

**Pleasant Grove City  
City Council Regular Meeting Minutes  
November 5, 2014  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Cyd LeMone  
Ben Stanley  
Jay Meacham  
Cindy Boyd (arrived at 6:08 p.m.)

Staff Present: Scott Darrington, City Administrator  
David Larson, Assistant to the City Administrator  
Dean Lundell, Finance Director  
Degen Lewis, City Engineer  
Tina Petersen, City Attorney  
Mike Smith, Police Chief  
Marc Sanderson, Fire Chief  
Ken Young, Community Development Director  
Lynn Walker, Public Works Director  
Sheri Britsch, Library and Arts Director  
Kathy Kresser, City Recorder  
NAB Chair, Libby Flegal

Other: Marty Beaumont, P.E., J.U.B. Engineers, Inc.  
Reece DeMille, Republic Services

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 Council Members Andersen, LeMone, Stanley, and Meacham were present. Council Member Boyd arrived late.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Planning Commission Chair, Scott Richards.

3) **OPENING REMARKS**

The opening remarks were given City Engineer, Degen Lewis.

#### 4) **APPROVAL OF AGENDA**

Mayor Daniels noted that John Stevens was unable to attend tonight's meeting. As a result, his plaque of service would be awarded the following week. Mayor Daniels recommended that Item H be moved to Item A on the agenda. Last, he suggested that the open session take place in conjunction with the discussion relating to Shannon Fields to allow the public to speak on the matter.

**ACTION:** Council Member Stanley moved to approve the agenda as written, with the changes suggested by Mayor Daniels. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council. Council Member Boyd was not present for the vote.

#### 5) **CONSENT ITEMS**

- a) **City Council and Work Session Minutes;  
City Council Minutes for the September 15, 2014 Special Meeting;  
City Council Minutes for the September 16, 2014 Meeting;  
City Council Minutes for the September 17, 2014 Special Meeting;  
City Council Minutes for the October 7, 2014 Meeting;  
RDA Minutes for the October 7, 2014 Meeting;  
City Council Work Session Minutes for the October 14, 2014, Meeting; and  
City Council Minutes for the October 23, 2014 Meeting.**
- b) **To consider for approval Change Order No. 3 and Final Payment No. 2 for Allied Construction for the FY 2013-14 Sanitary Sewer Improvement Project.**
- c) **To consider for approval Partial Payment No. 3 for Cody Ekker Construction for the FY 2013-14 Culinary Water Improvements Project.**
- d) **To consider for approval of paid vouchers for (October 22, 2014)**

The consent items were reviewed and discussed.

**ACTION:** Council Member LeMone moved to approve the consent items. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

#### 6) **OPEN SESSION**

*Note: See Item H for comments made regarding Shannon Fields.*

Mayor Daniels reopened the open session and invited the public to speak on matters not already listed in the agenda.

Lisa Liddiard gave her address as 1095 East Canyon View Lane. She requested that the audio files of public meetings be labeled according to the meeting date on the website. She noted that currently the audio files are labeled according to the date they are uploaded, rather than the date of the meeting. Furthermore, some of the links are missing or unavailable. Council Member LeMone explained that there are many links on the website and the City needs the public's help to identify broken links so that the problems can be fixed. She encouraged Ms. Liddiard to email any member of the Council to notify them of these issues so that the webmaster can be notified. City Recorder, Kathy Kresser, asked Ms. Liddiard to stop by her office to review the issue.

Randy Kummer gave his address as 1630 East 400 South. He explained that while the bond did not pass, he does not want to see the Public Safety Facility issue to be dropped. He spoke about the principle behind getting as much use out of the existing facilities as possible, and likened the situation to purchasing new cars. He felt that the Fire Station was in dire need of replacement, whereas the Police Station could be used for years to come. Mr. Kummer suggested that the City consider creating a budget for each building separately.

Kelly Mclain gave her address as 1394 North 900 West and noted that the Public Safety Bond is a passionate topic on both sides. She noted that when so much passion is involved, all reason goes out the window. Ms. Mclain observed that there was a lot of fear mongering going on between the two sides of the debate. She inquired as to how such polarizing perspectives will be able to be used as the City moves forward to develop a new plan.

Mayor Daniels explained that earlier in the day he was contacted by numerous individuals on both sides of the debate. Each expressed a hollow feeling over the fact that the City has become so divided over the issue. Furthermore, everyone he spoke to expressed remorse as well as a willingness to come to the table and work together as a team to reach a solution.

Ms. Mclain asked how to solicit more public involvement in order to have better community representation on the issue. Council Member LeMone mentioned to Ms. Mclain that the City sends out a Constant Contact email and offered to add her to the distribution list. She encouraged Ms. Mclain to forward the emails on to friends as well. The City's website and Facebook page were described as great resources for citizens to stay informed.

Eric Jensen gave his address as 120 North Main and expressed his love for the City and its citizens and the ability to openly express concerns. He appreciated the time staff and the elected officials have invested over the past year on the bond proposal. Mr. Jensen remarked that the citizens have spoken and have expressed a willingness to work through the public safety issue. Last, he stated that the police and fire personnel deserve a community that is willing to work toward a solution to meet public safety needs.

