

**Pleasant Grove City
City Council Work Session Minutes
September 13, 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
Daniel Cardenas, City Planner
Marty Beaumont, Public Works Director
Tina Petersen, City Attorney
Dave Thomas, Fire Chief
Sheri Britsch, Library and Arts Director

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

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 Jack Freeman.

3) **OPENING REMARKS.**

The opening remarks were given by Christy Belt.

4) APPROVAL OF MEETING'S AGENDA.

ACTION: Council Member Jensen moved to approve the agenda as written. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

5) BILL EXETER PRESENTATION REGARDING THE UTAH STATE DEVELOPMENTAL CENTER EXPANSION.

Bill Exeter made a presentation and explained that the Murdock connector is part of the forthcoming Utah State Developmental Center Expansion. He presented the site plan that was approved for the development and noted that the master plan was approved last year. He identified Phase I, which consists of eight acres and stated that it will be retail and commercial. Mr. Exeter identified a road that cuts diagonally through the entire project that will be the first road to be built through the development. After the diagonal road is constructed, a connector road will be built from Harvey Boulevard to provide east to west access. When the plan was initially submitted to the County Commissioners, they were opposed to the idea of having a road cut diagonally through the property for safety reasons. The placement, however, of the diagonal road made sense for the connector road off of Harvey Boulevard. Ultimately, the connector road will connect all the way through 9600 South into Highland. This plan has since been approved by the County Commissioners. Mr. Exeter explained that the road will not only connect to the retail and commercial area, but will also provide some relief to the congestion at Lone Peak High School.

Mr. Exeter explained that they anticipate having a decision made about a developer within the next 90 to 120 days. From that point, they will move forward in the process of development of Phase I. On an aerial map, he identified which area will be developed in Phase I and explained that this phase will include single-family housing, multi-family housing, and commercial. Mayor Daniels commented that the connector road will be significant because it will be one of the only roads in Pleasant Grove running from Canyon Road all the way to Lehi.

Council Member Stanley asked Mr. Exeter what his experience has been working with the public during County Commission Meetings. Mr. Exeter was not fully aware of how the meetings have gone as of late. He stated, however, that after having served on the Board for four years, he was aware that there have been heated discussions pertaining to the Murdock connector. Mr. Exeter explained that at the Developmental Center their first priority is the health, safety, and welfare of individuals. He did not have an exact timeframe as to when the entire development will be completed but he estimated that the project will take two to three years.

Council Member Andersen asked if all of the needed property has been purchased in order to connect the road. Mr. Exeter was of the understanding that there are two homes in the area that have been purchased. Once the remaining properties have been purchased, they will be ready to move forward.

6) HISTORIC PRESERVATION COMMISSION PRESENTATION TO THE COUNCIL REGARDING THE CCC BUILDINGS.

Korman King was present representing the Historic Preservation Commission and presented the

estimated costs of the relocation and repurposing of Camp Pleasant Grove BR-91, of the Civilian Conservation Corps. The project costs were outlined as follows:

Concrete and installation	\$8,000
Pump Truck	1,200
Hardware	1,000
Lumber	800
Paint & Supplies	2,000
In-Kind Labor from the City	<u>1,440</u>
TOTAL	\$14,740

Mr. King explained that the donation of needed concrete and perhaps finish labor is a possibility, and perhaps at least a percentage of the other materials could be donated as well.

Mr. King shared the following statement from Zachary Nelson of the Bureau of Reclamation's Provo Area Office:

"The Bureau of Reclamation's Maintenance Yard in Pleasant Grove is located over the remains of a Civilian Conservation Corps Camp which was in use during the 1940s. The camp personnel contributed significantly to Utah's history by clearing trails, buildings dams, and making roads. At this time, the only remnants of the camp consist of two historic structures. One is a doctor's office and the other is a mess hall."

