

**Pleasant Grove City  
City Council Work Session Meeting Minutes  
May 27, 2014  
6:00 p.m.**

PRESENT:

Mayor: Mike Daniels

Council Members:

Dianna Andersen  
Cyd LeMone  
Ben Stanley

Excused:

Cindy Boyd  
Jay Meacham

Staff Present:

Scott Darrington, City Administrator  
David Larson, Assistant to the City Administrator  
Dean Lundell, Finance Director  
Deon Giles, Parks and Recreation Director  
Degen Lewis, City Engineer  
Sheri Britsch, Library and Arts Director  
Kathy Kresser, City Recorder  
Tina Petersen, City Attorney  
Marc Sanderson, Fire Chief  
Mike Smith, Police Chief  
Marcus Wager, Planning Intern  
Lynn Walker, Public Works Director  
Ken Young, Community Development Director

Other:

Scott Richards, Planning Commission  
Dan Torfin, DMB Investments

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 Andersen, LeMone, and Stanley were present. Council Members Boyd and Meacham were excused.

2) **PLEDGE OF ALLEGIANCE.**

City Recorder, Kathy Kresser, led the Pledge of Allegiance.

3) **OPENING REMARKS.**

City Council Member, Dianna Andersen, gave the opening remarks.

4) **APPROVAL OF AGENDA.**

City Administrator, Scott Darrington, stated that an executive session is needed at the end of the meeting.

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

5) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-20) AMENDING CHAPTER 10-14-24-3, PERMITTED AND CONDITIONAL USES, THE GROVE ZONING DISTRICT, INTERCHANGE SUBDISTRICT, OF THE PLEASANT GROVE CITY CODE, AMENDING EXHIBIT A, PROJECT AREAS MAP WHERE RESTRICTIONS ON THE DEVELOPMENT OF PROFESSIONAL OFFICE USES ARE APPLIED IN THE INTERCHANGE SUBDISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD).**

Community Development Director, Ken Young, reported that one year ago the City placed a moratorium on the Interchange Subdistrict in order to look at the ordinance with respect to what is permitted in the area. There was concern about the limited ability to build retail commercial in the area and a strong interest for office development. It was determined by ordinance that seven different areas could develop less than 50% of the area as professional offices. The rest would have to be retail and other commercial uses.

Director Young reported that recently a request was received from Dennis Baker, a property owner in the area, to eliminate two of the areas from the ordinance requirement. The Planning Commission considered Mr. Baker's request to be acceptable. No text will be changed in the ordinance, however, the map will be altered to show what type of development is allowed in which area.

Director Young informed the Council that the applicant's representative was at the meeting to answer questions and provide a map of their plan.

Mayor Daniels opened the public hearing.

Dan Torfin from DMB Investments was present representing Dennis Baker and was prepared to answer questions of the public or City Council.

Planning Commissioner, Scott Richards, stated that they had public input on the matter during their discussion the previous week. He did not recall any negative comments.

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

Mayor Daniels stated that there are two ordinances to review. The first is the one recommended by the Planning Commission that would remove the two areas requested by Mr. Baker as well as the Sager property. The second would include only the two areas requested by Mr. Baker.

Council Member Stanley expressed support for the recommendation from the Planning Commission but had concerns because it is intellectually inconsistent with the changes made in January.

**ACTION:** Council Member Anderson moved to approve the proposed Map A which does not include the Sager property, as a text amendment to Section 10-14-24-3, the Grove Interchange Subdistrict of the Pleasant Grove City Code and adopt the exhibits, conditions, and findings contained in the staff report. Council Member LeMone seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, LeMone, and Stanley voting "Aye." The motion carried.

6) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-21) AT THE REQUEST OF WAYNE BEESLEY TO AMEND CITY CODE SECTION 10-14-24-1C-2 AMENDING PROVISIONS TO ALLOW TEMPORARY VEHICLE STORAGE AS A CONDITIONAL USE IN A SPECIFIED AREA IN THE GROVE ZONE, COMMERCIAL SALES SUBDISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD).**

Director Young stated that the above item was presented to the City Council on May 6 and remanded back to the Planning Commission. There were concerns that the amendment, as proposed, would have applied to the entire Grove Commercial Sales Subdistrict, which is fairly large. The concept was presented to restrict the potential use to the area created for the used car sales overlay. The proposal was to change the verbiage to restrict potential temporary auto storage to a maximum of 90 days per year and require it to be renewed every year by conditional use permit. It is restricted only to the area approved for used automobile vehicle sales. The Planning Commission unanimously recommended approval.

Mayor Daniels opened the public hearing.

The applicant, Wayne Beesley, was present to answer any questions. He stated that the intent is to store vehicles for Wasatch Transportation during the summer months. He tries to keep his property clean and nice and hoped the Council would approve his request.

Commissioner Richards stated that the Planning Commission has no issues with Mr. Beesley's request. He felt that the way the proposal was written makes it a benefit to all involved. Because the property borders both Pleasant Grove and American Fork, assurance was given that there were no complaints received from residents of American Fork.

Mayor Daniels confirmed that the proposal is not open to the entire district and will be reviewed annually. Director Young clarified that the request is granted by conditional use permit once per year.

Council Member Stanley felt that this was a great compromise and thanked the Planning Commission for their work.

**ACTION:** Council Member Stanley moved to approve Ordinance 2014-21, the request of Wayne Beesley to amend City Code Section 10-14-24-1C-2 amending provisions to allow temporary vehicle storage as a conditional use in a specified area in the Grove Zone, Commercial Sales Subdistrict. Council Member Anderson seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, LeMone, and Stanley voting "Aye." The motion carried.

**7) ZINIO PRESENTATION. Presenter: Director Britsch.**

Library and Arts Director, Sheri Britsch, stated that the library purchased a magazine subscription service that allows over 60 magazines to be downloaded onto phones, tablets and other electronic devices for free. The company is called Zinio. The app is available for free in the app store. If there is a particular magazine that an individual would like but cannot find, the City can pay to download another magazine of their choice.

After the app is downloaded, the list of magazines becomes available on the library website and can be downloaded to an electronic device. The app will ask for the person's library card number and they will have to create a user name. Director Britsch stated that in an effort to lower the price, Zinio was purchased in combination with several other libraries. There is no limit to the number of magazines that can be downloaded.

**8) DISCUSSION ON BUDGET.**

Finance Director, Dean Lundell, reported that there are budget changes to the utility fees and recreation program. Council Member LeMone asked if Pleasant Grove has compared their fees to neighboring communities. He indicated that the City looks into those numbers each year and the fees are adjusted accordingly. Some fees are set up to cover the cost of the service being provided and is not necessarily based on other communities. He stated that many of the rec center fees for swimming and other lessons are declining substantially.

Council Member LeMone asked if there was a way to use a term other than "baby land" in the section of the cemetery for young children. Director Giles stated that it is the title used by many cemeteries but it can be removed from the City's ordinance.

Administrator Darrington stated that the utility rates are built into the fee schedule. There will be a specific letter included in the newsletter with additional details for residents. It will include a table that shows the rate increase and there will be information on the public hearing. The increases are consistent with the discussion held a few weeks earlier.

Director Lundell reported that a few weeks ago they discussed moving to a three-year lease program as opposed to a five-year purchase program for police vehicles. The proposed program is slightly more expensive but has substantial benefits. Police Chief, Mike Smith, was present to answer questions.

Mayor Daniels stated that a portion of the questions centered on the tradeoff between the two programs. Chief Smith explained that currently the City has been on a lease program with some of

the cars and moved to the five-year program with their unmarked administrative and detective cars. They are on a five-year buyout program. The marked cars are on a three-year lease program. This year nine of the cars will come off. The five-year program saves money on paper but in reality a four or five-year old patrol car costs a great deal in terms of maintenance and repairs. Police vehicles are driven harder than pedestrian vehicles. He felt it was wiser to keep patrol cars on a three-year lease that keeps the cars in good shape and guarantees trade-in value.

