

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, November 7, 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
Randy Sant, RDA Consultant
Paul Hansen, Contract City Engineer
Glenn Caldwell, Finance Director
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder/City Council Liaison
Roger Baker, City Attorney
Cary Campbell, Public Works Director
Chief Kirby, Chief of Police
Michelle Pitt, Mayor's Assistant

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 Boy Scout Troop 1354.

Chairman Bevan thanked Troup 1354 for conducting the Pledge of Allegiance. He also welcomed Troop 1173 and 1437 to the meeting.

2. Mayor's Community Recognition Awards

Presented by Mayor Dunlavy and Councilman Pruden

Mayor Dunlavy welcomed all the families that have come to support these students. He thanked Milo Berry for his hard work in the “Communities that Care” Program. The Mayor stated that this is a great program. The youth is very important to the administration and the Council. The Mayor also wanted to welcome the delegates from the Kambarka, Russia who are from Tooele’s Sister City.

Councilman Pruden explained that Elementary students are recognized at the first City Council meeting each month. The recipients are given a bag with a certificate from the Mayor, a gift certificate to Leatherby’s and Papa Murphy’s and some other goodies. These students are chosen for this award by their teachers, administrators and counselors for various things that they have done in the community. Councilman Pruden then presented the Mayor’s Community Recognition Awards to the following students:

Tyler Gowans, Overlake Elementary
Noah Sloan, Copper Canyon Elementary
Destiny Perry, West Elementary
Brandon Passey, Harris Elementary
Jacob VanDerwerken, West Elementary

Mayor Dunlavy congratulated all the participants. These students are very important to the community of Tooele. He also thanked the families for their support.

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

3. Open Forum for Public Comment

Chairman Beven wanted to acknowledge that there was an election yesterday. There were three seats open for the City Council. Councilman Johnson and Councilman Pruden were re-elected and a new Councilman was elected, Dave McCall. He welcomed Dave McCall who was in the audience.

Chairman Bevan introduced Dan Martin he is the representative from the Sister City Organization. He would like Mr. Martin to introduce the delegates from Kambarka, Russia.

Mr. Martin stated that they came on a great night to see the young people of Tooele get recognized for their work. He would like to introduce the Sister City delegation from Kambarka, Russia. They are a Social Service delegation. Mr. Martin introduced Serga Kondrutski to introduce the delegation as follows:

- Alexander Kharmov, Trainer of Judo and active in community for providing healthy lifestyle and after-school programs for socially “at-risk” youth.

- Tatyana Murigina, Deputy Chairman of the Kambarka Regional Administrative Committee for Juvenile Affairs and Rights Protection and Head of Kambarka's Women's Council.
- Maria Lagunova, Head of Legal Department for Kambarka District Administration.
- Larissa Bochkareova, Head of children's Library in Kambarka.
- Tatyana Murzina, President of Kambarka Sister City Committee and former Head of Kambarka Regional Administration for Health and Social Services.

Mr. Martin wanted to let the youth in the audience know that this organization is involved with a student exchange program with Kambarka, Russia. Councilman Johnson asked Mr. Martin to explain to the audience where Kambarka is and how students can become involved in this program. Mr. Martin stated that Kambarka sits right against the Ural Mountains towards the west of Russia, and is quite far from Moscow. Mr. Martin said that he and his wife Sherry Martin are the Co-directors of the Sister City Organization in Tooele; they will put out notices for those who are interested in becoming involved in this program. They will be looking for chaperones and students. They will be working with the School District, and will be advertising those opportunities. The students have to be in High School to be involved in the student exchange program but it is something that the younger students could look forward to. Sherry Martin thanked the Mayor and the City Council for their support of this program.

Mayor Dunlavy wanted to acknowledge Dan and Sherry Martin for their work in the Sister City Program. He also acknowledged former Mayor Charlie Roberts and all the members of the committee and the community for their support and work in the program. The Mayor said that it was his pleasure to be able to spend time with this delegation. He hopes they will come back.

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

Councilman Pruden moved to close the open forum. Councilman Hansen seconded the motion. All members present voted "Aye". The open forum closed at 7:25 p.m.

4. Communities That Care Update

Presented by Milo Berry

Mr. Berry thanked the Council for the opportunity to give an update on what they are doing with the "Communities That Care" program. Mr. Berry appreciates the support of the administration and the Council.

Mr. Berry gave a Power Point Presentation update to the Council. The following are a few highlights from his presentation. Mr. Berry stated that “Communities that Care” is involved in risk detection of youth. There are twenty risk factors that they work with. They work with the community, families, schools and children and their relationships with one another. Within these risks there are problem behaviors that they work with. In 2003 they chose three risk factors to work with 1) lack of commitment to school 2) family conflict 3) community recognition. They are working on each of these factors.

