

**Pleasant Grove City Council Work Session Minutes**  
**October 30, 2007**  
**7 p.m.**

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Cindy Boyd

Excused:

Lee G. Jensen

Mark Atwood

Bruce Call

Jay Meacham

City Recorder:

Amanda Fraughton

Deputy Recorder:

Mary Burgin

Others:

Franks Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Tom Paul, Police Chief

Ken Young, Community Development Director

Sean Allen, Planner

Marc Sanderson, Fire Chief

Degan Lewis, City Engineer

Libby Flegal, Neighborhood Chair

The City Council members met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah 84062 at 7 p.m.

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Mayor Daniels welcomed everyone to the meeting.

**1. Opening Remarks**

The Opening Remarks were given by Chief Tom Paul.

**2. Presentation of contribution to Pleasant Grove Police Department by Allstate Insurance (Glen Pack).**

Mr. Glen Pack from Allstate Insurance came forward. He said that it was a pleasure to be able to address the Mayor and Council. He concern was regarding drunk driving, which he indicated was a concern for the whole community. The check he handed to Chief Paul was for \$500. He noted that this donation will go towards more breath-a-lizers that officers can use to check suspected drunk drivers. He also indicated that he felt it important to contribute to the community to help make Pleasant Grove a better place.

Mr. Pack also commented that his wife had been in a recent traffic accident in Pleasant Grove. He said that she was very impressed with the marvelous job in taking extra time and care with her.

**3. To consider the adoption of a Resolution of the City Council of Pleasant Grove City, Utah (the "Issuer"), authorizing the issuance and sale by the Issuer of its General Obligation Bonds, Series 2007 in the principal amount of \$5,000,000 (the "Bonds"), supplementing a Parameters Resolution adopted September 18, 2007, prescribing the form of Bonds; providing for the manner of execution and delivery of said Bonds; providing for the use of the proceeds thereof and how payment of said Bonds will be made; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this Resolution; and related matters.**

After the Mayor read this item, Mr. Jason Burningham, a financial consultant for the City, came forward and said that Director Clay had passed out pricing booklets to the Mayor and Council regarding the \$5,000,000 General Obligation Bonds for the Recreation Center that is under construction.

Mr. Burningham noted that they had a very successful bond sale. The sale was held in Council Chambers with the internet connecting the bidders, himself and City staff. He said several underwriting firms participated in the bond sale. Eight qualified and made good faith deposits. He said it looks like the best bid was made by Wells Fargo brokerage with an interest rate of 4.10% on a 25-year transaction.

Mayor Daniels asked what Mr. Burningham attributed the low interest rate bids on the bonds. Mr. Burningham explained that it was timing and good fortune. He said that when the stock market goes down, it actually is of benefit to municipal bonds. Additionally, he said the City's bond rating of A+ is a significant issue that brokerages look at. He said in the last 10 to 12 years, there has been beneficial movement with Pleasant Grove City's in the General Obligation Fund.

As he explained the booklet that had been handed out, he said it started with the constituents voting in 2006 to authorize the City to issue bonds for the new recreation project. He then explained the next sections of the booklet. Mayor Daniels commented that if he is doing his math correctly, the cost over the next 25 years will be about \$10 million dollars. There would be no way to build such a building for that price in 2032, he noted.

Council Member Boyd said it was her understanding that most bond of this type are usually paid off early. Mr. Burningham said that was correct. She asked why U.S. Bank is named as the paying agent. Mr. Burningham explained that Well Fargo is the brokerage, but U.S. Bank will operate as the trustee. He said that is the way it is generally done.

Council Member Call asked if the cost per homeowner of an average \$200,000 house would still be at the cost looked at before; about \$40 a year in taxes per household. Mr. Burningham said yes, that figure is still in the ballpark.

Mr. Burningham next walked through the resolution process. He said the first step was that the legal process began in September, 2007 with a 30 day contest period. Next, he noted that the terms and conditions of the bonds were to come before the Council at the current meeting. Next, the Mayor would be authorized to exercise the bond purchase with the bank. He said that on Tuesday, November 13, 2007, the money would actually be transferred to the City. Mayor Daniels thanked Mr. Burningham and City staff for their excellent work.

