

**Pleasant Grove City Council Minutes**  
**March 2, 2010**  
**6:00 p.m.**

**PRESENT:**

Mayor:

Bruce W. Call

Council Members:

Cindy Boyd

Val Danklef

Lee G. Jensen

Kim Robinson

Jeffrey D. Wilson

Excused:

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy City Recorder

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Degan Lewis, City Engineer

Sean Allen, City Planner

Steve Brande, Fire Marshall

Mark Atwood, Public Works

Karen Bezzant, Treasurer

Libby Flegal, NAB Chairperson

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

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**1. CALL TO ORDER**

Mayor Call called roll for the Council and noted that Council Members Boyd, Danklef, Jensen, Robinson and Wilson were present.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was lead by Council Member Robinson.

**3. OPENING REMARKS**

Opening Remarks were given by Mark Atwood.

#### **4. APPROVAL OF MEETING'S AGENDA**

**ACTION:** Council Member Boyd moved to approve the agenda. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, 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 Minutes for January 19, 2010  
City Council Work Session Minutes for January 26, 2010
- b. To consider approval of Payment No. Seven to Vancon Inc., for the Pressure Irrigation Storage Tank – Schedule 7A
- c. To consider approval of Payment No. Four to Vancon Inc., for the Pressure Irrigation Booster Pump Station – Schedule 7B
- d. To consider approval and execution of the Certificate of Substantial Completion for the Pressure Irrigation System – Schedule 7A
- e. To consider approval of paid vouchers (February 24, 2010)

**ACTION:** Council Member Boyd moved to approve the consent agenda items. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, 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.

Mayor Call said that Fire Marshal Steve Brande will start the open session by updating the Council on recent events.

Fire Marshal Brande stated that on February 25<sup>th</sup> around 7:30 p.m., they received a call about an explosion at 415 South 100 East. In our investigation, the configuration of the damage to the furnace revealed that it probably occurred within the furnace, we are not exactly sure how the leak occurred but we determined that this explosion was probably due to natural gas. Fire Marshal Brande said that the damages to the building itself and surrounding structures are estimated to be around two hundred thousand dollars.

Fire Marshal Brande reported that on February 28<sup>th</sup> they responded to a fire at the Little Acorn restaurant. The fire was inside the kitchen area due to the fact of spontaneous ignition; rags that were soaked with oil and grease. The damages are estimated to be around eighty to one hundred thousand dollars.

Mayor Call stated that we appreciate the professionals that we have in this city that are able to respond so quickly and so well to situations like these. Mayor Call then asked if there was anyone else who wished to come forward and address the Council at this time.

Patrick Dallin, Pastor of Calvary Fellowship Church in American Fork came forward to introduce himself to the Council and to make them aware that they are interested in purchasing the White Church property. He stated that their intention in purchasing the property is to keep it as a church; they are a nondenominational church and have hopes to restore it to its natural and original function as being a community center.

Mayor Call asked if they have heard anything on their offer. Pastor Dallin said that they have not yet.

Council Member Robinson asked how many square feet that they occupy now and was this going to be a big move for them. Pastor Dallin said that it is a huge move; their present location has around forty two hundred square feet so they would be moving up to about twenty two thousand square feet and they are hoping to be able to utilize the space to the fullest.

Mayor Call asked if there was anyone else who wished to come forward and address the Council at this time, there was not. The Mayor then closed the meeting to the public.

## **7. NEIGHBORHOOD ADVISORY BOARD REPORT**

Chairperson Libby Flegal stated that the new start time is a real stretch for some of the members but that they had a good meeting and discussion regarding the Timpanogos Special Service District (TSSD) odor issue and the parking issues around the apartments in the 300 East area.

## **8. BUSINESS**

### **A. MCKENZIE GILES TO PRESENT A PROCLAMATION TO THE MAYOR AND COUNCIL PROCLAIMING MARCH 13, 2010 AS "SPREAD THE WORD TO END THE WORD DAY"**

McKenzie Giles stated that she is here tonight to draw attention to an ongoing problem in our community that probably many people do not really think about. Ms. Giles explained that in the recent news there have been several national news stories about celebrities and national government leaders jokingly using the word "retard" or "retarded" in seemingly hapless ways, unfortunately this problem exists in our own city as well. Ms. Giles stated that young people as well as grownups who should know better, use the R word to draw attention to behavior that they think is negative, using the R word is degrading, dehumanizing and hurtful to those with intellectual disabilities because it makes an unfair and inaccurate connection between these people and those words.

Ms. Giles concluded by asking the Mayor and Council for their support to put an end to using this word, and join the nationwide campaign by proclaiming March 13, 2010, as "Spread the Word to End the Word" day, and let's put an end to the mean and hateful slur against these innocent people who deserve a much better word, and that word is "Respect."

Mayor Call thanked Ms. Giles for her presentation and asked if there were any questions for her.

Council Member Jensen asked that besides the proclamation, is she doing anything else to get this information out. Ms. Giles said that she is, she has presented this to a few classes at the Junior High school today and there were two hundred and thirty two students who signed a pledge to stop using this word, and that she will be presenting this at the High School this coming Thursday.

Mayor Call added that there is also nationwide website ([www.r-word.org](http://www.r-word.org)) for people to get information and pledge their support. The Mayor next read the proclamation and asked for a motion to approve.

**ACTION:** Council Member Robinson moved to accept the proclamation and proclaim March 13, 2010 as “Spread the Word to End the Word Day.” Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting “Aye.

**B. TO CONSIDER AWARDING THE BID FOR THE STREET REHABILITATION PROJECT 2010, 1800 NORTH (1640 WEST TO 525 WEST) 1100 NORTH (1760 WEST TO 1300 WEST & 600 WEST TO 100 EAST) LOCUST AVENUE (500 SOUTH TO 1000 SOUTH), TO GENEVA ROCK PRODUCTS INC.**

Public Works Representative Mark Atwood stated that the bids were tabulated on Thursday, February 11<sup>th</sup> and it is our recommendation that the bid be awarded to Geneva Rock Products, who was the low bidder at five hundred twenty five thousand thirty six dollars and seventy five cents. The Engineers’ estimate was five hundred sixty nine two hundred thirty eight dollars and ninety four cents. Mr. Atwood said that Geneva Rock has done several projects for us in the past and they have always done a very good job.

