

**Tooele City Council  
Business Meeting Minutes**

Date: Wednesday, December 19, 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  
Roger Baker, City Attorney  
Glenn Caldwell, Finance Director  
Sharon Dawson, City Recorder  
Lisa Carpenter, Deputy Recorder/City Council Liaison  
Cary Campbell, Public Works Director  
Chief Kirby, Chief of Police  
Randy Sant, RDA Consultant

**Others Present:**

Debbie Winn Chamber of Commerce

Minutes prepared by Elisa Jenkins

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Dave McCall.

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

Presented by Mayor Dunlavy and Councilman Pruden

Mayor Dunlavy welcomed all who have come to support these students who are receiving this award tonight. This award honors the special youth in the community who go above and beyond. He also would like to acknowledge the parents, brothers and sisters and grandparents of these students. He also stated that Tooele City has the best youth in the state. He then introduced Councilman Pruden to present the awards.

Councilman Pruden explained that these students are chosen by administrators and teachers. At the first City Council meeting each month the elementary students are recognized and at the second City Council meeting the secondary students are recognized. The students will receive a certificate from the mayor. They will also receive a gift certificate from Leatherby's, a gift certificate from Papa Murphy's a water bottle from the Chamber of Commerce, a lanyard, a t-shirt and some other goodies. Councilman Pruden then presented the awards to the following students:

Michael Johnsen, Tooele High School  
Jessica Glover, Tooele High School  
Lauren Howsden, Tooele High School  
Meredith Bridges, Tooele High School  
Karen Telles, Tooele Junior High School  
Madison Headmen, Clarke Johnson Junior High  
Tritton Adams, Tooele Junior High  
Brandon Eldredge, Tooele Junior High

The Mayor congratulated the students for a job well done. He appreciates these special young people and their families.

A brief recess was taken to take pictures with the Mayor.

### **3. City Council Recognition Award**

Mayor Dunlavy stated that tonight is Councilman Bevan's last City Council meeting, because he chose not to run for re-election. He wanted to acknowledge Councilman Bevan for his exemplary public service and tell him that he will be missed. Before serving on the City Council he served countless hours on the Planning Commission. He thanked Councilman Bevan from the citizens, the staff and the administration for his service to the community of Tooele.

Councilman Johnson said that he and Councilman Bevan were elected in 1999, and have served together for eight years on the City Council. Councilman Bevan has served countless hours on the Planning Commission and countless hours on the City Council. Councilman Johnson told Councilman Bevan that he has become a good friend and he will be missed. He then presented Councilman Bevan with a plaque for his service on the City Council from 1999 to 2007.

Councilman Bevan stated that he did not expect this at the meeting tonight. He wanted to thank the other members of the City Council, the Mayor, and the staff for their support. He also thanked Randy Sant. He mentioned that Larry Silcox was a great influence in his life and he was honored to serve with him on the City Council. He also stated that Dave McCall will do a great job on the City Council. Councilman Bevan also thanked Shawn and Renee Milne for their involvement in the community. He thanked Shirley Begley, and Dennis and Marsha Murray. Councilman Bevan feels honored to serve the

community, and he thanks everyone for their support. Councilman Bevan also thanked his family for their support.

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

Chairman Bevan invited anyone who wished to address the Council to come forward. No one came forward.

**Councilman Wardle moved to close the open forum.** Councilman Hansen seconded the motion. All members present voted “Aye”. The open forum closed at 7:27 p.m.

#### **5. Recommendation for Arts Council Grant**

Presented by Renee Milne

Ms. Milne explained that she is the Chairwoman of the Arts Council and has come here tonight to ask for approval for the Arts Council to grant funding to various organizations in Tooele. A copy of the funding recommendations are included in their packet. This is the first year that they have asked for applications since the PAR tax has been collected. The Arts Council received thirty applications which totaled over \$250,000. This amount is more than is in their budget. They did solicit applications and some of the applications did not qualify. From those applications they chose eight organizations to help.

Councilman Pruden stated that he and Councilman Hansen are on the board of the Arts Council. He wanted to thank Renee Milne, Michelle Pitt, and Terra Sherwood for their hard work. They had to go through a long qualifying process with the IRS to be able to give this money back to the citizens. He appreciates everyone’s time and effort on the Arts Council. He also thanked Rowe Harrison, Terry Stowe and Carol LaForge. This is a great benefit to the citizens of Tooele

Councilman Johnson stated that this is a demonstration of how things are built brick by brick. Former Mayor Charlie Roberts took this to the legislature years ago and helped change the law so Tooele could collect a PAR tax to help the Arts Council and the Parks in Tooele. It is great to see things happen with this money.

