

Pleasant Grove City Council Work Session Minutes
February 12, 2013
6:00 p.m.

PRESENT:

Mayor Pro Tem:
Lee G. Jensen

Excused:

Bruce W. Call, Mayor
Kim Robinson, Council Member

City Council Members:

Cindy Boyd
Cyd LeMone
Jay Meacham

STAFF PRESENT:

Scott Darrington, City Administrator
Tina Petersen, City Attorney
Dean Lundell, Finance Director
Kathy Kresser, City Recorder
Ken Young, Community Development Director
Deon Giles, Parks and Recreation Director
Lynn Walker, Public Works Director
Mike Smith, Police Chief
Dave Thomas, Fire Chief Deputy
Degen Lewis, City Engineer
David Larson, Assistant to City Administrator
John Goodman, Street Superintendent
April Harrison, Arts and Culture Director
Libby Flegal, NAB Chairperson
Andrea Romanczyk, Transcriptionist
Citizens

The Mayor, City Council, and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah, at 6:00 p.m.

1. Call to Order

Mayor Pro Tem Jensen called roll for the Council and noted that Council Members Boyd, LeMone, and Meacham were present.

2. Pledge of Allegiance

Kendrick Dunn from Troop 1169 led the Pledge of Allegiance.

3. Opening Remarks

Opening Remarks were given by Director Lynn Walker.

Mayor Pro Tem Jensen noted that we have a fairly short agenda tonight and there were no changes.

4. Introduction of New Employees

City Attorney Petersen introduced Jerry Hale, the city's new part-time prosecutor. He is highly experienced, having been an assistant district attorney in Maricopa County, Arizona, with a lot of criminal experience. He will be working approximately 29 hours a week and will be seated in the cubicle across from Treasurer Bezzant's office. He will be covering mostly the Justice Court on Tuesdays and Thursdays, as well as some work in American Fork on Fridays. The council welcomed him.

City Recorder Kresser introduced Eileen Clasby, who is the new front office utility receptionist and is doing a great job. She has lived in Pleasant Grove for 20-plus years. The council welcomed her.

5. Recognition of PG Jr. High Taking First Place in the Constitution Competition

Council Member LeMone said she had a special connection with this junior high school, having gone there herself and having a son in attendance there. Mr. Spence was one of her favorite teachers. When she visited the junior high a couple of weeks ago, he mentioned that his constitution class was participating in a competition. She told him that if they took first place, we needed to recognize them in a City Council meeting because the competition relates directly to what we do every day. This is the second year they have earned first place. Council Member LeMone invited Mr. Spence to come up and explain the competition.

Mr. Spence said he appreciated the recognition. This program has been around for many years and started as part of the bicentennial celebration. Chief Justice Warren Burger was the founding chairman in 1987. It started on the high-school level and since then there has been an increase throughout the country in the number of high school students participating. Our high-school students had a chance to go back for the national finals, and then the program expanded to junior high schools a number of years ago, and we have even done it in elementary schools. The students study the Constitution in depth, including the founding principles and ideas, the colonial system and period, and how the country developed. They also study the document itself, the three branches of government, and different aspects of the Constitution at work. The program finishes up with the Bill of Rights and the role of citizens. He has 34 students in the class and asked the ones present to stand. After a preliminary round locally, the top six schools in the state proceeded to the Law and Justice Center in Salt Lake City. Finance Director Lundell's daughter was on the first-place team last year. The follow-up project is We The People: Project Citizen, which Mr. Spence has offered as an after-school club. Council Members Boyd and LeMone, as well as Director Giles and the Mayor have spoken at club meetings about how city government operates. This club has had a number of projects involving public policy and improving the community over the past several years. This gives kids an opportunity to be involved in government and make a difference in their community. Council Member LeMone asked whether all grades were involved, and Mr. Spence said it was just for 8th grade. There is a national competition this year for the first time for the junior high schools, but the district will not allow them to travel even though they qualified to go on to national.

