

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE
GRANTSVILLE CITY COUNCIL, SEPTEMBER 1, 2004. HELD AT
GRANTSVILLE CITY HALL, 429 E. MAIN, GRANTSVILLE, UT 84029**

Mayor and Council Present: Council Members: Robin Baird, Wayne Butler, Todd Castagno, Paul Rupp.

Appointed Officers and Employees Present: City Recorder Wendy Palmer, Attorney Ronald Elton.

Citizens and guests present: Wes Arbon, Marnel & Dixie Arbon, Steve Walker and Mr. Chirstensen, Scout Troop 166 Kelly and Mildred Russell Leaders.

APPOINTMENT OF MAYOR PRO-TEM: Todd made the motion to appoint Paul Rupp as Mayor Pro-Tem in the absence of Mayor Anderson at this meeting. Robin seconded the motion. All voted in favor, motion carried.

Paul recognized Boy Scout Troop 166 and commended their leaders Kelly and Mildred Russell for their willingness to give of their time to mentor these scouts.

APPROVAL OF MINUTES: Wayne wanted to clarify the purchase of additional property for the J. Rueben Clark property. Wayne asked if the water connections stay within the city? The Council confirmed that the trade of water connections would only be within the city limits. Wayne asked if the Council formally determined the South Hale Street width issue. Recorder Palmer stated that there was no formal motion. The consensus of the Council was only to give direction to Todd Castagno in placement of his ribbon curb. Todd and Wayne still need to bring a map showing the proposal of the alignment and the curve issues. Wayne made the motion to approve the minutes of 8-18-04 City Council meeting. Robin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ARBON WELL PLAN: Wayne informed the Council of the situation that has arisen concerning the flowing well of the Arbon's. The sewer line installation for the RDA (Wal-Mart) was dug about 200 feet south of the Arbon's flowing well. The sewer line excavation was at a depth of 25 feet. In order to install the pipe the trench had to be dewatered which removed water from the existing water strata during the time of the excavation. The engineers fully expected that once the dewatering had ceased, and the trench was filled, and compacted that the water strata would re-establish itself. It has been 2 months since the trench was compacted and the Arbon's flowing well has not recovered. Aqua Engineering and Grantsville Public Works Director feel that the loss of water head pressure during the dewatering, and the age of the Arbon Well created a situation that the well casing has probably collapsed. Wayne, Aqua Engineering and Grantsville Public Works Director are suggesting that the city drill a well next to the current flowing well to a depth that would allow the Arbon's to obtain the 9-10 gallons per minute that they have a permit from the State of Utah. The new well will be required to be a minimum of 6" in diameter and it is expected that the depth would not exceed 250

feet. The Council was concerned that the new well would produce more water than it did previously and what would the Arbon's do to make sure that they didn't take more water than their water right entitled them to. Wes Arbon stated that they would put a valve on the well to make sure that it would only flow the 9-10 gallons per minute that they are allotted. Aqua Engineering has three bids from well drillers and they recommend that the City hire Moss Drilling due to the price, availability to begin drilling, and their experience in drilling in this area. Wayne made the motion to approve Moss Drilling to drill a replacement well on an emergency basis for the Arbon's at a depth not to exceed 350 feet maximum. The Arbon's would need to sign an agreement that they would hold the city harmless for any pumping expense they may have if the well does not flow. And if there is not sufficient water at the maximum depth the Arbon's understand that they would be financially responsible for the additional drilling costs. Wes, Dixie and Marnel stated that they would agree to those terms. Attorney Elton will draw up the agreement. Todd seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF WAIVER OF IMPACT FEES IN EXCHANGE FOR CONSTRUCTION OF PARK FOR STEVE WALKER'S APPLGATE

