

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,  
HELD ON JUNE 2, 2021 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN  
STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00  
P.M.**

**Mayor and Council Members Present:**

Mayor Brent Marshall  
Krista Sparks  
Scott Stice  
Jeff Hutchins, participated on Zoom  
Jewel Allen, participated on Zoom  
Darrin Rowberry

**Appointed Officers and Employees Present:**

Christine Webb, City Recorder  
Brett Coombs, City Attorney  
Jesse Wilson, Treasurer/Human Resources  
Robert Sager, Police Lieutenant

**Citizens and Guests Present:**

Colton Brown  
Shea Durfee  
Angelo Geovjian  
Greg DeHaan  
Barry Bunderson  
Dean & Betty Matthews  
Matt Brown  
Mary Chappell  
Marlo Meno  
Kirk Matthews  
Larry Jacobson  
Guy Haskell  
Jolene Jenkins

There were many members of the community who attended the meeting through Zoom.

Mayor Marshall asked Lt. Sager to lead the Pledge of Allegiance.

**AGENDA:**

**1. Public Hearing:**

- a. Proposed 2021-2022 fiscal year budget.

Mayor Marshall asked if anyone wished to make a comment. No comments were offered. Neither Mayor Marshall nor Christine Webb received comments by email. With no comments being offered, the Mayor closed the public hearing.

- b. Proposed year end budget adjustment for 2020-2021 fiscal year budget.

Mayor Marshall asked if anyone wished to make a comment. No comments were offered. Neither Mayor Marshall nor Christine Webb received comments by email. With no comments being offered, the Mayor closed the public hearing.

- c. Proposed creation of City Manager position.

Mayor Marshall asked if anyone wished to make a comment. No comments were offered. Christine Webb received one comment by email. The comment was from Todd Stewart. He was against the creation of a City Manager.

No further comments were offered and Mayor Marshall closed the public hearing.

## **2. Public Comments.**

Mayor Marshall asked if there were any comments from the public. No comments were offered. And no comments were received by email.

## **3. Summary Action Items.**

- a. Approval of Minutes from the May 19, 2021 Work Meeting and the May 19, 2021 Regular Meeting.
- b. Approval of Bills for the amount of \$301,214.58.

**Motion:** Councilman Stice made a motion to approve the summary action items.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

## **4. Consideration of Ordinance 2021-24 amending the official zoning map of Grantsville City, Utah to rezone 73.22 acres for Marlo Meno, Mary Chappell, and Kirk Matthews located at approximately 550 East Main Street to go from an RM-7, R-1-12, and A-10 zones to a Mixed Use zone.**

Mary Chappell and Marlo Meno were present. Councilwoman Sparks stated there were a lot of comments made at the Planning Commission Meeting. She reported the Council Members have read all of those comment. She said she was initially nervous about this

because a lot of the people commenting felt like the City was issuing a blank check by approving a Mixed Use zone. Councilwoman Sparks explained that Councilman Stice has looked up the code for a Mixed Use zone. She pointed out everything approved in the Mixed Use zone has to go through a P.U.D. (Planned Unit Development). Councilman Stice read the City Code regulating the Mixed Use zone. Councilman Stice commented that with the current zone, they could put 7,000 square foot lots on part of the property. He said by rezoning, they will have to come to the City with a plan. If that plan does not meet with what the Council thinks it should be, they will not approve it. The Council felt this rezone will allow the City more control over what happens on the property.

Mrs. Meno explained they tried to work with the City when the General Plan was amended. She reported they went to all of the public meetings and gave feedback. She stated they want what is best for the City. They realize that as much as people want to move here for the agricultural community, they are not subsidizing the owners of agricultural property. They plan to farm as long as they can.

Councilwoman Allen complimented the applicants for being involved in the General Plan process. Councilman Hutchins remarked Matthews Lane would need to be widened if the property is developed. Mary Chappell said they are willing to work with the City and would dedicate their half of the road when the property is developed.

**Motion:** Councilwoman Sparks made a motion to approve Ordinance 2021-24 amending the official zoning map of Grantsville City, Utah to rezone 73.22 acres for Marlo Meno, Mary Chappell, and Kirk Matthews located at approximately 550 East Main Street to go from an RM-7, R-1-12, and A-10 zones to a Mixed Use zone.