Council Member Jensen asked how the City’s finances stand with respect to this project. Administrator Darrington stated that we will use Class C road money to pay for this project, part of the Class C money is committed to pay for a street bond that was done a few years ago and the remaining portion of that will be used for this project.

**ACTION:** Council Member Robinson moved to approve awarding the bid for the Street Rehabilitation Project 2010, in the amount of five hundred twenty five thousand thirty six dollars and seventy five cents, to Geneva Rock Products Inc. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting “Aye.

**C. TO CONSIDER AWARDING THE BID FOR THE PRESSURE IRRIGATION GROVE CREEK FILTER STATION AND 16-INCH PIPELINE – SCHEDULE 8, TO JOHNSTON & PHILLIPS**

Public Works Representative Mark Atwood stated that these bids were opened on Thursday, February 25<sup>th</sup>, and it is our recommendation that the bid be awarded to Johnston and Phillips,

who was the low bidder at four hundred six thousand four hundred ninety six dollars and eighty three cents which is twenty five percent below the estimate. Mr. Atwood explained that this is a good project; it will capture the water run-off out of Grove Creek and put it into our secondary system.

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

**ACTION:** Council Member Robinson moved to approve awarding the bid for the Pressure Irrigation Grove Creek Filter Station and 16-inch Pipeline, in the amount of four hundred six thousand four hundred ninety six dollars and eighty three cents, to Johnston and Phillips. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting “Aye.”

**D. PUBLIC HEARING TO CONSIDER AN ORDINANCE (2010-4) TO AMEND SECTION 1-10-2(A) “APPOINTIVE OFFICERS; APPOINTMENT” BY CHANGING THE TEXT TO PROVIDE FOR APPOINTMENT OF APPOINTED OFFICERS PURSUANT TO STATE CODE PROVISIONS AND ADDING THE DEPUTY RECORDER AS AN APPOINTED POSITION (CITY WIDE IMPACT)**

Attorney Petersen stated that this ordinance amendment was made in response to the Council’s request that we do away with our previous language that said on or before the first Monday in February, all of the appointed officers had to be reappointed. The State code does not provide for that except for the positions of the City Recorder and Treasurer, so those will still be on for reappointment on the first Monday in February following the Municipal Election which will be every other year. Attorney Petersen said with regards to the rest of the appointed officials, they will be appointed once and they will remain in office until otherwise terminated. This mirrors the State code language and it also clarifies who we consider to be appointed officers in our municipality.

Council Member Boyd asked if we match other cities as to who our appointed positions are. Attorney Petersen said that we do, the state only requires a few positions that are statutory officers to be appointed, many cities have additional positions that are appointed officers and do as well.

Mayor Call asked if there were any other questions, there were none. The Mayor then stated that this is a public hearing and opened the meeting to the public for comment.

Kurt Jurgens, 1340 East 150 North came forward and stated that he thinks that it is great that we are changing this to every two years and leave the others in the positions that they are, but that there should be some allowance made that all the appointed positions are presented to the citizens of the community at least once every two years so that we can see who those people are. Without that vote each year, many of the citizens will not have or take the opportunity to find out what is going on.

Mayor Call stated that that information is constant on the City website and we could take time in a Council meeting at the beginning of the year to mention the officers, but does he think that

there is something more that we ought to be doing. Mr. Jurgens said that he thinks that the citizens need to have the opportunity outside of the website because many are older and do not deal with websites.

Mayor Call asked if there was anyone else who wished to come forward and address the Council at this time, there was not. The Mayor then closed the meeting to the public.

**ACTION:** Council Member Boyd moved to approve Ordinance 2010-4, amending Section 1-10-2-(A) “Appointive Officers; Appointment” by changing the text to provide for appointment of Appointed Officers pursuant to State Code provisions and by adding the Deputy City Recorder as an appointed position. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting “Aye.”

**E. PUBLIC HEARING TO CONSIDER AN ORDINANCE (2010-5) TO AMEND TEXT IN TITLE 10 CHAPTER 14 SECTION 27-1, ENTITLED *THE GROVE COMMERCIAL SALES SUB-DISTRICT*; TO REMOVE CERTAIN CLASSIFICATIONS THAT DO NOT MEET THE GOALS AND OBJECTIVES OF THE COMMERCIAL SALES ZONE, AND BY ADDING FACILITIES FOR PERSONS WITH A DISABILITY, INCLUDING SUBSTANCE ABUSE FACILITIES, TO PROVIDE ACCOMMODATION FOR THESE CARE FACILITIES AS A CONDITIONAL USE IN THE ZONE FOR THE PURPOSE OF BRINGING THE ZONE INTO COMPLIANCE WITH THE UTAH FAIR HOUSING ACT (SAM WHITE’S LANE NEIGHBORHOOD)**

Attorney Petersen stated that subsequent to submitting this to the Council for their review, there were some questions regarding some of the provisions of the ordinance with regard to the reserved uses and provisions for retaining or reserving certain percentages of land for retail sales in the zone. The staff recommendation is that the Council not consider any of the other provisions of this ordinance amendment except adding the land use #6516 – *Facilities for persons with a disability only, including substance abuse rehab centers*. Attorney Petersen said that we currently have an applicant for a substance facility in that zone and adding this conditional land use is the reason for proposing this amendment, as well as bringing us into compliance with federal law regarding these services, persons with substance abuse issues are considered disabled under the Americans with Disabilities Act. Attorney Petersen stated that the recommendations made by staff with regard to other issues in the same zone, those particular issues need to be discussed more and the plan is to have the discussions at a work session and also with the Planning Commission. Legally this is acceptable, Council has the right to amend any draft ordinance in front of them, and if the decision is to approve this, the motion should state that the only thing they are approving is adding that particular land use.

