

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, November 3rd, 2021, at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah.

We encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page at <https://www.facebook.com/tooelecity>. If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email cmpubliccomment@tooelecity.org anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Mayor's Youth Recognition Awards**
Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor
4. **Public Comment Period**
5. **Public Hearing & Ratification of Ordinance 2021-37** An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the LI Light Industrial Zoning District for Approximately 8.31 Acres of Property Located at Approximately 275 South 1200 West
Presented by Jim Bolser, Community Development Director
6. **Resolution 2021-101** A Resolution of the Tooele City Council Authorizing the Disposal of Lost or Mislaid Personal Property
Presented by Adrian Day, Police Chief
7. **Resolution 2021-102** A Resolution of the Tooele City Council Approving and Ratifying an Interlocal Agreement Between Tooele City and the Tooele Army Depot for Reciprocal Fire Protection, Natural Disaster Response, and Mutual Aid
Presented by Roger Baker, City Attorney
8. **Resolution 2021-103** A Resolution of the Tooele City Council Approving a Lease Agreement with Vision Financial Group, Inc., for the Lease-Purchase of a 2017 Vaccon Vector Truck
Presented by Jamie Grandpre, Public Works Director

9. Minutes

10. Invoices

11. Adjourn

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or michellep@tooelecitey.org, Prior to the Meeting.

TOOELE CITY CORPORATION

ORDINANCE 2021-37

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE LI LIGHT INDUSTRIAL ZONING DISTRICT FOR APPROXIMATELY 8.31 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 275 SOUTH 1200 WEST.

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City’s elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of “land use [i.e., zoning] ordinances and a zoning map” that constitute a portion of the City’s regulations (hereinafter “Zoning”) for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the Land Use Map of the Tooele City General Plan has designated the subject properties as Light Industrial; and,

WHEREAS, the LI Light Industrial zoning district complies with the Light Industrial land use designation of the Land Use Map of the Tooele City General Plan; and,

WHEREAS, the City received an application for Zoning amendments for properties located at approximately 275 South 1200 West on September 27, 2021, requesting that the Subject Property be reassigned to the LI Light Industrial zoning district. (see Rezone Petition and map attached as Exhibit A, and Staff Report attached as Exhibit B); and,

WHEREAS, the Subject Properties are owned by Tooele City Corporation and are currently assigned the IS Industrial Service zoning district; and,

WHEREAS, on October 13, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit C**); and,

WHEREAS, on _____, 2021, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that:

1. this Ordinance and the zoning amendment proposed therein is in the best interest of Tooele City and its residents because it will provide additional zoning that will encourage manufacturing uses and create additional employment opportunities; and,
2. the Zoning Map is hereby amended to the LI Light Industrial zoning district for the approximately 8.31 acres of property located at approximately 275 South 1200 West as demonstrated in **Exhibit A**, attached.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

S E A L

Approved as to Form:

Roger Baker, Tooele City Attorney

Exhibit A

Petition and Mapping Pertinent to Zoning Map Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecitecity.org



Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

P21-1027

Project Information				14-084-0-0303	
Date of Submission: 9/27/2021	Current Map Designation: Industrial Services	Proposed Map Designation: Light Industrial	Parcel #(s): 14-084-0-0302 14-084-0-0301		
Project Name: Zoning map amendment - KCC Business Park			Acres: 8.31		
Project Address: 275 S 1200 W, Tooele City, UT 84074					
Proposed for Amendment: ☐ Ordinance ☒ General Plan ☐ Master Plan: _____					
Brief Project Summary: Zoning map These three parcels are intended for sale from The Tooele City RDA to KCC International. They intend to use the site for Light Manufacturing of Commercial HVAC units. A Light Industrial zoning designation is needed and fits with the Land Use map. KCC will benefit Tooele with job creation and property value increases.					
Property Owner(s): RDA			Applicant(s): RDA		
Address: 90 N Main Street			Address: 90 N Main Street		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 435-843-2169			Phone: 435-843-2169		
Contact Person: Jared Stewart			Address: 90 N Main St		
Phone: 435-843-2169			City: Tooele City	State: UT	Zip: 84074
Cellular: 801-834-3858	Fax: _____	Email: Jared.S@TooeleCity.org			

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:

Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

Fees to be paid by RDA - Transferred by Finance.