Mayor Daniels was saddened by how the public safety issue has divided the citizens. He remarked that as Mayor, he is committed to trying to unify the Council and the citizenry in order to move toward a joint solution. He stated that if both sides are willing to come to the table, he was willing to help drive the discussions forward.

Carl Cooney expressed a willingness to help formulate a joint solution to move forward.

A gentleman in the audience expressed concerns with the bond proposal and stated that the public has already voted on the issue twice. He also expressed concern with the burden of increasing taxes. He was of the opinion that there are needs within other City departments that are going unnoticed. He asked the City to be fair in their dealings with the public and other City departments.

Kim Schroeppel gave her address as 1065 North 900 East and publicly thanked the Mayor, Council, and Public Safety personnel for all they do for the community. She explained that today she and her 22-year-old daughter visited the Police and Fire Stations and could not pick one facility over the other to be rebuilt. She had seen firsthand the conditions of each facility.

Last year when the bond didn't pass, Ms. Schroepfel and her husband agreed to save \$7 per month to see if would be a difficult task. She acknowledged that while at times it was challenging, overall it was a very reasonable amount to save. Ms. Schroepfel reported that today she gave that money to the Police and Fire Departments. She expressed the hurt she experienced over the past year because of the anger from both sides of the debate. Last, Ms. Schroepfel stated that her heart was full as she visited the Public Safety facilities today. She emphasized how grateful she was for police and fire personnel who serve the community.

Elroy West gave his address as 1275 East 200 South and stated that he is an 89-year Pleasant Grove resident. At one point he chaired a committee that was tasked with building a swimming pool. He explained that the funding for the project was a collaborative effort on the part of the community. He expressed his support for the efforts of the Mayor and City Council. He believed that the City needs to live within its means and he felt that progress can be made within a more reasonable budget. Last, Mr. West remarked that although at times the public disagrees with the Council's stance on certain issues, they support the work and countless hours that are spent on these projects.

Gary Yeates gave his address as 1225 Nathaniel and thanked the Mayor and Council for the process by which they conducted the bond proposal this year. He acknowledged that the City hired a consultant and who they invited the public on multiple occasions to get involved with. Mr. Yeates was willing to come to the table to work toward a new solution. He remarked that the need is not going away. He felt it was the citizens' responsibility to provide a safe workplace for City personnel.

Amy Lindstrom gave her address as 1160 East 400 North. She was reviewing criteria for her son's Public Safety Scouting Merit badge and noted that the BSA handbook encourages scouts to speak to the Council and explain why certain services, such as public safety, are important for the community. Ms. Lindstrom remarked that Former Mayor Bruce Call made a good point by stating that the public safety personnel work for the citizens of the community. Therefore, it is the public's responsibility to provide them with a safe workplace.

Matt Godsey gave his address as 1026 East 1100 North and offered his services as the City moves forward to develop a solution for the Public Safety Facility. He noted that he has a Bachelors degree in Civil Engineering and a Masters degree in Structural Engineering. He has managed multi-million dollar projects and has dealt with all aspects of project management. Mr. Godsey felt that the City can still do more to complete the project for less money. As he has spoken with people on both sides of the debate, all have expressed open-mindedness in working together. He remarked that many citizens didn't take part in the slander and fighting and who truly respect the work done by staff and the City's elected officials.

Kelly Mclain noted that only 6,442 voted on the bond proposal. She felt that this was an unfortunate voter turnout from a City of nearly 35,000 residents. She stated that a person cannot complain about certain issues pertaining to local government if they do not participate in the process by attending City Council Meetings and voting at election time.

Jack Freeman gave his address as 450 East 100 North and agreed with Ms. Mclain 's comments. He was also saddened by how divisive the City has become over this issue. He remarked that many citizens cast their votes based on hearsay, rather than facts. He questioned how the City will be able to maintain quality employees if the public consistently communicates that their efforts do not

matter. Mr. Freeman mentioned Judge Bullock and the compassion he exercises in his position in the City's Municipal Court. Furthermore, he acknowledged the time and effort of staff and the elected officials, and the professionalism they exercise in their respective positions.

Carl Cooney remarked that the slander and anger has to stop in order for healing to begin. The accusations on social media and in other forms of communication are not helpful and do not move forward to reach a solution.

Mayor Daniels explained that the City of Pleasant Grove as an entity has no authority to stifle someone's Constitutional freedom of speech. The Mayor and Council advised staff earlier in the year that it would be unwise for them to participate in slander. Furthermore, they were encouraged to advise their family members to be mindful of their words and actions regarding the matter. Mayor Daniels was willing to go to war to defend a person's right to speak. He continued that he cannot take that right away, as it is written in the Constitution. Therefore, people need to learn how to exercise self-restraint.

Mr. Cooney agreed with Mayor Daniels's remarks. He then addressed members of the audience by stating that while there can be a difference of opinion, it can be done without name calling. He stated that as a community, the citizens need to come together.

Jacob Sutch gave his address as 291 South 300 East and stated that he was involved with both last year's and this year's bond proposals. He explained that a considerably better approach was taken this year, especially with respect to the management of City employees. Mr. Sutch reiterated that while nothing is perfect, things were much better this year.

