

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,
HELD ON DECEMBER 7th, 2022 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 Neil Critchlow
Jolene Jenkins (via Zoom)
Scott Bevan
Jeff Hutchins
Darrin Rowberry
Jewel Allen

Council Members Not Present:

Appointed Officers and Employees Present:

Robert Sager, PD Lieutenant
Braydee Baugh, Recorder
Jesse Wilson, City Manager
Brett Coombs, City Attorney
Sherrie Broadbent, Finance Director

Citizens and Guests Present:

There were many members of the public present in person and via Zoom

Mayor Critchlow asked Lieutenant Sagers to lead the Pledge of Allegiance.

AGENDA:

- 1. Public Comments:** No Comments were offered.
- 2. Summary Action Items.**
 - a. Approval of minutes from November 16, 2022 regular meeting and November 22, 2022 special meeting
 - b. Approval of Bills totaling \$337,932.53

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

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

3. Consideration of Cooley Street Improvements completed by LO Capital

Jesse Wilson stood for this item. Mr. Wilson explained there was a section of the road that needed to be repaired they fixed without being asked. Councilmember Hutchins asked what the cost of the water would be. Mr. Lovell stood to explain why they took the opportunity to repair the road.

Motion: Councilmember Allen made a motion to approve the Cooley Street Improvements completed by LO Capital

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried

4. Consideration of Ordinance 2022-31 amending Chapter 2 of the Grantsville City Land Use Code to include definitions for “Xeriscape”

Motion: Councilmember Allen made a motion to approve Ordinance 2022-31 amending Chapter 2 of the Grantsville City Land Use Code to include definitions for “Xeriscape”

Second: Councilmember Hutchins seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

5. Consideration of Ordinance 2022-32 providing for the Distribution of PAR Tax Revenues

Jesse Wilson stood for this item. Mr. Wilson advised the PAR tax was voted on and passed. Mr. Wilson explained this is the step required to start collecting that tax.

Motion: Councilmember Allen made a motion to approve Ordinance 2022-32 providing for the Distributions of PAR Tax Revenues

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried

6. Consideration of Ordinance 2022-34 approving the addition of Chapter 25 “Accessory Dwelling Units” to the Grantsville City Land Use Code

Jesse Wilson stood for this item. Mr. Wilson explained defining what an internal “ADU” would be and external would be brought later. Mayor Critchlow advised he did not agree with requiring a business license. Attorney Coombs advised this ordinance does not require the business license unless they are advertising the rent. Councilmember Jenkins noted it was a good idea to help with people being able to afford their payments. Councilmember Hutchins asked what the purpose of the charging a business license. Finance Director Sherrie Broadbent advised one reason was to support the utilities. Attorney Coombs advised it was difficult for the City to enforce any home occupation business, but it would help regulate and protect the consumers. Councilmember Hutchins advised he would prefer to have utilities catch the additional use, not use the business license. Councilmember Jenkins asked how the City would enforce protecting consumers from bad landlords. City Engineer, Dan England, advised the building has to be brought up to code.

Motion: Councilmember Rowberry made the motion approve Ordinance 2022-34 approving the addition of Chapter 25 “Accessory Dwelling Units” to the Grantsville City Land Use Code

Second: Councilmember Bevan seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

7. Consideration of Ordinance 2022-35 amending Chapter 19 of the Grantsville City Land Use Code to include a Sensitive Area District Overlay

Attorney Coombs stood for this item. Mr. Coombs explained there are areas in the City that have natural drainage areas, sensitive soils. Mr. Coombs explained this has been in the code, but there was not a map to identify this area. Mr. Coombs advised it does not add to the work, but allows the City to look at the project with this map in mind. Councilmember Rowberry asked what makes the area by UMC a sensitive area. Mr. England explained there are natural drainages that need to be considered. Councilmember Hutchins asked who determines what makes an area sensitive and how to protect it; is the burden of proof on the home owner and what is acceptable

evidence. Mayor Critchlow advised it is part of the “check list” for developments. Councilmember Hutchins asked who is checking it off. Mr. Wilson advised it has already been checked, there was just a need for the map.