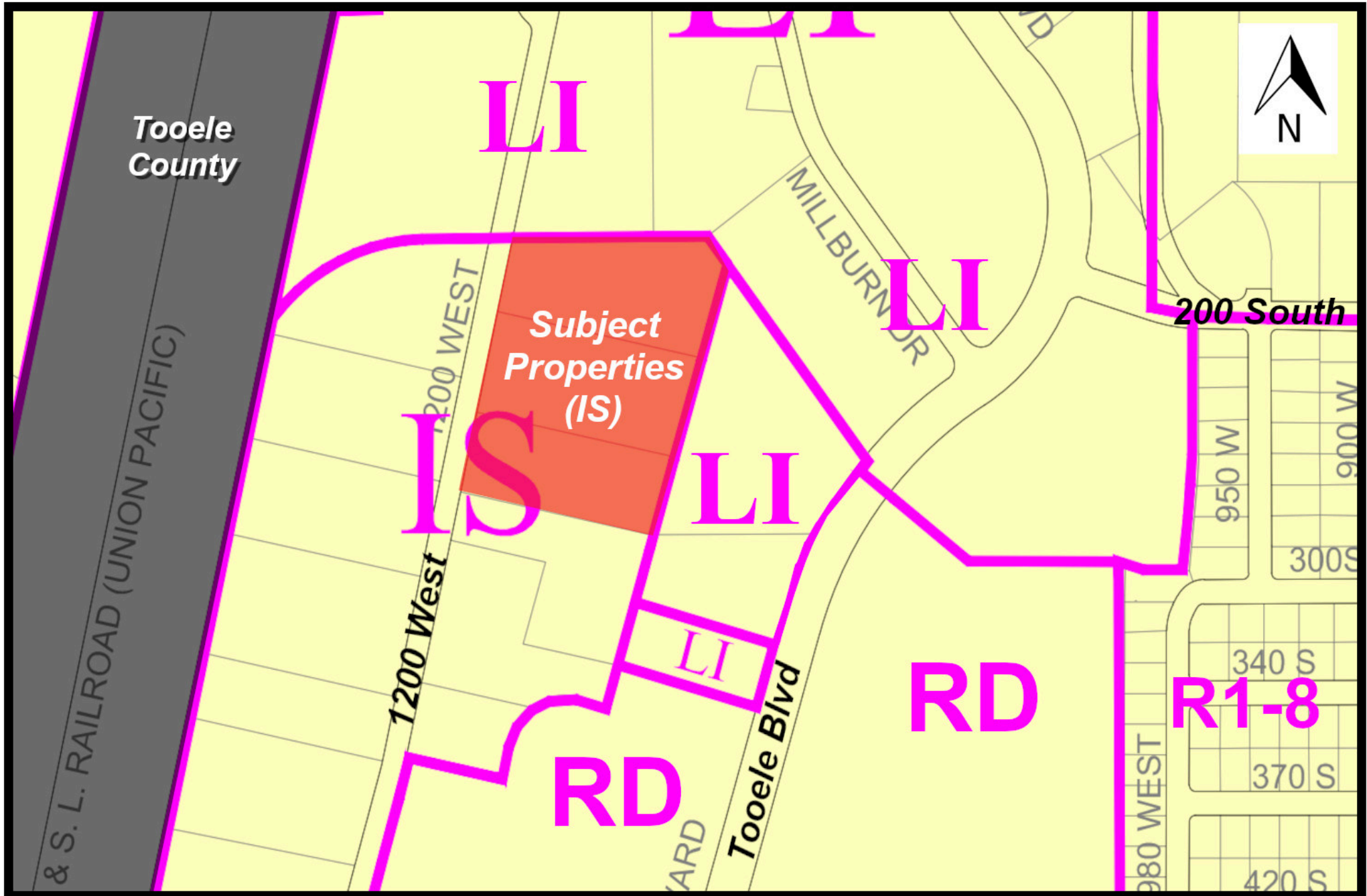
For Office Use Only			
Received By:	Date Received:	Fees: 1900.00	App. #-