Chief Smith reported that the cost difference is roughly \$1,000 per year per car to change to the three-year lease program. That cost estimate includes the cost of brake and tire repairs as well as the extended warranty. If they want to gamble on the unmarked cars and do a five-year buyout, it is less of a risk than buying the marked cars. It was noted that the unmarked cars do not get driven as hard.

Mayor Daniels asked if there is a different driver for each car. Chief Smith stated that typically that is not the case as they do not have a car for each officer. Administrator Darrington explained that when the program began it was a two-year lease program. In an effort to save money they moved to the five-year buyout. On paper it seemed like a good way to save money but in reality the cost of repairs were of concern.

Chief Smith stated that the three-year lease includes a guaranteed residual buy back price. With the five-year buyout the City will only get what the market dictates at that time at auction. Mayor Daniels clarified that they are talking mainly about SUV class vehicles. Chief Smith stated that he was correct and they have stayed almost exclusively with the Ford Explorer and a few Ford Taurus's. Both have worked out well. Ford has tried to push them to purchase pickup trucks because they have the best residual but they do not make as good of a patrol vehicle.

Mayor Daniels stated that with an absence of data there is no way for the Council to see empirical evidence that a three-year vehicle versus a five-year vehicle will cost more or less. Common sense says that if the vehicle is driven hard there will be more repairs in the fourth and fifth years. It seemed that for future budget purposes it will be important to have information on the vehicle program and how much is spent on repairs in order to be more precise in making decisions. Chief Smith stated that they have vehicles in their fleet that are four to six years old. They are in the shop constantly. They keep them because the budget does not allow for the purchase of new vehicles.

Council Member Stanley confirmed that there is a fleet program for all of the hard driven patrol cars. He asked about the average number of miles put on a patrol car each year. Chief Smith responded that on the lease program they cannot exceed 18,000 miles per year. They have never reached that number but if they ever do they will have to park the car until the end of the year. Fire Chief, Marc Sanderson, stated that they moved their vehicles to a five-year program because they are not driven as heavily as the police fleet.

Chief Smith stated that they have 17 patrol cars, which will increase the cost by \$15,000 to \$30,000. Chief Smith commented that he would like to keep all of the cars on the three-year lease but not every car needs to be moved. Chief Sanderson stated that what is most challenging for budgets are unexpected vehicle expenses. There is no way to plan or budget for them and when they come up it drains the budget and limits what they can accomplish with the budget they do have.

Chief Smith stated that the advantage to the lease is that the cost is known up front each year and there are no surprises or hidden expenses. Mayor Daniels stated that a case could be made if they had documentation that the move to a three-year program will cost \$1,000 to \$2,000 per vehicle for the shorter lease period but they would save the corresponding money over a five-year lease in maintenance costs and unexpected costs. Chiefs Sanderson and Smith both felt that the maintenance costs are much higher than \$1,000 to \$2,000. Administrator Darrington stated that that would need to be documented.

Council Member LeMone asked where the \$1,000 per car figure number came from. Director Giles stated that they did a cost analysis a few years ago and the annual cost was just short of \$1,000. That is anticipating being able to sell the car back for \$8,000, which is fairly safe.

Council Member LeMone understood the reasoning behind moving the patrol vehicles to the three-year lease but felt they need documentation to justify the increase to residents who did not have the benefit of hearing from Chiefs Smith and Sanderson. She supported Chief Smith because she trusts his opinion on the needs of the police force but asked that they justify the costs on paper.

Administrator Darrington stated that there is no documentation they can provide now other than it is a need and explaining verbally why it is a good idea. Council Member Stanley stated that as a Council they need to make decisions based on hard data. Council Member LeMone stated that Chief Smith's opinion was important and weighs heavily on the decision. Moving forward, however, they need a better system of tracking the vehicle maintenance to justify the cost.

