

**Pleasant Grove City Council Work Session Minutes**  
**January 11, 2011**  
**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 City Recorder

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Dave Thomas, Deputy Fire Chief

Mike Smith, Police Captain

Degen Lewis, City Engineer

Libby Flegal, NAB Chairperson

Excused:

Ken Young, Comm. Dev. Director

Tom Paul, Police Chief

The Mayor, 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 Pro Tem Wilson called roll for the Council and noted that Council Members Boyd, Danklef, Jensen and Robinson were present and that Mayor Call would be arriving shortly.

**2. Pledge of Allegiance**

The Pledge of Allegiance was lead by Boy Scout Billy Stroddard.

**3. Opening Remarks**

Opening Remarks were given by Director Bradford.

Mayor Call joined the meeting at 6:02 p.m.

#### **4. Representative Craig Frank to present legislative updates**

Mayor Call explained that the news broke yesterday that Representative Frank discovered and then reported that he was technically living outside of District 57 which is our district. By law he has been unseated and there is a vacancy for the House of Representatives District 57. Mayor Call said that he spoke with the Lieutenant Governor's Office, the Director of Elections and was told that in the code there is a process for filling the vacancy. The Mayor said that he has also heard from Speaker of the House, Becky Lockhart and her message on this vacancy situation is that she feels that it is in the Governor's hands now and not in the legislature. Mayor Call said that because this seat was held by a member of the Republican Party it goes back to the Utah County Republican Party and according to their bylaws they will now figure out a way to select a name of somebody to propose to the State Republican Party to put forward to the Governor's office.

Council Member Danklef complimented the Mayor on the letter he sent to Speaker Lockhart, he stated that he thought that it was extremely well written and stated everyone's position very clearly. Mayor Call thanked him and said that in his letter to Speaker Lockhart he basically urged her to adhere to the law.

#### **5. Discussion on political signs**

Administrator Darrington said that most of this was handled when we updated our sign ordinance this past December and the main concern is to make sure that there are no political signs allowed on city property. In the past there were three designated spots on city property where people have been putting political signs and we want to make sure that it is understood now that those three spots are now off limits.

Mayor Call commented that we will need to adjust the documents in the packet that is handed out to the candidates. Administrator Darrington said that the ordinance is quite clear now about not being located on city property and the other thing is that it used to be that you could only put your signs sixty days prior to the election and that has been changed because of cities being sued for first amendment rights, where people have the right to support a candidate on private property. Attorney Petersen interjected to say that before we did regulate on private property, you didn't have to have a sign permit but they were limited to sixty days.

Police Captain Smith asked if we still will regulate the size of the signs. Attorney Petersen said that we still do regulate the size in that it can be no larger than thirty two square feet in area but we cannot regulate the content or the timing.

#### **6. Discussion on employee involvement in City Elections**

Administrator Darrington stated that this is out of our Personnel Policy Manual on employee involvement in elections, not only the municipal elections, but any election. He said that he had sent out an email to several other city managers asking what their policies were on this and from the

responses that he got back, most of them were very close to what our policy is. Administrator Darrington then read the section on Political Activity from the current Personnel Policy Manual: A) *An employee shall not be coerced to support a political activity, whether funds or time are involved;* B) *An employee shall not engage in personal political activity in city facilities and not during work hours, unless on approved leave. City employees may, when necessary, engage in political activities which directly support city needs and are approved by the Mayor, Department Director or designee;* C) *An employee shall not use Pleasant Grove City owned equipment, supplies or resources and other attendant expenses (diskettes, paper, computer online and access charges, etc.) when engaged in personal political activity. City employees may, when necessary, use city owned equipment or resources to engage in political activities which directly support city needs and are approved by the Mayor, Department Director or designee;* D) *An employee shall not use his or her position of authority to discriminate in favor of or against, any person or applicant for employment based on political activities;* E) *An employee shall not use the employee's title or position or wear any city uniform while engaging in political activity.*

Mayor Call stated to clarify that this policy roughly compares to what other cities are using. Administrator Darrington said that it does and he noted that Cedar City's policy had a line in their policy that said *"Employees should maintain a neutral stance in municipal elections. This is what we encourage but we understand that you have rights as an employee to support candidates ..."*

Administrator Darrington said that his recommendation is that we remain politically neutral on these issues, but that is not something that we can say as a city that you have to do. He said that the Utah City Managers Association and the International City Managers Association, in their code of ethics it is quite clear that we remain neutral on all political events. Administrator Darrington said that the intent of what we are trying to do is to make sure that employees are adhering to the policy.