KCC Business Park Zoning Map Amendment 02



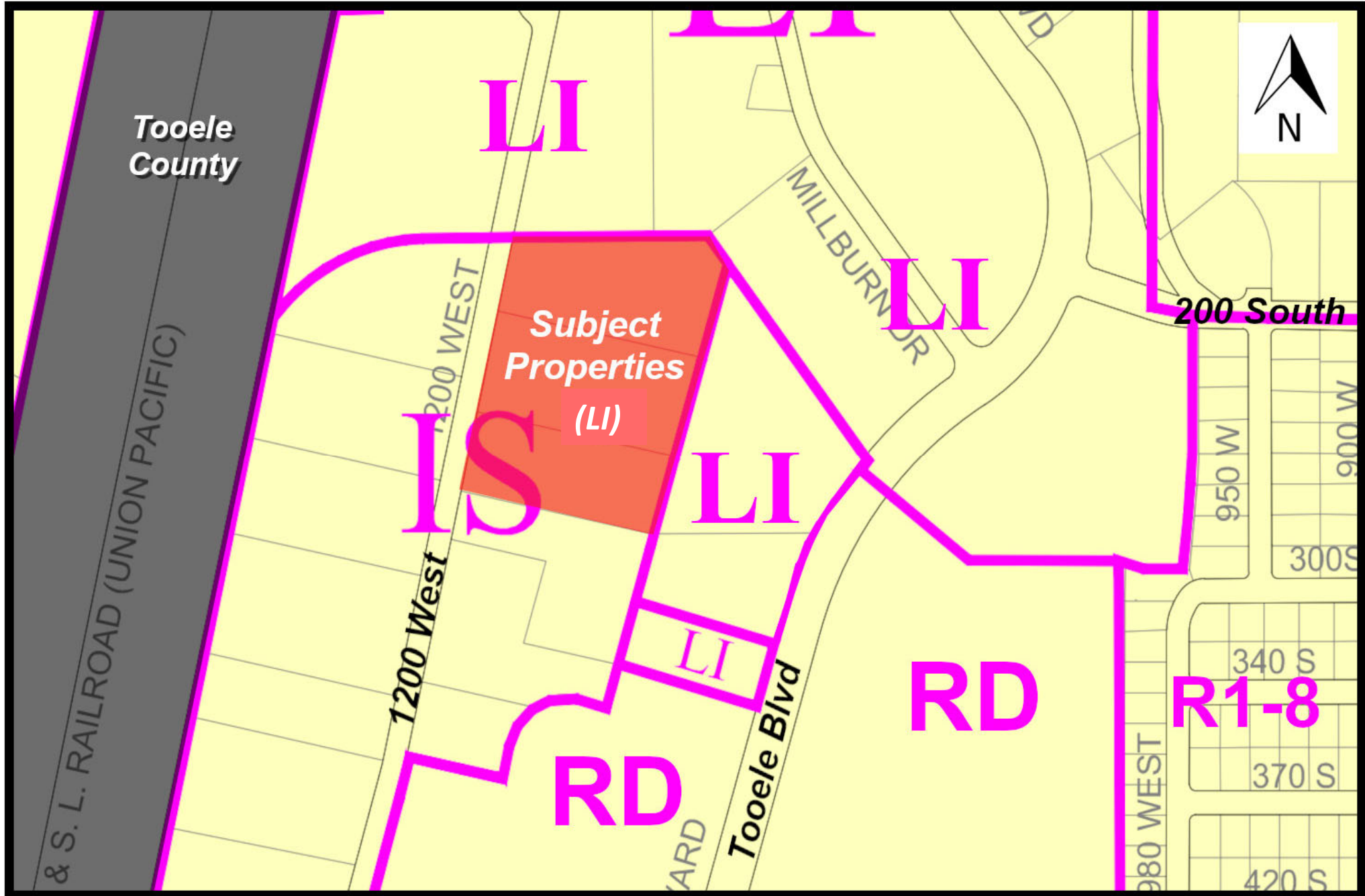
Aerial View

KCC Business Park Zoning Map Amendment 02



Current Zoning

KCC Business Park Zoning Map Amendment 02



Proposed Zoning

Exhibit B

Staff Report

STAFF REPORT

October 6, 2021

To: Tooele City Planning Commission
Business Date: October 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: KCC Business Park – Zoning Map Amendment Request

Application No.: P21-1027
Applicant: Tooele City Redevelopment Agency
Project Location: Approximately 275 South 1200 West
Zoning: (IS) Industrial Service Zone
Acreage: 8.31 Acres (Approximately 361,983 ft²)
Request: Request for approval of a Zoning Map Amendment in the (IS) Industrial Service zone regarding re-assignment of the zoning from (IS) Industrial Service to the LI Light Industrial zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 8.31 acres located at approximately 275 South 1200 West. The property is currently zoned (IS) Industrial Service. The applicant is requesting that a Zoning Map Amendment be approved to re-assign the zoning to the LI Light Industrial zoning district.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned the (IS) Industrial Service zoning classification. The (IS) Industrial Service zoning designation is identified by the General Plan as a preferred zoning classification for the Light Industrial land use designation. Properties located to the west and to the south currently bear the (IS) Industrial Service zone. Properties to the east were recently rezoned to the LI Light Industrial zoning district. Property to the north currently bear the LI Light Industrial zone. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The purpose of the Industrial Service (IS) District is to provide locations for more intensive service type uses for the benefit of the community and regional area. Despite the more intensive nature, this District still encourages clean uses which provide employment opportunities for city residents, strengthen the city’s tax base, and diversify the local economy.

The applicant is requesting that the property be rezoned to LI Light Industrial. The purpose of the Light Industrial (LI) District is to provide locations for light industrial assembly and manufacturing uses that produce no appreciable negative impact to adjacent properties. This District encourages clean, light industrial and manufacturing uses which provide employment opportunities for city residents, strengthen the city’s tax base and diversify the local economy.

The properties are currently under the ownership of the Tooele City RDA. The RDA is seeking to sell the

property to KCC International for the expansion of their roof curb manufacturing business. KCC also intends to expand their business into the manufacturing of commercial HVAC systems and needs additional space for manufacturing purposes, warehousing and equipment storage. The Light Industrial zoning district would more easily accommodate a manufacturing business and contractor storage and staging yard than the IS Industrial Service zone where many manufacturing uses are prohibited.

The Land Use Map of the General Plan currently designates the properties as Light Industrial. The two zones that qualify under the Light Industrial Land Use designation are the IS Industrial Service and the LI Light Industrial zoning districts. The request to change the zoning to the LI Light Industrial zoning district is in compliance with the Light Industrial Land Use designation.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Sections 7-11-6, 8 and 9 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Zoning Map Amendment submission and has issued the following comments:

1. All properties in the area are currently utilized as light industrial, heavy commercial or educational facilities.
2. The nearest residential uses are located 880 feet to the east.

Engineering Review. The Tooele City Engineering Division did not issue any comments regarding the proposed Land Use Map Amendment.

Public Works Review. The Tooele City Public Works Division did not issue any comments regarding the proposed Land Use Map Amendment.

