

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

Date: Wednesday, February 20, 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, Chair  
Dave McCall  
Scott Wardle  
Brad Pratt

**City Employees Present:**

Mayor Debbie Winn  
Glenn Caldwell, Finance Director  
Roger Baker, City Attorney  
Michelle Pitt, Recorder  
Jim Bolser, Community Development Director  
Andrew Aagard, City Planner  
Steve Evans, Public Works Director  
Paul Hansen, City Engineer  
Jami Carter, City Librarian  
Brian Roth, Parks and Recreation Director

Minutes prepared by Michelle Pitt

**1. Open Meeting**

Chairman Pruden called the meeting to order at 5:02 p.m.

**2. Roll Call**

Steve Pruden, Present  
Dave McCall, Present, joined the meeting at 5:17 p.m.  
Scott Wardle, Present  
Brad Pratt, Present  
Melodi Gochis, Excused

**3. Discussion:**

- Parks, Arts and Recreation (P.A.R.) Tax Special Projects Funding

Presented by Chairman Steve Pruden

Chairman Pruden stated that he reviewed a list of PAR tax projects and the budget for this fiscal year. The restrooms at the pool park and the restrooms at the golf course will come out the park capital improvements fund. Projects such as the Red Del Papa concession building, the Dow James concession building, improvements at the Elton and Linear Parks, and the 4th of July activities will come out of the PAR tax fund. Chairman Pruden requested some additional PAR funding for projects that have come up such as the dock renovation at the Railroad Museum and additional funding for Fridays on Vine. He further explained that the Railroad Museum dock had been partially rebuilt, but needs to be finished at a cost of \$26,000. The Arts Council has requested an additional \$5,000 for Fridays on Vine costs, which have increased over the years.

Mayor Winn talked about the proposed statue for the Veterans Memorial Park. The Mayor explained that they had always talked about placing two statues at the park. The first statue has been placed, and the City would now like to do the 8-foot statue of the Vietnam Veteran with his tracker dog. The Mayor added that \$20,000 had been raised by the Life's Worth Living Foundation. That foundation is asking to donate that amount to the Arts Council and have the Arts Council raise the rest of the funds for the statue. The Arts Council board expressed concern about not being able to raise the rest of the \$52,000 needed for the completion of the statue, plus costs for its placement. If the Arts Council is not able to raise the rest of the money, the Mayor proposed that the City use the PAR tax for the rest. Chairman Pruden suggested that the Arts Council have a table at Fridays on Vine and the Arts Festival to ask for donations towards the statue, and issue receipts which could be used as a taxable donation. The Mayor added that they have received a great response from the Vietnam Vets about this statue. She felt it would be beneficial for the Arts Council to seek these donations because it would help to get their name out there for future fundraising endeavors. Chairman Pruden clarified that they weren't asking for the money for the statue right now, but would like to request a budget adjustment for \$31,000 for the museum dock and additional funding for Fridays on Vine through the Arts Council. The Mayor stated that the City received a matching grant from the County for \$30,000, which has been used towards the dock project. Chairman Pruden said that as the year progresses, the City will see how other PAR projects are going, and the need for possible funding.

Mr. Baker explained the procedure for the budget adjustment: he will prepare a resolution, referring to an attached budget adjustment exhibit prepared by Mr. Caldwell. The resolution will go to the March 6th Council meeting, with a public hearing.

- Resolution 2019-16 Resolution of the Tooele City Council Consenting to the Mayor's Appointment of Alan K. Jeppesen to the Tooele Valley Museum Advisory Board  
Presented by Mayor Debbie Winn

Mayor Winn said that she was approached by Mr. Jeppesen who requested to serve on the museum advisory board. She explained that Mr. Jeppesen has been a resident of Tooele City since 1973, and at one time served as a part-time City attorney for Tooele City. He is now retired and has time to volunteer for public service.

- Resolution 2018-35 A Resolution of the Tooele City Council Approving a Lease Agreement with Tooele County for the Middle Canyon Toll Booth Project Presented by Roger Baker

Mr. Baker said that Tooele County is anxious to install the toll booth at Middle Canyon. This lease will allow that to happen.