Mayor Daniels asked if there were anymore comments or questions. There were none. He then asked for a motion.

**ACTION:** Council Member Boyd moved to approve Resolution No. 2007-044, of the City Council of Pleasant Grove City, Utah (the “Issuer”), authorizing the issuance and sale by the Issuer of its General Obligation Bonds, Series 2007 in the principal amount of \$5,000,000 (the “Bonds”), supplementing a Parameters Resolution adopted September 18, 2007, prescribing the form of Bonds; providing for the manner of execution and delivery of said Bonds; providing for the use of the proceeds thereof and how payment of said Bonds will be made; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this Resolution; and related matters. Council Member Call seconded and the motion passed unanimously by Council Members Meacham, Jensen, Boyd and Call voting “Aye.”

#### **4. Department Report (Community Development Department)**

Director Young handed out an overview of the current and upcoming year-to-date highlights. There are four departments within Community Development; planning, zoning enforcement, engineering and building inspection. The zoning enforcement officer, Merrill Finlayson, has his wage paid by the police department. He said Mrs. Linda Hales assists him in taking reports, etc.

Council Member Call asked what kinds of calls were comprised in the miscellaneous category of zoning enforcement. Director Young answered that those calls are usually such issues as yards and cars on the street. Council Member Meacham asked if these are found by drive bys by City staff, or primarily by neighbors. Director Young said basically, both.

Director Young said the rest of the report is comprised of the developments that have been reviewed and approved during this year. He told of the fast track system for the approval process that has been implemented by the department. There has been an adoption of the new General Plan and General Land use map. Also, the Downtown 2020 action plan is underway.

Mayor Daniels said he really liked the layout with the handout regarding the General Plan that Director Young passed out. He asked that this particular handout be put in the city newsletter

He next explained that the transition from a consultant city engineer to a staff Engineer is ongoing and proceeding well. There has not been a total shift away from JUB or Horrock’s Engineers; nor is one to be expected in the near future. He said the workload is too much for a single individual as is evidenced by the hours billed by the consultants.

Building permits for single family homes have been a bit down this year. However, Director Young indicated that commercial building permits are up.

Director Young said he has very good division leaders and excellent staff. Mayor Daniels asked him if he feels that they are adequately staffed. Director Young said not, not in the engineering department. He said he did budget for an additional inspector this year, but has not yet had to hire a new one. The Mayor then asked about the goals and objectives for the year. Director Young said he would have to say the biggest goal has been the downtown plan, named Downtown 2020. He also said that the City has 7 other commercial districts that need strategic planning for each of them.

Mayor Daniels thanked Director Young for his comprehensive report.

**5. Discussion of items for the upcoming November 7, 2007 City Council meeting**

**a. Continued Public Hearing to consider an Ordinance regarding Matthew and Carol Whitaker's request to amend Section 10-9A-G and E by amending the distance that an animal barn can be located from a residential dwelling and to also amend the number of horses that can be allowed on the property; for property located in the RR (Rural Residential, 21,780 sq. ft. lot area) zone. CITY WIDE IMPACT**

After Mayor Daniels read this item, Director Young explained that after the previous meeting on this item, staff had gone back and reviewed the Council's concerns. Assistant Planner Greg Stockhoff reviewed the research, and then contacted the County Health Department, as well as the County Community Development Department and Equestrian Center in Salt Lake City. After researching why the distances for the setbacks, Director Young said that Planner Stockhoff found there was really no set reason for the distances.

Council Member Call related to the Mayor and Council that he had done some independent research (on-line) for about an hour and a half regarding setbacks. He said he also found there was really no cohesive reasoning for the distances of the setbacks. He added that it looked like most were set because that was the way it had been for years. He also suggested that the portion of the agenda item that stated the amending of the number of horses should be removed.

Attorney Petersen noted for the Council that the distance between the property owners dwelling and the accessory building had been changed from the proposed 30 ft, to an average of the surveyed cities distances--which was 50 ft.