Noticing. The applicant has expressed their desire to rezone the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the KCC Business Park Zoning Map Amendment Request by the Tooele City Redevelopment Agency to re-assign the zoning for the 8.3 acre parcels located at approximately 275 South 1200 West, to the LI Light Industrial zone, application number P21-1027, based on the findings and subject to the conditions listed in the Staff Report dated October 6, 2021:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the KCC Business Park Zoning Map Amendment Request by the Tooele City Redevelopment Agency to re-assign the zoning for the 8.3 acre parcels located at approximately 275 South 1200 West, to the LI Light Industrial zone, application number P21-1027, based on the following findings:”

1. List findings...

EXHIBIT A

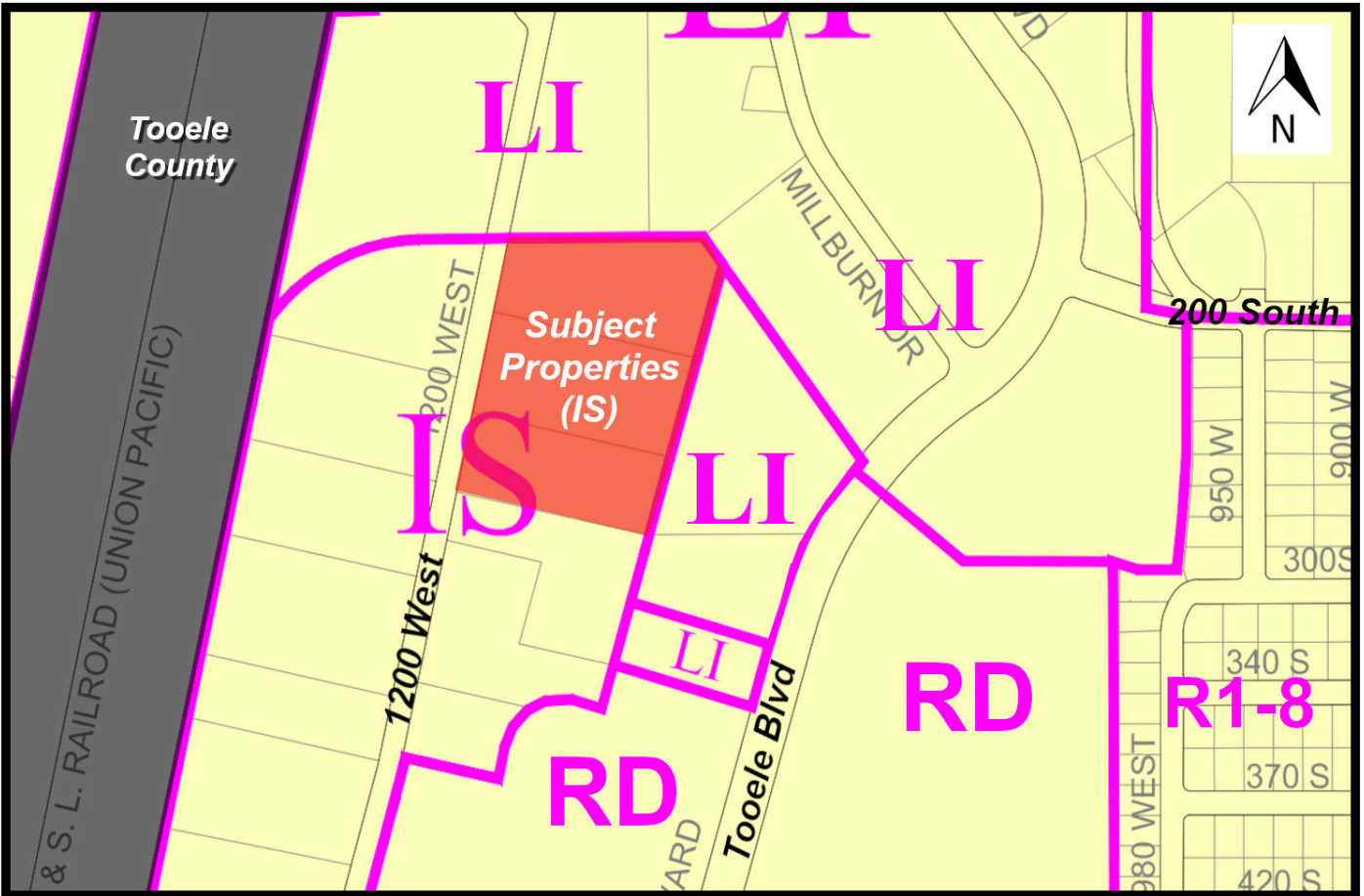
MAPPING PERTINENT TO THE KCC BUSINESS PARK ZONING MAP AMENDMENT

KCC Business Park Zoning Map Amendment 02



Aerial View

KCC Business Park Zoning Map Amendment 02



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

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P21-1027

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City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 435-843-2169			Phone: 435-843-2169		
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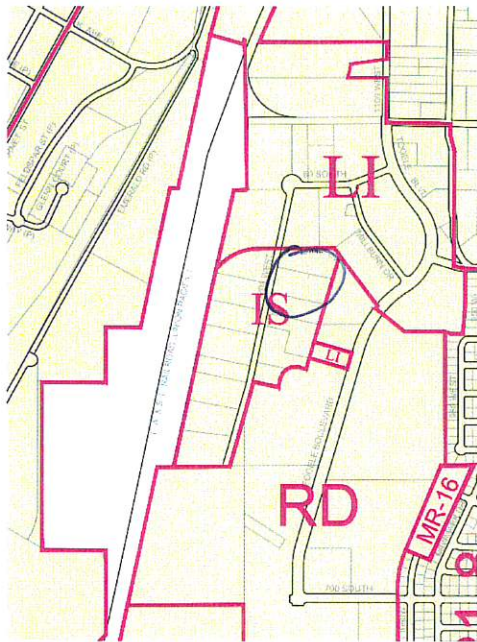
Fees to be paid by RDA - Transferred by Finance.

