

**Tooele City Council and
Tooele City Redevelopment Agency
Business Meeting Minutes**

Date: Wednesday, March 16, 2011
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
Glen Caldwell, Finance Director
Roger Baker, City Attorney
Cary Campbell, Public Works Director
Michelle Pitt, City Recorder
Lisa Carpenter, Deputy Recorder
Jaclynn Sagers, Communities that Care Director
Rachelle Custer, City Planner
Chief Ron Kirby, Chief of Police
Paul Hansen, City Engineer
Kami Perkins, Human Resource Director
Randy Sant, RDA Consultant

Others Present:

Debbie Winn, Chamber of Commerce
Tim Gillie, Tooele Transcript

Minutes prepared by Elisa Jenkins

Chairman Wardle called the meeting to order at 7:30 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Scott Snelson, Campus President of Tooele Applied Technology College.

2. Mayor's Community Recognition Awards

Presented by Mayor Patrick Dunlavy, Jaclynn Sagers, and Chief Ron Kirby

Mayor Dunlavy stated that he is pleased to have everyone here tonight. He feels that this is one of the more important things that he and the Council does, which is recognize some very special young people in the community. He explained that these awards are part of the Communities that Care program which is operated by Tooele City. He thanked these students for what they do and how they live their lives. He feels that it is important to give recognition to these students in a public meeting. He introduced Jaclynn Sagers who is the Communities that Care director.

Ms. Sagers agreed with the Mayor that this is a great opportunity for them to recognize these students for the extraordinary things they do. She explained that each student will receive a bag with goodies from local business partners in the community. They will also receive a certificate from the Mayor.

Ms. Sagers then presented the Mayor's Community Recognition awards to the following students:

Wesley Hyer, Stansbury High School
Morgan Sasser, Clarke Johnsen Junior High
Richard (R.J.) Scott, Tooele High School
Jennifer Stover, Tooele Junior High
Kasandra (Lizzie) Burila, Clarke Johnsen Junior High
Tanner Barton, Stansbury High School
Ricardo Ramos-Lira, Tooele Junior High
George Ross, IV, Tooele High School

Ms. Sagers thanked all those who came to support these students. She informed the parents that there is a brochure in the student's bag that explains the Guiding Good Choices program and encouraged anyone interested to please contact her.

Mayor Dunlavy thanked Ms. Sagers and her staff for all their hard work. He explained that the Communities that Care program is in the schools helping students deal with the problems they face every day. He congratulated all the students for their accomplishments. He thanked the families for the role they play in these young people's lives.

A short recess was taken for a picture with the Mayor and the recipients of this award.

3. 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.

Chairman Wardle welcomed Boy Scout Troop 6205 who were working on their Citizenship in the Community Merit Badge.

Scott Snealson, Campus President of the Tooele Applied Technology College (TATC) addressed the Council. Mr. Snealson stated that with the passage of House Bill 4 it provides funding for TATC. He recognized Gary Straquadine, Dean of Utah State University, Tooele Regional Campus and the use of USU property. Mr. Snealson thanked the Council for their support and Mr. Sant for all his hard work to get this passed. He thanked the Council for their commitment to the College.

Gary Straquadine, Dean and Executive Director of the Tooele Regional Campus of Utah State University addressed the Council. He also wanted to thank the Council, Mayor Dunlavy and Mr. Sant for what they have done for USU and the TATC. He is really happy to be here as the dean of the local campus. He is excited on what they will be able to give back to the community.

Councilman Pruden thanked Mr. Sant on behalf of the council for his hard work on this project.

Councilman Wardle stated that this project was very important to the Council.

Curtis Beckstrom addressed the Council. He thanked the council for helping to get cross walks near Harris Elementary. Mr. Beckstrom had noticed some large pieces of concrete, which was part of the drain system, causing a safety hazard near 400 N and Broadway. He called the City and wanted to thank them for a quick response in getting this taken care of and eliminating this safety hazard for the kids.

Chairman Wardle closed the open forum at 8:01 p.m.

4. Resolution 2011-16 A Resolution of the Tooele City Council Approving and Ratifying a Settlement Agreement with Grantsville City and Stockton Town

Presented by Mayor Patrick Dunlavy

Mayor Dunlavy thanked Mr. Snelson and Mr. Straquadine and echoed what Councilman Pruden stated about Mr. Sant.