Council Member Boyd asked for information on what the federal law dictates regarding these types of facilities. Attorney Petersen said that the federal law requires that in any zones where we allow residential uses, we also must make provisions for allowing residences for persons with disabilities, we cannot prohibit them but we do have discretion in regulating them and that is why we have recommended that they be a conditional use.

Council Member Jensen questioned the purpose of the word “only” in land use #6516. Attorney Petersen said that originally the title of that ordinance was *Service Organizations*, so what we are trying to do with this is to specify that this added land use is for only persons with a disability and not general service organizations that are listed in the other ordinance.

Mayor Call asked if there were any other questions, there were none. The Mayor then stated that this is a public hearing and opened the meeting to the public for comment.

Craig Yuzon, 210 South Proctor Lane came forward and asked that on the changes to this ordinance, the only thing would be the wording and everything else would still be on it like for parking and lighting, etc.

Mayor Call stated to clarify that what we will consider because of the advice of our counsel, is that if we approve this, we will consider the only change being to add the land use code #6516.

Mr. Yuzon asked if it was possible for the public to attend the meeting when this will be discussed further. Mayor Call said that it was possible; it will be a public meeting.

Elavie Yuzon, 210 South Proctor Lane came forward next and wanted to clarify what was being included in this regarding disabilities. She quoted the definition of “Disability” from the Utah State Code (Fair Housing Act Chapter) 57-21-2, which states: Disability means a physical or mental impairment that substantially limits one or more of a person’s major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. Ms. Yuzon asked does the drug testing of individuals upon admission preclude the facility of being recognized as a facility for the accommodation of individuals with disabilities.

Mayor Call restated to clarify what she is asking, that substance abuse is considered a disability however, according to that section in the State code, if somebody is currently involved in an illegal form of substance abuse, that it should be excluded from this. Attorney Petersen stated that substance abuse facilities are to help individuals get sober and maintain their sobriety, so if they are still involved in illegal activity, they are not allowed to remain in the substance abuse facilities.

Ms. Yuzon asked how that is monitored, when they come in and are drug tested and are found to have current substance or alcohol in their system, which means it would be current in behavior, how would that accommodate them or exclude them. Attorney Petersen said that she does not know how to correctly answer the question with regard to individuals who would be seeking that kind of treatment on their own, but that typically in the criminal arena if they are court ordered to substance abuse treatment and their tests are not clean, then they are removed from the program and recommended to go to jail instead. Ms. Yuzon then asked about the volunteer aspect because there is not a distinction in the ordinance. Attorney Petersen stated that she does not know how substance abuse facilities treat their volunteer clients.

Mayor Call pointed out that when it comes time for this particular facility to ask for a conditional use permit, that goes through the Planning Commission process and that will take place at a

public meeting. That is the time to have these kind of questions asked and answered by the group itself. Mayor Call stated that he suspects that there is significant governmental monitoring or licensing or oversight in some way of a facility like this. Mayor Call explained that tonight the only thing that we are doing is considering adding this land use code which we pretty much have to do by law, and these specific questions are better presented at the time of the Planning Commission meeting to consider the conditional use permit for this group. The public meeting with the Planning Commission regarding this has been set up for March 11<sup>th</sup> at 7:00 p.m. at the Junior High School.

Mayor Call asked if there was anyone else who wished to address the Council regarding this, in that no one else came forward, the Mayor then closed the meeting to the public.

Mayor Call asked if there were any additional comments or discussion, there was none, the Mayor asked for a motion and that the motion include that the only change is to add land use code #6516 to the ordinance.

**ACTION:** Council Member Robinson moved to approve Ordinance 2010-5, with the only change to the text is adding Land Use Code #6516: *Facilities for persons with a disability only, including substance abuse rehab centers*. A public hearing was held. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting “Aye.”

**F. PUBLIC HEARING TO CONSIDER AN ORDINANCE (2010-6) TO AMEND TEXT IN TITLE 10 CHAPTER 15 SECTION 35, ENTITLED *SERVICE ORGANIZATIONS*; TO REWRITE THE CHAPTER WITH A NEW TITLE FOR REHABILITATION FACILITIES FOR PERSONS WITH A DISABILITY ONLY, INCLUDING RESTRICTIONS ON THE NUMBER OF RESIDENTS PER FACILITY, SEPARATION REQUIREMENT BETWEEN MULTIPLE FACILITIES, SCREENING, SECURITY AND CERTIFICATION; FOR THE PURPOSE OF BRINGING THE CITY INTO COMPLIANCE WITH THE FEDERAL AND STATE FAIR HOUSING ACTS (CITY WIDE IMPACT)**

City Planner Allen said that in conjunction with the ordinance that we just reviewed it references a section of the code that we also need to amend. It is proposed to change the title from Service Organizations to Rehabilitation Facilities for Person with a Disability. In rewriting this chapter we pretty much mirrored the wording in the State code and added what we felt were appropriate measures to regulate these facilities.

Council Member Danklef asked about the choice of limiting the number of occupants for these facilities to sixteen and was that chosen because that is the number that this particular applicant is requesting. Planner Allen said that that was part of it so that they would not be out of compliance, but there are also some implications with that number with the licensing process and that all does get addressed in the conditional use permit process. Planner Allen added that we certainly have within our means to limit or increase that number further.

Council Member Danklef asked about the security requirements, that on the fencing is staff suggesting that there also be a six foot fence in front of the facility, is that what’s considered the

perimeter. Planner Allen stated that if it is related to a security issue then that could supersede the requirement and added that we will be amending the fencing chapter in the near future because of some security issues with our public utilities.

Mayor Call asked in regard to these changes such as the distance and occupancy requirements, have we looked into what other cities have done to come into compliance with the State. Planner Allen said that he did look at other cities and they were all different.

Council Member Jensen said that he is not comfortable with requirements #5, which deal with the minimum six foot fence or wall around the perimeter, stating that it seems that this is requiring exactly what these are designed not to do and that is to turn them into prisons. Council Member Jensen said that this is not the intent of these facilities; these are for people with disabilities who need help and assistance and feels this requirement is unnecessary and restrictive and gives the total wrong impression that we need this to keep these horrible people locked behind walls and is not conducive of what a rehab center is at all.

