

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

Date: Wednesday, June 6, 2018
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Brad Pratt, Acting Chair
Dave McCall
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Roger Baker, City Attorney
Jim Bolser, Community Development and Public Works Director
Kami Perkins, Human Resource Director
Brian Roth, Parks 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

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

3. Discussion:

- Resolution 2018-28 A Resolution of the Tooele City Council Certifying Authorized Individuals to Make Changes to Bank Accounts Tied to PTIF Accounts
Presented by Kami Perkins

Ms. Perkins stated that this Resolution was a formality. The PTIF is changing their online banking platform which will wipe out their current users. They have asked the City to designate, by Resolution, the authorized users, who will be Ms. Perkins and Mayor Winn. Ms. Perkins added that once the new platform is set up, she will assign Glenn Caldwell and Shannon Wimmer as those who need access to the account.

- Resolution 2018-25 A Resolution of the Tooele City Council Supporting the HB 362 (2015) Authorized 0.25% Local Option General Sales Tax Dedicated to Transportation, and Supporting the Imposition of the Tax in 2018 per SB 136 (2018)
Presented by Roger Baker

Mr. Baker presented that SB 136 was a long and complicated bill. One of the things it accomplished was to allow the State to impose the tax, if a County did not adopt all available transportation funding. Through the intervention of the Utah League of Cities and Towns, they were able to change the bill so that the State would not be able to take the money, yet. Mr. Baker said that it was still a possibility that the State may try to amend this in future years. This money is for transportation and is available to the Counties that adopt it. Tooele County has taken advantage of some of the quarters available so far, and a fifth quarter is available now because of this new State law. There are 5 quarters equaling the total pie of available transportation tax funding. Mr. Baker stated that the league drafted a resolution for the Cities to either put on the ballot, as required, or adopt by legislative action. Mr. Baker explained that this Resolution was before the Council to see if they support the County collecting this tax.

Acting Chair Pratt asked if this approval was for the 3rd or 4th quarters. Mr. Baker answered that there were two of the four quarters passed, but he wasn't sure which ones. Council Member McCall said that the 1st and 3rd quarters had been approved. This Resolution is for the 2nd quarter. He added that Counties can't get the 4th quarter without getting the 2nd approved. Mr. Baker stated that there are different adoption methods for some of the quarters.

Council Member Gochis asked if there was a need to place this matter on a ballot, or if the Council approves it. Mr. Baker answered that one of the quarters has to be approved by a vote on the ballot, but this quarter has to be approved by the commissioners. This Resolution is a statement of support for the County commissioners to pass it.

Glenn Caldwell and Ted Barnes joined the meeting at 5:08 p.m.

- Resolution 2018-37 A Resolution of the Tooele City Council Approving Budget Adjustments for Fiscal Year 2017-2018
Presented by Glenn Caldwell

Mr. Caldwell stated that this issue did not need to be discussed in this meeting. He will present the information in the business meeting.

Acting Chair Pratt stated that Mr. Barnes needed to leave the meeting. In order to allow Mr. Barnes time to discuss litigation, he asked for a Motion to close the meeting.

Council Member Gochis moved to close the meeting to discuss pending litigation. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall “Aye,” Council Member Pratt “Aye,” and Council Member Gochis “Aye.”

Those in attendance during the closed session were: Mayor Debbie Winn, Glenn Caldwell, Roger Baker, Paul Hansen, Michelle Pitt, Jim Bolser, Brian Roth, Acting Chair Pratt, Council Member McCall, and Council Member Gochis.

The meeting closed at 5:10 p.m.

No minutes were taken on these items.

Motion to Reopen the Meeting

Council Member McCall moved to reopen the meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall “Aye,” Acting Chair Pratt “Aye,” and Council Member Gochis “Aye.”

Time meeting reopened at 5:47 p.m.

- Resolution 2018-33 A Resolution of the Tooele City Council Approving and Ratifying an Agreement with Broken Arrow for Repair of the Pratt Aquatic Center Roof
Presented by Brian Roth

Mr. Roth stated that on April 16th, there was a bad wind storm in Tooele which caused significant damage to the roof at the Pratt Aquatic Center. The top section of the membrane on the roof detached from the surface. Mr. Roth said that a number of different roofers looked at the damage and it was decided that the best option was to replace the whole thing. Mr. Roth explained that Broken Arrow’s understanding seemed to be the best on how to best replace the roof, and they provide a 10 year longer warranty than the other roofers. The total cost of the replacement is \$46,540.00, with a 15 year warranty. The City’s insurance will cover the majority of the cost, but the City has a \$10,000.00 deductible.

