

**Pleasant Grove City  
City Council Meeting Minutes  
Work Session  
October 14, 2014  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members:

Dianna Andersen (arrived at 6:41 p.m.)  
Ben Stanley  
Cindy Boyd  
Cyd LeMone  
Jay Meacham

Staff Present:

Dean Lundell, Finance Director  
David Larson, Assistant to the City Administrator  
Deon Giles, Parks and Recreation Director  
Degen Lewis, City Engineer  
Mike Smith, Police Chief  
Marc Sanderson, Fire Chief  
Tina Petersen, City Attorney  
Ken Young, Community Development Director  
Lynn Walker, Public Works Director  
Sheri Britsch, Library and Arts Director  
Barbara Johnson, Planning Tech

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

---

**1) Call to Order.**

Mayor Daniels called the meeting to order and noted that Council Members Stanley, Boyd, LeMone and Meacham were present. Council Member Andersen arrived late.

**2) Pledge of Allegiance.**

The Pledge of Allegiance was led by Council Member Boyd.

**3) Opening Remarks.**

The opening remarks were given by Council Member Meacham.

#### 4) **Approval of Agenda.**

**ACTION:** Council Member Stanley moved to approve the agenda as written, with the insertion of a presentation by the Odd Fellows. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council. Council Member Andersen was not present for the vote.

Dan Turner was present on behalf of Odd Fellows. He announced the upcoming 12th annual Treats in the Park event, which will take place Friday, October 31, at the Pleasant Grove City Park. The event will involve various local businesses who will give candy to children for Halloween and provide a safe place for trick-or-treating. Over the past several years over 2,500 children have attended the event. Mr. Turner explained that staff and the elected officials have always been very supportive of this event, and it means a great deal to children in the community. Flyers were distributed to the Council Members. It was noted that the announcement will be included in the City newsletter. Currently there are 17 businesses signed up to participate. Ideally there will be 40 to 50 who will also participate through the efforts of the Chamber of Commerce. Candy donations were also welcome.

#### 5) **Discussion regarding Economic Development concerns with Downtown Business Owners. *Presenter: Mayor Daniels.***

Mayor Daniels explained that last Saturday he was approached by the owner of Chubby's, who was in a panic because Main Street had reportedly been shut down. He was particularly upset because it was the Saturday of General Conference, which is a big day for their business. Upon inspecting the incident, Mayor Daniels discovered that Main Street was open, however, parking along Main Street had been closed. He later learned that Alicia's Cupcakes, the Mexican restaurant, and Firebird Pizza did not receive notice that parking would be closed for re-paving that day. The last time improvements were made to Main Street, construction took place on a Sunday to avoid interruption of businesses in the downtown area.

Mayor Daniels reported sales figures for several downtown businesses. For example, Firebird Pizza made \$200 on the last Food Truck Tuesday, whereas the following Tuesday they did \$800 in business. On another Food Truck Tuesday, the One Man Band only did \$2 in business. Chubby's reported that they were down about an average of \$200 per day. Mayor Daniels explained that while the Promenade helps restaurants in the downtown area, the Food Trucks compete with restaurants with fixed costs. He stated that the combination of what elected officials decide regarding the City's infrastructure, as well as other activities they support, sends the opposite message of what needs to be communicated. In other words, staff and the elected officials state that they want businesses to invest in downtown but their actions are actually hurting businesses.

Assistant to the City Administrator, David Larson explained that the Chamber of Commerce recently met with downtown business owners regarding the positive and negative outcomes of Food Truck Tuesdays. When the Chamber decided to host Food Truck Tuesdays, it was determined that after holding the event at two different locations, Allred's Ace Hardware parking lot and the Downtown Park, an evaluation would be conducted after some time had passed.

Assistant Larson stated that the following day the Chamber Board of Directors will be meeting for their annual planning retreat. They will specifically be making decisions regarding whether to

continue supporting Pleasant Grove Food Truck Tuesdays. Assistant Larson stated that he would be surprised if the event continues in its current form, if at all. The Chamber of Commerce should be the voice of Pleasant Grove businesses; however, by supporting outside businesses, local businesses have been negatively impacted. Assistant Larson explained that the Chamber needs to better use its time and energy to support events that encourage community gatherings and create positive opportunities for local businesses.