Council Member Robinson stated that this is open to interpretation; she has worked in convalescent homes with the elderly where they were surrounded for the patient's security. These facilities do need to have some type of security primarily for the privacy.

Mayor Call said that in looking at the State law which is very specific about only substance abuse facilities regarding security measures and their location near schools, we don't specify that in this ordinance, it is just found generally under any kind of facility for persons with a disability and asked if we are being more restrictive by that than what the State requires or is that an oversight. Attorney Petersen stated that in order to be clear, we need to use the exact language that is in the State code.

Mayor Call asked if there were any other questions or comments before we open this to the public, there were none. The Mayor then stated that this is a public hearing and opened the meeting to the public for comment.

Craig Yuzon, 210 South Proctor Lane came forward and asked that on the one mile distance requirement, could we also consider using other facilities outside of city limits as a point of reference.

Mayor Call stated that that was a good point, for example, if we wanted a facility a quarter mile from the border, and there is another one a quarter mile on the other side.

Mr. Yuzon then asked if we could also consider other areas like a tri-city type of alternative where other cities would entertain a thought of having a larger facility with three or more different cities.

Attorney Petersen stated that the whole purpose of the federal law regarding these types of facilities is to not stigmatize them and create one district where they are all at, it is to allow them to be interspersed any place where there is residential dwellings. That is the whole idea against antidiscrimination against these types of facilities.

Mr. Yuzon asked that some of the things that are deleted from this ordinance, will they be covered in the conditional use permit such as the noise disturbance, the maintenance of the building, etc. Planner Allen said that they will be covered in the conditional use process.

Mr. Yuzon then asked what the City's definition of neighborhood was, in particular the section in this ordinance that reads: Any residential facility for person with a disability that would likely create a fundamental change in the character of a residential neighborhood may be excluded from the zone.

Mayor Call said that there are several definitions, for instance we have twelve neighborhoods, but for that particular meaning it is the surroundings of that particular facility, we would take a look around and make sure that it did not change the character of that residential area/neighborhood; it is not defined to a certain number of yards or miles. Mr. Yuzon asked if we have an official definition of a neighborhood. Attorney Petersen said that it would be in the definition section in Title 10-6.

Mayor Call asked if there was anyone else who wanted to address the Council, in that no one else came forward, the Mayor closed the meeting to the public.

The Mayor asked if there was any further discussion.

Council Member Jensen stated that he is not happy with the way this is worded and needs more discussion to get more clarity and feels that making changes on the run is never good.

Mayor Call asked that if we table this now and take time in a work session to discuss this further and give staff a chance to rewrite, would that interfere with anyone's timeline. The general consensus is that it would be in the best interest to schedule this for a work session to discuss and work through the concerns. The Mayor then asked for a motion to continue this item.

**ACTION:** Council Member Jensen moved to continue discussion on this item to the work session meeting on March 23<sup>rd</sup>. A public hearing was held. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

**G. PUBLIC HEARING TO CONSIDER AN ORDINANCE (2010-7) TO AMEND TEXT IN TITLE 10 CHAPTER 36, ENTITLED *LOW POWER RADIO COMMUNICATION TOWERS AND ANTENNAS*; FOR THE PURPOSE OF SEPARATING PRIVATE (AMATEUR) FROM COMMERCIAL COMMUNICATION STANDARDS, AND TO BRING THE CITY ORDINANCE INTO COMPLIANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS BY ALLOWING AMATEUR AND PRIVATE RADIO COMMUNICATIONS IN ALL ZONES, AND SPECIFYING WHEN A CONDITIONAL USE PERMIT IS REQUIRED; AND UPDATING HEIGHT, SETBACK, DESIGN GUIDELINES, AND DEFINITIONS (CITY WIDE IMPACT)**

City Planner Allen stated that we have made some great headway here and that the amateur HAM radio operators have assisted in crafting this ordinance. The big difference from the last

time this was presented, is to separate amateur communications from any others and basically defined what they can do within their technological justification and anything that goes beyond that would have to get conditional use approval. There were some FCC regulations that we had to meet in regards to the private communications, these are the over the air reception devices, antennas and dishes for reception. There are basic guidelines to regulate other communications as we see fit, most of that is the commercial zone with the existing towers and height requirements.

Council Member Danklef asked about the seventy five feet requirement on the antenna because in some sections it lists it as the minimum and in others the maximum. Planner Allen said that it depends on what section you are looking in, for the amateur user their minimum requirement is seventy five feet because that is what these operators are saying is their technological justification and to go lower than that they have to boost their power and then it messes up other communication devices. To go higher than that, it would be subject to the conditional use review process.

Council Member Jensen asked if the use of the word maximum in the staff report that referred to the seventy five feet height was an error and shouldn't it be the word minimum. Planner Allen said that that was correct, it was an error and that in the ordinance it does state that they are permitted up to seventy five feet. Mayor Call clarified that the way this is written we are allowing antennas less than seventy five feet high but anything beyond seventy five feet becomes conditional use.

Council Member Boyd asked if there was some way of keeping track of who the amateur or HAM radio operators in our city are, so that we can be aware of them and utilize their expertise in emergency situations. Chief Paul stated that we do know who most of them are and that there is a very strong interest in knowing who and where they are. Attorney Petersen suggested that in our emergency response plan there could be an exhibit that listed all of the known amateur radio operators.

Mayor Call asked if there were any other questions, 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.

Mayor Call asked if there was any further discussion, nothing was brought up. The Mayor then read the ordinance and asked for a motion.

**ACTION:** Council Member Jensen moved to approve Ordinance 2010-7, amending text in Title 10 Chapter 15 Section 36, entitled Low Power Radio Communication Towers and Antennas; to divide amateur, private and commercial communications into three separate categories; and updating the chapter to comply with current Federal Communications Commission (FCC) requirements by allowing amateur and private radio communications in all zones, and specifying when a conditional use permit is required; and updating height, setback, design guidelines and definitions. A public hearing was held. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

Mayor Call thanked City Planner Allen and all of the HAM radio operators who helped contribute to the work that went into amending this ordinance.