**b. To consider an Ordinance approving Public Hearing to consider an Ordinance regarding Manhattan Development's request to rezone a 3.49 tract of land from R1-10 (Single Family Residential, 10,000 sq. ft. lot area) zone to R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone for property located at approximately 1010 East 200 South. SCRATCH GRAVEL NEIGHBORHOOD**

Director Young said that the applicant was looking at the potential of developing his property. However, he said that he was not submitting a specific proposal at this time. He also said that the change of zoning would fit with the General Plan. Planner Allen noted that the applicant is getting ready to submit a plan, however.

**c. Public Hearing to consider Tim Stephens' request to vacate lot 1 of the Manila Heights Subdivision, Plat "A," and to create a 4-lot subdivision known as Manila Heights Subdivision, Plat "B," located at approximately 1430 West 3300 North, in the RR (Rural Residential, 21,780 sq. ft. lot area) zone. MANILA NEIGHBORHOOD**

This request is to simply reassign a lot in one plat to another plat for this applicant, Director Young noted. He said it doesn't change any part of the lot line, just from one plat to another.

**d. To consider Public Hearing to consider an Ordinance regarding Smith Ballstaedt's request to amend Section 10-9A-10 of the Pleasant Grove City Municipal Code to allow persons to**

**request an increase in the maximum allowed height of a building through the approval of a Conditional Use Permit within the RR (Rural Residential, 21,780 sq. ft. lot area) zone. MANILA NEIGHBORHOOD**

Director Young said that a request of over 35 feet high on the height of a building can be approved by the Council in the RR zone.

**e. To consider Trophy Homes' request for Final Site Plan/Conditional Use Permit approval of the proposed Mayfield Central Residential Condominium Project, construction phases 15-30 (120 units), comprised of 9.33 acres, in The Grove Zone. SAM WHITE'S LANE NEIGHBORHOOD**

This particular item is just the ongoing approval of the phases for the Trophy Homes Development. He said this is phase 2. Also, he noted that the Council had already approved phase 1.

**f. Discussion on concept review requested by Trophy Homes regarding new architecture and design for the final two phases of the Belle Monet Development situated in the Grove Mixed Use Sub-district. SAM WHITE'S LAND NEIGHBORHOOD**

This item follows up the Council's recent approval of phase one of the Trophy Homes development. Director Young explained that in phase 2 of the development, which will be the final condominium plat, there will be design changes as the Trophy Homes Mayfield development and the back end of the Belle Monet development will now become one.

Council Member Boyd asked if Trophy Homes will need to have another design approval. Director Young explained that since Trophy Homes will be taking over the remainder of the back or north side of Belle Monet, there will be a need for approval. Planner Allen added that Mr. Kriser built phases 1 and 2 of Belle Monet, and Trophy Homes will build phases 3 and 4. The two developments will have a road that connects them on the north side.

Administrator Mills then commented that in Director's meeting, there was a concern expressed with the agreement with American Fork concerning 2500 West. He said that American Fork City will maintain the road, and Belle Monet will build the road. There has not, however, been an agreement with Trophy Homes that they will build the road since they are taking over the completion of the northern end of Belle Monet.

Mayor Daniels asked if the issue has been brought to Trophy Homes' attention. Attorney Petersen said that there is already an interlocal agreement on the construction of 2500 West. However, she said that in the interlocal and development agreement, what Trophy Homes is contesting is the road profile with the additional outfall and cross street. She had spoken with Engineer Lewis, and he said he was to meet with Trophy Homes. She said the issue needs to be resolved prior to any agreement or even "nod" from the Council and Mayor. Attorney Petersen explained it was very important to have the road issue resolved before hand—and to make it clear and go on record that the agreement has been accomplished.

Administrator Mills agreed. He said he felt it would be best if there was a firm resolution of the issue prior to City Council meeting, that it be pulled off the agenda and. Mayor Daniels agreed.

Additionally, Administrator Mills asked if it might be more appropriate to have this discussion item on a work session agenda. He said it is not an action item. Council Member Call agreed.

Mayor Daniels asked why it was on the City Council agenda. Director Young answered that Trophy Homes was looking for a nod from the Council on the design changes for Belle Monet.

