Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, October 16, 2019, at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**

2. **Roll Call**

3. **Mayor’s Youth Recognition Awards**

4. **Public Comment Period**

5. **Resolutions 2019-75** A Resolution of the Tooele City Council Approving a Contract Change Order with Hydro Resources Rocky Mountain, Inc. for Drilling of Three Test Wells
   Presented by Paul Hansen

6. **Resolution 2019-74** A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Canyon Village Rust Phase 2 Subdivision
   Presented by Paul Hansen

7. **Buffalo Pass Final Plat Subdivision** by Land Development, LLC, Located at 150 West 600 North, 6 Lots, 1.1 Acres in the R1-7 Residential Zoning District
   Presented by Jim Bolser

8. **Buffalo Ridge Final Plat Subdivision** by Land Development, LLC, Located at 204 West 600 North, 6 Lots, 1 Acre in the R1-7 Residential Zoning District
   Presented by Jim Bolser

9. **Linda Vista Subdivision Phase 1 Plat Amendment** by Jack Walters, Located at 240 South 1250 East, 12 Lots, 5.6 Acres in the R1-7 Residential Zoning District
   Presented by Jim Bolser

    Presented by Michelle Pitt

11. **Minutes**

12. **Invoices**

13. **Adjourn**

Michelle Y. Pitt, Tooele City Recorder
Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2113 or michellep@tooelecit.org, Prior to the Meeting.
TOOELE CITY CORPORATION

RESOLUTION 2019- 75

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A CONTRACT CHANGE ORDER WITH HYDRO RESOURCES ROCKY MOUNTAIN, INC. FOR DRILLING OF THREE TEST WELLS.

WHEREAS, by Resolution 2018-22, Tooele City entered into a contract with Hydro Resources Rocky Mountain, Inc. for drilling of the Fire Station well; and,

WHEREAS, Tooele City abandoned completion of the Fire Station well due to unsuitable groundwater development conditions; and,

WHEREAS, the project was left with a remaining unexpended approved balance of Six hundred Twenty-nine thousand Six hundred Forty-one dollars ($629,641.00); and,

WHEREAS, the City desires to complete a test well drilling program to help identify the best options for development of additional culinary water sources to help meet the growth demands of the City in accordance with the City’s adopted Culinary Water Master Plan; and,

WHEREAS, upon completion of the test well drilling program, the City will have additional information to assist in determining where and how best to develop full production wells; and,

WHEREAS, Hydro Resources- Rocky Mountain, Inc., has submitted a cost proposal of Seven hundred Twenty-two thousand Twenty dollars ($722,020.00) for drilling and construction of the three test wells (see cost proposal attached as Exhibit A); and

WHEREAS, taking into consideration the remaining current contract amount and the proposed change in scope of work and price, the net increase of the proposed Change Order is calculated to be Ninety-two thousand Three hundred Seventy-nine dollars ($92,379.00).

WHEREAS, the City Administration requests that the previously authorized contingency approved with Resolution 2018-22 be increased to a total of Sixty-three thousand One hundred dollars ($63,100.00), which amount represents 5% of the total revised contract amount as contingency for potential change orders that may arise during the Project, as reviewed and authorized by the Mayor; and,

WHEREAS, the additional funding for this Change order will be from the Water Impact Fee revenue fund:
NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Mayor is hereby authorized to sign a contract change order (attached as Exhibit B) with Hydro Resources-Rocky Mountain, Inc. for drilling of three test wells for a sum not to exceed Seven hundred Twenty-two thousand Twenty dollars ($722,020.00), and that the previously authorized contingency approved with Resolution 2018-22 is hereby increased to a total of Sixty-three thousand One hundred dollars ($63,100.00), which may be used as necessary for changed conditions as reviewed and authorized by the Mayor.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _______________, 2019.
TOOELE CITY COUNCIL

(For) 

(For) 

(Against)

(Against)

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

ABSTAINING: ___________________________________________

MAYOR OF TOOELE CITY

(Approved) 

(Approved) 

(Disapproved) 

(Disapproved) 

ATTEST:

__________________________

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney
Exhibit A

Cost Proposal
Exhibit B

Change Order No. 1
July 12, 2019

Tooele City Corporation
90 N. Main St.
Tooele, UT 84074

ATTN: Mr. Paul Hansen, P.E. – City Engineer

Project: Tooele Exploratory Test Holes
Subject: Proposal for Well Drilling Services

Mr. Hansen:

Hydro Resources (HR) is pleased to present the following proposal for well drilling services for the potential exploratory test well program for Tooele. HR wishes to outline our understanding of the scope of work.

Before reviewing the project details, HR would first like to stress our commitment to providing Tooele with a company committed to making Health & Safety our number one priority on this project. HR has broken down the proposal into the following units:

I. Key Equipment to be supplied to the Project
II. Technical Approach
III. Unit Cost Breakdown

I. Key Equipment to be supplied to the Project

HR intends to mobilize the following equipment to the Tooele site:

- The primary drilling rig will be a Challenger 320 drilling rig. The Challenger 320 rig has a 72’ mast rated at 150,000 lbs. with an 18” Howard Turner rotary table.
- The rig will be equipped with 1,500ft of appropriate-sized drill pipe, a Sullair 900 CFM compressor and a Sullair 375 CFM compressor. HR has assumed a support truck for pipe and miscellaneous parts to complete the work.
- The drilling package includes a three-man drilling crew working 24 hours per day.
- The rig will be equipped with the proper pumping equipment and tooling to perform the zone tests.
The equipment listed above will be dedicated to this project on a full-time basis and all the equipment is up to date with annual inspections and certifications.

II. Technical Approach

HR is providing the following summary of our technical approach regarding expected geology and drilling plan.

Well Drilling

- The Challenger 320 rig will be mobilized to the site and set up over the first well site. The associated cuttings tank and frac tank will be arranged accordingly.
- A 20” conductor casing will be installed to approximately 40’.
- Drill 14.75” hole to 1,200’.
- Perform geophysical logging of hole.
- Perform up to three zone pumping tests working up from the bottom of the hole (logging/engineer to determine zones). Install 6” casing w/ 30’ of perforated screen into zone and assume airlifting for 12 hours in each zone. A submersible pump would then be installed and pumped for 6 hours at 50 GPM. Pull full water quality samples in each zone.
- The well will be abandoned. Assuming HR drills a 14 ⅞” borehole to 1,200’ and performs 3 zone samples, HR would expect to pump cement from 500’ to surface. HR will need to provide data of where the 3 bentonite seals were placed and that they were 10’ seals across the clay formations to the state.
- Assume moving over to another site within 10 miles following the first test hole drilling.
III. Unit Cost Breakdown

HR is providing the unit price estimate below.

