

**Tooele City Council and the
Tooele City Redevelopment Agency of Tooele City, Utah
Work Session Meeting Minutes**

Date: Wednesday, February 21, 2018
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Chairman Steve Pruden
Dave McCall
Scott Wardle
Brad Pratt
Melodi Gochis (joined the meeting at 5:03 p.m.)

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Roger Baker, City Attorney
Jim Bolser, Community Development and Public Works Director
Paul Hansen, City Engineer
Randy Sant, Economic Development and Redevelopment Agency Director (joined the meeting at 5:56 p.m.)

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Dave McCall, Present
Scott Wardle, Present
Brad Pratt, Present
Melodi Gochis, Present

3. Discussion:

- Resolution 2018-15 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule Regarding Water Meter Costs

Presented by Jim Bolser

Mr. Bolser stated that water meter costs have gone up so City Staff is recommending amending the fee schedule to cover the costs. Mr. Bolser gave some examples of the increases: the 3/4" meter cost went from \$156.00 to \$306.67, and the 1" cost went from \$206.00 to \$337.88. Mr. Bolser added that this is a pass through cost. The City doesn't make money on this. Mr. Baker stated that the City doesn't charge its administrative costs for purchasing the meters. Mr. Bolser added that the City does not charge a stocking fee either.

- Discussion on City Acceptance of a Transportation Investment Generating Economic Recovery (TIGER) Grant Through UTA

Presented by Jim Bolser

Mr. Bolser stated that this is a project that City Staff has been working on for some time with UTA. This would provide bike lanes on 100 East from 1000 North to Vine Street, and on Vine Street from 100 East to 1100 West. Mr. Bolser went on to say that UTA is the procurer of this grant. It is a federal grant. He explained that UTA was approved for 90 projects, and Tooele will be one of those projects. There is a match requirement to this grant, which UTA will cover through their Prop 1 funds. There is not a charge to the City. The grant includes restriping some of the streets involved, and promotional public awareness. Mr. Bolser went on to say that the City Council does not need to vote or approve the grant, but that he wanted to make them aware of it. Chairman Pruden asked if it would be advantageous to include a map of the new bike lanes in the City's newsletter *Ninety North Main*. Mr. Bolser stated that this project would not be done until late 2019 because of the City's request to have time to complete storm drain and road surfacing projects that might interfere before this work begins. Mr. Bolser further explained that the deadline to apply for funding needs to be done in 2018, but the project won't be completed until the fall of 2019. Council Member McCall said that the information should be included in *Ninety North Main* even though it wouldn't be done until 2019.

- Resolution 2018-17 A Resolution of the Tooele City Council Approving an Agreement with Ace Recycling and Disposal, for Collection, Transportation, and Disposal of Residential Refuse and Recyclable Materials

Presented by Roger Baker

Mr. Baker stated that the City had been operating without a long term written contract with Ace since 2008. He explained that the way the contract has been operating, Ace sent to the City a new rate sheet every year with the new rates to empty the containers, bulky waste, and a fuel surcharge - if there was a significant increase in fuel costs. Those letters began in 2008 and continued through 2017. Mr. Baker went on to say that Mayor Winn asked him to contact Ace and get a written contract in place. He said he put together a draft contract based on the former contract. The rates in the proposed contract are the same rates that were provided in April 2017 and will hold until 2019. The contract rate would go up based on the consumer price index. The difference in this contract, however, is that it references recycling. Mr. Baker further explained that Ace asked for that aspect be included in the contract. The rates that the City is paying Ace for recycling had been provided in an annual letter beginning May 2016. The more recent letter requested a long term contract for pickup, hauling, recycling, and bulky waste pickup.

Council Member Wardle asked about the provision that talked about the change in landfill location. He stated that the City doesn't currently have a tipping contract and asked if the City would want to request proposals for this service. He wondered how it would affect the contract if the City had an increase in tipping fees or in other areas. He also wondered if the City could find a cost savings in this area. Council Member Wardle went on to say that the City had talked about taking refuse to other places in the past. Mr. Baker said that tipping fees were invoiced to the City separately, outside of Ace's contract. Mayor Winn stated that Ace was willing to take the garbage wherever the City wanted them to. She added that there may be another location that is cheaper. She indicated she would be happy to talk with the Commissioners about the county's tipping fees. Council Member Wardle said that the City may need to do an RFP, and that could affect the contract. He wondered about approving a contract that may need to be opened again. Mayor Winn said that the contract could be approved, and then it could be brought back if needed.

Council Member McCall asked if the City would want to open it up for RFPs for everything, such as garbage pickup, or just the tipping. He added that there are other companies out there, such as Waste Management, and others. Council Member Wardle said that it was a great question because asking for proposals wasn't a bad thing. He pointed out that the contract didn't have to be in place until July 1st. Mayor Winn said that the yearly letter came in September. Because of the new administration, Ace came in at the first of the year to introduce themselves. They wanted to request a longer term contract. She said that she was not opposed to putting out an RFP. Council Member Wardle asked Mr. Hansen about the process of advertising for bids. Chairman Pruden said that the two (tipping fees and garbage collection) could be done at the same time. Mr. Baker explained that he had been told for a number of years that there was a contract with the county that required the city to take the garbage to them. In searching, no contract with the county could be found. He further explained that there was a provision in the Ace contract that said Ace was required to take the refuse to the county landfill. Mr. Baker stated this provision has been removed from the proposed contract. The City can dump anywhere. Council Member Wardle said that since the City has to pay tipping fees, it affects budgeting. He said that it made sense to request proposals. Mayor Winn asked about the recyclable portion. Mr. Baker answered that the City has a contract with Rocky Mountain Recycling for recycling. Council Member McCall pointed out that the City was not upset with any services currently provided. Council Member Wardle reiterated that point and added that the City was just looking at ways to reduce costs. Mr. Baker asked the Council if they would like to talk with Ace first, since they have been providing the service for 25 years or so. Chairman Pruden said that the City should let Ace know that they were going to request proposals, as a show of loyalty to them. Council Member Wardle asked if the contract should include a jury or bench trial provision. Mr. Baker said that he had tried to analyze the balance of power between the parties, and was not sure on this one. Council Member Wardle said that he would like the default to be a bench trial.

