

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, October 21, 2009
Time: 7:30 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

City Council Members Present:

Steve Pruden, Chair
John Hansen
Mike Johnson
Scott Wardle
Dave McCall

City Employees Present:

Mayor Patrick Dunlavy
Glenn Caldwell, Finance Director
Paul Hansen, City Engineer
Roger Baker, City Attorney
Lisa Carpenter, Deputy Recorder
Chief Ron Kirby, Chief of Police

Others Present

Debbie Winn, Chamber of Commerce
Shawn Milne, Planning Commission

Minutes prepared by Elisa Jenkins

Chairman Pruden called the meeting to order at 7:30 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Pruden.

2. Mayor's Community Recognition Awards

Presented by Mayor Dunlavy, Councilman Wardle and Chief Kirby

Mayor Dunlavy welcomed all those who have come to support these young people. He said it is his honor to come to City Council and recognize these special young people in the community each week. He thanked the families for their support.

Councilman Wardle explained that each recipient will receive a bag with a certificate from the Mayor, and some goodies from various businesses in the Community.

Councilman Wardle then presented the Mayor's community Recognition Awards to the following students:

Dakota Fidler, Copper Canyon Elementary
Makayla Shinton, Northlake Elementary
Jacob Scribner, Overlake Elementary
Sara Hansen, West Elementary
Hilary Nelson, Settlement Canyon Elementary
Sydney Medina, East Elementary

Mayor Dunlavy congratulated these young people for their hard work. He thanked the families for the important role they play in these young people's lives. Mayor Dunlavy explained that Tooele City has a program called Communities that Care, which helps young people deal with the trials, struggles, and pressures of the world today. The program is in the schools and helps students learn important skills. There is also a program called Guiding Good Choices which helps parents deal with different problems. He invited anyone who would like to learn more about these programs to contact the City.

A brief recess was taken for a picture with the mayor and the students.

Chairman Pruden welcomed Scout Troop 1413 who were working on the Citizenship in the Community Merit Badge.

3. Open Forum for Public Comment

Chairman Pruden invited anyone from the public who would like to come forward and address the Council to do so.

Sam Woodruff, 755 South 330 West, addressed the Council. He inquired about the source of funds used to purchase the 101 acres he read about in the newspaper.

Chairman Pruden closed the open forum at 7:53 p.m.

4. Ordinance 2009-09 An Ordinance of the Tooele City Council Designating the Mayor as the Chief Administrative Officer for Purposes of Records Appeals

Presented by Roger Baker

Mr. Baker explained that this item and the next item are mainly housekeeping items required by recent amendments to state statutes. He has attached the bills requiring the amendments to both ordinances. It is understood that the Mayor is the Chief Administrative Officer of the City; however they need to make that clear and expressed in the records provisions of the city ordinance. It also updates the state code reference to account for the recent renumbering of the state records.

Councilman Johnson asked why the City Recorder would not be the Chief Administrative Officer for purposes of records issues?

Mr. Baker stated that the state statute says that appeals are made to the Chief Administrative Officer of the governing body; that is the Mayor. The City Recorder does have an important function in terms of City records.

Councilman Johnson verified that the law states that the Chief Administrative Officer is over records appeals.

Mr. Baker stated that they have to identify who that is. It can change depending on the form of government.

Councilman Hansen moved to approve Ordinance 2009-09. Councilman Wardle seconded the motion. All members present voted “Aye”.

5. **Ordinance 2009-14 An Ordinance of the Tooele City Council Amending Tooele City Code Sections 1-5-7, 2-3-7, and 2-4-2 Regarding the Approval of Meeting Minutes**

Presented by Roger Baker

Mr. Baker indicated that a recent amendment to state statute requires cities to adopt procedures by which the minutes of public meetings are approved. His recommendation is this: for City Council meetings the minutes are approved by vote of the City Council and the signature of the Chairman. The same provision is also understood for Planning Commission and Board of Adjustments.

Councilman Johnson indicated that the minutes are public record as soon as they are prepared even though they might not be approved yet.

Mr. Baker said that was correct.

Councilman Johnson noted that they would be public records subject to change upon approval.

Councilman Hansen moved to approve Ordinance 2009-14. Councilman McCall seconded the motion. All members present voted “Aye”.

6. **Minutes: October 7, 2009; Joint RDA and City Council Business Meeting and Closed Meeting.**

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

7. **Invoices**

Presented by Mayor Dunlavy

Mayor Dunlavy presented the following invoices for payment:

- Holme Roberts & Owen for professional services in the amount of \$75,000.00
- Ferguson Enterprises, Inc for back flow preventers in the amount of \$36,448.65.
- Fabian and Clendenon for professional services in the amount of \$17,126.17.

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

8. **Adjourn**

Councilman Wardle moved to adjourn the meeting. Councilman Hansen seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:58 p.m.

Approved this 4th day of November 2009

Chairman Pruden