**Tooele City Council and**

**Tooele City Redevelopment Agency of Tooele City, Utah**

**Business Meeting Minutes**

Date: Wednesday, July 6, 2016

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers

90 North Main Street, Tooele, Utah

**City Council Members Present:**

Brad Pratt, Chairman

Steve Pruden

Debbie Winn

Dave McCall

Scott Wardle

**City Employees Present:**

Mayor Patrick Dunlavy

Glenn Caldwell, Finance Director

Roger Baker, City Attorney

Michelle Pitt, City Recorder

Lisa Carpenter, Deputy Recorder

Jim Bolser, Public Works and Community Development Director

Ron Kirby, Chief of Police

Paul Hansen, City Engineer

Randy Sant, Economic Development Director

Minutes prepared by Michelle Pitt

Chairman Pratt called the meeting to order at 7:00 p.m.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Councilwoman Winn.

1. **Roll Call**

Brad Pratt, Present

Steve Pruden, Present

Debbie Winn, Present

Scott Wardle, Present

Dave McCall, Present

Chairman Pratt recognized and welcomed Boy Scout Troop 1430, who were present to work on their Citizenship in the Community badge.

1. **Public Comment Period**

Chairman Pratt opened the public comment period to anyone who would like to come forward and address the council. He requested that those who address the Council to please sign the roster at the podium and state their name clearly because the meeting is being recorded. He asked that comments be limited to 3 minutes.

Diane Quist addressed the Council regarding recycling. She said that she was happy that there was a recycling bin, but stated that it's in a dirty parking lot. Her car gets dusty. She would like 10 more bins. She said that she has been there four times, but was only able to drop stuff off one time because it is always too full. She would like curb side service, and to allow those that don’t want it to opt out.

Ms. Quist asked about water conservation, as it is printed in the City newsletter. She said that a lot of her neighbors water every day. She asked how it was monitored. Mr. Bolser answered that the water conservation is advisory, not required. If abuse is reported, his office has a conversation with them, but conservation is not required. Ms. Quist stated concern with future development, and the availability of water.

Mayor Dunlavy added that the water conservation is interesting because using a volunteer system is actually more effective than mandatory schedules. He said that if there are more severe restrictions on water usage, water usage goes up. The volunteer system has worked in the past. The City has developed three new wells which has almost doubled the water capacity. He said that the City is very much aware of the growth in Tooele and the responsibility to provide services to the community. The City has sufficient water now and for the future. The City is planning ahead for growth. The Mayor stated that recycling hasn't shown that curbside is necessary yet. He feels that if 10 more bins were out, they wouldn't get filled. The Mayor said that the City wanted to monitor the bins, and that's why they are near City hall. The Mayor expressed disappointment in the way they are used. People put their garbage on the ground, all around the bin. He said the City doesn’t want garbage all over, and neither do other businesses. The City will continue to monitor it, and will make necessary adjustments.

Nicholas G. Lewis stated that he has lived in Tooele County for 30 years. He feels that the 4th of July has been turned into a joke. The 4th is supposed to be a celebration of what has made this country what it is. It shouldn’t be celebrated on the1st, 3rd, 5th, 6th, 7th, 8th 10th or the 20th. It is supposed to be on July 4th. He stated that he was a little upset. He said that he referred to the other days because it’s probably a monetary thing, but he can't figure out who is making money on what. He felt, in his neighborhood, when someone buys fireworks, they lose half their IQ quotient. He stated that people can't read a calendar or tell time. He has called the police about those lighting fireworks, and they have been good about responding to his requests to have things quiet down. He said that he has to leave his home when fireworks start because he doesn't want a replay of Vietnam.

No one else came forward to address the Council, so Chairman Pratt closed the public comment period.

1. **Violence Against Women Act (VAWA) Grant Update**

and

1. **Victims of Crime Act (VOCA) Grant Update**

Presented by Lynne Smith

Ms. Smith explained the two grants: Ms. Smith’s grant regards violence against women, Kaylene’s grant regards victims of crime. Ms. Smith said that Kaylene’s grant covers broader crimes, she meets with children, their parents, DUI victims, and aggravated assault (non-DV related) victims. When the crimes are at a felony level – Ms. Smith turns them over to Kaylene. Ms. Smith responds to crisis. Kaylene’s responsibility is walking them through the court process. Ms. Smith thanked the Council and Mayor for their support and stated that Kaylene has been excellent to work with. Councilman Pruden thanked Ms. Smith for her work. Councilman Wardle said that he knows some of the people that Ms. Smith works with, and thanked her for helping them through a very scary situation.

