

**Tooele City Council  
Business Meeting Minutes**

**Date:** Wednesday, November 18, 2020

**Time:** 7:00 p.m.

**Place:** Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

**City Council Members Present:**

Tony Graf  
Scott Wardle  
Melodi Gochis  
Ed Hansen Present through Telephone  
Justin Brady

**City Employees Present:**

Mayor Debbie Winn  
Jim Bolser, Community Development Director  
Chief Ron Kirby, Police Department  
Steve Evans, Public Works Director  
Paul Hansen, City Engineer  
Roger Baker, City Attorney  
Darwin Cook, Parks and Recreation Director  
Shannon Wimmer, Finance Director  
Jared Stewart, Economic Development Coordinator  
Jami Lynn Carter, Library Director  
Kami Perkins, Human Resource Director  
Michelle Pitt, City Recorder  
Cylee Pressley, Deputy City Recorder

Minutes prepared by Kelly Odermott

Council Member Brady was conducting the meeting and called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Brady.

**2. Roll Call**

Tony Graf, Present  
Scott Wardle, Present  
Melodi Gochis, Present  
Ed Hansen, Present through telephone  
Justin Brady, Present

**3. Public Comment Period**

Council Member Brady opened the public hearing, there were no comments. Council Member Brady closed the public comment period.

**4. Public Hearing**

**a. Public Hearing on Community Development Block Grant (CDBG)**

Presented by Jared Stewart, Economic Development Coordinator

Mr. Stewart stated that the purpose of the public hearing is to provide residents with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2021 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low income and moderate-income persons. The Wasatch Front Regional Council (WFRC), in which Tooele City is a member, is expecting to receive approximately \$978,712 in the new program this year. The members are Tooele, Morgan and Weber counties, excluding Ogden City are eligible to apply for the funds. No one municipality can be awarded over \$250,000. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures manual and interested persons can review it at any time. Mr. Stewart read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g. water and sewer lines, fire statins acquisition of real property, provision of public services such as food banks or homeless shelters. Mr. Stewart indicated that in the past Tooele City has received minimal funds and the last year of receipt was 2010, which was used for the Tooele County Housing Authority for a down payment assistance program and for a kitchen in the new Reflections House. The City will get points for not having been awarded funds in the recent past. The city has handed out its capital investment plan as part of the regional "Consolidated Plan."

Council Member Brady asked the Council if there were any questions or comments from the Council.

Council Member Gochis asked if there was a specific project in mind for the grant? Mr. Stewart stated there are a couple of proposed projects, Tooele County Housing Authority has approached the City to partner on a housing project, the Murdock subdivision. There are lots of sewer line and water line needs in New Town.

Council Member Wardle asked if it would be good idea to get money for the purchasing of a new fire truck or to use for a fire station. The City could match for a fire truck. Mr. Stewart stated that those would certainly be allowable activities, but there is a timeframe of when the funds need to be spent. Council Member Wardle stated that it takes a year to build a truck and the City could match.

Council Member Brady opened the public hearing, there were no comments. Council Member Brady closed he public hearing.

**b. Public Hearing and Motion on Resolution 2020-95 A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2020-2021**

Presented by Jim Bolser Community Development Director

Ms. Wimmer stated that there were five budget adjustments, two are very small amounts to move money from the trust funds to the department line items; \$324 to the police department for the crime victims advocate to buy gift cards for victims and \$2680 for donations to the fire department for purchase of hoodies. Other amounts include, \$38,500 which is for the mower which was approved at the last meeting. The remaining items are for the fire department for the truck which is \$33,500 and the part time positions which are being moved to the Community Development and Parks.

Council Member Brady opened the public hearing, there were no comments. Council Member Brady closed the public hearing.

**Council Member Wardle motioned to approve Resolution 2020-95.** Council Member Graf seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

**5. First Reading Items**

**a. Resolution 2020-92 A Resolution of the Tooele City Council Acknowledging the Mayor's Appointments of David McCall & Eugene Smith to the Planning Commission**

Presented by Mayor Winn

Mayor Winn stated there was an opening on the Planning Commission and the City used the Applicant Pro system to gather applications. There were a lot of submissions and it was a difficult decision. She had four candidates at the end which she interviewed for the position and the one she would like to appoint is Mr. Eugene Smith. He has been attending the Planning Commission and is a former City Councilman for Midvale and on the Board of Boys and Girls Club for Greater Salt Lake. He is being appointed to the alternate position and the second action would move Commission Member Mr. Dave McCall to a permanent position. Both of these appointments will be four-year terms ending December 31, 2024.

Council Member Graf stated he thinks they are great additions to the planning Commission.

**Council Member Graf motioned to approve Resolution 2020-92.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council

Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

**b. Resolution 2020-93 A Resolution of the Tooele City Council Consenting to the Appointment of Emily Lee & the Reappointment of Donilyn Leary & Amanda Plaizier to the Library Board of Directors**

Presented by Mayor Debbie Winn

Mayor Winn stated the resolution is for Emily Lee to the Library Board. She also applied to the Planning Commission and had stated during that process that she had previously applied for the Library Board. A position on the Library Board came open, so the Mayor asked her to be on the Library Board instead of the Planning Commission. She is an attorney by profession and has served in leadership and as a volunteer. The resolution will also cover the reappointments of Donilyn Leary and Amanda Plaizier who have served for three years and will be reappointed for the second term.