**H. TO CONSIDER RATIFYING PRIOR APPROVAL OF A \$22,500.00 EXPENDITURE IN THE FY2010 BUDGET FOR THE LEASE OF VEHICLES ASSIGNED TO THE FIRE DEPARTMENT**

Attorney Petersen explained that this is a housekeeping item to satisfy some paper work requirements for the lease-purchase agreement. Normally in lease documents, they require that the City certifies that they do not or will not issue more than ten million dollars worth of bonds during the time that the lease is in effect. The purpose of that requirement is to provide some assurance to the leasing company, that the City will not incur excessive debt and be able to meet its financial obligation under the lease. Attorney Petersen said that we already exceed that ten million dollar limit, so instead of that they have requested that we provide them with a document of formal action by the Council designating that twenty two thousand five hundred dollars has been allocated for that lease payment for the Fiscal Year 2010. Attorney Petersen pointed out that the Council has previously approved this expenditure for that purpose, but it was included in the general line item of the budget for FY2010. Attorney Petersen stated that in order to satisfy their request, we have to have minutes showing that dollar amount was specifically allocated for that purpose and that she felt it prudent to put it on as a separate agenda item.

Mayor Call asked if there were any questions or discussion on this item.

Council Member Danklef asked how many vehicles this was for and if are we buying them or leasing them, he also questioned the thirty seven thousand dollar amount listed in the agreement. Finance Director Lundell explained that the vehicles are being leased; the total lease for the year is twenty two thousand five hundred dollars for three vehicles for the one year. Attorney Petersen added that in the lease document, the thirty seven thousand dollars is how much each vehicle costs, and the way this lease is structured is that it is a two year trade in buy back lease, so the City will actually pay twenty two thousand dollars this year and approximately twenty seven thousand dollars next year and then those vehicles will be traded in and there will not be any more expenditure under this lease.

Administrator Darrington mentioned that there have been internal discussions regarding the City going to some sort of unified fleet program so that there are not numerous outstanding leases on different groups of vehicles. Administrator Darrington stated that by pooling these together, generally you can get a better interest rate and save money, also that they will be presenting this to the Council in the near future when they have more complete information. Council Member Danklef asked if they could include an analysis of whether leases versus purchases could be looked at in terms of which is most cost effective for us. Administrator Darrington said that they would present that as well.

Mayor Call asked if there were any other questions, in that there were none, the Mayor asked for a motion.

**ACTION:** Council Member Jensen moved to approve the expenditure of \$22,500.00 in the current FY2010 budget to lease the vehicles assigned to the Fire Department. Council Member

Robinson seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

**I. TO CONSIDER A RESOLUTION (2010-11) TO AUTHORIZE THE MAYOR TO SIGN A LEASE-PURCHASE AGREEMENT WITH WELLS FARGO EQUIPMENT FINANCE INC., DATED FEBRUARY 10, 2010 AND RELATED INSTRUMENTS FOR THE LEASE-PURCHASE OF THREE VEHICLES FOR THE FIRE DEPARTMENT AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**

Administrator Darrington explained that we received these Fire Department vehicles back in January before the lease agreement was signed and we still haven't signed it, generally when we enter into a lease we have everything signed before we get the vehicle, in this case the Dealer was okay with us having the vehicles before we actually worked out the lease paperwork. This lease agreement is set up to pay for these vehicles over a three year period with a two year opt-out where we can sell back the vehicles, the payments are set up as twenty two thousand five hundred for the first year, twenty eight thousand the second year, and then there is a balloon payment of the remaining balance of sixty six thousand dollars, but the idea being that after the first two years we turn the vehicles back in and we do not have to make that last payment.

Council Member Jensen said that in the past we have discussed bringing forward options on leasing and purchasing vehicles, new or used with information on depreciation, outfitting the vehicles, etc., rather than just having one plan proposed to us, that we have the benefit of seeing a variety of different plans.

Administrator Darrington stated that we can put together an analysis for the Council and that could be part of the plan for the fleet program. Administrator Darrington pointed out that the Police Department will be entering into a lease soon and we are not going to have this information in place before they need to renew their leases and get their vehicles, so there will probably be another lease agreement before we have the chance to have the thorough discussion on how and what we want our vehicle policy to be.

Council Member Danklef added that he feels that we need to have this analysis for the citizens where we can show them that we are actually saving money by doing it in the most cost effective way.

Chief Paul mentioned that he has already asked the Ford Motor Company to put together some kind of comparison on different models for lease and that they are looking at all other possibilities as well.

Mayor Call asked if there were any other questions, in that there were none, the Mayor asked for a motion.

**ACTION:** Council Member Boyd moved to approve Resolution 2010-11, authorizing the Mayor to sign a Lease-Purchase Agreement with Wells Fargo Equipment Finance Inc., dated February 10, 2010, and related instruments for the lease-purchase of three vehicles for the Fire Department and determining other matters in connection therewith. Council Member Robinson seconded and

the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

**J. TO CONSIDER AN ORDINANCE (2010-8) TO ESTABLISH A RECYCLING PROGRAM FOR PLEASANT GROVE CITY AND SETTING FORTH RELATED POLICY AND PROCEDURES**

Attorney Petersen stated that the intent of this service is to codify the policy and procedures with regard to the recycling program that we have been discussing for the last few years, it is meant to be part of our solid waste, "garbage and refuse" section of the code. The ordinance is pretty straight forward and provides for the policy decisions that have been made with regard to the opt-out program.

Council Member Jensen stated that he will be voting against this even though he is pro recycling, he is not happy with provision "D" the section having to do with charging fifty dollars for an opt-out fee and the verbiage having to do with the new move ins.

