

Pleasant Grove City Council Minutes
October 21, 2008
7:00 p.m.

PRESENT:

Mayor:

Michael W. Daniels

Council Members:

Jeffrey D. Wilson

Cindy Boyd

Bruce Call

Mark K. Atwood

Lee Jensen

City Recorder:

Amanda Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Ken Young, Community Development Director

Lynn Walker, Public Works Director

Richard Bradford, Economic Director

Deon Giles, Leisure Services Director

Degen Lewis, City Engineer

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Libby Flegal, NAB Chair

The City Council and staff met at the City Council Chambers (south entrance), 86 East 100 South, Pleasant Grove, Utah

1. CALL TO ORDER

Mayor Daniels noted that himself as well as Council Members Boyd, Jensen, Atwood, Call and Wilson were in attendance.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Boy Scout Derek Latham.

3. OPENING REMARKS

Opening Remarks were given by NAB Chair Libby Flegal.

4. APPROVAL OF MEETING'S AGENDA

Mayor Daniels asked if there were any changes to the agenda. There were no changes. The Mayor then asked for a motion.

ACTION: Council Member Wilson moved to approve the agenda. Council Member Atwood seconded and the motion passed unanimously with Council Members Jensen, Atwood, Boyd, Wilson and Call voting, "Aye."

5. CONSENT AGENDA (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):

MINUTE REVIEW AND APPROVAL:

1. City Council Minutes for October 7, 2008
2. To consider appointment of Heather Pack to serve as second alternate to the Planning Commission.
3. To consider approval of paid vouchers (October 10, 2008)

Mayor Daniels asked if there were any comments or questions regarding the consent agenda. There were none. He then asked for a motion.

ACTION: Council Member Wilson moved to approve the consent items. Council Member Boyd seconded and the motion passed unanimously with Council Members Jensen, Boyd, Atwood, Wilson and Call voting "Aye."

6. OPEN SESSION

No one came forward.

7. NEIGHBORHOOD ADVISORY BOARD REPORT

Mrs. Libby Flegal said that a potential candidate for a new Mudhole chair would be interviewed by the Mayor in the coming week.

8. BUSINESS:

A. PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTIES IN THE DOWNTOWN PLEASANT GROVE AREA, FROM R1-7, R1-8, C-S, C-S(T), C-G AND M-D TO DV (DOWNTOWN VILLAGE); INCLUDING THE TRANSITIONAL SUB-DISTRICT AND THE COMMERCIAL SUB-DISTRICT, TO MEET THE OBJECTIVES OF THE APPROVED DOWNTOWN 2020 ACTION PLAN AND THE DOWNTOWN VILLAGE ZONE ORDINANCE

Following Mayor Daniels reading this item, Director Young came forward and explained that this item was not new to the Mayor or Council in that it has been discussed many times in

Council meetings for the past year. He added that the Downtown Advisory Board had been in to discuss this item and item “B,” also.

He next explained that the applicant for this item was Pleasant Grove City staff. He said the request was for the City Council to approve changing the zone in the downtown area, as defined on the attached map, to the Downtown Village Zone.

The Downtown Village Zone ordinance, which followed the objectives of the Downtown 2020 Action Plan, was approved by the City Council on September 2, 2008. This request is to implement the zoning on the area as identified in the plan and the ordinance. The Planning Commission heard this request in a public hearing on October 9, 2008.

The land use designation for the subject property is Commercial Retail and Medium Density Residential. The request to rezone to the Downtown Village Zone, including the Transitional Sub-district and the Commercial Sub-district, complies with this land use designation.

Dividing the Downtown Village Zone into two sub-districts, Commercial and Transitional, provides for current uses to be expanded in the way that they have developed, either as commercial or residential property. He stated that this new zoning was unique for Pleasant Grove, and is established to assist with the revitalization of the area, both commercially and residentially.

Director Young then commented that there has been a lot of interest in this particular item, as shown in the large meetings (including the Jr. High meeting) that had been held. He said he felt that due to the work that had been done both by staff and the Downtown Advisory Board, there a lot better understanding that had been brought about.

The Mayor then opened the discussion to a public hearing. Mrs. Laurel Riddle at 50 W. Center then came forward. She said that the Downtown Advisory Board (DAB) had worked long and hard in helping to craft this item. She noted that she knew it wasn’t exactly what everyone wanted, but that it was something that, “everyone could live with.” She then indicated that the proposed ordinance was a good plan, and that now homeowners and developers could know what to expect as far as development in their area.