Jane Robinson asked Mayor Daniels to let the community heal. She expressed that she felt unsafe driving around last night because the streets and intersections were crowded with people high with emotions and anger. She also spoke about the role of the elected officials and stressed that citizens want fairness. Last, Ms. Robinson voiced her agreement with the comments made by Mr. Cooney about healing. She stated that she wants friendship and understanding to take place in Pleasant Grove.

There were no further public comments. Mayor Daniels closed the open session.

Mayor Daniels apologized to Administrator Darrington, Attorney Petersen, and Director Lundell for the sharp manner in which he addressed them earlier in the meeting. He acknowledged that he should have dealt with his concerns privately.

Mayor Daniels invited anyone to come forward and speak to him about how the City can move forward with solutions and stated that he is available 24/7 for those discussions. He, however, implored the public to understand that true authority is that of influence. It is not power. He stated that power is not influence, but rather influence is power.

*The City Council took a break at approximately 8:23 p.m.*

7) **BUSINESS**

- A) **DIRECTOR YOUNG TO PRESENT A PLAQUE TO JOHN STEVENS FOR HIS SERVICE ON THE PLANNING COMMISSION.** *\*Continued to the November 12, 2014 Meeting.*
- B) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-40) ADOPTING THE ADDENDUM TO THE PLEASANT GROVE CITY STORM DRAIN MANAGEMENT PLAN AND PROVIDING FOR AN EFFECTIVE DATE. CITY WIDE.** *Presenter: Engineer Lewis.*

Engineer Lewis reminded the Council that staff has submitted the updated Storm Drain Management Plan to the State of Utah. The Council needs to now formally adopt the addendum as an Ordinance. He provided a brief overview of some of the minor updates that were made to the plan.

Mayor Daniels opened the public hearing. There were no public comments. Mayor Daniels closed the public hearing.

**ACTION:** Council Member Meacham moved that the Council adopt an Ordinance (2014-40) adopting the addendum to the Pleasant Grove City Storm Drain Management Plan and providing for an effective date. Council Member Stanley seconded the motion. A voice vote was taken with Council Members Stanley, Meacham, LeMone, Boyd and Andersen voting "Aye". The motion passed unanimously.

- C) **DISCUSSION ON SPEED BUMPS AND TRAFFIC CALMING DEVICES.** *Presenter: Administrator Darrington.*

Administrator Darrington presented the Council with a document outlining issues specific to 1180 East and other neighboring streets. He noted that the issues were reduced to five items. The first issue was that of speeding. Administrator Darrington noted that staff conducted a traffic study on 1180 East. As part of the study, 359 measurements were taken, mostly in the mornings between 7:00 a.m. and 9:30 a.m. The average speed in the 50th percentile was 25.7 MPH. Engineer Lewis explained that the 85th percentile of traffic speed is assessed when determining a speed limit for a neighborhood. It was noted that the 85th percentile speed on 1180 East was 30.7 MPH, according to the traffic study.

Another issue that was raised on 1180 East was road racing. Administrator Darrington explained that staff reviewed several police reports and did not find any related records. In other words, if racing has ever taken place on this street, no one has ever reported it to the police. Rolling through stop signs is another concern that citizens have raised. Administrator Darrington stated that this is an enforcement issue that needs to be better addressed.

Staff also reviewed accidents that have occurred on 1180 East, North Canyon View Road, and 1200 East over the past five years. There were a total of five accidents. The first took place on Canyon View Drive and was a hit and run in the middle of the night. Another accident that took place on Canyon View Drive was a car not stopping in time due to bald tires, which could have been speed related. The third accident occurred at approximately 1144 East 300 North and was speed related with a driver on a four-wheeler. The fourth reported accident was on 1180 East, and the driver had taken their eye of the road for a minute to pick something up. In that instant, the driver accidentally

hit another car and it was not known whether the incident was speed related. Lastly, an accident occurred on 1200 East when a driver was distracted and hit another car. It also may have been speed related. Administrator Darrington concluded that staff does not see this area as unique with respect to speeding and accidents.

Another concern with 1180 East is the safety of disabled children. It is difficult for staff to determine whether this street is any different from other residential streets. The citizens who reported the concern mentioned specific children in different homes in the area, however, it is difficult to measure whether their situation is unique.

Administrator Darrington presented information relative to other cities' policies on speed bumps. He noted at least 12 cities do not allow them. Those cities include Sandy, Provo, Salt Lake City, Pleasant View, Murray, Saratoga Springs, Riverton, Santaquin, Roosevelt, Farmington, Bountiful, and Lehi. On the other hand, staff learned that Syracuse, West Jordan, Lindon, and American Fork allow speed bumps with specific criteria. Administrator Darrington explained that most of the time his response to citizen inquiries about speed bumps is that Pleasant Grove does not allow them, primarily for snow plow reasons. However, if the Council would like to adopt a model similar to that of neighboring cities that outlines qualifying criteria for speed bumps, staff can develop a plan.