**Second:** Councilman Stice seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**5. Consideration of Ordinance 2021-25 amending the official zoning map of Grantsville City, Utah to rezone 17.23 acres for Mary Chappell located on the west corner of Willow and Pear Streets to go from an A-10 zone to an R-1-21 zone.**

Mayor Marshall stated this is in compliance with the General Plan. He reported this was discussed at a work meeting with other property owners in this area. Councilwoman Sparks commented on the discussion with the landowners here and they are all planning on the same zone.

**Motion:** Councilman Stice made a motion to approve Ordinance 2021-25 amending the official zoning map of Grantsville City, Utah to rezone 17.23 acres for Mary Chappell

Approved

located on the west corner of Willow and Pear Streets to go from an A-10 zone to an R-1-21 zone.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**6. Consideration of Ordinance 2021-26 amending the official zoning map of Grantsville City, Utah to rezone 17.53 acres for Marlo Meno and Kathlyn Ferris located near the east corner of Willow and Durfee Streets to go from an RR-5 zone to an R-1-12 zone.**

Mrs. Meno explained this needs to have her name removed; the property is owned by Kathlyn Ferris. Councilman Stice asked if this was the property behind the Martin home; it used to be the old church farm. Mrs. Meno answered yes, that was the correct property.

**Motion:** Councilman Hutchins made a motion to approve Ordinance 2021-26 amending the official zoning map of Grantsville City, Utah to rezone 17.53 acres for Kathlyn Ferris located near the east corner of Willow and Durfee Streets to go from an RR-5 zone to an R-1-12 zone.

**Second:** Councilwoman Sparks seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried. Councilwoman Allen’s connection cut out and we did not hear her vote. Mayor Marshall came back after agenda item 7 and Councilwoman Allen voted, “Aye”.

**7. Consideration of Ordinance 2021-27 amending the official zoning map of Grantsville City, Utah to rezone 9.87 acres for Jennifer and Robert Williams located at approximately 998 South Quirk Street to go from an RR-1 zone to an R-1-21 zone.**

Barry Bunderson represented Jennifer and Robert Williams. He explained the Williams’ applied for this rezone so their daughter can build a home. Councilman Stice remarked the Council has read all of the comments from the Planning Commission Meeting. He said it fits with the area.

**Motion:** Councilman Stice made a motion to approve Ordinance 2021-27 amending the official zoning map of Grantsville City, Utah to rezone 9.87 acres for Jennifer and Robert Williams located at approximately 998 South Quirk Street to go from an RR-1 zone to an R-1-21 zone.

**Second:** Councilwoman Sparks seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**8. Consideration of Ordinance 2021-28 amending the official zoning map of Grantsville City, Utah to rezone 38.526 acres for Dustin Hall located at approximately 834 North Old Lincoln Highway to go from an A-10 zone to an RR-1 zone.**

Barry Bunderson represented Dustin Hall on this item. Councilman Stice inquired if this was close enough to the sewer line to hook into. It was believed that the property is within 300 feet of the sewer and will be required to hook into the sewer. Councilman Stice shared the other developments that have had the same requirement.

Councilwoman Sparks asked if there is a proposed development for this property. Mr. Bunderson answered there are some conceptual ideas. Mayor Marshall reported Mr. Hall met with him awhile back. Mr. Hall indicated that he would like to subdivide the top part off so there would be a couple of homes there and then he will build a home closer to his parents.

**Motion:** Councilman Stice made a motion to approve Ordinance 2021-28 amending the official zoning map of Grantsville City, Utah to rezone 38.526 acres for Dustin Hall located at approximately 834 North Old Lincoln Highway to go from an A-10 zone to an RR-1 zone.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**9. Consideration of Ordinance 2021-29 amending the official zoning map of Grantsville City, Utah to rezone 10.06 acres for Matthew Brown located at approximately 4795 Highway 112 to go from an A-10 zone to an R-1-21 zone.**

Matthew Brown was present. Councilman Stice asked if he was doing this for Colton. Mr. Brown answered yes, he is requesting the rezone for his son. He plans to continue to farm the rest of the property.

**Motion:** Councilwoman Sparks made a motion to approve Ordinance 2021-29 amending the official zoning map of Grantsville City, Utah to rezone 10.06 acres for Matthew Brown located at approximately 4795 Highway 112 to go from an A-10 zone to an R-1-21 zone.

