

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

Date: Wednesday, October 1, 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 (for closed portion only)  
Fire Chief Mike Jensen  
First Assistant Chief Bucky Whitehouse

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  
Steve Pruden, Present  
Debbie Winn, Present  
Scott Wardle, Present

3. **Discussion:**

- Green Meadows Annexation

Chairman Pratt explained that the council received a letter from Mathew Arbshay which contained changes and a map depicting the proposed changes regarding the Green Meadows annexation. Chairman Pratt opened this item for discussion from the Council.

Councilman Wardle stated that the City needs adequate water rights that meet City ordinance. Councilman Wardle went on to say that he thinks it is a good development, but it needs to meet water requirements. Chairman Pratt agreed that the water issue needed to be taken care of. He also agreed that the plan was a good plan and would be a good addition to the community, but expressed concern about the water situation being able to cover the entire lots. Councilman Pruden agreed. Councilwoman Winn also agreed, saying that sufficient water needed to be supplied for these large lots. Councilman McCall agreed as well. He stated that he didn't think that Mr. Arbshay proposed enough water for the size of the lots. Mr. Baker asked the Council if their position was that they expected that the purchasers of these lots would choose to landscape the entire property. The Council answered in the affirmative. Councilman Pruden stated that the Council would have no way of knowing what a buyer would want to do with their land. They may want to leave it wild, or may want a huge garden, trees, etc. Councilman Wardle stated that, as he saw it, each of the titles for these lots would need to have an addendum and he didn't want that.

Councilman McCall asked if the City had required water rights of other annexation requests? Mr. Baker answered that the city had not annexed anyone without following City code of meeting the water rights requirements. Water rights requirements at the Liddiard's property weren't required at time of annexation approval because the water demand was unknown, but was required at site approval. The only time water rights were not required, was when the City annexed its own property for open space, which doesn't require water.

Chairman Pratt addressed Mathew Arbshay saying that the Council generally agreed that he would need to supply adequate water rights, or he could choose to withdraw the request for annexation.

Mr. Arbshay stated that his letter, which he provided to the Council, contained significant changes. The proposed lots are 1/2 acre lots, with 4,000 square feet under buildings and/or walks. He stated that he had offered 6,000 square feet for the front and side of houses. Mr. Arbshay felt that 90% of the backyards would be used for RVs, extra cars, and/or shops. If someone had the desire to landscape, they could come to the City to request the extra acre of water. Requiring the water rights at this time, doesn't help selling or developing the property. Councilman Pruden said that Mr. Arbshay's proposal of requiring residents to come back to the City, would put the City on the enforcement end to make sure the owner didn't develop the backyard. The City would be tasked with enforcing and monitoring and be cumbersome to staff.

Chairman Pratt felt that Mr. Arbshay's proposal required a restricted deed on the front end of a sale. Restricted deeds cause a lot of problems. Chairman Pratt thanked Mr. Arbshay for his input and adjustments. The Council is adamant about making sure that the water is there. Mr. Arbshay stated that he would like the matter to go forward for a vote at the next business meeting. Mr. Baker stated that he would have an ordinance prepared for a vote at the next meeting.

Mr. Baker asked Mr. Hansen if he could calculate the amount of water that would be needed for the number and size of lots. Mr. Hansen calculated that it would require 2 acre feet per lot. This would allow for indoor and outdoor water use and equates to 64 acre feet for the development. Mr. Hansen indicated that he always takes into consideration driveways, house size, etc.

- Resolution 2014-44 A Resolution of the Tooele City Council Authorizing the Purchase of a New Fire Truck and Authorizing the Mayor to Sign a Master Lease Agreement and other Documents Associated with the Purchase and its Financing Presented by Mayor Patrick Dunlavy

The Mayor stated that the reason that this lease agreement is being brought before the Council for vote later tonight, is that it requires that a public body meet and approve the contract. The terms of the lease agreement have been worked through with Chief Jensen. The City Council meeting tonight meets the requirement of the lease and guarantees payment. As soon as the purchase is approved, they will begin to build the truck.

