

**Pleasant Grove City  
City Council Work Session Minutes  
July 12, 2016  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Eric Jensen  
Cyd LeMone  
Ben Stanley  
Lynn Walker

Staff Present: Scott Darrington, City Administrator  
Denise Roy, Finance Director  
David Larson, Assistant to the City Administrator  
Deon Giles, Parks and Recreation Director  
Mike Smith, Police Chief  
Kathy Kresser, City Recorder  
Ken Young, Community Development Director  
Marty Beaumont, Public Works Director  
Tina Petersen, City Attorney  
Dave Thomas, Fire Chief  
Sheri Britsch, Library and Arts Director  
W. Brent Bullock, Judge

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

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1) **Call to Order.**

Mayor Daniels called the meeting to order and noted that all Council Members were present.

2) **Pledge of Allegiance.**

The Pledge of Allegiance was led by Molly Andrew.

3) **Opening Remarks.**

The opening remarks were given by Council Member LeMone.

4) **Approval of Meeting’s Agenda.**

It was noted that Item 5 would be rescheduled for August 9. City Administrator, Scott Darrington, added that an Executive Session would be needed after the Work Session.

**ACTION:** Council Member Stanley moved to approve the agenda with the aforementioned changes. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **Alpine School District Presentation.** *\*Continued to August 9, 2016.*

6) **Discussion on Pleasant Grove Municipal Court in Relation to the New Public Safety Buildings.**

Mayor Daniels explained that during recent Public Safety Building Committee (PSBC) meetings, a few members of the community asked if the City would continue to have a Municipal Court after Judge Bullock retires. The PSBC decided to forward the matter to the Council, and staff was asked to research the costs associated with moving the Court services to a different jurisdiction. Mayor Daniels stated that the discussion was more than a financial decision. He explained that the Council also needs to consider the level of service that is desired for the community as well as those who are employed by the Municipal Court. Mayor Daniels explained that the conversation should be open and thoughtful.

Administrator Darrington stated that staff has had discussions related to the level of service the Court provides the community. Judge Bullock noted that if the Pleasant Grove municipal court is shut down, issues would be forwarded to the County Justice Court. Administrator Darrington reviewed the revenues and expenditures currently generated from the Municipal Court on an annual basis. That information was presented as follows:

Municipal Court - FY2016

***Revenues***

Court Fines	\$440,634
Youth Court Filing Fees	180
Court Security Surcharge	\$12,763
	<b>\$453,577</b>

***Expenses***

***Judicial***

Personnel/benefits	\$191,068
Operational expenses	\$16,030
Indigent Defense	\$105,990
	<b>\$313,087</b>

***Legal***

City Attorney	\$30,000
Prosecutor	\$57,000

No Municipal Court

***Revenues***

Court Fines	\$0.00
Youth Court Filing Fees	0
Prosecutor Split	\$19,000
	<b>\$19,000</b>

***Expenses***

***Judicial***

Personnel/benefits	\$0.00
Operational expenses	\$2,000
Indigent Defense	\$117,500
	<b>\$119,500</b>

***Legal***

City Attorney	\$0.00
Prosecutor	\$110,000

Operational expenses	\$2,400	Operational expenses	\$0.00
	<b>\$89,400</b>		<b>\$110,000</b>
<b><i>Gain/(Loss)</i></b>	<b>\$51,090</b>	<b><i>Gain/(Loss)</i></b>	<b>\$(210,500)</b>

Administrator Darrington noted that if there wasn't a Municipal Court in Pleasant Grove, they would still have expenses that would need to be paid. Currently, the Court generates enough revenue to cover those expenses. This revenue would no longer exist if the Courts were shut down. Mayor Daniels commented on the nearly \$260,000 negative swing in the budget per year, which would compound over time should the Court be shut down. He then asked about total costs associated with the Court Building as it relates to the Public Safety facilities. Administrator Darrington explained that the facility would be approximately 6,500 square feet in size at a cost of approximately \$300 per square foot for a total of around \$1.9 million. Originally, the intent was to have a shared space with the Court and Council Chambers. Administrator Darrington further noted that if the Municipal Court is shut down, they would still need 2,500 square feet of space for the Council Chambers. In response to a question from Mayor Daniels, Administrator Darrington noted that the desired level of service was staff's other primary consideration.

