**Tooele City Council and**

**Tooele City Redevelopment Agency**

**Business Meeting Minutes**

Date: Wednesday, November 5, 2014

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers

90 North Main Street, Tooele Utah

**Council Members Present**:

Brad Pratt, Chair

Scott Wardle

Steve Pruden

Debbie Winn

Dave McCall

**City Employees Present**:

Mayor Patrick Dunlavy

Roger Baker, City Attorney

Glenn Caldwell, Finance Director

Michelle Pitt, City Recorder

Lisa Carpenter, Deputy Recorder

Jim Bolser, Public Works and Community Development Director

Chief Ron Kirby, Chief of Police

Paul Hansen, City Engineer

Heidi Peterson, Communities that Care Director

Randy Sant, RDA Director

Minutes prepared by Elisa Jenkins

Chairman Pratt called the meeting to order at 7:00 p.m. He welcomed Boy Scout Troops 1445 and 1254 who were working on their Citizenship in the Community Merit Badge.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Councilwoman Winn.

1. **Roll Call**

Brad Pratt, Present

Scott Wardle, Present

Dave McCall, Present

Steve Pruden, Present

Debbie Winn, Present

1. **Mayor’s Community Youth Recognition Awards**

Presented by Mayor Patrick Dunlavy, Heidi Peterson, and Chief Ron Kirby

Mayor Dunlavy welcomed all that had come to support these students and said that it is his honor to recognize these students. He said that this award is very important to the Council and himself and it is one of the most important things that they do at City Council meeting. He also said that it is very important for youth to be recognized for the good things that they do and to recognize them in a formal meeting. These youth are doing exceptional things in their homes and in the community. He introduced Chief Ron Kirby, the Chief of Police and Heidi Peterson the Communities that Care Director.

Ms. Peterson thanked everyone for coming and supporting these students. She congratulated the students who will be receiving this award. She stated that the Communities that Cares program evaluates the risks that kids are up against in the community and then they put programs into place to help them. She mentioned that there are four programs that the Communities that Care program offers in the community which are; 1) Lions Quest in the Elementary Schools, 2) Life Skills Training in the Secondary Schools and 3) Guiding Good Choices which is a family program and 4) QPR, which is a new suicide prevention program. She encouraged anyone interested in the Guiding Good Choices Program or QPR to contact her. She explained that the students receiving this award will receive a backpack filled with donations from various businesses in the community and she thanked those businesses for their donations. She thanked the Tooele School District and the teachers for their support of the Communities of Care program in the schools. She also thanked the Police Department for their role in this program.

Ms. Peterson then presented the Mayor’s Community Recognition Award to the following students:

Asa Long, Copper Canyon Elementary

Brooklee Barlow, Harris Elementary

Joshua Cooper, Harris Elementary

Dillon Palmer, Northlake Elementary

Remington Squire, Overlake Elementary

Madison Hinkel, West Elementary

Ms. Peterson congratulated these students for their hard work in their families and the community. She thanked the teachers and administrators for all they do.

Mayor Dunlavy asked the recipients of this award to stand and he recognized them again for receiving this award. He noted that as he listens to the awards as they are given, he is always impressed by what these young people have accomplished. He said that he is very proud of these students and noted that they will be the future leaders of the City. He also recognized the families for the important role they play in these young people’s lives.

A brief recess was taken for a picture with the Mayor and the recipients of this award.

1. **Public Comment Period**

Chairman Pratt opened the public comment period to anyone who would like to come forward and address the Council. No one came forward.

Chairman Pratt closed the public comment period at 7:30 p.m.

1. **Resolution 2014 - 48 A Resolution of the Tooele City Council Authorizing the Mayor to Sign Contracts with Utah Retirement Systems to Provide for Continuation/Accrual Retirement Benefits for Tier 2 Members who are Disabled and Receiving City-Sponsored Short-Term Disability or Workers Compensation Benefits**

Presented by Kami Perkins

Ms. Perkins explained that Resolution 2014-48requests approval from the Council for the Mayor to sign a Benefits Protection Contract with Utah Retirement Systems for Tier 2. This is a clean-up measure with the addition of the Tier 2 retirement system. The City had to make a policy decision pertaining to what happens to an employee’s pension continuation if they are injured on the job, off work on short term disability, or off work on long term disability. Staff is requesting that the Mayor signs Benefit Protection Contracts for employees on Tier 2 retirement; if they are absent from work and receiving City approved short term disability benefits or are absent from work and receiving workers compensation payments from Tooele City’s workers compensation insurance provider.

**Councilman McCall moved to approve Resolution 2014-48**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

Chairman Pratt thanked Ms. Perkins for helping the Council understand this resolution.

1. **Ordinance 2014 - 17 An Ordinance of Tooele City Amending City Code Definitions**

**Presented by Roger Baker**

Mr. Baker said this ordinance is a housekeeping item. He stated that last month the Council approved a new chapter of the City Code regarding nuisance abatement and code enforcement and as part of that approval they consolidated all of the nuisance definitions in the City Code in one place. This ordinance repeals the definitions that they moved out of Title 1 of the City Code, so they will have all of the definitions in one place.