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

**ACTION:** Council Member Boyd moved to approve Ordinance 2010-8, amending Title 4 Chapter 2 of the Pleasant Grove Municipal code "Garbage and Refuse" by adding Subsection 28, establishing provisions for a curbside recycling program for collection and disposal of recyclables within the City and providing for an effective date. Council Member Danklef seconded and the motion passed with a four to one vote with with Council Members Boyd, Danklef, Robinson and Wilson voting "Aye" and Council Member Jensen voting "No."

**K. TO CONSIDER AUTHORIZING RESOLUTION (2010-012) TO EXECUTE A SERVICE AGREEMENT WITH ALLIED WASTE FOR RECYCLING SERVICES**

Administrator Darrington explained that he has met with Allied Waste to work out the agreement and that most of the verbiage is very close to what our solid waste agreement is. We were asked to have this agreement expire at the same time that our solid waste agreement expires so that in the future if we need to rebid we can do both at the same time, so this recycling contract will be a four year contract which if passed will start on March 2, 2010 and conclude on June 30, 2014. The other thing that we were asked for in the minimum participation; was that we needed at least forty percent to opt-in and Allied Waste has agreed to lower that number to twenty five hundred for our minimum opt-in and if we fall below that then the contractor shall have the right to negotiate the price or terminate the service. Administrator Darrington said that another issue is that in order for Allied Waste to service both the solid waste and the recycling, there is a chance that they might need to split the city into pick up on two separate days and as a City we will do whatever we can to get this information out and to have the calendar available.

Council Member Danklef asked if there will be different trucks picking up the recycling. Gordon Raymond of Allied Waste said that they will be different trucks; the trucks that pick up the garbage will not be the trucks picking up the recycling.

Mayor Call asked if Allied Waste would be willing to help with notification for those residents who will be changing their pick up to a different day. Mr. Raymond said that typically what they do is put flyers out to all of the customers a couple of weeks before it happens and inevitably it does happen that people miss it and for a couple of weeks we will have a grace period where we go back and service those people who didn't have it out on the right day and re-flyer it again.

Council Member Robinson asked if Allied Waste provides information to the City as far as what we are doing for the environment, such as how many pounds we are recycling. Mr. Raymond said that that information is available and is something we can provide to the City.

Council Member Boyd asked about the start date on the recycling. Mr. Raymond said that they will need at least sixty days, so he recommends starting on June 1<sup>st</sup>.

Council Member Jensen pointed out that in the agreement under the definitions, was that the definitive list on what can be recycled because he remembers that there was a more expanded list of recyclable items. Mr. Raymond said that what is on there is a very basic list and there is a more expanded list, and explained that recycling is a commodities market and there is always a chance at times that certain items are not marketable and that usually there is verbiage in the contract that mentions this and maybe should be added. Attorney Petersen stated that the understanding that she had was that periodically Allied Waste was going to provide a list of the actual things they wanted in the recycle bins and so she just used a very basic definition.

Council Member Jensen said that he would like to see that expanded list and also to have it included in our newsletters to tell the citizens what they may and may not recycle and will the contract as far as the definitions need to be modified or are we okay with the way it is with a general description. Attorney Petersen said that what could be done in the motion is to reference another exhibit and attach the expanded list when we receive it.

Council Member Jensen asked how often fuel charges are applied. Mr. Raymond said it gets adjusted monthly. Council Member Jensen then asked if there was a definitive location where Allied will be taking the recyclables from the pickups from our city. Mr. Raymond stated that right now it will be taken to the North Point Transfer Station where they transload the curbside recyclables into a truck that goes to the Recycle America facility in West Jordan. Council Member Jensen then said that he has heard that there is a possibility of Allied Waste building a recycle facility. Mr. Raymond said that they are looking at the possibility of building a facility.

Mayor Call asked if there was any further discussion, there was none; the Mayor read the Resolution and asked for a motion.

**ACTION:** Council Member Jensen moved to approve Resolution 2010-12, authorizing the Mayor to sign an agreement with Allied Waste Services for the purpose of providing a curbside recycling program for the City and referencing the expanded list to be adopted with respect to approved recyclable items. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

**L. COUNTY COMMISSIONER LARRY ELLERTSON TO ADDRESS THE MAYOR AND COUNCIL**

Commissioner Ellertson stated that the issue that he wants to clarify with the Council is that of the Timpanogos Special Service District (TSSD), and that he is aware that there are a number of concerns. Commissioner Ellertson explained that he and the other County Commissioners have met with them and reviewed with them what their plans are, and feels that they are very much sincere about fixing the issue of the smell and that his message here today is that we need to give their plan an opportunity to work.

Commissioner Ellertson stated that he is not an environmental engineer or an expert on any technical opinion on this but in speaking with those who are, there is a great amount of belief that the plan that they put in place will work. Commissioner Ellertson explained that this is not something that TSSD came by lightly, there are a couple of phases to this; there is an immediate and long term and then a longer term. The immediate being that they are changing the way that they are dealing with the new sludge and that has been started and in visiting and in speaking with people in the area, the experience this past week has been that the smell is not there. The intermediate plan is one that they have been looking at and have run some tests to make sure it was a sound answer, and come June when that is scheduled to be in place, will go a long way towards solving the problem. The longer term solution is that within about a year's time, the first phase of the plant upgrade is to be completed and contained within that phase is the covering of the head works which is the other potential area for odor coming off the process. Commissioner Ellertson stated that between now and the end of June, TSSD is going to be very careful in what they do to notify you so that you are aware of it and to try and do it in a time when it will be of the least impact. In June when the new process is in place and there are a number of reasons why it will be much improved from the existing process, it not just a matter of throwing a cover over it, it is an actual process that has science behind it in terms of mixing it and doing it with equipment which makes it so that instead of it being open for a number hours to turn over, it is a matter of minutes.

Commissioner Ellertson said that he is convinced that these seem to be sound reasons and a logical answer to the issue and that he understands that there are some who will not buy into this readily and that we have scheduled a public meeting for Friday, March 12<sup>th</sup> at the Pleasant Grove Junior High School to discuss this further. Commissioner Ellertson concluded by saying that it is his hope that you understand the sincerity with which he brings this message, and as he has watched the TSSD Board, this is not something that they have not been wrestling with, and moving forward, they are doing some things immediately now which is different than what they had been doing and that he thinks we have seen some results already.

