

**Tooele City Council and
Tooele City Redevelopment Agency
Joint Business Meeting Minutes**

Date: Wednesday, May 5, 2010
Time: 7:30 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

City Council Members Present:

Scott Wardle, Chair
Mike Johnson
Steve Pruden
Dave McCall
Shawn Milne (Present 8:00 p.m.)

City Employees Present:

Mayor Patrick Dunlavy
Glenn Caldwell, Finance Director
Doug Bayly, Assistant City Attorney
Cary Campbell, Public Works Director
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder
Rachelle Custer, City Planner
Paul Hansen, City Engineer
Jaclynn Sagers, Communities that Care
Chief Ron Kirby, Chief of Police

Others Present:

Debbie Winn, Chamber of Commerce
Tim Gillie, Tooele Transcript

Minutes prepared by Elisa Jenkins

Chairman Wardle called the meeting to order at 7:31 p.m. Chairman Wardle welcomed Scout Troops 458 and 867 who were working on their Citizenship in the Community Merit Badges.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Tim Gillie.

2. Mayor's Community Recognition Awards

Presented by Mayor Patrick Dunlavy, Councilman McCall and Chief Kirby

Mayor Dunlavy welcomed all those who had come to support these students. He feels that it is very important to recognize the youth in the Community.

Councilman McCall indicated that each recipient will receive a bag full of goodies and a Certificate signed by the Mayor.

Councilman McCall then presented the Mayor's Community Recognition Award to the following students:

Ace Hymas, Settlement Canyon Elementary
Emma Lewis, Copper Canyon Elementary
Matthew Patton, Northlake Elementary
Shelby Evans, Harris Elementary
Josh Woods, Middle Canyon Elementary
Gabe Newell, East Elementary

Mayor Dunlavy congratulated all the recipients of this award. He acknowledged their families and the important role they play in these young peoples lives.

A brief recess was taken for a picture with Mayor Dunlavy.

3. Open Forum for Public Comment

Chairman Wardle invited anyone who would like to come forward and address the Council to do so. No one came forward.

Chairman Wardle closed the Open Forum at 7:47 p.m.

4. Community Covenant Program with the Military

Presented by Lt. Mark Buffington & Sgt. Matt Longson

Lieutenant Buffington explained that he is part of the Community Covenant team which is a new team that is headed by the Utah Army National Guard. The Community Covenant Program was created to help families of those who serve in the armed forces. The goal is to create a formal commitment from local community leaders through a Community Covenant signing ceremony. Lt. Buffington indicated that he and Sgt. Longson are available to help with getting this set up and going. A copy of the Official Citation honoring The Community Covenant Program from the Utah State Legislature is included in the minutes as Exhibit A.

Mayor Dunlavy has meet with Lt. Buffington and Sgt. Longson and he indicated to them that the City wants to participate in this program. His office will coordinate this and get a date set.

Chairman Wardle said he appreciates those who serve our country and he feels this is an important program and gave his support.

5. USU and It's Future in Our Community

Presented by USU Dean, Gary Straquadine

Dr. Straquadine indicated that less than two weeks ago Utah State University (USU) celebrated a graduation held at Tooele High School where they were successful in graduating about 150 students with Associate Degrees, Bachelors Degrees and Master Degrees. USU has been Tooele's local University for twenty-five years and he hopes that it will continue to be for many years to come. He thanked the Council for the donation of close to thirty acres of land close to their property. Dr. Straquadine gave a power point presentation. A copy of his presentation is included with the minutes as Exhibit B. Dr. Straquadine wants to make the property a showcase for what USU will be doing. He would like to see the land develop as an innovation campus where university research is used to create a growing business atmosphere.

Chairman Wardle feels that this campus will create a better community for all.

Mayor Dunlavy indicated that USU has added a lot to the Community and it is gratifying to see where they are today.

Chairman Pruden indicated that it is exciting to see the growth that is taking place with USU. He indicated that the young people of Tooele can get their college education without leaving the community.

6. Resolution 2010-22 Consideration for Adoption of a Resolution of the City Council of Tooele City, Utah (the "Issuer"), Authorizing the Issuance and Sale of not more than \$9,000,000 of the Issuer's Sales Tax Revenue Refunding Bonds, Series 2010 (the "Series 2010 Sales Tax Bonds"); Fixing the Maximum Aggregate Principal Amount of the Series 2010 Sales Tax Bonds, the Maximum Number of Years over which the Series 2010 Sales Tax Bonds may Mature, the Maximum Interest Rate which the Series 2010 Sales Tax Bonds may Bear, and the Maximum Discount from Par at which the Series 2010 Sales Tax Bonds may be Sold; Providing for Publication of a Notice of Public Hearing and Bonds to be Issued; Providing for the Running of a Contest Period; Providing for a Pledge of Stale Tax Revenues for a Repayment of the Series 2010 Sales Tax Bonds; and Related Matters

Presented by Mayor Patrick Dunlavy

Councilman Wardle indicated that agenda item 6, 7, and 8 needs to be tabled.

