

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, April 16, 2008
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Steve Pruden, Chair
John Hansen
Scott Wardle
Dave McCall

City Council Member Excused:

Mike Johnson

City Employees Present:

Mayor Patrick Dunlavy
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Chief Kirby, Chief of Police
Milo Berry, Communities That Care
Rachelle Custer, City Planner
Cary Campbell, Public Works Director
Paul Hansen, City Engineer
Braxton Roberts, IT Assistant

Others Present:

Debbie Winn, Chamber of Commerce

Minutes prepared by Elisa Jenkins

Chairman Pruden called the meeting to order at 7:00 p.m. Chairman Pruden excused Councilman Johnson from the meeting.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Mayor Dunlavy.

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

Presented by Mayor Dunlavy, Chairman Pruden and Chief Kirby

Mayor Dunlavy stated these recognition awards are very special to himself and the City Council. This is a chance to recognize very special young people in the

community. The greatest asset to the City is the youth. These awards are different than the “normal” awards. These students are nominated by their teachers and administrators. He would like to acknowledge the parents, siblings and grandparents of these students for the positive role they play in these young people’s life. He would also like to acknowledge Milo Berry who is the director of the Communities that Care. The Mayor stated that he has learned when helping students through their everyday lives, students do not get acknowledged for their efforts as much as they should, this is what they try to do with these awards.

Chairman Pruden explained that each student will be given a goody bag and a certificate from the Mayor. A few things that are included in the goody bag are: a gift certificate to Oquirrh Hills Golf Course to hit a bucket of balls, a mug from the Communities that Care, a T-shirt from the Chamber of Commerce, a gift certificate from Papa Murphy’s, a Tooele City lapel pin, a Mayor Achievement Award wristband.

Chairman Pruden then presented the awards to the following students:

Marcus Jensen, Tooele High School
Sadie Johansen, Clarke Johnson Junior High
Aubretia Snyder, Tooele Junior High
Caldon Gressman, Clarke Johnson Junior High
Tyler Knighton, Tooele Junior High
Bronwyn Douglas, Clarke Johnson Junior High
Aaron Hitesman, Tooele Junior High

The Mayor told the recipients and parents “thank you” for all their hard work.

Chairman Pruden told those in attendance that there was a small impromptu parade that went down Main Street with police cars at about 5:00 p.m. today. The reason for this was to recognize some citizens that had just returned home from Iraq. One of them is City Patrol Officer Brad Young. These citizens have been serving our Country fighting for freedom in Iraq with the 116th Convoy Security Unit. On behalf of all the citizens and government of Tooele City he would like to thank them for their efforts.

3. **Tree City USA Recognition to the Parks and Recreation Department**

Presented by Scott Zeidler

Mr. Zeidler thanked the Council for the opportunity he has to be here. He thanked the Council for embracing one of the greatest natural resources that is available. Utah Cities are a great place to live and a part of it is because of the heritage before us with these magnificent trees that provide valuable services.

Mr. Zeidler stated that a mature 40 year tree will remove 2.5 lbs of air pollutants in a year, and also conserve 7% of an energy bill over the course of a year. They also add 2% to the value of a home. Trees have become part of city services. It is a great pleasure for him to recognize the Parks and Recreation Department for the work that they have conducted in 2007 to embrace and utilize trees as a part of city services. It is his understanding that 50 trees will be planted in Tooele City on Arbor Day this year. He encourages the City to continue to use trees. One of the greatest things we can do for children is to plant trees and leave behind this precious resource. Mr. Zeidler explained that in 2007 Utah hit a mile marker to have 50 Tree City USA Cities, and without Tooele's help that would not have been possible. It is a great testament to the leadership of the City to make this the greatest City in the World.

Mr. Zeidler then presented Kathy Bell a flag, on behalf of the State Foresters Office and in Association with the National Arbor Day Foundation and the US Council of Mayors, to Tooele City the Tree City USA Award for 2007.

Kathy Bell stated that not only have they received this award for trees that were planted last year but they have also received a donation of trees in the dollar amount of \$43,500, from a nursery who wishes to remain anonymous.

The Mayor wanted to acknowledge the hard work of the Parks and Recreation Department. They work really hard to try to save tax money and preserve the beauty of this City. Because of their efforts they were able to receive that donation of trees. These kinds of things are so important to this administration.

Chairman Pruden also thanked Ms. Bell and her staff for all of their efforts and hard work.

A short break was taken to take a picture with the award recipients and the Mayor.

4. **Open Forum for Public Comment**

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

Councilman Hansen moved to close the Open Forum. Councilman McCall seconded the motion. All members present voted "Aye". The Open Forum closed at 7:28 p.m.

5. **PUBLIC HEARING & MOTION on Ordinance 2008-02**
Assigning the R 1-12 Zoning District to 16 Acres and Creating a
Planned Unit Development Zoning Overlay on Property Zoned R
1-12 Located South of Skyline Dr and West of the Deer Hollow
Phase 7 Subdivision.

