

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,
HELD ON DECEMBER 2, 2020 AT THE GRANTSVILLE CITY HALL, 429 EAST
MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN
AT 7:00 P.M.**

Mayor and Council Members Present:

Mayor Brent Marshall
Scott Stice
Krista Sparks
Jeff Hutchins
Jewel Allen
Darrin Rowberry

Appointed Officers and Employees Present:

Timm Dixon, City Engineer
Christine Webb, City Recorder
Brett Coombs, City Attorney
James Waltz, Public Works
Jesse Wilson, Treasurer/HR

Citizens and Guests Present:

Tyler LaMarr	Neil's phone	Krista Hutchins
Lamont Kingston	Joell Dowden	Nate Mitchell
Norma	Christie	Mary Ann Harrison
Travis Taylor	John Butler	

Mayor Marshall asked Timm Dixon to lead the Pledge of Allegiance.

AGENDA:

1. Public Comments.

Christine Webb read a statement from Norma Fox regarding an unofficial parade Ms. Fox is planning to have in place of the cancelled City parade. Mayor Marshall pointed out that Tooele City has also cancelled their Santa parade.

2. Summary Action Items.

- a. Approval of Minutes from the November 18, 2020 Regular Meeting.
- b. Approval of Bills for the amount of \$317,585.89.

The Council discussed the bill for Docusign.

Motion: Councilman Hutchins made a motion to approve the summary action items.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

3. Presentation and consideration of the independent audit.

Mayor Marshall stated the auditors had requested this item to be moved to the December 16, 2020 City Council Meeting.

Motion: Councilman Stice made a motion to table this item.

Second: Councilwoman Allen seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

4. Consideration of Resolution 2020-77 approving a development agreement for the Dowden Minor Subdivision.

Joell Dowden and her attorney, Tyler LaMarr were present on Zoom. Brett Coombs explained he has been working with Mr. LaMarr and they have one edit they would like to make on this agreement. Mr. LaMarr reported they have requested an amendment to the development agreement that would delay the payment of the fee in lieu of open space from the time of recordation of the plat to no later than before any permit is pulled. He said there are some financial constraints for his client. Mayor Marshall asked if that correction could be made easily. Mr. Coombs answered yes they have some proposed language. He added there is some proposed language stating that if the fee in lieu is not paid, the City has the option to apply a lien onto the property if necessary. He felt the City was fully protected.

Mr. LaMarr commented the original draft was sent to them with a value of \$80,000. He stated they propose a fee of \$6,000 based on a \$60,000 value. He reported they are proposing that value because there are comparable properties in the area valued at \$60,000. He explained this property is raw land. The road is not developed, there is no sewer hook-up, and there is a lot to be done to develop this land. Mr. Coombs gave the reasons for estimating the value at \$80,000. He pointed out the developer may propose a different amount if they bring a certified appraisal to the City Council for review based on City Code.

Councilwoman Allen felt the \$80,000 was a fair value based on Mr. Coombs' explanation of the determination for that amount. Councilman Stice commented that the Council had recently accepted a lower amount on a property located in the city where sewer and water are available. He stated he was comfortable with the \$60,000 amount. Ms. Dowden would need to provide a certified appraisal. Mr. LaMarr stated the Code does allow them to reach an agreement with the City Council on the value. He felt there were reasons to reduce the amount for this property. He stated Ms. Dowden purchased additional property across the way for \$50,000 per acre. Councilwoman Sparks felt they should follow the City Code. If the Code requires an appraisal, they should have an appraisal.

Ms. Dowden reviewed what she has completed to get to this point. Mr. Coombs asked if Ms. Dowden received an appraisal for the property when she purchased the twenty acres across the street. She answered that she got whatever she needed to have for the loan. Mayor Marshall asked Ms. Dowden to bring in the paperwork she had from her lending institution to show the attorney what the payment was for it and the City could use it for the amount. The Council agreed that would be acceptable.

Ms. Dowden commented on the provision requiring curb, road, and gutter. She stated it is a mile and a quarter from the nearest subdivision and if there is a subdivision, she thinks it will only be horses. Mr. LaMarr clarified that Ms. Dowden was referencing the provision in the development agreement that would require the lot owners in the future, if the City requires it, to install curb and gutter. He added that it does not require it at this moment and felt that was acceptable to them. Mayor Marshall said yes, that will be at a future date. Councilman Hutchins inquired how long ago this property was annexed into Grantsville. Mayor Marshall answered that it has been in the City for many years.