**Councilman Wardle moved to adopt Ordinance 2014-17**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

1. **Ordinance 2014 – 16 An Ordinance of the Tooele City Council Approving the Annexation Petition of Tom Buzianis, Peter L. Buzianis, and Mathew Arbshay for the Green Meadows Annexation, Annexing Approximately 38 Acres of Land into the Tooele City Corporate Limit, Approving an Annexation Agreement, and Assigning the R1-14 Zoning District to the Annexed Property**

**Presented by Roger Baker**

Mr. Baker said this ordinance and the annexation that it proposes has been a topic of many good discussions with the Council and administration over the last six months. The issues that were studied very carefully included the impact of this area on the City’s water, sewer, storm water, police, fire, and all systems of infrastructure on the City’s services to make sure the services can be provided in an effective matter. In addition there were many discussions on land use and while initially larger livestock lots were sought the Council decided to not allow large animals next to other single family residential lots within the City, which has been incorporated into this ordinance. The annexation will be followed at some point by a subdivision proposal. The subdivision layouts that are attached to the ordinance are conceptual. By approving this ordinance the Council is not approving any of the potential layouts. They will have to be developed in greater detail and brought back to the Planning Commission and the Council for approval. The layouts give the Council an idea of how this property can be developed. One of the concerns of the City Council was to make sure the development pays its own way and brings the water rights necessary to fully irrigate the yards and lawns of these lots. The City is not requiring more than the water rights that are necessary. The City is only requiring the number of water rights that the state requires. One item that is not attached to the annexation ordinance yet is the annexation agreement. All of the terms are in the ordinance, but some things remain to be worked out with the land owners, mostly with regards to timing. For example the timing of when the existing well needs to be abandoned, and the timing of when the water rights need to be conveyed to the City. It was stated in the Planning Commission meeting that the water rights would not be required until the time of subdivision; it is true they do not know precisely the number of acre feet of water to be conveyed until they know how many lots there will be. However, it is the City’s ordinance that all water rights be conveyed at time of annexation if the number of acre feet of water can be determined. Staff will work with the land owners to firm up their development plan, and determine the number of acre feet of water. He recommends that before the ordinance is recorded by the County Recorder’s office that the water rights be conveyed to the City, which is the City’s Policy. The annexation agreement will be shown to the Council before it is executed. He also stated that the zoning will be R1-14, which is a single family residential zone requiring a minimum lot size of 14,000 square feet per lot. He also noted that Mr. Arbshay is in attendance if there are any questions.

Councilman Wardle said based on the lot sizes and based on the drawings the Council have been given he asked how many acre feet of water are they looking at. He asked Mr. Arbshay when the annexation is recorded if he is prepared to convey the water rights to the City.

Mr. Arbshay said based on 45 lots there would be 85 acre feet of water rights that are needed.

Mr. Baker said that Mr. Bolser and Mr. Hansen will work with Mr. Arbshay to refine the number of water rights.

**Councilman Pruden moved to approve Ordinance 2014-16 as explained by Mr. Baker.** Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

Chairman Pratt thanked Mr. Baker and Mr. Arbshay.

Mr. Baker thanked the Council for being so careful and thinking through the issues created by this annexation and said it is a good model for future annexation discussions.

1. **Resolution 2014-49 A Resolution of the Tooele City Council Adopting Nuisance Abatement Fees**

Presented by Jim Bolser

Mr. Bolser noted as Mr. Baker said earlier the Council recently adopted a new chapter to the City Code dealing with nuisance abatement and code enforcement. With the adoption of that new chapter the old chapter which was removed included specific fees that are associated with nuisance abatement and code enforcement and the new chapter did not, rather deferring to the City’s standard fee schedule. Staff needs to do some further studies to determine what the appropriate fees are to be brought back in the form of a resolution for the fee schedule. In the mean time they cannot forgo their nuisance abatement and code enforcement activities. Staff is asking that this resolution be adopted to simply put the fee amounts that were established in the old code that are no longer in effect with the addition of a fee amount for an appeal as a bridge until they can have the time to study the numbers and bring back a more formal proposal to the Council.

**Councilman McCall moved to approve Resolution 2014-49.** Councilman Pruden seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

1. **Resolution 2014-50 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Sunset Estates – Phase 5B Development Located at 220 West 2000 North**

Presented by Paul Hansen

Mr. Hansen said this property was annexed several years ago and has now been developed by a developer. He said that under City Code when public improvements are completed which include, water, sewer, storm drain, roads, street lights and all of the other required public improvements, be verified by inspection. The copy of the certification report is included with the Council’s packet. Staff is asking that the Council accept the public improvements and begin the one year warranty period.

**Councilman Wardle moved to approve Resolution 2014-50**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

1. **Minutes: October 15, 2014 Work Session and Business Session**

**Councilwoman Winn moved to approve the minutes for the meetings held October 15, 2014 as presented.** Councilman Pruden seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

1. **Invoices**

Ms. Pitt asked the Council for pre-authorization to order man hole covers from Armorock for approximately $29,457. This amount is pre-tax and it is not the actual invoice, staff will bring the invoice back to the Council hopefully at the next meeting.

**Councilman Wardle moved to approve the pre-authorization to Armorock in the amount of approximately $29,457.** Councilman Pruden seconded the motion. The vote was as follows: Councilman Pruden, “Aye”, Councilman Wardle, “Aye”, Councilman McCall, “Aye”, Councilwoman Winn, “Aye”, and Chairman Pratt, “Aye”.

1. **Adjourn**

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

The meeting adjourned at 7:49 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 19th day of November 2014

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Brad Pratt, Chair Tooele City Council