Council Member LeMone mentioned that City Engineer Lewis's son is also involved. She expressed admiration of the subject matter they have learned and pride in the students. Mayor Pro Tem Jensen said he wished there were more opportunities to recognize outstanding youth in

our city who are not athletes and offered his congratulations. Council Member Boyd stated that this program has beneficial outcomes; a student she knew in the program a couple of years ago has stayed very involved in the community and elections. The program encourages students to become community-minded and serve the community. Council Member LeMone again thanked Mr. Spence for the work he has done as a teacher.

6. Discussion of Agenda Items for the February 19, 2013 City Council Meeting

Mayor Pro Tem Jensen stated that this council meeting looks like a “Ken Young meeting.”

a. Utah County Commissioner Gary Anderson to give an update on Utah County.

Mayor Pro Tem Jensen said Commissioner Anderson would probably give an update on everything except what we want to hear. Community Development Director Young said he thought he would have some good news.

b. Public Hearing to consider for adoption an Ordinance (2013-1) adding Section 10-14-28 “Grove Business Park (GPB) Overlay” to the Pleasant Grove City Code, for the purpose of providing more opportunities for professional business park development in the Grove Zone.

c. Public Hearing to consider for adoption an Ordinance (2013-2) rezoning approximately 15 acres of property owned by Valley Properties LLC, located at approximately 400 South 1300 West, from The Grove—Interchange Sub-district to The Grove—Commercial Sales Sub-district.

d. Public Hearing to consider for adoption an Ordinance (2013-3) approval of the application of the Grove Business Park Overlay on various properties located between Pleasant Grove Boulevard and 700 South, east of 1300 West, for the purpose of providing more opportunities for professional business park development in the Grove Zone.

Director Young said this is an effort to assist one of our economic development pursuits that is currently active to have the type of zoning that would be appropriate for them. He said staff has also considered a situation that would be beneficial not only for one particular current business but also opening up opportunities for other businesses within the Grove Commercial Sales and Interchange areas where a business park could be developed. This is adding a new layer of opportunity with zoning, and this item is to establish within the code text this type of an opportunity. As we get down to the next couple of items, we will deal with that same issue, but this is just to set it up in the code. Mayor Pro Tem Jensen opened the item for discussion.

Administrator Darrington asked if Community Development Director Young could explain items b, c, and d at the same time because they are all related to the same development and they are all tied together.

Director Young said that, looking at a particular property where we would like to have this overlay applied, prior to actually applying that (which is letter d), on letter c we are looking at the zoning on this property. It is near the bend of Pleasant Grove Blvd. where most of the property in that area is zoned for Grove Commercial Sales. If you recall, we have an island of Interchange-zoned property where formerly the properties surrounding it were all zoned Interchange. A few years ago, we rezoned that area to Commercial Sales and limited the Interchange sub-district to be down on the south and west side of the Blvd. This island of

Interchange was left because there were questions as to certain types of zoning that might be requested by the property owner. There was a discussion with property owner Dennis Baker and the City Council thought about doing something else, perhaps mixed housing, and there was never any resolution to that. When all of the other properties changed, that piece of property was left out of the zone change. We knew that at some future time we would want to come back and change it, but we were just kind of waiting, and we decided now is a good time to do that—to clean it up, make the zoning on that property the same as that on the surrounding properties, which would be the Grove Commercial Sales. We want to do that first, before we apply the Grove Business Park overlay to it, so all the properties will have the same zoning, as well as the overlay. Applying the overlay would be item d.

Mayor Pro Tem Jensen asked whether on Item c when it says 400 South, is it really 700 South? Director Young pointed out 700 South on the map. Mayor Pro Tem Jensen said that item d says 700 South. Community Development Director Young responded that there are some different property addresses listed there. The property talked about in item c is the 15 acres that just says “Interchange.” Item d deals with a larger area, where we are going down to 700 South between 700 South and West Grove Blvd. Mayor Pro Tem Jensen then asked if there were any other questions or comments.

e. To consider for approval of a site plan and final plat for The Commons Townhomes (134 townhome units) located at approx. 1650 West 100 South in the Grove Mixed Housing Sub-district Zone.

