

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, December 2, 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
Scott Wardle
Dave McCall

Council Member Excused:

Mike Johnson

City Employees Present:

Mayor Patrick Dunlavy
Roger Baker, City Attorney
Glen Caldwell, Finance Director
Sharon Dawson, City Recorder
Lisa Carpenter, Deputy Recorder
Chief Ron Kirby, Chief of Police
Paul Hansen, City Engineer
Cary Campbell, Public Works Director
Jaclynn Sagers, Communities that Care Director
Rachelle Custer, City Planner

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 Councilman Hansen.

2. Special Presentation by Mayor Patrick Dunlavy

Mayor Dunlavy recognized Councilman Hansen for his service on the City Council. He presented Councilman Hansen with a token of appreciation.

Chairman Pruden also thanked Councilman Hansen on behalf of the Council for his service.

3. Mayor's Community Recognition Awards

Presented by Mayor Dunlavy, Councilman Wardle and Chief Kirby

Mayor Dunlavy welcomed all who came to support these students. He indicated that the youth in this community are very important. These students are nominated by their teachers, administrators, and counselors. He stated that he appreciates the opportunity to recognize these students for their efforts.

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:

Aaron Hitesman, Tooele High School
Brent Atherley, Stansbury High School
Carson Tippets, Tooele Junior High
Maria Munguia, Stansbury High School
Ashlee Turney, Tooele High School
Angela Liddell, Stansbury High School
Derek Gonzales, Tooele Junior High
Katie Jensen, Tooele High School
Brooklyn Searle, Overlake Elementary
Emily Barnes, Stansbury High School
Tanner Russon, Harris Elementary
Wade Heston, Tooele High School

Mayor Dunlavy congratulated the recipients of this award. He thanked the parents and families who have helped make a difference in the lives of these students.

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

4. Open Forum for Public Comment

Chairman Pruden invited anyone who would like to address the Council to come forward.

Karen Hamilton, 265 Wallace Way, Tooele addressed the Council. Ms. Hamilton asked if the Police Department will get a larger facility in the future.

Chairman Pruden indicated that they hope to get the Police Department a bigger facility, but it is a budgetary matter. He does not know when it will happen.

Ms. Hamilton also inquired when the City will have full time fire fighters.

Chairman Pruden also indicated that is also a budgetary matter. The City realizes that as the City grows that will be a possibility in the future.

Mayor Dunlavy indicated that full time fire fighters will be a progression as the City grows.

Chairman Pruden also stated that a third fire station is being built on the north end of town.

Chairman Pruden closed the open forum at 8:05 p.m.

5. Arts Council Grant

Presented by Renee Milne

Ms. Milne indicated that the Arts Council Board received 14 applications and the applications requested over \$113,000. The Arts Council approved \$58,000. They kept some money as a buffer for the summer activities and to pay the teachers who are doing classes at the Depot. Ms. Milne also stated that they would like to give the performers who come in the summer some kind of gift bag for the great job that they do.

Councilman Hansen moved to approve the Tooele City Arts Council Grant recommendations. Councilman Wardle seconded the motion. All members present voted “Aye”.

6. PUBLIC HEARING & MOTION on Ordinance 2009-15 An Ordinance of the Tooele City Council Amending Tooele City Code Sections 7-5-3 and 7-14-5 Regarding the Approval of Conditional Uses

Presented by Roger Baker

Mr. Baker explained that several years ago state code was amended regarding conditional uses. It was a misconception among Planning Commissions in Utah that conditional uses could be rejected or denied upon any good reason. That is not the law of the State of Utah and has not been for some time. The legislature changed the state statutes to incorporate the Utah Supreme Court law on conditional uses. A conditional use permit must be approved if the detrimental effects created by the use can be mitigated with conditions. Mr. Baker indicated that the language that he is proposing comes straight out of state statute.

Chairman Pruden asked if this has been explained to the Planning Commission?

Mr. Baker stated that this was presented to the Planning Commission. He wrote a brief primer for the Planning Commission which is attached to the Resolution. The primer

condenses the American and Utah law regarding conditional use permits. This has been discussed frequently with the Commission.

Chairman Pruden thanked Mr. Baker for his work on this ordinance.

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

Councilman Wardle moved to close the public hearing. Councilman McCall seconded the motion. All members present voted “Aye”. The public hearing closed at 8:13 p.m.

Councilman Hansen moved to approve Ordinance 2009-15. Councilman McCall seconded the motion. All members present voted “Aye”.

7. **Minutes: Business Meeting and Closed Meeting, November 18,2009**

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

8. **Invoices**

Presented by Sharon Dawson

Ms. Dawson presented the following invoice for payment:

- Holme Roberts & Owen for professional services in the amount of \$40,042.50.

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

9. **Adjourn to a Closed Discussion:**

Councilman Wardle moved to adjourn the meeting to a Closed Discussion Meeting. Councilman Hansen seconded the motion. All members present voted “Aye”. The meeting adjourned at 8:15 p.m.

Approved this 6th day of January 2010

Chairman Pruden