The Council discussed ways to improve the Promenade event to make it more beneficial for the community and participating businesses. Council Member LeMone suggested combining events, such as having music in the park and food vendors from local businesses. She commented that while citizens love the local food they also appreciate food trucks that bring a variety of options. She suggested the City find a balance between supporting Main Street businesses and the desires of the citizens. Council Member LeMone acknowledged that this was a huge event that Mr. Larson took upon himself. She explained that there was a learning curve due to the fact that it was the first time this type of event has been hosted in Pleasant Grove. She remarked that Mr. Larson did an amazing job. Mr. Larson added that the Chamber can do a better job of recognizing their role and agreed that this has been a learning experience.

Council Member Boyd agreed with Council Member LeMone that the City should consider combining certain events. She explained that while in California recently, she went to a farmers market where the vendors fronted local businesses giving shoppers direct access to both types of businesses. She noted that music was also included as part of the event. She felt the event demonstrated a beneficial partnership between businesses. She suggested the City move their promenade or other similar events directly to Main Street to create this same feel. Council Members Meacham and LeMone agreed with her suggestion.

Council Member LeMone explained that she has been working with representatives from Test Out to brainstorm ways to enhance the ambiance on Main Street. One idea was to string lights along the street. Fire Chief, Marc Sanderson stressed that food will bring people to the downtown area. Mayor Daniels remarked that the City needs to be supportive of existing businesses and communicate better with those individuals who have invested in Pleasant Grove's infrastructure.

With regard to road issues, Public Works Director, Lynn Walker, agreed with Mayor Daniels that the City needs to effectively communicate with local businesses and obtain better project bids. He commented that there are no excuses for issues that occurred on Main Street. He agreed that construction should have taken place on Sunday to prevent businesses from being interrupted. Council Member Meacham asked if limits of operation can be placed in the project specifications and noted that every project involves residents or business owners. He commented that certain limitations can include matters such as working time, limits of certain dates, and other issues for which the contractor should provide advance notification. Director Walker answered affirmatively to his request. He also explained that notification was posted on the traffic cones in the early morning of the aforementioned Conference Saturday. After the signs were taken down, Director Walker reported that the businesses on Main Street became very busy with foot traffic.

Council Member Andersen joined the meeting.

Council Member Stanley remarked that while these were unfortunate circumstances on Main Street, he was impressed by how staff and Mayor Daniels handled the matter. Council Member LeMone

inquired as to who ensures proper noticing from the contractor. Director Walker replied that staff is in charge of this task. Mayor Daniels summarized the limitations that need to be included within the project specifications as suggested by Council Member Meacham. With regard to the bidding process, Council Member LeMone remarked that she would prefer to pay a higher price for better quality work to ensure that businesses and residents are not disrupted in the future. Director Walker advised staff and the elected officials that overly restrictive bids may deter contractors.

6) **CONTINUED ITEM: TO CONSIDER FOR ADOPTION A RESOLUTION (2014-042) AMENDING THE PLEASANT GROVE CITY'S CONSTRUCTION SPECIFICATIONS MANUAL; FOR THE PURPOSE OF UPDATING CONSTRUCTION DRAWINGS AND CIVIL REQUIREMENTS FOR IMPROVEMENTS AND OTHER MINOR UPDATES AS REQUESTED BY THE CITY ENGINEER. CITY WIDE. Presenter: Engineer Lewis \*Continued from the October 7, 2014 meeting.**

City Engineer, Degen Lewis, presented the revised standard drawings in the Pleasant Grove City Construction Specifications Manual. He explained that staff requested the Council consider amending sidewalk requirements; namely, changing the sidewalks so that they are five-feet wide and six-inches thick. This would result in a noticeable increase in costs. Engineer Lewis presented the Council with a chart showing the sidewalk standards for other cities in Utah County. Several cities have a six-inch standard for width; however, many other cities have a four or five-inch standard. Engineer Lewis explained that staff believes a thicker sidewalk will better resist the abuse that takes place during construction. In particular, Public Works Street Superintendent, John Goodman, was in favor of a six-inch standard in Pleasant Grove.

Council Member Boyd asked if there is a greater need in commercial areas for thicker sidewalks than in residential areas. Mayor Daniels preferred that an engineering professional help weigh in on the decision. Council Member Meacham explained that typically on a pavement design, either the concrete or the base can be made thicker. If the base is substantially compacted, there shouldn't be any cracking. It is very difficult, however, to reach 100% compaction. Council Member Meacham explained that the previous week the Council considered looking at a higher compaction specification, as compared to what is required by UDOT. He was in favor of changing the width to five feet and maintaining the thickness of four inches.

