

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, October 01, 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
Mike Johnson
John Hansen
Dave McCall

City Council Member Excused

Scott Wardle

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
Chief Ron Kirby, Chief of Police
Rachelle Custer, City Planner
Paul Hansen, City Engineer
Cary Campbell, Public Works Director
Randy Sant, RDA Consultant

Others Present:

Debbie Winn, Chamber of Commerce
Shawn Milne, Planning Commission Chair

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Pruden at 7:00 p.m. Chairman Pruden excused Councilman Wardle from the meeting.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troops from the Tooele 4th and 14th Wards.

Chairman Pruden welcomed the Boy Scout Troops who are working on their Citizenship in the Community and their Communications merit badges.

2. Mayor's Community Recognition Awards

Presented by Mayor Dunlavy, Chairman Pruden and Chief Kirby

Mayor Dunlavy welcomed all who have come to support the students who are receiving this award. He explained that there is nothing more important to the administration and the Council than the youth in the community. These students are what makes "Tooele the greatest city in Utah".

Chairman Pruden explained that the recipients will receive a goodie bag with gift certificates from Papa Murphy's and Iceberg. They will also receive a note pad from Tooele County Chamber of Commerce, a Tooele City lapel pin, a Mayor's Recognition Award Certificate, a Mayor's Recognition Award purple wristband, as well as some other treats.

Chairman Pruden then presented the Mayor's Community Recognition Award to the following recipients:

Andrew Spendlove, Clarke Johnson Junior High
Kaela Kolb, Clarke Johnson Junior High
Abretia Snyder, Tooele Junior High
Jacquelyn Dunn, Tooele High School
Shellie Christensen, Tooele High School
Jasmine Johnson, Tooele High School
Jenny Jasper, Tooele High School

Mayor Dunlavy congratulated the recipients on a job well done. He also acknowledged and thanked the families for their support. The Communities that Care is a great program under the direction of Milo Berry. Mayor Dunlavy thanked Mr. Berry for all his hard work. This program helps students deal with problems in their everyday life. They also have a program called "Guiding Good Choices", which is a program for parents and he invited anyone who would like to participate to get in touch with Mr. Berry. He thanked those who came to support the award recipients.

A brief recess was taken for a picture with the Mayor.

3. Open Forum for Public Comment

Chairman Pruden welcomed a few students from Tooele High School who are working on an assignment for their government class.

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

Chairman Pruden closed the public hearing at 7:24 p.m.

4. **PUBLIC HEARING & MOTION on Final Plat Approval for CK One Tooele Minor Subdivision a One lot.88 Acre Subdivision to be located at 1050 N Main Street.**

Presented by Rachelle Custer

Ms. Custer explained that this plat was approved by the City Council in January 2008. The plat has expired and is back before the Council for approval. The subdivision has not changed; it is the same drawing that was presented in January. Good Wood Development is proposing a strip mall development at 1050 N Main Street. A subdivision of the lot is required prior to development. Staff recommends approval of the final plat. Planning Commission made a favorable recommendation on September 10, 2008.

Councilman Johnson asked if the applicant did not record their plat.

Ms. Custer stated that was correct, it did not get recorded in time.

Councilman Johnson asked if there were any conditions from the City Council or the Planning Commission when it was approved originally.

Ms. Custer stated that there was a condition on the first approval that access is provided to the lot immediately south of the lot and the access easement has been recorded with the site plan. There are also off-site sewer easements that have already been recorded.

Chairman Pruden asked if there will still be a drive-thru.

Ms. Custer stated that there will be a drive-thru window in the strip mall.

Councilman McCall stated that Planning Commission made a favorable recommendation but there was a discussion regarding parking being allowed for this development in the front even though it is in the Gateway which says that parking should be in the back.

Councilman Johnson stated that comes at the time of site review.

Ms. Custer stated that it was reviewed by the Planning Commission.

Mr. Baker stated that issue was resolved.

Chairman Pruden verified that the parking is in the front for this development.

Mr. Baker said that is correct.

Chairman Pruden 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 Johnson seconded the motion. All members present voted “Aye”. The public hearing closed at 7:28 p.m.

Councilman Johnson moved to approve the Final Plat for CK One Tooele Minor Subdivision a one lot .88 Acre Subdivision to be located at 1050 N Main Street with all conditions of the Planning Commission and City Council as for the last plat approval. Councilman Hansen seconded the motion. All members present voted “Aye”.

5. **PUBLIC HEARING Regarding Authorizing the Issuance and Sale of not more than \$6,300,000 Aggregate Principal Amount of Franchise Tax Bonds, Series 2008 of Tooele City, Utah , for the purpose of Financing the Renovation and/or Construction of a 1000 North Roadway Project and Related Improvements.**

Presented by Randy Sant

Mr. Sant explained that the Council adopted a parameter resolution a few weeks ago that set this night for the public hearing on this bond issue. The bond will be less than \$6.3 million it will be closer to \$5.3 or \$5.4 million. The Council is guaranteeing the payment of the bond with the franchise tax; however the sources for repayment of the bond will not be franchise tax. The sources for repayment will be some Class C Road Funds and some RDA money. They are creating a redevelopment project area that will include 1000 North and the increment that will come from that will be adequate to supplement and pay the bond payments back to the City. The sources of payment are different than what the Council is pledging.

Chairman Pruden explained for the benefit of the public that a road will be built on 1000 north in-between Wendy’s and Quality Chevrolet and will continue west which will open that area up for retail development. The sales tax revenue from the retail developments will help pay for the bond.

Mr. Sant said that the Council will adopt the bond resolution later this month. They will have the franchise tax as a pledge source of payment. The actual source will be different. This backs it up in the event that those monies are not there. The debt service will be approximately \$415,000. Class C money will be \$387,000 and the difference will be made up with RDA funds.

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

Councilman Hansen moved to close the public hearing. Councilman Johnson seconded the motion. All members present voted “Aye”. The public hearing closed at 7:32 p.m.

Mr. Sant mentioned that the road is out for bid.

Councilman Johnson asked why UDOT advertises it.

Mr. Sant stated it is because it is a state road project. The state is giving them federal funding, so they have to follow their process.

6. **Minutes: Closed Minutes and Business Meeting Minutes September 3, 2008; Closed Minutes September 17, 2008.**

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

7. **Invoices**

Presented by Sharon Dawson

Ms. Dawson presented the following invoices for payments:

- Holme, Roberts & Owen for the Tooele Associates lawsuit for August 2008 in the amount of \$54,073.37. Mr. Baker stated that \$38,000 was for Attorney’s fees and \$16,000 was for preparation of expert reports.
- Holme, Roberts & Owen for the Tooele Associates lawsuit for the Wikstrom report for August 2008 in the amount of \$25,056.40.
- Utah Industrial Depot for 2007 property tax increment refund in the amount of \$236,949.81. (On the fiscal note the proposed expense is \$295,464.81. The approval is less because the City’s portion is \$58,515 which leaves the approval amount at \$236,949.81.)

Councilman Johnson moved to approve the invoices as presented by Ms. Dawson with the amount for the Utah Industrial Depot Invoice being \$236,949.81. Councilman Hansen seconded the motion. All members present voted “Aye”.

8. **Adjourn**

Councilman Hansen moved to adjourn the meeting. Councilman Johnson seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:35 p.m.

Approved this 15th day of October 2008

Chairman Pruden