Mr. Roth stated that the Mayor approved the contract and the Council would be ratifying the contract at their business meeting. The reason it was already approved, was because there would be an increase in the price of material on June 1st. The repair won’t cause the pool to close.

- Resolution 2018-34 A Resolution of the Tooele City Council Approving a Contract for the Construction of New Concessions Building at the Red Del Papa and Dow James Fields
Presented by Brian Roth

Mr. Roth stated that getting these buildings replaced has been in the works for three years. There was vandalism a while ago to the lights at the Red Del Papa field, causing the need for some of the improvements. Mr. Roth indicated he has been working with school district for their assistance in getting these buildings done. When the bids went out last fall, he only received one bid. Mr. Roth combined the two projects, to see if they would get more interest. They received four bids for the two concession buildings. The low bid is from England Construction. England was excited to be involved in the project because they have local ties in the community and in baseball. Mr. Roth added that the school district is willing to participate in the cost of the concessions buildings.

Council Member Gochis asked if she could look at the design for the buildings. Mr. Roth gave her a rendering of the buildings and said that the building at the Dow James would be a two story building. It will be cinderblock, with an aluminum roof, a concession stand, restrooms, and an announcer's stand on second floor. The building at Red Del Papa won't include restrooms because there is already a restroom at Red Del Papa. The building at Red Del Papa will have additional storage in the building instead. The buildings should be done by mid-September.

- Resolution 2018-32 A Resolution of the Tooele City Council Approving a Contract with Broken Arrow Incorporated for the 2018 Culinary Water Improvement Project
Presented by Paul Hansen

Mr. Hansen stated that this is one of those repeated projects that is brought to the Council every year. There are a number of water lines that need to be repaired and replaced this year. The City received eight bids for these projects. Mr. Hansen went on to say that there was quite a span in the bid prices. Broken Arrow's price was about what Mr. Hansen had estimated for the projects. Mr. Hansen explained that the evaluation process looks at price, project approach, and experience. Staff and the Administration recommend that the Contract be awarded to Broken Arrow in the amount of \$824,002.86, with a 5% contingency to account for unanticipated conditions that may be encountered. Mr. Hansen said he felt contracting with Broken Arrow provided an additional benefit to the City because they are currently doing the 100 East storm drain project. During the 100 East storm drain project, the existing water line was found to be undersized and leaking. Mr. Hansen proposed that part of the 2018 improvement projects be transferred to 100 East, with flexibility to match current needs. Mr. Hansen estimated that the 100 East water line project could take 2/3 of the budget. Mr. Hansen added that the City decides priorities based on where the City is spending most of their time to repair and based on safety. He said that the projects should be completed by mid-September.

- Detention Basins
Presented by Jim Bolser

Mr. Bolser stated that the Council discussed storm detention basins a couple of meetings ago. At this meeting, he proposed several ways to handle detention basins for the Council to consider, and recommended this proposal as a starting point for discussion. He said that there was additional work that needed to be done because they have to put together standards and specifications that would need to be put together but didn't want to go that far with the

recommendation until the Council had an opportunity to review the base recommendation. Mr. Bolser proposed that, as a base requirement, every subdivision would construct storm water detention, including landscaping, to be privately owned. They would have the option to request in writing to the Council, that with construction of the subdivision, the detention be landscaped and then taken over and publicly maintained; or it can remain in private ownership. If it remains in private ownership, there would be two options: it could be a stand-alone property, landscaped and maintained, or it could be included in the residential lots, if it's approved by the Council as part of a plat. If the Council approves it as part of the plat, there are recommended site requirements as well, such as the remaining lot would have to be large enough to be developed as if it didn't have that burden placed upon it.

Council Member Gochis asked if a detention basin was required for every lot. Mr. Bolser answered that it was not, but it was required of every subdivision. The developer can decide whether to designate one parcel for that use, or to divide it between lots. Mr. Bolser stated that it is different for commercial subdivisions and uses, and this discussion was specific to residential subdivisions.