Council Member Jensen commented that he thinks that there is a difference between when an employee acts to support a candidate and when a Director does the same, that is where it approaches the fine line of coercion and that he has a concern when a Director makes financial contributions to a candidate's campaign because that approaches if not crosses the boundary line. He said that the spirit of this policy is to prevent any coercion that takes place.

Attorney Petersen stated that in most instances that she has seen it would be very difficult to prove coercion because things aren't necessarily said openly and that she thinks that based on the comment earlier about a code of ethics that what we might consider for ourselves is discussing a code of ethics that the Directors can come up with where we can govern our own conduct.

Chief Sanderson stated that he thinks that based off of this policy that he would be well within his rights when he is off duty to make phone calls to fire employees, to police employees, to his neighborhood, to his community without violating the policy. Administrator Darrington said that he doesn't think that department Directors should be calling their employees, if you are calling people who work under you he feels that that is a little too close. Chief Sanderson said that he agrees with that but that his point is that he doesn't feel that the policy covers that and that he has the right and based on the policy he thinks that he could challenge it and that he feels that the policy should be stronger if that is the direction that we want to go.

Director Giles stated that he prefers to stay out of it and remain neutral.

Council Member Robinson commented that staying neutral is probably best but that she doesn't think that the candidates always have a clear understanding of what those boundaries are. She said that the candidate packet that is handed out is very valuable but perhaps there could be an opportunity to sit down with the City Administrator and review the policies. Administrator Darrington said that what he hopes that we will do is that as soon as people file and declare candidacy then we as staff will sit down with them and go over the ground rules and we can also discuss the political activities of employees so that they know not to put employees in those situations. He said that he thinks the culture has been different in the past so we have to get over that and move forward and not do that in the future.

Mayor Call commented that he thinks when we are talking about Directors or any other employees, that they are all adults and understand that actions have consequences. He said that he always stays on the side of not restricting rights that everybody else has and that he hesitates to take away rights of somebody because they happen to work for the city, rights that everybody else in the city enjoys. The Mayor said that while he thinks that it is wise for any city employee, Director or not to say that they prefer to remain neutral, that he doesn't know that he would want to legislate or regulate that with force of law.

Administrator Darrington suggested that we could create an ethics standard that is not policy that just states that this is how we are going to behave but if you choose not to behave that way you are not going to be written up by the city or get in trouble. The Mayor said that there could be consequences that could happen even worse than that, a natural consequence as a byproduct of your action, not because of force of law. Administrator Darrington said that if we are to set up a code of ethics the consequences of breaking them would just be the natural consequences that happen to come with that territory and that would be it. Administrator Darrington said that he thinks that it would be good for us as a city to write up a code of ethics that we all sign and let everyone know that we are going to take a stand on this as a city. Mayor Call commented that if we do undertake a code of ethics that it should be a lot broader than political activity. Administrator Darrington said that we could expand it and make it for more than just political activity and include other areas as well, he added that we will make a draft starting with the political activity and bring it back to the Council for review and discussion. Mayor Call commented that this was a great, positive move on the part of the city

Administrator Darrington then stated to make clear that our current policy is if any employee is going to run for elected office, it states: *No city employee shall serve as an elected official for Pleasant Grove simultaneous with their term of employment. The city employee who is elected to a municipal office for Pleasant Grove City must resign their employment upon election.* Attorney Petersen said to clarify that the current policy states that a city employee must resign employment with the city when they declare their candidacy. She said that that is how it currently stands, there was discussion on a proposed modification but that was not adopted. Mayor Call stated that he remembers that we had a lively debate but that it never went past the discussion.

## **7. Discussion on the use of the Fire Department ladder truck**

Administrator Darrington explained that in any city that has a Fire Department there is always the question on the use of the apparatus, particularly the one that is the most visible and the most expensive which is the ladder truck. He said that in some of the one on one conversations he's had with Council members that he has heard that there is concern as far as the use of the ladder truck and as the City Administrator that he is okay with what has been explained to him by Chief Sanderson on the use of this truck. Administrator Darrington said that in hopes to clear the air or to reach an understanding so that we can put this issue to rest, he has asked Chief Sanderson to explain again the use of the ladder truck and if the Council disagrees with what is being represented then let's have the discussion today as to what you would prefer on the use so that the direction is clear.

