

Pleasant Grove City Council Minutes
June 22, 2010
6:00 p.m.

PRESENT:

Mayor:

Bruce W. Call

Council Members:

Cindy Boyd

Val Danklef

Kim Robinson

Jeffrey D. Wilson

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy City Recorder

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Degen Lewis, City Engineer

Sean Allen, City Planner

Karen Bezzant, City Treasurer

Libby Flegal, NAB Chairperson

Dave Thomas, Deputy Fire Chief

Shawn Nielson, Patrol Sergeant

Deke Taylor, Police Officer

Excused:

Lee G. Jensen, City Council Member

Ken Young, Comm. Dev. 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 Call called roll for the Council and noted that Council Members Danklef, Robinson and Wilson were present, Council Member Boyd will be in attendance shortly and Council Member Jensen was excused.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Council Member Wilson.

3. OPENING REMARKS

Opening Remarks were given by Council Member Danklef.

4. APPROVAL OF MEETING'S AGENDA

ACTION: Council Member Wilson moved to approve the agenda. Council Member Robinson seconded and the motion passed unanimously with Council Members Danklef, Robinson and Wilson voting, "Aye."

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

MINUTE REVIEW AND APPROVAL:

- a. City Council and Work Session Minutes:
City Council Budget Work Session Minutes for May 11, 2010
City Council Minutes for May 18, 2010
City Council Work Session Minutes for May 25, 2010
- b. To consider approval of Change Order No. Three for the Pressure Irrigation System – Schedule 8 for Johnston & Phillips
- c. To consider approval of Payment No. One to Geneva Rock Products, Inc. for the Street Rehabilitation Project 2010
- d. To consider approval of paid vouchers (June 9, 2010)

ACTION: Council Member Wilson moved to approve the consent agenda items. Council Member Danklef seconded and the motion passed unanimously with Council Members Danklef, Robinson and Wilson voting "Aye."

6. OPEN SESSION

Mayor Call explained to those present that if an item was not a public hearing or not on the agenda, they were welcome to come forward and address the Council. In that no one came forward the Mayor closed the meeting to the public.

Council Member Boyd joined the meeting at 6:07 p.m.

7. BUSINESS

A. PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF WATER REVENUE BONDS, SERIES 2010, IN THE AGGREGATE AMOUNT OF NOT MORE THAN ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (1,500,000) AND ANY POTENTIAL ECONOMIC IMPACT THAT IT MAY HAVE ON THE PRIVATE SECTOR. THE SERIES 2010 BONDS WILL BE ISSUED FOR THE PURPOSE OF FINANCING THE ACQUISITION,

CONSTRUCTION AND INSTALLATION OF WATER LINES AND RELATED IMPROVEMENTS (CITY WIDE IMPACT)

Finance Director Lundell pointed out that at the Council meeting on May 4th, we adopted a Parameters Resolution (2010-026) and these water revenue bonds are related to the low interest loan that we were able to get from the Drinking Water Board to upgrade our water system. The purpose of this public hearing today is the opportunity to get any input from the public and there is no need for any action, this is just something that is required for this process. Administrator Darrington added that there was a notice on every customer's utility bill in regards to this public hearing.

Mayor Call asked if there were any questions for staff, there were none. The Mayor then stated that this is a public hearing and opened the meeting to the public for comment. In that no one came forward the Mayor closed the meeting to the public.

B. TO CONSIDER A RESOLUTION (2010-030) RATIFYING THE APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH VCBO ARCHITECTURE, LLC FOR A NEEDS ASSESSMENT AND CONCEPTUAL DESIGN SERVICES FOR A PROPOSED CIVIC CENTER IN PLEASANT GROVE CITY (OLD FORT NEIGHBORHOOD)

Administrator Darrington stated that we agreed in principal with VCBO Architecture a couple of weeks ago but they have a boilerplate agreement that they want signed. Attorney Petersen has reviewed it and we do not see any issues, we have agreed on the price and a timeline, so this is the agreement that solidifies that. They have already started the work; they were here last week assessing some of the buildings and will be meeting with the Department Heads next week to start asking each individual department about their needs for the future buildings.