1. **Resolution 2016-32 A Resolution of the Tooele City Council Ratifying a Contract with Silver Spur Construction for the 2016 Culinary Waterline Improvement Project**

Presented by Paul Hansen

Mr. Hansen stated that waterline improvements have been delayed because of Main Street projects. With this year's new budget, the City is able to do some waterline projects. The waterline projects were put out for public bid. The City received three bids. The lowest responsible bidder was Silver Spur Construction at $1,014,510.00. Administration is asking the Council to ratify the contract with an additional 5% contingency fee. Mr. Hansen explained that when digging in the road, sometimes water lines or other utility lines are found that are difficult, or require additional work.

**Councilman Pruden moved to approve Resolution 2016-32**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Resolution 2016-35 A Resolution of the Tooele City Council Approving a Contract with Lewis Young Robertson & Burningham, Inc. to Perform Financial Consulting Services**

Presented by Randy Sant

Mr. Sant stated that the contract with Lewis Young Robertson & Burningham has expired. Administration is asking the Council to adopt a new contract for a period of five years. Services would be those financial services needed when the City acquires debt, and other financial advisory services. The contract lists a number of financial advisory services and the scope of work. The contract also lists compensation for each service.

**Councilwoman Winn moved to approve Resolution 2016-35**. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Beacham Subdivision Phase 2 – Final Subdivision Plat Request**

Presented by Jim Bolser

Councilwoman Winn stated that this subdivision is next to her property. She has a conflict and will abstain from participating and voting on this matter.

Mr. Bolser stated that this subdivision contains two lots at approximately 400 South 100 West. The two lots are on the east side of the property and are proposed to split Lot 1 of the Phase 1 subdivision into Lots 201 and 202. There is a piece of property (Lot 201) that has a structure on it, which will remain on the lot. The creation of Lot 202 will be a newly created vacant lot. The Planning Commission made a favorable recommendation on this matter.

**Councilman Wardle moved to approve the Beacham Subdivision Phase 2**. Councilman Pruden seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” Chairman Pratt, “Aye,” and Councilwoman Winn abstained.

1. **Ordinance 2016-13 An Ordinance of Tooele City Amending Tooele City Code Section 9-4-8 Regarding Fire Hydrant Specifications**

Presented by Jim Bolser

Ms. Bolser explained that this amendment to the City code is a housekeeping measure. Fire hydrants have three spouts on them. Two of the spouts are of one size, and one is bigger. The code inverts them saying that two are of a larger size and one is a smaller size. The City has adopted the Standards and Specifications Book which has the correct sizes of the hydrants. Administration is requesting that this portion of the code be removed, and that the City refer to the Standards and Specifications instead.

**Councilman Pruden moved to approve Ordinance 2016-13**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Ordinance 2016-09 An Ordinance of Tooele City Amending Tooele City Code Section 5-7A-11 Regarding Solicitor Hours**

Presented by Michelle Pitt

Ms. Pitt stated that the City has received complaints about solicitors going door-to-door either early in the morning or late at night. Administration recommends adding language to this section specifying that solicitors cannot go door-to-door between the hours of 9:00 p.m. and 9:00 a.m.

**Councilman Wardle moved to approve Ordinance 2016-09**. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Ordinance 2016-10 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-16 Regarding Business Licenses for Concessionaires**

Presented by Michelle Pitt

Ms. Pitt said that the current code states that food vendors are to obtain a concessionaire license. The City does not have a form called a concessionaire license. This amendment would change the wording in this section from concessionaire license to business license.

**Councilwoman Winn moved to approve Ordinance 2016-10**. Councilman Wardle seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Ordinance 2016-11 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-22 Regarding Ice Cream Truck Liability Insurance and Other Matters**

Presented by Michelle Pitt

Ms. Pitt stated that this amendment would require ice cream trucks to provide a certificate of liability insurance for $1 million rather than $500,000. This would better protect Tooele citizens in the case of an accident. Another amendment would change the fee for badges to $10 to match the price of itinerant merchants’ badges.