Council Member Boyd asked if Cedar Hills has a policy on speed bumps. Administrator Darrington responded that they did not reply to his inquiry. She noted that they have several speed bumps throughout their city, and she was under the impression that they were included in their city's road plan. Administrator Darrington remarked that whatever Pleasant Grove decides to do, they need to be consistent. He made brief mention of the Traffic Calming Toolbox that Horrocks Engineering prepared for American Fork and noted that it was included in the Council packet. Mayor Daniels asked about staff's recommendation. Administrator Darrington replied that while staff would recommend not allowing speed bumps, they are willing to prepare a plan to allow them with certain criteria.

A member of the audience explained that in traffic school drivers are taught to go 25 MPH or under in clustered neighborhoods. She expressed concern with a previous comment made by Engineer Lewis. Mayor Daniels explained that Engineer Lewis was simply providing a scientific response, rather than a personal opinion. The citizen suggested that if a speed bump isn't the answer for this neighborhood, then perhaps some sort of a disabilities sign would be more appropriate. She agreed with the idea of allowing speed bumps in neighborhoods that meet certain criteria.

Administrator Darrington explained that Sandy City sent him an analysis on speed bumps, which cited three reasons why they do not allow them in their city. The following reasons outlined in their analysis included emergency response delays, plowing difficulties, and ineffectiveness outside the immediate vicinity of the hump. Furthermore, Sandy City indicated that they use driver feedback boards (LED boards that tell the driver their current speed) as a form of traffic control. They have seen a decrease in average speeds when the boards are in use. Last, it was noted that the complete analysis from Sandy was included with the staff report.

Staff and the Council briefly deliberated on whether there is a significant need for any type of traffic calming devices on 1180 East. Council Member Meacham noted that staff recommended not allowing speed bumps but didn't mention whether they are in favor of other traffic calming devices on 1180 East. Administrator Darrington replied that based on the findings for this street, they don't

see a significant need other devices either; however, a sign would be beneficial. He commented that signs are an easy fix for the City.

Council Member LeMone was of the opinion that 1180 East is unique compared to other residential streets. She explained that the length of the street lends itself to road racing and there are problems with speed in that area. She was supportive of starting with a sign to see if it helps calm traffic since it would be the least expensive option. She also felt they should keep their options open if other problems occur in the neighborhood. Council Member Stanley expressed appreciation for the thoroughness of the research and agreed with Council Member LeMone that the City should keep all options open. He was also interested in brainstorming ways to create solutions that citizens in a neighborhood can implement themselves.

Mayor Daniels suggested installing a rumble strip that could go completely across the road. Staff agreed that this could be a good idea. Administrator Darrington agreed to look into that option. Another suggestion was made to have officers in the area ensure strict enforcement of the speed limit. Staff explained that while this could be helpful, it is not a long-term solution due to the manpower needed to patrol other streets in the City. Mayor Daniels concluded that at this point, a final solution has not been determined. The matter was to be remanded to staff for further review.

**D) TO CONSIDER FOR APPROVAL A FINAL PLAT OF THE DEER MEADOW LANE SUBDIVISION ON PROPERTY LOCATED AT APPROXIMATELY 575 EAST 200 SOUTH IN THE R1-7 (SINGLE FAMILY RESIDENTIAL) ZONE. SCRATCH GRAVEL NEIGHBORHOOD. Presenter: Director Young.**

Community Development Director, Ken Young presented the staff report and displayed an aerial map of the subject property. He explained that the proposal is for a three-lot subdivision. Lot 1 will be a standard lot and Lots 2 and 3 will be flag lots. Director Young noted that the proposed subdivision falls in the historic area of Pleasant Grove and it meets the criteria for an appropriate flag lot subdivision. The lot is approximately 266 feet deep in the R1-7 Zone and according to the City's vicinity plans, there isn't very much of an opportunity to develop the back side of the lot. There is currently a single-family dwelling and two sheds in the subdivision plat area. The flag lot access will meet the 25-foot minimum width and will be approximately 176 feet long. All of the lots exceed the 7,000 square foot minimum lot size requirement for the zone. Director Young noted that this item went before the Planning Commission and was given unanimous preliminary plat approval.

The neighboring property is also a flag lot subdivision, which will result in the two access roads being adjacent to one another. Although this is not considered the best use of space, there is nothing in the Code that would prohibit it from occurring. Director Young noted that staff encouraged the applicant to work with the neighbor, Ethan Barnes, to accomplish a partially shared stem road. The applicant, however, reported that Mr. Barnes was not interested in allowing his flag lot stem to be used for access to the Leavitt property.

**ACTION:** Council Member Stanley moved that the Council approve the final plat, known as Deer Meadow Lane Subdivision, and adopt the exhibits, conditions, and findings contained in the staff report. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

**E) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-046) DECLARING A 2003 GMC SIERRA TRUCK VIN# 1GTHK29U13E265189 AS SURPLUS AND DIRECTS THAT IT BE DISPOSED OF ACCORDING TO THE CITY'S POLICY FOR DISPOSING OF SURPLUS PROPERTY. Presenter: Director Walker.**

Public Works Director, Lynn Walker, explained that the truck has long since been worn out, and is out of service. Currently, the vehicle has 140,000 miles on it.

