

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

Date: Wednesday, June 4, 2014

Time: 5:00 p.m.

Place: Tooele City Hall, Large Conference Room  
90 North Main St. Tooele, UT

**City Council Members Present:**

Brad Pratt, Chair

Dave McCall

Steve Pruden

Scott Wardle

Debbie Winn

**City Employees Present:**

Mayor Patrick Dunlavy

Roger Baker, City Attorney

Glenn Caldwell, Finance Director

Jim Bolser, Community Development and Public Works Director

Michelle Pitt, City Recorder

Paul Hansen, City Engineer

Rachelle Custer, City Planner

Randy Sant, Director of Economic Development

Minutes prepared by Michelle Pitt

1. **Open Meeting**

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

2. **Roll Call**

Brad Pratt, Present

Dave McCall, Present

Scott Wardle, Present

Steve Pruden, Present

Debbie Winn, Present

3. **Discussion:**

- Mathew Arbshay Annexation Proposal

Chairman Pratt stated that Mathew Arbshay had given Mr. Baker an annexation request and turned the time over to Mr. Arbshay. Mr. Arbshay explained that he is requesting the City to annex the Green Meadows Minor Subdivision area which contains approximately 35 acres. The plan for this subdivision shows 24 one acre, or larger, lots. Mr. Arbshay stated that he has the water rights for these lots. There is a well on the property but Mr. Arbshay indicated that he would shut off the well so as to not interfere with the city's watershed. Mr. Arbshay requested that the lots stay at one acre and allow animals rights. Mr. Arbshay felt like he would be able to sell the lots if they were larger and allowed animals. If he is required to market them at smaller lots, they will be difficult to sell. Mr. Baker stated that the City Code allows a R1-30 zoning which has never been used before. R1-30 is specific about animal rights. Other zoning options were discussed such as R1-12 and RR-5. Councilman Pruden asked if Mr. Arbshay planned to hook into the City's sewer system. Mr. Arbshay stated that he was told he had to hook into the City's system because septic tanks are not allowed in City limits. Councilman Wardle asked if a study needed to be done because the City has requested them for prior annexation requests. Mr. Baker answered that state law doesn't require a feasibility study but in the past the City has required annexation petitioners to bear the cost of preparing utility plans so as to assess the impact of the proposed annexation on the City's water, sewer, storm drain, and road utilities. Mr. Baker suggested that a Resolution be prepared which would ask for additional information, such as a feasibility study, and allow the annexation to proceed to a second resolution to allow or to reject the annexation. Mr. Arbshay was told that Hansen, Allen and Luce had recently completed a water, sewer and storm drain utility studies for the City which may assist him in obtaining timely and cost-effective information for the Council.

- Infill Curb & Gutter  
Presented by Jim Bolser

Mr. Bolser stated that the issue of infill curb and gutter has come up numerous times over the years. The City Code requires that when improvements are done, the developer must improve both sides of the street, if the street is incomplete. Mr. Bolser asked if the Council would like to look at a change in this ordinance. Councilman Pruden stated that the Code seems inadequate to meet the need, especially on infill lots. Councilman Wardle stated that when dealing with infill, it gets expensive to do both sides of the street. Mr. Bolser clarified that the change would be for all lots, not just infill lots. The Mayor asked if the City would rather have lots that are full of weeds, or an abandoned home, or allow someone to improve the lot without requiring them to finish the curb, gutter and sidewalk across the street. Chairman Pratt stated that it shouldn't be cost prohibitive to make improvements on infill lots. Mr. Bolser stated that he will work on modifying the City code.

- Resolution 2014-26 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Newman Construction, Inc., for Construction of the Kennecott B Well House  
and
- Resolution 2014-27 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Newman Construction, Inc., for Construction of the Kennecott B Pump Line  
Presented by Paul Hansen

Mr. Hansen explained that these projects went out to bid. The City received four bids on the well house and five bids on the pump line. The lowest reasonable bidder for both projects was Newman Construction. Mr. Hansen stated that this will be paid out of the water impact fee fund.

- Resolution 2014-28 A Resolution of the Tooele City Council Ratifying a Contract with Broken Arrow Incorporated for Replacement of the Settlement Canyon Storm Drain at Pioneer Avenue and Tule Circle  
Presented by Paul Hansen

Mr. Hansen stated that there was a sink hole discovered last week near Pioneer Avenue and Tule Circle. After investigation, a deteriorated pipe was found which was significantly impacting the City's road. This pipe is used when needed by Settlement Canyon for runoff. Mr. Hansen was able to negotiate with Tooele County and Settlement Canyon Irrigation to share in the cost to repair the pipe, with each agency paying one-third of the cost. Mr. Hansen spoke with Broken Arrow and accepted their price of \$64,205.57 with a 5% contingency. Chairman Pratt thanked Mr. Hansen for working with the County and Settlement Canyon to share the cost of this project.