Mr. King explained that the structures no longer serve the Bureau of Reclamation's purposes and will be demolished if they remain on Reclamation land. If Pleasant Grove City does not claim the buildings, they will be made available to the public prior to being demolished. Recognizing the historic value of the structures, the Bureau of Reclamation and the Utah State Historic Preservation Office have agreed that the structures could be moved from their current location rather than demolished. The structures are a modular construction meant to be moved as the occasion requires. Because the camp lies within Pleasant Grove and many citizens have direct ties to the camp, the Bureau of Reclamation would like to donate the structures to Pleasant Grove City as physical reminders of the City's largesse in welcoming strangers from all over America and providing a Utah home for those serving away from home.

The Bureau of Reclamation anticipates that the actual disassembling and moving of the structures could be done by volunteers, perhaps as Eagle Scout projects. The structures may be disassembled and stored until a suitable place is prepared.

Mr. King explained that buildings are not historically significant simply because they are old. The value of historic buildings lies in why they were made, how they are associated with significant events in the history of a place, and who built them. Pleasant Grove has the opportunity to preserve a historic structure that is linked to a unique and significant period in the history of our nation and our community. Properly preserved and presented to the community, the buildings have the potential to serve as teaching tools to educate the citizens of Pleasant Grove about The Great

Depression, the Civilian Conservation Corps, World War II, and other important events from the past.

Mr. King explained that the Mess Hall, and possibly the Doctor's Office, could be disassembled and relocated. The Mess Hall is modular and can be disassembled into eight-foot sections. The Doctor's Office is also of modular construction but appears to be less suitable for dismantling prior to relocation. The cost to move the Doctor's Office, without disassembly, is approximately \$10,000. It is believed that with proper expert guidance, disassembly could be handled by volunteer labor.

Once the buildings are disassembled, a relocation site will be identified. Currently, the best location is Anderson Park. The buildings could be repurposed for use by the Boy Scouts of America. Mr. King asked Parks and Recreation Director, Deon Giles, if he had further information on the contract for Anderson Park. Director Giles stated that there was nothing that would prohibit this action in the Sale Agreement for the park. Mr. King continued that the buildings could be added to the existing collection of Pleasant Grove City "Museum" buildings (Old Bell School, Pioneer Cabins, etc.). As a last resort option, the building(s) could be made available, in part or in whole, to Pleasant Grove citizens.

In preparing the site for relocation of CCC Building(s), free use of a cement truck has already been offered. The cement pad for the Mess Hall would need to be procured, the costs or services of which could possibly be donated. The cost estimates for moving the foundation for the Doctor's Office are above \$10,000. Other costs for relocating the buildings include City Infrastructure, electrical, paint, roofing, weathering, etc. Relocating the disassembled sections to a new site could be done either by volunteers, trucks, or a professional moving company such as Valgardson House Movers.

Mr. King reviewed a tentative timeline for next year, noting that the schedule will be dependent on volunteer labor. Several historic photos of the camp were then presented. Mr. King provided additional historical context on the buildings.

Council Member Andersen asked if the Historic Preservation Commission has approached the Boy Scouts of America (BSA) about donations. Mr. King explained that while they hope to organize volunteer labor through BSA, they have not asked the organization for monetary donations. Council Member Andersen asked if the project will be phased out and if there are separate removal and reinstallation costs. Mr. King reviewed some of the associated costs, as outlined above.

With regard to the project timeline, Mr. King explained that he spoke with the Bureau of Reclamation the previous day. They indicated that they would like the buildings off of their property as soon as possible; however, they have not imposed any type of ultimatum. Mayor Daniels asked if the buildings are the original facilities. Mr. King answered in the affirmative. Mayor Daniels asked how well the buildings have been preserved. Mr. King noted that the buildings have been painted on the outside and that there is new felt on the rooftops. Director Giles added that no maintenance has been done since the buildings were relocated to the Provo River Water Users Office Complex and noted that the paint is starting the chip. The roof is

corrugated metal from the World War II era, so most of it can be reused. Mr. King mentioned that when the CCC ended and WWII began, the area became an Air Force Training Camp.

