All members present voted “Aye”.

7. **PUBLIC HEARING & MOTION on Skyline Drive Road Dedication Plat**

Presented by Rachelle Custer

Ms. Custer explained that Tooele City has acquired an 11.42 acre piece of property along Skyline Drive for a future park. The lot requires that .99 acres along the south edge of the property be dedicated as a public right-of-way. This will make this an 80’ right-of-

way as master planned in the Tooele City Master Plan. This also vacates lot 104-107 of Upland Terrace D because they are now part of the Skyline Park property. The required four week advertising has been done for the vacation of the lots, associated easements, and rights-of-way. Staff recommends approval of the Skyline Drive Road Dedication Plat. Planning Commission made a favorable recommendation on January 13, 2010.

Chairman Wardle stated that this is a public hearing if anyone would like to come forward and address this issue. No one came forward.

Councilman Pruden moved to close the public hearing. Councilman McCall seconded the motion. All members present voted “Aye”. The public hearing closed at 8:13 p.m.

Councilman Milne moved to approve the Skyline Drive Road Dedication Plat. Councilman McCall seconded the motion. All members present voted “Aye”.

8. **Resolution 2010-11 A Resolution of the Tooele City Council Appointing John Young to the Administrative Control Board for the North Tooele City Special Service District**

Presented by Councilman Mike Johnson

Councilman Johnson explained that the North Tooele City Special Service District (NTSSD) is a special service district that was created to provide up keep of various amenities in the neighborhood that encompasses both the Overlake and Sunset Estates subdivisions. Steve Dale was a board member who has served for about nine years and has decided to step down. The board of the NTSSD solicited resumes and felt that it was important to have someone from the Sunset Estates neighborhood. John Young indicated that he would like to serve and the board of the NTSSD felt like he would do a good job. John Young will serve out Steve Dale’s term through December 31, 2013.

Councilman McCall moved to approve Resolution 2010-11. Councilman Johnson seconded the motion. All members present voted “Aye”.

9. **Ordinance 2010-04 An Ordinance of the Tooele City Council Amending Sanitary Sewer Impact Fees, Revising Tooele City Code Chapter 4-15, Adopting an Updated Waste Water Capital Facilities Plan, Adopting an Updated Sewer Treatment and Collection Impact Fee Analysis, and Other Related Matters**

Presented by Roger Baker

Mr. Baker explained that this ordinance accomplishes three things 1) adoption of the new Capital Facilities planning document, which is a collection of documents regarding waste water treatment and waste water collection 2) adoption of the revised impact fees analysis and its accompanying impact fees and 3) amend the Tooele City ordinance regarding impact fees which will reflect the new fee and revisions that reflect recent changes in the

state impact fee law. Mr. Baker then turned the time over to Jason Burningham with Lewis Young Robertson & Burningham to present the recommended water impact fees for Tooele City.

Mr. Burningham introduced Tenille Tingey who has helped with this presentation. Ms. Tingey distributed a copy of the presentation to the Council. A copy of the presentation is included with the minutes as Exhibit "B". Mr. Burningham then reviewed the recommended wastewater impact fees with the Council.

Chairman Wardle noted that this item was advertised as a public hearing. He stated that this is a public hearing if anyone would like to address this issue.

Troy Evans addressed the Council. Mr. Evans was concerned in a poor economy that the increase in the impact fees is too much.

Councilman Johnson explained that an impact fee is a fee that is assessed on new residential and commercial growth. Residents that already live here do not pay an impact fee. An impact fee is paid when someone gets a building permit to build a new home or business, and it is only a one time charge.

Mr. Evans asked if the fee affects him as a current homeowner.

Councilman Johnson said "no". It would only affect him if he builds a new home.

Mr. Evans stated that he withdraws his comments.

Councilman Johnson indicated that without these impact fees they City would have to raise property taxes. The impact fees help fund the wastewater treatment plant and to make sure the people that are causing the additional impact on the City infrastructure pay to help update and maintain them.

Councilman Milne moved to close the public hearing. Councilman Pruden seconded the motion. All members present voted "Aye". The public hearing closed at 8:37 p.m.

