**Tooele City Council and**

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

**Business Meeting Minutes**

Date: Wednesday, November 2, 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

Dave McCall

Scott Wardle

Debbie Winn

**City Employees Present:**

Mayor Patrick Dunlavy

Roger Baker, City Attorney

Glenn Caldwell, Finance Director

Chief Ron Kirby, Police Department

Paul Hansen, City Engineer

Jim Bolser, Public Works and Community Development Director

Rachelle Custer, City Planner

Heidi Peterson, Communities that Care Director

Michelle Pitt, City Recorder

Lisa Carpenter, Deputy Recorder

Brian Roth, Parks and Recreation Director

Minutes prepared by Cami Cazier.

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

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Pratt.

1. **Roll Call**

Brad Pratt, Present

Steve Pruden, Present

Debbie Winn, Present

Scott Wardle, Present

Dave McCall, Present

Chairman Pratt announced that the Tooele City Administration along with the City Council have reviewed the results of the new recycling program. Seventeen percent of residents opted to join the program, which is just below the required 20% originally requested. However, the City Administration along with the City Council have decided to adopt curbside recycling despite the lower percentage. The program will go into effect January 2017.

1. **Introduce Teen Advisory Council**

Presented by Emily Spilker, Library Staff Member/TAC Advisor & Library Board Members

Ms. Spilker expressed her appreciation to the Council for the opportunity to introduce the new Teen Advisory Council, or TAC. Their responsibilities include planning activities for the library’s weekly Teen Time, giving the library insight as to the best way to keep the library teen friendly, and volunteering in the community. These teens work hard and always do so with a smile on their face. Ms. Spilker introduced the 2016-17 TAC President, Kylee Taylor.

Ms. Taylor introduced herself and expressed her appreciation for the opportunity to serve as a TAC member over the past year. She looks forward to assisting the library and providing services to the community, especially with Teen Time. This activity is held every Thursday and gives teens a safe social atmosphere to hang out and get to know each other. Ms. Taylor has benefited from these activities, being a shy teen herself. Members of TAC also have opportunities to provide volunteer time in several community events. She thanked the leaders of Tooele City and the City Council for their support of the library and helping to give teens a place to have fun and help others along the way.

Members of the Library Board presented and introduced the members of TAC:

Riley Cruz

Mallory Korth

Jason Kendall

Kate Rugg

Braeden Morison

Ethan Prusse

Colleen Turner

Megan Huffman

Chairman Pratt informed the Council that the Library Director, Jami Carter, requested that they have a picture taken with the TAC members to be printed in the Tooele Transcript.

Chairman Pratt recognized and welcomed Boy Scout Troops #1854 and #426.

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

Presented by Mayor Dunlavy, Heidi Peterson and Chief Ron Kirby

Mayor Dunlavy welcomed everyone present and took the opportunity to thank the members of the TAC. On behalf of City Hall and the City Council, he expressed his appreciation for their involvement in the community. He also stated that our Library Staff is second to none, and one of the best things he’s done as Mayor was selecting our Library Director, Jami Carter. She’s made the library an integral part of the community.

The Mayor expressed his honor to recognize some special young people. These awards have been presented for quite a while now, but the Mayor is still amazed by the wonderful youth each time. He feels that it is important as elected officials to honor these youth in City Council Meeting. It’s the most pleasurable thing they do as a Council. He introduced and turned the time over to Heidi Peterson, the Director of Communities that Care, and Chief Ron Kirby. The police department is always involved in this ceremony because of their involvement in the schools with the youth.

Ms. Peterson thanked the Mayor and those in attendance. She is also continually impressed with the wonderful things that these youth have accomplished. She first desired to talk about the department that she represents, Communities that Care. It’s been a part of our community for ten years. We are fortunate to be one of the only communities that has a prevention department which makes families and youth a priority. We are fortunate that our city leadership support and put a high value on our families. One of the main purposes of Communities that Care is that through data and other means, they are able to assess where youth are at the most risk. Once that was evaluated, they were able to bring in evidence-based programming to address those risks, so that our kids can be protected and given prevention methods to help with problems such as alcohol and drug abuse.

One of these programs offered to families in the community is called Guiding Good Choices. She encourages those who haven’t yet attended, to do so. This is a free workshop, and the next one will be held in January. It goes for five weeks, and is a fantastic resource to gain extra tools as parents and to network with other families.