Mayor Call asked if they have developed any kind of a timeline so that we are aware of when we will get to the public stages. Administrator Darrington said that they gave us a preliminary timeline as to doing this whole process in a matter of about three months and according to the agreement six months is the window for this, it is a pretty aggressive schedule. Administrator Darrington said that once we have some ideas on the types of buildings then we will have them come to a Council meeting/work session to discuss with the Council the needs that you see as the elected officials for the City. We are planning this building as if we are going to be built out so that the building does not get too small for us in twenty years; we are asking all the Department Heads to say what their staffing needs will be when we have a population of fifty five or sixty thousand people.

Council Member Boyd wanted to clarify what number we are giving them as our build out number. Administrator Darrington said that Director Young had said fifty five thousand but that he is figuring it at sixty thousand because it is better to be a little bit bigger than smaller, stating that it is really critical in planning this building that we do not plan it too small we don't want to grow out of a building because we didn't plan properly.

Council Member Danklef asked about the reimbursement expenses in their agreement, where it mentions rendering and models required by owner and expense for computer aided design, drafting equipment and are they going to charge us more for that aren't the models part of what they were going to provide for us? Administrator Darrington said that we might want to clarify that with them, there is an understanding that some of the renderings and things that we are asking them are going to be part of the contract but if there are things above and beyond what they normally do, it is a matter of them telling us what they don't normally provide and is something that they will charge more for and as you read the agreement it is not clear cut as to what those are. Administrator Darrington said that we can either table this item right now or just have the understanding that we will adopt the agreement and work with them and if there are things that they say are an extra expense, then we will decide whether we need that rendering or model. Council Member Boyd remarked that they will tell us if we are asking for something that is extra that is not covered in our agreement. Administrator Darrington stated that he agrees, we will communicate to them what is needed and what is not.

Mayor Call asked if there were any other questions or discussion, there was none. The Mayor then read the resolution and asked for a motion.

ACTION: Council Member Boyd moved to approve Resolution 2010-030, ratifying the approval of a professional service agreement with VCBO Architecture, LLC for a Needs Assessment and Conceptual Design services for a proposed Civic Center in Pleasant Grove City. Council Member Wilson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye."

C. TO CONSIDER A RESOLUTION (2010-031) AUTHORIZING THE MAYOR TO SIGN A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) REGARDING LIGHTING ON THE PEDESTRIAN TRAIL UNDER THE STATE STREET RAILROAD BRIDGE (CITY WIDE IMPACT)

City Engineer Lewis explained that this is part of the project on State Street underneath the new bridge; there is a series of lights that were installed alongside the tracks and UDOT typically installs lighting with projects but does not do the maintenance or the ongoing electrical costs, so this agreement just clarifies that these lights are the City's responsibility to power and maintain.

Mayor Call asked if there were any questions, there were none. The Mayor read the resolution and then asked for a motion.

ACTION: Council Member Robinson moved to approve Resolution 2010-031, authorizing the Mayor to sign a cooperative agreement with the Utah Department of Transportation (UDOT) regarding the lighting on the pedestrian trail under the State Street Railroad Bridge located in Pleasant Grove, Utah. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye."

D. PUBLIC HEARING TO CONSIDER A RESOLUTION (2010-032) ADJUSTING AND AMENDING THE REVENUES AND EXPENDITURES FOR FISCAL YEAR 2009/2010 BUDGET; INCLUDING THE PLEASANT GROVE REDEVELOPMENT AGENCY (RDA) BUDGET (CITY WIDE IMPACT)

Finance Director Lundell explained that every year when you put a budget together there are going to be a few things that come about that you did not plan on or were not foreseen and revenue adjustments change. Director Lundell said that in the future we will be doing more review and discussion on the budget during the course of the year rather than just one session at the end of the year.