Council Member Stanley commented that information relating to cost difference and the percentage of cracked sidewalks would be helpful for making a decision. Engineer Lewis agreed to look into gathering that information for the Council. Furthermore, he explained that UDOT does a randomized testing process, which is more extensive than the City's spot checking process. More inspections can be used to monitor the base of compaction, however, these would also incur additional expenses for the City. Council Members Boyd, LeMone, and Meacham were in favor of the proposed width of five feet while maintaining a four-inch thickness. Council Member Andersen voiced support for the proposed width of five feet, as well as the proposed thickness of six inches.

Engineer Lewis explained that the current standard for street lighting includes lighting at intersections, at a knuckle, and mid-block if the distance between lighting is over 500 feet. He commented that Pleasant Grove doesn't have very many long blocks so this issue does not come up often. While this spacing works well for vehicular traffic, it isn't conducive for pedestrian traffic. Engineer Lewis noted that Orem's street lights are spaced 150 to 200 feet apart, which provides

better lighting in newer subdivisions. On average, each light costs about \$2,000. Council Member Meacham asked if the luminaires could be changed rather than the distance. Engineer Lewis replied that in order to have a light cover a greater area, a higher pole needs to be installed. Furthermore, he explained that with LED technology, the ability to project light to a specific cut-off point is improving; however, it is still limited. With regard to poles, the new ones are 14 feet in height.

Engineer Lewis asked the Council how they would like to address the matter. He pointed out that this change would not affect any of the new developments that have recently been approved. The City is getting to the point where there isn't much remaining buildable land. According to Engineer Lewis, a newly installed light would cost the City around \$800 per month. Council Member Meacham inquired as to what the overall impact to the City would be by installing additional lighting. Various options for installation based on power sources, as well as the impact that the City's investments will have on the future were discussed.

Council Member Meacham referred to Engineer Lewis's comment about there not being very much remaining buildable land in Pleasant Grove and felt there isn't be a need to change the City's street lighting requirements. He explained that there is a process established for instances where citizens can come forward and pay for an additional light if it is something they want for their neighborhood. He invited Police Chief, Mike Smith, to comment. Chief Smith remarked that lighting is definitely a deterrent to crime, regardless of the neighborhood. Criminals tend to gravitate towards places where there is easier access and higher vulnerability.

Director Walker remarked that he gets several complaints every year regarding the lack of street lighting. Engineer Lewis added that he has only ever received one complaint about too much lighting. Council Member Andersen commented that she hates the dark streets because of the lack of safety. Engineer Lewis explained that Rocky Mountain Power is planning to take an LED Lamp Schedule Proposal to the Public Utilities Commission sometime before the end of November this year. They hope to have LED lights available for order by the first quarter of next year.

Mayor Daniels asked the Council to share their overall consensus on lighting and sidewalks. Council Member LeMone acknowledged that there are safety issues with lighting that need to be addressed. The rest of the Council voiced their support for sidewalks being five feet wide, four inches thick, and increasing the street light density for new developments.

Council Member Meacham asked how often the Construction Specifications Manual is updated. Engineer Lewis responded that they have tried to review it on an annual basis. Council Member Meacham suggested it be reviewed more regularly rather than presenting changes to the whole manual all at the same time. Council Member Meacham referenced another section of the document regarding roads and remarked that he would prefer not to have as wide of roads. He noted that narrower roads are advantageous because there is fewer pavement, maintenance, and drainage costs. He explained that other cities are constructing roads that have 29 feet of asphalt and 22 feet at intersections. Last, Council Member Meacham asked how often the clay dam is used. Engineer Lewis answered that it is used for sewer and storm drainage.

**ACTION:** Council Member LeMone moved that the Council adopt a Resolution (2014-042) amending the Pleasant Grove City's Construction Specifications Manual; for the purpose of updating construction drawings and civil requirements for improvements and other minor updates as requested by the City Engineer, with the change that the sidewalk thickness be reverted back to

four inches, and the street light density increased for new developments. Council Member Boyd seconded the motion. A voice vote was taken. Council Members Stanley, Meacham, LeMone, Boyd, and Andersen voted "Aye". The motion carried.