For Office Use Only			
Received By:	Date Received:	Fees: 1900.00	App. #-

Zoning Map Amendment Application: Business Park (KCC amendment of 8.31 acres)

What is the present zoning of the subject property?

Currently the zoning map has this property designated as Industrial Services (IS). This completes a re-zone for the property pending sale to KCC. It comprises parcels 14-084-0-0303, 14-084-0-0302, 14-084-0-0301.



Explain how the proposed zoning is consistent with the current land use designation.

The proposed zoning is Light Industrial (LI). The future land use map designation has been approved for Light Industrial.

Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area.

The neighboring area of 1200 W, other sections to the north, and an adjacent 1.5 acres are already zoned LI. There are no neighboring residential or uses with major conflicts. The LI designation reflects future plans for development within the 200 acres that the Tooele City RDA has for sale to the south. Additionally, the LI zone reflects the recent re-zone of parcel 02-009-0-0093, which was intended to be zoned the same across the 15.25 acre site.

Explain how the proposed zoning is suitable for the existing uses of the subject property(s).

The RDA intends to sell 15.25 acres to Kentuckiana Curb Company Inc (KCC). KCC currently operates a roof curb manufacturing business to the north of the site. They intend to expand their manufacturing facility to produce commercial HVAC equipment. This will involve the construction of three 40,000 SF buildings, the creation of 50 initial jobs, and water use of less than 2-acre feet per year.

Exhibit C

Planning Commission Minutes

TOOELE CITY CORPORATION

RESOLUTION 2021-101

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING THE DISPOSAL OF LOST OR MISLAID PERSONAL PROPERTY.

WHEREAS, in the regular course of business, the Tooele City Police Department comes into possession of substantial quantities of lost, misplaced, and unclaimed personal property, including cash; and,

WHEREAS, Utah Code Chapter 77-24a governs the disposal of such unclaimed personal property, which property may be sold, destroyed, or applied to a public interest use (i.e., used by the police department as authorized by the City Council, or donated to a registered Utah nonprofit charity); and,

WHEREAS, prior to disposing of unclaimed personal property, the police department must comply with the notice procedures described in U.C.A. §§77-24a-4 and -5; and,

WHEREAS, attached to this Resolution as Exhibit A is a detailed list of unclaimed personal property which the police department seeks City Council authorization to apply to a public interest use; and,

WHEREAS, the Police Department has made a reasonably diligent effort to identify owners of the personal property, and to return the personal property to the known owners (see memorandum included with Exhibit A):

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the unclaimed personal property shown in the attached Exhibit A is hereby authorized for application to a public interest use, including the purchase of upgraded GPS systems for Police Department vehicles, in the discretion of the Chief of Police.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter, except that the unclaimed personal property listed in Exhibit A may not be used until nine days after complying with the requirements of U.C.A. §77-24a-5.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

S E A L

Approved as to Form:

Roger Baker, City Attorney

Exhibit A

List of Personal Property for Public Interest Use

October 15, 2021

To: Chief Adrian Day
From: Staff Sgt. Jason Potter

Subject: Funds in 70 Fund Account

Chief,

The current balance in the 70 Fund Account that is ready for disposal is \$18,843.36. The funds available for conversion to public interest user are itemized on the attached document. For the cases where an owner could be identified, letters were sent to the owner providing them the opportunity to claim the funds. The funds included on the list where letters were sent, we have not received any response. Unclaimed money is also listed on the public notice website. Public notices were also posted at the police department, city hall, police department facebook page, and the Transcript Bulletin. The police department has met the requirements of state law in attempting to locate and notify owners of the unclaimed money. Currently the funds are ready for conversion to public interest use. If you have any other questions let me know.

