

Tooele City Council
Business Meeting Minutes

Date: August 15, 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
Steve Pruden
John Hansen
Scott Wardle

City Council Member Excused:

Mike Johnson

City Employees Present:

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

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 conducted by Councilman Wardle.

2. Open Forum for Public Comment

Richard Canaday, 874 Eagle Lane, addressed the council. Mr. Canaday has a concern for students walking on 1000 North to Middle Canyon Elementary. There is a part of 1000 North that has no sidewalk. Gravel was put in for the kids to walk but there are always big trucks parked there and the kids have to go into the street. The crossing guard crosses the kids from the south to the north. Mr. Canaday asked if the crossing guard could cross the students from north to south instead then they wouldn't have to walk around the trucks in the street.

Chief Kirby does not know of a requirement of the crossing guard to cross from south to north. He believes that the crossing guard could cross from north to south to avoid walking around the big trucks. He will look into this further and get back to the council. Chairman Bevan thanked Mr. Canaday for bringing this issue to the council's attention.

Holly Shields, 429 E. Meadows Drive, addressed the council. She is opposed to Ordinance 2007-12 to change Meadow Drive to Tamarack. She has a petition she gave to the council with all the residents on Meadow Drive opposed to changing the name to Tamarack. She stated that there are fewer homes on Meadow Drive and the Ordinance would affect less people on Meadow Drive than Tamarack.

Ladonalee McKendrick, 232 South 950 West addressed the council. Ms. McKendrick asked the council what the city's plan is with the property where the old airport hangers are. Mayor Dunlavy stated that the city is trying to sell the property. Utah State University is looking at the property to expand. Ms. McKendrick asked how it would impact the homes that are behind the property. Mayor Dunlavy stated that there are landscaping ordinances that are required of developers.

Shirley Beagley, 486 W. 500 S. addressed the council. Ms. Beagley stated that the road near her home (525 West) is taking all summer to be fixed and she asked when it will be finished. She is concerned because school is starting soon. Mr. Paul Hansen stated that he is aware of this road and the contractor is working hard to get it finished as soon as possible. Underground utility work is being done on this road. Mayor Dunlavy stated that this road had water and sewer line replacement that is what is taking so long. Ms. Beagley also stated that it would be helpful if the council could explain the things they talk about to the public so they could have a better understanding of what is being addressed.

Roland Dalton, 348 Meadows Drive, addressed the council. Mr. Dalton also has a concern about changing Meadow Drive to Tamarack. There are more residents on Meadow Drive than Tamarack, and a name change to Tamarack would affect less people. He works at the Post Office and he stated it is a huge undertaking for residents to have to change their address. He hopes that the council will take into consideration the residents on Meadow Drive that have signed a petition opposing this.

Heidi Strege, 444 Meadows Drive, addressed the council. She opposes changing Meadows Drive to Tamarack.

Liz Dalton, 348 Meadows Drive, addressed the council. She also opposes changing Meadows Drive to Tamarack. She is also concerned with the width of Skyline Drive. There are parts of Skyline Drive that are narrow and if cars are parked on the road it is a safety issue for anyone walking or running on the road. Skyline Drive is becoming a very heavily traveled road.

Dennis Murray asked Chairman Bevan if he could remind the people who addressed the council to state their name.

Councilman Hansen moved to close the public hearing. Councilman Pruden seconded the motion. All members present voted “Aye”. The public hearing closed at 7:26 p.m.

3. Change Tooele City Ordinance #2007-13 to #2007-22

Presented by Roger Baker

Mr. Baker stated they are asking the council to change ordinance numbers. They accidentally assigned the same number to two different ordinances. This will correct this and give it the correct number.

Councilman Pruden moved to change Tooele City Ordinance #2007-13 to #2007-22. Councilman Wardle seconded the motion. All members present voted “Aye”.

4. Resolution 2007-40 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Statewide Utility License Agreement with UDOT

Presented by Roger Baker

Mr. Baker stated that UDOT has a new requirement that any jurisdiction with water lines in a UDOT right-of-way is required to sign a Statewide Utility License Agreement. It specifies conditions in which cities can build water lines in state highways, traffic control, excavation, and backfill among others. There is also a liability agreement with an indemnity clause that states the city is only liable if someone gets hurt as a direct result of the city’s negligence. This was brought about by Eagle Bend Subdivision. There are some technical changes that the state has agreed to that have not yet been incorporated into the agreement; the state has not provided the city a revised agreement. Mr. Baker will attach to the resolution the correspondence that they have regarding these changes, and when they get the final draft back from the state he will have the council sign the agreement.