Chief Jensen stated that buildings in the City are getting taller, so the City needs a ladder truck to be able to rescue people. The Mayor stated that this is a needed piece of equipment.

Chairman Pratt expressed appreciation to the City's tremendous fire department.

- Resolution 2014-45 A Resolution of the Tooele City Council Approving a Contract Scope and Price Adjustment with Newman Construction for Removal and Replacement of Waterline Trench Backfill Material and Additional Asphalt Repair for the Kennecott B Pump Line Presented by Paul Hansen

Mr. Hansen stated that when the contract for the Kennecott pump and well house was approved, the city didn't know that this additional work would need to be done. This project is 90% in the county, so the City is having to abide by County ordinances. The County is requiring new material in the trench. The Mayor stated that they argued this requirement, but were not successful. Mr. Hansen stated that the work has been completed but exceeded the original amount of the pump and well house which caused a change order in the amount of \$29,333.

- Ordinance 2014-12 An Ordinance of Tooele City Amending Certain Provisions of Chapter 7-25 of the Tooele city Code Relating to Electronic Signs Presented by Jim Bolser

Mr. Bolser reminded the Council that staff has been working on revisions to the sign code for some time now. This ordinance addresses the specific provisions regarding electronic signs only, not the whole chapter. The planning commission held a public hearing, but did not forward a recommendation. Mr. Bolser suggested that the Council hold the public hearing at the business meeting tonight, but table the matter so that recommendation can be made from planning commission.

Councilman Wardle expressed appreciation to staff for reaching middle ground with this ordinance.

It was mentioned that a local dentist's office recently installed an electronic sign. It was asked if the dentist was made aware that changes might need to be made. Councilwoman Winn asked whether electronic signs that were currently in place would be held to new standards or if they would be grandfathered in. Mr. Baker stated that programming and brightness would need to be changed, but the size of the sign, or things that couldn't be changed, wouldn't. Mr. Bolser added that twirl time, dwell time, etc. would need to abide by the ordinance. Mr. Baker indicated that right now there is no ordinance for brightness. Councilwoman Winn asked why a sign would be approved that would later need to be modified. Mr. Bolser stated that as long as a sign is permitted according to zoning, it is allowed, but applicants are made aware that changes may be coming and the sign permit applications are reviewed with the new ordinance provisions in mind.

Councilman Wardle stated that every revision is made in order to comply with federal law and to help businesses. The City is trying to strike a balance and to meet middle ground. Councilman Wardle expressed appreciation to City staff for their ability to reach middle ground on this issue.

Mr. Bolser stated that signage trends are changing day by day making ordinances like this difficult to find a good balance point. Chairman Pratt stated that signs are changing with new technology. This ordinance will probably need to change again as modern, new signs come out.

- Ordinance 2014-13 An Ordinance of Tooele City Repealing and Reenacting Chapter 8-4 of the Tooele City Code Relating to the Abatement of Nuisances Presented by Jim Bolser

Mr. Bolser stated that this matter was brought before the Council at an earlier meeting for an initial review. He asked the Council if they had any questions after having an opportunity to review the proposed ordinance. There were no questions. Mr. Bolser stated that the ordinance has been scheduled for a public hearing and possible action by the Council at their October 15<sup>th</sup> meeting.

#### 4. **Close Meeting to Discuss Property Acquisition**

Councilman Pruden moved to close the meeting to discuss property acquisition. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, "Aye", Councilwoman Winn, "Aye", Councilman McCall, "Aye", Councilman Wardle, "Aye", and Chairman Pratt, "Aye". The meeting closed at 5:36 p.m.

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

No minutes were taken on these items.

5. **Adjourn**

**Councilman Wardle moved to adjourn the meeting.** Councilwoman Winn seconded the motion. The vote was as follows: Councilwoman Winn, “Aye”, Chairman Pratt, “Aye”, Councilman McCall, “Aye”, Councilman Wardle, “Aye”, and Councilman Pruden, “Aye.” The meeting adjourned at 6:44 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 15th day of October, 2014

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Brad Pratt, Tooele City Council Chair