Director Young stated we have the second residential property, or the southernmost residential property, in the Grove Commons area. Last year the council approved the Somerset Meadows apartments, which would be the middle area. This is The Commons Townhomes, which is lower density. It is a townhome development and has been through the Planning Commission and Design Review Board process and it is coming to the council for both site plan and final plat approval. Mayor Pro Tem Jensen asked whether we know what the density is. Director Young responded that it is approximately 11 units per acre. Mayor Pro Tem Jensen then asked whether we know what the overall density is for the entire project. Director Young responded that overall the project will be under 18 units per acre. Mayor Pro Tem Jensen then asked if there were any other questions or comments. There were none.

f. To consider for approval a final plat to amend Mayfield North Professional Offices Suites –Phase 1 by combining two units into one unit located at approx. 260 South 2500 West #203 & 204 in the Grove Zone.

Director Young stated this is now at the north end of the Mayfield development. There is a building that is in place there, the Mayfield North building, and there are two units within that condominiumized building that are wanting to be combined into one for financing purposes. It is not doing anything different to what is existing other than just creating one unit out of two. Mayor Pro Tem Jensen asked Director Young to verify that it would still be office, which he did.

g. To consider for adoption a Resolution (2013-05) authorizing the Mayor to declare nine (9) Smith and Wesson handguns as surplus and directs that they be sold according to the City’s policy for disposing of surplus property; and providing for an effective date.

Chief Smith said that we have some firearms in evidence that we are purging out and want to put them up for bid. They must go to a federal firearms dealer, so we put them up to bid with some

of the dealers with whom we deal. In that process, we came across nine Smith and Wesson guns that were actually city property. He said he used one 18 years ago and they are older than that. They have been with our quartermaster for quite a while. We wanted to add these to the list and put them up for bid with the evidence guns and in return get guns that are actually useful to the department.

Mayor Pro Tem Jensen asked whether they bring much revenue into the department to do that. Chief Smith responded that those guns, by themselves, will not be worth all that much. Together with the evidence guns, they are probably looking at about \$12,000. There were no further questions, and Mayor Pro Tem Jensen asked whether there were any other items for next week. He said that he understands there will also be an executive session. City Attorney Petersen said that had not yet been determined.

7. Discussion on Proposed Senior Housing on Center Street

City Administrator Scott Darrington said a group has approached the city about development just off of Center Street, almost to 600 West, for a senior housing project. They approached staff and started giving them some concept plans to show what some of their ideas are. The density will be a little higher than the 12 units per acre but Administrator Darrington thinks it dovetails into the discussion we have had about possible densities in the downtown area and whether we want those to be a little different than what we have in the Grove. This is a project that would take some properties and clean things up a little bit, but we wanted them to get it in front of the council to get some feedback before they officially submit what they want to do. He asked Director Young if there was anything he wanted to add, but he deferred to Larry Lindstrom, the spokesman for Leisure Villas.

Mr. Lindstrom said his company has been building senior communities for the past 10-12 years in Lehi, Springville, West Jordan, West Valley, Syracuse, and Logan. They have found quite a need for them. The owners of this property approached him but he was concerned that the property was too narrow and long. He met with Vic Orvis, who was thinking about doing some storage units because he also has a long, narrow piece. By combining these two pieces, they thought they could do something a lot better. Mr. Lindstrom showed slides of the proposed project, including the site owned by ProTold. This is a unique piece because the railroad tracks come so close that traffic will have to do a right-in and right-out (no left-hand turns). After pointing out the Orvis property, he indicated the heating shop and an older house that is close by. He said he has these properties under contract. Mr. Lindstrom said the Pleasant Grove staff is a breath of fresh air after trying to do a project in West Jordan; they are very helpful. He is trying to find a concept that looks good from the street but is still economically viable. The current zoning is MD Manufacturing, but this is kind of a front door to the city and things are changing. He hopes this project will be a catalyst for other projects.

Mr. Lindstrom described 122 units of senior housing. Along the front he wants something with a lot of street appeal and very good landscaping. On the interior there would be a senior community, and some type of commercial. He said a senior community project is a little different because we have to take into account mobility issues. It will not look like an apartment building but almost more like a hotel. There will be interior hallways that have to be wide enough to park a Jazzy scooter, and there will need to be a good-sized community center.