Sincerely,



Staff Sgt. Jason Potter

Tooele City Police - Cases for Conversion to Public Interest Use					
Case #	Date Received	Deposited	Deposited Date	Letter Sent	Notes
17-T04140	4/8/2017	\$ 7.00	4/11/2019		Recovered from vehicle burglaries - unknown owner
2012-001878	2/25/2012	\$ 82.00	4/11/2019	8/8/2014	
2016-004922	5/25/2016	\$ 787.00	4/11/2019	3/6/2018	
2016-005496	6/21/2016	\$ 21.28	4/11/2019	3/6/2018	
2016-008790	9/1/2016	\$ 230.00	4/11/2019	2/21/2018	
2014-011980	11/13/2014	\$ 201.75	4/11/2019		Found Property at Walmart unknown owner
2016-008996	9/26/2016	\$ 327.00	4/11/2019	2/21/2018	
2016-011467	11/18/2016	\$ 400.00	4/11/2019		Drug arrest - arrestees stated money was not theirs - Unknown owner
2016-001558	2/22/2016	\$ 0.66	4/11/2019		Walmart found property unknown owner
2016-000548	1/25/2016	\$ 26.13	4/11/2019		Found property unable to locate owner Elijah Demille
2015-013901	12/10/2015	\$ 1.00	4/11/2019	2/21/2018	
2015-009163	8/10/2015	\$ 16.00	4/11/2019	7/27/2017	
2015-007863	7/15/2015	\$ 101.00	4/11/2019	2/26/2018	
2015-004902	5/8/2015	\$ 160.00	4/11/2019	2/22/2018	
2015-002885	3/25/2015	\$ 2.00	4/11/2019	8/27/2021	
2015-001395	2/13/2015	\$ 202.00	4/11/2019	2/22/2018	
2015-000241	1/8/2015	\$ 450.00	4/11/2019		Found property from Walmart unknown owner
2014-011318	10/22/2014	\$ 69.00	4/11/2019		Found property from Walmart unknown owner
2014-011037	10/22/2014	\$ 1.00	4/11/2019		Found property unknown owner
2014-011034	10/22/2014	\$ 275.00	4/11/2019	2/23/2018	
2014-010887	10/22/2014	\$ 40.06	4/11/2019		Found property from Walmart unknown owner
2014-010397	10/1/2014	\$ 93.63	4/11/2019		Found property from Walmart unknown owner
2014-009713	9/17/2014	\$ 160.00	4/11/2019	2/23/2018	
2014-006983	7/7/2014	\$ 12.00	4/11/2019		Found property by police at July 4th event at park. Unknown owner
2013-012782	12/5/2013	\$ 1,709.00	4/11/2019	9/1/2021	
2013-004918	6/3/2013	\$ 7.00	4/11/2019	2/26/2018	
2012-005071	5/24/2012	\$ 100.00	4/11/2019	2/26/2018	
2013-002317	3/12/2013	\$ 200.00	4/11/2019	1/6/2015	
2013-002258	3/11/2013	\$ 5.00	4/11/2019	3/2/2018	
17-T01125	1/29/2017	\$ 1,274.88	4/11/2019	1/29/2017	
17-T04404	4/14/2017	\$ 1,949.00	4/11/2019	9/1/2021	

17-T05571	5/13/2017	\$ 10.00	4/11/2019		Found property by an officer. Unknown owner
17-T06013	5/24/2017	\$ 131.00	4/11/2019		Found property by an officer. Unknown owner
17-T05521	5/12/2017	\$ 13.97	4/11/2019	3/6/2018	
17-T06947	6/13/2017	\$ 163.00	4/11/2019	3/6/2018	
17-T07844	7/5/2017	\$ 5.00	4/11/2019		Found property by a city employee. Unknown owner
17-T08137	7/11/2017	\$ 144.00	4/11/2019	9/1/2021	
17-T10780	9/8/2017	\$ 112.00	4/11/2019	9/1/2021	
17-T14351	12/1/2017	\$ 652.00	4/11/2019	9/1/2021	
17-T14946	12/15/2017	\$ 15.00	4/11/2019	9/1/2021	
18-T01482	2/7/2018	\$ 359.00	4/11/2019	9/7/2021	
17-T12724	10/24/2017	\$ 20.00	4/11/2019	9/1/2021	
18-T00794	1/22/2018	\$ 34.00	4/11/2019	9/1/2021	
18-T02497	3/5/2018	\$ 303.00	4/11/2019	9/2/2021	
18-T02989	3/18/2018	\$ 17.00	4/11/2019	9/2/2021	
18-T02989	3/18/2018	\$ 61.00	4/11/2019	9/2/2021	
18-T06737	6/12/2018	\$ 941.00	4/11/2019	9/2/2021	
18-T07313	7/9/2018	\$ 22.00	4/11/2019	9/2/2021	
19-T00784	1/25/2019	\$ 1,175.00	4/11/2019	9/7/2021	
17-T05436	5/10/2017	\$ 945.00	4/11/2019	9/2/2021	
18-T01033	1/28/2018	\$ 22.00	4/11/2019	9/2/2021	
2014-012677	1/1/2014	\$ 8.00	4/11/2019	7/27/2017	
2014-006030	6/16/2014	\$ 70.00	4/11/2019	5/15/2018	
2014-002559	3/19/2014	\$ 110.00	4/11/2019		Money was taken during an arrest where the person provided false name
2014-001683	2/25/2014	\$ 4,600.00	4/11/2019		Drug arrest - arrestee stated money was not his - Unknown owner
	Total:	\$ 18,843.36			

TOOELE CITY CORPORATION

RESOLUTION 2021-102

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AND RATIFYING AN INTERLOCAL AGREEMENT BETWEEN TOOELE CITY AND THE TOOELE ARMY DEPOT FOR RECIPROCAL FIRE PROTECTION, NATURAL DISTASTER RESPONSE, AND MUTUAL AID.

WHEREAS, the Tooele Army Depot and Tooele City each maintain a fire department, and each desire to offer to the other mutual aid with fire protection and natural disaster response; and,

WHEREAS, the Interlocal Cooperation Act, found in Utah Code Title 11 Chapter 13, provides for interlocal agreements between government agencies, and requires certain interlocal agreements to be approved by the City Council prior to City executive signature, including agreements with agencies of the United States; and,

WHEREAS, the Tooele Army Depot has prepared an interlocal agreement entitled, Reciprocal Fire Protection, Natural Disaster, and Mutual Aid Agreement and requests its approval by Tooele City (see the Agreement attached as Exhibit A); and,

WHEREAS, the Agreement is in the mutual best interest of the health, safety, and welfare of Tooele City and the Tooele Army Depot:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Reciprocal Fire Protection, Natural Disaster, and Mutual Aid Agreement, attached as Exhibit A, between Tooele City and the Tooele Army Depot is hereby approved, and the Mayor is hereby authorized to execute the same.