**ACTION:** Council Member LeMone moved that the Council adopt a Resolution (2014-046) declaring a 2003 GMC Sierra Truck Vin #1GTHK29U13E265189 as surplus and direct that it be disposed of according to the City's policy for disposing of surplus property. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Andersen, Boyd, LeMone, Meacham and Stanley voting "Aye". The motion passed unanimously.

**F) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-047) AUTHORIZING THE MAYOR TO SIGN A CAPITAL LEASE/FINANCE AGREEMENT WITH ZIONS BANK FOR TEN POLICE VEHICLES; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Lundell.**

Finance Director, Dean Lundell, noted that the details of the item were reviewed the previous week. The new Capital Lease/Finance Agreement will cost \$48,000 per year, or \$400 per month for all 10 vehicles. The interest rate is set at 1.75%. Director Lundell stated that the City is getting a very good deal on the value of the vehicles.

**ACTION:** Council Member Stanley moved that the Council adopt a Resolution (2014-047) authorizing the Mayor to sign a capital lease/finance agreement with Zions Bank for 10 police vehicles; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Stanley, Meacham, LeMone, Boyd and Andersen voting "Aye". The motion passed unanimously.

**G) TO CONSIDER AWARDING THE BID FOR THE FY 2014-15 SEWER REHABILITATION PROJECT TO INSITUFORM TECHNOLOGIES, LLC. Presenter: Director Walker.**

Director Walker reported that a few weeks ago, staff put the annual Sewer Rehabilitation Project out to bid. They received a very successful bid, which came in under the City Engineering Department's estimate. There were a total of three bidders with Insituform Technologies submitting the lowest bid. Staff recommended that the City award the bid. In response to a question from Council Member Meacham, Director Walker noted that the alignment of the manholes will be part of the project. He explained that there will be minimal traffic disruption while the work takes place, as the trucks will sit on top of the manholes. There was to be no excavation involved.

**ACTION:** Council Member Andersen moved that the Council award the bid for the FY 2014-15 Sewer Rehabilitation Project to Insituform Technologies in the amount of \$186,488.75 for the base bid and \$26,093.50 for the additives. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

**H) TO CONSIDER AWARDING THE BID OF SHANNON FIELDS SOFTBALL COMPLEX PHASE 2 PROJECT S & L CONSTRUCTION. THE BID INCLUDES OPTIONAL ADDITIVES A & B. Presenter: Engineer Lewis.**

*Note: This item was discussed first, and a portion of the Open Session took place in order to allow public comments specifically pertaining to this matter.*

City Administrator, Scott Darrington, explained that one year ago, Alpine School District approached the City about purchasing the softball field as part of their negotiations for Battle Creek Park. The field was primarily used for the high school girls' softball team as well as the City's girls' softball program. Through a series of events, which included an incentive package with doTERRA, the expansion of Pleasant Grove High School, and the sale of Battle Creek Park, the City garnered about \$435,000 to be earmarked to build a new softball field. The new softball field will replace the old field, because the agreement with the school district allowed them exclusive use of the existing field.

Administrator Darrington presented a spreadsheet of all outdoor programs that take place in Pleasant Grove. The spreadsheet identified the number of participants and teams for each sport per year and included relevant notes for each of the activities. Administrator Darrington acknowledged that there had been significant increases in participation over the past five years in all of the softball programs as well as flag football. He explained that this information is valuable because it helped staff determine the City's need in terms of field usage. Currently, most of the City's outdoor programs have reached their maximum capacity and many people are turned away each year. Administrator Darrington explained that staff didn't look into the economic potential of baseball and softball tournaments, but in general, more field space will generate more business for the City.

Council Member Boyd asked if any tournaments are currently held in Pleasant Grove. Parks and Recreation Director, Deon Giles, replied that the City holds one softball tournament each year at Manila. He agreed with Administrator Darrington that the City could host more tournaments if they had more fields. Tournaments can attract 12 to 30 teams from all over the State. A member of the audience added that last year her daughter played for the Recreation Center's 3<sup>rd</sup> and 4<sup>th</sup> grade league, and frequently those teams could not practice because the Battle Creek Field was being used by the high school.

Administrator Darrington presented the bid from S & L Construction. He explained that the project was bid with a base bid and five additives to allow flexibility. In response to an inquiry from Mayor Daniels, Administrator Darrington clarified that the money for the project was earmarked based on a discussion the City Council had. Park Impact Fees are not a part of the \$435,000 previously mentioned. He explained that Park Impact Fees are collected from new residents to pay for new infrastructure. Therefore, the residents who are creating the new impact will pay for the necessary infrastructure improvements. By State law, impact fees must be used for the purpose for which they were collected. They are heavily scrutinized and there is no way for a city to take impact fees and use them for unrelated projects. Furthermore, impact fees have a six-year window. Once they are collected, they must be used within six years.