Indicating a vacant space, Mr. Lindstrom said he was talking with Eldon Clark about purchasing his property. He said that if the pipe plant does sell, it is his understanding that that railroad spur is no longer in use and they also own that. He would love to be involved with the City in

negotiating the purchase of that spur. He thinks it would be a perfect place for a walking trail, and there would then be a direct walk from the senior center to the cemetery.

Mr. Lindstrom described an office development along Center Street, 120-140 units of senior restricted community (seniors age 62 and older). The senior project will have a higher density but lower impact. He said that 24 homes per acre sounds big, but it has less impact than 16 per acre because they have found that there will be less than 1.3-1.4 people per home—a lot of widows and a few widowers—that compares to less than 2.5 to 3 in a normal apartment building. Regarding parking, a lot of his residents will not have cars. The owner of a project in Riverton, Coventry Cove, has told him that he has less than one car per person. One parking space per home is more than adequate in this type of a community. This means they can put in more landscaping. Another good feature is that it will not generate traffic during peak hours. Seniors do not like to drive during high traffic hours and they average less than one trip per day, anyway. The other thing is there are no loud parties. Police visits are minimal, there is really no drug problem, and there is no impact on schools.

Mr. Lindstrom said that seniors have a tendency to be lonely and their mobility is challenged. To take care of these concerns, they build wide hallways, replace stairs with elevator, and have a large gathering room for activities and parties. There is also often a branch church meeting held at the center. They have found that the theater rooms are well used, as are the pools and hot tub (especially for water aerobics). There will be an outdoor gathering area and a full-time staff person during business hours.

In an average apartment building, there is a turnover of 100 percent per year. Senior communities do not average more than 15-20 percent. Mr. Lindstrom presented some facts: 75 million people were born during the “Baby Boom” era, and this is the fastest-growing demographic. In 1970 five percent of the population was seniors, now it is nine percent, and it is projected to be 20 percent in 30 years. They have a low impact on city services. Most seniors do not want to move far away from their families. In 2000, Pleasant Grove had 1,400 seniors (64+). In 2010, there were 1,977. There are projected to be 4,000 in 2020. There is a need here for senior housing. It would be nice for Pleasant Grove seniors to have a place to go within the city.

Mr. Lindstrom summarized by requesting a mixed-use zone that would allow this project on 6+ acres (he has six acres now and is working on the piece that Eldon Clark owns; he has also talked to a homeowner who is not interested). One acre along Center Street would be bordered by office space. He would probably put one building in immediately and then build the others as the need arose. The 5+ acres would consist of one building with 24 residential units per acre.

Pro Tem Jensen asked how mobile they tend to be. He is concerned that Center Street is not really capable of accommodating a lot of foot or other non-vehicular traffic. Mr. Lindstrom said they are not very mobile. In his other communities, most of the people are still driving. He thinks that here about half of them will still be driving. They will not be ready to go into a rest home; they just need a place with no maintenance required. A lot of them will have a cleaning service. The residents will mostly be in their 70s and 80s. Pro Tem Jensen asked if they would not tend to walk to stores. Mr. Lindstrom said some of them will but a high percentage of them will not.

Council Member Boyd said she thought they would walk more and be more mobile if the sidewalks were better. Mr. Lindstrom said they tried to make it nice enough for them that they did not feel they had to leave for anything. He did not know whether they would want to take a Jazzy scooter across State Street.

Council Member LeMone asked whether any of his developments in the past 12 years are similar to what he is proposing here. Mr. Lindstrom said they are not; the ones he has been doing in the past are six per acre and built in quads. They have been sold as individual units. His web site is www.leisurevillas.com and one can see there what he has done in the past. He has done 10 projects with about a thousand homes. One of the reasons he wants to do this here is that a tremendous number of people want to rent from them and they only sell now. They feel they can expand their company and pick up this additional niche. He believes they can keep the rent affordable. Council Member LeMone asked whether his web site has addresses of projects they have done. Mr. Lindstrom said that is all on the web site.

