

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, October 17, 2007
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

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

City Employees Present:

Mayor Patrick Dunlavy
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder/City Council Liaison
Glen Campbell, Public Works Director
Cary Campbell, Finance Director
Paul Hansen, Contract City Engineer
Doug Baylay, Assistant City Attorney
Chief Kirby, Chief of Police

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Bevan at 7:01 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Shawn Milne.

2. Mayor's Community Recognition Awards

Presented by Mayor Dunlavy and Councilman Pruden

Mayor Dunlavy explained that these awards were started about a year ago to recognize the youth in our community. The youth is very important to the administration and the Council. These awards are given for special recognition in classrooms and come from teachers and administrators. These awards are given out at City Council meetings. Students from the secondary level are given recognition at second meeting of the month and the elementary students are recognized at the first meeting of the month. He thanked the parents and family members for their support to these students. The Mayor also thanked Councilman Pruden and the Council for their support of this program.

Councilman Pruden also explained that the students are given a certificate from the Mayor, a bag with some treats with a certificate to Leatherby's and Papa Murphy's inside. Councilman Pruden then presented the Mayor's Community Recognition Award to the following students:

Michael Schwab, East Elementary
Jessica Barber, Clarke Johnson Junior High
Chase Stoddard, Clarke Johnson Junior High
Sydney Lassiter, Tooele Junior High
Bryce Nyberger, Tooele Junior High
Riley Mulatalo, Tooele High School

Councilman Pruden thanked the students for their hard work. He also thanked Milo Barry and stated that the "Communities that Care" is a wonderful program.

A short break was taken to take a picture with the students in the foyer.

3. Open Forum for Public Comments

Melissa Pierce, 938 North Walden Drive, addressed the council. Ms. Pierce told the council that she lives near 1000 North and asked when the park near her home is scheduled to be finished.

Mayor Dunlavy explained to Ms. Pierce that park has been master planned. The city is in process of developing a well and a storage facility for the park. The park is scheduled for five phases. Phase 1 has been completed and Phase 2 is scheduled to begin in the spring of 2008. This is a 25 acre park and will take awhile to be all the way completed.

Councilman Johnson stated that this park will have many amenities including baseball diamonds, soccer fields as well as other items when it is completed.

Mayor Dunlavy invited Ms. Pierce to come into the Parks department and look at the master plan for this park.

Councilman Pruden also explained to the audience that there will be some important improvements coming to the parks in Tooele in the near future.

Councilman Hansen moved to close the open forum. Councilman Wardle seconded the motion. All members present voted "Aye". The open forum closed at 7:18 p.m.

4. Motion to Change Resolution 2007-44 Regarding the Acceptance of Public Improvement in the Settlement Pointe Phase 6

Subdivision to Resolution 2007-49 to Correct Duplicate Resolution Numbering

Presented by Doug Baylay

Mr. Baylay explained that a resolution was approved on August 15, 2007 regarding the acceptance of public improvements in the Settlement Pointe Phase 6 Subdivision and the same number was used on September 19, 2007. They are asking for authorization to renumber the second resolution.

Councilman Johnson moved to change Resolution 2007-44 regarding the acceptance of Public Improvements in the Settlement Point Phase 6 Subdivision to Resolution 2007-49 to Correct Duplicate Resolution Numbering. Councilman Pruden seconded the motion. All members present voted "Aye".

5. **Resolution 2007-51 A Resolution of the Tooele City Council Accepting the Completed Public Improvement Associated with Beehive Storage**

Presented by Paul Hansen

Mr. Hansen stated that this was a very small piece of public works, it consists of a sidewalk that was put in by Beehive Storage. He reported that the sidewalk has been put in and he is asking the council to accept the completed public improvements.

Councilman Johnson asked Mr. Hansen if that this is retro-active to January 23, 2007. Mr. Hansen stated that is correct.

Councilman Johnson moved to adopt Resolution 2007-51. Councilman Wardle seconded the motion. All members present voted "Aye".

6. **Resolution 2007-52 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Aqua Engineering for Construction Management Services Related to the Phase 1 Expansion and Upgrade of the Existing Wastewater Treatment Plant**

Presented by Paul Hansen

Mr. Hansen explained for the benefit of the audience that one of the infrastructure elements that the city is working on is additional sewer capacity at the sewer plant. The city previously had the new sewer improvements designed by Aqua Engineering, and then it was put up for bid. The city signed a contract with Nelson Brothers for the construction of the improvements. A modification to the

contract is being done now for Aqua Engineering to provide Construction Management Services related to the Phase 1 expansion of the existing wastewater treatment plant for the “Not to Exceed” cost of \$158,000. It is important for the city to have a design engineer because of their specific skills. A major part of the inspection will be done by the city to save on costs.