Mayor Daniels said that was a good point. He said that the landowners can now better look to the entitlements that is part of their properties. He said they can see what the specific zoning, etc, is in that area.

Mrs. Riddle then explained that she is now looking forward to Economic Development Director Bradford working with the next advisory board in bringing business owners together to work on future development in the downtown area.

Mayor Daniels asked if there were any more comments. There were none. He then closed the public hearing and brought the discussion up to the Council. There were no further comments from the Council. The Mayor then asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2008-26, changing the zoning on properties in the downtown Pleasant Grove area, from R1-7, R1-8, C-S, C-S(T), C-G and M-D to DV (Downtown Village); including the Transitional Sub-district and the Commercial Sub-district, to meet the objectives of the approved Downtown 2020 Action Plan and the Downtown Village Zone ordinance; based on the following findings: (1.) The proposed zone change complies with the goals, policies, and objectives of the General Plan: (2.) The proposed zone change complies with the goals and objectives of the Downtown 2020 Plan: (3.) The proposed zone change will assist in the revitalization of the downtown Pleasant Grove area. A public hearing was held. Council Member Wilson seconded and the motion passed with voice votes from Council Members Atwood, Jensen, Boyd, Wilson and Call voting “Aye.”

B. PUBLIC HEARING TO CONSIDER AN ORDINANCE APPLYING THE MIXED USE OVERLAY ZONE ON CERTAIN PROPERTIES IN THE DOWNTOWN VILLAGE ZONE; TO MEET THE OBJECTIVES OF THE APPROVED DOWNTOWN 2020 ACTION PLAN AND THE DOWNTOWN VILLAGE ZONE ORDINANCE AND MIXED USE OVERLAY ZONE ORDINANCES. (OLD FORT, LITTLE DENMARK, STRING TOWN NEIGHBORHOODS)

Following Mayor Daniels’ reading of this item, Director Young commented that this was, basically, the second part of item “A.” He explained that this was brought before the Council so they could consider a request from staff to apply the Mixed Use Overlay Zone on certain properties in the Downtown Village Zone; and to meet the objectives of the approved Downtown 2020 Action Plan and the Downtown Village Zone and Mixed Use Overlay Zone ordinances.

The Mixed Use Overlay Zone ordinance, which followed the objectives of the Downtown 2020 Action Plan, was approved by the City Council on September 2, 2008. This request is to implement the zoning on the area as identified in the plan and the ordinance. The Planning Commission heard this request in a public hearing on October 9, 2008.

The land use designation for the subject property is Commercial Retail. The request to apply the Mixed Use Overlay Zone within the Downtown Village Zone complies with this land use designation. The Mixed Use Overlay is established to allow certain properties within the Downtown Village Zone to have additional permitted uses relating to mixing residential units in a commercial area. This new zoning overlay is unique for Pleasant Grove, and is established to assist with the revitalization of the area, both commercially and residentially.

Mayor Daniels then opened the meeting to a public hearing. Mrs. Riddle came forward and said she would again like to thank staff and the DAB (which she chaired) for their long hours of hard work in putting together this second piece of legislation regarding the downtown area. She explained that this mixed use overlay encompassed a larger area. She also said that it made it so property owners did not have to have two acres with the residential component. Mrs. Riddle then told the Council that what the proposed ordinance would be was better than what the City had originally.

The Mayor and Council thanked Mrs. Riddle for the hard work and time that she and the DAB had put into their work on the Board.

Mayor Daniels then asked if there were anymore comments. There were none, so he closed the public hearing. He brought the discussion up to the Council. There were no additional questions or comments, so he asked for a motion.

ACTION: Council Member Jensen moved to approve Ordinance No. 2008-27, an Ordinance applying the Mixed Use Overlay Zone on certain properties in the Downtown Village Zone; to meet the objectives of the approved Downtown 2020 Action Plan and the Downtown Village Zone ordinance and Mixed Use Overlay Zone ordinances, based on the following findings: (1.) The proposed zone overlay complies with the goals, policies, and objectives of the General Plan: (2.) The proposed zone overlay complies with the goals and objectives of the Downtown 2020 Plan: (3.) The proposed zone overlay will assist in the revitalization of the downtown Pleasant Grove area. A public hearing was held. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

C. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTION 10-21-6-A, "MAJOR HOME OCCUPATIONS," FOR THE PURPOSE OF EXCLUDING CHILDREN FOR DAYCARE AND PRESCHOOLS FROM THE DEFINITION OF PATRONS OR CUSTOMERS, AND TO ALSO CONSIDER INCREASING THE NUMBER OF NON-RESIDENT EMPLOYEES ALLOWED TO WORK AT A HOME. (CITY WIDE IMPACT)

Director Young explained to the Mayor and Council that this item was initiated by the Planning Commission and City staff. He said when they reviewed this particular ordinance section, they felt that the children in the day care facilities were being counted and considered as customers.