- Pending Ordinance Amendment Regarding Building Permit Issuance Presented by Roger Baker and Jim Bolser

AND

- Resolution 2019-12 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 2 Subdivision Presented by Jim Bolser

Mr. Baker said that this was discussed during last week's work session. The current City Code requires that all the public improvements be bonded for or already completed and accepted or a combination of the two for a subdivision plat to be recorded. Mr. Baker stated that with the Council's approval of this Resolution, the developer will be able to record the plat. Mr. Baker said that City staff was recommending approval of the Resolution so that the plat could be recorded.

Mr. Bolser added that the standard procedure, internal steps, and signatures still need to take place. He said that he was prepared to put all the final steps in place, if the Resolution is approved tonight.

Mr. Baker said that with the bonding in place, and with approval of this Resolution, there is nothing impeding his signature on the plat. With the signatures in place, allowing recordation, we can move to the building permit portion of the equation. Mr. Baker said that City staff put in a lot of work in the last week to bring this discussion to tonight's Council meeting. Mr. Baker said that he identified some existing Code language that, upon further reflection and study, would allow issuing building permits for Providence at Overlake Phase 2, even with the outstanding incomplete public improvements. He further explained that the Code language is a policy tool that this Council, or their predecessors, put in place to allow a developer to move forward. However there is quite a bit of concern on the part of staff with how the language is written, because it says a justification has to be put in the file. The tool gives staff the burden of using broad discretion without statutory guidance. Mr. Baker said that in this case, City staff has prepared the justification for the file explaining the unique and unusual circumstances as to why it is appropriate to use this tool in this instance. Mr. Baker stated that staff is recommending amending the way the tool is written in the Code so that it will give staff guidance as to how to use this discretionary tool. The amendment provided in the packet is not complete, but doesn't need to be for the Council to approve the Resolution tonight or to allow the issuance of building permits for noncombustible residential construction in this subdivision. Mr. Bolser added that

there is the possibility that the home builder will again be halted once the noncombustible construction is done, if the lights aren't installed by that time.

Mr. Baker said that the existing tool in the City Code doesn't go as far as the subdivider wants to go, but building permits can go forward for the noncombustible construction. The tool as proposed to be amended is a reasonable compromise, but doesn't allow full build of the houses, and does not use the Certificate of Occupancy as leverage. Mr. Baker said that the tool allows the developer to move forward, and is a compromise.

Council Member McCall joined the meeting at 5:17 p.m.

Chairman Pruden reminded the Council that they are talking about three lights on 400 West. Council Member McCall indicated that he found out that the developers had already paid for the lights, and that they are on backorder. He felt this was a difference from just ordering, and not paying yet. He suggested that the North Tooele City Special Improvement District be contacted to see if they would consider a different style. Mr. Bolser said that the district has made one change from the original style because they are no longer available. Council Member McCall asked why the City agreed to maintain these lights when they are so expensive to replace. Mr. Bolser said that the City's agreement with the district is to pay the standard price that would be paid for lights in other parts of town, and the district pays the difference for these expensive lights. Mr. Hansen clarified that the maintenance is a shared responsibility with the City and the district. Mayor Winn said that the Council is the group that decides on the light design for this area. The Council indicated that they would like to discuss a different light design at a future meeting.

Chairman Pruden said that until a change is made on the standard of light, developers should be told that they need to order these lights right away. He would like to allow developers to go forward, and let them get their permits. Mr. Baker said that those permits will be limited to noncombustible construction. He added that he and Jim Bolser will try to prepare something that goes a little further for a future meeting.

- Subdivision Preliminary Plan for the Overlake Estates 1L Subdivision, Phases 2-6, Located at Approximately 500 West 2000 North for a 125-Lot Single-Family Residential Development on Approximately 30.5 Acres  
Presented by Jim Bolser

Mr. Bolser stated that this preliminary plan is the next step of this project. With the settlement agreement, one of the items that fell upon the City was to refresh the platting of 1L. The developer went through the process on the first section of Phase 1L, got it recorded, and platted. This is a 125-lot project for the remaining area of Phase 1L that the developers propose to split up in 5 phases. Mr. Bolser went on to say that the final plat for Phase 2 should come in quickly. Mr. Bolser said that the Planning Commission forwarded this matter with a positive recommendation.