Presented by Rachelle Custer

Ms. Custer explained that Bison Ridge is a 53 acre subdivision located south of Skyline in the Sensitive Area Overlay. Titan development submitted a rezone petition on June 7, 2007 requesting 16 acres be rezoned from MU-160 to R1-12. By rezone petition signed September 14, 2007, Titan requested that Bison Ridge receive a Planned Unit Development overlay zone designation for the purpose of decreasing some lot setbacks. As the developer stated in his request he feels the decreased lot setbacks will “allow a much nicer home to be built on the lots”. Bison Ridge will contain no lots smaller than 12,000 sq ft, in keeping with the Sensitive Area Overlay. The minimum setbacks in the Sensitive Area Overlay are front 25 ft, rear 40 ft, and side 20 ft. Titan development is requesting in the PUD Ordinance that they get the setbacks as follows: 30 ft front, 20 ft rear, and side 12 ft. Staff recommends approval on ordinance 2008-02. Planning Commission made a favorable recommendation on March 26, 2008.

Chairman Pruden asked if the two flag lots at the top of the subdivision were o.k.

Ms. Custer replied that the Engineer, the Community Development Director and she have visited the site. The area that has been requested be rezoned from MU-160 to R1-12 they feel is buildable. The developer has had an engineer that has done quite extensive work and submitted reports to the City to show how the homes fit.

Chairman Pruden asked if the fire department is o.k. as well.

Ms. Custer stated that as long as the site plans meet the Sensitive Area Overlay requirements.

Chairman Pruden was referring to the driveways on the flag lots.

Ms. Custer stated as the developer comes in with site plans the fire department will then come in and require what is necessary.

Councilman Wardle asked if these setbacks will be required for everyone in this subdivision.

Ms. Custer stated “yes”.

Chairman Pruden stated that this is a public hearing if anyone would like to come forward and address this issue.

Shirley Beagly addressed the Council. She noticed on the map that the lots go quite far up the mountain and she thought the Council was trying to protect the mountainside.

Ms. Custer stated that the lots go up slightly. This subdivision does not go up quite as far as Deer Hollow. This developer has made a 40 acre open space conservation that they have dedicated to Tooele City to maintain that hillside as open space. It doesn't get into the real steep terrain.

Chairman Pruden asked Mr. Baker if this is as high as any subdivisions will go up.

Mr. Baker said if the City is successful in implementing their open space acquisition policy, then that is correct. There is always the potential of other property owners to not work with the City.

Chairman Pruden stated that recently there was a developer who wanted to put homes on the hillside of Little Mountain and that did not happen. He feels confident that the citizens will not see any homes on the tops of the mountains.

Debbie Winn addressed the Council. She asked how many lots this development consisted of.

Mr. Baker stated that there are 109 lots on 53 acres.

Councilman Wardle commented that Mr. Brockbank was willing to help preserve the open space on this hillside, and help with waterline issues.

Ms. Custer stated that this only gives the development the setbacks for the PUD, this does not vest any plat approvals.

Councilman Wardle moved to close the public hearing. Councilman Hansen seconded the motion. All members present voted "Aye". The public hearing closed at 7:34 p.m.

Councilman Wardle moved to approve Ordinance 2008-02. Councilman Hansen seconded the motion. All members present voted "Aye".

6. **PUBLIC HEARING & MOTION on UID G Ave Right of Way Dedication Plat.**

Chairman Pruden asked Mr. Baker if they could group the next three agenda items together.

Mr. Baker said that they could group them together, aggregate the public hearing and have a single vote.

Chairman Pruden stated that agenda item #6, #7, and #8 will be grouped together.

Presented by Rachelle Custer

Ms. Custer explained that Utah Industrial Depot has submitted a plat for the purpose of dedicating right of way along G Avenue, I Avenue and Garnet Street. Currently the three streets mentioned are not dedicated public roads within the UID development. Tooele City and UID have agreed that these roads will be dedicated as public right of ways. Staff recommends approval of the right of way plats. Planning Commission made favorable recommendations on all three plats on April 9, 2008.

Chairman Pruden stated that this is a public hearing if anyone would like to come forward and address any of these issues. No one came forward.

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

Councilman Hansen moved to approve UID G Avenue right of way dedication plat, UID Garnet Street right of way dedication plat and UID I Avenue right of way dedication plat as stated by Ms. Custer. Councilman McCall seconded the motion. All members present voted “Aye”.

7. **PUBLIC HEARING & MOTION on UID Garnet Street Right of Way Dedication Plat.**
8. **PUBLIC HEARING & MOTION on UID I Ave Right of Way Dedication Plat.**
9. **Minutes: March 19, 2008 Work Session; April 2, 2008, Discussion Meeting, Closed Meeting and Business Meeting.**

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

10. **Invoices**

Presented by Mayor Dunlavy

Mayor Dunlavy presented the following invoices for payment:

- Travelers Insurance for insurance deductible payment in the amount of \$10,000.00
- Clyde Snow Sessions & Swenson for Lamb litigation for March 2008 in the amount of \$23,485.37.

Councilman Wardle asked Mr. Baker if the Clyde Snow Sessions & Swenson invoice takes care of the summary judgment motion for the Lamb litigation.

Mr. Baker replied that it includes some of those costs. There will be about two weeks of April that still to be invoiced for the summary judgment motion.

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

11. **Mayors Report**

The Mayor has nothing to report at this time.

12. **Adjourn**

Councilman McCall moved to adjourn the meeting. Councilman Wardle seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:40 p.m.

Approved this 7th day of May 2008

Chairman Pruden