Planner Allen said he has seen some of the preliminary plans for the project. He said it looks a lot like Cambria, with a French-like theme.

Administrator Mills said he was concerned that if this was in a regular Council meeting, Trophy Homes might think that a nod from the Council was the same as an approval. Attorney Petersen said she would echo Administrator Mills' concern. She suggested that the Council make it clear that Trophy Homes would need to stick with the approved Belle Monet plan, or formally come back with another design for approval.

Mayor Daniels then asked that this item be moved to the November 13, 2007 work session.

**g. To consider adoption of a Resolution authorizing the Mayor to sign a easement in favor of Mark Ryan granting an access easement for ingress and egress over a portion of the parking lot of city hall/public safety building, 70 South 100 East, Pleasant Grove, Utah.**

Attorney Petersen related that Mr. Ryan was requesting (in the easement that has been drafted) that; 1. This be for ingress and egress only, and not for parking in the City parking lot; 2. The condition of the entrance design be such that storm water doesn't go into Mr. Ryan's property and flood. She noted that Engineer Lewis will check the design. She said nothing will be signed off unless he approves the design. Because of this, she said this item might not be on the Council's agenda unless Engineer Lewis does approve the design.

**h. To consider awarding bid for the 2007 Sewer Rehabilitation Project.**

Administrator Mills said Director Walker will be presenting this item. This will be for the lining for the sewer maintenance, and was a big enough cost that it had to sent out for bid.

**5. Mayor, City Council and Staff Business**

- Chief Paul reminded everyone that there would be an open house for Captain Cody Cullimore's retirement on Thursday, November 1, 2007 from 3 to 5 p.m. in the basement of the library.
- Regarding a discussion and presentation by Metro Waste a few weeks previously, Administrator Mills said that he would be going up to tour their transfer station the next day. He said he would bring back information to the Council and Mayor prior to them going up and touring the facility. He then explained that one such business was in the process of asking Pleasant Grove City for an amended zone and a conditional use permit so they could put in a transfer station within the City limits. With this, he said they would like to feel that they were better educated about such facilities.
- Council Member Jensen indicated that he had two questions. First, he said he was wondering what was going on with the Hammons' project in The Grove. Second, he said he was wondering why the Liahona School project had stopped.

Administrator Mills said the status as of 4 p.m. that same afternoon, Mr. Hammons was getting ready to start the project. However, Administrator Mills said that there has been a delay with the road infrastructure design. He said that a quick resolution is hoped for so that equipment can be moved in next week to start the project. Planner Allen also said that the design engineer for the Hammons' project has requested using the fast track program with Community Development

Regarding the Liahona project, Engineer Lewis explained that the project seemed to disappear for a period of time, but they finally came back with the submittal of their plans. He also said that the water shares have not been posted for the project.

- Council Member Boyd said the Trunk or Treat for the Historic Downtown area has been going well with their plans. She said that Mr. Dan Turner has put together 47 businesses that want to participate this year. He also received permission from Alpine School District to send out flyers from area elementary schools this year. The event will be held on Wednesday, October 31, 2007 from 3 to 5 p.m. in the Downtown Park. The fire department will also be participating.
- Mayor Daniels said that the City Christmas Party was being planned for Thursday, December 6, 2007 at Utah Valley University. He said he liked the ballroom venue from last year at the school, and asked those present if they also liked them. Everyone expressed their approval of the ballroom.

The Mayor then said he had a thought. He said it might be nice to not give out large gifts to a few of the employees with the traditional raffle this year. Instead, he said he wondered if it would be better for morale if the City purchased something nicer with the extra money for each of the employees this year. He said he would like to see the City give something that was truly memorable and personal. Chief Paul said he agreed with the prize concept.

Chief Sanderson said that Orem City gives out one large gift, which he likes. He said the prize is "significant" every year. He noted that employees really enjoyed the chance to win.

Mayor Daniels then related that he enjoyed the entertainment and the meal along with the slide show. He said he would really appreciate any suggestions from the Council or staff regarding entertainment, etc.