Administrator Darrington stated that Pleasant Grove City has about \$1.2 million in Park Impact Fees. Between the funds earmarked by the City Council and the Park Impact Fees, the City has about \$1.65 million available for this project. Administrator Darrington presented an aerial map of

the Shannon Fields Complex. He noted that the base bid of \$956,661.39 includes the east and west fields, as well as improvements to 500 South. Additive A would be an access road to the road base at 500 South. Additive B would be a graded parking lot. The project cost with the base bid and additives A and B totaled \$1,119,713.73. Additives C and D include asphalt for Additives A and B. The additives would increase the cost to \$1,355,563.93. Paving the north access with curb, gutter, sidewalk, asphalt, and landscaping would cost an additional \$83,813.08 for a project grand total of \$1,439,377.01.

Administrator Darrington reviewed other uses that could be funded with the Park Impact Fees. He noted that in the past, the Council has discussed construction of a bike park, improving the pipe plant property with new soccer fields, or a nature park that would include a four-block system through the wetlands that the City currently owns. The associated costs for each project was reviewed. Administrator Darrington noted that improvements to the pipe plant property would cost millions of dollars, and, therefore, staff did not recommend proceeding with that option. The Bike Park would cost around \$980,000 and a good portion of the project would involve road infrastructure to the park. Administrator Darrington explained that should the City choose to move forward with any of these other projects, there would not be any money available for the wetlands, or improvements to the pipe plant property. Furthermore, the road leading to the Bike Park would not qualify for Park Impact Fees, and would, therefore, be an additional expense.

It was noted that the annual revenue collected from Park Impact Fees is around \$300,000; however, that amount fluctuates depending on the amount of development in the City. Administrator Darrington suggested that the City pursue the base bid and Additives A and B, which would grade the road and parking area, without the asphalt. This would leave about \$450,000 for other projects. There is, however, enough funding currently to complete the entire Shannon Fields project.

Council Member Stanley recalled that an earlier cost estimate had a separate breakdown for each field. Administrator Darrington explained that staff feels that if the City is going to construct one of the fields, the other should be built at the same time. Additionally, the project was not bid as two separate fields. Engineer Lewis explained that there were 108 people who viewed the bid. 17 contractors attended the pre-bid meeting and five submitted bids. The estimate made by the City's Engineering Department was in the middle of the five bids submitted. Administrator Darrington added that staff strategically bid out the project before winter to get a better price. Council Member Boyd asked if a price had been placed on the nature park at the wetlands. Administrator Darrington explained that a basic park with a restroom area and asphalted boardwalks would cost around \$1.4 million. He stated that this project could also be done in phases.

Director Giles recommended that the City consider completing the Shannon Fields project in its entirety. He explained that there could potentially be other funding sources such as grants that could help pay for the Bike Park and wetlands. Council Member Andersen asked how the project would affect parking for the Strawberry Days Rodeo. Administrator Darrington acknowledged that parking will be a challenge next year while the fields are under construction. The intent in the future, however, will be to allow parking on the grass during the rodeo.

Mayor Daniels opened the open session.

Lisa Liddiard gave her address as 1095 East Canyon View Lane and stated that she attended the September 9, 2014, Council Meeting, when the matter was last discussed. She recalled that during

that meeting, Administrator Darrington suggested that the project be put out for bid to get an idea of the actual expenses. Ms. Liddiard stated that while staff made this suggestion, no directive was given to staff to pursue the process of obtaining a bid. Mayor Daniels confirmed that a bid on the project took place.

Ms. Liddiard asked what happens with Park Impact Fees if they are not used within the six-year time limit. City Attorney, Tina Petersen, responded that if not spent, the funds have to be returned to the developers who paid them. Ms. Liddiard asked if the taxpayers are subsidizing the ball teams and other outdoor programs. Director Giles explained that all of the City's programs fund themselves, with the exception of the Day Hike up the Canyon and the Halloween Festival events.

Ms. Liddiard asked if some of the sports programs could be placed on hold to help fund other needs such as roads, public safety, and secondary water. Mayor Daniels replied that while some of the funds could be used for these purposes, Park Impact Fees can only be used for improvements to the City's infrastructure. Last, Ms. Liddiard read an email from Jennifer Baptista who voiced opposition to the use of City funds for the Shannon Fields project. "See Exhibit "A"

Jason Hunter gave his address as 680 East 300 North and stated that he serves as the Finance Chair for the Strawberry Days Committee. He explained that the Rodeo Committee expressed concerns with having four ball parks at Shannon Fields. Mr. Hunter noted that the field located in the southwest corner is where many cowboys park their trucks and trailers. While the special turf can support regular-sized cars, it is not designed for large, heavy vehicles.

Director Giles referred to the Shannon Fields Phase Map, and pointed out that the east and west ball diamonds are generally used for public parking. Also, for the past couple years a portion of the area has been reserved for the use of fireworks. The area to the extreme west is where the cowboys park their rigs. Director Giles noted that this has been communicated to the Rodeo Committee. Furthermore, he added that when staff presented this to the Rodeo Committee prior to this year's Strawberry Days event, they did not express any concerns.

Matt Godsey gave his address as 1026 East 1100 North and asked if Park Impact Fees can be used for operations and maintenance. Staff responded that they cannot be used for those purposes. Mr. Godsey asked how much additional expense the City will incur with the additional fields. Director Giles stated that the expenses will be minimal since City staff will already be out at Shannon Fields working on the other diamonds. He noted that it only takes about a 30 minutes to mow a field.