Mayor Pro Tem Jensen asked whether the entire project would be rentals. Mr. Lindstrom confirmed that. He said he would love to do one of his other communities in Pleasant Grove. He needs 15-20 acres for roughly 100 units. Council Member LeMone asked who maintains the property. Mr. Lindstrom said he would retain ownership of the property and would hire a management company to maintain it. He said he is a little overboard on landscaping. He has found that it is amazing how nice something can look with good landscaping, and it really sells. Any money they spend on landscaping is not wasted; he calls it "marketing money." He said we do not have to worry about that because it is something he feels incredibly strongly about. Council Member Boyd said she has noticed the landscaping on the concept plan. Mr. Lindstrom said that so far that has only been specified by his engineer, and any place they can possibly landscape will be done first class. He said if the council feels favorably about the project, he is ready to spend a lot of money and get serious about this with the architects. He just needs to know if this is the direction the Council would like to go. He said that when he is this far on a project, and he has been 11 times in the past 12 years, he is very serious.

Mayor Pro Tem Jensen said that based on what he has seen here, none of the parking is covered; it is all open. Mr. Lindstrom said that this is only a concept and they would definitely cover parking. He has checked with the property manager who rents these and he says they need at least 25 percent garage enclosures and most of the balance at least covered. He would want all of his tenants' cars to either be in a patio enclosure or in a garage.

Council Member Boyd said he is saying all the right things for her. Mr. Lindstrom said he has found that if he does the right things, it tends to work. Administrator Darrington said what we are looking for tonight is whether there are any big concerns they need to have feedback on; anything that would make it absolutely a no-go. At this point, there would need to be a zoning change or overlay to accommodate the project. The density issue is something he thinks we will address as we go. Mr. Lindstrom said that is really the big issue for him. With what he has to pay for ground, they have to do more amenities in a senior project. In order to provide the amenities, they have to get a little more density to make the project feasible. He said when you look at the footprint of the building; you also end up with smaller average unit size. A lot of seniors prefer a studio or one-bedroom apartment because they do not want to deal with a bigger unit. The ones that do have two bedrooms are typically because the husband or wife snores too badly.

Council Member Boyd asked what the actual square footage will be for a studio apartment. Mr. Lindstrom said he thinks it would be in the 650-700 square feet range. Depending on the layout, he would also like a couple of really nice units because there is a big mix of what people want. Council Member Boyd asked whether they were all on one level. Mr. Lindstrom said it will be three stories with three elevators, one in the center and one on each wing.

Pro Tem Jensen said he likes what he is seeing. His concern goes back to his original question about sidewalks. There has to be sidewalk access for them going in both directions that they can actually utilize. Mr. Lindstrom asked if the City has sidewalk all the way. Pro Tem Jensen responded that there is not sidewalk now and Mr. Lindstrom would have to do part of it along his property, but where his property ends down to 600 West, there is no sidewalk on the corner. Engineer Lewis described a particular frontage that potentially would not be part of this project—a gap of a couple hundred feet—otherwise the sidewalk is continuous all the way down into downtown. Pro Tem Jensen said there is also a gap where Mr. Lindstrom's property ends to 600 West, and a lot of railroad stuff to deal with there. There was continued discussion of sidewalks and connections to trails.

Administrator Darrington said what he is hearing is that if the project goes in, on the back side of the project there would need to be a sidewalk connecting back into the spur. Engineer Lewis said staff had talked about doing some sort of loop. Mr. Lindstrom said in his projects he likes to put in a walking trail around them. They did a project in West Jordan with a perimeter walking trail that turned out really nice. He is looking to do something like that here.

Mayor Pro Tem Jensen asked if there were any other comments. Council Member Meacham said his office is working on this but he has not yet been involved in it. He has been involved with some other of Mr. Lindstrom's projects. Attorney Petersen asked if, having made that disclosure, he was going to recuse himself from a vote. Council Member Meacham said no. Mayor Pro Tem Jensen asked if we have enough to give Mr. Lindstrom the go-ahead. Mr. Lindstrom said he would like to commit about \$20,000 to the engineering part of the project and if it looks like we are close, he would like to get it going as quickly as possible. This would be done with HUD financing and that takes about eight months to get through. He said he would make it nice. Mayor Pro Tem Jensen said he was free to move forward as far as the Council was concerned because he has not heard any objections.