Council Member Brady asked if there were any comments or questions from the Council, there were none.

**Council Member Gochis motioned to approve Resolution 2020-93.** Council Member Graf seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

**c. Resolution 2020-91 A Resolution of the Tooele City Council Authorizing the Tooele City Purchasing Agent to Dispose of Surplus Personal Property**

Presented by Michelle Pitt, Tooele City Recorder

Ms. Pitt stated the purchasing policy states that when goods are deemed surplus, outdated, or no longer needed by a department and are valued at a value over \$100, those items must be brought to the Council for surplus. A list was included in Exhibit A and are from various departments. The goods are not evidence in a criminal prosecution or not lost or mislaid property in the possession of the Police Department. Staff is asking for them to be deemed surplus to dispose of them.

Chairman Hansen asked the Council if there were any comments or questions, there were no comments.

**Council Member Gochis motioned to approve Resolution 2020-91.** Council Member Wardle seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

- d. **Resolution 2020-90 A Resolution of the Tooele City Council Authorizing the Mayor to Distribute the Budgeted Funding for the Salary Schedule Adjustment Due to a Cost of Living Adjustment (COLA) for the Months of July, August, September, & October of 2020 to Regular & Appointed Status Employees in a One-Time Equitably Divided Lump Sum Payment In lieu of Retroactive COLA Effective Date**  
Presented by Kami Perkins, Human Resource Director

Ms. Perkins stated that the Council approved a 1.8% to the salary schedule as part of the budget process. Covid hit and the City delayed implementing the adjustment until there was a better idea of revenues. A couple of weeks ago it was determined that the salary schedule adjustment was to be implemented on November 1, 2020. It had been asked if the 1.8% adjustment could be paid for the back to the retroactive date when it was to be implemented. This was discussed and it is administratively challenging, however a lump sum was proposed. The money that would have been spent those four months will be used to do a lump sum payment in an equal amount based on status and months employees were working. It is \$30-70 a month per employee, that is still on payroll. The lump sums are a flat across the board and does benefit some of the lower earning employees more generously, but it is reasonable. This was brought to the Council as the Council approves the policy and procedures for the budget and this is not in the policy and is a unique onetime payment. She asked for consideration on the first read to get the payments made.

Council Member Brady asked if there were any questions from Council.

Council Member Wardle stated that this is great and takes care of the employees. Ms. Perkins stated that it is hard when employees look forward to a salary adjustment, but several employees stated that they understood the delay.

Mayor Winn stated she expressed the appreciation to the staff and their hard work to get through this challenging time and step up to fulfill the duties of the city.

Council Member Graf echoed the comments made.

**Council Member Gochis motioned to approve Resolution 2020-90.** Chairman Hansen seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

- e. **Resolution 2020-94 A Resolution of the Tooele City Council Approving the Annual Moderate-Income Housing Report for Tooele City for 2020**  
Presented by Jim Bolser, Community Development Director

Mr. Bolser stated in the 2019 general legislative session, the state legislature adopted changes to the state law regarding moderate income housing requirements for cities. It required almost all cities to amend the adopted Moderate-Income Housing Plan, to address the specific sets of strategies to address moderate income housing within the communities. That was to be done and submitted by December 1, 2019. That legislative also required each of the communities to file an annual report on the strategies and how the community is addressing of the strategies. The City has prepared the annual report with the required documentation and has also supplemented the submission with the General Plan draft update which is occurring currently. This is the first report and self-assessment. It has to be submitted by December 1, 2020. State legislature identified that either the legislative body or administration could approve the submitted report. After discussions between the Mayor and Mr. Bolser it was determined that this report should be approved by the City Council to allow for transparency.

**Council Member Graf motioned to approve Resolution 2020-94.** Council Member Wardle seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

f. **Resolution 2020-96 A Resolution of the Tooele City Council Approving an Agreement with RH Johnson Construction Regarding Storefront & Keycard Access Improvements to Tooele City Hall**

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is a project that the Council has approved for bidding. There will be renovations in City Hall to address safety and security of staff and the covid-19 pandemic. It is accomplishing a couple of goals and using a couple of funding sources; some through CARES Act and the Council's allotment of emergency management projects. The low bidder was RH Johnson Construction which was a little over \$63,000 and just under \$38,400 will be CARES Act funding. This accomplishes two of the three goals for security upgrades and safety of employees. The third goal will not be CARES Act funding eligible. Mr. Bolser asked for consideration of a vote in the meeting to meet time sensitive deadlines with eh CARES Act funding.

Council Member Wardle thanked the Mayor and Mr. Bolser for their work on this project.