Council Member LeMone asked what would happen to the other buildings that the City doesn't relocate. Mr. King explained that the Bureau of Reclamation is planning to run an advertisement in local newspapers for civilians that want to buy them and pay for their removal. The buildings are currently located in a storage unit west of the Provo River Water Users Office Complex. The Mess Hall is currently being used as a storage area as well. Mayor Daniels asked if the Parks Department feels that the plan that has been presented is a good idea. Director Giles expressed some hesitation about using the Anderson Park but agreed that it is important to preserve history.

Council Member LeMone asked if there are other options for preserving the buildings through the State of Utah. Mr. King explained that the State originally sought to obtain the buildings for a CCC museum located in Price. That plan fell through and the Bureau of Reclamation wanted to give Pleasant Grove City the first opportunity to preserve them.

After subsequent discussion regarding potential costs, Council Member LeMone commented that Anderson Park was a great relocation site. Mr. King stated that they also have the option of disassembling the buildings and storing them until they have had more time to do additional fundraising and determine a final relocation site. Mayor Daniels and Members of the City Council were supportive of this suggestion. Staff and the elected officials briefly discussed a timeline where City Staff could lend additional support in disassembling and moving the buildings into storage.

7) DISCUSSION AND DIRECTION ON CREATING A CDA FOR ECONOMIC DEVELOPMENT IN PLEASANT GROVE CITY.

City Administrator, Scott Darrington, explained that there are two large projects that may be coming to Pleasant Grove that could spur additional economic development in the City. As such, there is a high likelihood that one or both of the developers will request a tax incentive. If this is the case, the City will need to create a Community Development Area (CDA), which is the mechanism used to create tax incentives. One of the projects would be off of I-15 and the other would be closer to State Street and North County Boulevard. Administrator Darrington stated that he needs Council approval prior to moving forward in creating a CDA.

Council Member Stanley asked at what point the Council would decide whether to apply the CDA. Administrator Darrington explained that the creation process takes a few months. The Pleasant Grove City Redevelopment Agency (RDA) would meet with staff to define the CDA areas. An agreement would then be entered into to finalize the CDA and define the tax incentive.

Mayor Daniels noted that time is of the essence in moving forward with the CDA. Administrator Darrington explained that when funds are collected in RDA and CDA accounts, they are earmarked for certain uses and cannot be used for costs related to the General Fund. The Mayor and Council advised staff to move forward in creating the CDA.

8) TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-20) AMENDING TITLE 2 CHAPTER 1 “PERMANENT ADMINISTRATIVE COUNCILS, BOARDS, COMMISSIONS AND DISTRICTS” OF THE PLEASANT GROVE MUNICIPAL CODE REMOVING THE STRAWBERRY DAYS COMMITTEE AS ONE OF THE PERMANENT COMMITTEES; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.

City Attorney, Tina Petersen, explained that the two ordinances on the agenda tonight were drafted at the specific request of the Mayor and placed on the agenda to night per his request. There have been many discussions pertaining to the relationship between the City and the Strawberry Days Association over the years. In 2013, the Strawberry Days Committee was added as one of the permanent boards and commissions in the City. Ordinance 2016-20 would remove this committee from the list of permanent boards and commissions. She explained that Ordinance 2013-30, which was adopted in 2013, set goals for the Strawberry Committee; however, those goals were never fully accomplished. By adopting Ordinance 2016-21, the City will be repealing the Committee while continued discussions move forward as to how the three other entities will work together for future Strawberry Days celebrations.

Mayor Daniels noted that both Items 8 and 9 will be discussed at the same time.