APARTMENTS: Robin read the minutes from the Planning Commission meeting that discussed the approval of this apartment development conditional use permit that states that Applegate Apartments are required to have park areas. Mr. Walker stated that he intends to build tot lots throughout the apartment development but the proposed park is outside of the development. The proposed park will be outside the fenced area of his apartments. Cherry Grove subdivision that is directly to the West of this apartment development would benefit more than Applegate Apartments by having the park developed. Mr. Walker stated that Cherry Grove subdivision is willing to waive the recovery right for the Main Street access in exchange for Mr. Walker installing this park. Mr. Walker stated that he would like to develop the park in exchange for park impact fees and turn the park over to the city for maintenance. Mr. Walker also presented an option where his development would be responsible for the park fully for two years and then turn over the expense of maintenance of the park 25% per year until the city would have full responsibility at the end of year 6. The Council stated to Mr. Walker that the City has two parks that the tax dollars are committed to and adding any additional expense to the parks budget is not feasible at this time. Council suggested that He and the owner of Cherry Grove Subdivision get together and work out an agreement for development and maintenance of the park. Recorder Palmer informed the Council that the homes in South Willow Estates pay the park impact fee and that developer has created parks as well. Robin made the motion to deny the request of Applegate Apartments for waiver of impact fees for the development of a park and deny their request to assume maintenance responsibility for the park if developed. Wayne seconded the motion. All voted in favor, motion carried. Robin and the Council encouraged the developer to develop the park because it would be an asset to their development.

RANDY HUNT-CONSIDER REDUCTIONS OF SUBDIVISION BOND FOR

LITTLE RENO ESTATES: Todd made the motion to release lots 1 & 2 and exchange lot 30 for lot 24 of Little Reno Estates based on the approval of Public Works Director for bond reduction. Robin seconded the motion. All voted in favor, motion carried.

Robin asked Randy if he was going to install a park in his development. Randy stated that he purchased the subdivision, as it was platted. No park was included in the approved plat.

CONSIDERATION OF ORDINANCES/RESOLUTIONS:

- a. Consideration of zone change from A-10 to RR-5 for Ruth Anderson-North Cooley:** Robin stated that he couldn't see why we would want this area to be anything but A-10. Wayne asked if this land could be farmed and if there was any irrigation water on the property? Patti Westenberg stated that there is only Grantsville Irrigation water to 500 N. Hale Street. The other landowners have wells. Todd stated that the Planning Commission approved this zone change and reviewed its compliance with the General Plan. The Robin stated that he was concerned that if we as a Council allow 5 acre lots then these lots could be divided by a minor subdivision. Mrs. Westenberg stated that the development would be done as a major rural development because there would be more than 4 lots. Todd made the motion to approve the zone change from A-10 to RR-5. Motion died for lack of a second. Mrs. Westenberg asked if she had any recourse to appeal this decision. Attorney Elton stated that the City Council has the final determination on this issue.
- b. Consideration of amending Chapter 21 final plat approval process:** Todd and Attorney Elton explained that this amendment would require that the Planning Commission review and approve the Final Plat prior to the City Council review and approval. The Planning Commission would like the opportunity to review the final plat for subdivision to assure all changes are complied with from preliminary plat. Robin made the motion to adopt the Ordinance that amends the Subdivision final plat process. Todd seconded the motion. All voted in favor, motion carried.
- c. Cemetery Ordinance Amendment to Headstone Requirements:** Attorney Elton explained that this ordinance clarifies the height, width, breadth of headstones as well as adds the requirement of approval of sexton for placement. Todd made the motion to approve the amendment to the Cemetery Ordinance. Robin seconded the motion. All voted in favor, motion carried.
- d. Resolution adopting the Wasatch Front Regional Council Natural Hazard Pre-Disaster Mitigation Plan as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000:** Todd made the motion to approve the resolution adopting the Wasatch Front Regional Council Natural Hazard Pre-Disaster Mitigation Plan. Wayne seconded the motion. Robin asked if this plan is in concert with the Tooele County Emergency Management Plan. Recorder Palmer informed the Council that this plan incorporated Tooele County Emergency Management Plan. All voted in favor, motion carried.

