

**Pleasant Grove City Council Work Session Minutes**  
**April 27, 2010**  
**6:00 p.m.**

**PRESENT:**

Mayor:

Bruce W. Call

City Council Members:

Cindy Boyd

Val Danklef

Lee G. Jensen

Kim Robinson

Jeffrey D. Wilson

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy Recorder

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Degen Lewis, City Engineer

Sean Allen, City Planner

Libby Flegal, NAB Chairperson

Jay Meacham, DAB Chairperson

Richard Huish, DAB Design Committee

Laurel Backman Riddle, DAB Design Committee

Robert Rainaldi, Planning Commission

Excused:

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

The City Council Members and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah

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**1. Call to Order**

Mayor Call called roll for the Council and noted that Council Members Boyd, Danklef, Jensen, Robinson and Wilson were present.

**2. Pledge of Allegiance**

The Pledge of Allegiance was lead by Director Giles.

### **3. Opening Remarks**

Opening Remarks were given by Attorney Petersen.

### **4. Interview firms that responded to the Request for Proposal (RFP) for the Civic Center**

Director Young explained that tonight we will hear a short fifteen/twenty minute presentation from two of the four firms that had the highest rated evaluations from our group that reviewed the RFP's and then at tomorrow night's meeting we will hear the presentation from the other two firms. There will be a question and answer period for each firm after their presentation, but the discussion by the Mayor, Council and staff regarding which firm will be selected will take place after the presentations in tomorrow night's meeting.

Stephen Smith, Brian Jacobson and David Garce of GSBS Architects presented their proposal (Exhibit A) and answered the Council and staff's questions regarding their presentation.

Allen Roberts, Laura Hanson, Preston Stinger and Curtis Miner came forward next and presented their proposal for CRSA Architecture, Planning & Interiors (Exhibit B) and answered the Council and staff's questions regarding their presentation.

Mayor Call thanked each firm individually for their time and efforts in preparing and presenting their proposals.

### **5. Discussion of items for the upcoming May 4, 2010 City Council meeting**

Mayor Call reviewed the items on the Consent Agenda and next moved on to the Business items.

- a. **To consider appointment of Dean Lundell as Finance Director**
- b. **To consider the request of Shane Bellistone for final plat re-approval for the Sun Ridge Estates Subdivision Plat "A" located at approximately 500 East 1100 North in the R1-10 (Single Family Residential, 10,000 sq ft lot area) zone (BIG SPRINGS NEIGHBORHOOD)**

Director Young stated that a couple of years ago the City approved the final plat for Sun Ridge Estates but it was never actually recorded. The ownership has changed and because it was never recorded, the approval expired and the new owners want to have it reapproved. Director Young said that it is the same development plan but there is an issue that needs to be resolved and that is the access to the lane from 1100 North which gives the surrounding residents access to the back of their property. Historically these property owners have enjoyed this back access to their property and it was promised at a previous City Council meeting that they would be able to retain full access to this lane. The lane is actually owned by the developer of this subdivision, so he has control over that and we are suggesting that we get some kind of a joint tenancy of that lane shared by those property owners who need to access it. Director Young said that the details are in the staff report.

Mayor Call asked about the need of the property owners for that back access. Administrator

Darrington stated that they all have front access and that one option is to just shut it down if the City feels like we want to head in that direction, if not then the other option is to let them work out a joint agreement with the owner of the property. Administrator Darrington said that in regards to the suggestion of the City taking it over, we are not interested in that.

Council Member Danklef asked how the developer acquired the lane. Director Young said that he believes that it was attached to one of the back pieces of properties and that the developer has expressed an interest in divesting it.

Administrator Darrington said that when this was initially approved, there was a promise that the City would preserve that lane and for the City to walk away at this point, it might cause some heartburn. Mayor Call said that he remembers that we discussed the access of this lane and that we should go back to the minutes of that meeting and look at what was said, but regardless the City could facilitate some kind of a deal where there is joint ownership. Administrator Darrington said that when this first got approved there was no follow through on that lane to have it taken care of, so the recommendation if we approve this is that we need to also make sure that that lane gets tied in with this approval so that everything is all taken care of at one time.

Director Young stated that we are recommending that whatever agreement or ownership comes out of this, that it provides for the use of this lane and that it is tied into the final approval of the plat before it is recorded.