Administrator Darrington agreed to contact Ken Garff Auto to see if they have data the Council is seeking. He would also call other cities to ask about their numbers on five-year leases. Chief Smith stated that the fact that the dealerships will not take the car back after five years should be an indication of the decline in value. The Council felt that the guaranteed buy back after the three-year lease would be important. Administrator Darrington agreed to gather what information he can by the next meeting. He stated that the police vehicles are typically exchanged or purchased in July so staff would like to move quickly.

Mayor Daniels indicated that they have an opportunity with this need to demonstrate to the public that they have an understanding of why it makes good business, financial, and safety sense to move from the current program to a new that is more expensive. The public will want to know the reasoning behind the change and the Council needs to be able to respond with good sound data. If the Council fails to provide good reasons for the change, it did not seem likely that the public will trust the Council's reasons for needing a new Public Safety Facility. The City needs to show that they maintain good stewardship of City resources. He felt it was in the best interest of the Council to be able to rationally answer the public's questions. He did not want to put any of the City directors in the position of having to use their personal credibility and opinion as justification for why they should obligate the public's money.

Director Lundell stated that they would have a 2014 final amended budget posted to the website this week. During the capital projects discussions it was determined that some projects need to be done immediately. Those items are included in this year's budget instead of next year's budget.

Director Lundell reported that Everbridge is a reverse 911 system and will add \$11,200 to the budget. The cost had not yet been included in the budget. Administrator Darrington stated that they hope to have the agreement on the next agenda. They were prepared to absorb the cost into the 2015 budget. It was noted that there was the potential for the enterprise funds to help pay the cost.

Administrator Darrington stated that the Council needs to discuss whether to join the Utah Lake Commission at a cost of roughly \$5,500. If the Council prefers not to join now, the Commission will allow them to join at any time. The Council felt it would be more beneficial to focus on internal matters now and consider rejoining the Commission at a later date.

Mayor Daniels asked where the City is in regard to what they thought they were going to do, what they did, and where they are ending up. Director Lundell stated that they projected a \$250,000 surplus in the General Fund, which is roughly what was spent. That number may be slightly better than anticipated. He thought the surplus would likely be closer to \$300,000 due to sales tax and development fees. Administrator Darrington stated that the funds are already spoken for. The intent is to keep them out of the base budget and roll them into capital which is a one-time expense.

Mayor Daniels asked if the City ended near where they thought they would with regard to sales and property taxes. Director Lundell stated that property tax nearly always ends as expected. Sales tax varies more. The City was expected to have roughly a \$70,000 increase. Director Lundell offered to look at it as one-time money as well. Anything extra at the end of the year will be rolled into next year's base budget.

Administrator Darrington reported that staff would move forward to hire a City Planner and a fulltime Assistant for City Attorney, Tina Petersen, who will also work with Community Development. They planned to begin gathering applications shortly. They will also be hiring a Sewer employee and a Storm Drain employee and an adjustment will be made to a Library employee.

9) **DISCUSSION ON AGENDA ITEMS FOR THE JUNE 3, 2014 CITY COUNCIL MEETING.**

The Council discussed each agenda item for the June 3, 2014 meeting.

- a) **Strawberry Days Royalty presentation.**
- b) **Citizen Academy Graduation presentation.**

It was reported that items "a" and "b" will be short presentations.

- c) **Public Hearing to consider for approval a 17-lot final plat called Walker Ridge Plat B located at approximately 400 North 1350 East in the R1-12 (Single Family Residential) zone. (GROVE CREEK NEIGHBORHOOD) Presenter: Director Young.**

Director Young reported that they had a lengthy discussion with the Planning Commission. Several neighbors were present and there was a great deal of discussion regarding the soils issue. The plat was corrected to include the road realignment. Some residents did not want the plat to move

forward but everyone had their questions answered. The applicant's engineer was present and helped field questions.

