

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

Date: Wednesday, October 17, 2018  
Time: 5:00 p.m.  
Place: Tooele City Hall, Large Conference Room  
90 North Main St., Tooele, Utah

**City Council Members Present:**

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

**City Employees Present:**

Mayor Debbie Winn  
Glenn Caldwell, Finance Director  
Michelle Pitt, Recorder  
Roger Baker, City Attorney  
Jim Bolser, Community Development Director  
Andrew Aagard, City Planner  
Steve Evans, Public Works Director  
Kami Perkins, Director of Human Resources  
Brian Roth, Parks and Recreation Director  
Ron Kirby, Police Chief  
Randy Sant, Redevelopment Agency Director  
Paul Hansen, City Engineer

Minutes prepared by Michelle Pitt

**1. Open Meeting**

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

**2. Roll Call**

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

### 3. Discussion:

- Ordinance 2018-20 An Ordinance of Tooele City Amending the Tooele City Policies and Procedures Manual  
Presented by Kami Perkins

Ms. Perkins stated that she brings proposed policy and procedure changes before the Council in a batch, rather than one section at a time. She reviewed the following policies:

- Hiring policy - One of the things that was approved in Ms. Perkins' budget was software for online recruitment with an automated application system. This update reflects this change.
- Nepotism policy – It is becoming more and more difficult to hire and retain employees. The proposed change is for entry-level, seasonal type jobs. The proposal better defines relationships in terms of nepotism. It also provides a provision so that the City can hire relatives for non-merited jobs such as temps, seasonal, cyclical, and on-call, as long as there is an intermediate supervisor between the employee and the relative, but not just a lead, and provided that the immediate manager would not be involved in the hiring process for seasonal, cyclical type jobs.

Council Member Wardle asked about Paragraph G, regarding Mayor or City Council members' family being employed by the City. Council Member Pruden said that he was not comfortable with anyone in their family be employed because of the perception it might cause. Council Member McCall asked about a scenario where a child was already working for the City when their parent gets elected, would it mean that that child could no longer work for the City. Ms. Perkins indicated that there is a provision for that. She added that if there is an intermediate supervisor and the new Council Member was not involved in the hiring process, it would be okay for that child to continue working for the City. Council Member McCall said he understood the problem the City is having getting qualified employees, especially for part time help. Allowing elected officials' relatives is a way of trying to broaden that pool. Council Member Wardle said that if an applicant for seasonal and temporary position is hired, and the applicant is under the age of 18 and related to the Council or Mayor, it must be disclosed. Council Member Wardle added that he would like to see language added saying that the Council must disclose it, and when it comes before the Council, that Council Member must recuse himself.

Ms. Perkins stated that this only applied to the non-merited positions. She said it was a legitimate concern, but she feels this is a good policy. Council Member Gochis said that she works for the federal government. In the federal government, the first-line supervisor cannot be a relative. She felt that the City's policy was very restrictive and it did not

allow taking advantage of an extended employee pool. Ms. Perkins stated that if there was a condition where the City was having difficulty hiring employees for full time positions, they might consider making a change, but this policy was for seasonal, part time positions. Council Member Gochis said that she agreed with the policy. Council Member McCall stated that if the supervisory person is doing their job, it can function. He added that when someone allows someone to do certain things, just because of who they are that's where the problems come in. Council Member McCall said that he was in favor of the proposed policy. Chairman Pruden said that he was not comfortable with elected officials' family working for the City. He added that it was okay for employees' relatives, but not for elected officials. Council Member Pruden said that he would defer to Ms. Perkins's opinion. Council Member Gochis said that eliminating elected officials' relatives could restrict some qualified people. Council Member Wardle suggested taking "G" out of the policy.

- Compensation policy - Updates the salary schedule for police officers; allows for phone allowances for the Council; changes the comp time policy to allow 80 hours carry over; and requires direct deposit rather than paper pay checks.
- Domestic Violence policy - Repeal. Ms. Perkins said that violence and other crime related issues are covered in other areas of the policy.
- Drug Free Workplace policy – Changes the alcohol limit to .04 for safety sensitive positions. Ms. Perkins explained that the state law changed the legal limit for driving with alcohol from .08 to .05. City policy needs to match state law.

Council Member Gochis asked what the City's pre-employment background check process was. Ms. Perkins referred her to the hiring policy. Ms. Perkins explained that things like DUIs are gauged on whether it is tied to their job. For a driving position it is a three year look back. Mr. Perkins added that they take a look at the totality of the circumstances for particular positions, such as police officers, and if they are insurable. Council Member Gochis asked at what point applicants have to disclose past infractions of the law. Ms. Perkins answered that state law says the City cannot ask for that disclosure until an interview has been extended, except for police positions. Tooele City's policy is that we ask for it after a conditional offer of employment has been made, and that offer says that it is contingent upon passing a background check.

- Holidays - If exempt employees work a holiday they can trade those hours for another day. It has to be used during that pay period, or the pay period before or after the day it occurred.
- Funeral Leave - Won't pay overtime payment for funeral leave. Funeral leave benefits are to get the employee up to their normal weekly earnings.
- Benefits - Clarifies Tier 2; elected officials are covered by the long term disability program; and adds public safety officer enhanced benefits.