Mayor Call stated that we really do appreciate the efforts of Commissioner Ellertson and the other Commissioners getting involved, it does help to know that we are not the only ones trying to fight the fight. Commissioner Ellertson then excused himself from the meeting in order to attend another City Council meeting. Mayor Call invited Jon Adams of TSSD and Tracy Wallace, TSSD Board Chairman to come forward for further discussion and to answer questions.

Administrator Darrington mentioned that the meeting on the 12<sup>th</sup> will be a public hearing for the community and that TSSD will be giving a presentation for the first few minutes of the meeting to explain to the public what they are doing and explain about the GORE compost covering system.

Council Member Wilson wanted to publicly thank TSSD for getting involved and wanting to do something to try to take care of these issues.

Jon Adams stated that they are committed and that they do not take this lightly, and realizes that it has been a pressing issue and that things are moving along, funds are committed and we believe that we have done our due diligence and that this is a good solution and want to get this taken care of.

Council Member Danklef stated that he has read that this is the largest project like this in the United States and was that an accurate statement.

Mr. Adams stated that the GORE Company, the ones who make the GORE-TEX fabric, have installations all through Europe, they deal with combinations of food waste and human waste so they have facilities that are bigger than ours, but to handle strictly bio-solids from a waste water treatment plant, this is their largest operation at present.

Council Member Jensen stated that this City and its citizens have suffered from the smell and that is a concern from the health and safety and quality of life aspect. There is a lot of scepticism and a lot of mistrust and a lot of people who are really upset because they have to live with this. Council Member Jensen said that he has spoken with some companies that use the GORE products as well as their marketing personnel and it leads him to believe that this system along with the other equipment purchased for the plant is going to hopefully solve the problem or greatly reduce it but we cannot afford to have the citizens suffer any longer and we certainly cannot afford as City Council to have an economic impact that leads us to suffer in the short and long term. Council Member Jensen said that he hopes that the new procedures that they put into place mitigate the odor and help us as a City to answer the citizens and future developers and tell them that we are doing all we can and that odor containment has finally arrived.

Mr. Adams stated that he understands that this is a unique challenge, he said that he worked for seventeen years as the administrator for the Salt Lake City Public Utilities and they worked through the Olympics with a similar situation but a different process, and that he does understand the issues and does not want to downplay them. He said that he feels that things are moving forward and that they are hopeful and that the Board is committed and concerned.

Council Member Danklef said that our citizens no longer call it pleasant to live in Pleasant Grove because of the smell and that we cannot afford to lose large companies who would otherwise want to develop here and that he hopes that they fully realize that this is a real impact on us.

Council Member Robinson asked if other surrounding communities know of our situation, the urgency as far as our economic potential.

Tracy Wallace stated that they have received a number of emails and complaints from surrounding communities and that this is not an issue that is taken lightly. Mr. Wallace said that he has been on the Board for five years and this is something that we knew was coming and have been trying to address this both on the processing side, the regulatory side and budgetary constraints and how to actually approach the situation. The last time the plant was actually

rehabbed was back in 1999 and at that time it was with all of the latest technology, economic development and the foresight that was going to take the plant into 2020. In the last several years huge growth has happened all around us and as a Board we have seen this coming and we are recognizing it and we are trying to accomplish meeting all of these concerns and parameters being placed upon us and going forward from there. The Board members are very aware of it and each is a representative of a city and they are taking that back to their City Councils and administration and discussing this.

Mayor Call asked about the makeup of the Board and any new members. Mr. Wallace said that currently they have three new Board members out of the thirteen, and as far as them coming up to speed the majority of the members are very familiar with the process and are concerned about what is going on right now. Mayor Call stated that the reason he is asking is because he has sat in on meetings with the former makeup of the Board, and there literally were Board members who said that it is not their problem, they don't smell it. Mayor Call said that they were literally saying that if Pleasant Grove smells it then Pleasant Grove should pay for it and asked Mr. Wallace what was his take on the current makeup of the Board and attitudes like that. Mr. Wallace stated that he is speaking as the Chairperson of the Board but he is not speaking for the entire Board, and stated that there are still going to be those attitudes and there always will be, but that he feels that the majority of the Board feels the urgency and understands the issue that is before them.

Council Member Jensen asked if he felt that the Board was concerned enough to address ceasing the compost piles for now either by trucking it out to another composting area or pay the cost to take it to the landfill for the next four or five months until the GORE system is in.

Mr. Wallace stated that that is a question for the Board to answer and not for him as an individual member or the Board Chairperson to answer, so when that issue is brought before Board and is actually addressed, the Board will discuss it based on the facts and the information that they are provided at that particular time. That is when they will make that decision with all of the parameters involved, the budgeting process, what the potential impact for the district is, what the potential impact is for Pleasant Grove and the surrounding cities, that is the information that they are going to look at when those decisions are made.

Council Member Jensen said that that information is something they have already had in the past, the potential impact if they were not to compost, to haul to the landfill and the potential impact on Pleasant Grove and American Fork as far as the smell. Mr. Wallace said they have and that the previous Board looked at the actual economic impact and how much it would cost to do all of that and the budgetary constraints that we are on and they said, let's find a better solution. Council Member Jensen pointed out that Pleasant Grove and American Fork represent around one third of the revenues generated for TSSD and that it seems this is always about money, disregard the economic impact, disregard the quality of life, that they are just not willing to spend the money. Mr. Wallace stated that they are not discounting your particulars and that they do take those situations into consideration when making those decisions, that they go through a process to try to balance all of these issues and put them into the equation when we come up with a decision.