Councilman Pruden explained that that Arts Council arranged the Friday’s on Vine Street during the summer as well as Christmas Concert last week.

Mayor Dunlavy stated that Tooele is the first City that has made this PAR tax happen. He said putting this all together has been a lot of work. He appreciates the board members of the Arts Council.

Ms. Milne also mentioned that besides these programs that have been mentioned they are sponsoring art classes at the Depot.

Councilman Wardle also wanted to say thank you to the Arts Council.

**Councilman Hansen moved to approve the recommendation for the Arts Council Grant.** Councilman Pruden seconded the motion. All members present voted “Aye”

6. **PUBLIC HEARING & MOTION on Resolution 2007-46 A Resolution of the Tooele City Council Declaring as Surplus the Unplatted Portions of the Tooele City Commercial Park and Authorizing the Sale of the Same**

Presented by Roger Baker

Mr. Baker explained that state law requires that when the City disposes of a significant parcel of real property that there has to be a hearing to declare it surplus, if it serves no purpose to the city to keep. This is a significant parcel. It is approximately 350 acres on the western end of town. The appraised value is \$28,000 an acre. For 350 acres at appraised value the property is worth approximately nine and a half million dollars. He did receive a call today from someone interested in some of the property.

Councilman Johnson asked if this property encompasses the USU property. He asked if the resolution should include that they intend to sell the property.

Councilman Hansen stated that this resolution declares this property surplus.

Mr. Baker explained that his intention is that he and Mr. Sant will prepare a resolution specific to the USU parcel of land. By declaring this land surplus it sets it up so that the City may dispose of it anyway they wish.

Mr. Sant concurred that the land has to be declared surplus first then they will come back with a separate resolution for USU. This action will allow them to start selling the ground.

Mr. Baker stated that they could change the word sale to disposition.

Councilman Johnson suggested that Mr. Baker change the wording to read “sale or other disposition”, and add that to the title of the resolution.

Mr. Baker will make the changes and attach to the signature page of the resolution.

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

**Councilman Pruden moved to close the public hearing.** Councilman Hansen seconded the motion. All members present voted “Aye”. The public hearing closed at 7:38 p.m.

**Councilman Johnson moved to approve Resolution 2007-46, with the minor technical corrections by Mr. Baker.** Councilman Hansen seconded the motion. All members present voted “Aye”.

7. **Resolution 2007-57 A Resolution of the Tooele City Council Authorizing the Mayor to Sign Two Contracts with IKON to Implement an Electronic Document Management System and Equipment Services for Archiving.**

Presented by Sharon Dawson

Ms. Dawson explained that this resolution authorizes the mayor to sign a contract with IKON Office Solutions. This will help provide the archiving of City records.

**Councilman Pruden moved to approve Resolution 2007-57.** Councilman Wardle seconded the motion. All members present voted “Aye”.

8. **Resolution 2007-58 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract for Consulting Services with RS Contract management Services LLC**

Presented by Mayor Dunlavy

The Mayor explained that this is the same contract that was approved in the RDA meeting. Because Mr. Sant will also be doing work for the City Council they need to approve it in this meeting as well.

**Councilman Johnson moved to approve Resolution 2007-58.** Councilman Hansen seconded the motion. All members present voted “Aye”.

9. **Ordinance 2007-32 An Ordinance of the Tooele City Council Amending Section 36.B. of the Tooele City Personnel Policies and Procedures Manual Regarding Admission to City Recreation Facilities for Current and Former Elected Tooele City Officials**

Presented by Mayor Dunlavy

Mayor Dunlavy explained that this ordinance will amend the Tooele City Personnel Policies and Procedures Manual which has been in place for a long time. A benefit that Tooele City employees receive is free admission to City recreation facilities. Former City elected officials namely mayors and city council members were omitted from the policy. The mayor would like to update the manual and include former elected Tooele City Officials for free admission to city recreation facilities.

**Councilman Hansen moved to approve Ordinance 2007-32.** Councilman Pruden seconded the motion. All members present voted “Aye”.