This Resolution is necessary for the life, health, safety, property, and welfare of Tooele City's residents and businesses and shall be effective immediately upon passage.

Passed this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For)

(Against)

Mayor:

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

Exhibit A

Reciprocal Fire Protection, Natural Disaster, and Mutual Aid Agreement
Between Tooele City and Tooele Army Depot

RECIPROCAL FIRE PROTECTION, NATURAL DISASTER,
AND MUTUAL AID AGREEMENT

This Reciprocal Fire Protection, Natural Disaster, and Mutual Aid Agreement (“Agreement”), entered into this ___ day of _____, 2021 (“Effective Date”), by and between the Secretary of the Army, acting pursuant to the authority of 42 U.S.C. (1856(a)), of the United States of America (“Government”), represented by the Commanding Officer of the Tooele Army Depot, and Tooele City Corporation (“Tooele City”):

WITNESS THAT:

WHEREAS, the Government owns the Tooele Army Depot (“Depot”), a facility of the U.S. Department of the Army; and,

WHEREAS, Tooele City maintains a Fire Department, which includes volunteer personnel, fire trucks, and fire-fighting/emergency medical equipment; and,

WHEREAS, the Government also maintains a Fire Department and Facilities Support Division at the Depot; and,

WHEREAS, it is in the best interest of the parties to cooperate in firefighting, emergency medical services (EMS), and natural disaster emergencies which may occur within Tooele City or the Depot.

NOW THEREFORE, the parties agree to render mutual assistance, one to the other, on the terms, conditions, and provisions set forth in this Agreement:

- (1) Tooele City will, at the request of the Commanding officer of the Depot, or properly authorized designee, in time of emergency or necessity, furnish aid to the Depot in the nature of apparatus, equipment, and personnel to combat fires and provide natural disaster assistance in time of disaster at the Depot.
- (2) The Depot will, at the request of the Mayor or Fire Chief, or properly authorized designee, in the time of emergency or necessity, furnish aid to Tooele City in the nature of apparatus, equipment, and personnel to combat fires, render EMS, and provide natural disaster assistance in time of disaster within Tooele City.
- (3) When the combined fire departments or parts thereof are engaged in firefighting at the Depot, they shall be subject to the authority and direction of the Depot Fire Chief or the

Depot Commanding Officer. When the combined forces or parts thereof are engaged in firefighting or EMS in Tooele City, they shall be under the authority and direction of the Fire Chief of Tooele City.

- (4) Government firefighters, acting pursuant to this agreement, shall be considered to be acting pursuant to lawful orders of the Commanding Officer and Fire Chief of the Depot installation, and acting within the scope of their employment and not as employees of Tooele City
- (5) It is understood and agreed that Tooele City will be under no obligation to furnish aid to the Depot if, under the circumstances, furnishing aid will endanger or jeopardize the fire protection of Tooele City. It is likewise understood and agreed that the Depot shall be under no obligation to furnish aid to Tooele City, if the furnishing of such aid, under the circumstances, will endanger or jeopardize the fire protection for the Depot or have any adverse effect on the Mission of the Depot. The Mayor or Fire Chief of Tooele City, or properly authorized designee, will be the sole judge as to when conditions permit assistance and the extent of such assistance to Tooele City; and, the Commanding Officer or Fire Chief of the Depot shall be the sole judge as to when conditions permit assistance and the extent of such assistance to the Depot.
- (6) It is hereby agreed that cooperating fire departments will become familiar with the particular fire-fighting challenges common to their territory.
- (7) Under no circumstances will mutual aid fire fighters be expected to or permitted to enter the area or attack fires involving high explosives or chemical munitions.
- (8) In the event of combined department or parts thereof are engaged in fighting fire, the department lending assistance may, in order to attend any alarm at its regular station, withdraw on notice to the Fire Chief/Incident Commander in charge.
- (9) It is expressly and mutually agreed between the parties hereto, that any claim against either party by the other party or its employees, contractors, agents, representatives, or any other related persons or entities for compensation for any property loss, damage, personal injury, or death occurring in consequence of the performance of this Agreement is waived.
- (10) Reimbursement to fire services for costs and losses of firefighting on Federal property is authorized under PL 93-498 (15 U.S.C. 2210).

(11) This Agreement may be terminated at any time by either party, provided, however, that such termination shall not be effective until 30 days after the terminating party gives notice of its intention to terminate and such notice is received by the other party. Until such termination is effected, the terms, provisions, and conditions of this Agreement shall remain in full force and effect.

(12) This Agreement shall supersede all prior agreements and understandings between the parties on the subject matter of the Agreement.

IN WITNESS WHEREOF, the parties have executed the Reciprocal Fire Protection, Natural Disaster, and Mutual Aid Agreement as of the Effective Date.

TOOELE CITY CORPORATION

BY _____

Debra E. Winn

Tooele City Mayor

Attest:

Approved as to Form:

Michelle Y. Pitt

Tooele City Recorder

Roger Evans Baker

Tooele City Attorney

TOOELE ARMY DEPOT

BY _____

STEVEN W. DODOWGIELEWICZ JR.

COL, LG

Commanding

The execution of this Agreement by the Government is authorized by Act of Congress (Public Law 46, 84 Cong.) Approved 27 May 1955.