Council Member Stanley stated that as a Council, they have a standard of not taking action during Work Sessions. He noted that he has had members of the public express a desire to comment on the issue. He asked if there was a reason why these actions were taking place tonight. Attorney Petersen explained that the items would not have been public hearing items regardless of when they were discussed. Council Member Stanley argued that citizens would have liked to at least had a chance to comment during an open session; however, Work Sessions do not include an Open Session. Attorney Petersen stated that the items were placed on tonight’s agenda at the request of Mayor Daniels. She explained that there is nothing prohibiting the Council from taking action during a Work Session. While the City has chosen to follow this practice from a policy standpoint, the Council may choose to take action during Work Sessions as long as items are properly noticed. Council Member Stanley wanted to continue both items pertaining to Strawberry Days to allow public comment.

Council Member Stanley stated that in looking at the City Council minutes for September 17, 2013, Former Mayor Call outlined reasons for creating the Strawberry Days Committee and bringing the celebration under the authority of the City. During that meeting, Mayor Call talked about the growth of the City and the complex nature of the celebration. Council Member Stanley stated that he had not heard arguments or rationale as to why they would repeal this decision, which was unanimous. Attorney Petersen explained that the intent is to move in a different direction, whereby the City would enter into a contractual relationship with the Strawberry Days Association instead of absorbing the Association.

Council Member Stanley expressed concern that the by-laws had not been passed. He explained that they might be exposing the City to greater liability and putting the City’s own tax exempt status at risk if the Strawberry Days Association is more than a decade out of compliance with its entity status. He stated that it might make more sense to do the foundational work before making

the ordinance change, so that the Strawberry Days Association still has the protection of the City's umbrella.

ACTION: Council Member Stanley moved to continue Items 8 and 9 to a date uncertain.

Council Member LeMone asked Attorney Petersen to address the issue that Council Member Stanley brought up about the Strawberry Association using the cities tax id number.

Attorney Petersen explained that in the last meeting Jason Hunter, the Treasurer for the Strawberry Days Association, explained that they do not use the City's tax identification number. She could not understand how Council Member Stanley's previously stated concern was relevant as to whether the City's tax exempt status was being jeopardized. The Strawberry Days Association has only provided the City's tax exempt status number on occasion to buy supplies for City sponsored events not for the Associations purposes. Council Member Stanley commented that it would be valuable for the City and the Strawberry Days Association to get things in order prior to making a policy change that was unanimously approved three years ago.

The motion died for lack of a second.

Council Member Andersen stated there are questions about how the City's contractual relationship will look with the Strawberry Association. She asked if the doors will be open for further discussions if the proposed ordinances are passed tonight. Attorney Petersen explained that the actions will put things back at the status quo prior to 2013.

Mayor Daniels explained that his intent in bringing the matter forward was to prompt Council discussion in light of the various questions that have been raised about Strawberry Days in the community. He asked the Council to consider what is in the best interest of the City and citizens of Pleasant Grove. He explained that since the goals and objectives that began in 2013 were not completed, it seemed appropriate to reset back to where they started. Once the roles of the Strawberry Days Association, Rodeo Association, and the City have all been defined, then it might be worth it to discuss how to bring all three entities under the same umbrella again.

Council Member Stanley opined that until those discussions have taken place, it may be best not to take action that may need to be reversed. There was further deliberation on the matter.

Council Member Andersen was supportive of the idea of separating the Strawberry Days Association from the City and referenced recent changes made with the Pleasant Grove Chamber of Commerce. Council Members LeMone, Jensen and Walker agreed with Mayor Daniels's previously stated stance on the matter.

Attorney Petersen clarified that the City Council is voting to remove the Strawberry Days Committee from the City's list of permanent boards and commissions. The Strawberry Days Association is still a private entity, which they have always been.

Council Member Stanley's biggest concern was that there has been no effort to quantify the financial risk to the City and the citizens. He stated that it is a mistake to unwind an ordinance

from three years ago without having by-laws in place, calculating costs, or having a separate entity status that is in compliance with the State.