Director Lundell then briefly reviewed some of the amendments for the FY 2009/2010 Budget (Exhibit A). He pointed out the adjustment on the property tax which went down by two hundred thousand dollars and also that sales tax is down by two hundred seventy five thousand dollars off the original estimates (page 2). Director Lundell explained that he has put footnotes on items where the budget area went up and on page eight there is a summary of what these adjustments are. In the Redevelopment Agency (page 16) we have incurred some expenses this year related to the Community Development area; the Hammons hotel project which are related to some legal and consulting services that we needed to do to work through that. On the Impact Fees on capital projects (page 20), we purchased land in the Grove area for a Fire/Police Station and this lists those impact fees. Also the land and other purchases (page 21) done during the year that were not necessarily budgeted for at the start of the year but we used our capital project reserve money set aside for that. Director Lundell mentioned that in the original budget there were fund balances and we had some ending fund balances in the capital project fund, in an amount around one point seven million dollars and there was an expense that he was not aware of, it is something that has already happened, for the project on 2000 West and money that UDOT spent that we now need to reimburse, so the real amount in that fund now is around seven or eight hundred thousand dollars. On the Enterprise funds under the Water fund (page 23) we did not budget some of those capital projects at the first of the year, the three million dollar portion is part of the secondary water project that is being paid for with the bond proceeds from last year and the one hundred and seventy thousand dollar portion is for the water line break that happened a couple of weeks ago. Director Lundell said that that covers most of the amendments and that he would be happy to answer any questions.

Mayor Call stated that this is a public hearing and then he opened the meeting to the public for comment, in that no one came forward the Mayor closed the meeting to the public. Mayor Call asked the Council if they had any further questions, there were none, he then read the resolution and asked for a motion.

ACTION: Council Member Wilson moved to approve Resolution 2010-032, adjusting and amending the revenues and expenditures for Fiscal Year 2009/2010 Budget; including the Pleasant Grove Redevelopment Agency (RDA) Budget. A public hearing was held. Council

Member Robinson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting “Aye.”

E. DISCUSSION ON RETIREMENT CONTRIBUTIONS FOR URS RETIREES

Mayor Call explained that there are a few employees that are already receiving retirement benefits from the Utah Retirement System (URS) and we are also contributing retirement benefits to a 401K plan for them. He and Administrator Darrington met with some of those employees and we thought that it would be wise before we adopt the budget to take another look at this.

Administrator Darrington said that when we initially put this budget together and we discussed how other cities were handling those employees who have retired out of the system what we found back then was that most cities were not inclined to fund further 401K contributions to these retirees. Over time that feeling has changed and some cities have made the decision to fund that at the normal cost rate which is the maximum that we are allowed to put in and it has played out like dominos with more cities coming on board to stay competitive and that this was somewhat of a fairness issue because when people signed on, this was the deal that they initially made with the City. Administrator Darrington said that as a City we do have the ability if we so choose to pay whatever rate that we want in this case and that initially we did not put this in the budget and it is currently not in the budget, there are four employees that this effects and for these four people this 401K is not funded right now. Administrator Darrington said that he sent an email out to the other City Managers and from the responses he got back the indication is that most cities are funding these under the normal cost rate. The normal cost rate for Pleasant Grove City is twenty one point six four percent, so that is the maximum by state law that we can put into their 401K plans. Administrator Darrington stated that in essence what most other cities are doing is that they are choosing to fully fund the 401K plans for those employees.

Mayor Call said that we ought to have a discussion on this before we move on to the next agenda item and that his view on this is that it doesn't make sense to not contribute any longer, it was part of the package when they were hired. The Mayor mentioned that if the Council was open to it, some of the employees who are affected would like to take a few moments to speak on their behalf.