**Second:** Councilman Hutchins seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**10. Consideration of Ordinance 2021-30 amending Grantsville City Code 2-6-1 providing that the Grantsville City Mayor shall be a part-time employee and abrogating any requirement to serve as a full-time employee.**

Councilman Stice stated that he is in favor of splitting the duties. He explained that he is still considering running for Mayor so recused himself from voting on this item. Mayor Marshall commented he had some concerns about this ordinance, which he discussed with the attorney.

Councilman Hutchins felt the term “part-time” should be discussed. He believed the mayor would be performing a lot functions. He expressed concern that the mayor would work enough hours to qualify as full-time under FLSA regulations. He proposed this as an exempt position that would meet the full-time definition under FLSA, but the compensation would be at the minimum requirement for exempt positions (which is about \$36,000/year). Councilman Hutchins believed if the City decided to make the mayor an exempt position, they may still have to provide benefits.

Jesse Wilson expressed concern about the proposal and whether it would comply with the rules we have for City government. He shared that the City would have to contribute retirement benefits to URS (Utah Retirement Systems) as well as other benefits. Councilman Hutchins felt the position would require more than twenty-hours per week.

The Council discussed their thoughts regarding the hours and salary of the position. They talked about the benefits the City may see with having a city manager. Mr. Coombs explained they could amend the mayor’s duties and salary without approving this ordinance. The Council determined they should have a work meeting to discuss this further. Mayor Marshall shared his concerns about moving to a city manager position.

**Motion:** Councilwoman Sparks made a motion to table Ordinance 2021-30.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, abstained, and Councilwoman Sparks, “Aye”. The motion carried.

**11. Consideration of Ordinance 2021-31 amending Grantsville City Code Chapter 2 and adopting Grantsville City Code 2-9 to create the position of City Manager.**

**Motion:** Councilwoman Allen made a motion to table Ordinance 2021-31.

**Second:** Councilman Stice seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**12. Consideration of Resolution 2021-28 approving the single lot development for ATM Investments at 307 Main Street for the creation of a commercial business.**

Barry Bunderson represented ATM Investments. He stated this is one of the parcels that has been around for a long time and will now be made a legal lot. Mayor Marshall reported they are planning to move American Burger to this corner. He stated there were comments from the neighbors, but he felt the concerns had been addressed.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-28 approving the single lot development for ATM Investments at 307 Main Street for the creation of a commercial business.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**13. Consideration of Resolution 2021-29 approving a Commercial Conditional Use Permit and Site Plan for ATM Investments to own and operate an American Burger Drive-thru Restaurant located at 307 East Main Street in the CD zone.**

Councilman Stice commented that it appeared there was enough space for the line of cars at the drive-thru. Mr. Bunderson reported they are working with UDOT on the access permit.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-29 approving a Commercial Conditional Use Permit and Site Plan for ATM Investments to own and operate an American Burger Drive-thru Restaurant located at 307 East Main Street in the CD zone.

**Second:** Councilwoman Sparks seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**14. Consideration of Resolution 2021-30 approving the preliminary plat for Andy Lewis, Greg DeHaan, and Scooter II, LLC on the Harvest Meadow Subdivision for the creation of ninety-six (96) single family lots in the R-1-21 zone.**

Barry Bunderson and Andy Lewis were present on this agenda item. Mayor Marshall pointed out improvements to Hale Street will need to be made when they reach that point. Mr. Lewis stated his understanding was that it was from property line to property line and half of the road. Mayor Marshall confirmed that was correct. Mr. Lewis said they are planning for it.

Councilman Hutchins stated he saw something indicating they plan to pay the fee in lieu of open space due to the location of Hollywood Park. Mr. Bunderson reported that was correct. Councilman Hutchins asked if someone could shed some light on the thoroughfare that had some comments on from the Planning and Zoning Meeting. Mayor Marshall explained there is a trail on the north end of South Willow Ranches. There is a fence that separates the trail from the property owners. He reported the trail is on South Willow Ranches property, not on Andy Lewis' property.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-30 approving the preliminary plat for Andy Lewis, Greg DeHaan, and Scooter II, LLC on the Harvest Meadow Subdivision for the creation of ninety-six (96) single family lots in the R-1-21 zone.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilman Rowberry, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

**15. Consideration of Resolution 2021-35 approving the final plat for Larry Jacobson and Paul Watson on Hawthorne Estates Subdivision, Phase 2 for the creation of twenty-five single family lots in the R-1-8 zone.**

Larry Jacobson was present. He confirmed this is the last phase of this subdivision. The subdivision is just north of the Cherry Grove Subdivision.