The next program Ms. Peterson wished to spotlight is relatively new to the community but very important. It’s a suicide prevention program called QPR. Unfortunately, over the past few years our community has experienced several suicide deaths. However, because we have a prevention system in place, we are now able to get right on top of it and hopefully prevent additional deaths. QPR is a class that takes 90 minutes, and in that time you will be trained to be aware of the warning signs and risk factors of suicidality. A three step skill is taught to help recognize if a loved one is at risk for suicide. Ms. Peterson encouraged the audience to go to the City website and sign up for the next class.

The last program highlighted was Second Step. It is an evidence-based program available in all Tooele County School District schools for grades K-8. This is also partnered with the police department, and every spring, a fabulous officer goes into the sixth grade classrooms to bond with the kids and talk with them about staying drug and alcohol free.

Ms. Peterson went on to say that research shows that in order for kids to succeed and do well, they need to be recognized for a job well done. The students receiving this award will be receiving backpacks that include donations from local agencies and business that want to congratulate and support these students. There is also a certificate signed by the Mayor.

Ms. Peterson recognized Principal Jerri Sagers from Middle Canyon Elementary and thanked her for coming to support the students.

Ms. Peterson then presented the Mayor’s Youth Recognition Awards to the following students:

Dazren Osborn, Copper Canyon Elementary

Lauren Peterson, Middle Canyon Elementary

Benjamin Oviatt, Middle Canyon Elementary

Bridget Shumway, Northlake Elementary

Melanie McKinney, West Elementary

Mayor Dunlavy again expressed his appreciation for these students and the great things they have accomplished. It’s important for a community to be built around the youth, and we are in great shape with our youth. Their parents, grandparents, and other relatives have been great role models for them.

A brief recess was taken for a picture of the recipients and their certificates with the City Council members and Mayor. The photo will be included in the Tooele Transcript.

**Councilman Wardle made a motion to amend the agenda to have “Public Hearing & Motion” added to item number eight.** Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

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 come forward 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.

No one came forward. (See Item #6.)

Chairman Pratt closed the public comment period at 7:48 pm.

1. **PUBLIC HEARING & MOTION on Ordinance 2016-17 An Ordinance of Tooele City Prohibiting Roosters as Pets in the MDR, R1-7, R1-8, R1-10, R1-12, and R1-14 Zoning Districts**

Presented by Roger Baker

The question of roosters, regarding public policy, is finding the right balance between rural enjoyment and uses in an urban and suburban setting. Some are appropriate. Right now our City Code says that you can have up to six chickens, ducks, or rabbits, which are typically farm animals, in a non-farm setting. This allows people to have a rural lifestyle in a smaller suburban lot, and also allows for sustainability for people to produce their own eggs. It’s impossible to find a perfect balance where everyone’s interests are met all the time without crossing the interests of others. The Council needs to decide the proper balance. There have been two detailed discussions on this topic, once in front of the Council in a prior meeting, and once in Planning Commission.

The Planning Commission held a public hearing with no public comment and unanimous Planning Commission support for this ordinance. This ordinance proposes to tip the scale away from the rural agrarian nature of the use toward the peaceful enjoyment of suburban and urban properties. It is proposed that roosters no longer be an allowed use in the above mentioned zoning districts. This allows people to have enjoyment on their properties. To reiterate, this ordinance applies to single family properties in the R1 and MDR Zoning Districts. Chickens would still be allowed in these zones, but they would have to be hens, not roosters. The ordinance would specifically say that, in these zones, you can have up to six chicken hens, rabbits, and ducks.

Another amendment to the ordinance states that a rooster is considered livestock, and not a pet. It is recognized and respected that someone who has a rooster today enjoys that lawful use and has use of that investment. However, that investment is small, and unlike purchasing, feeding, and housing a horse or cow. The recommendation in the ordinance is that roosters in these Zoning Districts be phased out, such that when a rooster dies or is removed from the property, it cannot be replaced. This provision would take effect January 1st of 2017. It is believed that this strikes a better balance for the quiet enjoyment of the residents in these Zoning Districts.

Chairman Pratt opened the public hearing.

Kathryn Rock came forward. She moved to Tooele City in September. Before purchasing her home, she wasn’t able to view the home during day, and after moving in, became aware of a rooster living within 20-25 feet. It crows all day, from morning until night. Despite having two sound machines, they cannot escape the noise. She spoke with her neighbor, who offered to put the rooster in a shed during the times that Ms. Rock rested, but Ms. Rock didn’t want to have to schedule her resting time around a rooster. She believes that assurance needs to be made that she can have peace and serenity in her own home. Ms. Rock played a video cassette as evidence of the disturbing noise from the rooster. (This comment was offered during the Public Comment Period. Mr. Baker asked that the comment be included with the public hearing comments and that the record reflect the presentation of an audio recording. Chairman Pratt instructed that the comment be included with the public hearing comments and that the audio recording be mentioned in the record.)