Motion: Councilman Stice made a motion to approve Resolution 2020-77 approving a development agreement for the Dowden Minor Subdivision with the amount for the fee in lieu of open space to be determined by the City Attorney when paperwork is provided.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

5. Consideration of Resolution 2020-78 approving a minor subdivision for Joell Dowden at 228 South 1160 West for the creation of four single family lots in the RR-1 zone.

Councilman Stice stated he drove up there earlier in the day and that is a nice road. Mayor Marshall agreed and stated a lot of work has been done on it. Councilman Stice asked if Mr. Dixon was alright with this. Mr. Dixon answered that we was.

Motion: Councilwoman Sparks made a motion to approve Resolution 2020-78 approving a minor subdivision for Joell Dowden at 228 South 1160 West for the creation of four single family lots in the RR-1 zone.

Second: Councilman Rowberry seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

6. Consideration of Resolution 2020-79 approving the creation of a Planned Unit Development (P.U.D.) for Mountain Vista and Monte Kingston on the Scenic Slopes Subdivision in the R-1-21 zone.

Monte Kingston and Derek Ellis were present on Zoom. Mayor Marshall pointed out this is the subdivision the City Council had a work meeting on previously. Mr. Kingston reported they have had several meeting with the City and with the Butler family to the east of this property. Mayor Marshall asked if there were any issues with the Butler family. Mr. Kingston answered there were no issues. He asked if the Council had the letters from the Planning Commission Meeting from the Butlers. The Council did have them.

Councilman Stice stated he was concerned about the water. The Council would like to discuss the water for this subdivision at the work meeting scheduled for next week.

Mr. Ellis suggested discussing two concerns from the Planning Commission. One was the Planning Commission requested that there be a seven and a half foot (7 ½’) side yard setback. The second was the length of the driveways. Mayor Marshall stated he spoke with Kristy Clark and James Waltz about this. Currently the City requires seven and a half feet for the utility easement. Mayor Marshall asked what the proposed length of the driveways was. Mr. Kingston and Mr. Ellis answered it is twenty feet (20’). The Council and Mr. Dixon discussed the utility easement requirement. Mr. Dixon reported most of the utilities just run along the front of the houses. He stated you do not see utilities going down the side yards like you used to. Mr. Ellis commented that these homes will be on a slab so there will not be any window wells that come into play in the side yards. The Council agreed that the seven-foot (7’) easement would be sufficient for the side yard easement in this P.U.D.

Mayor Marshall moved to the length of the driveway. The Council discussed the allowance for twenty-foot (20’) driveways at a subdivision at the west end of Main

Street. Mr. Ellis directed the Council to the landscape plan at the back of the submittal. He explained there were some widths of possible parking area on the front of the lots along the street. Councilman Stice asked if there will be garages on these houses. There will be two car garages. Mr. Dixon confirmed with Mr. Kingston that the garages will be sized appropriately for an F-150 truck.

Mr. Coombs commented they will need an exception for the height of the buildings and the building coverage. He explained the City Code only allows buildings up to thirty-five feet (35'). Mr. Ellis reported that will only come into play if homeowners choose to add the roof deck. Mayor Marshall pointed out the limit of thirty-five feet was for when the Fire Department did not have an aerial truck. Mr. Ellis commented that they have worked with the Butlers on the view corridor. He reported there will not be any homes higher than two stories on the far east side of the property.

Councilman Rowberry asked what target market price they are aiming for. Mr. Ellis answered they expect the starting price to be under \$250,000. Councilwoman Allen commented that she hoped they could keep the homes affordable.

Motion: Councilman Hutchins made a motion to approve Resolution 2020-79 approving the creation of a Planned Unit Development (P.U.D.) for Mountain Vista and Monte Kingston on the Scenic Slopes Subdivision in the R-1-21 zone with the condition that the water issues are worked out at a later meeting.

Second: Councilman Stice seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

7. Consideration of Resolution 2020-80 approving the preliminary plat for Mountain Vista and Monte Kingston on the Scenic Slopes P.U.D. Subdivision located near the Wells Crossing Subdivision for the creation of sixty-six (66) lots in the R-1-21 zone.

The Council agreed this looked good. They commented on water that will be needed to water the park.

Motion: Councilman Stice made a motion to approve Resolution 2020-80 approving the preliminary plat for Mountain Vista and Monte Kingston on the Scenic Slopes P.U.D. Subdivision located near the Wells Crossing Subdivision for the creation of sixty-six (66) lots in the R-1-21 zone conditional on the water discussion for the P.U.D.