Councilman Pruden stated that he appreciates all those who have worked on this ordinance and it is very appropriate that it be modified.

Chairman Wardle noted that the Mayor inherited the problem that the sewer was at capacity when he began his term as Mayor and the City has been playing catch up ever since. This ordinance hopefully allows for future growth.

Councilman McCall indicated that he has visited the sewer plant and he said that it is very well run.

Chairman Milne also thanked those who have spent so much time working on this ordinance. He indicated that nobody wants to raise taxes, sometimes fees are another form of taxes. By raising this fee, they do not have to raise taxes.

Mayor Dunlavy stated that this is a complicated issue. There are very specific state statutes that the City is required to meet. He appreciates all those who have helped with this as well.

Councilman Milne moved to approve Ordinance 2010-04. Councilman McCall seconded the motion. All members present voted “Aye”.

Chairman Wardle then turned the agenda over to Councilman Pruden who is the Chairman of the RDA Board.

10. Resolution 2010-01 A Resolution of the Redevelopment Agency of Tooele City, Utah Authorizing a Contract with RS Contract Management Service L.L.C. for Professional Services Relating to Economic Development

Presented by Mayor Patrick Dunlavy

This Resolution was approved with agenda item number six.

11. Approval of a Resolution Exercising the Option of the RDA to Purchase the Tooele Commercial Park Property

Presented by Randy Sant

Mr. Sant thanked the Council for the approval of his contract. Mr. Sant stated that as the Council is aware in February 2009 the RDA adopted a purchase and sale agreement with Tooele City for the purchase of the Tooele Commercial Park. The Tooele Commercial Park had approximately 260 acres, a deal was made with USU for 50 acres for a future regional campus. There are approximately 210 acres left. He feels that it is an appropriate time to purchase the rest of the property. The first reason is that there is a short window of time under the Obama administration for some grant funding through the EDA. He would like to go after the grant funding. The second reason is the Commercial Park would be a great compliment to UID. UID is a much heavier industrial use. They have had a tremendous amount of inquiries from business that need 1-4 acre lots. This could become a perfect opportunity for that. The third reason is they could look at this as long term economic development program for the City. He would like to lease the property, which would provide a very long term revenue source for the City and the RDA. The RDA has the funding for the property. Mr. Sant referred to Exhibit “A” of the Resolution that show the purchase price of the property and the expenses associated with the purchase.

Chairman Wardle noted that there have been several groups looking at this property.

Mr. Sant said that next year as part of the legislative agenda they are going to be looking at USU to help finish the rest of the road with EDA money. He feels that the time to move forward with this is now and he is recommending this Resolution to the Council for approval.

Councilman Johnson asked Mr. Caldwell how the transfer of funds will work.

Mr. Caldwell indicated that he will make a separate fund.

Councilman Johnson moved to approve RDA Resolution 2010-02. Chairman Wardle seconded the motion. All members present voted “Aye”.

12. Discussion Regarding the Payment and Participation in Funding the Road for the Tooele Vocational School – Tooele Commercial Park

Presented by Randy Sant

Mr. Sant stated that when the School District discussed the Vocational School with the Council there was a discussion about the road the needs to be finished. The Council felt strongly that the road needed to be completed. The District did not know if they had the funding. The RDA owns the other side of the property and will have to finish the road at sometime. He indicated that it would be much less expensive now to finish the road then it will be in the future. He recommends not doing a sidewalk at this time. Mr. Sant has discussed this with Steve West and the RDA portion would be about \$180,000. He would like to get authorization to move forward and he will meet with the District to see if they could do a contract purchase. If they cannot do a contract purchase, there is money in the budget to finish the road. They would have to transfer some money from the UID project area to this project area. This project area produces about \$60,000-\$70,000 in tax increment. They would pay themselves back over time. He feels that this would be a smart move.

Mr. Sant distributed a map that shows the where the road would be finished. This map is included with the minutes as Exhibit “C”.

Chairman Milne stated that in a down economy they would pay less now to finish the road then they would in the future. Having the road finished would also make the City in line with its own ordinance.