**c. Public Hearing to consider the request of Grant M. Wilson to rezone 4.17 acres from the R1-8 (Single Family Residential) zone to the RM-7 (Medium Multiple Residential) zone, for property located approximately 383 South between 300 and 400 East (STRING TOWN NEIGHBORHOOD)**

Director Young explained that this property is surrounded by the R1-8 neighborhood, it is a large piece of property and initially it was being looked at for a site for an LDS Church but the church has determined that they do not desire this location so this property is available for re-planning of some sort. The property owner has requested that we consider re-zoning it to fall in line with what we have in our General Plan in that area. Director Young stated that our General Plan has this entire area designated as high density residential and in the plan there is a description of what that means and it does provide for the RM-7 zone which is a multiple family type zoning. We also have a contradiction within the General Plan which we were not aware of until this application came forward, that on one page of the plan this zone is not provided for in this General Plan designation, whereas on another page the chart where it lays everything out as to where everything falls, it is included there. Director Young said that from his perspective it is the chart that indicates the intention of the General Plan and that the other part was just an error and his understanding and recommendation is that this request to rezone that property from R1-8 to RM-7 does fall in line with the General Plan designation so it is approvable as such.

Council Member Jensen asked to clarify the part that has the error. Director Young said that one page in the General Plan does not include that RM-7 zone within this high density residential

designation, the chart list has it but it was omitted in another description in the text. Director Young said that that is something that we need to clean up in the General Plan and our intention is to do so, we are going to be bringing forward some General Plan amendment proposals and review the goals in one of the upcoming work sessions.

Mayor Call asked that with this re-zoning are we creating an island. Director Young said that there have been some other RM-7 zones that have been approved within this area. Mayor Call said that on the ones that we have approved, they are next to the Commercial Retail zone and are a little bit more palatable. Director Young said that one of the things that we may want to do if it is determined that we are not sure if this fits within that area even though the General Plan provides for this type of change, we may want to look at realigning this high density residential configuration and determine if that zone fits or the boundaries need to change.

Administrator Darrington added that Mr. Wilson had approached the City about whether we would be interested in purchasing this piece of property to put a park there. We looked at our Park Master Plan and this really does not work for us, so he is going to continue to try for the rezone.

Director Young explained that there are some potential options that can be developed within an RM-7 scenario; there are some really good options outside of four plexes or apartment buildings. The development activity can be restricted to certain types of options such as court yard homes where the homes may be closer together but they share a large open space in between them, there are a lot of different ways you can do higher density that fits better in this type of a residential neighborhood.

**d. Public Hearing to consider a Resolution (2010-020) to provide a schedule of monthly water rates for the Manila Culinary Water Company for culinary water users north of the Murdock Canal that do not have access to the secondary water system (MANILA NEIGHBORHOOD)**

Administrator Darrington said that we reviewed this item a couple of weeks ago, but we do need to have a public hearing and copies of the proposed rates are in the packets for review.

**e. To consider a Resolution (2010-022) for Pleasant Grove City to adopt the ICMA-RC 457 Deferred Compensation Plan**

Administrator Darrington explained that currently we have a 401K plan through John Hancock but we do not have a 457 plan and most cities have both options, it gives employees another option on how they want to invest their retirement money. The 457 plans are a little different in that they are designed for public employees and not open to the private sector and in order to adopt the plan we have to have a resolution to formalize it.

Mayor Call asked if there is any disadvantage to the City by adopting this. Finance Director Lundell said that there is no disadvantage, there is not a match from the City, 457 plans work a

little bit differently than a 401K, the biggest difference is that you can get access to your money a little easier.

**f. To consider a Resolution to amend the fee schedule for late fees on the utility bills (CITY WIDE IMPACT)**

Administrator Darrington said that we are leaving this on, but there is a chance that we may not be ready to present this next week.

**g. To consider a Resolution authorizing the Mayor to sign an encroachment agreement with the Salt Lake Aqueduct**

Administrator Darrington stated that this is tied into our secondary water system project and in order for us to do certain things there; we have to have an encroachment agreement with the Salt Lake Aqueduct.

**h. To consider a Resolution (2010-025) authorizing the Mayor to sign a purchase agreement with Mark and Gina White for a parcel of property located at 798 East Grove Creek**

Administrator Darrington said that we have agreed on the purchase price, this is just the documentation to move forward on purchasing the property.