Mayor Daniels asked what volume of people would be sent to another jurisdiction. Judge Bullock stated that they would all be sent elsewhere. Judge Bullock reviewed some of the aforementioned information regarding revenues and listed some of the services that the Courts provide. Staff and the elected officials deliberated on some of the staff positions currently in the Courts Department. Mayor Daniels roughly calculated that there are about 1,800 cases that come through Pleasant Grove's Municipal Court each year. Judge Bullock added that this number does not include traffic citations, traffic school, or bail that is posted within the year. If the City shuts down its Municipal Court, all traffic violations would be subsequently handled in Provo.

Mayor Daniels asked Police Chief, Mike Smith, if prisoner transports have been accounted for in the information presented. Chief Smith answered in the negative. He explained that the witness fee is a flat fee of \$18.50, regardless of how long a trial lasts. Therefore, the City would end up paying more when officers go to the District Court in Provo because it would be a much longer process. Mayor Daniels asked staff to summarize all of the costs related to time, manpower, and service levels in addition to what was already presented.

Council Member Stanley asked if the Court fines only reflect the municipal portion. City Attorney, Tina Petersen, answered affirmatively. She explained that it is the amount the City receives after the State takes their portion. Council Member Stanley recalled that Architect, Scott Wilkinson, explained at a PSBC Meeting that it doesn't make sense for Courts and Council Chambers to share space because the functions are so different. Administrator Darrington replied that although Mr. Wilkinson argued this point, staff spoke with other cities that have this type of shared space. The PSBC was supportive of the idea as a cost effective option. While there are certain space requirements for courts, other cities have made accommodations to create a similar shared space. Lindon was one such example.

Council Member Andersen asked about the requirement for seating in a Courtroom. Judge Bullock explained that seating can be planned based on the Council's needs. Council Member Jensen asked why the discussion was brought forward. He expressed concern that the Council is discussing a

matter that should have been addressed during the budget discussions. Council Member Jensen did not think that the PSBC should be talking about organizational costs. He explained that the programming analysis was already conducted to determine the City's needs. Mayor Daniels agreed with Council Member Jensen's remarks and stated that it makes sense to maintain the Municipal Court from the perspectives of both financial and desired level of service.

Council Member Stanley asked if there is an allowance under the Code to work out an Interlocal Agreement with another municipality if it ever becomes a matter of interest. Judge Bullock answered in the affirmative. Council Member Stanley stated that the citizens have come to expect a certain level of service from the Municipal Court. He felt this was a beneficial conversation. His impression was that some people want to see the Public Safety facilities downtown and if there is less square footage it might be more practicable. After further deliberation, Mayor Daniels stated that he did not think it would be wise to shut down the City's Municipal Court.

Council Member LeMone echoed Council Member Jensen's remarks and asked how future discussions regarding organizational matters should be handled. Mayor Daniels stated that the Council counseled the PSBC to study the feasibility of various options and to give recommendations back to the Council. In order for the PSBC to produce the recommendations and stand behind them, they need to be able to ask the questions they feel are appropriate. Mayor Daniels concluded the discussion by advising the Council to be cautious about discussing the matter in public. Any statements made from an elected official need to reflect a professional opinion and not a personal preference.

7) **Discussion on Live Streaming City Meetings.**

Administrator Darrington explained that about six months ago the City made the decision to live stream meetings. At the time, they decided to go with a less costly option of purchasing a fixed camera and linking it to the existing sound system. Administrator Darrington stated that it took staff one month to get the sound system plugged into the camera and about every 10<sup>th</sup> meeting there is a technical issue that is beyond staff's level of expertise. Usually, they are able to resolve the issue in time for the next meeting but there have been a few instances where the live stream was completely unavailable due to technical issues. Staff sought input from the Council on whether they want something more professional, which will probably be more expensive. Staff can pursue the matter and get some numbers for the Council to review. Administrator Darrington explained that some cities pay a third party company for live streaming services, thereby avoiding technical difficulties altogether.