Councilman Pruden agreed with Chairman Milne that the City should be in line with its own ordinance. This school will be opening shortly and having the road finished will make it look nice and could be attractive for other businesses to build in this area.

The Council gave Mr. Sant the approval to move forward with the finishing of the road for the Tooele Vocational School with the condition to not exceed \$180,000.

13. Approval and Discussion Regarding Beehive Wireless New Facility

Presented by Randy Sant

Mr. Sant stated that Beehive Wireless is currently leasing a building in UID. They would like to build their own facility. They were looking outside of Tooele but Mr. Sant talked with them about an incentive if they stayed in Tooele. They decided to stay in Tooele and bought a piece of property in the Industrial Park. The property they bought was the property that the RDA traded in order to get Syracuse Casting to expand. Mr. Sant had discussed with the Council previously offering an incentive to Beehive Wireless of 50% of the increment to stay in Tooele. This would help cover the cost of the building fee. They are going to build a \$650,000-\$70,000 building. He would like to formalize this in a development agreement, then he will bring the development agreement back to the Council for approval. The Council gave approval for Mr. Sant to move forward with the development agreement.

14. Economic Development Report

Presented by Randy Sant

Mr. Sant stated that the gas facility is moving forward in building in the UID, they have hired an architect and they are preparing their site plan. They have appreciated the commitment of the City.

Councilman Johnson asked what they produce and if the company causes any concern for hazardous materials?

Mayor Dunlavy indicated that it is a very specific gas that they produce that is used in hospitals. They have facilities in many places including Salt Lake City. There are no hazard concerns for the facility.

Councilman McCall asked how many jobs will this company bring to Tooele?

Mr. Sant indicated that they will employ 35 people initially but will expand to 50-60 people including chemists. They will be very well paid jobs.

Mr. Sant informed the Council that there is a data center that might be interested in locating to the UID, and he is working with them.

Mr. Sant stated that there were 9,000 applications for grant money to build fire stations across the nation. There is only funding for 70 nationwide. Tooele has made it through to the fourth round. He had an interview last week with someone from Homeland Security as part of the process. There are 175 final applicants. They will make the decision by the end of the month. They applied for \$3 million to build a fire station. The property for a new fire station is 1000 N and 100 East. Mr. Sant indicated that there might a proposal for a grant funding round for police stations possibly this year.

Mr. Sant stated that the Build America Bonds which helps with money for capital projects and infrastructure projects might become a permanent type of facility.

Mr. Sant stated that he has spent some time with the legislature. The biggest issue is with retirement. Any employee hired after 2011 will see a significant impact in their retirement. He said that this is a highly debated issue. He feels that this will pass.

Mayor Dunlavy stated that he filed an official protest with the League of Cities because they supported it on the hill. He feels that this legislation is not good public policy. He also sent e-mails to the legislative representatives.

Chairman Wardle stated that it will create an experience drain on the system.

Mr. Sant stated that he will try to do a written Economic Report in the future.

15. RDA Strategic Planning

Presented by Randy Sant

Councilman Pruden stated that the Council has been given a copy of the RDA Strategic Planning Benefits. A copy of this is included with the packet as Exhibit "D". Mr. Sant reviewed this with the Council. He would like to meet to discuss each of the areas to review.

The Council will meet March 17th at 5:30 p.m. to discuss General Economic Development.

Councilman Pruden turned the remainder of the agenda back to Chairman Wardle.

16. Minutes: January 20, 2010, Discussion and Business Meeting Minutes

Chairman Milne noted one change on page 5, third paragraph, the second it should be is.

Councilman Johnson moved to approve the minutes as presented. Councilman McCall seconded the motion. All members present voted "Aye".

17. Invoices

There were no invoices.

18. Adjourn

Chairman Wardle informed the audience that the March 3rd City Council meeting will be cancelled so the Council can attend the Tooele County Planning Commission meeting regarding the conditional use for Rocky Mountain Power.

Councilman Milne moved to adjourn the meeting. Councilman Pruden seconded the motion. All members present voted “Aye”. The meeting adjourned at 9:17 p.m.

Approved this 17th day of March 2010

Chairman Wardle