- Gifts and prizes - Updates and increases the amount of gifts, especially for retirees. Police officers can receive their duty weapon and shadow box.
- Training and educational assistance - Adding reimbursement for student loans for police officers and reimbursement for the police academy. The maximum is limited to \$1,000 per fiscal year, pending the amount the Council allocates.

Chairman Pruden asked that these changes be brought back for the Business Meeting on November 7<sup>th</sup>.

- Resolution 2018-56 A Resolution of the Tooele City Council Approving a Contract with Hawks Janitorial Contracting for Janitorial Services at the Pratt Aquatics Center  
Presented by Brian Roth

Mr. Roth stated that about a year ago, there were issues with the current cleaning company at the Pratt Aquatic Center. He said he talked with staff at City hall and the employees gave Hawks a favorable recommendation. Staff gave Hawks a 3-4 month trial basis at the pool. They now want to have a contract with them.

Ms. Pitt disclosed that the owner of this company is her son-in-law.

- Resolution 2018-61 A Resolution of the Tooele City Council Approving an Amended and Restated Lease Agreement with Atlantic Richfield (ARCO) for a Police Pistol Range  
Presented by Police Chief Ron Kirby and Roger Baker

Chief Kirby stated that after mining shut down at Anaconda, the mining company carved out some property for a gun club and a gun range for the police department. The City has had a lease with ARCO for about 20 years. Chief Kirby said that laws have changed over the 20 year lease. ARCO approached the City wanting to update the lease. The lease addresses a 10 year lead clean up. The Council asked when the 10 year time frame began. Mr. Baker said that the lease doesn't specify when the time frame begins, so he felt that it should be begin at the time the new lease is signed, unless informed otherwise.

- Ordinance 2018-18 An Ordinance of the Tooele City Vacating a Portion of a Dedicated Public Sewer Utility Easements on Lots 11 and 24 of the Flinders Industrial Park Subdivision  
Presented by Paul Hansen

Mr. Hansen stated that this area is at 1280 North SR36. The owner of Quick Quack Car Wash wants to build a building that will cross over a sewer easement. The City would need to vacate the portion of sewer easement that they want to cross. The sewer easement would need to be

replaced and brought back with an amended plat. This will come before the Council at their next meeting.

- Seasonal, Temporary and Recreational Uses  
Presented by Jim Bolser

Mr. Bolser said that City staff identified a conflict in City Code regarding temporary uses and recreational uses. The conflict involves true temporary uses and those that are specific to certain seasons. Mr. Bolser suggested separating the uses and identified two different types of seasonal uses: permitted and conditional seasonal temporary uses. Mr. Bolser added that there are impacts, such as parking, that will come along with certain uses, such as a pumpkin patches or corn mazes which require a lot of space but that amount of space would generally address those impacts. Other uses such as a farmers markets may not require a lot of property but may still carry some of those same impacts. Mr. Bolser said that those listed as permitted, will be a permitted use when listed as permitted and a conditional use when listed as conditional. If it is listed as conditional, it will always be a conditional use as long as it's an allowed use regardless of whether it's listed as permitted or conditional.

Mr. Bolser said that the purpose of this discussion was to try to provide a system to make it easier to permit businesses to do what they want to do. The Council liked Mr. Bolser's suggestions of separating the seasonal uses. Mr. Bolser indicated that this matter would be brought back as an Ordinance. The Ordinance will have to go to the Planning Commission in November, and then to the Council in December.

- Skyline Ridge Subdivision Preliminary Plan  
Presented by Jim Bolser

Mr. Bolser said that this subdivision is the former Mathew Arbshay property. Todd Castagno has taken over this property. It has gone through the preliminary plan phase for the entire project of 66 lots, with two open space areas. Mr. Bolser added that Mr. Castagno's intention is to follow up soon and will develop with a three phase process with final plats for each phase individually.

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

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

Those in attendance during the closed session were: Mayor Debbie Winn, Glenn Caldwell, Roger Baker, Paul Hansen, Michelle Pitt, Jim Bolser, Andrew Aagard, Steve Evans, Randy Sant, Kami Perkins, Brian Roth, Rob Keller, Council Member Wardle, Council Member Pratt, Council Member McCall, Council Member Gochis, and Chairman Pruden.

The meeting closed at 5:52 p.m.

No minutes were taken on these items.

## 5. Adjourn

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

The meeting recessed at 6:50 p.m.

The meeting reconvened in a City Council closed meeting at 8:01 p.m.

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

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

The RDA meeting opened at 8:35 p.m.

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

The RDA meeting closed at 8:36 .m.

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

The City Council meeting reopened at 8:59 p.m.

**Council Member Wardle moved to adjourn the City Council meeting, and reconvene the closed RDA meeting.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall “Aye,” Council Member Wardle “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

The closed RDA meeting reconvened at 9:08 p.m.

No minutes were taken.

At 9:21 p.m. the RDA Board dismissed all City staff, except Roger Baker, to discuss personnel.

No minutes were taken, nor recordings made of this portion of the meeting.

**Council Member Wardle moved to adjourn the closed RDA meeting.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall "Aye," Council Member Wardle "Aye," Council Member Pratt "Aye," Council Member Gochis "Aye," and Chairman Pruden "Aye."

The RDA meeting adjourned at 11:04 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 November, 2018

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Steve Pruden, Tooele City Council Chair

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Brad Pratt, Tooele City Redevelopment Chair