

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, August 2, 2006

Time: 7:00 P.M.

Place: Tooele City Hall Large Conference Room Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Mike Johnson, Chair

Scott Wardle

John Hansen

Steve Bevan

Steve Pruden

City Employees Present:

Patrick Dunlavy, Mayor

Roger Baker, City Attorney

Cary Campbell, Public Works Director

Glenn Caldwell, Finance Director

Karen Emery, Director of Library Services

Sharon Dawson, City Recorder

Lisa Carpenter, Deputy Recorder and City Council Liaison

Casey Allie, Director of Parks and Recreation

Paul Hansen, Contract City Engineer

Doug Redmond, Economic Development Specialist

Doug Bayly, Assistant City Attorney

Minutes prepared by Andrea Cahoon

The meeting was called to order by Chairman Johnson at 7:02 p.m.

1. Pledge of Allegiance

The pledge of allegiance was led by Councilman Pruden.

2. Open Forum for Public Comment

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

Shirley Beagley, 486 W. 500 South, stated her thanks that the road by her home was fixed and it was wonderful. She also had reported another hole in a road to Steve the other day, and it was repaired as well. She expressed her thanks to the City.

Councilman Pruden moved to close the open forum. Councilman Hansen seconded the motion. All members present voted, "Aye." The open forum closed at 7:05 p.m.

3. Resolution 2006-28 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Hill Construction, Incorporated, for

Construction of the WWTP Filter Backwash Upgrade

Presented by Paul Hansen

Mr. Hansen said several months ago the Council authorized Aqua Engineering to look at our existing sewer plant as part of an overall study of sewer capacity and recommend ways in which we could increase the capacity and efficiency. This is the first step in that process which would basically divert effluent into the existing adjacent ponds, and allow up to 300,000-400,000 gallons per day to be diverted during peak times. It would then be brought back into the plant at low flow periods. Aqua Engineering solicited bids from three companies and received bids from two of those companies. The low bid was Hill Construction in an amount of \$49,584.00. Aqua Engineering has recommended that they award the project to Hill and Mr. Hansen asked that they be allowed to have the Mayor sign a contract with them.

Chairman Johnson asked what they knew about Hill? Mr. Hansen said he has not worked with them, but Aqua Engineering has had experience with them and stated they are timely, efficient, and very professional. Councilman Pruden asked when it would be completed? Mr. Hansen responded it will be completed within 30 days of the day they actually start work. We asked them to be ready to move on this as soon as the Council authorized them to do so.

Councilman Pruden asked how much it will increase our capacity? Mr. Hansen reported it will allow us to divert up to 300,000 to 400,000 gallons during peak times to be returned at low flow periods at night. We won't gain that much in net efficiency, but it will certainly be a help during peak periods such as weekends, and when we have large events. That diverted waste will then be processed during low flow times. We are still continuing with other projects such as the major expansion of sewer capacity.

Councilman Hansen moved to approve Resolution 2006-28. Councilman Bevan seconded the motion. All members present voted, "Aye."

4. Resolution 2006-29 A Resolution of the Tooele City Council Authorizing the Mayor of Tooele City to Sign a Contract with Paul Hansen Associates, LLC for Engineering Services

Presented by Mayor Dunlavy

Mayor Dunlavy said Paul Hansen's contract expired in July. This resolution renews his contract with the City. Due to his performance he proposed that they renew his contract for another year. Chairman Johnson asked what the rate was? Mayor Dunlavy said it is \$85 per hour, an increase of \$7.00 an hour.

Councilman Hansen moved to approve Resolution 2006-29. Councilman Wardle seconded the motion. All members present voted, "Aye."

5. Resolution 2006-30 A Resolution of the Tooele City Council Approving Budget Adjustments for Fiscal Year 2006-2007

Presented by Mayor Dunlavy

Mayor Dunlavy said this is the one we talked about last week. This resolution allows for money to

be transferred to the Council's budget for special events. The Council will now have funds available, at their discretion, for events or celebrations they want to fund.

Councilman Pruden moved to approve Resolution 2006-30. Councilman Bevan seconded the motion. All members present voted, "Aye."

6. Request for Approval of a Public Improvement Bond Extension for Gleneagles 3B

Presented by Roger Baker

Mr. Baker said he had sent the Council members a memo dated July 26, 2006, accompanying a written request from the new owner of this subdivision for an extension. The request is made pursuant to Tooele City code. This subdivision was previously submitted by Hamlet Homes and Michael Brodsky. Now it has been transferred to Mike Shultz and Roger Brockbank, as the new owners that have posted a new bond. One of the benefits of that is the new bond agreement contains updated costs that would be sufficient to cover the infrastructure whereas the old bond might not have been. The new bond is good through July 10, 2007. Mr. Baker recommended approval of the extensions so that the period they have under the City code to build the infrastructure matches the period they have under the bond agreement to build the infrastructure. They have requested an extension for six months, and the code allows up to one additional six-month extension.

Chairman Johnson asked when the new owners acquired this subdivision? Mr. Baker said it closed within the last month. He informed them that Doug Bayly had been working on this. Mr. Bayly thought the letter in their packets stated the time they acquired it. Councilman Pruden said the letter in the packet says early in July. Mr. Bayly said it was pretty close to July 10, 2006. Mr. Baker said the new bond was entered into within days of the closing on the property.

Chairman Johnson asked if they were going to get to work on this right away? Mr. Baker said it was his office's recommendation that the Council place a condition on the extension that the applicants need to get to work right away on the project. Chairman Johnson asked when the batch plant closes? Mr. Hansen replied typically mid October, but that depends on the weather.

Councilman Wardle said his concern was that the Brockbanks have not finished their public improvements in other areas that they have done (such as Overpass Pointe and the movie theater). He suggested that the extension be granted based upon them moving forward and making substantial progress on the public improvements within the six-month extension period. If the developer cannot do that, it is another misuse of our [the City's] trust. Whatever we do from this point on, they should know this is a test period. If they come back in six months and don't have anything done, that is unacceptable. Mr. Baker felt that was a very important message that should be communicated from the Council to the developer. He stated he would communicate that to the applicant if that was the voice of the Council.

Councilman Hansen moved to approve the extension with the condition expressed in Councilman Wardle's comments. Councilman Wardle seconded the motion. All members present voted, "Aye."

7. Minutes July 19, 2006

Councilman Bevan moved to approve the minutes as presented. Councilman Hansen seconded the motion. All members present voted, "Aye."

8. Invoices

Ms. Dawson presented the following invoices for payment:

- Turf Equipment in the amount of \$18,584 for equipment for the golf course
- Holme Roberts and Owen for June legal fees for the Tooele Associates law suit in the amount of \$22,164.41
- R.M.T Equipment in the amount of \$9,975 for a turf tender for the golf course
- R.M.T. Equipment in the amount of \$33,825 for Grasshopper mowers, one for the cemetery and one for the Parks Department

Councilman Wardle moved to pay the stated invoices. Councilman Hansen seconded the motion. All members present voted, "Aye."

9. Mayor's Report

Mayor Dunlavy reported the following:

- Updated the Council on the water system—thanked the citizens for their cooperation
- Appreciated Paul Hansen and all of his work
- Invited citizens to participate in the upcoming community events

10. Adjourn

Councilman Wardle moved to adjourn the meeting. Councilman Hansen seconded the motion. All members present voted, "Aye." The meeting adjourned at 7:20 p.m.

Approved this 6th Day of September 2006

Michael Johnson, Chairman