**Motion:** Councilman Hutchins made a motion to approve Resolution 2021-35 approving the final plat for Larry Jacobson and Paul Watson on Hawthorne Estates Subdivision, Phase 2 for the creation of twenty-five single family lots in the R-1-8 zone.

**Second:** Councilman Stice seconded the motion.



**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**16. Discussion of a concept plan for Deseret Highlands Investments and Guy Haskell on the remaining 260 plus acres of The Highlands Subdivision Project in the RM-7 zone.**

Guy Haskell was present. He stated his survey shows Mack Canyon Road about thirty-five feet off his property line and there is a line of telephone poles on the south side of that. He would like to put Mack Canyon Road in and when they get to that portion of the development, he will move it to the other side of the road. A discussion was held about this road, the property, and the location of the power poles.

Mr. Haskell pointed out a blue line on the plat. He reported the line showed where they have adequate water pressure for fire from a report completed by Aqua Engineering. He stated everything above that line will require a tank further up the hill. Mr. Haskell said he has had some discussion with the other developer that will need a water tank. He would like the City to install a water tank with money collected for water impact fees.

Mr. Haskell brought up the open space requirement. He wished to know what counted as open space. There will need to be a park or some place for the residents to recreate and play in this area. This subdivision is expected to have nearly 1,000 lots. It was stressed that there needs to be a place for the children to play. Mayor Marshall pointed out there is the option of paying a fee in lieu of the open space requirement. Mr. Haskell explained that it is a huge financial burden to give up ten percent of his ground. He stated if he donates the property to a church or school, then he will get a tax write off. In the past the City has had developers promise to install a park in the final phase of their development and then they sell the property to a new developer who did not make the promise and refuses to honor it. Mr. Coombs suggested that Mr. Haskell consider walking trails that would qualify as open space. The Council was amenable to negotiating a plan to provide this community with amenities.

**17. Second Legislative Hearing on 358 Wrangler Court in violation of Grantsville City Code 17-1-6.**

Steve McCurdy was present. Councilman Stice commented that it did not look like Mr. McCurdy had completed much work on this since the last meeting. Mr. McCurdy reported he has dug it out and found the gas line. He stated the gas line was not very deep. He has been waiting for Dominion Energy to move the gas line so he can finish.

Mayor Marshall stated Mr. McCurdy’s neighbors have expressed a lot of concerns.

Councilman Stice asked if the project would be complete in two weeks. Mr. McCurdy believed that it could be done in two weeks. Councilman Stice requested that Mr.

Approved

McCurdy come back with photos of the complete project on June 16, 2021. Mr. McCurdy agreed to do so. Councilwoman Allen commented on the concerns of the neighbors that the area would be used for parking of vehicles. She asked for clarification of what was going on with this property. Mayor Marshall stated he did not believe that the property could be used for parking. Mr. McCurdy reported that he is extending the driveway and wondered if that is what the neighbor was referring to.

**18. Closed Session (Personnel, Real Estate, Imminent Litigation).**

**Motion:** Councilwoman Sparks made a motion to go into a closed session on pending or imminent litigation.

**Second:** Councilman Rowberry seconded the motion.

**Vote:** The vote was as follows: Councilwoman Allen, “Aye”, Councilman Rowberry, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried and the Council went into a closed session at 8:57 pm.

Those in attendance were Mayor Marshall, Councilman Rowberry, Councilwoman Allen, Councilman Hutchins, Councilman Stice, Councilwoman Sparks, Christine Webb, Nate Mitchell, and Brett Coombs.

**Motion:** Councilman Stice made a motion to go back into an open session.

**Second:** Councilwoman Sparks seconded the motion

**Vote:** The vote was as follows: Councilman Rowberry, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**19. Adjourn.**

Mayor Marshall announced the ribbon cutting for the new Public Works Building is expected to be held on June 15<sup>th</sup> at 4:00 pm. He reported the City filed for a FEMA BRIIC grant. It will be used for flood control. If the City receives the grant, we are looking at replacing the culverts in Little Reno and the two culverts that cross the Mormon Trail for the flood control ditch. This is a matching grant.

**Motion:** Councilman Stice made a motion to adjourn. Councilman Rowberry seconded the motion. The meeting was adjourned at 9:15 p.m.