Council Member Meacham asked whether we need to create an overlay on something like this. Director Young said one thing he had considered is along the railway that is the western boundary of the Downtown Village zone, which would accommodate this type of development. He thinks it would be a fairly natural thing to just extend the Downtown Village zone over to 600 West and cover all of that property. There are other ways of doing it. We could take the General Commercial zone, which allows a lot of different things, but we would have to add to that some kind of residential component to allow for this, or we could create an overlay. He thinks the easiest would be the Downtown Village zoning. Pro Tem Jensen said his only concern about this project is that it could restrict the mobility of the people in there. Even if most of them are pedestrians, to create a situation where they cannot go toward the commercial on the other side of State Street needs to be looked at. The sidewalks going toward downtown are uneven and that is a broken hip waiting to happen. We also as a City need to take a look at access in both directions to make sure they have access without the possibility of being hurt getting to and from. Director Young agreed that that is important and beneficial for not only this project but anybody who lives in downtown and wants to get to Macey's. Pro Tem Jensen said this may force that issue. Council Member Boyd said this has been a concern for quite some time for the people in Thornberry in the senior section. When you walk with them, you realize what their world consists of—it is a pretty dangerous world getting in and out of those places.

Director Giles said part of the master trails plan will complete this area with rails and trellises. The state has been working on that with UTA through Lehi and American Fork and our ending point is at 200 South where our senior center is. Mr. Lindstrom said he would check with the

pipe plant people, too, to see what their interest is in selling that to him. He would not mind buying that piece and working with the city on it. Administrator Darrington said the city is in negotiations right now to purchase that. Mr. Lindstrom said he will let the City worry about it unless we want him to be involved; if the City wanted to sell him a portion of that border line and have him put the trail in, he would be happy to do that. That would make his project so much better. He thanked the city.

8. Mayor, City Council, and Staff Business

Mayor Pro Tem Jensen asked council members if they had any additional business. City Administrator Darrington reminded the council that this weekend will be the city retreat. He e-mailed an agenda Friday and there have been a couple of slight changes to it. It will still start at 4:00 p.m. Initially there was going to be an executive session to talk about the incentives issue, but that might end up being an open session. Randy will be there to walk the council through that first item. It will wrap up on Saturday at 2:00 p.m. There is a lot to go over. If there is an issue we feel we need to spend a lot of time on, we can probably schedule it for a work session as a follow-up. It will be a good weekend. Council Member LeMone asked what time dinner would be. He said it will be at 6:30 p.m. on Friday, spouses invited.

Director Young said there was no rap sheet today but they are holding off until the retreat, where they anticipate having some new things, including a potential exciting announcement on Thursday and another commercial development that was at the DRC today.

Director Walker said they are working on the city clean-up and it looks like it will be on April 13 through 20. The reason we need to move on this is that we are starting to get pressure on tying up the dumpsters. They have called twice. Pro Tem Jensen asked how we are doing on pot holes. Director Walker responded, "Really bad." They are doing what they can. Mayor Pro Tem Jensen asked whether they had ever taken care of the one on 1100 North. Director Walker said the county has not but he might sneak out there and throw a little in it. It should be American Fork. John called his counterpart there and asked him about getting it fixed. Those fixes usually just use cold mix. Council Member Meacham asked whether in the Spring we go in there and permanently fix them. Director Walker said yes, as soon as they come out, and they will.

Engineer Lewis said the State Street water line project is wrapping up at the west end. They have been working on the shoulder and had a one-lane closure for most of the time, but they have made really good progress and they are about done.

Council Member Meacham asked for clarification on the e-mail on the TSSD regarding Commissioner Ellertson. Mayor Pro Tem Jensen said his comment, for those who did not get the e-mail, was a concern that Commissioner Ellertson is the representative from the commissioners to the TSSD board meetings, and the whole time Mayor Pro Tem Jensen has attended the meetings, Commissioner Ellertson has been a proponent in support of TSSD with respect to composting. Commissioner Ellertson has not taken a neutral position. Council Member Meacham asked if Commissioner Ellertson would be involved in the executive dealings. Administrator Darrington commented that when he was on the board, Commissioner Ellertson did not sit in on those. Mayor Pro Tem Jensen wanted to point out that Commissioner Ellertson does attend the meetings and there can be and have been discussions about that without going into an executive session, and he wanted to alert the Council to the fact that it does not do any good to dismiss that and still allow a voice. He does not know if there is any way to prevent that from happening. Attorney Petersen said she does not see that we have any leverage. If they are out, they are out. Administrator Darrington said they have already been dismissed. If we bring