Councilman Pruden thanked Mr. Hansen for saving this cost to the city. Mr. Hansen stated that the cost will be saved by using Mr. Campbell’s employees. Councilman Pruden asked when the start date is scheduled for. Mr. Hansen stated that a pre-construction meeting is scheduled for next Thursday, October 25, 2007 and he will know more then.

Councilman Hansen moved to adopt Resolution 2007-52. Councilman Pruden seconded the motion. All members present voted “Aye”.

7. **Ordinance 2007-29 An Ordinance of the Tooele City Council Increasing the Transit Sales Tax Within Tooele City, Utah, from One-Quarter of One Percent (0.25%) to Three Tenths of One Percent (0.30%) to Offset the Decrease in Transit Funding Caused by the Removal of Sales Tax on Certain Food Products**

Presented by Mayor Patrick Dunlavy

Mayor Dunlavy explained that during the 2007 General Legislative Session the Utah State Legislature altered the State Tax Code to remove unprepared foods from the sales tax base of the transit sales tax. He is asking that Tooele City increase the transit sales tax to .30%. This does not increase the collection of money, this will now offset the decrease. Most cities in Utah are also increasing their transit sales tax to offset the decrease.

Mayor Dunlavy also stated that he and Mr. Baker met with the chairman of UTA. The Mayor stated that UTA plays a vital role to Tooele City and Tooele County. UTA is very important to the residents. The Park and Ride lot is always full. UTA has added nicer busses to their routes in Tooele. He stated that UTA is looking at adding additional routes to Tooele and other enhanced services as early as next year.

Councilman Johnson verified that the City will not see the money the council authorizes for the tax increase, the state collects it for the financing of public transportation for Tooele City.

Councilman Johnson moved to adopt Ordinance 2007-29. Councilman Hansen seconded the motion. All members present voted “Aye”.

8. **Minutes; October 3, 2007**

Councilman Hansen moved to approve the minutes from October 3, 2007 as presented. Councilman Pruden seconded the motion. All members present voted “Aye”.

Councilman Wardle abstained from the vote because he was not in attendance at the meeting.

9. Invoices

Presented by Sharon Dawson

Ms. Dawson presented the following invoices:

- Nickerson Company, Inc. for 500’ of submersible cable in the amount of \$21,523.00.
- Maric Sales for a Vactor pump for the wastewater treatment plant in the amount of \$15,760.75.
- Ferguson Enterprises, Inc. for backflow preventors in the amount of \$9,956.00.
- R.L. Battisti for a vertical storage tank in the amount of \$13,024.00
- Hawkins & Company for onsite hypochlorite generation system for wastewater treatment plant in the amount of \$12,500.
- Clyde Snow Sessions & Swenson for September 2007 Grantsville litigation in the amount of \$77,052.79.
- Pricewaterhouse Coopers for September 2007 Tooele Associates litigation in the amount of \$26,952.75.
- Holme Roberts & Owen for September 2007 Tooele Associates litigation in the amount of \$23,756.15.
- Holme Roberts & Owen for September 2007 Tooele Associates litigation in the amount of \$11,158.18.
- Quality Chevrolet for a truck for the streets department in the amount of \$29,500.00.

Councilman Pruden moved to approve the invoices as stated by Ms. Dawson. Councilman Hansen seconded the motion. All members present voted “Aye”.

10. Mayor’s Report

The Mayor stated that he appreciates the staff and all their hard work.

The Mayor told the council that there is a Family Halloween Carnival on Saturday, October 20th at 350 W 400 N. There is also a Downtown Trick or Treat from 4:00 – 7:00 on October 31, 2007. There will be candy passed out at City Hall on that night also.

The Mayor also stated that there has been some older property purchased in the City and is in process of development that he is excited about.

Mayor Dunlavy stated that he is appreciative of Rene Milne and Terra Sherwood and their hard work on the Arts Council. The Arts Council offered some classes and they filled up quickly and had to be expanded to accommodate those who wanted to participate. He appreciates the community involvement in the Arts Council. Michelle Pitt also worked hard to get approval for the Arts Council to be tax exempt. He also appreciates Councilman Hansen and Councilman Pruden for their work on the board of the Arts Council.

11. Adjourn

Councilman Hansen moved to adjourn the meeting. Councilman Pruden seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:36 p.m.

Approved this 7th day of November 2007

Chairman Bevan