Fire Chief Sanderson said that the Fire Department staff runs a forty eight hour on duty shift and then has ninety six hours off, during these shifts there are six Firefighters on duty, four full-time and two part-time. The Captain or the supervisor of that forty eight hour shift makes seat assignments on specific apparatus; currently we run four seats on the fire truck and two seats on the ambulance. Chief Sanderson pointed out to make it clear about the apparatus, what determines the fire truck is the ladder on top; the other two vehicles are referred to as the pumper or fire engine. He explained that depending on who is on shift determines what configuration we run and who operates which vehicle but the majority of the time it is four on the truck and two on the ambulance and that is the standard that fits our geographic and our service needs as a city with one Fire Station. That configuration allows us as we respond to an emergency whether it be a fire or medical emergency, during the times we have multiple calls with those six people we have the ability to separate our resources and leave our ambulance on the medical call or leave our fire truck at the fire and send the other apparatus in the other direction.

Chief Sanderson then explained that part of the purpose for running the configuration the way we do is that the shear space and the storage capacity on the truck fulfills the need of several different pieces of equipment, for instance the cargo space allows us to do multiple operations where if we were not in that vehicle then we would need to be responding with multiple vehicles to cover the emergency. He said that you do see this truck around town a lot because it is relatively new and training is ongoing, it is critical that we utilize that truck and that it is being driven and the personnel who are going to be operating it and pumping it are comfortable with it and can use it when we actually have those emergencies where we need it. The Chief said that all of the Fire Department personnel are cross trained, all of our Firefighters are Emergency Medical Technicians (EMT) and all of our EMTs are Firefighters so the four Firefighters assigned to that truck could break free and go take care of a medical call. He explained that on a weekly basis we receive multiple calls at the same time and we are able to manage those calls with the resources that we have without bringing other agencies in, we really do a good job of servicing our community with the equipment and the staff that we have.

Administrator Darrington asked about an ambulance call where we send two EMTs to the call and then generally we will run a truck or a pumper and was the purpose of that is so that we have extra personnel there. Chief Sanderson said that a lot of times it depends on the call there are certain circumstances where the Captain determines based off of the nature of the medical emergency where he will only send the ambulance. He explained that the truck doesn't run every single medical call, it

runs to the majority of them, it is a method to get the personnel that we need on the scene to take care of our city's emergencies.

Administrator Darrington then asked about when the Firefighters go to lunch or dinner that the truck rolls with them. Chief Sanderson said that the point that he made about the forty eight/ninety six hour shift is that the Firefighters live at the station for forty eight hours, they are encouraged because of the health benefits and physical fitness requirements that we have, that they shop at Macey's or one of our local grocery stores and cook their meals. There are times based off of our training schedule and the calls that we are running that they don't have the opportunity to shop and they eat out. Chief Sanderson added that it is a high profile vehicle, it's a long truck and it gets noticed and it is really taking our equipment with us so that we are ready to respond at anytime.

Mayor Call asked the Council for their comments or questions.

Council Member Boyd asked to clarify that the Fire Department's goal and the goal for the safety and welfare of our community is that you need six people on a call and the truck is the vehicle to get what is needed on the scene in an emergency situation. Chief Sanderson said that it is more than having a vehicle that can get us to the scene; it's having our tools necessary on that scene and being able to respond to another scene without having to go back to the station to get those tools.

Chief Sanderson explained that as good as our dispatch is, in a lot of cases the nature of the emergency changes while we are in route or it can be the opposite of what the caller indicated so to just roll the ambulance out we are even further delaying care to our patient in situations where we need additional resources. Police Captain Smith added that on the subject of dispatch, in our reporting system there is a field called the nature field and that is for when the caller calls in and says what is going on and there is an observed field for what the Officer sees when he gets there and it is very common for these to be different. Captain Smith said that when you are rolling on these calls you don't really know what equipment you will need or what exactly the situation is that you are going into so we have to be prepared and it is always better to bring too much rather than not enough.