Councilman McCall moved to table agenda items 6, 7, and 8. Councilman Johnson seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

7. **Resolution 2010-23 Consideration for Adoption of a Resolution Authorizing the Issuance and Sale of not more than \$3,000,000 Aggregate Principal Amount of Sewer Revenue Refunding Bonds, Series 2010 of Tooele City, Utah (the “Series 2010 Sewer Bonds”); Fixing the Maximum Aggregate Principal Amount of the Series 2010 Sewer Bonds, the Maximum Number of Years over which the Series 2010 Sewer Bonds may Mature, the Maximum Interest Rate which the Series 2010 Sewer Bonds may bear, and the Maximum Discount from par at which the Series 2010 Sewer Bonds may be sold; Providing for the Publication of a Notice of Bonds to be Issued; Providing for the Running of a Contest Period; and Related Matters.**

Tabled (See item No. 6 above)

8. **Resolution 2010-24 Consideration for Adoption of a Resolution Authorizing the Issuance and Sale of no more than \$7,000,000 Aggregate Principal Amount of Water Revenue Refunding Bonds, Series 2010 of Tooele City, Utah (the “Series 2010 Water Bonds”); fixing the Maximum Aggregate Principal Amount of the Series 2010 Water Bonds, the Maximum Number of Years which the Series 2010 Water Bonds may Mature, the Maximum Interest Rate which the Series 2010 Water Bonds may bear, and the Maximum Discount from par at which the Series 2010 Water Bonds may be Sold; Providing for the Publication of a Notice of Bonds to be Issues; Providing for the Running of a Contest Period; and Related Matters**

Tabled (See item No. 6 above)

9. **MOTION on Final Plat Approval for McBride Subdivision a 2 Lot Subdivision Located at 400 N Broadway**

Presented by Rachelle Custer

Ms. Custer explained that Mr. McBride has requested to subdivide one lot into two lots at 400 North Broadway. There is an existing home on the lot. The home will be on lot 1 and the applicant will build sell lot two. The subdivision was approved on May 14, 2008 by Planning Commission and June 4, 2008 by City Council. The Developer was not ready to record at that time. They have lapsed in time and the approvals are now void. They are bringing the subdivision back through the process of approval. Nothing has changed since the prior approval.

Councilman Johnson asked if the subdivision requires water.

Ms. Custer indicated that the new lot will require water rights. She also stated that Planning Commission made a favorable recommendation on December 9, 2009.

Councilman Pruden moved to approve the final plat for McBride Subdivision.

Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

10. MOTION on Final Plat Approval for UID Minor Subdivision Nos. 27 thru 35

Presented by Rachelle Custer

Ms. Custer stated that UID is taking the remaining property and subdividing it into several subdivision. There will be an estimated 41 subdivision in all. It will end at subdivision 41. Some of the subdivisions have one lot some have three or four. She is presenting Subdivisions 27, 28, 29, 30, 31, 32, 33, 34 and 35 for approval. Road dedication is complete for the roads that Tooele City has taken over. The remaining roads will be private with access and PU&DE easements have already been recorded. Staff recommends approval of UID Minor Subdivisions 27 thru 35 with the condition that all required public improvements for subdivision 31 thru 34 along Industrial Loop Road and subdivision 35 along “B” Avenue be completed as described in Tooele City Code and the master development agreement prior to any building permits being issued. Planning Commission made a favorable recommendation on April 14, 2010. Ms. Custer indicated that the current master development agreement does not require public improvements on the existing interior part of the park. Any building and subdivision on the exterior “B” Avenue and Industrial Loop Road do require public improvements.

Councilman Milne asked if UID is aware of the condition.

Ms. Custer stated “yes”.