Council Member Jensen asked how much the City has spent on live streaming efforts to date. Administrator Darrington explained that the only equipment the City has purchased is the camera and the Teradek system, which is where everything plugs in and then is used to upload to YouTube. Administrator Darrington stated that in researching numbers, they spoke to other cities to get an idea of how much they are spending for various types of live streaming services. He noted that American Fork City currently has high tech streaming. If the Council decides to pursue that option staff can put out an RFP. Furthermore, they need to discuss whether the new system will be portable and able to be transported to the new facility.

Council Member LeMone advised staff to prepare data for the Council to review. She stated that if the City were to provide the service it needs to be of high quality. Furthermore, she explained that technical issues can potentially set the City up to be wrongly accused of deliberately having the system down so that public is excluded from meetings. She was of the opinion that it is worth the extra money to pay for a better service.

Council Member Stanley asked if an RFP was done for the current system. Administrator Darrington answered in the negative. He noted that the City paid approximately \$1,000 for their current equipment, which was a onetime cost. Council Member Stanley asked if it would make sense to have an external microphone and whether this would lead to better integration of the camera into the sound system. Administrator Darrington stated that three meetings ago the Teradek system went down and staff had to reset it. When the system was reset it caused the sound system to go down. Administrator Darrington explained that there is a microphone on the GoPro, but it is very soft. He stated that when everything is plugged in, the sound works great; however, the issue is that the system crashes every once in a while.

Council Member Andersen asked what causes issues with feedback. Administrator Darrington explained that generally feedback doesn't happen in Council Meetings because the microphones are spread out. However, feedback happens in PSBC Meetings when more microphones are in use and are in closer proximity. Council Member Andersen suggested bringing on a part time IT person to deal with the issues and asked Council Member Jensen for his feedback. Council Member Jensen thought it would be wise to have someone internally handle the technical issues. Orem has three or four programmers and a few IT guys. Council Member Jensen stated that Pleasant Grove could benefit from having additional IT staff. Mayor Daniels stated that the City needs to change with the times. He has heard from members of the community that they like to turn on their computer and watch meetings from home. However, when citizens have come to expect the service and then it isn't offered, they get frustrated. There was continued deliberation. Administrator Darrington agreed to further research the matter.

**8) Review and Discussion on Agenda Items for the July 19, 2016 City Council Meeting.**

The agenda for the aforementioned meeting was reviewed and discussed. It was reported that Item 9A would be an ordinance amending the Urban Design Standards for the Grove Zone. Director Young briefly reviewed the proposed amendments. Director Young noted that the changes have been reviewed by the Planning Commission.

Item 9B will be an ordinance amending street frontage improvements and adjusting the threshold requirements. Director Young explained that staff was prompted to make amendments to the ordinance as a result of discussions pertaining to granting Waivers of Protest for architectural requirements. He reviewed the criteria changes as outlined in the proposed ordinance amendments. Council Member Stanley asked if the amendments will equate to prolonged periods of time in putting sidewalks in throughout the City. Administrator Darrington answered in the affirmative.

Item 9C was an ordinance amendment pertaining to flag lot requirements. Director Young explained that the applicant owns property in Pleasant Grove and Cedar Hills and the property in

Pleasant Grove is a flag lot. The applicant would like to access the Cedar Hills portion of the property, which is currently not available through the Pleasant Grove portion. The surrounding property owners are not willing to grant him access and the property is, therefore, landlocked. The applicant approached Cedar Hills about adjusting his boundary lines into Pleasant Grove and they denied the request. Therefore, the proposal is to allow both the Cedar Hills and Pleasant Grove lots to create a new flag lot subdivision. If the proposal moves forward, approval will be needed from both cities. Director Young explained that another suggestion staff made to the applicant was to apply for a variance from the Board of Adjustment.