Chief Sanderson pointed out the ISO Rating that the city has. About eighteen months ago when the city was evaluated and at that point based off of the trainings and documentation and also the need for gallons per minute of water delivered/pump capacity, our rating as a city dropped which would affect each individual's homeowner's insurance policy. He said that because of the truck and because of some changes and improvements that we have made we were able to maintain that same level of insurance rating. Council Member Boyd remarked that that is very important.

Council Member Danklef said that he had the opportunity to meet with Chief Sanderson and tour the Fire Station and learned that in fire situations where two Firefighters go into the structure, you have to have two other Firefighters outside of the structure for safety reasons. Chief Sanderson said that the National Fire Protection Association (NFPA) has guidelines that we adhere to because that is the standard that we are going to be held to in situations that involve a Firefighter or citizen injury or death. Council Member Danklef commented that he learned a lot from taking the tour and that he thinks that they do a great job with what they've got.

Council Member Robinson said that she thinks that one of the most common comments about the truck is that it was purchased or we leased it for the purpose of the hotel, and that they think it is just for height. Chief Sanderson explained that there is a perception that the truck was only needed for the hotel and that is not true, when you consider the setbacks that are required for that building with the use of a one hundred foot ladder you would be lucky if you could get to the second or third story of that hotel. He said that that is a misconception that if we have a hundred foot ladder people think that it's ten stories high when in fact the actual use for the truck is for our single and two story homes or our three story commercial buildings that we currently have in the Grove.

Council Member Jensen said that the most often repeated complaint that he hears from the citizens is that our truck is always out there running around and going to situations where you don't need that truck. Also that two years ago we were able to respond to our emergency needs without that truck so why is it today that every time a vehicle goes out of the Fire Department it is the biggest slowest vehicle we have that will get to the scene in the slowest amount of time using the maximum number of persons that we have. Council Member Jensen asked that in the event if we have a multiple call and we have the big rig out there and the call requires a second vehicle how does that help your response time since all of your people are already on one location and you need a truck out to a different location? Chief Sanderson stated that we respond with the truck on all emergencies because it is the most staffed and equipped vehicle so that we can handle all of those emergencies when they come in. When we respond to that medical emergency no matter what happens next we are ready to go so that we don't have to call in additional resources or have to go back to the station, with multiple calls we evaluate the circumstances and the scene and we often leave Firefighters/Paramedics on the first call and then respond to the next emergency. Chief Sanderson stated that we have the ability because "all of our eggs are all in one basket" to be able to handle multiple emergencies. Council Member Jensen then asked if the truck needed to stay on the first emergency and the second emergency also requires the larger truck how are you going to get that engine and Firefighters out to that next location. Chief Sanderson stated that they would handle that like any emergency that we don't have the staffing available, we call in Orem, American Fork or Lone Peak Fire District. The Chief added that there are emergencies that we can't handle and we call for help, we only have six personnel we respond on the original emergency like it's our only call and in the case where we have a second emergency the shift Captain evaluates the need of where we are at and what we have and determines if we need to bring other resources in.

Mayor Call interjected to comment that what might help in response to citizens' questions about using the truck is that the primary reason for taking everybody on the call is because that is how we respond, we respond with overwhelming force. Council Member Jensen commented that the concern is that it isn't necessary and its overkill. Chief Sanderson said that in the morning when the Firefighters start the shift they put their personal equipment on the truck so that they are ready to go so if they have to decide to switch vehicles because they may or may not need it based off of the dispatch information they are just delaying their response time by having to move the necessary equipment.

Mayor Call commented that there are some areas of life in which we over prepare versus getting by and when it comes to public safety that he prefers a department that is more than ready for every contingency.

Captain Smith commented that over his time in the Police Department he has seen a level of trust and professionalism with the Fire Department grow since Chief Sanderson has taken over. Captain Smith said that Chief Sanderson has raised the level of professionalism and capabilities of our Fire Department; that he is cutting edge and is leading the industry out there and that translates to service of our citizens. He added that in Public Safety you are always going to have, no matter what you do, a minority of people who just aren't happy about what you are doing.