7) **Discussion on City's responsibility on using taxpayer money when advertising a bond.**

Mayor Daniels reported that he received an email from a resident who expressed concerns that the City has used taxpayer money to advertise for the upcoming bond. City Attorney, Tina Petersen, explained that the relevant Statute on this matter is found in 20A-11-1203. She read the following statement:

*"Public entity prohibited from expending public funds from certain electoral matters:*

*'Unless specifically required by law, a public entity may not make an expenditure through public funds for political purposes, or to influence a ballot proposition. However, nothing in this chapter prohibits a public official from speaking, campaigning, contributing personal money, or otherwise exercising the public official's individual first amendment rights. Nothing in this chapter prohibits a public entity from providing factual information about a ballot proposition to the public, so long as the information grants equal access to both the opponents and proponents of the ballot proposition. Nothing in this chapter prohibits a public entity from the neutral encouragement of voters to vote. Nothing in this chapter prohibits an elected official from campaigning or advocating for or against a ballot proposition. A violation of this section does not invalidate an otherwise valid election.'*"

Attorney Petersen explained that the City can pay for factual information about a ballot proposition, as long as equal access is provided to anyone else who would also like to provide factual information. She mentioned that the aforementioned citizen inquiry was specific to the signs that were posted. Attorney Petersen sent pictures of those signs to Mr. Justin Lee, who serves as the Deputy Chief over elections in the Lieutenant Governor's Office. In conversations with Mr. Lee, he determined that the signs were strictly factual in nature and that the City had done nothing wrong in posting them. He also suggested that the City provide the opportunity for any other individuals or entities to also post their own factual signs regarding the ballot proposition, should they feel inclined. The City is not obligated to pay for the signs or solicit signs from the opposing side; however, the City is obligated to make the property equally accessible, should other parties come forward with signs as well. Attorney Petersen suggested that any other entities with signs should have them also approved by the Lieutenant Governor's Office and allow an independent determination to be made based on factuality.

The other issue specifically mentioned by a concerned citizen pertained to the voter information pamphlet. Attorney Petersen stated that every element of information contained in the pamphlet is required by law. She explained that there are three different sections of Code that need to be met, namely the Election Code, Bond Code, and Noticing Code for tax increases. The voter information pamphlet also must contain information on arguments both for and against the bond proposal, as well as rebuttals. Furthermore, the information needs to be compiled in a specific order and must contain information from the State Statute.

Attorney Petersen explained that when the Utah Taxpayers Association (UTA) provided their endorsement of the bond, she asked Mr. Lee if it would be permissible to include their endorsement

in the voter information pamphlet. Mr. Lee answered in the affirmative, so long as the information contained in the letter is strictly factual. Last, Attorney Petersen concluded that the City has followed State Statute and has met their legal obligation. She suggested that Mayor Daniels reply to the citizen referencing this information.

Council Member Stanley asked for further clarification on how the City received an endorsement from UTA. Was there a contract or agreement signed? What commitments were made to obtain the endorsements? Mayor Daniels stated that he was contacted by City Administrator, Scott Darrington, who relayed to him that UTA would like to meet with staff and the elected officials to discuss the nature of the bond. A meeting took place on Friday, October 3, at which time several questions were asked by UTA's representatives. That same day, staff, the elected officials, and UTA representatives took a tour of the Municipal Courts and the Police and Fire Departments. As they were leaving, Senator Howard Stephenson, President of the Utah Taxpayers Association (UTA), informed Mayor Daniels that Pleasant Grove's facilities are dilapidated and need change. He also communicated that UTA would either decide to endorse the bond or remain neutral on the matter.

That same Friday afternoon, Mayor Daniels received an email from Senator Stephenson requesting a commitment from the City that they would be willing to make the plans available for third-party review, should the bond pass. Mayor Daniels forwarded the email to the other Council Members, and replied back to Senator Stephenson that they would be willing to proceed with a third-party review, if it will save the City money. The following Monday, October 6, Mayor Daniels received an email from Senator Stephenson indicating that UTA would need more time to consider their position. That same Monday afternoon, however, Mayor Daniels received an email containing an official endorsement from Senator Stephenson and UTA.

