

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, June 2, 2010
Time: 7:30 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

City Council Members Present:

Scott Wardle, Chair
Mike Johnson
Steve Pruden
Dave McCall
Shawn Milne

City Employees Present:

Mayor Patrick Dunlavy
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder
Rachelle Custer, City Planner
Paul Hansen, City Engineer
Chief Ron Kirby, Chief of Police
Jaclynn Sagers, Communities that Care

Others Present:

Tim Gillie, Tooele Transcript
Debbie Winn, Chamber of Commerce

Minutes prepared by Elisa Jenkins

Chairman Wardle called the meeting to order at 7:30 p.m. Chairman Wardle welcomed Boy Scout Troop 1085 who were working on their Citizenship in the Community Merit Badge.

1. Pledge of Allegiance

The Pledge of Allegiance was led by George McKellar.

2. Open Forum for Public Comment

Chairman Wardle invited anyone from the public who would like to come forward and address the Council to do so.

Harold McConnell, 295 Upland Drive addressed the Council. Mr. McConnell had some concerns about flag etiquette at the Tooele City Cemetery. His concerns were the flag not being up some days, the flag not being up long enough when it is up (it should be up from dawn to dusk), and the flag not being placed at half-mast when there is a funeral for a veteran. He also would like to see a light placed on the flag.

Councilman Wardle asked Mr. McConnell to work with the Mayor's office on a solution for this issue. He appreciates the sensitivity of this issue and feels that this is important.

George McKellar addressed the Council. Mr. McKellar was representing the Tooele City Pioneer Museum. He indicated that the air conditioner has gone out at the museum and asked if it could be replaced before it gets too warm. Mr. McKellar also thanked the Council and the City for closing 1000 West.

Mark Whitney, Mayor of Stockton addressed the Council. Mayor Whitney indicated that the historical Stockton Bar is in jeopardy of being lost. The area is being set up for a re-zone for the extraction of the gravel. He asked the Council for their support in a resolution or letter to the County Planning and Zoning to keep that sandbar intact. He stated that Grantsville and Stockton have already passed resolutions against the re-zone of the sandbar and gave copies of their resolutions to Chairman Wardle. He hopes that if they stand together that the County will listen.

Councilman Johnson stated that he feels a resolution would be the right thing to do, and also feels that it should be backed up by a scientific explanation.

Chairman Wardle closed the Open Forum at 7:50 p.m.

3. **Resolution 2010-29 A Resolution of the Tooele City Council Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2010-2011, and it's Establishing the Time and Place of a Public Hearing to Consider it Adoption**

Presented by Mayor Patrick Dunlavy

Mayor Dunlavy stated that state law requires that a public hearing is held on the budget each year and that a copy of the budget is available to the public for their review in the Records office. He is asking the Council to accept the tentative budget without any subsequent changes and the public hearing date be set for June 16, 2010 to adopt the budget.

Councilman Johnson asked if this is for the RDA budget also.

Mayor Dunlavy indicated that this resolution is for the City budget but the RDA budget will be presented at the June 16th meeting as well.

Councilman McCall moved to approve Resolution 2010-29. Councilman Milne seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed

4. PUBLIC HEARING & MOTION on Ordinance 2010-05 An Ordinance of the Tooele City Council Amending Tooele City Code Chapter 7-19 Regarding Subdivisions

Presented by Roger Baker

Mr. Baker stated that the proposed changes have been discussed with the Council on previous occasions. Mr. Baker indicated that the proposed changes being made are: 1) amendments to the City Code will apply to subdivisions that have been approved preliminarily so that the final plats comply to all current codes and are not grandfathered under old building codes and public improvement codes; 2) clarifications were made about the expirations of preliminary plats that are not being developed; 3) clarifications were made concerning phasing of final plat construction; 4) minor subdivision were more clearly defined; 5) public improvement completion requirements were strengthened. Mr. Baker also noted that the ordinance also includes all of the comments received by members of the Council during the discussion meeting. It also includes comments from the City staff involved in the subdivision process as well as outside council based on things learned through the litigation process.

Chairman Wardle stated that this is a public hearing if anyone would like to come forward and address this issue. No one came forward.

Councilman Milne moved to close the public hearing. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed. The public hearing closed at 7:54 p.m.

Councilman Johnson moved to approve Ordinance 2010-05. Councilman Milne seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed.

5. Final Plat Approval for UID Minor Subdivision No. 36 and 37

Presented by Rachelle Custer

Ms. Custer explained that Utah Industrial Depot (UID) has decided to take the remaining property at UID and subdivide it so it will be easier to sell when a potential client is interested. She presented subdivisions 36 and 37 for approval. Road dedication is complete for the roads that Tooele City has taken over and all PU&DE easements are already recorded. Staff recommends approval of UID Minor Subdivisions 36 and 37 with

the condition that all public improvements for subdivision 36 along B avenue be completed per Tooele City Code and the master development agreement. Planning Commission made a favorable recommendation on May 12, 2010.

Councilman Johnson moved to approve final plat approval for UID Minor Subdivisions No. 36 and 37 with the condition that all public improvements for subdivision 36 along B avenue is completed per Tooele City Code and the master development agreement. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed.

6. Resolution 2010-25 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with Copper Canyon Subdivision Phases 2A and 2B.

Councilman Milne moved to table Resolution 2010-25. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed.

7. Minutes: May 19, 2010 Work Session Minutes; and Business Meeting Minutes

Councilman Johnson noted one change to the Work Session Minutes under Others Present the correction spelling should be Gainer Waldbillig.

Councilman Milne moved to approve the minutes with the one change as noted above. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed

8. Invoices

Presented by Sharon Dawson

Ms. Dawson presented the following invoice for payment:

- Holme Roberts & Owen LLP for professional services for April 2010 in the amount of \$39,438.69.

Councilman Milne moved to approve the invoice as presented by Ms. Dawson. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed

9. Adjourn

Councilman Johnson moved to adjourn the meeting. Councilman McCall seconded the motion. The vote was as follows: Councilman Johnson, “Aye”, Councilman Pruden, “Aye”, Councilman McCall, “Aye”, Councilman Milne, “Aye”, and Chairman Wardle “Aye”. The motion passed. The meeting adjourned at 8:00 p.m.

Approved this 16th day of June 2010

Councilman Wardle