Council Member Gochis asked if there was a schedule in place for bulky waste collection. Mayor Winn answered that there was a schedule, and that it was included on the City's website and newsletter. Mayor Winn said that she was putting together a plan for a spring cleanup. Ace said that they could provide a shred day for the public at no charge. The City would just

need to provide two employees. The Mayor said that Ace would be willing to bring a truck, maybe to the library, to allow the public to look at the truck, and to explain the bulky waste program. Council Member McCall asked if the bulk waste pickup schedule could be included in the newspapers "doings" section. The Council liked the idea. Mr. Baker added that a change in the new contract is that bulky waste is now provided year round, instead of only on certain months. Chairman Pruden asked if the City would want to do an open house type setting to allow citizens to shred, and to learn more about bulky waste. Mr. Caldwell indicated that the City has a line item for spring cleanup.

Mr. Baker asked for clarification as to whether the Council wanted to talk to Ace about their services before requests for proposals went out. Chairman Pruden said that the City should let Ace know that they were going to send out RFPs, but the Council didn't need to meet with them. Mayor Winn said that RFPs should be put out to others, and the City should let Ace know that's what they're doing. If the Council wants to meet with them, each bidder could do a presentation, not just one. She felt that Ace would understand and would be willing to come to do a presentation.

- Ordinance 2018-04 An Ordinance of the Tooele City Council Amending Tooele City Code Chapter 4-1 Regarding the Building Official and Public Improvements Presented by Roger Baker

Mr. Baker stated that this section is titled, "the Building Official," but this Ordinance is not proposing to change any building official duties. The section currently uses the term "offsite improvements" which is a term that the City doesn't use anymore, and neither does the state. The City's term is "public improvements", whether offsite, onsite, above, or below ground. This Ordinance would make that change. This proposal would also take out the provision about the City Engineer billing contractors directly. Mr. Baker said to his knowledge, the City has never done that, so they would like to take that out of the City Code.

- Ordinance 2018-05 An Ordinance of the Tooele City Council Amending Tooele City Code Section 2-3-2 Regarding Planning Commission Duties Presented by Roger Baker

Mr. Baker stated that this is not an attempt to take away duties from the Planning Commission, but was a housekeeping item. In 2013, the Council enacted an administrative appeals process. All appeals go to an Administrative Hearing Officer. Mr. Baker went on to say that this is a hold-over provision because appeals do not go to the Planning Commission; it is not their function. The Planning Commission is not a court and do not hear appeals. This section is now obsolete. Council Member Gochis said that the ordinance referred to a hearing officer. She asked who it was. Mr. Baker answered that the criteria for a hearing officer was listed under Title 1 Chapter 28. The hearing officer is appointed by the City Council, and the other criteria that they have to comply with are listed there. The City currently contracts with James Tanner. Mr. Baker further explained that the ordinance doesn't require the hearing officer to be an attorney, but that his office would recommend it be an attorney first because it is a legal task. Mr. Baker stated that currently, the most commonly heard cases involve nuisance abatement and dangerous animal appeals.

4. Close Meeting to Discuss Litigation and Property Acquisition

Council Member McCall moved to close the meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member Wardle “Aye,” Council Member McCall “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

Those in attendance during the closed session were: Mayor Debbie Winn, Glenn Caldwell, Roger Baker, Paul Hansen, Michelle Pitt, Jim Bolser, Randy Sant, Council Member Wardle, Council Member Pratt, Council Member McCall, Council Member Gochis, and Chairman Pruden.

The meeting closed at 5:42 p.m.

No minutes were taken on these items.

Motion to Reopen the Meeting

Council Member Pratt moved to reopen the meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member Wardle “Aye,” Council Member McCall “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

Chairman Pruden reminded the Council of the following meeting dates:

- Mayor’s Town Hall Meeting on February 28th at 7:30 p.m. in the Council Chambers. He said that the Mayor will do a presentation.
- Saturday, March 3rd, there will be a Council Retreat. The Mayor had a preliminary agenda of the Council Retreat for the Council to review.
- March 7th Dave Church will meet with Council and Staff to discuss the Charter, and there will be an RDA meeting to follow.

Council Member Pratt said that ICSC was not happening this year. Council Member Pratt stated that the Council should have received an email from Ms. Shilo Baker about the St. George conference.

Mr. Hansen informed the Council that the storm drain bids were opened. Costs were about 20% higher than last year. He said that he will have to bring back a request for an increase for that project. He added that the drilling for the fire station well is out for bid .

5. Adjourn

Council Member McCall moved to adjourn the meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member Wardle “Aye,” Council Member McCall

“Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden
“Aye.”

The meeting adjourned at 6:55 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 7th day of March, 2018

Steve Pruden, Tooele City Council Chair