CONSIDERATION OF CONTRACT PROPOSAL OF WATER & SEWER IMPACT FEE STUDY AND UPDATE OF USER FEES/CONSERVATION STRUCTURE WITH LEWIS, YOUNG ROBERTSON & BURNINGHAM: Robin made the motion to instruct Recorder Palmer to get a cost estimate from the engineers in order to have a complete cost estimate for this project. Todd seconded the motion. All voted in favor, motion carried.

APPOINTMENT OF TWO COUNCIL MEMBERS TO THE EMPLOYEES

APPEAL BOARD: Todd made the motion to nominate Wayne and Robin to the Employees Appeals Board. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES:

Todd made the motion to approve the business licenses for Darlene & Bruce Gilbert (Take 5 Vending) 53 S. West Street and Richard Young- (Hometown Lube and Alignment) 63 W. Main Street. Wayne seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Wayne made the motion to approve the bills as presented. Robin seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Wayne informed the Council that the Center Street Project has 300 more feet to be installed until they reach Cherry Street. Wayne asked Recorder Palmer if she was aware that the contractor is planning to pave to Apple Street. Recorder Palmer stated that she was sure that the contract called for the pavement to go to Cherry Street. Recorder Palmer stated that the Engineers and Public Works Director were talking about being able to have a clear line to divide the waterline expense from the Class C road expense and they may have decided that Apple Street would be the dividing line. Recorder Palmer will look into this and report to Wayne.

Wayne stated that UDOT would be providing a free service to Grantsville City to develop or amend our Street Master Plan that would coordinate with the UDOT Master Plan. Recorder Palmer to coordinate the meeting times and dates between all parties.

Paul reported that the High School is moving along with the construction of the fence for the J. Rueben Clark Property. Paul stated that the FFA would like to hang a metal cut out FFA emblem on one side of the overhead gates and they would create a metal cut out emblem of the city for the other side. It was the consensus of the Council that this would be acceptable. Paul and Todd discussed the Anderson Granary. Todd stated that he was contacted by the Anderson's asking when the Granary would be moved. The Anderson's have changed their minds about allowing the Granary to go the Benson Grist Mill. The Anderson's now want the Granary at the J. Rueben Clark Farm.

Todd explained an issue that the Planning Commission is concerned about. Many property owners have paved the entire frontage, which affects the storm drainage within the community. If too many property owners pave the frontage the storm water will not percolate into the soils and the city will have a storm water problem. Recorder Palmer stated that she talked with the Mayor about getting this information out to the public. The Mayor informed Recorder Palmer that information like this would be best handled in the City Newsletter. This way information could be presented to explain the cause and effect of the paving.

Robin asked if anyone had heard from Kelly Williams on South Hale Street. Mr. Williams is concerned that the traffic on Hale Street will be right out his front door if the property owners on the east side are required to give more property. Recorder Palmer informed the Council that Mr. Williams came in to her office last week and expressed his concerns to her as well. Recorder Palmer informed the Council that her comments to Mr. Williams was that there is no intention of the Council at this time to change any fence lines to widen the road. There had been no official action on part of the Council. The Council are trying to come up with the fairest solution to the lack of width on this portion of Hale Street. Recorder Palmer stated that a drainage swale would probably have to be accommodated on Mr. Williams property and the paved portion of the road would not come any closer than it is right now. Robin asked what the status of the library is as far as what Tooele County agreed on and will the city still be taking over the library in July 2005? Robin asked permission to start on the softball field. He would like to have it hydro-seeded within the next two week. Council was ok with the hydro-seeding.

Robin stated that he is concerned about allowing lots to be approved without requiring the roads to be improved by the developers. Robin stated that the Council made a mistake not to require Mr. Cange to improve Piccadilly and North Cooley prior to the approval of the minor subdivision. Todd stated that he felt that the 5-acre zone change was appropriate for the area on North Cooley that the Council considered tonight. Robin and Wayne stated that they did not feel that there was any reason to change the zone from A-10 to RR-5. The city incurs costs for road maintenance, police fire and waterlines.

ADJOURN: Robin made the motion to adjourn this City Council meeting at 10:05 p.m. Wayne seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor