

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

Date: Wednesday, July 17, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Scott Wardle
Dave McCall
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director

Excused: Steve Pruden, Chair

Minutes prepared by Michelle Pitt

1. Open Meeting

Vice-Chair Wardle called the meeting to order at 5:01 p.m.

2. Roll Call

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

3. Discussion:

- Community Cat Presentation

Presented by Chief Ron Kirby

Chief Kirby said that he had been approached by the Best Friends Animal Society about implementing a cat program in Tooele. With this program, the Best Friends will take feral cats to the City's animal shelter. If the cats are not claimed within a specified amount of time, the Best Friends will take the cats, at their own expense, neuter them, clip their ear to identify them as a community cat, and release them near the same area where they were taken. The Best Friends keep the records and administer the program. The police department assists by giving the Best Friends the uncollected cats from the shelter. Chief Kirby added that the benefit of this program is that it reduces cat populations, and is more humane than the current practice of euthanizing. This program has been authorized by state law.

Vice-Chair Wardle asked how the City will educate the community about the program. Chief Kirby answered that the proposed Memorandum of Understanding (MOU) says the Best Friends will provide community outreach. Vice-Chair Wardle felt it was also important for the City to inform the community.

Vice-Chair Wardle asked if the MOU could require the Best Friends to provide information to citizens. The Mayor said that the Best Friends' informational brochure can be sent out to the citizens with the Ninety North Main publication, at no charge to the citizens. Vice-Chair Wardle asked who from the City would coordinate this program. Mayor Winn responded that animal control would be the coordinators. Chief Kirby said that people would be referred to the Best Friends if they had questions about why a cat, who they trapped, showed up again. Vice-Chair Wardle would like a brochure given at the time the cat is taken.

Vice-Chair Wardle asked if the City's nuisance law would need to be amended to allow this program to operate. Council Member McCall said that the City is bound by what the state says, and that the City should get that information out in the newsletter right away. The citizens would then know that it's a state law.

Vice-Chair Wardle asked for more information about the program from Best Friends. Chief Kirby indicated he would request the information from Best Friends for the Council. Vice-Chair Wardle said he would like to see the information to see if the City Code regarding stray cats needs to be modified.

Council Member McCall agreed that the City's nuisance ordinance would need to be looked at to see if needed to be amended. Chief Kirby felt it wouldn't conflict with the City's current ordinance because it allows the City to euthanize animals if people don't pick them up within a specified amount of time. The City would continue to do that, so it wouldn't need to be amended. Mr. Baker indicated that he and Chief Kirby would look at the current ordinance to see if it conflicts with the Memorandum of Understanding, or state law.

- PAR Tax Project List
Presented by Darwin Cook

Mr. Cook provided an update on the PAR projects:

- The restrooms at the City Park are complete, but there are a couple of issues with locks that they are trying to resolve. The total spent was \$173,089.15, and \$164,000 was budgeted.
- The Red Del Papa concession stand has almost been completed at a cost of \$201,178. It just needs a final walk through, which will be done Monday. The Dow James concession building is complete, at \$180,364.79, and has been turned over to the Tooele County School District. The budget for both projects was \$365,000. \$50,000 was donated by Chartway Credit Union. The Parks Department is pursuing a donation from Rocky Mountain Power to get the lights charged.
- The golf course pavilion is complete, at a cost of \$217,846. \$210,000 was budgeted.
- The Railroad Museum, Phase 3, is complete at \$37,580, which is what was budgeted. To complete the ADA access, they will be pouring concrete at a cost of \$10,604, which will come from a grant.
- The Elton Park irrigation project was budgeted at \$500,000. \$8,887 has been spent so far. The project will begin on August 1st.
- Pickle ball courts are complete and in use. \$121,836 spent. There will be an additional cost of about \$5,240 to fill a gap caused by installing the pickle ball courts over the existing courts. This elevated the courts 5 inches above the existing concrete which needs to be filled. The concrete will also provide an additional staging area for players. There is an issue of lighting. The City electrician is suggesting \$10,368 for new LED lights, which could come out of PAR tax funds. The Mayor added that the library has pickle ball equipment that can be checked out, with a library card. A ribbon cutting has been set for July 30th at noon.
- Carnegie Library restoration, \$1,000 has been spent. The original budget was \$100,000, but the addition of window replacement brings the total up to \$125,000.

Mr. Cook said that he will be bringing some requests for projects for the 2019-2020 year.

- Resolution 2019-42 A Resolution of the Tooele City Council Approving the Tooele City Fee Schedule for Cemetery Fees
Presented by Darwin Cook

Mr. Cook stated that the adjustments to the cemetery fee schedule have been made as recommended during the last work meeting. Services that are being charged are to recover the costs of the services, and there is not a cost difference between a resident and nonresident. There is a difference in cost for resident and nonresident on things like commodities.

Council Member Gochis asked who monitors whether a person puts in an upright marker, and who doesn't. Mr. Cook answered that there are certain areas that allow upright markers. People need to specify whether it's an upright marker or not when they purchase the plot.

- Resolution 2019-54 A Resolution of the Tooele City Council Approving Poll Workers and Polling Locations Within Tooele City Limits
Presented by Michelle Pitt

Ms. Pitt stated that Utah Statute mandates that the City Council approve the poll workers and polling locations within Tooele City. The exhibit to the Resolution names the poll workers and polling locations, or vote centers.

- Resolution 2019-53 A Resolution of the Tooele City Council Approving a Change Order with Triex Construction Corporation for Installation of a New Culinary Waterline on 1400 East
Presented by Steve Evans

Mr. Evans said that the change order is to cover costs to install a waterline at 1400 East. Triex was awarded the contract for other water projects, so this is an addition to their current contract. This water line is a brand new water line to help with water flow in that area. The cost of the water line is \$66,333.71 for 800 linear feet for 10 inch water line. The water line won't affect the pavement because it will be placed in the dirt area.

- Property Donation at 520 East 1400 North (Detention Basin)
Presented by Steve Evans

Mr. Evans said that the owner of a detention pond at 520 East 1400 North would like to give this land to the City. In the past, some developers have put in detention ponds, then the developer goes away and quits paying the taxes on the property and it becomes full of weeds. He is concerned that this will happen to this property, or that someone will buy the property thinking that they will be able to build on it. Mr. Evans asked how the Council felt about accepting this donation. He showed some examples of detention ponds owned by other cities and how they've improved the lots. It would require some maintenance, even if it was xeriscaped. Council Member McCall said that he liked the idea, but asked where the money would come from to make it in to a park, and to do the maintenance each year. Mayor Winn said that City staff is currently working on plans and ideas, and a map of all the detention basins, to have an idea of how many there are, and where they are. She suggested that one basin be improved each year, and have Parks maintain them. Council Member McCall suggested asking some of the businesses to donate funds for them, in exchange for a sign at that location acknowledging and advertising them.

Vice-Chair Wardle asked if there was a way to create walking routes that included the detention ponds. Mayor Winn said that Tooele County has an employee whose job is to create walking trails, and suggested that the City partner with the County to help develop these.

Council Member Pratt said that the Council gets complaints about weeds all the time. He indicated he would like to get a plan in place for these detention basins.

Mr. Cook said that an initial estimate for each detention basin would be only \$200.

Council Member Wardle asked about putting a small pavilion, playground equipment, etc. which would allow the City to bring parks to individuals, instead of bringing individuals to the parks. Mayor Winn added that the City might be able to get citizens to participate in the development of a mini-park.

Mr. Cook will bring a proposal of a test site to the Council. Vice-Chair Wardle recommended to not automatically go with the least expensive option. The Mayor stated that a requirement should be added in the City Code so that developers are prepared for this additional cost. The Council would like to accept the donation.

- Change of Use for the Kirk Hotel
Presented by Jim Bolser

Mr. Bolser said that for many years this site has been licensed as a hotel. It has changed hands many times throughout its history, but it has always been licensed as a hotel. Some of the owners at times have freely changed parts of the use from a hotel, to apartments. The current owner is renovating and would like to license and use the building as apartments, with 43 units. Mr. Bolser added that this is in a general commercial zone. In order to be eligible for apartments, the City would need to rectify the usage. Mr. Bolser indicated that the City could rezone the project to a multi-family zone, however, it would far exceed what is allowed in any of the City's current multi-family zones. The City could choose to amend the code for the building as a registered historic building, allowing zoning under that provision, but it would require the owner to get the building registered as historical. Mr. Bolser said that either option would cause an amendment to the City Code.

Council Member McCall thought the building was registered with the State as historical. Mr. Bolser said that he could not find anything showing they had been registered as historical.

Council Member Gochis asked if there was sufficient parking for an increased use. Mr. Bolser said that they would either have to find a way to provide parking, or enter in to an agreement with neighboring property owners to share parking.