- Accessory Dwelling Units  
Presented by Roger Baker and Andrew Aagard

Due to the length of the agenda this item was postponed to the next meeting.

- Year One: Library Fine Free Policy  
Presented by Jami Carter, Library Director

Ms. Carter explained that year one of the fine free policy was fantastic, and that even she was surprised with the findings. The library has been fine free as of January 2018. Ms. Carter said that to be fine free means that they eliminated an assessment of a daily fine for items that were overdue. People still check items out and have a due date. The item cost is billed when there is a need of returned items. People still receive notices about being late and asked to return items, and there is a replacement cost included in the notice. She discussed the fiscal impact, administrative impact, community user impact, and findings with the Council. Ms. Carter stated that in her research last year, fines were a deterrent to the actual return of items, and extending trust to people is more effective than a penalty.

Ms. Carter stated that because library personnel are not dedicating time towards financial transactions, they have been able to add new classes and services to the public.

Council Member Wardle asked Ms. Carter if she was going to publish her findings on this because it was a remarkable an important study. Council Member McCall said that Ms. Carter has gone over the results with the library board as well.

- Cemetery and Golf Course Fee Discussion  
Presented by Brian Roth

Mr. Roth stated that he periodically reviews fees and does market comparisons to see if the City's fees are in line with other cities. After a review, he recommended raising the opening and closing fees at the cemetery. An area of concern by the cemetery staff is the resident vs. non-resident fee. He added that staff isn't comfortable trying decide who should and shouldn't be considered a resident, especially during the tough time of grieving and making funeral arrangements. Mr. Roth said that there seems to be two ways to go: ask the customer, and hope they're honest; or have a single fee which takes the resident/non-resident requirement out of it. Mr. Roth felt that a general fee would be easiest. He listed some of the issues of trying to decide if a customer is a resident: do you try to prove the person who died is a resident, or the person who buys the plot? What if a person is a City resident for many years, but the family moved them to a care center in another city for a couple of years, would they then be considered a resident? Chairman Pruden said he would like to see a general fee, not a different fee for resident vs. nonresident. He asked Mr. Roth to ask the cemetery staff to bring a proposal to the Council, with a uniform fee. Mr. Baker stated he supported removing the staff from requiring proof of residency. Council Member Wardle disagreed, saying that it was the Tooele citizens who are paying the taxes. He said that the City cemetery is for Tooele City residents.

Mr. Roth stated that the golf course fees are in line except the green fees. He suggested they be increased by \$1. He added that the golf cart fleet needs to be replaced. He suggested that they

raise the fee on golf carts by \$2 for nine holes, and \$4 for 18 holes. He felt this increase would cover the cost to lease a new fleet of 80 carts. The lease would be for 6 years.

- RDA Resolution 2019-03 A Resolution of the Redevelopment Agency of Tooele City, Utah (“RDA”) Approving a Contract with RS Contract Management for Policy-Related Economic Development and Redevelopment Services Presented by RDA Chairman Brad Pratt

RDA Board Chairman Pratt stated that this contract has gone through six revisions and is now ready to move forward.

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

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

The meeting closed at 6:14 p.m.

Those in attendance during the closed session: Mayor Debbie Winn, Glenn Caldwell, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Roger Baker, Attorney Ted Barnes, Council Member Wardle, Council Member Pratt, Council Member McCall, and Chairman Pruden.

No minutes were taken on the closed meetings.

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

The meeting recessed at 6:51 p.m.

The closed meeting reconvened at 7:53 p.m.

Those in attendance during the closed session: Mayor Debbie Winn, Glenn Caldwell, Paul Hansen (for a portion of the meeting), Michelle Pitt, Jim Bolser, Steve Evans, Roger Baker, Attorney Ted Barnes, Council Member Wardle, Council Member Pratt, Council Member McCall, and Chairman Pruden.

Staff was excused at 8:36 p.m. while the Mayor and Council discussed personnel.

#### **5. Adjourn**

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

The meeting adjourned at 9:06 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 6th day of March, 2019

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Steve Pruden, Tooele City Council Chair