Approved

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

8. Consideration of Resolution 2020-81 approving the final plat for DRP Management, AW Hardy Family, and Monte Kingston on the Wells Crossing Subdivision, Phase 4 for the creation of thirty-one (31) single family lots in the R-1-21 zone.

Mr. Kingston reported this connects the subdivision to Mormon Trail. Councilman Stice stated it looks nice; they have done a good job so far. Councilwoman Sparks received comments from some neighbors regarding the fence on Williams Lane to Hale. The fence is so high that there have been some near accidents because people cannot see around the six-foot (6’) fence. Mr. Ellis agreed. He pointed out the City required them to install the fence around the retention pond because there was a liability issue if the retention basin were to fill with water. Mayor Marshall recommended adding that to the work meeting for discussion. Mr. Ellis explained the lots with the fence have been sold and are now owned by the homeowners.

Councilwoman Sparks inquired if there are just going to be the two exits on Williams Lane. There is a half width onto Nygreen as well. Mr. Ellis stated Phase 4 will complete the road out to Mormon Trail.

Motion: Councilman Stice made a motion to approve Resolution 2020-81 approving the final plat for DRP Management, AW Hardy Family, and Monte Kingston on the Wells Crossing Subdivision, Phase 4 for the creation of thirty-one (31) single family lots in the R-1-21 zone.

Second: Councilman Hutchins seconded the motion.

Discussion: Councilman Rowberry asked when the road will be finished out to Mormon Trail. Mr. Ellis answered as soon as the Council lets them get moving.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

9. Consideration of Resolution 2020-82 approving the final plat for J Thomas Homes, LLC and Travis Taylor on the Northstar Ranch Subdivision P.U.D., Phase 5 for the creation of fourteen (14) single family lots in the R-1-21 zone.

Travis Taylor was present on Zoom. The Council discussed that these were third-acre lots. There were no issues from Planning and Zoning.

Motion: Councilman Hutchins made a motion to approve Resolution 2020-82 approving the final plat for J Thomas Homes, LLC and Travis Taylor on the Northstar Ranch Subdivision P.U.D., Phase 5 for the creation of fourteen (14) single family lots in the R-1-21 zone.

Second: Councilman Rowberry seconded the motion.

Discussion: Timm Dixon asked Mr. Taylor to leave his swales open in this phase.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

10. Consideration of Ordinance 2020-35 adopting the Land Disturbance Ordinance in the Land Use Management and Development Code.

Mayor Marshall stated this is something we have been working on with FEMA. He said FEMA is working on the flood plains. Councilman Stice stated the two issues he had with this were one that we do not require farmers who are plowing their alfalfa fill one of these out and two that the City does fill one out. He felt the City should be held to the same standards. Councilman Rowberry inquired how this applies to Northstar Ranch. Mr. Dixon answered that they need to keep the existing landscape as close as possible to what it was before you came in with your development. He added that you have to control the storm water from your site to my site. Councilman Stice explained there has to be a study to back up their plan. Mr. Dixon reported they will need to have a plan to mitigate erosion and control any storm water runoff. He stated we have to have six requirements in place with the State.

Councilman Rowberry brought up the question about if a huge swale has to stay installed on a property. Mr. Dixon explained the ordinance talks about what happens if a private homeowner changes direction of the flow and there is an event, the liability is on the homeowner. Councilman Stice commented this is something that Salt Lake County is already doing so most of the builders already know what they are supposed to be doing. Councilman Stice thanked Mr. Dixon and said this was a lot of work.

Motion: Councilwoman Allen made a motion to approve Ordinance 2020-35 adopting the Land Disturbance Ordinance in the Land Use Management and Development Code.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

Approved

11. Closed Session (Personnel, Real Estate, Imminent Litigation).

Motion: Councilman Hutchins made a motion to go into a closed session for pending or imminent litigation after a two-minute recess.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilwoman Allen, “Aye”, Councilman Rowberry, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried and the Council went into a closed session at 7:56 pm.

Those in attendance were: Mayor Marshall, Councilman Rowberry, Councilwoman Allen, Councilman Hutchins, Councilman Stice, Councilwoman Sparks, Christine Webb, Brett Coombs, and Nate Mitchell.

Motion: Councilman Stice made a motion to go back into an open session.

Second: Councilwoman Allen seconded the motion

Vote: The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

12. Adjourn.

Mayor Marshall requested to schedule an RDA Meeting on December 16, 2020 at 6:30 p.m.

Motion: Councilman Hutchins made a motion to adjourn. Councilman Rowberry seconded the motion. The meeting was adjourned at 8:59 p.m.