Director Young stated that at the conclusion of the discussion the Planning Commission voted unanimously to approve. Administrator Darrington stated that because the Planning Commission held a public hearing it is not required before the City Council. The Planning Commission, however, requested that they do so anyway.

- d) **Public Hearing to consider for adoption an Ordinance (2014-22) at the request of Mike Miller to amend the City Code Section 10B-7-F5 rear and side setback on a corner lot; and providing for an effective date. (CITY-WIDE) Presenter: Director Young.**

Director Young reported that the applicant owns a corner lot and would like to build a garage on their property. The issue involved potential vision problems. Staff reviewed the ordinance proposal and added a reference to the clear vision areas of the corners section. The change will give the City Engineer purview to approve or deny based on the clear vision requirements. The Planning Commission recommended approval.

- e) **Public Hearing to take public comment on the City's intent to restructure the financing on Truck #71 which will provide funding for the rebuilding/refurbishment of one 1994 engine truck and 3 ambulances. Presenter: Chief Sanderson.**

Chief Sanderson reported that he will have several slides to represent current funding for the truck and their intended use of the apparatus. The intent is to eliminate two engines, refurbish a 2001, and rebuild all three ambulances. The box will come off of the 1988, 1994, and 2005 ambulances and all will get new chassis.

Mayor Daniels stated that the Fire Department has done an excellent job over the years of saving money. He recommended making sure the public is aware of all they have done to use taxpayer money wisely.

- f) **To consider for adoption a Resolution (2014-018) authorizing the Mayor to sign a contract with Everbridge for emergency mass communication services. Presenter: Chief Smith.**

Mayor Daniels reported that all that remains is a discussion regarding funding. They will cover that at the meeting and will then be ready to move forward with the contract.

- g) **Discussion on Downtown Village retail requirements. Presenter: Administrator Darrington**

Administrator Darrington reported that an individual came to the City with a request to purchase the empty lot on Main Street and build an office building there. Currently the Downtown Village requirements specify that if there is an area in the zone that is next to an arterial or collector street, they are required to have a retail component. The applicant was requesting to eliminate the retail



component as they would like to develop a real estate office. The Council needs to determine if that is an exception they are willing to permit.

Administrator Darrington thought it would be nice to see a new building on the property even if there is no retail. The danger was making an exception for one person.

Council Member Stanley could see compelling arguments on both sides and was interested in hearing from the other business owners in the area. Administrator Darrington remarked that if the City Council allows the request to move forward, staff will draft the language and have it reviewed by the Planning Commission and City Council and allow ample opportunity for public comment prior to adoption.

Director Young stated that when the Downtown Advisory Board was established roughly four years ago, they conducted a comprehensive review of downtown and what they want it to be. That was where the retail requirement on the main floor of businesses originated. The west side of the street is nearly all office, which caused concern that all of downtown could easily become office. The City had made great strides in bringing commercial retail into downtown.

**h) Discussion on the third violation and penalty of the secondary water restrictions. Presenter: Administrator Darrington.**

Administrator Darrington stated that currently if a resident violates the watering schedule they are given a warning for the first violation. If there is a second violation the water is disconnected with a \$50 reconnection fee. The third violation would result in the water being disconnected and a \$200 reconnection fee.

The proposal was to change the third violation to a \$500 fine to reconnect to secondary water. They would also require the installation of a secondary water meter. The \$500 fine would cover the cost of the meter and installation. Council Member LeMone asked how many third time offenses are issued each year. Public Works Director, Lynn Walker, reported that there were three last year. This year they are ahead of last year. He suspected they will write more tickets.

Council Member Anderson asked if the residents can be informed so that they are aware of the new fine schedule. Council Member LeMone was concerned about making such a significant change when there has not been an increase in instances of abuse. She stated that utility rates have already increased, which could be upsetting to residents.

Director Walker indicated that he hears appeals on a daily basis and will waive the fees if he feels there is a legitimate reason to do so. Council Member Anderson stated that if a resident is a third time offender they clearly do not understand or care about water conservancy. Council Member Stanley had no objection to the proposed change for third time offenders.