some new evidence forward that would suggest that the county still needs to be a party to this, we can. We do not necessarily have that. At this point, the recommendation is to let the county go and focus all of our attention on the TSSD. Mayor Pro Tem Jensen said he has no problem with this, just that we let them go and they are still a part of it through the person that is representing the county, and the fact that he has to be at their regular meetings. They get the best of both worlds. “We are dismissed but we are going to stay active,” helping TSSD to defeat what it is we are trying to do. City Attorney Petersen said she is not saying there is not a concern, just that there is no way for us to prevent that.

Mayor Pro Tem Jensen said he does not see anything on the calendar other than that on the 28th the entire council is invited to that meeting with the Fox Hollow. This is their annual meeting where they invite all the Council Members to attend. Council Member LeMone confirmed the meeting is at 6:00 p.m. at Fox Hollow.

He then asked for a motion to go into executive session.

ACTION: at 6:59 p.m. Council Member LeMone moved to go into executive session to discuss the purchase, exchange, or lease of real property and sale of real property. Council Member Boyd seconded. The motion passed unanimously with Council Members Boyd, Jensen LeMone, and Meacham voting “Aye.”

PRESENT:

Mayor Pro Tem:
Lee G. Jensen

City Council Members:

Cindy Boyd
Cyd LeMone
Jay Meacham

Excused: Mayor Call

Council Member Kim Robinson

STAFF PRESENT:

Scott Darrington, City Administrator
Tina Petersen, City Attorney
Degen Lewis, City Engineer
Andrea Romanczyk, Transcriptionist

EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY (UCA 52-4-205 (1)(d)) AND SALE OF REAL PROPERTY (UCA 52-4-205 (e) AND TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION UCA 52-4-205-(1) (C)

ACTION: At 7:30 p.m. Council Member Jensen moved to come out of executive session and return to regular session. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone and Meacham voting “Aye.”

Mayor Pro Tem Jensen asked for a motion to instruct Engineer Lewis to take action to sell real property on the parcel that was discussed.

ACTION: Council Member LeMone moved to instruct Engineer Lewis to move forward to sell real property on the parcel that was discussed in the executive session. Council Member

Meacham seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone and Meacham voting “Aye.”

Administrator Darrington commented that he had one more thing to discuss. He said that he had met with Utah County today and they are in agreement with the financial incentive package for doTerra which is good. He then said that they have also agreed to go with us back to Alpine School District to make one more push on getting them on board. He just found out today that the ASD sub-committee meeting that was scheduled for Tuesday the 19th was pushed back to the 26th, so the committee meeting and the board meeting will be held on the same day. He then said that he feels that the school will join in on the incentive package but he is not sure what percentage they are willing to go.

Continuing on he said that Randy Sant will be meeting with us on Friday and he will be giving us the worst case scenario and the best case scenario in the amount that the City will have to come up with. The worst case will be if the school doesn't participate at all and the best case will be if the school comes in at 25%. He also mentioned that there will be a representative from doTerra at the meeting and if the school backs out then doTerra will not be in partnership with them in the future.

Council Member Meacham asked when you say 25% what do you mean? Administrator Darrington answered that that is 25% of their property tax. Mayor Pro Tem then asked what that represents in real dollars. Administrator Darrington replied that it is about 1.5 million dollars over 20 years.

Mayor Pro Tem Jensen then asked if there were any further commented, being none he asked for a motion to adjourn.

9. ADJOURN

ACTION: At 7:32 p.m. Council Member Meacham moved to adjourn. Council Member LeMone seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone and Meacham voting “Aye”.

This certifies that the Council Work Session Minutes of February 12, 2013 are a true, full, and correct copy as approved by the City Council on May 21, 2013.

Kathy T. Kresser, CMC, City Recorder

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