Councilman Milne moved to approve final plat for UID Minor Subdivisions No. 27 thru 35 with the condition that all required public improvements for subdivisions 31 thru 34 along Industrial Loop Road and subdivision 35 along “B” Avenue be completed as described in Tooele City code and the master development agreement prior to any building permits being issued. Councilman Pruden seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

11. Resolution 2010-18 A Resolution of the Tooele City Council Ratifying a Contract with Giles Construction LLC for Completion of the 2010 Roadway Improvement Project, Schedule “A” Concrete Work

Presented by Paul Hansen

Mr. Hansen indicated that the next four items are all related and introduced them together. He explained that Tooele City receives Road B and C funds which is a portion of the State sales tax on gasoline. That money is used for the maintenance and repair of existing roads within the City limits. The City puts out a bid each year and they received five bidders that responded to their request for bids. The four roadway preservation methods that are being used across the City are Slurry Seal, Concrete Work, Chip Seal and an Overlay. They are each unique in nature and staff recommends that they are awarded to separate contractors that are best suited for the individual items. Mr. Hansen indicated that attached to the Resolution is bid tabulation and the low bid for the concrete work was Giles Construction. They are asking that the Council ratify a contract with Giles Construction because they have already begun working. The contract is in the amount of \$103,000. They are also asking for the authorization for an additional 5% contingency to account for field conditions. The total authorization would be \$108,000.

Councilman Johnson how the bids related to the engineering estimates?

Mr. Hansen indicated that they awarded the contract with the option of awarding any or all schedule to a single contractor. The prices beat the City's estimate in every case. He stated that they will be able to get more work done than anticipated.

Councilman Milne moved to approve Resolution 2010-18. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye", Councilman Johnson, "Aye", Councilman Pruden, "Aye", Councilman Milne, "Aye", and Chairman Wardle, "Aye". The motion passed.

Mr. Hansen asked for clarification for approval of 5% contingency on the bid.

Councilman Johnson indicated that the bid amount plus 5% contingency is already in the resolution.

12. **Resolution 2010-19 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Kilgore Paving and Maintenance for the 2010 Roadway Improvement Project, Schedule "B" Roto-Mill and Asphalt Overlay**

Presented by Paul Hansen

Chairman Wardle would like to approve the next three items together. They are separate contracts to different companies and Mr. Hansen has already explained them in the previous agenda item. Chairman Wardle asked Mr. Hansen to indicate who was awarded the contract and for how much.

Mr. Hansen stated that Resolution 2010-19 is for the Overlay. The recommendation is to Kilgore Paving for a total contract authorization of \$595,000.

Resolution 2010-20 is for Project Schedule “C” the Slurry Seal. The recommendation is to Intermountain Slurry Seal for a total contract authorization of \$62,000.

Resolution 2010-21 is for Project Schedule “D” which is the Chip Seal. The recommendation is to Geneva Rock Products for a total contract authorization of \$559,750.

Councilman Johnson asked if the numbers included the 5% contingency.

Mr. Hansen stated “yes”.

Chairman Wardle noted that all the low bids came in substantially lower than the other bids.

Mr. Hansen said that was correct. He indicated that the Overlay bid was substantially under what they estimated. They were \$100,000 under the next lower bidder. Mr. Hansen called the company to make sure they understood the product specifications. Kilgore paving indicated that they understood that they were low but wanted to do the work for Tooele City.

Councilman Johnson moved to approve Resolution 2010-19, 2010-20 and 2010-21.

Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

13. Resolution 2010-20 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Intermountain Slurry Seal for the 2010 Roadway Improvement Project, Schedule “C” Slurry Seal

Presented by Paul Hansen

Approved (See Item #12, above)

14. Resolution 2010-21 A Resolution of the Tooele city Council Authorizing the Mayor to sign a Contract with Geneva Rock Products for the 2010 Roadway Improvement Project, Schedule “D” Chip Seal

Presented by Paul Hansen

Approved (See Item #12, above)

15. Minutes April 21, 2010: Closed Meeting & RDA Minutes; Business Meeting Minutes

Councilman Milne moved to approve the minutes as presented. Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Abstain” (He was not present), Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

16. Invoices

Presented by Sharon Dawson

Ms. Dawson presented the following invoices for payment:

- Western Excavating for demolition of property at 700 South Coleman in the amount of \$8,680.00.
- Skaggs for bullet proof vests for the Police Department in the amount of \$14,700.00.
- Tooele City 2000-1 S.I.D. for 2001 Annual Installment of Assessment for Tooele City in the amount of \$49,962.71.

Councilman McCall moved to approve the invoices as presented by Ms. Dawson. Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed.

17. Adjourn

Councilman Milne moved to adjourn the meeting. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle, “Aye”. The motion passed. The meeting adjourned at 8:28 p.m.

Approved this 19th day of May 2010

Chairman Wardle