Councilman Hansen moved to adopt Resolution 2007-40. Councilman Pruden seconded the motion. All members present voted “Aye”.

5. Resolution 2007-43 A Resolution of the Tooele City Council to Accept the Completed Public Improvements for Deer Hollow Phase 7

Presented by Paul Hansen

Mr. Paul Hansen commented on the above resolution 2007-40. He stated that actual easements and permits will still be obtained. He wanted to make that clear.

Mr. Paul Hansen stated that Tooele City does not build public infrastructure within the city. The city relies on developers that want to build homes or commercial developments within the city. They put in curb and gutter and sidewalks and all other related public

infrastructure. The city requires them to post a bond with the city to cover the cost of the infrastructure. Once that infrastructure has been installed and inspected by the Tooele City inspectors and found to be complete, the city then brings it before the council for their approval. This is the case for this resolution and the following resolution. The Deer Hollow Subdivision will be completed with Phase 7. An inspection has been completed. Mr. Hansen stated that he went there today, and the last rain storm washed out some of the fill. He will talk to the developer about having it fixed. He recommends that the city retains 20% of the bond for one year to take care of items such as the erosion that has occurred. He recommends accepting the completed public improvement for Deer Hollow Phase 7.

Councilman Hansen moved to adopt Resolution 2007-43. Councilman Wardle seconded the motion. All members present voted “Aye”.

6. **Resolution 2007-44 A Resolution of the Tooele City Council Accepting the Completed Public Improvement Associated with Canyon Village Subdivision, Phase 2**

Presented by Paul Hansen

Mr. Paul Hansen reported that this subdivision is located north of the Copper Canyon Elementary. This subdivision has been inspected by the city. The city is ready to accept the completed public improvement associated with Canyon Village Subdivision Phase 2.

Councilman Pruden moved to adopt Resolution 2007-44. Councilman Hansen seconded the motion. All members present voted “Aye”.

7. **Resolution 2007-45 A Resolution of the Tooele City Council Authorizing the Mayor to Negotiate and Execute a Contract with Nelson Brothers Construction Related to Construction of the Phase 1 Expansion and Upgrade of the Existing Wastewater Treatment Plant**

Presented by Paul Hansen

Mr. Paul Hansen reported that Tooele City has been in the process of developing plans to expand the existing Wastewater Treatment Plant. Designs have been completed. This will give the final allocation of funds for the actual construction of the infrastructure expansion. Currently the sewer treatment plant has the capacity of approximately 2.2 million gallons a day. This expansion will add 1.2 million gallons. The city put this out for bid publicly. The low bid was Nelson Bros. Construction Company in the amount of \$1,801,224. This money will be paid for by impact fees. It is the city’s recommendation to award Nelson Bros. Construction Company the bid.

Councilman Wardle thanked Mr. Hansen and the Mayor for their hard work on this project. This will meet the current needs of today and also future needs.

Councilman Pruden asked when construction plans will begin on this project. Mr. Paul Hansen responded to say that they should begin in September or November and hopefully be able to use by May or June of next year.

Councilman Pruden moved to adopt Resolution 2007-45. Councilman Hansen seconded the motion. All members present voted “Aye”.

8. **PUBLIC HEARING and MOTION for Preliminary and Final Plat Approval for Tooele Commercial Park Phase 4. Vacating and Amending Lot 306 of the Tooele Commercial Park Phase 3 Together with Additional Land. Creating a 4 Lot Subdivision at 1200 West 1200 South by Titan Development.**

Presented by Rachelle Custer

Ms. Custer reported that the staff is asking for preliminary and final plat approval concurrently on this property. This subdivision will take what is currently is phase 3 and vacate all the easements on the existing lot 306 and add that lot to an additional 11 acres. The 12 acre parcel will be subdivided into 4 lots ranging in size from 2 acres to 3 acres. This is a light industrial subdivision.

Chairman Bevan stated that this is a public hearing. No one came forward to address the issue.

Councilman Wardle moved to close the public hearing. Councilman Pruden seconded the motion. All members present voted “Aye”. The public hearing closed at 7:39 p.m.