<table>
<thead>
<tr>
<th>Item #</th>
<th>Description</th>
<th>Unit</th>
<th>Qty.</th>
<th>Unit Cost</th>
<th>Total Cost</th>
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<tr>
<td>1</td>
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<td>$109,040.00</td>
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<td>Zone Testing</td>
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<td>$13,500.00</td>
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<tr>
<td>6</td>
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<td>$10,000.00</td>
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<td>7</td>
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<td>FT</td>
<td>1200</td>
<td>$10.00</td>
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Total Cost for Grid 1 Site $265,340.00

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<th>Total Cost</th>
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<tr>
<td>4</td>
<td>Drill 14.75&quot; Drillhole</td>
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<tr>
<td>5</td>
<td>Zone Testing</td>
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<td>3</td>
<td>$13,500.00</td>
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<tr>
<td>6</td>
<td>Disposal</td>
<td>LS</td>
<td>1</td>
<td>$10,000.00</td>
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<tr>
<td>7</td>
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Total Cost for Grid 5 Site $228,340.00

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<tr>
<td>1</td>
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<tr>
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<td>Well Abandonment</td>
<td>FT</td>
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</table>

Total Cost for Grid 10 Site $228,340.00

Total Cost to Install 3 Test Wells (1,200’ ea) $722,020.00

Utilizing the results of the Geophysical Survey, the estimated solid bedrock depth for the wells are as follows:
1) Grid 1 – 900’
2) Grid 5 – 700’
3) Grid 10 – 1,250’

Based upon these estimated depths the costs of the actual borings would be as follows:
1) Grid 1 - $233,740
2) Grid 5 - $176,340
3) Grid 10 - $233,540

The total project cost based on the results of the geophysical survey data would be $643,620.
Clarifications:

- HR has assumed access for the drill rig (level site, approx. 150’ x 200’). Ability to dig pits.
- HR has included all fuel costs.
- The Drilling Derived Waste assumed to be non-hazardous waste and has been assumed to be removed from the site and disposed of.
- HR has assumed there is a water source available from Tooele. HR will haul the water.
- HR assumes Client has the proper permits in place for the scope of work.
- The bid is a complete package and cannot be modified without prior written authorization from HR. Also, this is an estimate and the final invoice will reflect actual quantities utilized in the field which are properly documented multiplied by the unit rates quoted.
- A mutually agreeable written contract will be negotiated prior to mobilization.
- HR has assumed working 24 hours a day.

We are confident that Tooele will be impressed with our professional water supply services and look forward to the opportunity to provide this service. Please contact our office at your earliest convenience with any questions or concerns you may have.

Sincerely,

Hydro Resources

Jason Barnum

Jason Barnum
Business Development Manager
Rocky Mountain and West Regions
jbarnum@hydroresources.com
CHANGE ORDER

DATE OF ISSUANCE: October 17, 2019
EFFECTIVE DATE: October 17, 2019

OWNER: Tooele City

CONTRACTOR: Hydro Resources - Rocky Mountain Inc.

Contract:
Project: Fire Station Well - Tooele Exploratory Holes

ENGINEER: Paul Hansen

You are directed to make the following changes in the Contract Documents.

Description: Whereas the Fire Station Well was abandoned prior to completion due to insufficient source development potential, the City now desires to modify the scope of work to include the drilling three (3) new test wells for the search of new culinary sources to be used within the City.

Reason Change Order: Owner requested for water exploration. Due to passage of time from the original contract to this Change Order, the contract time is being changed to a date of completion, as shown below.

Attachments: (List documents supporting change) Hydro Resources cost proposal dated July 12, 2019

CHANGE IN CONTRACT PRICE

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<th>Original Contract Price</th>
<th>Original Contract Time:</th>
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<td>Substantial Completion: 90</td>
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<td>Ready for final payment: 100</td>
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Net Increase (Decrease) from No. - to No. -:

| $0                      | Substantial Completion: 0 |
|                         | Ready for final payment: 0 |

Contract Price Prior to this Change Order:

| $1,170,710.00 |

Net Increase (Decrease) of this Change Order:

| $92,379.00 |

Contract Price with all Approved Change Orders:

| $1,263,089.00 |

CHANGE IN CONTRACT TIME

<table>
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<th>Contract Times Prior to this Change Order:</th>
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<tbody>
<tr>
<td>Substantial Completion: 90</td>
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<tr>
<td>Ready for final payment: 100</td>
</tr>
</tbody>
</table>

Net Increase (Decrease) of this Change Order:

| January 31, 2020 |

Contract Time with all Approved Change Orders:

| Substantial Completion: January 31, 2020 |
| Ready for final payment: February 15, 2020 |

RECOMMENDED: APPROVED: APPROVED:

by ______________________________ by ______________________________ by ______________________________

Engineer (Authorized Signature) Owner (Authorized Signature) Contractor (Authorized Signature)

Date: __________________ Date: __________________ Date: __________________
TOOELE CITY CORPORATION

RESOLUTION 2019-74

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED PUBLIC IMPROVEMENTS ASSOCIATED WITH THE CANYON VILLAGE RUST PHASE 2 SUBDIVISION.

WHEREAS, Tooele City previously approved a subdivision final plat for the Canyon Village-Rust II subdivision (the “Subdivision”); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, Land Development LLC and Monument Title Insurance Company have provided a proper Financial Institution Guaranteed Bond agreement with Tooele City for the portion of the Subdivision’s public improvements located within existing public rights-of-way, dated March 21, 2019, in the amount of $14,191.50, with a warranty bond for all of the Subdivision’s public improvements, in the amount of $60,182.63; and,

WHEREAS, both of the above-referenced bond agreements contain the following language:

under the Tooele City Code, the Improvements must be completed, inspected, and accepted prior to the issuance of a building permit for the land use approval or prior to the recordation of a subdivision final plat, as the case may be, except that a subdivision final plat may be recorded prior to the completion, inspection, and acceptance of the Improvements where the Applicant has completed an approved bond agreement and provided an associated bond

; and,

WHEREAS, the required verification that all of the Subdivision’s public improvements have been completed has been provided by way of the Certificate of Completion of Public Works, attached as Exhibit A:
NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL as follows:

1. the completed public improvements associated with the Canyon Village-Rust II subdivision are hereby accepted, those improvements being reflected in the Bond Agreement dated March 21, 2019, and the Certificate of Completion of Public Works, attached hereto as Exhibit A; and,

2. the one-year warranty period on all accepted public improvements shall begin as of the date of approval of this Resolution.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this ____ day of __________________, 2019.
TOOELE CITY COUNCIL