Mayor Dunlavy asked Mr. Baker to stand with him. Mayor Dunlavy stated that they have battled this lawsuit for about 10 years. This lawsuit has created a division over the years and hardships for budgets of each city. He acknowledged the wisdom of the Council and taking the opportunity that was presented and settling this lawsuit with Grantsville. He stated that this is important to our community. He also acknowledged Grantsville City for their decision to settle. They have reached out to Grantsville on many occasions and this is proof positive that the well being of the community is their most important goal. He is happy to bring this to an end. This will bring a healing process that is very important to all the communities. He appreciates the Council and their leadership. This agreement that the Council is approving is also happening in Grantsville and Stockton. This will also end a very expensive lawsuit. With this

agreement Tooele City will do something positive for Grantsville, instead of money there was a spirit of cooperation. Mayor Dunlavy explained that the settlement entails Tooele City, through the success of the RDA, will assist them in building a library. A library is an essential part of economic development in a community. Mayor Dunlavy stated that no general fund money will be used on this project. The money will come from the redevelopment project area at the Tooele Army Depot with economic development. He expressed his gratitude for the Council to come to this settlement which will be positive for both communities. He also recognized Randy Sant, Lewis and Young (the city's financial advisors), and Mr. Baker. Mayor Dunlavy wanted the Council to know how appreciative he is of Mr. Baker. He felt that Mr. Baker went above and beyond in his job in this settlement agreement. All the documents that were written were written by Mr. Baker and he did a wonderful job. He appreciates all that he did. He wanted to acknowledge him publicly to the citizens of the community. He stated that Resolution 2011-16 is a resolution of the City Council and resolution 2011-01 is the same agreement through the redevelopment agency. He asked the Council for their support of both of these resolutions.

Chairman Wardle agreed with Mayor Dunlavy and appreciates all that the Mayor, Mr. Baker and Mr. Sant have done to get this resolved.

Councilman Pruden stated as the RDA Chair he wanted to acknowledge the Mayor, Mr. Sant, Mr. Baker and each member of the Council for their work on this. He noted that everyone has been involved in this process. He thanked the public for their patience as they tried to work through this. He said that they could have continued to fight this in court but it would not have benefited anyone. He believes that this is a prime example of how government should work. He also thanked Mr. Caldwell for helping them to figure out how to finance this.

Councilman Johnson stated that he has been on this Council for 12 years. He was here when this lawsuit was filed and it has tried to be resolved many times. He is very happy that this has been settled the way that it has. He feels that they were legally in the right and if it would have been played out to the end they would have had a victory and spent a lot of money. He is very happy how this is being settled; it is a benefit for Tooele City because it brings this litigation to a close in a positive way. This allows them to do something for Grantsville and provide them with some of the benefits from the Army Depot.

Mayor Dunlavy also thanked Mayor Marshall and the Grantsville City Council. They came up with the idea. There has not been a lot of communication between the two cities for many years. He respects Mayor Marshall.

Councilman McCall stated that with the settlement of this lawsuit, he hopes that all the communities will come together and work together for the benefit of all involved.

Councilman Milne commented that he has been on the Council for a short amount of time. He stated that he is really proud to be on the Council. He stated that the staff has

worked really hard to get this resolved. He feels that this will allow them to focus on the future. He is hopeful for what this means for the future of Tooele County and hopes it will allow them to focus on economic development.

Chairman Wardle thanked Mayor Dunlavy and his visionary leadership. He recalled being in a meeting with the chamber about 5 years ago and the council began talking about property for USU. He doesn't feel that anyone could have predicted the outcomes of the last year. He feels that it only happened because many entities came together and worked together to accomplish a goal. By having this lawsuit settled they will be able to invest in people, in families, and children which will be the future. He feels that this would not have happened without the leadership of the Mayor.

Councilman Johnson moved to approve Tooele City Council Resolution 2011-16 and Tooele City RDA Resolution 2011-01, ratifying a Settlement Agreement with Grantsville City and Stockton Town, authorizing the Mayor upon confirmation that both Stockton and Grantsville have likewise approved the agreement. Councilman Pruden seconded the motion. The vote was as follows: Councilman McCall, "Aye", Councilman Johnson, "Aye", Councilman Milne, "Aye", Councilman Pruden, "Aye" and Chairman Wardle, "Aye".

5. **Resolution 2011-01 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving and Ratifying a Settlement Agreement with Grantsville City and Stockton Town**

Presented by Mayor Patrick Dunlavy

This resolution was approved under the previous agenda item.

6. **Ordinance 2011-08 An Ordinance of the Tooele City Council Amending Sections of the Tooele City Policies and Procedures Manual**

Presented by Kami Perkins

Ms. Perkins stated that she is here on behalf of the city's Policy and Procedures Recommendation Committee. She feels the city should have a policy and procedure manual that meets the business needs of the city. She is presenting the recommendations that have been made by the policy and procedures committee, which is comprised mostly of the department heads. They have included in the policy, recommendations that will help meet the need for efficient operations of the city as well as to inform employees of expectations. The recommendations have been forwarded to the Mayor for his approval and are now being submitted to the Council for their approval.