The request to amend Section 10-21-6 of the City code was initiated by the Planning Commission at a recent public hearing, due to concerns that children, associated with a pre-school or daycare, would have to be considered as customers. City Staff has also included additional proposed amendments to this same section.

The proposal impacts all residential zones. The General Plan is to protect the primary purpose of all residential zones, which is the single-family environment and which the proposed amendments do not violate.

The proposed amendments are found in Items A and B of Section 10-21-6 of the Code. Referring to the ordinance, Director Young said that in Item A, children associated with pre-schools and daycares are not to be considered as "patrons or customers." This should clarify any misunderstanding the old ordinance may have caused or will cause if not changed.

The second part of Staff's proposal is found in Item B. Item B is regarding non-resident or "outside employees," as it is currently stated. He said that City Staff has had some complaints from homeowners (with home-based businesses), that the current text is too restrictive, especially when comparing it to Item A. This part of the current ordinance potentially allows up to six customers per hour if certain parking conditions are met. Staff believed this is a fair argument, and has come up with a proposal that should provide greater consideration for non-resident employees.

In summary, the following changes are being proposed to Item B: (1.) One non-resident employee for lots under 12,000 square feet in size: (2.) Two non-resident employees for lots over 12,000 square feet in size, with the option for additional non-resident employees if the number does not exceed the number of residents living in the home, and that they meet any additional conditions that may be imposed by the Planning Commission.

A Conditional Use Permit (CUP) would still be required in all non-resident employee cases. These fall under a Major Home Occupations, which would ensure that there is sufficient off-street parking, and that any other possible factors are mitigated to ensure that the single-family environment remains unaffected.

It should also be noted that Staff has included, in the proposed changes, that multi-family unit housing shall not be permitted to have non-resident employees, primarily because of the limitations on parking. Director Young asked if there were any questions.

Council Member Atwood asked about the section that stipulates that there can be no more employees than number of people that live in the home. Director Young said this was because of parking. He said that off-street parking would generally need to be provided.

Council Member Jensen said he noticed that the ordinance amendment stated that home businesses were restricted to residents only in multi-family-housing areas. Director Young said this was primarily due to the fact that parking was quite restricted in the multi-family housing developments.

Council Member Jensen went on to ask if this would apply to elder care in the City. Director Young noted that elder care facilities (in residential neighborhoods) were in a different classification than day-care.

Attorney Petersen then explained that this kind of ordinance works to keep residential neighborhoods a neighborhood. She said a balance has to be struck between those that have home occupations; and the City maintaining the residential feel in those zones.

Mayor Daniels then opened the discussion to a public hearing. No one came forward. He then closed the public hearing and asked the Council if they had anymore comments or questions. There were none. He asked for a motion.

ACTION: Council Member Wilson moved to approve ordinance No. 2008-28, amending Section 10-21-6-A, "Major Home Occupations," for the purpose of excluding children for daycare and preschools from the definition of patrons or customers, and to also consider increasing the number of non-resident employees allowed to work at a home, based on the following findings: (1.) Each non-resident employee request shall still be required to obtain a Conditional Use Permit, allowing the Commission to review each request on a case by case basis: (2.) On October 9, 2008, the Planning Commission forwarded a positive recommendation to approve the text amendments as recommended by Staff. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

D. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING TITLE 11 CHAPTER 7, "PLAN AND PLAT REQUIREMENTS," FOR THE PURPOSE OF UPDATING THE MUNICIPAL ORDINANCE WITH NEW STATE LEGISLATION, UNDER THE DIRECTION OF THE UTAH LEAGUE OF CITIES AND TOWNS, REGARDING THE PROCESS OF REVIEWING AND APPROVING SUBDIVISION PLATS; REQUESTED BY PLEASANT GROVE CITY STAFF. (CITY WIDE IMPACT)

Following Mayor Daniels' reading of this item, Director Young came forward and explained that this request was for the Council to review proposed amendments to Chapter 11-7/Plan and Plat requirements. He said that City staff was requesting the amendment approval. He also explained that this was a general housekeeping item.