(For) ________________________________ (Against) ________________________________

______________________________ ________________________________

______________________________ ________________________________

______________________________ ________________________________

______________________________ ________________________________

______________________________ ________________________________

______________________________ ________________________________

ABSTAINING: ________________________________

MAYOR OF TOOELE CITY

(For) ________________________________ (Against) ________________________________

______________________________ ________________________________

ATTEST:

______________________________
Michelle Y. Pitt
Tooele City Recorder

SEAL

Approved as to Form: ________________________________
Roger Evans Baker, Tooele City Attorney
Exhibit A

Certificate of Completion of Public Works
**Certificate of Completion of Public Works**

(Start of One-Year Warranty)

**Date:** 08/28/2019

<table>
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<tr>
<th>Permit No:</th>
<th>P17-714</th>
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<tr>
<td><strong>Project Name:</strong></td>
<td>Canyon Village Rust Phase 2</td>
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<tr>
<td><strong>Address:</strong></td>
<td>1800 North Copper Canyon</td>
</tr>
<tr>
<td></td>
<td>Tooele, UT 84029</td>
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<td><strong>Owner/Developer:</strong></td>
<td>Rust Pine Canyon Land Partners, LLC</td>
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<tr>
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<td>292 Big Canyon Ln.</td>
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<td>Secondary Water</td>
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<tr>
<td>Sewer</td>
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</tr>
<tr>
<td>Storm Drain / Pond</td>
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<td>Curb &amp; Gutter</td>
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<td>Street Lights</td>
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<tr>
<td>Landscaping</td>
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**Other / Comments:**

---

**Note:** The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments.

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, the above referenced public improvements for this project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards.

**Recommended By**

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Civil Inspector</td>
<td>8/28/19</td>
</tr>
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<td>City Engineer</td>
<td>8/28/19</td>
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<td>8/28/19</td>
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<tr>
<td>Community Development</td>
<td>10/7/19</td>
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**Acknowledged and Accepted**

| City Council, Chair | Date | Scheduled Date for End of Warranty Final inspection: 08/27/2020 | 8/4/2020 |
# Building Inspection

**Clearances**

<table>
<thead>
<tr>
<th>Item</th>
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<td>Water Lateral</td>
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**Building: Subrough**

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**Building: Rough**

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**Building: Final**

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<td></td>
</tr>
<tr>
<td>Water Meter Box</td>
<td></td>
<td></td>
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</tbody>
</table>
Road improvements shall be completed at a later date under the direction of Tooele County.


Comments:

Status: Pass

Other:

Grading / Excavation

Date: 08/27/2019

Signature: [Signature]

Subdivision: Regional 6
Approved
STAFF REPORT
September 18, 2019

To: Tooele City Planning Commission
   Business Date: September 25, 2019

From: Planning Division
      Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Buffalo Pass – Final Plat Subdivision Request
   Application No.: P19-384
   Applicant: Adam Nash, representing Land Development LLC
   Project Location: 150 West 600 North
   Zoning: R1-7 Residential Zone
   Acreage: 1.1 Acres (Approximately 47,916 ft²)
   Request: Request for approval of a Final Plat Subdivision in the R1-7 Residential zone regarding the creation of a 6-lot single-family residential subdivision.

BACKGROUND

This application is a request for approval of a Final Plat for approximately 1 acre located at 150 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to permit the subdivision of an existing 1 acre parcel into 6 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the west, east and south are all zoned R1-7 Residential. Property to the north is zoned MR-8 Multi-Family Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. This is a straight forward subdivision of an existing 1 acre parcel into 6 single-family residential lots ranging in size from 7600 square feet up to 8600 square feet. Each lot within the subdivision meets or exceeds all ordinance requirements regarding minimum lot size, lot width and lot frontages as required by the R1-7 Residential zoning code.
The applicant will be required to install the necessary road improvements to 150 West. Currently 150 West is a unpaved dirt road and terminates into 670 North. The applicant will be installing sidewalk, park strip, curb, gutter and 30 feet of asphalt thus completing the majority of the 60 foot right of way. The eastern remnant of the road will be completed when that property develops. The applicant will also be installing approximately 25 feet of asphalt where the new road will connect with 670 North east of the existing Johnson parcel.

Each lot will contain a 7 foot sump drainage system that will be protected in an easement in hopes to prevent property owners from altering the drainage system.

**Fencing.** There are not any ordinance requirements for fencing with this development.

**Criteria For Approval.** The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

**REVIEWS**

**Planning Division Review.** The Tooele City Planning Division has completed their review of the Preliminary Plan submission and has issued a recommendation for approval for the request with the following proposed comments:

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

**Engineering Review.** The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan submission and have issued a recommendation for approval for the request.

**STAFF RECOMMENDATION**

Staff recommends approval of the request for a Final Plat Subdivision by Adam Nash, representing Land Development, LLC, application number P19-384, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Pass Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-384, based on the findings and subject to the conditions listed in the Staff Report dated September 18, 2019:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Buffalo Pass Final Plat Subdivision Request by Adam Nash, representing the Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-384, based on the following findings:"

1. List any findings…
EXHIBIT A

MAPPING PERTINENT TO THE BUFFALO PASS FINAL PLAT SUBDIVISION

Buffalo Pass Final Plat Subdivision

Aerial View
EXHIBIT B

PROPOSED DEVELOPMENT PLANS
STAFF REPORT
September 19, 2019

To: Tooele City Planning Commission
   Business Date: September 25, 2019

From: Planning Division
       Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Buffalo Ridge – Final Plat Subdivision Request

Application No.: P19-383
Applicant: Adam Nash, representing Land Development LLC
Project Location: 204 West 600 North
Zoning: R1-7 Residential Zone
Acreage: 1 Acre (Approximately 43,560 ft²)
Request: Request for approval of a Final Plat Subdivision in the R1-7 Residential zone regarding a 6-lot single-family residential subdivision.

BACKGROUND

This application is a request for approval of a Final Plat Subdivision for approximately 1 acre located at approximately 204 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to permit the subdivision of an existing 1 acre lot into 6 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the east and west are both zoned R1-7 Residential. Property to the north is zoned MR-8 Multi-Family Residential and property to the south is zoned OS Open Space. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision is fairly straight forward, splitting a 1 acre parcel into 6 single-family lots. Lots within the subdivision range in size from 7,347 square feet up to 8,260 square feet. Each lot within the subdivision meets or exceeds minimum lot width, lot frontage and lot size as required by the R1-7 Residential zone.