Councilman Wardle moved to approve Preliminary and Final Plat for Tooele Commercial Park Phase 4. Vacating and Amending Lot 306 of the Tooele Commercial Park Phase 3 together with additional land. Creating a 4 Lot subdivision at 1200 West 1200 South by Titan Development. Councilman Hansen seconded the motion. All members present voted “Aye”.

9. **Ordinance 2007-12 An Ordinance of the Tooele City Council Changing the Name of the Street Recorded as Meadows Drive to Tamarack**

Presented by Rachelle Custer

Ms. Custer reported that staff has done some research and there is a street that currently does not connect but in the near future will connect. There is a developer that is interested in developing between Meadows Drive and Tamarack and he has chosen the name Tamarack for his lots. Tamarack has existed longer than Meadows drive and the homes on Tamarack have been there longer. With those considerations staff has made a recommendation to change the name of Meadows Drive to Tamarack to make it consistent.

Councilman Pruden asked the Mayor if it would be appropriate to table this ordinance because the people on Tamarack have not been contacted. He would like the council to have a discussion with the people on Tamarack and Meadows Drive.

Mayor Dunlavy stated the people on Meadows Drive were the only people notified of this change, and the people on Tamarack should be able to have input. The cities first concern for this street is for first responders such as the Police and Fire Department. He also feels that the residents on Tamarack need to be notified.

Councilman Wardle would also like to hear from the people who live on Tamarack. The council has not heard from the other residents that this ordinance would affect.

Councilman Pruden moved to table Ordinance 2007-12 until the residents on Tamarack can be notified, and a discussion can be had with all parties present.

Councilman Wardle seconded the motion. All members present voted "Aye".

Dennis Murray addressed the council. He stated that final approval of this issue rests on the council. This has come about from improper planning a long time ago. Chairman Bevan stated that the council is aware of this. This was done eighteen years ago. Councilman Hansen stated that this is not easy. Councilman Pruden stated that they are trying to remedy the situation.

10. Minutes – August 1, 2007

Councilman Pruden moved to approve the minutes of August 1, 2007. Councilman Hansen seconded the motion. All members present voted "Aye".

11. Invoices

Presented by Sharon Dawson

Ms. Dawson presented the following invoices:

- Quality Chevrolet for a Chevrolet Impala for the police department in the amount of \$16,913.00.
- Greenline Equipment for one peerless 2000 grinder for the golf course in the amount of \$34,400.00.
- ICOP Digital for four ICOP Model 20/20 complete systems (radars and dash camera combos) in the amount of \$18,733.52.
- Moreton & Company for commercial insurance package renewal 08/01/07 to 08/01/08 in the amount of \$148,971.00.
- Pricewaterhouse Coopers for June legal expenses for Depot Suit in the amount of \$36,169.59.
- Cate Equipment pre-approval for Hot Asphalt Hauler, and Roller for Streets Department in the amount of \$64,350.00.

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 reported that there will be a great concert this Friday on Vine. He would like to invite everyone to come.

He also stated that there is a serious problem with the Waste Water Treatment Plant. He is grateful for an effective staff who came together to come up with a solution. The problem will also be taken care of for years to come when future phases are completed. He wanted to thank Mr. Hansen, Mr. Campbell and the City Council for their support.

Mayor Dunlavy reported that Well #9 is now online. It is a good producing well. The timing is very good for the end of summer. He also wanted to thank Mr. Hansen and Mr. Campbell for their hard work in getting this running. He also thanked that Council for their support.

Mayor Dunlavy wanted the public to know that this administration and the council welcomes comments and suggestions from the public and thanked them for their participation. He wanted to tell Ms. Dalton that he understands her frustration with Skyline drive. The city cannot go on private property and make improvements. When the park is finished on Skyline Drive the city will do their part for curb, gutter and sidewalk. He welcomes the public input and phone calls.

Councilman Pruden commented that the park property was purchased from PAR tax funds. PAR taxes have to be used for parks.

Councilman Wardle stated that the PAR tax was chosen by the citizens. This is a great way to get more parks into the city.

13. Adjourn

Councilman Hansen moved to adjourn the meeting. Councilman Pruden seconded the motion. The meeting adjourned at 7:57 p.m.

Approved this 5th day of September 2007

Chairman Steve Bevan