10. **Ordinance 2007-31 An Ordinance of the Tooele City Council Amending 10-3-12 of the Tooele City Code, Entitled “Parking Signs Required”, to Facilitate the Enforcement of City-Wide Parking Regulations.**

Presented by Roger Baker

Mr. Baker reported that thanks to a citizen in the community they discovered an internal inconsistency in the parking regulation. Although it prohibits overnight parking on streets during winter months it also prohibits enforcement unless a sign is posted. It isn't practical to post multiple signs on every street in the City. They carefully evaluated the options for revising the ordinance so the public would know what the parking regulations are and the city is not hampered in their efforts to clear the snow in the winter. Under the revised resolution general parking requirements will require no sign and will apply city-wide so that citizens will know what the rules are. Site specific parking locations will still require signage.

Councilman Pruden reiterated that this ordinance states there does not have to be signs on the street that say no parking.

Mr. Baker stated that they haven't issued parking citations in the last couple of months because of the problem with the ordinance. After this ordinance is approved citations can be issued. He has encouraged the continued issuance of warning citations.

**Councilman Wardle moved to approve Ordinance 2007-31.** Councilman Hansen seconded the motion. All members present voted "Aye".

**11. Resolution 2007-59 A Resolution of the Tooele City Council Authorizing Water Line and Power Line Easement Serving the Last Chance Ski Ranch near Vernon.**

Presented by Roger Baker

Mr. Baker stated that a developer is proposing a 19-lot subdivision with a man-made lake, located west of Tooele City's sod farm property, in Rush Valley. They are requesting water and power line easements across the sod farm. They are working directly with Rocky Mountain Power for the power line easement. Rocky Mountain Power has approved and anticipates installing line upgrades which will not be at the City's expense. This will help with brown outs that occasionally occur.

Councilman Johnson asked if they will use the current existing power line.

Mr. Baker stated that this development will continue the power line from its current termination point on the City's property further across the property.

Councilman Johnson asked if there is a concern for overhead power lines on the property.

Mr. Baker stated that they have spoken directly to those who are farming the farm and managing the operation of the farm and the locations will not interfere with existing farm operations or future farm alteration or expansion. Everybody seems to be satisfied with

the easements. This will help with the existing surface water problem and will improve the power service. Mr. Baker also stated that the resolution conditions easements on terms that the Mayor recommended in a letter dated a year ago. Mr. Baker would like to include these recommendations in the resolution.

Councilman Pruden noted that one of the recommendations is that the City will receive \$10,000 for the easement.

Councilman Wardle stated that he appreciates the language that the Mayor used to protect the City.

**Councilman Hansen moved to approve Resolution 2007-59.** Councilman Pruden seconded the motion. All members present voted “Aye”.

#### **12. Minutes: December 5, 2007**

**Councilman Johnson moved to approve the minutes as presented.** Councilman Wardle seconded the motion. All members present voted “Aye”.

#### **13. Invoices**

Presented by Sharon Dawson

Ms. Dawson presented the following invoices:

- Holme Roberts & Owen for Tooele Associates Wikstrom Report in the amount of \$13,956.55, for November 2007.
- Holme Roberts & Owen for Tooele Associates litigation for November 2007 in the amount of \$34,438.37.
- Ikon Office Solutions for purchase of Tooele City archiving system in the amount of \$15,828.00.

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

#### **14. Mayor’s Report**

The Mayor stated that there was an armed robbery that occurred in Tooele today at Hy & Mikes Pawn Shop. Law enforcement did the job and apprehended the individuals. He would like to commend the law enforcement agencies, including the county and the city officers. He wanted to thank the law enforcement, they do a great job.

He also stated that the Christmas concert on the 15<sup>th</sup> was a great success. He wanted to acknowledge the participation of the staff especially Michelle Pitt. This concert was sponsored by the Arts Council. They gathered a considerable amount of food for the food bank.

The Mayor stated that he had a meeting with the county and they had a good discussion. It was a productive meeting and will report on this at a later date.

He also wanted to thank Councilman Bevan for all his hard work on the City Council.

He wished everyone a Merry Christmas and a Happy New Year.

**15. Adjourn**

**Councilman Pruden moved to adjourn the meeting.** Councilman Hansen seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:59 p.m.

Approved this 2<sup>nd</sup> day of January 2008

---

Chairman Steve Pruden