Administrator Darrington reported that the matter will be on the next agenda. Before any change is made there will be a campaign to ensure that all residents are aware of the fine increase. Director Walker said third time offenders will be aware of the penalty because each ticket describes the penalties of subsequent violations. Administrator Darrington stressed that the purpose is to conserve water.

**10) MAYOR, CITY COUNCIL AND STAFF BUSINESS.**

Mayor Daniels thanked Director Britsch for the excellent Memorial Day presentation.

Assistant to the City Administrator, David Larson, reported that he spoke with the owner of Forever Green, who purchased the old Noah Building. They are renovating the building and planning the ribbon cutting for June 28. Their CEO and Owner require every employee to serve one-half day each month in the City. He stated that the Pleasant Grove Chamber is coordinating the ribbon cutting.

Council Member LeMone thanked staff for their work on the Memorial Day celebration. She was informed by a resident that Pleasant Grove is the only city in Utah that charges veterans to have their names engraved on the wall. She asked if that was accurate. Parks and Recreation Director, Deon Giles, stated that there are other cities that charge. They request a \$100 donation but do not necessarily always require the full amount to be paid. Generally the City needs around \$600 to \$700 per year to do the engravings. If a veteran has passed away and is buried in the cemetery they go on the wall free of charge. So far this year the engraving of five names has been paid for. Council Member LeMone requested that the City consider waiving the fee. Director Giles stated that the majority of the cost is the labor and they do one engraving session each year. Administrator Darrington offered to look into the cost and add the matter as an agenda item at future meeting.

NAB Chairperson, Libby Flegal, suggested placing posters in key places around the City to help advertise the Memorial Day event. Mayor Daniels agreed and questioned whether Director Britsch was aware ahead of time that she was supposed to help with the event. He noted that she only became involved in the planning effort one week prior but still managed to pull off a fantastic event. Next year they will make more of an effort to advertise the event.

Chief Sanderson invited anyone needing additional clarification prior to next week's public hearing to call or visit him at the Fire Station. It was reported that the Firemen's Breakfast will be held the following Saturday at 6:00 a.m.

City Engineer, Degen Lewis, reported that a MAG meeting was held earlier in the day and the 100 East project was ranked number five overall. The MAG staff recommendation was that they fund with County funds, which removes the project from federal funds. The money will be available January 1, 2015. He indicated that they are on track to provide an option to fund the project if the two communities decide to pick up the cost of the road.

Mayor Daniels stated that there were a few meetings held this week, which should give a good idea of what direction to move. The City wants to be sure that if they take ownership of 100 East that there is enough money to move the road up to a certain level of service and provide future maintenance.

Administrator Darrington reported that the Cedar Hills City Council is not inclined to take ownership. The meeting later in the week was to reengage UDOT to determine what will happen if the cities do not take on the road. If they are comfortable with UDOT's response they will turn the money back in. They can take the road now with the funds or potentially be forced to take the road

later with no money or less money. The process they have taken will provide them an opportunity to take the road without spending City funds.

Chief Smith stated that the Beer Tax Fund needs to be signed by the Mayor. He was not sure what the full amount they receive will be but it is typically around \$32,000. They plan to use the funds for alcohol enforcement and prosecution.

Director Walker reported that the high mountain snow melt is coming at the normal time and water should be looking better for the next month and then should be down again.

Council Member LeMone asked where the clean up around Water Gardens is with Ivory Homes. Administrator Darrington responded that they have not spoken with them recently but July 1 is the deadline. He agreed to follow up with Ivory.

**11) ACTION:** At 8: 10 p.m. Council Member Stanley moved to adjourn to executive session to discuss the purchase, exchange or lease of real property and the sale of real property. (UCA 52-4-205 (1)(d) (e)). Council Member Andersen seconded the motion, and the motion passed with the unanimous consent of the Council.