**Council Member Gochis motioned to approve Resolution 2020-96.** Council Member Graf seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

g. **Subdivision Preliminary Plan for Drumore at Overlake Phase 2 Proposed to be Located at Approximately 1733 North Aaron Drive by Hamlet Development Corporation for the Creation of 42 Single-Family Residential Lots in the R1-7 Residential Zoning District**

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is the second phase of the Drumore property. The subject property is located north of the railroad tracks, northwest of Walmart. The first phase is to the north east between this phase and Aaron Drive. The zoning for the property is R1-7 Residential, as are the properties in phase 1 and to the southwest which will be a different development. The triangle property to the south is the city well site and it will have associated improvements with that well. The plat itself is 42 single family lots. The Planning Commission has reviewed this and forwarded a unanimous positive recommendation.

**Council Member Wardle motioned to approve the Drumore Subdivision Preliminary Plan.** Chairman Hansen seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

6. **Second Reading Items**

a. **Ordinance 2020-45 An Ordinance of the Tooele City Council Amending Sections 7-4-8, 7-11a-10, 7-11a-25, & Table 3 of Chapter 7-14 of the Tooele City Code regarding Residential Development Standards**

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated that the information requested was provided through email.

Council Member Brady asked if there were any questions or comments from the Council.

Council Member Wardle stated that there was input of any deviation from the standard should go through the City Council and the text is that same way, is that something the Council wants to amend or does the City Council want to take it as it is written in the packet.

Mr. Bolser stated that the ordinance which is in the packet has not changed since the last meeting. If that was something that was desired by the Council, Mr. Bolser could provide the Council with a text that is prepared. Council Member Brady stated that currently the way it reads, it would go only to the Planning Commission.



Council Member Gochis stated that she made a recommendation through email that it goes through Planning Commission, but is reviewed by the City Council. She stated that she feels that deviations are unique and sometimes they are precedent setting, so the Council should be aware of it and vote on it.

Council Member Brady stated that he has thought about this and he doesn't want the Planning Commission to think that by it coming back to the Council that it changes the way they vote on anything. It was brought up to the Planning Commission and he hopes that they don't get that impression. He thinks that it is in the best interest of the city to bring it back to the Council, but he appreciates the recommendations from the Planning Commission. He recommends to have it brought back to the Council.

Council Member Graf stated that he appreciated the information provided to the Council. He has gone back and forth and the doesn't feel that the City Council needs to look at it and thinks the Planning Commission could deal with it. He respects the differences of opinions.

Mr. Bolser stated that there is some time sensitivity as there are projects waiting on some of these provisions. He provided some adjusted text to the Council.

Council Member Wardle stated that there is a text amendment to Planning Commission to City Council. Mr. Bolser stated that the text provided is not the entire text, but addresses the one section. It shows what would be amended from what has been presented and would reflect similarly to a zoning map amendment.

Council Member Wardle stated that he appreciated the comments on the Planning Commission and this is new and it can be changed in the future. He stated that he thinks it is critical for the Council to see what it looks like before the Planning Commission takes full control.

**Council Member Wardle motioned to amend the current city ordinance as it has been presented from Mr. Bosler so that it reflects the deviation process would go through City Council.**

Council Member Graf asked for clarification, that the Council shall have the obligation, but are under no obligation to approve; what is the triggering mechanism of a deviation. Mr. Bolser stated that every request would go to City Council and then the City Council would have the discretion to approve it. It would go to the Planning Commission for recommunication and then to the City Council for approval. Council Member Wardle stated the Council would have to weigh the deviation against the criteria in section 3. Mr. Bolser stated that the legislation would create under section 3, deviation criteria and the applicant would have the burden of proof that the deviation satisfies the criteria.



**Council Member Wardle motioned to amend the current city ordinance as it has been presented from Mr. Bolser so that it reflects the deviation process would go through City Council.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Nay." The motion passed.

**Council Member Wardle motioned to approve the amended Ordinance 2020-45.** Council member Gochis seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Nay," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Nay." The motion passed.

## 7. Minutes

**Minutes include November 4, 2020 Work Session and City Council Business Meetings.**

**Council Member Gochis motioned to adopt minutes.** Council Member Graf seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

## 8. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$135,000, to Equipment Technology, LLC, for a bucket truck.

An invoice in the amount of \$38,900, to Arnold Machinery, for a forklift.

An invoice in the amount of \$36,938.43, to Mountain Land Supply Company, for water meters.

An invoice in the amount of \$29,798.00, to Safety Supply & Sign, for a portable message board.

An invoice in the amount of \$39,291.47, to Ken Graff Ford, for a Ford F-150 for the fire department.

Wardle added that the council portion for the bucket truck be reimbursed.

**Council Member Gochis motioned to approve invoices with the Council portion of the bucket truck be reimbursed.** Council Member Wardle seconded the motion. The vote was as follows: Council Member Wardle, "Aye," Council Member Graf, "Aye," Council Member Gochis, "Aye," Council Member Brady, "Aye," Chairman Hansen, "Aye." The motion passed.

## 9. Adjourn

Chairman Hansen adjourned the meeting at 7:46 p.m.

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 2nd day of December, 2020

---

Ed Hansen, Tooele City Council Chair