Director Young then told the Mayor and Council that staff had recently been updating the City's ordinances with the proper submittal requirements for land use applications. The Standard Specifications and Drawings Manual, provided in recent years by JUB Engineering, has been the document that enforces such submittal regulations. However, he said that this manual has been separate from the actual City code book, and is now going to be the City's reference source for construction standards and drawings. Last year, staff requested an update of Chapter 11-7 to include a, "Site Plan Requirements" section, which was also a transfer of information from the manual to the municipal code book. He explained that staff was now proposing a similar transfer of information with the requirements for subdivision plat submittals, along with other minor code updates. The impact of updating the ordinance is City wide.

This proposal is in compliance with the General Plan. It will help make the municipal code more thorough and clear regarding subdivision plat submittal requirements. It will also align the City Code more closely with recent state legislation. Director Young also said that many cities in the state are going to this new, more streamline format.

He then said that City staff believed the manual provided by JUB should remain as a construction standard manual. Submittal requirements for land use applications, and the process by which they are approved, should be in the municipal code book.

The following is a summary of what has been added or corrected to the City Code book, by transferring the information from the manual to the City code. This also includes other minor clarifications to this Chapter of the ordinance: (1.) Approval process amended to remove City Council as the approving body for Final Plats; (2.) Drawing standards updated; (3.) Transfer & update of submittal requirements for a Preliminary Plat; (4.) Transfer & update of submittal requirements for a Final Plat; (5.) Transfer & update of submittal requirements for Final Improvement Drawings; (6.) Adoption of an expiration requirement for a Final Plat; (7.) Clarification of what a boundary line adjustment is, and the process to complete one; (8.) Clarification of Amended Plat requirements, and lot & road vacation proposals.

Mayor Daniels asked if he understood correctly that this proposed ordinance amendment would save two to three weeks of time by sending these plats directly to the Planning Commission, and not having to notice and send them to the Council.

Director Young said yes, the Planning Commission would review the preliminary plat. He said that the Planning Commission was aware of what the issues were with each plat already. He also noted that this would save both the noticing and the waiting period to go to the Council.

Mayor Daniels then asked when the Council would see the preliminary plats, etc. Director Young said that they would see the plats for the first time when they were asked to sign them. Council Member Atwood said he wasn't happy about signing plats that he didn't know anything about. He said he would like to continue the way the Council had, in having staff present information on the plats in Council meeting. He also said that he really doesn't understand what the hurry was. He noted that he felt that the way the two bodies (Planning Commission and the Council) check the plats now is a good plan. That way, both bodies can review the plat, and then sign.

Mayor Daniels asked Director Young if a timing question had instigated this proposed legislation. Director Young said yes. He explained that the proposed amendment is considered, "developer friendly." Director Young said he wanted to make it clear to the Mayor and Council that he was not promoting this proposed ordinance amendment himself. He said the reasoning was simply that the Planning Commission had been the body that had a large understanding of the plat. He then asked the Council if they wanted to continue to see plats that consisted of only two or three lots.

Council Member Call said that he agreed with Council Member Atwood in that he would prefer not to sign something that he had not been able to review. He said he didn't think that a matter of a couple of weeks would really make that much difference; in order for the Council to be able to see the plats.

Attorney Petersen explained that she reviewed this ordinance with Planner Allen, but did not discuss the possibility that the Council might want to continue to have plat reviews come before them. She also said that the Council would continue to see plats from the Grove area.

After further discussion, Mayor Daniels opened the meeting to a public hearing. Mrs. Riddle said she agrees that it is probably best to continue having both public bodies, the Planning Commission and the City Council, review the plats for the City. She also said that she feels it is important that the publicly elected officials, or the Council, be able to weigh in on the plats. She then asked how long developers have for their plats to be approved. Attorney Petersen said one year.

Mr. Pete Blake, 29 South 2000 West, said he had a question and a concern about the proposed amendment to this ordinance. He said in reading the copy he had of the proposed amendment, he understood that it stated that in paragraph one, it said that property owners would be prohibited to buy or sell property in certain areas of the City without the permission of the Council and the Planning Commission. Attorney Petersen indicated that it would be unlawful to subdivide without the permission of the Council or Planning Commission. She said this was straight out of the State Code, that one cannot subdivide without plat approval.