Eric Jensen gave his address as 120 North Main. His children participated in the City's athletic programs and he expressed his appreciation and support for the project. He stated that the programs have strengthened his sons and provided them with opportunities to grow.

Carl Cooney gave his address 2115 North Crestwood Boulevard and stated that he is a contractor by profession. He asked if the City could award the bid now with the stipulation of not allowing a change order. Staff explained that the project was bid as a unit price bid. In other words, it is not a lump sum bid with a not-to-exceed set amount. Mr. Cooney encouraged staff and the elected officials to take advantage of the winter weather and savings, by giving the contractor a deadline and cap the spending amount. Mayor Daniels explained that because the City did not use a lump sum bid, they were able to save \$75,000 in other costs. The construction timeline was reviewed.

Mr. Hunter asked if the City could have the land graded in the spring and then postpone seeding until there are fewer potential irrigation issues. This would also allow for rodeo parking. Staff replied that this could be negotiated with the contractor.

Jane Robinson gave her address as 79 West 200 South and explained that in the 1940s her father owned the rodeo grounds. The historical records show that he was given \$2 and he wanted that ground to be for cowboys. Ms. Robinson didn't want the land to be forgotten and stated that she wants the rodeo grounds to be retained for cowboys.

Windy Robinson gave her address as 286 North 1050 East and expressed enthusiasm for the project. She stated that she has three daughters who play softball and a husband who plays slow pitch men's softball. She commented that the proposed project will greatly benefit the City and that the money should be used for this purpose. Ms. Robinson stressed that the City should both start and finish the project. She emphasized that Pleasant Grove will see major economic growth as a direct result of having the ability to host more sports tournaments.

There were no further public comments. Mayor Daniels tabled the open session.

*Note: All other comments made during the open session that did not pertain to the Shannon Fields discussion, are notated in Agenda Item 6.*

Staff reviewed a list of the five bidders, noting that four were responsive in submitting the necessary information. The list also contained amounts that were submitted for each of the base bids and additive bids. The lowest bid was from S&L Construction who submitted a bid for a project grand total of \$1,439,377.01, which is lower than what the Engineering Department had estimated.

Mayor Daniels asked for feedback from the Council on if they would like to complete the project in its entirety or spread the funding out to other projects. He noted that by not completing the project now, there could potentially be additional mobilization fees in the future. Council Member LeMone explained that she grew up playing in Pleasant Grove's sports programs and remarked that there are benefits to having a facility like this one in the City. She stated that the programs are growing, and by providing this facility, they will be able to continue growing. Last, Council Member LeMone indicated that she was in favor of completing the project in its entirety.

Council Member Boyd commented that the economic support this facility will bring to the City will be significant. She was also in favor of completing the entire project. Council Member Andersen supported Mr. Hunter's suggestion to delay seeding until after the Strawberry Days event. There was further discussion pertaining to what organizations will run sports tournaments. Council Member Andersen voiced her support for pursuing the entire project package.

Council Member Meacham asked if there will be a fence along a certain perimeter. Staff answered in the affirmative. Council Member Meacham inquired as to how the area will be used for parking if there is a fence in that location. Staff explained that there will be a 24-foot gate at both ends of the fence. One will come in off of 500 South and then connect as an exit to the access road.

Council Member Stanley voiced his support for the project, noting that the \$1.2 million is an easy decision because it is coming from Park Impact Fees. Furthermore, the \$435,000 will come from one dedicated baseball diamond to another. He agreed with Mr. Hunter that the City needs to

coordinate with the Rodeo Committee on parking for the Strawberry Days event. Last, he indicated that he is comfortable moving forward with the entire project now.

Mayor Daniels clarified that the long-term perspective and original intent of the property was to allow use by cowboys. The City has retained space for this purpose. Additionally, the City has assessed short-term arrangements for the parking for the upcoming rodeo season by not planting the grass immediately. Another plan needs to be established for how all uses will be accommodated in the future. Mayor Daniels concluded by providing a summary of all the discussion points.

A member of the audience asked why the City selected S&L Construction. Attorney Petersen explained that by State statute, the City is required to go with the lowest responsive bidder. Engineer Lewis added that S&L Construction recently completed two other projects in Pleasant Grove as well, and they have a proven track record of doing high quality work. There was additional discussion regarding the project funding and if the \$435,000 could be allocated for other needs in the City.

**ACTION:** Council Member LeMone moved to continue the decision of awarding the bid of Shannon Fields Softball Complex Phase 2 Project S&L Construction until next Wednesday, November 12, 2014. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

**I) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-045) AUTHORIZING THE MAYOR TO SIGN THE THIRD ADDENDUM TO THE SOLID WASTE AND RECYCLING COLLECTION AGREEMENT WITH ALLIED SERVICES FOR THE PURPOSE OF EXTENDING THE TERM OF SERVICE CONTRACT AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Administrator Darrington.*

*Note: This item was discussed after Item D.*

Administrator Darrington noted that this item was brought before the City Council about a month ago and is an extension of the City's existing agreement with Allied Services for solid waste and recycling collection. In the previous discussion, two options were presented including a three-year or five-year contract extension. The Council expressed interest in pursuing the five-year contract, which also included a reduction of \$.10 on each can (garbage or recycling). Administrator Darrington reported that Republic Services has since proposed an additional reduction of \$.03 on each can with a five-year extension. Furthermore, the CPI will be waived during the first year.