Motion: Councilmember Hutchins made a motion to approve Ordinance 2022-35 amending Chapter 19 of the Grantsville City Land Use Code to include a Sensitive Area District Overlay

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

8. Consideration of Ordinance 2022-24 approving the Amended Water Dedication and Conservation Requirements

Robert Rouselle was present for this item. Councilmember Hutchins asked about the public comment that had issues with the amount of outdoor water. Mr. Wilson explained the public were only taking part of the equation. Mr. Rouselle explained the 3.33acft was from the State. Councilmember Jenkins asked why multi-unit residential was a lower amount. Mr. Rouselle explained it was based off real meter data. Attorney Coombs wanted to clarify when this lower amount would be effective. Attorney Coombs explained there are two options: 1) new applications filed after today 2) anyone in the application process and has not recorded the final plat. Attorney Coombs advised Tooele City had a look back of 3-4 months. Councilmember Jenkins asked if it would be similar to impact fees. Attorney Coombs advised that new fees are only effective after the Council approves the fees. Councilmember Rowberry suggested a look back to current application. Council determined it would make more sense to look back to August 1, 2022 moving forward

Motion: Councilmember Hutchins made the motion to approve Ordinance 2022-24 approving the Amended Water Dedication and Conservation Requirements with a lookback period to August 1, 2022 for new applications filed.

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

9. Consideration of Resolution 2022-79 approving the Preliminary Plan for Highlands Subdivision Phase 5

There were no people present for this item, however, due to the project being the last phase of an old process project which has been approved, Council agreed to continue with the vote.

Motion: Councilmember Rowberry made the motion to approve Resolution 2022-78 approving the Preliminary Plan for Highlands Subdivision Phase 5

Second: Councilmember Hutchins seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

10. Consideration of Resolution 2022-80 approving the purchase of real property

Jesse Wilson stood for this item. Mr. Wilson explained the City thought they owned this property, however, the City does not. Councilmember Hutchins advised there is a lot of work that needs to be done on the park. Councilmember Hutchins asked what kind of investment is the City willing to make on this park. Mayor Critchlow advised he would like to see the park improved. Councilmember Allen asked if this would help resolve the issues with it not being promised. Councilmember Hutchins noted a comment was toward the compliment to the Cherry Street walking park and thought it would be a good option at Eastmoor Park.

Motion: Councilmember Allen made the motion to approve Resolution 2022-79 approving the purchase of real property

Second: Councilmember Bevan seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.

11. Consideration of Resolution 2022-81 approving the Development Agreement for Willow Fields PUD

There was no discussion on this item.

Motion: Councilmember Hutchins made the motion to approve Resolution 2022-79 approving the purchase of real property

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”.

12. Discussion regarding Alington Subdivision- PUD

Todd Castagno was present for this item. Mr. Castagno planned on paying a fee in lieu for the open space for this project. Councilmember Allen asked where the PUD objectives were for this project.

13. Consideration to approve of Finance Director exploring funding options for the Marshall Well

Sherrie Broadbent was present for this item. Ms. Broadbent explained there are several options available to the City to obtain funding for this project. Ms. Broadbent explained any option will require an interfund loan from the capital project or water fund to the RDA so the City can be paid back with interest. Ms. Broadbent continued this approval is for her to appropriate \$1,000,000.00 for this project, even though it is higher than the bid because there are always change orders. Ms. Broadbent advised water rates will need to be increased as well. Councilmember Allen asked why the rates would need to be increased. Ms. Broadbent explained originally the thought was towards obtaining a bond for this project; however, the bond process would take a long time. Ms. Broadbent advised the money could be transferred to the RDA who would then provide the funding for this project. Mr. Rouselle explained there are delays with supply chain, but the contract would give the contractor 6 months to complete. Councilmember Hutchins asked if there will be a water rate study. Ms. Broadbent advised it was included in the budget amendment, which will be presented at the 12/21/2022 work meeting.

Motion: Councilmember Hutchins made the motion to approve of Finance Director exploring funding options for the Marshall Well

Second: Councilmember Rowberry seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”

14. Council Reports

Councilmember Rowberry:

Councilmember Jenkins: Extends appreciation to those who helped support the Festival of Trees event sponsored by Youth City Council. The tree was dedicated to all the youth with chronic illness. Wanted to appreciate the library and the outreach they have towards to community.

Councilmember Bevan: Historical Preservation is meeting Wednesday at 6.

Councilmember Allen: Tip-a-Cop was a success and appreciates the comradery of the Police force.

Councilmember Hutchins: Parks Meeting next Tuesday at 7:00 virtual. Former resident reached out regarding the Wikipedia and requested the City address that issue.

15. Closed Session (Imminent Litigation, Personnel, Property)

Councilmember Hutchins made the motion to go into a closed session

Councilmember Rowberry seconded the motion.

Closed Session began at 8:23 pm

Closed Session ended at 8:46 pm

16. Adjourn

Councilmember Rowberry made the motion to adjourn

Councilmember Allen seconded the motion.

Vote: The vote was as follows: Councilmember Rowberry, “Aye”, Councilmember Hutchins, “Aye”, Councilmember Bevan, “Aye”, Councilmember Allen “Aye”, and Councilmember Jenkins, “Aye”. The motion carried.