- Public Works Projects Update
Presented by Steve Evans

Mr. Evans provided an update on projects:

- Had a pre-bid meeting for a storm drain project on Droubay Road.
- Concrete waterways - split the town into four sections. The City would like to do these projects once every four years. Will start with the northeast section because that quadrant is the most hazardous.
- Demolition of the obsolete rec plant.
- Broadway storm drain project on 400 North to Utah Avenue.
- Demolition of Reservoir #2 and #3, won't be able to begin this project until the end of their contract.
- Waterlines – will be done with 1400 East, except for testing, tomorrow. They will start digging the waterline on Coleman on Friday.
- Meeting soon with an arborist to go through and cut trees so that Kilgore can get started on the road projects.

- Resolution 2019-52 A Resolution of the Tooele City Council Approving and Ratifying a Modification to the Third-Party Public Improvement Inspection Requirement for Overlake 1L Phase 2
Presented by Roger Baker

Mr. Baker said that the settlement agreement between Perry Homes, Tooele Associates, and the City states that public improvement inspections in the Overlake subdivision would be outsourced by a third-party inspection company. Perry Homes has used that process but decided that it would be less expensive and they would have better cooperation between them and the City if they are allowed to use City inspectors.

Mr. Baker added that Bill Perry proposed that the City waive that provision of the agreement. The waiver is for this subdivision only. If Perry Homes does another phase, and want to continue with City inspectors, they will have to come back and ask for a waiver of the provision of the agreement again.

Mr. Baker felt that it wouldn't create precedents for any other developers in a negative way.

- Subdivision Final Plat for Phase 1 of Lexington Greens at Overlake by Zenith Tooele LLC for the Purpose of Creating 113 Single-Family Residential Lots at Approximately 600 West 1200 North in the R1-7 Zone
Presented by Jim Bolser

Mr. Bolser stated that there are two properties: what the Council has seen previously involving this subdivision, and a request for a Zoning Map Amendment that will be brought before the Council in August. The Zoning Map Amendment is a separate thing although they are right next to each other. Mr. Bolser added that the developers brought forward a larger project as a preliminary plan application, and this is the first phase coming through as a final. The Planning Commission forwarded a positive recommendation.

Vice-Chair Wardle turned the time over to RDA Chair Pratt for the RDA items:

- RDA Resolution 2019-14 A Resolution of the Redevelopment Agency of Tooele City, Utah, Adopting an Amended Budget for Fiscal Year 2019-2020
Presented by Mayor Debbie Winn

Mayor Winn stated that the amendment to the budget is to return \$530,000 to the City. It is currently in the contract services line item, but should pay the City for bond payments. RDA Board Member Wardle wants the explanation to say bond payments instead of contract services.

- RDA Resolution 2019-074 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving a Listing Agreement with New West Realty Group for the Sale of up to 358 Acres of RDA-Owned Property in Bauer
Presented by Roger Baker

Mr. Baker said that he reached out to Mike Quarnberg, who was the agent for the sale of the Vernon property, to be the listing agent of the Bauer property. This contract has been delayed because the City wants to hold out a five acre parcel for infrastructure of some kind, like a booster pump, storage tank, etc. The survey has been completed, and it is ready to be listed as for sale.

Mr. Sant joined the meeting.

- RDA Resolution 2019-11 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving a Development Agreement with M-53 Associates for 33 Acres of Land Located at Main Street and 1000 North Street Presented by RDA Chairman Brad Pratt

Chairman Pratt stated that this is the Development Agreement for the retail area at 1000 North. Chairman Pratt asked Mr. Sant to provide details of the agreement.

Mr. Sant said that in the May meeting, changes to the agreement were discussed. Revisions were made and it was sent back to the developers. Mr. Sant said that he recommended that one of the requirements of the agreement is that the RDA must approve the master site plan before signing the agreement. He further recommended that the RDA adopt the agreement, but stipulate that the executive director not sign it until the master site plan has been approved.

Mr. Baker stated that if the RDA Board wanted to approve the agreement, but not sign it until the master site plan is approved, they needed to make that a condition of the motion.

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 McCall “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Vice-Chair Wardle “Aye.”

The meeting closed at 6:14 p.m.

Those in attendance during the closed session: Mayor Winn, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Glenn Caldwell, Roger Baker, Darwin Cook, Council Member Pratt, Council Member McCall, Council Member Gochis, and Vice-Chair Wardle.

No minutes were taken on the closed meetings.

5. Adjourn

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

The meeting adjourned at 6:53 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 August, 2019

Scott Wardle, Tooele City Council Vice-Chair