Currently, 200 West has approximately 25 feet of asphalt at this stretch of road. The applicant will be
constructing sidewalk, park strip, curb, gutter and remaining asphalt between the curb and existing asphalt essentially finishing the western side of the road at this bottleneck location. The eastern side will be completed when that property develops.

Each lot will contain a 7” sump easement for storm water drainage. These drainage structures will need to remain unaltered by the lot owner.

Fencing. There is no fencing required by ordinance with this subdivision.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan Subdivision submission and has issued a recommendation for approval for the request with the following proposed comments:

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan Subdivision submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat Subdivision by Adam Nash, representing Land Development LLC, application number P19-383, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

**MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Ridge Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-383, based on the findings and subject to the conditions listed in the Staff Report dated September 19, 2019:"

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Buffalo Ridge Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-383, based on the following findings:"

1. List findings…
EXHIBIT A

MAPPING PERTINENT TO THE BUFFALO RIDGE FINAL PLAT SUBDIVISION

*Buffalo Ridge Final Plat Subdivision*

*Aerial View*
Buffalo Ridge Final Subdivision Plat

Current Zoning
EXHIBIT B

PROPOSED DEVELOPMENT PLANS
STAFF REPORT
September 19, 2019

To: Tooele City Planning Commission
   Business Date: September 25, 2019

From: Planning Division
      Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Linda Vista Phase 1 – Subdivision Plat Amendment Request

Application No.: P19-7
   Applicant: Jack Walters
   Project Location: Approximately 240 South 1250 East
   Zoning: R1-7 Residential Zone
   Acreage: Approximately 5.64 Acres (Approximately 245,678 ft²)
   Request: Request for approval of a Subdivision Plat Amendment in the R1-7 Residential zone regarding the creation of two additional lots in an existing subdivision.

BACKGROUND

This application is a request for approval of a Subdivision Plat Amendment for approximately 5.64 acres located at approximately 240 South 1250 East. The property is currently zoned R1-7 Residential. The applicant is requesting that a Subdivision Plat Amendment be approved to allow for the development of a “future development” parcel included in the Phase 1 subdivision plat. The Phase 1 subdivision plat originally included 10 lots along with a 1 acre parcel located to the north listed on the plat as “future development.” The applicant’s intentions at the time was to preserve this portion of the subdivision for development at a later time. They have now submitted this plat amendment to include two additional lots and public right-of-way.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the north, west and east are all zoned R1-7 Residential. Properties to the south are zoned R1-12 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. Phase 1 of the Linda Vista Subdivision consists of 10 lots with additional property,
near 1 acre in size, located to the north. The public road terminates at the northern most lot of the Phase 1 subdivision into the future development parcel. The applicant is proposing to split the future development parcel into two new residential lots, construct a cul-de-sac turn around, and reconfigure subdivision boundaries so as to not include the north eastern corner property in the subdivision until Droubay Road improvements facilitate development of the remnant parcel.

Lot 110 is proposed by be 8770 square feet and lot 111 is proposed to be 11,937 square feet. Each lot as proposed meets or exceeds minimum lot standards for lot size, lot width and lot frontages as established by the R1-7 Residential zoning code as well as Tooele City’s Subdivision ordinance. It should be noted that lot 111 is encumbered by a 15 foot 100 year drainage overflow swale easement that must be preserved.

Criteria For Approval. The criteria for review and potential approval of a Subdivision Plat Amendment request is found in Sections 7-19-10 and 11 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Subdivision Plat Amendment submission and has issued a recommendation for approval for the request with the following comments:

1. Lots 111 and 112 meet or exceed all standards for lot size, lot width, and lot frontages as required by the R1-7 Residential zoning code and the Tooele City Subdivision Ordinance.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Subdivision Plat Amendment submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Subdivision Plat Amendment by Jack Walters, application number P19-7, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.

**MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Linda Vista Phase 1 Subdivision Plat Amendment Request by Jack Walters, for the creation of two additional lots, application number P19-7, based on the findings and subject to the conditions listed in the Staff Report dated September 19, 2019:”

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Linda Vista Phase 1 Subdivision Plat Amendment Request by Jack Walters, for the creation of two additional lots, application number P19-7, based on the following findings;”

1. List findings…
EXHIBIT A

MAPPING PERTINENT TO THE LINDA VISTA PHASE 1 SUBDIVISION PLAT AMENDMENT

Linda Vista Phase 1 Plat Amendment

Aerial View
EXHIBIT B

PROPOSED DEVELOPMENT PLANS
TOOELE CITY CORPORATION

RESOLUTION 2019-73

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING POLL WORKERS AND POLLING PLACES FOR THE 2019 TOOELE CITY MUNICIPAL ELECTION.

WHEREAS, Utah Code Annotated (UCA) Section 20a-5-403 requires the election officer (the City Recorder for a municipal election) to obtain the municipal legislative body’s approval of municipal election polling places; and,

WHEREAS, UCA Section 20a-5-602 requires the municipal legislative body to approve municipal election poll workers at least 15 days prior to a municipal election; and,

WHEREAS, pursuant to agreement with the Tooele County Clerk, the polling places and poll workers are as indicated on the attached Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City municipal election polling places and poll workers, as shown on Exhibit A, attached hereto and made a part hereof, are hereby approved.

This Resolution shall be effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

Passed this ____ day of _________________, 2019.
ABSTAINING: ___________________________________________

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: Roger Evans Baker, City Attorney
Exhibit A

Approved Polling Places and Poll Workers
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<th>Polling Place</th>
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<tr>
<td>Tooele County Administration Building, 47 South Main Street, Tooele City</td>
<td>Philip Parish</td>
<td>Poll Manager</td>
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<tr>
<td></td>
<td>Chris Holland</td>
<td>Ballot Clerk</td>
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<td></td>
<td>Cheryl Caldwell</td>
<td>Poll Book Clerk</td>
</tr>
<tr>
<td></td>
<td>Katie Redmond</td>
<td>Greeter/Provisional</td>
</tr>
<tr>
<td></td>
<td>Valerie Shumway</td>
<td>Greeter/Provisional</td>
</tr>
<tr>
<td>Grantsville Fire Station, 26 North Center Street, Grantsville City</td>
<td>Tamara Hutchins</td>
<td>Poll Mgr</td>
</tr>
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<td>Carla Chamberlain</td>
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<td>Lindsay Critchlow</td>
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<td>Joan Parkinson</td>
<td>Poll Book Clerk</td>
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<td>RaNae Blaisure</td>
<td>Poll Book Clerk</td>
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<tr>
<td></td>
<td>Tammy Wright</td>
<td>Greeter/Provisional</td>
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<td>Sherlene Lawton</td>
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<td>Middle Canyon Elementary School, 751 East 1000 North, Tooele City</td>
<td>Susan Howard</td>
<td>Poll Mgr</td>
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<td>Barbara Lemmon</td>
<td>Ballot Clerk</td>
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<td>Amber Greenup</td>
<td>Poll Book Clerk</td>
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<td>Roseann Crabtree</td>
<td>Greeter/Prov.Clerk</td>
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<td>Lee Lemmon</td>
<td>Greeter/Prov.Clerk</td>
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<td>Margie Jensen</td>
<td>Greeter/Prov.Clerk</td>
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<td>Stansbury High School, 5300 Aberdeen Lane, Stansbury Park</td>
<td>Ruth Mott</td>
<td>Poll Manager</td>
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<td>Caroline Shields</td>
<td>Ballot Clerk</td>
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<td></td>
<td>Judy Fowler</td>
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<td></td>
<td>Colleen Johnson</td>
<td>Greeter/Prov. Clerk</td>
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<td>Susan Kroff</td>
<td>Help at the office</td>
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<td>Debbie Smart</td>
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Tooele City Council
Business Meeting Minutes