Council Member McCall said that he remembered, at a previous meeting, looking at a lot in Grantsville showing a detention basin attached to it. He asked if this proposal were approved, if the Council could specify what the detention basin could be used for - - if it was a part of someone's yard. Mr. Bolser answered that the Council could do that. The recommendation includes a provision that the detention area on the lot would have to be identified on the plat that it was dedicated to storm detention, the size, uses allowed, and volume would be noted on the plat and in an easement, and all the language would have to be the satisfaction of the Council.

Mr. Baker said that some of the ramifications of the historic policy requiring the entire lot to be set aside for detention basins, were that they have not been maintained and some have become a blight to the neighborhood. The neighbors don't want to maintain them and don't want to pay taxes on them. Some of the lots have gone to a tax sale, and people that don't understand what they're doing, buy them. When these people find out they can't build on them, or develop on them, they come to the City wanting the City to purchase them. Mr. Baker stated that it might be better to get the storm basins under City ownership from the beginning, but then there is the cost to maintain them. Mr. Bolser said that they have heard from developers who say that they are losing money because they have to set aside a whole lot for detention. Mr. Bolser emphasized that his intent at this meeting was to provide a recommended base line, which then provides some options for storm detentions. Mr. Bolser added that every development of every type is required to address storm drain.

Mr. Hansen stated that the Vowles are bringing a subdivision request with lots that are so large they have the option to designate an area on each lot for detention. Mr. Hansen said that the City always tries to provide options. Mr. Bolser said that ponds could be used for detention every time, but there are other options.

Mr. Bolser stated most of their communication is with the engineer of a project, not the developer. The problem is, that the engineer doesn't always relay the information to the developer or do so in the same manner. His department always invites the developer to meet

them or to ask questions. The City needs the ability to decide what property they would like to take, such as areas that can be considered for things like soccer fields, or other park features for the City.

Mr. Bolser asked the Council to look at this proposal, to ask questions, then it will be brought back to the Council at their request.

The Mayor expressed appreciation to Mr. Bolser for presenting this proposal.

- Density Number on Multi-Family Dwellings
Presented by Jim Bolser

Mr. Bolser explained that this was a similar item as the previous item, in that it had been discussed in meetings before. Mr. Bolser added that there was a request to strike the density number in Table 2, the Table of Allowed Residential Density, of the City Code and simply change the allowable number. Mr. Bolser said that his proposal was not addressing any of the trickle-down effect, such as the design standards provisions which could be dramatic, but was a point to begin the discussion regarding the density number. The Mayor said that the City is starting to see developments proposed at the 23-24 unit level, so they are proposing a change to 25 in the table. She added that affordable housing units can be very nice and still be affordable. Affordable doesn't always mean low income. Mr. Bolser said that although there were other things that still needed to be looked at, this change can be a starting point.

Mr. Bolser stated that about two years ago, the multi-family density number was discussed and the research was done to pursue an overhaul of the multi-family zones, but the work was not complete on the overhaul when that effort was halted in favor of other priorities. He indicated that he has looked at the things like amenity structure, aesthetics, and the amount of open space, for example. Acting Chair Pratt said that the requirement of open space and landscaping amenities in a certain development can make it almost impossible to develop with the required density. The landscaping, open space, and street requirements almost took all the space. He said he felt that this change was a great direction. Council Member Gochis said that she would like to meet with Mr. Bolser later to discuss this further. She said that she saw the need for affordable housing, but was fearful of bringing elements that would make the City a desirable draw for others to live. She said she didn't want to attract too many people to this area.

- Budget Discussion

Mayor Winn presented an update on a time schedule to notice the tax increase. She added that since it's been so long since a tax increase has been done, there was not a staff member here that knows how to do it. The City needs to provide a seven day notice on the tentative budget, which will be adopted on June 20th. There also needs to be a seven day notice on the proposed tax rate. The final rate will be adopted at a budget meeting, or a Council meeting, on August 15th. The adoption of the final budget, and the tax rate will require a 14 day notice. This will allow the public two occasions to speak to the Council. The Mayor emphasized that the Council needed to determine a proposed tax increase tonight. Mayor Winn stated that the Council can decide if they want to include an amount for the lawsuit in the tax increase, or do a separate judgment levy. If the Council chooses to enact the judgment levy that tax will go away when that

judgment is paid off. That levy has to be used specifically for the judgment. Mr. Caldwell said that the tax levy can only be 10%, which will not cover the whole amount of the judgment. The rest would need to be included in the tax increase amount.