TOOELE CITY CORPORATION

RESOLUTION 2021-103

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A LEASE AGREEMENT WITH VISION FINANCIAL GROUP, INC., FOR THE LEASE-PURCHASE OF A 2017 VACCON VACTOR TRUCK.

WHEREAS, the Public Works Department needs a piece of equipment called a Vactor Truck because the existing 1998 Vac truck is no longer capable of creating a vacuum to be able to use the truck effectively with cleaning operations within the sanitary sewer and storm drain utilities (the "Equipment"); and,

WHEREAS, the City Administration recommends purchasing the Equipment from Vision Financial Group, Inc., for the principle purchase price of \$250,000.00 through a five-year fixed-interest lease-purchase with a 3.68% interest rate, for a total lease-purchase cost of \$268,387.90; and,

WHEREAS, the proposed lease-purchase agreement is attached hereto as Exhibit A; and,

WHEREAS, pursuant to Tooele City Code Chapter 1-5 (City Council) and 1-6 (Mayor), city expenditures in excess of \$20,000 must be approved by the City Council:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Vision Financial Group, Inc., lease-purchase agreement attached as Exhibit A is hereby approved and that the Mayor is hereby authorized to sign the agreement and all other documents necessary to lease-purchase the Equipment.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2021.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

Exhibit A

Vision Financial Group, Inc., Contract Documents

MEMORANDUM

To: Mayor Winn
From: Jamie Grandpre, Public Works
Date: October 28, 2021
Subject: Vac Truck Public Works



Tooele City Public Works Department is requesting approval for lease of 2017 Vac Con Vactor Truck to be paid through Water Reclamation and Storm Drain accounts.

The following specifications for 2017 Vac Con Vactor Truck lease meets the need of Tooele City Public Works Department and fits within the budget parameters. Please see below for detailed pricing information:

2017 VAC CON VACTOR TRUCK LEASE

- **Purchase Price**
5 YR LEASE: \$53,677.58
TOTAL PAYMENT: \$268,387.90
- **Delivery – December/January**
- **No Hour Limits**

As we plan to finance the payments, our obligation will be to keep the truck maintained moving forward. The 2017 truck will have remaining time on the 10 year warranties for some of the equipment. Conversely, contracting these services for our city would be costly in both time and funds. A Vactor truck plays an important role not only at the wastewater facility but also as part of the sewer cleaning line preventative maintenance. Public Works anticipates approx. 400+ hours of use per year from the truck. This vehicle is used to help with storm drain cleaning and sewer backups. If contracted, our department would be dependent on the contractor to assist with backups including emergency situations. Time is of the essence in these types of calls.

PROJECTED COST FOR CONTRACTED SERVICES				
	Hours	Cost Per Hour	Minimum	Total
Standard Rate	400 hrs	\$210.00	3 hr.	\$80,000.00
Storm Drain	200 hrs	\$210.00	3 hr.	\$40,000.00
7 Emergency calls (per fiscal year)	21 hrs	\$250.00	3 hr.	\$5,250.00
			Total Projected Cost	\$125,250.00

**Storm drain cleaning potential cost increase for the first two years until we are caught up on storm drain cleaning.*

Thank you for your consideration in our request to lease 2017 Vac Con Vactor Truck for Tooele City Public Works Department. Please understand our department has taken prudent steps to measure time and budget savings by contracting vs. leasing the Vac Truck to assure best practice and use of budget. Thank you for your cooperation, and please direct any questions to my office.

Vision Financial Group, Inc.

October 28, 2021

FORMAL PROPOSAL

OBLIGOR: CITY OF TOOELE, UTAH

- ✓ This is a finance/ownership contract. No residual value.
- ✓ Fixed interest rate for the five (5) year, six (6) year, and seven (7) year terms.

EQUIPMENT: ONE (1) 2017 VAC TRUCK

OPTION 1

Acquisition Cost:	\$250,000.00	Term:	Five (5) years	First Payment Due:	At Closing
Down Payment:	\$ 0.00	Payment Mode:	Annual in Advance	Payment Amount:	\$53,677.58
Trade In:	\$ 0.00	Interest Rate:	3.680%		
Principal Balance:	\$250,000.00	Rate Factor:	0.214710		

OPTION 2

Acquisition Cost:	\$250,000.00	Term:	Six (6) years	First Payment Due:	At Closing
Down Payment:	\$ 0.00	Payment Mode:	Annual in Advance	Payment Amount:	\$45,414.57
Trade In:	\$ 0.00	Interest Rate:	3.580%		
Principal Balance:	\$250,000.00	Rate Factor:	0.181658		

OPTION 3

Acquisition Cost:	\$250,000.00	Term:	Seven (7) years	First Payment Due:	At Closing
Down Payment:	\$ 0.00	Payment Mode:	Annual in Advance	Payment Amount:	\$39,558.14
Trade In:	\$ 0.00	Interest Rate:	3.550%		
Principal Balance:	\$250,000.00	Rate Factor:	0.158233		

- **This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.**
- Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor will result in a documentation fee being assessed to the Obligor.
- This transaction must be credit approved, all documents properly executed and returned to Vision Financial Group, Inc. and the transaction funded on ALL proposals on or before November 11, 2021. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Obligor or its assignees, then Obligor or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety.
- This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.
- **OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE \$10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.**

VISION FINANCIAL GROUP, INC.

CITY OF TOOELE, UTAH

Signature

Title

Signature

Title

Date

Date