Date: Wednesday, October 2, 2019
Time: 7:00 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:
Brad Pratt
Melodi Gochis
Scott Wardle
Steve Pruden

Council Members Excused:
Dave McCall

City Employees Present:
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Steve Evans, Public Works Director
Darwin Cook, Parks Department Director
Paul Hansen, City Engineer
Michelle Pitt, City Recorder
Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 7:00 p.m.

1. **Pledge of Allegiance**
   The Pledge of Allegiance was led by Mr. Darwin Cook, Parks Director.

2. **Roll Call**
   Steve Pruden, Present
   Scott Wardle, Present
   Brad Pratt, Present
   Melodi Gochis, Present

3. **Mayor’s Youth Recognition Awards**
   Presented by Mayor Winn, Council Member Pratt, and Police Chief Ron Kirby.
Mayor Winn welcomed visitors for the Mayor’s Youth Awards and introduced Tooele City Police Chief Ron Kirby and thanked him for his collaboration. Council Member Pratt highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Council Member Pratt, Chief Kirby, and the Mayor then presented the Mayor’s Youth Recognition Awards to the following students:
- Emily Wolf
- Harbor Landgrebe
- Owen Whitehouse
- Harmonie Wolfe
- Charlize Sandoval
- Maezie Chaplin

Chairman Pruden stated that the City wanted to recognize Steve Howe, the reporter who covers City business. He is moving back to New York. Chairman Pruden thanked him for his service.

4. **2019 – 2020 Library Bookmark Art Contest Winners**
   Presented by Bethany Cruz

Ms. Cruz stated that she is a program specialist at the Tooele City Library. August 9, is National Book Lover Month, to honor that day the Library held its Second Annual Bookmark Art Contest. Library users were asked to share their artistic interpretation of the theme “Books Make Good Friends.” Twenty local book lovers hared their talent during the contest. In September the Library Board and Teen Advisory Council helped with the judging. There was one winner in each of the three age categories.
- Sunny Blake - 0-11 year old category
- Chloe Roth – 12-18 year old category
- Levi Selway – 19+ category

5. **Introduction of the 2019-2020 Library Teen Advisory Council**
   Presented by Emily Spilker

Ms. Spilker thanked the Council and Mayor for allowing them to present at the meeting. She stated that she is a program specialist with the Library and one of the Teen Advisory Council Advisors. The Teen Advisory Council also known as TAC, is a help to the library. They help plan and implement teen activities for the library and perform service around the City. Last year they completed over 150 service hours combined. Ms. Spilker turned the time over to the Library Board Members who presented each of the teens.
- Olivia Cruz – President
- Claire Cruz
- Benjamin Graham
6. **Public Comment Period.**

Chairman Pruden invited comments from the public, there were none.

Chairman Pruden closed the public comment period.

7. **Resolution 2019-70** *A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 3 Subdivision.*

Presented by Paul Hansen

Mr. Hansen stated per City Code that when a development completes public improvements; road, sewer, water, or any improvements that the City will own and maintain; the City Council will be presented a Resolution to formally accept the improvements. The next two items are in compliance with that City requirement. The Providence at Overlake Phase3 Subdivision is a 43 lot subdivision that is located at approximately 350 West 1200 North. It is just south of the existing Overlake Development. The developer has completed the City improvements and the City inspectors have verified that the improvements are complete. The City staff asks for acceptance of the improvements to start the one year warranty period.

Chairman Pruden asked if there were questions or comments from Council, there were none.

**Council Member Pratt motioned to approve Resolution 2019-70.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

8. **Resolution 2019-72** *A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Home Towne Court Development.*

Presented by Paul Hansen

Mr. Hansen stated that this development is a little unique in that the Home Towne Court Development was first platted in 1995. It is a private development, with private streets, however
the water and sewer are public. The development was not fully built out and in 2008 there was an amendment to the plat that modified some of the lot layouts and configurations to reflect the current conditions. The developer has most recently completed the underground water and sewer for the remaining units. The City is only accepting the underground utilities. The City has inspected and is asking for the acceptance to start the one year warranty period.

Chairman Pruden asked the Council if there were any questions or comments.

Chairman Pruden asked if the development was off of Utah Avenue. Mr. Hansen stated that it is approximately 370 West, just north of Utah Avenue.

**Council Member Gochis motioned to approve Resolution 2019-72.** Council Member Wardle seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

9. **Resolution 2019-71 A Resolution of the Tooele City Council Naming the City Hall South Driveway as “Dunlavy Way”**.

Presented by Brad Pratt

Council Member Pratt stated the Resolution was written at the time that Mayor Dunlavy left office. The Council at that time voted unanimously to place a sign on the corner of the driveway coming in on the south end of City Hall and named that Dunlavy Way. It was discovered earlier this year that the Resolution that was written, but was never voted on. It is being brought forward at this time for adoption. Council Member Pratt read a few lines of the Resolution recognizing Mayor Dunlavy’s service for the City.

Chairman Pruden asked the Council if there were any questions, there were none.