The Mayor went on to say that because the City would adopt a tentative budget later in June, the Council would be able to make budget cuts and could decrease the tax rate, but they can't increase it. She said the City should know by June 8th what the certified tax rate from the County will be. The Mayor indicated that she checked the certified tax rate for the City over the years, and it has continually gone down over the years.

The Mayor stated that the City needs to know if the Council would like to approve the cost of living increase for the workforce, and at what rate, the step increases, the career ladder promotions, and if they will cover the cost of the insurance increase. The Mayor indicated that she had included those amounts in her budget to the Council, but it did not include the fire station.

Acting Chair Pratt indicated that he had spoken with Council Member Wardle and Chairman Pruden about the budget. Chairman Pruden indicated that he is in favor of the judgment levy being separate, and making it known that when that is paid off, it goes away. Council Member Wardle requested that the City consider the change on 401K contribution to 1% instead of 2%. Council Member Wardle wanted to discuss staffing changes with the Mayor, and this 1% change may provide some money to maintain this staff member. Acting Chair Pratt said that both Council Members were in favor of taking care of the employees' step increases, and other suggestions listed in the Mayor's budget. Acting Chair Pratt said he felt the same as Chairman Pruden, and was good with proposal. He would like to indicate to the public that the judgment levy will go away once it is paid. He would like to make the public aware of this fact and let them know that the Council is thinking of them. They would like to make the least amount of impact to the public, but still be able to take care of the things that need to be taken care of.

Council Member Gochis said that she appreciated the information provided by Mr. Caldwell. She also appreciated the thorough budget hearings that have been held. She asked if the 401K was a match. Ms. Perkins indicated that it was not a match, but a flat contribution. Ms. Perkins said that the City is currently only contributing 1%, and they would like to bring the total to 3%. She added that a second proposal is for the public safety employees' 401K percent. She said that there are some cities that do a match, and some do a flat percentage. Ms. Perkins went on to say that administratively, with the large workforce, it's hard to manage the 401K with all the changes made by employees. She said that the majority of the City's workforce is low wage earners, and to require a match would mean a significant increase to them. Council Member Gochis said that she was favorable to the Mayor's budget proposal. She said she would like to see the employees be able to retire. She said as long as the City could afford the 2% 401K increase, she would like to see it because the City does not pay top dollar for salaries. If there is value in their 401K contribution, it would be an incentive for employees to stay. Ms. Perkins said that this was one of the items that the Council didn't need an immediate decision on. The Council could get through the truth in taxation, and then decide. She added that in her market study, it showed that most companies do a 3% contribution.

Mr. Baker said that the Mayor's proposal was not just to better align the City with the market, but attempt to keep those employees. Ms. Perkins said that the 401K was not a driving factor, but was a part of the total compensation package that may help to attract and retain employees.

Council Member McCall said that he wanted to do a tax increase the year the City lost the judgment. He said that he agreed with the Mayor's proposed budget. He added that employees have not been compensated properly over the years. He said he realized that raising taxes can be political suicide, but felt that the public knows that taxes are how municipality is run. The public isn't ignorant.

Mayor Winn stated that out of \$1.1 million labor costs, \$740,000 was for public safety. The biggest chunk is for police officers, to try to keep them here. The public has said that they want more officers and more public safety. She pledged that as the City raises taxes, that she will make sure that the City provides the services that have been requested and that citizens deserve.

Acting Chair Pratt thanked the staff for the work on the budget.

4. Close Meeting to Discuss Litigation and Property Acquisition

Council Member Gochis moved to close the meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall "Aye," Acting Chair Pratt "Aye," and Council Member Gochis "Aye."

Those in attendance during the closed session were: Mayor Debbie Winn, Glenn Caldwell, Roger Baker, Paul Hansen, Michelle Pitt, Jim Bolser, Kami Perkins, Brian Roth, Acting Chair Pratt, Council Member McCall, and Council Member Gochis.

The meeting closed at 6:46 p.m.

No minutes were taken on these items.

Motion to Reopen the Meeting

Council Member McCall moved to reopen the meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall "Aye," Acting Chair Pratt "Aye," and Council Member Gochis "Aye."

The meeting reopened at 6:56 p.m.

5. Adjourn

Council Member Gochis moved to adjourn the meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall "Aye," Acting Chair Pratt "Aye," and Council Member Gochis "Aye."

The meeting adjourned at 6:57 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 20th day of June, 2018

Brad Pratt, Acting Tooele City Council Chair