Mr. Blake then asked if in his neighborhood (which is part of the Grove), he was prohibited from selling his land. Attorney Petersen said no, if he was selling a parcel. Mr. Blake said that he understood as long as it was not part of a subdivision. Attorney Petersen said that was correct.

Next, Mr. Blake said his second question was that concerning water stock held by property owners. He said in another section of the proposed ordinance amendment, it states that water shares need to be turned in prior to the recording of the plat. He noted that this was located on page 15 of Item B in the submittal package.

Mayor Daniels then asked Mr. Blake where he was reading from. When Mr. Blake told the Mayor, Attorney Petersen said that Mr. Blake must have had an older copy of the proposed amendment. Mayor Daniels agreed, in that his copy in his packet did not state the same things that Mr. Blake was reading regarding water rights. Director Young then observed that it looked as though there had been a mix-up, and that it was obvious that the ordinance was not ready after all. Attorney Petersen then said that Recorder Fraughton had attached the most recent copy that she had received of the amendment to the Council's packets. Planner Sean Allen had sent a final copy to Recorder Fraughton after 5 p.m. that evening, so the Mayor was the only one to have evidently had the latest draft. Mayor Daniels indicated that due to the mix up, he was uncomfortable in moving on with this item.

Administrator Mills said he was wondering if perhaps what was being discussed actually would be part of the City's Standard Specs and Drawings instead of Code. Attorney Petersen said that it would correctly be an ordinance amendment.

Mayor Daniels then suggested to the Council that this item should probably go back to staff so a final draft could be put together.

ACTION: Council Member Jensen moved to continue this item. A public hearing was held. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

The Mayor then expressed his continuing concern about the Conditional Use Permits (CUP) not being seen by the Council anymore. He said due to a current situation, he personally felt that the Council should be more involved in the approvals of CUP's. He also added that he is uncomfortable with it being out of the loop with these particular approvals. Attorney Petersen suggested that staff should maybe be instructed that after the Planning Commission see the CUP's, that they should then come to the Council.

Mayor Daniels said he would also feel better if the CUP's came to the Council so they would have a packet and be able to more fully study the request.

E. TO CONSIDER ADOPTION OF A RESOLUTION AMENDING PLEASANT GROVE CITY'S ARTICLE OF INCORPORATION FOR THE PLEASANT GROVE/CEDAR HILLS COMMON BOUNDARY ADJUSTMENT NO. 3

Following Mayor Daniels reading this item, Recorder Fraughton came forward and explained that following a boundary adjustment or annexation, the State Lt. Governor's office requires that the City files amended Articles of Incorporation, which are included in this Resolution to their

office. She will also send Ordinance No. 2008-23, which shows the approval by the Council of this boundary adjustment. A copy of the plat map is also sent to the Lt. Governor's office.

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

ACTION: Council Member Call moved to approve Resolution No. 2008-026, amending Pleasant Grove City's Articles of Incorporation for the Pleasant Grove/Cedar Hills Common Boundary Adjustment No. 3. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

At this point, Mayor Daniels said he had noticed Lion's Club member Mr. Lynn Seely sitting in the audience throughout the meeting. He asked Mr. Seely if he had something he wanted to address the Council with. Mr. Seely then introduced Mr. Milton Taylor. Mr. Seely explained that Mr. Taylor was the brand new president of the Pleasant Grove Lion's Club, and would like to make an announcement to the Mayor and Council.

Mr. Taylor then came forward and addressed the Mayor and Council. He said he was grateful for the opportunity to let the Council know that the Lion's Club would be celebrating their 70th anniversary in Pleasant Grove at a nice dinner to be held on Saturday, November 15, 2008 at 6 p.m. at the Lion's Club on Center St. and 600 North. He invited all of those present to come and attend the dinner along with their spouses. He then said that the club had been formed in 1938, and had been very active in service to the community over the years by raising funds for and building pavilions in parks in Pleasant Grove. He also told the Council that the Lion's Club is the largest service organization in the world. He indicated that their continuing service to communities with vision screening, etc, has become famous over the years. He also said they provide scholarships and various humanitarian projects to many communities.

Mayor Daniels thanked Mr. Seely and Mr. Taylor for informing him and the Council about the celebration dinner. He said he would be out of town on that date, but would see that a member of staff would attend.