Ms. Perkins explained that the main sections that are being modified are: 1) Section 0; which is the introduction to the manual, 2) Section 1; the Equal Employment Opportunity Statement which is to primarily to comply with the new law GINA as well as USSERA, 3) Section 3; Job Descriptions and Classification, 4) Section 4; they made some changes

regarding the city's use of independent contractors, volunteers, and employee status editorial revisions 5) Section 7; Work Schedules and Attendance 6) Section 9; they made some changes to the compensation policy which relates to the use of compensatory time and call out time 7) Section 37; they are proposing to repeal this section which deals with employee wage garnishments 8) Section 40; Amendment of Policies and Procedures. She is asking the Council for approval and asked for any questions from the Council.

Mayor Dunlavy indicated that the policy and procedures recommendation committee has not had a chance to discuss the nepotism section and asked the Council to allow them to work through that section.

Councilman Johnson would like to see Tooele City Corporation include in their personnel policies and procedures manual prohibition against discrimination and/or harassment on the basis of sexual orientation and/or gender identity.

Ms. Perkins asked if Councilman Johnson would like to see that in the City's personnel manual or an employment wide ordinance issued by the Council.

Councilman Johnson would like this incorporated into Tooele City's Personnel Policies and Procedures manual for applicability to the Tooele City workforce only. He is not intending for this to be a local ordinance impacting all employers in Tooele City (as other cities such as SLC have done).

Ms. Perkins agreed to take Councilman Johnson's recommendation back to the policies and procedures recommendation committee for consideration. Ms. Perkins also noted that they have made three employment offers; two police officers and an administrative assistant. Those employment offers were made under the existing policy with a six month orientation period for new hires. Under this new ordinance it will change the new employee orientation or probationary period to twelve months. When the offers were made they were made with the policy that was in existence at the time. Those three individuals are Shilo Baker, Craig Salazar, and a Tanya Turnbow who they will honor with a six month orientation period.

Councilman Milne moved to approve Ordinance 2011-08 as presented. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye", Councilman Johnson, "Aye", Councilman Milne, "Aye", Councilman Pruden, "Aye" and Chairman Wardle, "Aye".

Chairman Wardle thanked Ms. Perkins for all her hard work on this manual.

Ms. Perkins thanked the Council for the work they have done in the community to support education and making those opportunities available to staff and available to the children of Tooele.

7. **Resolution 2011-17 A Resolution of the Tooele City Council Approving a Contract with ASWN for the Design of Skyline Nature Park.**

Presented by Kathy Bell

Ms. Bell stated that as the Council is aware the Council passed a resolution approving a settlement agreement with Rocky Mountain Power. The settlement agreement requires Rocky Mountain Power to provide improvements to the Skyline Nature Park. She is proposing a resolution approving a contract with ASWN for the design of the Skyline Nature Park which will be the only improved park facility on the south east end of the valley.

Councilman Pruden noted that this park is not all grass. Some of the park will remain in its natural state.

Ms. Bell said that they will develop an acre of this park with picnic facilities, a playground, a small grass area, a jogging trail around the park, and the rest of the park will be left in its natural state.

Councilman Johnson asked if the contract is for \$54,800?

Ms. Bell said “yes”.

Councilman Johnson asked if the city is responsible for preparing the drawings and bidding out the work and then Rocky Mountain Power will pay to have the park built?

Mr. Baker indicated that ASWN will prepare construction drawings. The project will be bid in two phases. Rocky Mountain Power will take it and get bids from contractors for the entire park, but their obligation is capped at \$500,000. The City will pick and choose which of the improvements will be built by Rocky Mountain Power’s contractors for the \$500,000 to make sure they get the best “bang for their buck”. Whatever is left that Rocky Mountain Power’s contractors do not build, they city will bid out again to get competitive prices to complete the construction of the park with the city’s contractors. The city will use PAR tax and park impact fee funds to complete the park.

Chairman Wardle asked what the projected build out will be after all the contractors selected?

Ms. Bell is hopeful that it will be built this year.

Mr. Baker stated that technically Rocky Mountain Power has until the end of 2012. He also stated that this is a 12 acre park. Only 1/12 of the park will be irrigated with grass, the remainder will be in its natural state. He noted that it will be very beautiful when it is completed.

Councilman McCall moved to approve Resolution 2011-17. Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, “Aye”,

Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye” and Chairman Wardle, “Aye”.

8. Minutes: February 16, 2011, Work Session and Business Meeting

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

9. Invoices

Presented by Michelle Pitt

Ms. Pitt presented the following invoices for payment:

- Hewlett-Packard Company for a server for Tyler Computer System in the amount of \$8,265.80.
- CDW Government for licensing City Hall SQL server for the Tyler Computer system in the amount of \$8,522.74.
- Rotational Molding for open purchase order for garbage cans in the amount of \$20,000.00.
- Holme Roberts & Owen for professional fees January 31, 2011 in the amount of \$25,093.75.
- Holme Roberts & Owen for professional services through February 2011 in the amount of \$28,070.00.

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

10. Adjourn

Councilman Milne moved to adjourn the meeting. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle, “Aye”. The meeting adjourned at 8:37 p.m.

Approved this 6th day of April 2011

Chairman Scott Wardle