**Council Member Pratt motioned to approve Resolution 2019-71.** Council Member Wardle seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

10. **Public Hearing and Motion on Ordinance 2019-27 An Ordinance of Tooele City Amending Tooele City Code Sections 7-1-5; Definitions and 7-2-19; Home Occupations related to Home Based Day Cares and Pre-School Businesses.**

Presented by Jim Bolser

Mr. Bolser stated that the Ordinance does a couple of things. A few years ago, there was an Ordinance that changed a few of the sections under this Ordinance. The laws that previously modified this Ordinance have been changed. There is now a shortfall of licensed care providers.
The proposal increases the number of children that are allowed in a home based preschool or daycare with a maximum of 16 children. Seven children or less, the daycare or preschool becomes a permitted use, and would still have to obtain a business license. If there are 8-16 children there is a need for a Conditional Use Permit, but is still allowed within the home. The proposed changes allow preschools and daycares to have one employee that does not live in the home. Currently there is not an allowance for this. Daycares and preschools would require a traffic and parking plan. Proposed changes limit preschools to two sessions per day and prohibits two licensed daycares or preschools requiring a Conditional Use Permit from locating within 300 feet of each other. The 300 foot barrier is proposed to address potential traffic and neighborhood concerns and would only relate to facilities that require a Conditional Use Permit. The proposed Ordinance changes clarify that licensees and employee children, if they are under the care of the licensee while operating the business, those children would count towards the total allowable children within the daycare or preschool setting. The Planning Commission heard a public hearing over these changes and it was a positive and healthy discussion. They have forwarded a positive and unanimous recommendation.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Chairman Pruden opened the public hearing.

Ms. Kat Martinez stated she was in attendance as an employee of Child Care Licensing with the Department of Health. She stated that the Department of Health supports any Ordinances that are coming in closer in harmony with state laws. It makes it easier for providers to get through the process and understand the rules and regulations. There is a lack of licensed childcare across the state and it is a major problem. The department is in favor of expanding the ratio in order for more children to be in the care of licensed childcare, rather than in illegal childcare. She thanked the Council for their action. Chairman Pruden stated that the Council is grateful this Ordinance is in compliance with state rules and regulations.

Chairman Pruden closed the public hearing.

**Council Member Pratt motioned to approve Ordinance 2019-27.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

11. **Public Hearing and Motion on Ordinance 2019-24 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-14 Residential Zoning Districts Related to Property Frontage Requirements in the In-Fill Zoning Overlay District.**

Presented by Jim Bolser
Mr. Bolser stated that a number of years ago the Council had a discussion about the nature of growth in the community. Part of that discussion centered around the fact that the more the City can develop from within, the better it is for the community. What was done at the time, was to adopt an overlay which is a zoning classification that applies over the top of another zoning classification. That allows for additional regulation and capabilities to the base zoning classification. The overlay provides for differing standards, such as smaller setbacks, smaller property areas, that properties can use to more helpful utilize portions of their property. One of the reasons that this is an issue is the historic center of the community is historic and things were measured out in rods. As properties have been divided over the years, using rods, the City has properties that are significantly smaller by nature and do not conform to the current zoning classifications. The infill was designed as a method to bridge that gap and allow for some greater flexibility and developability of the properties.

Mr. Bolser showed a map of the overlay areas on the screen. There are two overlay areas, Area A and Area B. Area A is toward the center of the community and straddles Main Street, north of 400 South and south of 600 North. There are two areas of Area B on either side. The difference in Area A and Area B, is that Area A allows for greater flexibility. The overlay standards apply to residential properties, not commercial properties. Within the two infill areas there are almost 3000 total parcels of which 2367 are zoned residential. That is 81% and of those 81% about 2334 parcels are zoned R1-7 Residential. In looking at the 2334 lots, there are 469 in Area A and 1865 in Area B. Mr. Bolser showed a slide of the parcels colored in that do not meet the minimum frontage requirements. There are a lot of underutilized properties that do not meet the frontage requirements.

Mr. Bolser showed several slides with analysis of the properties and frontage reductions. The proposal is to establish a reduction of frontage to 80% in Area A to allows up to 93% of properties would be developable. In Area B reduction of frontage to 90% allows up to 82% of all properties to be developable. The Planning Commission held a public hearing and forwarded a unanimous positive recommendation.

Chairman Pruden thanked Mr. Bolser for his efforts and stated that he thinks that this will be good for the community. Mr. Bolser thanked the GIS department for their work on the project.

Chairman Pruden opened the public hearing, there were no comments. Chairman Pruden closed the public hearing.

**Council Member Wardle motioned to approve Ordinance 2019-24.** Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

12. **Oriustrs Minor Subdivision Plat by Bear All, LLC Located at 2400 North 600 East, 1 Lot, 8.8 Acres in the GC General Commercial Zoning District.**
Presented by Jim Bolser

Mr. Bolser stated that this is a unique situation. It is a one lot subdivision. An aerial of the property was shown on the screen. It is on the east end of 2400 North and to the southeast of Liddiariads furniture. The Zoning Map is part of the GC General Commercial zone. The owner is taking an existing lot of record and formalizing it through the mechanism of a plat. This is done for a variety of reasons. The Planning Commission has reviewed this and forwarded a unanimous positive recommendation.

**Council Member Gochis motioned to approve Oristruts Minor Subdivision Plat by Bear All, LLC.** Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

13. **Minutes**

Chairman Pruden asked if the Council if there were any comments or questions, there were none.

**Council Member Pratt motioned to approve minutes from the City Council September 19, 2019.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

14. **Approval of Invoices**

Presented by Michelle Pitt

An invoice in the amount of $305,539.54, to Mountain West Truck Center for two dump trucks and dump truck beds for the water and sewer departments.

An invoice in the amount of $26,557.77, to Tooele County Clerk for the Primary Election.

An invoice in the amounts of $42,605.54, to Bonneville Equipment Company for a Kubota for the cemetery.

An invoice in the amount of $65,000, to Broken Arrow for an open PO for road salt.

An invoice in the amount of $42,475, to Ken Garff West Valley Ford for a F250 water truck.

**Council Member Gochis motioned to approve invoices.** Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.
15. **Adjourn**

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

The meeting adjourned at 8:00 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 16th day of October, 2019

_____________________________________________

Steve Pruden, Tooele City Council Chair
Tooele City Council
Work Session Meeting Minutes

Date: Wednesday, October 2, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
   90 North Main St., Tooele, Utah

City Council Members Present:
Steve Pruden
Scott Wardle
Brad Pratt
Melodi Gochis

City Employees Present:
Mayor Debbie Winn
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Ron Kirby, Police Chief
Kaylene Young, Assistant to the Chief

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

3. **Discussion:**

- Water Department/Street Department Equipment Discussion
  Presented by Steve Evans
Mr. Evans indicated that the water department’s 1987 front end loader was recently tagged out due to safety concerns. He explained that when it stalls, or gets plugged up, the engine stalls and the breaks don’t work. He said that he saw the loader stall and it started rolling backwards. An employee jumped on the equipment, between the tires, and put the bucket down to stop it. He tagged out the loader from future use. Mr. Evans got a bid for a new machine at $137,000, which can come out of the water fund. The street department’s frontend loader went to the shop and it was discovered that brakes are due because they were metal on metal. A new loader would be about $150,000 to replace that one. This can be taken out of the street enterprise fund.