Council Member Wilson said that he would like to comment before they speak, he said that if our decision is to take this away from their pay, this will interrupt their lives and their future. Council Member Wilson stated that he has always been for the employees because he knows what they do for the City and that he does not feel good about removing this from our budget and that they should be compensated for this.

Council Member Boyd stated that she agrees with Council Member Wilson, and she has put a lot of thought into the budget and trying to balance what is good for the employees and balance what is good for the citizens. Council Member Boyd stated that she thinks the term “double dipping” is misleading, it makes us feel like they are getting double the benefit where they are

not getting double the benefit, they had one benefit and now they are coming with another city and that is a benefit that we offer them, so it seems unfair to not offer this 401K that we offer to everybody else because they had one prior to coming here. Council Member Boyd said that she thinks for the benefit of the Firefighters and Police there was a reason and a purpose for being offered that option to retire at twenty years of service. She said that we have given the employees the opportunity to weigh in or buy in on our budget so it is hard to say to them now that they are not allowed to weigh in on this particular situation regarding the 401K and it is only fair that we bring this element into our discussions as well.

Council Member Robinson stated that she goes back to her original opinion about the offer that they were made to come and be employed by Pleasant Grove City, they have brought their expertise with them and that they have made some wise decisions in their career path and feels that they shouldn't be penalized.

Mayor Call stated that it sounds like three of us are on the same page and then asked Council Member Danklef if he wanted to add anything. Council Member Danklef said that in terms of the dollar amount to the budget this is minuscule; it really doesn't make any difference to our budget. The Mayor said that we will close this discussion and just recognize that whoever makes a motion for item "F" needs to amend the motion to include continuing the 401K contributions.

Council Member Boyd asked if we could be introduced to the employees present tonight who are affected by this decision.

Sergeant Shawn Nielson introduced himself and stated that he has been working for the Police Department for two years. He said that he retired from American Fork's Police Department after twenty years and that he loves working for Pleasant Grove and can't imagine anywhere else that he would rather be. He chose to live and raise his children here and wants to be a part of this community. Sergeant Nielson thanked the Mayor and the Council Members and stated that he applauds them for making this decision.

Officer Deke Taylor introduced himself and said that he has been working for the City for just under two years and that he considers it an opportunity to come here and work for Pleasant Grove. He worked with the County for twenty five years and retired from there and was very familiar with this Police Department and how it is run and with the City and how it's run. Officer Taylor said that part of coming to work here was the benefits and that he appreciates the City recognizing that and the ability to bring experience here is invaluable. Officer Taylor thanked the Mayor and Council for their decision.

Deputy Fire Chief Dave Thomas introduced himself and his wife Naomi and stated that he and his wife left Orem after twenty seven years of service in the Fire Department. Deputy Chief Thomas said that he has worked for a lot of Chief's in his career and he has never worked for one that is more talented or more capable than Chief Sanderson. He said that he and his wife did agonize over the decision to come to work here, but they have not looked back once and have

enjoyed every minute of it. Deputy Chief Thomas said that he came on board about three years ago and feels that it is a privilege to work here.

Mayor Call remarked that if you notice that when these employees began to be employed by the City was when the elements happened with Lindon and with loss of experienced personnel so clearly with the expertise of these individuals this is what we have gained from that. The Mayor then thanked these employees for taking the time to attend and to introduce themselves.

F. TO CONSIDER A RESOLUTION (2010-033) FOR THE APPROVAL AND ADOPTION OF THE CITY'S FINAL FISCAL YEAR 2010/2011 BUDGET; INCLUDING THE ALLOCATION OF REVENUE FROM THE WATER, SEWER AND OTHER ENTERPRISE FUNDS TO THE GENERAL FUND. THE PLEASANT GROVE REDEVELOPMENT AGENCY (RDA) BUDGET IS INCLUDED IN THE FINAL BUDGET (CITY WIDE IMPACT)

Finance Director Lundell said that other than the changes that were just proposed, this is the same as we had at the public hearing on June 1st and the other work sessions we've had, so unless there are any other questions or comments there really isn't anything else to add at this point.