**Councilman Pruden moved to approve Ordinance 2016-11**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Ordinance 2016-12 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-21 Regarding Towing Companies**

Presented by Michelle Pitt

Ms. Pitt said that this chapter has not been updated since 1988. This amendment modernizes the language and better matches State code.

**Councilman Pruden moved to approve Ordinances 2016-12**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Minutes: June 15, 2016**

**Councilwoman Winn moved to approve the minutes for the meeting held on June 15, 2016 as presented**. Councilman Pruden seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Chairman Pratt, “Aye,” and Councilman Wardle abstained. Councilman Wardle was not in attendance at the June 15th meeting.

1. **Invoices**

Presented by Michelle Pitt

Ms. Pitt presented one invoice for approval:

Widdison Turbine Service for $30,740.00 for pump repairs to Well #9A.

**Councilman Pruden moved to approve the invoice as presented by Ms. Pitt**. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman McCall, “Aye,” Councilman Wardle, “Aye,” and Chairman Pratt, “Aye.”

1. **Adjourn to RDA (Redevelopment Agency) Meeting**

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

Chairman Pratt turned the remainder of the meeting over to RDA Chairman Pruden.

1. **RDA Resolution 2016-04 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving a Contract with Lewis Young Robertson & Burningham, Inc. to Perform Financial Consulting Services**

Presented by Randy Sant

Mr. Sant stated that this contract with Lewis Young Robertson & Burningham is exactly the same as the contract talked about in Resolution 2016-35. Lewis Young Robertson & Burningham will perform the same financial consulting services for the RDA as it will for the City. The RDA Board is the same as the City Council, and therefore this contract is being brought before the RDA Board for approval.

**RDA Board Member Pratt moved to approve RDA Resolution 2016-04**. RDA Board Member McCall seconded the motion. The vote was as follows: RDA Board Member Winn, “Aye,” RDA Board Member Pratt, “Aye,” RDA Board Member McCall, “Aye,” RDA Board Member Wardle, “Aye,” and RDA Chairman Pruden, “Aye.”

1. **RDA Resolution 2016-01 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving an Amended Purchase and Sale Agreement with the Boyer Company L.C. for 33 Acres of Land Located at Main Street and 1000 North Street**

Presented by Randy Sant

Mr. Sant stated that the RDA purchased the property on 1000 North and Main Street, on the west side near Denny's. The RDA has been trying to develop that area into a residential and commercial facility that would benefit the citizens of Tooele City. Mr. Sant has found a developer that will move forward with the project, which is the Boyer Company. Mr. Sant has been working with that company to get an agreement in place. The Boyer Company still needs to review the agreement. If there are major changes after Boyer reviews it, those changes will be brought before the Council for approval. If there aren’t significant changes, it will not be brought back before the Council. The agreement states that the purchase price for the property is $5 million. The agreement allows the property to be bought in phases. This allows the RDA to move sooner, rather than later with the development. A number of retailers want to come to this community. There are about 3-4 retailers that are currently interested. A developer will want to buy in phases and move forward with the 3-4 retailers now. There will be a price for each phase. The developer will pay the price for a phase and the RDA hold the rest of the ground. The RDA will do due diligence, such as the environmental, title work, surveying, etc. The due diligence will be given to the developer. The developer will identify which phases he is interested in. If he doesn't move ahead with the other phases, the RDA is able to hold the property and possibly offer it to a different developer. Mr. Sant stated that he made a commitment to the Mayor that this project would be in place before he leaves office. That is Mr. Sant’s goal.

**RDA Board Member McCall moved to approve RDA Resolution 2016-01**. RDA Board Member Winn seconded the motion. The vote was as follows: RDA Board Member Winn, “Aye,” RDA Board Member Pratt, “Aye,” RDA Board Member McCall, “Aye,” RDA Board Member Wardle, “Aye,” and RDA Chairman Pruden, “Aye.”

1. **Adjourn**

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

The meeting adjourned at 7:43 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, 2016

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Brad Pratt, Tooele City Council Chair