Council Member Danklef stated that he thinks that the perception in the community is that because we drive the big rig it costs more than the smaller engine. He said that from his discussions with the Chief he learned that the big truck really doesn't cost that much more, there is one maybe two miles a gallon difference between the big truck and the smaller engine, so if you are talking that kind of statistics then why wouldn't you take the big one that can handle multiple things versus a single service engine.

Mayor Call commented that he is hoping that by bringing these things out for discussion that it is not that it simply informs the Council but that it educates us to the point where we can inform the public and hopes that as elected officials we can have a comfort level both in the content and in other areas to be champions for our various departments.

Council Member Jensen said that there have been repeated inquiries to the Council about the frequency in which the big rig ladder truck is seen out in the community and that it has rubbed the community in a negative way and a perception that we have this wonderful toy that the Fire Department is running around playing with.

Administrator Darrington stated that what we wanted to get from this discussion tonight was that if the Council felt differently on how the ladder truck was currently being used, we wanted to know so that we change how we are using it if that was the general consensus. He said that he gets the sense that maybe there is not a total agreement on how that truck is used every single call but for the most part everybody agrees with the concept that how we are rolling right now is how we are going to keep rolling.

Council Member Jensen commented that if the Council were to say not to roll the big truck out that would address the complaints, the problem with that response is that this is how we want our Fire Department to respond to the health, safety and welfare of the community and not rolling the truck ties our hands behind us just to make the few people in the community feel good about the fact that they don't see the truck.

Mayor Call asked the Council if they felt any need to step in and urge the Chief to rearrange procedures.

Council Member Danklef stated that the only caution that he would give is going to lunch and that he would be cautious about driving the truck to lunch all of the time. Chief Sanderson said that they are fully aware of the lunch issue and that State Street is where all of our convenience foods and restaurants are so it is the most visible spot. The Chief said that they will definitely take a look into

the use and that he does strongly urge the staff on a daily basis to fix meals at the station.

Mayor Call stated that perception is always something that we are going to have to deal with and the better educated we are as elected officials; the better we can educate our public.

## **8. Discussion of items for the January 18, 2011 City Council meeting:**

### **a. Report from the Youth Court and Proclamation in support of the Youth Court**

Mayor Call said that he has asked Lisa Young to have as many Youth Court members as possible to attend the meeting and to have two of the seniors briefly explain what they do.

### **b. To consider for adoption a Resolution (2010-03) appointing an individual to the Timpanogos Special Service District (TSSD) Board and establishing the term of said appointment**

Mayor Call explained that this is what we are doing to appoint Council Member Jensen to be our representative on the TSSD Board.

## **9. Mayor, City Council and Staff business**

- Director Lundell said that at the first Council meeting in February he will have copies of the amended budget to review.
- Administrator Darrington said that they are making progress with some good meetings on the secondary water issue and are hoping that they will have something for the work session in two weeks for the Council to review and discuss the options.
- Director Giles said that Lori Houston has turned in her resignation from the Beautification Commission so they will need to discuss a new appointment.
- Chief Sanderson reported that last week they held their 2011 Kickoff Event for the Fire Department at the Recreation Center which was provided by the Fire Department Association. There was a nice dinner and the department awards were given out and following the dinner and awards we rented one of the theatres at the Water Gardens and enjoyed a movie. Mayor Call thanked them for inviting him and stated that it was an excellent way to build camaraderie while honoring members. Chief Sanderson said that there will be a news release put out that will have a photo of the department and that explains our award system.
- Council Member Jensen commented that we ought to do something in a positive way about all of the things that Test Out is doing, they donated the Christmas lights and now they have the offer to commemorate their twentieth anniversary.

Mayor Call said Test Out is an amazing asset to the city and that he has discussed with Director Bradford the idea of doing something similar to the Community Impact Award that we have given in the past. He said that they will work on this and come up with ideas on how we can leverage this to encourage additional businesses to participate.

Director Bradford said that as a result of the Mayor's suggestion on this the Chamber of Commerce has adopted a new program where they are selecting a business of the month and Test Out is being recognized at this Friday's meeting.

**ACTION:** At 7:45 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."

#### **10. Adjourn**

Meeting adjourned at 7:45 p.m.

This certifies that the Work Session  
Minutes of January 11, 2011 are a true,  
full and correct copy as approved  
by the City Council on February 22, 2011

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Colleen A Mulvey, Deputy City Recorder