

**Tooele City Council  
Business Meeting Minutes**

Date: Wednesday, November 15, 2006  
Time: 7:00 P.M.  
Place: Tooele City Hall Council Chambers  
90 North Main Street, Tooele, Utah

**City Council Members Present:**

Mike Johnson, Chair  
Scott Wardle  
John Hansen  
Steve Pruden  
Steve Bevan

**City Employees Present:**

Patrick Dunlavy, Mayor  
Roger Baker, City Attorney  
Glenn Caldwell, Finance Director  
Ron Kirby, Chief of Police  
Cary Campbell, Director of Public Works  
Paul Hansen, Contract City Engineer  
Sharon Dawson, City Recorder  
Lisa Carpenter, Deputy Recorder and City Council Liaison  
Casey Allie, Director of Parks and Recreation

Minutes prepared by Andrea Cahoon

The meeting was called to order by Chairman Johnson at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Race Warburton.

**2. Mayor's Community Recognition Awards**

Presented by Mayor Dunlavy, Councilman Pruden, and Milo Berry

Mayor Dunlavy explained that this award is presented through the Communities that Care program. Councilman Pruden introduced the Mayor's Community Recognition award winners and presented them with certificates, a pin, and Leatherby's Gift Certificates. The following were the award winners:

Jessie Gillans from Tooele Junior High School  
Amy Averett from Tooele Junior High School  
Jarem Heaps from Tooele High School  
Michelle Koford from Tooele High School  
Christopher Achziger from Tooele High School  
Rebecca Isabelle from Tooele High School  
Carly Ahlstrom from Tooele High School  
Tyler Hansen from Tooele High School

Mr. Berry introduced the “Helping Youth Soar Program” and explained that the goal of this new program is to have adults be kinder and mentor the youth.

Chairman Johnson welcomed the youth in attendance at the meeting and asked them what they were working on? Mr. Brady informed the Council that they were students from the high school Civic’s class working on a project.

### **3. Open Forum for Public Comment**

Chairman Johnson invited anyone from the public who wished to address the Council to come forward and do so.

Alvin Merrill, 942 N. 650 East, a Scoutmaster in the local area, explained that he was working with the youth on an entrepreneurship merit badge. He addressed the issue of creating a junior business license that did not charge the full amount of a City license so that it would not be cost prohibitive for the Scouts to start up a business. Chairman Johnson stated he had no problem as long as it was a scouting, nonprofit, merit badge type function and the Scouts are actually the ones who were running the businesses, not their parents. Mr. Merrill said they want to operate outside of the Scouting organization so Scouting doesn’t have any liability. He spoke with the IRS who said the boys are all right until they make \$400. Chairman Johnson asked Sharon Dawson, City Recorder, if she had any concerns with the proposal? Ms. Dawson stated her concerns were the same as Chairman Johnson’s. Councilman Bevan felt that it was a good idea.

Mayor Dunlavy said one problem is that there are 1,200 home based businesses in Tooele City at this time and he wanted to make sure that the Scouts are running the business—not allowing for a cheaper license that an adult could run their business under. It will take a little extra work on the City’s part, and would have to have strict guidelines. He felt they could overcome the objections. Chairman Johnson suggested that Mr. Merrill work with Ms. Dawson. Councilman Pruden also suggested speaking with Doug Redmond, the City’s Economic Development Specialist.

**Councilman Hansen moved to close the open forum.** Councilman Pruden seconded the motion. All members present voted, “Aye.” The open forum closed at 7:17 p.m.

### **4. Ordinance 2006-23 An Ordinance of the Tooele City Council Repealing the Bond Administration Fee for Public Improvement Bonds**

Presented by Roger Baker

Mr. Baker explained that the City charges developers a fee in the amount of 4% of the value of the public improvements constructed in a new development to fund the City inspections of those improvements to make sure they are done correctly and will last for a long time. The Attorney’s Office is involved in preparing bond agreements so the developments can be held to those standards and the City has security guaranteeing their performance. In the past the Attorney’s Office has charged \$250 to prepare and administer the bond agreements, etc. A fee study was conducted and it was decided that the City should not require that the attorney services be recouped in a separate fee. In most cases that fee is inadequate to recoup the value of the attorney’s work. He recommended that the attorney fees be included in the services for which the 4% fee is charged. He indicated this action was part of their attempt to streamline the process and make it simpler and more efficient.

Chairman Johnson said the City wants to make sure that all new development is paying its fair share.

He asked Mr. Baker if he was comfortable with not charging the \$250? Mr. Baker said he was. He indicated that in their cost analysis, they felt it was very appropriate to include all of the services in the 4% fee. The City is responsible to make sure that all revenues collected to provide services should be roughly equal to the cost of providing those services.

**Councilman Hansen moved to approve Ordinance 2006-23.** Councilman Wardle seconded the motion. All members present voted, "Aye."

**5. Ordinance 2006-24 An Ordinance of the Tooele City Council Repealing All Provisions Referencing Special Exceptions**

Presented by Roger Baker

Mr. Baker explained that the State legislature recently amended the Land Use Development and Management Act to eliminate special exceptions as a form of land use approval that the Council or Planning Commission can give. They had determined that it was not clear what a special exception was. In other states a special exception means the same thing as a conditional use permit. With the State law repealed, the City is required to follow suit and repeal provisions referencing special exceptions. The City currently has other means of dealing with special circumstances including variances, conditional use permits, etc.

**Councilman Hansen moved to approve Ordinance 2006-24.** Councilman Bevan seconded the motion. All members present voted, "Aye."

**6. Minutes November 1, 2006, Work Session and November 1, 2006, Business Meeting**

**Councilman Bevan moved to accept both sets of minutes as presented.** Councilman Hansen seconded the motion. All members present voted, "Aye."

**7. Invoices**

Presented by Sharon Dawson

Ms. Dawson stated there were no invoices to be presented.

**8. Mayor's Report**

Mayor Dunlavy stated he had nothing to report.

**9. Adjourn**

**Councilman Pruden moved to adjourn the meeting.** Councilman Hansen seconded the motion. All members present voted, "Aye." The meeting adjourned at 7:24 p.m.

Approved this 6<sup>th</sup> Day of December 2006

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Michael Johnson, Chairman