Mr. Berry feels that most of these behaviors are trending down. In family conflict they have had very few participants and are hoping for more. Councilman Johnson asked if the judge can refer students to this program. Mr. Berry stated that avenue is open and they are process of pursuing it. He stated saturation is the key to this program.

Mr. Berry stated that there is a lot of work that goes into this project. Tooele cares about the community and the future of Tooele. They care about children, families and schools. He also stated that prevention pays. It is seven times cheaper to invest in prevention than intervention type programs. He thanked the Council for caring for what happens to the youth in Tooele and supporting this program.

Councilman Pruden explained to the young people in the audience that anyone interested in participating in this program could contact Mr. Berry or ask a teacher at school how to become involved.

Mayor Dunlavy stated that the success of this program is very important to the administration and the Council. He thanked Mr. Berry and everyone that works with the “Communities that Care”.

5. CDBG Public Hearing

Presented by Randy Sant

Mr. Sant explained that Ms. Pitt will be taking over the Block Grant Program and turned the time over to her.

Ms. Pitt explained that this public hearing is required for the city to qualify for a CDBG grant. There is about \$250,000 available to Tooele County through CDBG grants. In order for projects to be eligible for CDBG grants they have to meet 1 of 3 national objectives: 1) meet low to moderate income 2) aid or prevent blight or slum 3) meet urgent welfare needs. Ms. Pitt gave some examples of these criteria:

1. To meet low to moderate income – is any project that benefit people that are 80% of median income and 51% of the project has to benefit

low to moderate income. An example of this is the Broadway Apartments. The Broadway Apartments project benefits 100% low to moderate income.

2. Aid or prevent blight or slum – projects that would eliminate blight, we could acquire buildings, tear them down and bring something new into the area to eliminate the blighted conditions.
3. Meet urgent welfare needs – project that pose immediate needs such as septic tanks that are broken and need to be taken care of immediately.

They try to look at things that don't take up all the money, but that still help the community such as low income housing, infrastructure and maybe our economic development. A project that the staff has identified, that meets at least one of these criteria is to install new curb, gutter and sidewalk around the Broadway Apartments. The amount that they are requesting from the CDBG grant is \$150,000.

Councilman Johnson asked when this application is due. Ms. Pitt said it is due on December 7, 2007. Mr. Sant stated that the application will be looked at in January or February. The Council of Government has a ranking system to approve the CDBG grants. The last application from Tooele for money was in 2004.

The CDBG Public Hearing opened at 7:41 p.m.

Chairman Bevan invited anyone who wished to address the council on this matter to come forward. No one from the public came forward.

Councilman Johnson moved to close the CDBG public hearing. Councilman Hansen seconded the motion. All members present voted "Aye". The public hearing closed at 7:43 p.m.

Mr. Sant stated that he and Ms. Pitt will get all the paperwork together and there will be one more public hearing. Councilman Pruden asked if this goes through when Mr. Sant expects the Broadway project to start. Mr. Sant said the developer should be ready to begin development in the spring.

6. PUBLIC HEARING & MOTION on Final Plat Approval for UID Minor Subdivision No. 14 a One Lot Subdivision of 9.926 Acres for Lot 1401 Located at 595 N Industrial Loop Road

Presented by Rachelle Custer

Ms. Custer reported that this minor subdivision consists of one 9.926 acre lot at 595 N Industrial Loop Road. This is a vacant piece of land that is being purchased by the Mountain States Line Constructors Apprenticeship School. In order for the property to be sold a subdivision must be done. This is a minor

subdivision because there is not any road dedication and the subdivision consists of less than ten lots. The staff recommends approval of this subdivision for the sale of the property. Planning Commission made a favorable recommendation on 10/10/07.

Councilman Johnson asked what Mountain State Line Constructors Apprenticeship School was. Ms. Custer explained that they are a school where people are trained to work for power companies such as Rocky Mountain Power. They will have poles that will go up and down during training. Councilman Wardle stated that they will have minimal charge lines running to the poles. Councilman Johnson asked how many employees they have. Ms. Custer stated they will have about ten, but they hope to expand. Councilman Wardle also stated that they will start out with a small building and they hope to build a larger one.

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

Councilman Hansen moved to close the public hearing. Councilman Pruden seconded the motion. All members present voted “Aye”. The public hearing closed at 7:46 p.m.

Councilman Wardle wanted to reiterate what he said in the Planning Commission meeting regarding this plat approval. He stated that the Council and the City are glad to see this company come to Tooele and welcomes them, but feels that the placement of this Apprenticeship School is not in the best interest of the City because it is located in the Gateway.

Councilman Johnson moved to approve final plat approval for UID Minor Subdivision No. 14 a one lot subdivision consisting of 9.926 acres for lot 1401 located at 595 N Industrial Loop Road. Councilman Hansen seconded the motion. All members present voted “Aye”.