PRESENT:

Mayor: Mike Daniels

Council Members:

Dianna Andersen  
Cyd LeMone  
Ben Stanley

Staff Present:

Scott Darrington, City Administrator  
Tina Petersen, City Attorney  
Degen Lewis, City Engineer  
Lynn Walker, Public Works Director  
Kathy Kresser, City Recorder

**ACTION:** At 9:13 p.m. Council Member LeMone moved to come out of Executive Session and go back into regular session. Council Member Andersen seconded the motion, and the motion passed with the unanimous consent of the Council.

Council Member Stanley moved to instruct staff to move forward with discussions to purchase the property on 700 South for the expansion of the Public Works Department. Council Member Andersen seconded and the motion passed with the unanimous consent of the Council.

Mayor Daniels instructed staff to wait until Wednesday to see if a proposal comes in from Mark Ryan before contacting David Adams to list for sale the city owned property on 1300 West Pleasant Grove Blvd. He also asked staff to notify doTerra that the City is going to put this property on the market.

Council Member Stanley noted that he received an email from a citizen, Richard Jardine. The email states that his wife and some friends went into the City offices to find out about a home occupation business in their neighborhood that is a risk to the safety of the neighborhood. He wanted the police to shut down the business and they didn't. The email also states that the employees were rude and disrespectful to his wife and he is demanding a written apology on behalf of his wife. Attorney Petersen questioned if the business has to do with swimming lessons. Council Member Stanley said he didn't know he then read the entire email to the Council.

Attorney Petersen said that there is a business in Pleasant Grove that teaches swimming lessons out of her home. She teaches a very controversial method where the children are young and are left in the water and the children are supposed to figure out how to swim. Attorney Petersen said that it is a scary method to watch because the children struggle trying to figure out how to swim, we have had reports about three years ago and the City took action against her business license and we cited her for violating her home occupation permit and at the time she wasn't certified in the type of lessons that she was teaching. The allegation against her was she was exceeding what she was trained to do as an instructor. The City did a Plea and Abeyance under the condition that she would get certified and follow the program.

Continuing on Attorney Petersen stated that last week Carol Emery, Business Licensing, said that she had received more complaints about the home occupation from some of the neighbors and one from a parent that had seen a child swallow enough water that the child was vomiting. She then said that she believes that the neighbors had spoken with an officer about the incident. Today Ms. Emery said that she had received a GRAMA request from Mrs. Jardine for information on the home occupation and business licensing for Jodi O'Neal. Attorney Petersen said that she cannot speak to who the employee was that Mrs. Jardine had contact with that would have been rude to her.

Next Attorney Petersen said that the new allegations against Ms. O'Neal include too much traffic, too much noise and too many people coming and going for a home occupation along with safety of the children.

Mayor Daniels summarized that there is an email that was sent out to the Council regarding Ms. O'Neal's home occupation permit and business license and we don't have any information on the employee that was rude to Ms. Jardine. He then said that he would respond to Mr. Jardine explaining that the Council had discussed the matter after the Council meeting tonight and the Council is very concerned and would like more information.

Mayor Daniels then reported that he had received a phone call about a lady that lives in our City; her name is Janelle Adams Willburg and she has been attending the Strawberry Days for 85 years. The daughter would like the City to recognize her during the parade. He then suggested that maybe she could ride with him in the parade. Council Member LeMone suggested that maybe she could be recognized at one of the concerts in the park. Administrator Darrington told the Mayor that he would contact Bruce Chesnut, Chair of Strawberry Days, and work something out.

Mayor Daniels asked if there were any further discussion, being none he called for a motion to adjourn.

12) **ADJOURN.**

**ACTION:** At 9:27 p.m. Council Member Stanley moved to adjourn. Council Member Andersen seconded the motion, and the motion passed with the unanimous consent of the Council. The City Council Meeting adjourned at approximately 9:27 p.m.

This certifies that the City Council Minutes of May 27, 2014 are a true, full and correct copy as approved by the City Council on July 1, 2014.

---

Kathy T. Kresser, City Recorder

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