Mr. Evans explained that the City rented the County’s equipment during the recent water line break. The water and streets departments need equipment to do their jobs.

Mr. Evans added that the City needs to clean ditches, which requires an excavator at $72,000. He stated that this can be taken out of the storm drain fund.

The Council agreed to allow these purchases.

- Resolution 2019-70 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 3 Subdivision
  Presented by Paul Hansen

Mr. Hansen indicated that this is a development that has been completed. Inspectors and the water department have verified that the improvements have been completed. The City is recommending approval and that the one-year warranty begin.

- Resolution 2019-72 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Home Towne Court Development
  Presented by Paul Hansen

Mr. Hansen stated that this development is a private street development on Utah Avenue between Coleman and Main Streets. This completes some water and sewer improvements for the final 2-3 lots on that street. The City inspectors have certified that the improvements are complete. The City will hold a 10% warranty bond and begin the one-year warranty period.

- Police Station Budget Update
  Presented by Paul Hansen

Mr. Hansen stated that the Municipal Building Authority obligated funds to building the new police station, but there are a number of additional expenditures outside the scope of the building. The City is at a point where we are ready to order things like a phone system, 50 desks, antenna system, furnishings, appliances, equipment for the lab, evidence lockers, computers, server upgrades, etc.
Mr. Hansen further explained that the phone system will be the same as City Hall’s and will allow us to transfer calls back and forth. Mr. Hansen listed some of the estimates:

- Phone system $45,000.
- Antenna system $15,000.
- Furnishings and appliances $460,000 – recommending Midwest Furniture to supply furniture similar to what City Hall has,
- Computers and servers $106,000
- Copy machine $15,000

Mr. Hansen stated that there is a total of about $936,000 in expenses for furnishings and the items listed above. He said that $362,801 will come from impact fees, $431,850 from the bond payment, and a fund transfer from the 53 fund at $500,000. This would leave a $357,956 balance in those funds. Mr. Hansen said that the budget is in good shape and is below what was thought. He said that he is asking for the Council’s support as invoices are brought for approval.

Chief Kirby added that they are only buying computers to replace the computers that are three years and older. They will keep the computers on the rotation replacement program.

Chairman Pruden said that the Council is committed to make sure the police department has everything they need. He asked what the police department was doing with the old building and furnishings. The Mayor indicated that the building is being appraised. The Chief said that some file cabinets are being moved to the new building. The furniture is hand-me-downs and not worth much. Mr. Hansen said that a city-wide email will be sent out to see if anyone wants or needs any of the leftover furniture.

There was a question about the camera security system. Mayor Winn indicated that it will be discussed at next month’s meeting. She added that City Hall’s security system did not get approved in the budget.

The Council agreed that expenses for the new police department can be brought to the Council as invoices.

- Buffalo Pass Final Plat Subdivision by Land Development, LLC, located at 150 West 600 North, 6 Lots, 1.1 Acres in the R1-7 Residential Zoning District
  Presented by Jim Bolser

AND

- Buffalo Ridge Final Plat Subdivision by Land Development, LLC located at 204 West 600 North, 6 Lots, 1 Acre in the R1-7 Residential Zoning District
  Presented by Jim Bolser

Mr. Bolser stated that this is the area north of the rodeo grounds. Developers are proposing to subdivide these properties in to six lots each. This will finish the improvements on the west side of the roads.
Mr. Ed Hansen expressed concern about traffic issues already in this area, saying that this development will make it worse, particularly allowing cars to back onto these roads. Mr. Bolser said that the current Ordinance allows for this type of development in this area.

Representatives from the Utah Housing Authority was present. They said that they are excited to have this project move ahead to build 12 rent to own homes.

- Linda Vista Subdivision Phase 1 Plat Amendment by Jack Walters, located at 240 South 1250 East, 12 Lots, 5.6 Acres in the R1-7 Residential Zoning District
  Presented by Jim Bolser

Mr. Bolser stated that this is a relatively simple subdivision. The developers are changing the name from Vista Linda to Linda Vista, adding two previously undevelopable lots into the plat, and completing the first two phases of the subdivision.

- Domestic Violence Advocacy Discussion
  Presented by Chief Ron Kirby

Chief Kirby said that in the late 90s Tooele City was a leader in Domestic Violence advocacy. He stated that Roger Baker was instrumental in bringing the first domestic violence advocate to the City. The position has grown from part time to full time. In 2011, the County Attorney’s office picked up a VOCA grant, which is bigger than the City’s VAWA grant. The VAWA grant is more narrow and specific. The VOCA grant is specifically for court advocacy, focusing on helping victims to know what is happening in the court system. The County Attorney’s office was going to drop that grant and the City picked it up which began a partnership with the City, County and Valley Behavioral Health (VBH).

Chief Kirby further explained that the County Attorney’s office shifted all of their advocacy programs to VBH in 2013. These services have grown in the City and the County. The police department became frustrated with VOCA grant because they were spending $80,000 in order to get a $20,000 grant. With that $20,000 grant, came a huge amount of work to administer and monitor the conditions of the grant. Chief Kirby indicated that he met with the State grantors, Grantsville City Police and VBH to look at other options.

Chief Kirby proposed a partnership with VBH, explaining that the police department will retain the VOCA grant and provide office space in the new building for an advocate from VBH to help victims that walk in the station. He feels that victims will not see a difference in service, and neither will the police officers. Valley already provides these services to the sheriff’s office, Grantsville and Wendover City.

Council Member Wardle expressed appreciation to VBH for their efforts in this and drug issues. He felt that victims will have more access to more services through this program.

Mayor Winn expressed appreciation for the opportunity to continue to work with VBH. She disclosed that Teresa Winn, VBH Director, is her sister-in-law.
Mayor Winn indicated that a ramp in front of City Hall for ADA services has been discussed for several years. The City has done some small projects with concrete this year and asked for a bid for this project too. The bid came in at $3,500 to put in the ramp. It will need a railing, so the estimate is $1,500-1,800. The company completed the concrete project between City Hall and the fire station. The Mayor asked for about $5,000 to come out of the Council line item for these projects and indicated that the ramp could be done before the downtown trick or treat. The parks department will move the sprinklers. Council Member Pratt said that he would be glad to see that the sprinklers would no longer be watering the City Hall building, causing hard water on the bricks.

Chairman Pruden suggested taking the $5,000 out of the 41 fund balance for this project.