Mayor Daniels thought it seemed strange that Pleasant Grove would entertain a 400-foot stem to a parcel in which Pleasant Grove doesn't have any jurisdiction. Director Young explained that the property in question is private, so maintenance of the stem road would be maintained by the owners. There would not be a lot of involvement from the City. Police Chief, Mike Smith, commented that it will be a Public Safety nightmare. He asked if the development would be serviced by Pleasant Grove or Cedar Hills. Administrator Darrington noted that the development would be in Cedar Hills, not Pleasant Grove.

Item 9D will be an ordinance adjusting the boundary lines between Pleasant Grove and Cedar Hills at the request of the Day, Wilson, Davies and Edgar properties. Attorney Petersen stated that the Council indicated that they were willing to entertain the petition. A resolution had since been adopted and they had waited the required amount of time for the public hearing which is scheduled for the following week and the ordinance would be adopted if the Council approves the boundary adjustment.

Items 10A and 11A will consist of discussions pertaining to final plat approval for the Forrest Phillips Development Plat A and the Lions Center maintenance, respectively.

**9) Neighborhood, Staff, Council and Mayor Business.**

Members of staff shared updates respective to their various departments. Library and Arts Director, Sheri Britsch, reported that she recently purchased 11 tables and 40 chairs for \$2,000. She stated that the Library has a lot in storage for when improvements are completed. Administrator Darrington reported that staff has been working on major economic development projects. Earlier in the day they had lunch with a major developer who is interested in the Grove area. This particular developer is interested in investing tens of millions of dollars into the community. Last, Administrator Darrington reported that he sent out an email regarding touring facilities in West Jordan. He asked the Council Members to get back to him regarding potential dates and whether they are interested in going.

Fire Chief, Dave Smith, reported that Silver Peak Productions has engaged the Pleasant Grove Fire Department in a production. They will be using the station and some of the apparatuses. Pleasant Grove's logo will be covered up to maintain continuity for the film. All of the personnel who will be helping with the production will be compensated. Police Chief, Mike Smith, reported that the Pleasant Grove Police Department received a grant from the Attorney General's Office for their involvement in crimes against children. He noted that the grant amount was \$20,000.

Public Works Director, Marty Beaumont, reported that they received the bids earlier in the day for the Garden Drive Waterline and Street Reconstruction Project. There have been a lot of leaks in the area that need to be addressed. Director Beaumont reported that the milling and paving on Pleasant Grove Boulevard was completed on Sunday, which should address the problems with potholes. However, there was a machine breakdown prior to micropaving, thus that part of project was postponed. The micropaving will only take a few hours to finish and will be scheduled early in the morning for minimal impact to drivers. Director Beaumont provided brief updates on various other projects throughout the City, including those for Locust Avenue and Pleasant Heights.

Council Member Andersen commented that the aforementioned meeting with the potential developer went very well. She then discussed the game Pokemon Go and the different sponsoring locations around town. Council Member Jensen made mention of the PSBC Meeting on August 3 and encouraged public involvement on the matter.

**10) CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. (UCA 52-4-205 1 (c))**

Mayor Daniels called for a motion to go into closed meeting to discuss pending or reasonable imminent litigation.

**ACTION:** At 7:38 p.m. Council Member Stanley moved to go into a closed meeting to discuss pending or reasonable imminent litigation. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

**PRESENT:**

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Eric Jensen  
Cyd LeMone  
Ben Stanley  
Lynn Walker

Staff Present: Scott Darrington, City Administrator  
Tina Petersen, City Attorney  
Kathy Kresser, City Recorder

Mayor Daniels called for a motion to come out of the closed session and back into the regular City Council meeting.

**ACTION:** 8:06 p.m. Council Member Stanley moved to adjourn to a closed session. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

**11) Adjourn.**

Mayor Daniels noted that from the discussion in the closed meeting there is no further action to be taken. He then called for a motion to adjourn.

**ACTION:** Council Member Stanley moved to adjourn. Council Member Jensen seconded. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 8:06 p.m.

The minutes of July 12, 2016 City Council meeting were approved by the City Council on August 16, 2016.

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Kathy T. Kresser, City Recorder

*(Exhibits are in the City Council Minutes binders in the Recorder's office.)*