- Murray Subdivision Amended Final Plat Request Regarding a Two Lot Residential Subdivision Located at Approximately 411 South 1370 East  
Presented by Jim Bolser

Mr. Bolser stated that the City heard a request from the applicant to combine these lots into one lot just over a year ago. The applicant recently received an offer for someone to buy one of the two lots so he is now requesting to subdivide these lots into two separate lots. The owners would like to now subdivide them back to the configuration of the two original lots. The Planning Commission and city staff recommend approval of this subdivision.

- Glen Eagles Town homes Landscaping Amendment Request Located at Approximately 500 West 900 North  
Presented by Jim Bolser

Mr. Bolser stated that in September of 2000, the City Council approved this 54-unit townhome development. The original landscape plan included three acres of sod which requires a lot of water. The new owners would like to amend the landscape plan to reduce the amount of sod, add more trees, shrubs, natural plants, and more amenities like playgrounds. The new landscape plan will use a lot less water. The Planning Commission and city staff recommend approval of the landscape amendment.

- Haer/Welles Cannon Rezone Request  
Presented by Jim Bolser

Mr. Bolser explained that the Haer/Welles Cannon project is requesting a rezone. City staff is seeking for input from the City Council as to whether they would like to entertain this request before preparing the ordinance and other paperwork. Mr. Sant expressed concern about putting in a residential development in a commercially zoned area. Mr. Sant recommended that the

Council allow him to include this area in his housing study to see if a residential development makes sense for this area because it is so close to Main Street. Mr. Hansen stated that they also need to look at the load this will bring to current utilities.

- Home-Based Internet Sexually Oriented Business  
Presented by Roger Baker

Mr. Baker stated that the City received an anonymous phone call about people doing business in their homes where the business may be sexually oriented. Most of the business is being conducted through their home computers where people can purchase items via the internet. Mr. Baker and Mrs. Pitt explained that people could also purchase items by hosting parties in their homes and inviting customers. At these parties, products can be displayed, demonstrated, and orders placed. The anonymous caller said that there are sexually oriented products being displayed and demonstrated in front of children. Mr. Baker stated that he is not proposing a specific ordinance revision, but introducing the policy subject, and asked the Council if they might be interested in modifying the City's code to include these types of businesses. Councilman McCall stated that since the City requires other home based businesses to obtain a license, these businesses should also be required to obtain a license. Mr. Baker stated that he has asked other municipalities if and how they regulate these types of businesses, but have only heard back from a few. Councilman Pruden suggested that Mr. Baker try to get more feedback from other cities and then bring this matter back to them. Mr. Sant stated that this issue came up in the legislature and that he wouldn't be surprised to see legislation soon on this issue.

- Restaurant Parking Requirements  
Presented by Roger Baker

This matter was tabled by Chairman Pratt.

#### 4. ICSC Update

Mr. Sant felt that the ICSC convention was very beneficial this year. Because of their meeting with one of the commercial developers, five Letters of Intent for the 1000 North project went out. Two of those letters have been signed and returned. He, the Mayor and RDA Chairman Pruden will continue discussions with the developer. The developer is working on a site plan. Mr. Sant stated that there are other larger tenants that are looking to come to Tooele. He is starting to see large tenants building smaller buildings in smaller cities. Mr. Sant stated that he will bring back more information to the Council, hopefully in a couple of weeks. Chairman Pruden added that since Cabella's has located in Tooele, other businesses are looking to come here. Chairman Pratt added that he also felt this year's ICSC was successful because developers were seeking out the City instead of the other way around.

#### 5. Close Meeting to Discuss Pending Litigation and Property Acquisition

Councilman Pruden moved to close the meeting to discuss pending litigation and property acquisition. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, "Aye", Councilman Wardle, "Aye" Chairman Pratt, "Aye" Councilwoman Winn, "Aye" and Councilman McCall, "Aye". The meeting closed at 6:05 p.m.

Those in attendance during the closed session were: Glenn Caldwell, Roger Baker, Jim Bolser, Mayor Patrick Dunlavy, Michelle Pitt, Paul Hansen, Councilman McCall, Councilman Wardle, Councilman Pruden, Councilwoman Winn, and Chairman Pratt.

No minutes were taken on these items.

6. **Adjourn**

**Councilman McCall moved to adjourn the meeting.** Councilwoman Winn seconded the motion. The vote was as follows: Councilwoman Winn, “Aye”, Councilman Wardle, “Aye”, Chairman Pratt, “Aye”, Councilman Pruden, “Aye” and Councilman McCall, “Aye.” The meeting adjourned at 6:50 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 \_\_\_\_ day of June, 2014

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Brad Pratt, Tooele City Council Chair