Mayor Call thanked Director Lundell and Administrator Darrington for their efforts, stating that they had to do six months worth of work in six weeks and it is really appreciated and they have done an excellent job.

Council Member Boyd commented that she is really proud to be in Pleasant Grove and to be a part of this group and this process, with all of the negative stuff that has been going on with budgets in other communities, to know that we can come together with this budget and feel like we can totally support it that she thinks that we all should feel proud about the situation.

Mayor Call asked if there were any other questions or comments, there were none. The Mayor then read the resolution and asked for a motion.

ACTION: Council Member Wilson moved to approve Resolution 2010-033, approving and adopting Pleasant Grove City's Budget for Fiscal Year beginning July 1, 2010 and ending June 30, 2011 and determining a property tax to be levied upon all real and personal property within Pleasant Grove City and continuing the contributions to the 401K plans for the four previously retired employees. Council Member Boyd seconded and the motion passed with a three to one vote with Council Members Boyd, Robinson and Wilson voting "Aye" and Council Member Danklef voting "No."

Administrator Darrington stated that the budget that we adopted tonight as far as the enterprise funds are concerned is just the same budget that we had a year ago. We have a rate study that we are hoping will be done soon in which we will do an in-depth look at the enterprise funds which looks at our utility rates, so as soon as we have the rate study we will have some

recommendations and discussion on the future capital needs for our utilities and what our rates are and what we can and can't do. Administrator Darrington said that we will probably need to amend the budget once we have all these discussions so he just wants the Council to know that we have a little bit more work to do on the budget.

Mayor Call said that before we move on to the next item that he wanted to thank the employees who are here and who introduced themselves and stated that now that it's official that this is a measurement of how much we value you and all of our employees.

G. TO CONSIDER A RESOLUTION (2010-034) INFORMING THE WATER QUALITY BOARD THAT THE MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR 2009 HAS BEEN REVIEWED AND THAT ALL NECESSARY ACTIONS HAVE BEEN TAKEN TO MAINTAIN EFFLUENT REQUIREMENTS (CITY WIDE IMPACT)

Director Walker stated that this report is filed every year, he has reviewed this report with Greg Woodcox our certified sewer operator and there are no negative comments through the entire report and that they are very pleased to have Council pass this resolution so that they can report it to the State.

Mayor Call asked if there were any questions or comments, there were none. The Mayor said that they did a great job and then asked for a motion.

ACTION: Council Member Boyd moved to approve Resolution 2010-034, informing the Water Quality Board that the Municipal Wastewater Planning Program Report for 2009 has been reviewed and that all necessary actions have been taken to maintain effluent requirements. Council Member Robinson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye."

8. NEIGHBORHOOD ADVISORY BOARD AND STAFF BUSINESS

- Director Bradford reported that there has been a bit of a momentum going on Downtown, there have been eleven new businesses announced recently. Some of the businesses that have come or are coming in are a Quilt Shop, Signs by Tomorrow, Pro Digital Photo, the Flair Dress Shop, Tactical Edge and the Gypsy Wagon.

The Promenade will be starting on Thursday, July 1st; in the Downtown Park at 5:00 p.m. Director Bradford mentioned that they are still looking for amateur entertainers, musicians, dancers, magicians, etc.

- Chief Sanderson stated that the Guns and Hoses 5K race last Saturday morning was a hit, we surpassed our numbers by over one hundred and fifty with a total of four hundred and eighty four participants. Mayor Call said that the race was spectacular and very professionally done, everyone that he has spoken to about it commented how well done

the whole event was.

Chief Sanderson then thanked the Mayor and Council for the decision that they made tonight in regards to the 401K contribution and thinks that the message that they send to all of the City employees based on the value that the Mayor mentioned, goes a long way.