Chairman Pratt closed the public hearing at 7:55 pm.

**Councilman Pruden moved to approve Ordinance 2016-17.** Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

1. **Resolution 2016-50 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule for Dow James Recreation Complex Fees**

Presented by Brian Roth

This Resolution was brought before the Council to adjust the fees at the Dow James Complex. In the past, there has been one basic fee that hasn’t had the flexibility needed for the different groups that use the Complex. A tiered system has been added to give that flexibility. The fees are used to help offset the costs of using the building, while trying to be fair to the users and taxpayers as well.

Councilwoman Winn thanked Mr. Roth and said that the fees seem very reasonable.

**Councilman McCall moved to approve Resolution 2016-50**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

1. **PUBLIC HEARING & MOTION on Ordinance 2016-18 An Ordinance of the Tooele City Council Amending the Terms of Chapter 7-5 of the Tooele City Code Relating to the Establishment of Administrative Conditional Use Permits**

Presented by Jim Bolser

A discussion was held previously to discuss a concern brought to the Council regarding the costly and cumbersome nature of home occupations being approved for Conditional Use Permits. The fees that are established for every process are largely done based on the type of the facility, but also the amount of time and effort that it costs the City to process the applications. Under the current ordinance, Conditional Use Permits consist of public hearings and meetings before the Planning Commission. The Council requested that the City Staff look into a more efficient and cost effective process and procedure to accomplish the same goal for this specific type of Conditional Use Permit.

This ordinance is the result of that effort. A process has been established by which these types of Conditional Use Permits, for home occupations in this case, be written so that it can be expanded to any types of Conditional Use Permits that the Council sees fit in the future. These Permits can be approved and reviewed according to an administrative process by a member of the City Staff. They would still have the public noticing process and an opportunity for a neighboring property owner to provide comments. Conditions would still be placed upon them, just as they would going before the Planning Commission. Nothing is lost in the process in this way, but the cost is more effective. The application fee, approved under the next agenda item, would be a one-time fee separate from the annual business license fees. The goal is to allow a process where these types of home occupations can seek their licensure properly and effectively, and discourage them from being done outside of the law to avoid the cost. The Planning Commission has held a public hearing and has forwarded a unanimous positive recommendation for the Council’s consideration.

Chairman Pratt opened the public hearing.

Liz Hamilton came forward. She expressed her appreciation to Mr. Bolser and Mr. Baker for their efforts in this ordinance. Ms. Hamilton represents the childcare business and is the President-Elect of the Professional Family Childcare Association. She advocates for in-home family childcare. She believes that reducing the application fee will benefit both the City and the providers. It will allow them to continue to have regulated childcare in our community, and won’t deter people who come to get this Conditional Use Permit from not paying it because of the high fees. This will allow for safer homes for childcare in our community. She hopes that the Council will vote in favor of this ordinance.

Chairman closed the public meeting at 8:03 pm.

**Councilman Pruden moved to approve Ordinance 2016-18**. Councilwoman Winn seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

1. **Resolution 2016-49 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule to Include Fees for Administrative Home Occupations**

Presented by Jim Bolser

Now that the program has been adopted, the fee needs to be established. The proposed fee was previously discussed among the Council and included in that discussion as well as a cost analysis for the anticipated time and effort on the part of City staff to process these applications. The goal is not to cover costs, but rather to not have too much of a subsidy on the part of citizens in an effort to recover those costs. The proposed fee is $150.

**Councilwoman Winn moved to approve Resolution 2016-49**. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

1. **Minutes: October 19, 2016**

**Councilman Wardle moved to approve the minutes for the meeting held on October 19, 2016 as presented**. Councilman McCall seconded the motion. The vote was as follows: Councilman Pruden, “Aye,” Councilwoman Winn, “Aye,” Councilman Wardle, “Aye,” Councilman McCall, “Aye,” and Chairman Pratt, “Aye.”

1. **Invoices**

There were no invoices to present.

1. **Adjourn**

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

The meeting adjourned at 8:06 pm.

*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 16th day of November, 2016

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Brad Pratt, Tooele City Council Chair