**i. To select an architectural firm to perform the Civic Center Facility Needs and Assessment and Conceptual Design Study**

Administrator Darrington said that we have put this on the agenda, but we may not be ready in one week to make the selection.

Mayor Call asked what the action plan was for this after tomorrow night's meeting with the last two presentations. Director Young said that they would like to get some input after the presentations are done that possibly we can take some time tomorrow night and set some goals as to where we go from there.

**j. To consider a permit to exceed the noise restrictions for the I-15 Core Project**

Administrator Darrington said that this is at their request so that they can do the construction that will be taking place during the night.

**k. To consider a Resolution (2010-027) to adopt the tentative budget for the fiscal year 2010-2011**

Director Lundell said that this is a legal requirement, it really just starts the process and that our budget session is going to be at the next work session meeting.

Council Member Jensen asked if we will be talking about numbers and line items. Administrator Darrington said that we will but that it doesn't commit us to anything, but we do need to have something tentative to adopt.

Council Member Wilson asked how we are doing with our employees, are we looking at any reductions. Administrator Darrington said that right now he does not think that we have to cut employees we have had the initial discussions with the Department Heads and there is a lot of information and we will need guidance from the Council as to what they want to do. The budget is not balanced and we will have to evaluate where we are and we will have this discussion in the work session meeting on May 11<sup>th</sup>.

- l. To consider adoption of a Parameters Resolution (2010-026) of Pleasant Grove City, Utah (The "Issuer") authorizing the issuance and sale of not more than \$1,500,000 aggregate principal amount of Water Revenue Bonds, Series 2010, (Federally Taxable-Issuer Subsidy – Build America Bonds) of the Issuer, fixing the maximum aggregate principal amount of the Bonds, the maximum interest rate which the Bonds may bear, and the maximum discount from par at which the Bonds may be sold; providing for the publication of a Notice of Public Hearing and Bonds to be issued; providing for the running of a contest period; and related matters**

Administrator Darrington said that this is the Drinking Water loan and this Parameters Resolution is the first step in order to move forward with this.

- m. To consider a Resolution (2010-021) amending fees charged by the Community Development Department and establishing an effective date**

Director Young said that it has been determined that there are a few areas that we need to have some fees and/or fines added to our schedule. In code enforcement there are certain gray areas where it may not be worth it to take it through the court process versus not having any teeth on anything where we need to establish and assess a fine.

Administrator Darrington said that there will be a list of what the proposed fees are and for what purposes.

Mayor Call reminded everyone that next week's meeting will be at the Jr. High School and encouraged the Council members to go through their packet and review these items and know what needs to be discussed and if they have questions to take the time this week to review them with staff.

## **6. Mayor, City Council and Staff Business**

- Administrator Darrington introduced Cory Fralick who works in our Parks Department and stated that he is in the process of getting his MPA from the University of Nebraska and part of the that Masters Degree is doing an internship, so he will be working with us on Fridays,

donating his time to the City and gaining experience in City Government. Administrator Darrington said that one of the things he has asked him to do is attend our work sessions and City Council meetings so he can get up to date with what is going on in the City and then we will be giving him specific projects over the next year as he works towards his goal with his internship.

- Director Giles thanked Mayor Call for attending the baseball opener on Saturday and for throwing out the first pitch, it was a great event with a good turnout.

Director Giles reminded everyone that the Arbor Day event is scheduled for this coming Saturday, May 1<sup>st</sup>, 8:00 a.m. at Manila Creek Park.

- Engineer Lewis said that they are working with UDOT on one of the final elements for the State Street project which is staining the concrete walls. The color (tan) that had been selected at the beginning of this project turned out as a bright yellow-gold color when applied to the concrete, so there are four different color test samples up right now over at the Rodeo grounds on the east side of the pre-school buildings, if anyone is interested in driving by there to take a look and let us know what you think before we select the color.
- Director Bradford said that the Downtown Advisory Board's meeting is this Thursday night at 6:00 p.m.
- Director Walker stated that the secondary water system is up and ready to go.
- City Recorder Kresser asked about scheduling a time for the Mayor and Council's group picture. Mayor Call stated that they are still working on a good time for that.
- Council Member Wilson asked if Director Giles was aware that the homerun fence at Shannon Fields is knocked down. Director Giles stated that he was that the State did that with one of their booms and that they will be coming out to replace it.