9. STAFF BUSINESS

- Director Young noted that the Extra Mile business award had been given to D & B Investments. He said they are located in the Grove Center. He explained that the representatives from the company couldn't be attendance, so he would be mailing them their certificate.
- Director Bradford reminded those present that on Friday evening, October 24, 2008, there would be a ribbon cutting for the Synergy World Wide Company. He said the company has 10,000 distributors of their products. Also, he said the company would be moving 25 employees to the site. At 4 p.m. on the same day, he said that Horrocks Engineers would also be having a ribbon cutting for their business that is moving to The Grove Center.
- Director Walker said that the secondary system is currently in the process of being drained for the winter.

- Chief Sanderson told the Mayor and Council that due to current economic conditions, the AFG (Assistance to Firefighters Grant) had been rejected; along with two thirds of all of the grants that had been submitted this year. He also said his department had received their ISO rating, and the presentation to the Council regarding the results of that rating would be presented at the October 28, 2008 work session.
- Recorder Fraughton said that the regularly scheduled City Council meeting had been moved to Wednesday, November 5, 2008 due to the General Election on November 4, 2008. Mayor Daniels said he would be out of town on November 4, 2008, and asked that Council Member Jensen function as the Mayor Pro Tem for that meeting in his place.
- Administrator Mills said he wanted to let the Council know that letters would be going out to residents of Pleasant Grove that live West of Highway 89 that the Front Runner project would be coming through (in the future) on the West side of the tracks that were currently in place. He said they plan to install their own tracks for the Front Runner train.

Next, Administrator Mills told the Council that Ms. Kim Bahr, a second grade teacher from Mt. Mahogany Elementary, had been chosen as one of two finalist from the state to compete at a national level in Washington D.C. as a math and science teacher. Mayor Daniels asked Recorder Fraughton to please get a bio on Ms. Bahr so a proclamation could be prepared, and the Council could honor Ms. Bahr.

Administrator Mills then indicated to the Mayor and Council that there had been a bid opening by the county for their portion of the completion of 2000 West. He said that due to current economic circumstances, the bid came in at 40% lower than the engineer's estimate. Engineer Lewis said that it looked like local company Sunroc was the low bidder for the project.

10. MAYOR AND COUNCIL BUSINESS

- Council Member Atwood noted that he had just attended another Utah Lake Board meeting. He said the discussion was regarding how the Carp fish had taken over the lake; and how the board would try to get rid of them.
- Council Member Wilson asked if he could get an updated list of the City employees since the recent large changes in the police and fire departments. Administrator Mills said he would ask Ms. Karen Bezzant to prepare that for Council Member Wilson. Council Member Wilson said he would like a list of both full-time and permanent part-time.

11. SIGNING OF PLATS

There were no plats to be signed.

12. REVIEW CALENDAR

Mayor Daniels reminded everyone that the upcoming General Election was coming up on Tuesday, November 4, 2008. He said the Council meeting will be held on that next Wednesday, November 5, 2008. Additionally, he said that the normal Work Session would not be held on Tuesday, November 11, 2008, due to that being Veteran's Day. Director Giles said a Veteran's Day program would be held at the Veteran's Memorial at the Cemetery at 11 a.m. on that day.

13. APPROVE PURCHASE ORDERS

Regarding the purchase orders, Mayor Daniels asked if there were any questions. There were none. He then asked for a motion.

ACTION: Council Member Jensen moved to approve the Purchase Orders for October 10, 2008. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

14. EXECUTIVE SESSION TO DISCUSS IMMINENT OR PENDING LITIGATION (UCA54-4-205(1)(C)).

ACTION: At 8:08 p.m, Council Member Wilson moved to go into executive session to hold a strategy session to discuss imminent or pending litigation (UCA54-4-205(1)(c)). Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Wilson, Call, Jensen and Atwood voting, "Aye."

ATTENDING:

Mayor:

Mike W. Daniels

Council Members:

Cindy Boyd

Lee Jensen

Mark K. Atwood

Bruce Call

Jeffrey D. Wilson

Others:

Frank Mills, City Administrator

Tina Petersen, City Attorney

Gary Clay, Finance Director

Mary Burgin, Deputy Recorder

ACTION: At 8:33 p.m, Council Member Wilson moved to go back into regular session. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen, Wilson and Atwood voting, "Aye."

15. ADJOURN

ACTION: At 8:34 p.m, Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Call, Wilson, Atwood and Jensen voting "Aye."

This certifies that the City Council minutes of October 21, 2008 are a true,

full and correct copy as approved by
the City Council on November 18, 2008.

Mary Burgin, Deputy Recorder