Administrator Darrington explained that the 2013 ordinance created the Strawberry Days Committee and put the Committee under the umbrella of the City not the Strawberry Days Association. This action also gave the Mayor the ability to appoint a Chair and Vice Chair at the advice of the Council. He reiterated that tonight's actions simply dissolve the Strawberry Days Committee and as such, there are no financial implications. Attorney Petersen added that in her professional opinion, she does not see any financial risk in adopting the ordinances tonight. The Strawberry Days Association has its own financial obligations as a separate private entity and the City has its own expenses for which they have accounted for over the last several years.

Council Member Stanley asked if the City would be held accountable as a back step if the IRS filed a suit for 14 years of back taxes from the Strawberry Days Association. Attorney Petersen answered in the negative and stated that the Strawberry Days Association is a private, separate entity. The only liability the City may assume is in regard to the fact that the celebration occurs on City property.

Council Member Andersen asked Council Member Stanley to better articulate his fears on the matter. Council Member Stanley stated that he is afraid of putting the City in a weaker bargaining position if the time ever comes that they decide that it was a mistake to reverse the actions that were put into place in 2013. He felt there needed to be more transparency in terms the financials of the event. He explained that he would be comfortable putting the event out to bid, to see if there was another group who would interested in hosting the event. Council Member Andersen stated that if the City were to go this route, then there would need to be someone on Staff who managed Strawberry Days. There was continued discussion on points previously made throughout the discussion.

ACTION: Council Member Jensen moved to adopt an Ordinance (2016-20) amending Title 2 Chapter 1 "Permanent Administrative Councils, Boards, Commissions and Districts" of the Pleasant Grove Municipal Code removing the Strawberry Days Committee as one of the permanent committees; and providing for an effective date. Council Member LeMone seconded the motion. A voice vote was taken with Council Members Jensen, LeMone, Andersen and Walker voting "Aye" and Council Member Stanley voting "Nay". The motion passed 4-to-1.

9) TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-21) REPEALING AND RESCINDING ORDINANCE 2013-30 "STRAWBERRY DAYS COMMITTEE"; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: Council Member LeMone moved to adopt Ordinance (2016-21) repealing and rescinding Ordinance 2013-30 "Strawberry Days Committee"; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken Council Members Jensen, LeMone, Andersen and Walker voting "Aye" and Council Member Stanley voting "Nay". The motion passed 4-to-1.

Council Member Stanley voted against the motion because he did not feel the decision was in the best interest of the citizens of Pleasant Grove.

Mayor Daniels advised staff to continue working with the Strawberry Days and Rodeo Associations in further defining a contractual agreement with the City. Administrator Darrington noted that a meeting will take place next month with representatives of those entities.

10) REVIEW AND DISCUSSION ON THE SEPTEMBER 20, 2016 CITY COUNCIL MEETING AGENDA.

Administrator Darrington stated that Item 9A will be a public hearing for the purpose to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. He explained that this is the statutory public hearing that they are required to have as a City. Their intent is to keep the focus of the public hearing on this issue. A separate public hearing will be held to address other like matters on October 4, 2016. Administrator Darrington noted that they are planning on holding next week's meeting in the Council Chambers. Mayor Daniels advised Staff to plan for a big crowd.

There was brief review and discussion of the remaining items of the September 20, 2016 City Council Meeting agenda.

11) NEIGHBORHOOD, STAFF, COUNCIL AND MAYOR BUSINESS.

Members of staff shared various updates pertaining to their respective departments. Library and Arts Director, Sheri Britsch, thanked those who participated in the Heritage Jubilee. She noted that Lisa Coombs will no longer be running the event and they are looking for a replacement. The Historic Preservation Commission is also looking for members. Public Works Director, Marty Beaumont, provided brief updates on several projects taking place throughout the City.

Council Member Andersen commented that the Heritage Jubilee was a wonderful event. Council Member Stanley reported that the Utah County Rotary Club has their annual Tour to Donut event this Saturday, and he invited others to attend.

12) ADJOURN.

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

The meeting adjourned at 7:14 pm.

The Minutes of the September 13, 2016 were approved by the City Council on October 4, 2016

Kathy T. Kresser, City Recorder, MMC

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