Mayor Daniels stated that he has no record of what took place in that window of time between the morning and afternoon of Monday, October 6. Attorney Petersen recalled a conversation she had with Senator Stephenson on Friday, October 3, regarding UTA's position with Salt Lake City's Public Safety Building. She relayed that while they didn't endorse the first bond, they endorsed the second bond proposal. Furthermore, at the suggestion of UTA, Salt Lake City had a third party review the building plans after the bond passed and they were able to save around \$3 million. Mayor Daniels stated that based communications he had with Senator Stephenson, no commitment or contractual agreement was made on the City's part to allow UTA to conduct any review. No promises were made for their endorsement. Therefore, the only person who can shed any further light on the matter was Administrator Darrington, who was not present at tonight's meeting.

Council Member Meacham was interested in being provided with the third party review. Council Member Stanley commented that he had heard rumors that the City committed to having this review. He wanted to dispel those rumors and get clarification on the matter. Attorney Petersen added that MOCA was not in any way involved with UTA. Mayor Daniels read the endorsement letter sent by Senator Stephenson and noted that the letter was available for review on UTA's website as well as the City's website. Council Member LeMone thanked Attorney Petersen for her time and energy in making sure that the City takes action in a legal and ethical manner.

#### **8) Discussion on agenda items for the October 21, 2014 City Council Meeting.**

Mayor Daniels read the first item on next week's agenda, which is adoption of an Ordinance (2014-38) amending the Pleasant Grove Transportation Master Plan regarding the removal of a planned

roundabout at the intersection of 1000 South and Locust Avenue. Council Member Boyd requested that this item be moved to the following week, as she will be gone on the October 21, and wanted to weigh in on the matter. Staff and the elected officials determined that this would not hold up the applicant financially and decided to move the item to October 28.

Community Development Director, Ken Young, read the next item on next week's agenda, which is adoption of an Ordinance (2014-39) to amend the section of City Code where street sections require retail on the ground floor, in the Downtown Village Zone. Finance Director, Dean Lundell, explained that the next item on next week's agenda will be to receive public comments on the proposed amendment to the Pleasant Grove City Fiscal Year 2014/2015 Budget. He presented the budget to the Mayor and Council and explained that the amendment that will be reviewed. Library and Arts Director, Sheri Britsch, spoke about the elevator for the library. She also noted that she will be attending a workshop on the matter on October 29.

Attorney Petersen explained that the last item on next week's agenda will be to consider adoption of a Resolution (2014-045) authorizing the Mayor to sign the Third Addendum to the Solid Waste and Recycling Collection Agreement with Allied Services. She explained that Allied Services has proposed two options for extension, including a three or five-year contract. Each contract comes with cost savings benefits, which will be reviewed further in depth next week.

Last, Mayor Daniels reported that he received another letter from a citizen, which he would like to treat as an agenda item rather than as part of open session, during next week's meeting.

**9) Neighborhood and Staff business.**

Staff members shared various items of business. Director Britsch reminded the Council that Veterans Day is fast approaching, and requested ideas for a guest speaker for that day. She also announced that the show "Arsenic and Old Lace" by the Pleasant Grove Players would be opening the following weekend. Engineer Lewis reported that staff will be using BidSync to obtain a bid on Shannon Fields. Attorney Petersen announced that she had been appointed to serve as the State Chair for the International Municipal Lawyers Association.

Director Young reported that Commissioner John Stevens resigned from the Planning Commission and an alternate Commissioner was needed to fill his place. Additionally, Director Young explained that as the City moves forward into next year, staff and the elected officials should get started on the General Plan update. Specifically, staff would like to focus on economic development in the downtown area. Director Young expressed that it would be helpful to regenerate the Downtown Advisory Board as part of the process. Last, Director Walker reported that Public Works will be turning off secondary water on October 15.

**10) Mayor and Council Business.**

Council Member Andersen announced that he Pleasant Grove High School Girls Soccer team recently won their first State game. It was noted that they have never been to State before. Council Member LeMone provided an update on the HOPE Program, which is Pleasant Grove's suicide watch program. She reported that they recently held a meeting that generated a good turnout. The next meeting was to take place the following Friday at Pleasant Grove High School. She noted that

the group needs representation from the Fire Department. Last, there was discussion for potential grant opportunities.

**11) Signing of Plats.**

There were no plats signed.

**12) Review Calendar.**

There were no calendar items to review.

**13) Adjourn.**

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

The City Council Meeting adjourned at approximately 8:27 p.m.

Minutes proved by the City Council on November 5, 2014

---

Kathy T. Kresser, CMC, City Recorder

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