7. **Resolution 2007-54 A Resolution of the Tooele City Council Approving a Conciliation Agreement with the Utah Labor Commission**

Presented by Roger Baker

Mr. Baker stated that the City is required by the State of Utah to resolve a complaint filed by a former Tooele City employee. City representatives met with the former employee and with the Labor Commission in a conciliation conference and reached a mediated resolution. The Conciliation Agreement does not constitute and admission of liability or wrongdoing on the part of Tooele City, but is being entered into as a compromise between the parties for the purpose of avoiding costly litigation. The Agreement and its terms are confidential.

Councilman Hansen moved to approve Resolution 2007-54. Councilman Pruden seconded the motion. All members present voted “Aye”.

8. Resolution 2007-53 A Resolution of the Tooele City Council Adopting the Certified Tax Rate

Presented by Glenn Caldwell

Mr. Caldwell explained that the City is required by state law to set by ordinance or resolution the real and personal property tax levy for various municipal purposes. They are requesting that the general tax rate remain the same to be 0.002134 (or 0.2134%).

Councilman Pruden reiterated that this is not a tax increase. Councilman Johnson also stated that the last tax increase in Tooele was in 1982.

Councilman Johnson moved to adopt Resolution 2007-53. Councilman Hansen seconded the motion. All members present voted “Aye”.

9. Resolution 2007-55 A Resolution of the Tooele City Council Ratifying a Cooperative Agreement for Design Engineering Reimbursement with the Utah Department of Transportation for the Design Engineering of the 1000 North Roadway Project

Presented by Paul Hansen

Mr. Hansen stated that this Resolution is very momentous for Tooele City. Mr. Hansen explained that the City has been working with UDOT for several years toward the design of 1000 North, located between SR-36 and SR-112 in the northwest portion of Tooele City. This is a project to where the city has received some federal assistance. Under this agreement, federal highway funds will cover 93.23% of the design cost. The City’s contribution is 6.77% which is \$27,080.00 of the \$400,000 total cost allocation for design. HDR Engineering is retained by UDOT and the City through the Cooperative Agreement for Design Engineering. The design work has begun. This resolution ratifies the Mayor’s signature of the Cooperative Agreement for Design Engineering Reimbursement with the Utah Department of Transportation for the design engineering of the 1000 north roadway project for a sum of \$27,080.00, as was verbally authorized by the Council during the Mayor’s report portion of the last council meeting.

Mr. Hansen stated that they anticipate putting this project out for bid for construction in March-April time frame. He stated that this is an important road in Tooele because it will take a lot of the heavy truck traffic off Utah Avenue and to move it to a safer road and it will also open up further development for Tooele. This road and resolution is very significant to Tooele City and to the Administration and the Council. Mr. Hansen hopes that this road will be under

construction by next summer. Councilman Johnson asked how long it will take. Mr. Hansen said that will depend on how far the available funding will take the road. He indicated that it will probably take about a year.

Councilman Pruden thanked Mr. Hansen for his hard work on this project.

Councilman Hansen moved to approve Resolution 2007-55. Councilman Wardle seconded the motion. All members present voted “Aye”.

10. Minutes; October 17, 2007 Closed Work Session; October 17,2007 Work Session; and October 17,2007 Business Meeting

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

11. Invoices

Presented by Sharon Dawson

Ms. Dawson presented the following invoices:

- National Graphic Supply for the Police Department Forensic Unit in the amount of \$10,757.06.
- Turf Equipment & Irrigation Co for the Parks department in the amount of \$9,500.00
- Western Fence Company for fence for police gun range in the amount of \$18,516.00

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

12. Mayor’s Report

Mayor Dunlavy updated the Council on the sidewalk on 1000 North near Middle Canyon Elementary. He stated that the sidewalk is being put in by the LDS Church who owns the property. The City will be responsible for taking the asphalt to the curb and gutter. He is still working on getting a sidewalk in by East Elementary.

The Mayor also informed the Council and the audience that the administration is working on updating the City’s Master Plan and what the needs of the city are including, the wastewater system, parks, police department, the storm drain and the transportation master plan.

The Mayor reported that the downtown trick-or-treat was a big success. It was twice as big as last year. He feels that this is an important event because it gives kids a safe place trick-or-treats on Halloween. This was a great activity sponsored by the Downtown Alliance.

Alvin Merrill, 942 N 650 E, addressed the council. Mr. Merrill informed the Mayor that he works for UTA. He said that most of the busses going to and from Tooele to Salt Lake are full to capacity and some people stand all the way to Salt Lake. He said that there are more than enough drivers out here to drive to Salt Lake.

Mayor Dunlavy responded to say that he has met with UTA and they informed him that they will be expanding their service to Tooele in the near future. He also thanked Mr. Merrill for that information.

13. Adjourn

Councilman Johnson moved to adjourn the meeting. Councilman Hansen seconded the motion. All members present voted "Aye". The meeting adjourned at 8:10 p.m.

Approved this 5th day of December 2007

Chairman Bevan