- Chief Paul expressed his gratitude to everyone who participated in the implementation of the Pleasant Grove Police Department's Honorary Colonel Association. He said that it is turning out better than he had anticipated and the gentlemen involved are very excited about what we are going to be doing.

Chief Paul said that the report for Strawberry Days was relatively uneventful as far as crime is concerned. The Chief said that the new Challenger vehicle has been a hit and they have had a lot of fun with it, it has cameras that read out the sides and the front which read license plate numbers and processes them through the State's databank and if they are a NCIC (National Crime Information Center) hit we can tell instantly if the vehicle is stolen.

- Administrator Darrington mentioned that next week's work session meeting will have a very full agenda, there are about ten items to discuss so be prepared for a long meeting.

9. MAYOR AND COUNCIL BUSINESS

- Council Member Robinson said that the Strawberry Days celebration has been huge for her to see and to have insight on the work that goes into the celebration. She says that she hopes that the Council can come up with some "thank you's" for some of those committees, from the parade, the rodeo, the run, Huck Finn days, etc. Council Member Robinson said that it was phenomenal to see these groups work together and to see our community come alive.

Council Member Robinson shared that she golfed at Fox Hollow for the first time and that it is a great asset, it's incredible what they have done with that course and encourages everyone to get out there and see it.

Council Member Robinson then asked about the break in 1800 North because she has had a lot of inquiries from citizens about it. Director Walker said that that is due to the SR2S work that is coming up, there will be an island put in there and the work won't be accomplished until around the end of July.

- Mayor Call said that he agrees with what Council Member Robinson said about Strawberry Days and that it is his favorite week of the whole year and if nothing else it should focus our attention on the fact that this City could not run without its volunteers.

Mayor Call mentioned that he will be out of town next week.

10. SIGNING OF PLATS

No plats were signed at this time.

11. REVIEW CALENDAR

Chief Sanderson announced that the City fireworks show will be on Saturday, July 3rd at the Pleasant Grove Junior High School, the show starts at dusk.

12. APPROVE PURCHASE ORDERS

Mayor Call asked if the Council had reviewed the purchase orders and in that there was no discussion, the Mayor asked for a motion.

ACTION: Council Member Boyd moved to approve the purchase orders for June 22, 2010. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye."

13. EXECUTIVE SESSION

Executive Session to hold a strategy session to discuss pending or reasonably imminent litigation (UCA 52-4-205(1)(c)), to discuss the purchase, exchange, or lease of real property (UCA 52-4-205(1)(d)), and to discuss the character, professional competence or physical or mental health of an individual. (UCA 52-4-205(1)(a)).

ACTION: At 6:55 p.m. Council Member Boyd moved to go into an executive session, to hold a strategy session to discuss pending or reasonably imminent litigation (UCA 52-4-205(1)(c)), to discuss the purchase, exchange, or lease of real property (UCA 52-4-205(1)(d)), and to discuss the character, professional competence or physical or mental health of an individual. (UCA 52-4-205(1)(a)). Council Member Robinson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye."

PRESENT:

Mayor:

Bruce W. Call

City Council Members:

Cindy Boyd

Val Danklef

Kim Robinson

Jeffrey D. Wilson

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

Colleen A. Mulvey, Deputy City Recorder

Degen Lewis, City Engineer

At 7:03 p.m. Engineer Lewis was excused from the executive session.

At 7:15 p.m. Deputy Recorder Mulvey was excused from the executive session.

ACTION: At 7:20 p.m. Council Member Wilson moved to close the executive session and return to regular session. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting “Aye.”

14. ADJOURN

ACTION: At 7:21 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Robinson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Robinson and Wilson voting “Aye.”

This certifies that the City Council
Minutes of June 22, 2010 are a true,
full and correct copy as approved by
the City Council on July 6, 2010

Colleen A. Mulvey, Deputy City Recorder

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