Reece DeMille noted that the original proposal to reduce the rate by \$.10 per can would have saved the City about \$95,000 over the five-year period. The additional \$.03 in savings per can will equate to another \$25,000 over the five-year period, for a total of \$121,600 that can be returned to the citizens. Furthermore, the numbers represent the current volume and do not reflect any future development.

In response to a question from Council Member Stanley, Administrator Darrington stated that staff was pleased with the quality of service Republic Services has provided.

**ACTION:** Council Member Boyd moved that the Council adopt a Resolution (2014-045) authorizing the Mayor to sign the Third Addendum to the Solid Waste and Recycling Collection

Agreement with Allied Services for the purpose of extending the term of service contract for five years and providing for an effective date. Council Member Meacham seconded the motion. A voice vote was taken with Council Members Stanley, Meacham, LeMone, Boyd and Andersen voting "Aye". The motion passed unanimously.

### **8) NEIGHBORHOOD AND STAFF BUSINESS**

NAB Chair, Libby Flegal, reported that there are issues with the traffic light on State Street and 100 East. She explained that the left turn arrow occasionally skips its turn. Engineer Lewis asked Ms. Flegal to contact him the next time this happens and provide him with the time of day that the problem occurs. Ms. Flegal replied that it most commonly occurs in the morning around 9:00 a.m. Engineer Lewis agreed to investigate the problem.

Director Young reported that he sent an email earlier in the day to all staff and elected officials with a link to an important survey. The survey collects input from citizens on ways they would like to see Utah grow in terms of transportation, housing, energy, water, open space, recreation, etc. He noted that the associated website is very educational and provides helpful information before taking the survey.

Assistant to the City Administrator, David Larson, announced the upcoming Tri-Chamber event. It will be combined with American Fork and Lehi for the first annual North Utah County Business Summit. The event will take place on Tuesday, November 18, 2014, and will consist of a half-day seminar with Greg Miller as the keynote speaker. It will be a great training for businesses of all sizes and specific resource training will be provided.

Director Giles read an email from Jim Price with MAG that stated that on June 25, 2014, 1,000,000 user trips were recorded on the Murdock Canal Trail. As of today there have been over 1.45 million user trips recorded. Mr. Price congratulated the City in reaching this milestone. Fire Chief, Marc Sanderson, reported that the Fire Department lost badly in volleyball earlier in the day. Police Chief, Mike Smith, announced that his department is joining with the Fire Department during the month of November to raise money for burn victims. They will also be conducting another fundraiser during the month of December. Last, he reported that actor Vincent D'Onofrio recently helped raise \$1,000 for the K9 program by wearing a Pleasant Grove Police Department T-shirt, taking a picture with Havoc and then posting the photo to his fan page.

Library and Arts Director, Sheri Britsch, announced the upcoming Veterans Day program, and noted that Mayor Daniels will be speaking. She also reported that *Arsenic and Old Lace* and the orchestra concert were both fun and successful. Finance Director, Dean Lundell, reported that the City has the opportunity to refinance the water bonds from 2006 and stated that doing so will result in a \$40,000 to \$45,000 savings per year.

### **9) MAYOR AND COUNCIL BUSINESS**

Council Member Andersen asked if Mr. Allred's concerns have been resolved, as they were expressed during the open session on October 21, 2014. Attorney Petersen provided an update on the situation, and noted that the solution is ongoing. Council Member Andersen announced that Culinary Crafts is having their grand opening on November 13 from 4:00 to 7:00 p.m.

Administrator Darrington asked if they would like to have the Chamber of Commerce assist with a ribbon cutting. Council Member Andersen agreed to speak with the owners.

Council Member Stanley asked if the City has an information packet on the Hammon's property, and explained that he spoke with someone earlier in the day who reportedly has several contacts in the hospitality industry. An informational packet would be helpful in making a pitch to potential investors. Director Lundell suggested that his contact person meet with staff directly. Council Member Stanley reported that several citizens have approached him about helping find a solution for the Public Safety Facility.

Mayor Daniels reminded the Council Members that he sent out an email regarding Grovecrest Elementary annual exercise program. He asked the Council if they would be interested in participating. The Council responded in the affirmative. He also reminded staff and the elected officials that the next meeting will be held on Wednesday, rather than on Tuesday, which is Veterans Day. Additionally, the Council will not meet on November 25 due to Thanksgiving.

**10) SIGNING OF PLATS**

There were no plats signed.

**11) REVIEW CALENDAR**

There were no calendar items to review.

**12) ADJOURN**

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

The City Council Meeting adjourned at approximately 10:20 p.m.

Approved by the City Council on December 16, 2014.

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Kathy T. Kresser, CMC, City Recorder

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