Mayor Call asked Mr. Adams that in his prior experience with Salt Lake, did he ever do any work with composting. Mr. Adams said that they did do composting, it was done differently but they did not compost onsite. Mayor Call stated that what he is trying to get at here is that to a very large degree, the decision to do onsite composting is the real problem when it comes to odor mitigation. Mr. Adams agreed, he said that the biggest bulk of the odor comes from the composting, the District didn't begin composting just because it was the green thing to do, they had to compost because the treatment plant which produces unclassified sludges under the EPA guidelines had to have a process to bring the temperature up and kill the pathogens, and composting was cheap. Mr. Adams said that he agrees with Council Member Jensen in that it does come around to the money, and the concern is where do we get the money, much of it is bond money that has to go for capital not operations and those are the kind of constraints that the Board has been wrestling with.

Mayor Call stated that he is not trying to get solutions right now, but that he is looking at other communities like Salt Lake, Provo and Orem who have their own sewage treatment facilities where they don't smell because they are not composting onsite, that other communities have other solutions besides onsite composting. Mr. Adams said that they pay more because they haul it off, so when the decision was made for the District, composting was the logical choice, the landfill doesn't want the massive amount of green waste, the citizens get to dump there for free so what we are addressing is looking at something that would go along with that, take care of the odor and be the most cost effective. If the vote comes to hauling it off, then we just need the money to haul it off.

Mayor Call pointed out that we are not communities like Provo and Orem where all of our citizens would be able vote for a rate increase just to get rid of the smell; we are a part of TSSD where we are one vote on this Board, and everybody else who can't smell it doesn't care. Mr. Adams said that he feels that the Board is concerned about resolving the odor and they are concerned about the impact and they don't want to raise rates. Mayor Call stated that from his experience in listening to and dealing with the Board that it is supposed to be a cooperative deal and it just hasn't been cooperative and feels that there are some things to overcome. Mr. Wallace stated that it can also start with Pleasant Grove by addressing with the other Mayors how those particular Council members or whoever the representative is on the Board are addressing the situation and it is his hope that each one of the Board members is representing TSSD as well as representing their communities as a whole.

Council Member Robinson stated that in listening to all of this and what Commissioner Ellertson has said, that she wants this to be not only ours but a Utah County problem.

Mr. Adams said that he feels that the word is getting out there and that they met last week with all of the Commissioners and the meeting was intense and they are committed. He said that we've tried to do our due diligence to resolve the issue and are trying to get something that will work for everybody without alienating some of those that we need to bring in to solve this and feels that in the last year and a half there has been more progress than in the last five years or so.

Mr. Wallace stated that five years ago when we started to look at this process, and odor issue was one of the things that was looked at, we have looked into different information and process systems and we have gotten it down to where we are at today and feel very comfortable with

where we are at and what it is actually going to accomplish. We were looking at this process to start several months from now, but the Commissioners and others have indicated that they really want to see something right away, so last week we changed our process. We discussed what we could do in order to help mitigate the situation right now without costing the District a ton of money and stay within our budget constraints, and it seems to be working right now and over the past week and we will pay close attention to that over the next couple of weeks to make sure that we are meeting the goals and objectives of what we are trying to do.

Mayor Call asked if the Council had anything else to discuss, they did not at this time. Mayor Call told Mr. Adams and Mr. Wallace that we do appreciate them being here tonight and we look forward to meeting on the 12<sup>th</sup>.

## **9. STAFF BUSINESS**

- Director Young said that there is a pre-submittal meeting on the RFP's for the Civic Center next Tuesday, March 9<sup>th</sup> at 11:00 a.m. in the Council Chambers, this is mostly to answer questions for those who are submitting proposals but the meeting is open to everybody.
- Chief Sanderson wished to mention that the City as well as the Fire Department is very fortunate to have Steve Brande and that his experience and expertise in investigations helps us out tremendously.
- Administrator Darrington reminded everyone that the conference with the Utah League of Cities and Towns will be held April 7- 9 in St. George, the deadline to sign up is at the end of March.

## **10. MAYOR AND COUNCIL BUSINESS**

- Mayor Call mentioned that he will be out of town on March 4 - 5 and March 11 – 13.

Council Member Boyd, current Mayor Pro Tem said that she will also be out of town on March 4<sup>th</sup> & 5<sup>th</sup>. Attorney Petersen stated that we will need to elect a temporary Mayor Pro Tem to act in her absence.

**ACTION:** Council Member Wilson moved to approve nominating Council Member Jensen to serve as temporary Mayor Pro Tem. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

## **12. SIGNING OF PLATS**

No plats were signed at this time.

## **12. REVIEW CALENDAR**

Mayor Call pointed out that there is a Planning Commission meeting on March 11<sup>th</sup> at 7:00 p.m. at the Junior High School. The meeting with the County Commissioners and TSSD on March

12<sup>th</sup> is also at the Junior High School at 6:00 p.m. The joint meeting of the City Council and the Planning Commission will be on March 23<sup>rd</sup> at 7:00 p.m.

### **13. APPROVE PURCHASE ORDERS**

No purchase orders were reviewed or approved at this time.

### **14. EXECUTIVE SESSION**

Executive Session to hold a strategy session to discuss the purchase, exchange, or lease of real property (UCA 52-4-205(1)(d)).

**ACTION:** At 8:58 p.m. Council Member Jensen moved to go into executive session, to hold a strategy session to discuss the purchase, exchange, or lease of real property (UCA 52-4-205(1)(d)). Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting, "Aye."

PRESENT:

Mayor:

Bruce W. Call

City Council Members:

Cindy Boyd

Val Danklef

Lee G. Jensen

Kim Robinson

Jeffrey D. Wilson

Others:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Colleen A. Mulvey, Deputy City Recorder

**ACTION:** At 9:36 p.m. Council Member Jensen 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, Jensen, Robinson and Wilson voting "Aye."

### **14. ADJOURN**

**ACTION:** At 9:36 p.m. Council Member Jensen moved to adjourn the meeting. Council Member Danklef seconded and the motion passed unanimously with Council Members Boyd, Danklef, Jensen, Robinson and Wilson voting "Aye."

This certifies that the City Council Minutes of March 2, 2010 are a true, full and correct copy as approved by the City Council on April 6, 2010

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Colleen A. Mulvey, Deputy City Recorder