Mr. Baker stated that the 1992 BRAC surplussed or excessed 1,700 acres of property and buildings in two different areas, including the industrial area and the administration area. The Army Depot swimming pool is operated by MWR. The Army had some facilities that they didn’t want to let go of, within those 1700 acres, and asked that they be allowed to lease those areas from the City. The pool was conveyed to the RDA, then conveyed to Mathew Arbshay’s company. Mr. Arbshay talked to the City about the City having ownership of that building so the City took ownership of it. The City does not have any rights to possess, alter, or do anything to the pool or the pool building. The Army has decided, for internal reasons, that it will no longer maintain the pool and would like to fill it in. Since the City is the property owner, the Army would like the City’s permission to do that.

Mayor Winn stated that the pool has not been open for two years. It needs extensive repair. The Army doesn’t have the money to repair or maintain the pool because of funding cuts. It is a liability. They would like fill the pool with dirt.

Council Member Gochis said she attended the school bond meeting. There is not a plan for a pool in the new proposed high school. That will cause another school to want to use the City pool for another swim team. Council Member Gochis asked if the school board should be approached to see if they would be interested in this pool. Mayor Winn said that this is an outdoor pool, and swimming competitions take place in the winter.

Council Member Wardle asked if they would be removing all the piping for the chlorination, so that there wasn’t a liability to the City. Mr. Cook said that they chlorination is a shared system with the hot tub, which the Army is leaving. The system will stay so that they can continue to use the hot tub. Mr. Baker said that the Army has all environmental liability for property that
they own or operate. The Army doesn’t have to ask for our permission to fill the pool, and he’s not sure why they are asking, but feels they are including the City as a show of good faith.

Mayor Winn added that all of the property that surrounds that building, such as the Eagle’s Nest, is owned by the National Guard. She indicated that she discussed with them several weeks ago if they were interested in purchasing that property from the City, or in doing a trade. The National Guard will eventually get rid of their building they have that is located in the City.

The Council was in agreement to fill the pool.

- Medical Cannabis Act
  Presented by Roger Baker

Mr. Baker stated that there was a ballot initiative that passed, and legislation that followed, to implement the growing, production, and dispensing of medical cannabis. Bill 1002 came out of last week’s special session to resolve some difficulties with municipal control of these facilities. Mr. Baker said that an Ordinance may need to be brought before the Council allowing a medical cannabis production facility as a permitted use in industrial and agricultural zoning districts.

Council Member Wardle asked if there was a proximity to schools clause. Mr. Baker said that there wasn’t that he knew of, and that the City can’t require a minimum distance between one facility and another, like they can with smoke shops. Chairman Pruden said he would like to impose a minimum distance between schools.

Mr. Baker said that there will be a minimum of about 12 medical cannabis pharmacies throughout the State. The State will be dividing the territory up so that all populations can be served. He added that there may not be any of these facilities in Tooele. Council Member Wardle asked if there is sales tax on these facilities. Mr. Baker stated that he will find out about that, and about the proximity of schools.

Mr. Baker added that State law restricts the type and size of signage that a production facility and dispensary can have, but that it must include a green cross.

- Water Rights for Irrigation Water
  Presented by Roger Baker

Mr. Baker stated that in 2015 a comprehensive amendment of the City’s water rights chapter was brought to the Council for approval. One of the new provisions that was recommended, and was implemented, was a provision allowing property owners to satisfy their outdoor irrigation water right requirement by dedicating a share of irrigation water stock. It didn’t have to be conveyed to the City provided that if the City become aware that they had stopped using that secondary water and were replacing it with culinary water, and they didn’t provide water rights or impact fees, the City could bill them or ask them to provide water rights.

Mr. Baker went on to say that there are a number of challenges with trying to impose this provision. The Ordinance does not require those shares of stock to be tied to the property. Quite
frequently people sell their land to one person, and then sell their irrigation stock to another. This would then allow a development that does not have any culinary water rights, and they have subverted the requirements. The current Ordinance is very difficult to enforce and administer, and there’s no mechanism to monitor whether people are using their irrigation water or culinary water.

Mr. Bolser stated that there are cases where people are utilizing the irrigation shares, then they move and take their irrigation shares with them. This leaves no water rights for the new homeowners and causes an issue that is unexpected for new home buyers. Mr. Bolser added that it has been a very good year for water for the irrigation company, but that is not always the case. Sometimes the irrigation company shuts off water in mid-July then people desire culinary water. Sometimes there are illegal cross-connections done in these situations.

Mr. Hansen gave an example of most of the applications the City has seen, as: someone wants to build a home, or subdivide. They want to supply the entire subdivision with water from irrigation. New residents don’t know that they’re buying this deal. He said that he didn’t want to discredit the value of irrigation shares, but when a home is built, it is supplied with full power capability from Rocky Mountain Power. If the homeowner then decides to install solar panels, it becomes a personal use. There may be a question of whether the City should consider irrigation shares as a secondary source, instead of the primary source, to reduce the culinary demand.

Mr. Baker asked if the City should require all developments to provide culinary water, then, if they choose secondary water shares that they own, it would reduce their rates. He felt this would be a more defensible and an easier policy to administer.

Council Member Wardle said that he struggles with this change. He pointed out that he owns Settlement Canyon shares, and so does the Mayor. As an owner in that he has a hard time, and asked if there was a different way to do it. He added that when someone has a secondary water connection, by title, they have to show that that water goes with it. He asked if people show they are using secondary water, would they receive a rebate each year. Chairman Pruden said that there would just be a savings in their culinary water bill. He asked if the properties that are served by Settlement Canyon irrigation could have something on the title of every new development, so that when buying and selling, homeowners would know. Council Member Wardle asked how many lots were affected by this. Mr. Baker answered that there were seven lots recently. Mr. Hansen added that five more are requesting to use Middle Canyon shares, and that they are seeing a larger interest in developers want to use this as a cost savings. Council Member Wardle asked if the City should bring in Settlement Canyon Irrigation Company for a discussion. Council Member Gochis indicated that she has a meter, but Council Member Wardle does not. The percentage of the community who is on Settlement Canyon shares is small.

It was decided to give the City administration a month to talk with the irrigation company, look at options, and bring this matter back to the Council in the 2nd meeting in November. It was suggested that he talk with Riverton, West Jordan, and Grantsville to get their policies. Mr. Hansen cautioned that not all districts are the same, and that some of them do not require water rights because the water is supplied by the company. Comparisons may not be apples to apples.
4. **Close Meeting to Discuss Litigation and Property Acquisition.**

There was not a closed meeting.

5. **Adjourn**

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

The meeting adjourned at 6:28 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 14th day of October, 2019

___________________________________________________

Steven Pruden,
Tooele City Council Chairman