Council Member Wilson then asked if there has been any discussion about the ball fields being managed under the Recreation Center. Director Giles said that it has been discussed and feels that it is not a wise move because they would have to come up with another location for the equipment and would need to hire more staff, etc. Director Giles said that there were some issues with the scheduling but that things are running smoothly now and does not see a reason to change it.

- Mayor Call reported that he and Administrator Darrington met with Mayor Richardson and Konrad Hildebrandt, City Manager of Cedar Hills to discuss a few issues. The Mayor said that it was a good exercise for the four of them to sit down and talk and that they did not reach any conclusions but that we were able to specify some of the things that we felt were important and they were able to talk about some of their issues in regards to the convoluted

borders. Administrator Darrington said that we are trying to figure out a way that we can get residents properly served up there without having to put dual utilities in and that he feels that we have some great solutions and ideas and their comment at present is that if we are going to have people hook on long term, then they need to be part of Cedar Hills. Administrator Darrington added that he thinks there are still some negotiations that can be had. Mayor Call said that there is not a radical departure from the previous philosophy, but it was a fruitful opportunity to start discussing some of these issues.

The Mayor said that he, Director Bradford, Attorney Petersen and Administrator Darrington met with Mr. Hammons in Springfield, Missouri and this meeting was a good opportunity for Administrator Darrington to meet Mr. Hammons. In our current agreement with the Hammons Hotel Project it stipulates that by June we need to get together and create a new restated agreement and we did not get that done because Mr. Hammons is not the person in his organization who would facilitate that. Mayor Call said that we did learn that on their Colorado Springs project they have received funding to complete it.

Council Member Jensen asked for clarification on the restated agreement in June. Mayor Call said that we did a restated agreement last December that called for a new deadline on beginning and completing construction, recognizing that if no construction had happened by June then we'd need to move those dates back or restate the agreement in some other way so that they wouldn't be out of compliance. Council Member Jensen asked if they are interested in this and not just us. The Mayor said that they are interested in amending this agreement as well. Administrator Darrington added that our stance on this is if they continue to make bond payments then we continue to ride this thing out, but if they stop making the bond payments then according to the agreement the property reverts back to the City and then we sell that property to pay off the bonds.

Council Member Jensen expressed his concern with the City protecting themselves in the event that this project decides to change and no longer desires to be in Pleasant Grove. Mayor Call stated that every indication from the Hammons organization is that they are happy to make the bond payments, they have never wavered on that. Administrator Darrington interjected to state that if the Council would like to discuss the property and the particulars of this project then we will need to do so in an executive session.

Mayor Call said that overall it was a good visit, Mr. Hammons looks good, he was sharp and right on target with all of the conversations and we will be working with his attorney on another restated agreement. Administrator Darrington said that Mr. Hammons expressed to them that Pleasant Grove is still very much on their radar and that they plan to be here.

Director Bradford wanted to comment that most of the time economic developers don't reveal to the public some of the inner workings that go between the time that a company makes a decision and the time that they actually start construction. This is because if they do come out prematurely and announce the project then the community starts rumors when they do not see progress. Director Bradford said that it takes companies several years to construct

new projects and that with the Hammons project, we've hit a snag in the market but that project will go ahead because there is a market for it and Mr. Hammons is very highly committed to us and his partner here in Utah who is very involved financially with him on this project. Mr. Hammons looks good, he's ninety one and goes to work every day, and he's got a great work ethic, he has built two hundred and eight of these hotels and still owns one hundred and three, he has been financing them since he was thirty years old. Director Bradford said that Mr. Hammons told them that this is worst market that he has ever seen, worse than it was in the depression in terms of real estate and availability to get financed. Director Bradford said that his counsel to the Council members would be to be positive, let's give them the time that they need and continue to be supportive of him and added that we are very fortunate to have a developer of his magnitude and skill that is so highly committed to us.

Mayor Call asked if there was anything else to be discussed, there was not. The Mayor asked for a motion to adjourn.

**ACTION:** At 8:46 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting, "Aye."

## **7. Adjourn**

Meeting adjourned at 8:46 p.m.

This certifies that the Work Session Minutes of April 27, 2010 are a true, full and correct copy as approved by the City Council on May 18, 2010

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Colleen A Mulvey, Deputy City Recorder

*(Exhibits are in the Work Session Minutes binders in the Recorder's office)*