The Mayor next related information that he had received in recent meetings with UDOT and The Mountainlands Association of Governments (MAG) agencies. He said that negotiations continue about the railroad crossing bridge on State Street (just west of Main Street), Geneva Road changes as well as the widening of State Street. A map was then handed out to the Council showing the proposed changes to State Street.

Engineer Lewis said that UDOT had sent him data on the widening of State Street. He said there will be a change in turning lanes and right-of-ways along various areas of State Street through Pleasant Grove. There will also be a realignment by Bank of American Fork and MacDonald's restaurant. He said it will take a small part of the Bank's parking lot, and add to MacDonald's parking

Council Member Jensen asked about the black lines and the blue lines on the map. Engineer Lewis said the black lines were turning lanes and the blue lines were the gutter.

After further discussion, Administrator Mills said that between the widening of State Street and the overpass project, there would be several possible changes to the road configuration. Mayor Daniels agreed. He said UDOT has even consented to looking at possibly connecting Geneva Road to 100 East.

Mayor Daniels then explained that the overpass project will be designed for an eventual 7 lanes. Quite a bit of Wil's Park is to be given up, he noted, but the state will be having the Shannon ball fields reconfigured. He next explained that UDOT is planning to put a signal in at State St. and 220 South. Administrator Mills said UDOT is talking now as though that particular signal will perhaps only be temporary. Engineer Lewis said that the signal is, as Administrator Mills said, still under discussion as to whether it would remain permanently or be temporary. In the City's Master Transportation plan, Mayor Daniels said that 200 South is slated to go straight from the canyon on the East to the I-15.

He then said that there is not plans for creating sidewalks, etc. on the north side of State St. He said the trails and walking areas will mostly be on the side of the street with Macey's and Walgreen's stores due to the railroad tracks on the north side.

Council Member Meacham asked about a proposed UTA (Utah Transit Authority) shelter. Mayor Daniels explained that it is slated for in front of the Senior's Center on 200 South. He also said there is to be a UTA Trax transit station right on State St. in the area of Center St. Administrator Mills agreed that there are plans for there to be a pad and shelter for the UTA Trax Station in that vicinity.

Council Member Jensen asked how the state handles such circumstances as businesses that will lose part of their building or parking lot in the reconfiguration of State St. Mayor Daniels said that the project is under the state, and they will take care of the purchase of land, etc.

Engineer Lewis then explained that the width of the street would normally be 132 ft, but they are widening it to 118 ft. to minimize the impact of the project.

After further discussion, Mayor Daniels said a separate discussion as to what Pleasant Grove City officials feel needs to be done prior to the City taking over 100 East from the State. He said this discussion includes Cedar Hills. The concern is that the City not take the road over prior to improvements being made. Otherwise, the City would inherit a \$50 million project. He went on to say that this Council, as well as future Councils need to remain informed on this project and ready to take action.

Administrator Mills then commented that Pleasant Grove City currently sits in, "the cat bird seat." By this, he said he meant that the state will be shutting down certain areas of state roads that are to be worked on. He then explained that the state will then be more than willing to work with the City in improving City-owned alternate roads. Currently, he said that Utah County does not have an east-west corridor like Salt Lake County, so the state is pouring a lot of money into the local streets in Utah County. He said some of the projects

would at one time not have been considered, but are now in the works.

Next, Mayor Daniels reminded everyone that the City Council meeting would be on Wednesday, November 7, 2007 instead of Tuesday due to the General Election. The City does not conduct this election, but he said that everyone can convene at the Jacobs' Senior Center for a little party on Tuesday Evening. He said the county will be sending results after 8:30 p.m. every 5 minutes. He wished everyone running good luck.

## **6. Adjourn**

**ACTION:** At 9:27 p.m, Council Member Jensen moved to adjourn the meeting. Council Member Call seconded and the motion passed unanimously by Council Members Meacham, Jensen, Boyd and Call voting "Aye."

This certifies that the Work Session Minutes  
For October 30, 2007 are a true, full and correct  
copy as approved by the City Council on  
November 7, 2007.

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Mary Burgin, Deputy Recorder