

**Pleasant Grove City
City Council Meeting Minutes
April 21, 2015
6:00 p.m.**

PRESENT:

Council Members: Dianna Andersen
Cyd LeMone Mayor Pro-Tem
Ben Stanley
Cindy Boyd

Staff Present: Deon Giles, Parks and Recreation Director
Scott Darrington, City Administrator
David Larson, Assistant to the City Administrator
Dean Lundell, Finance Director
Mike Smith, Police Chief
Dave Thomas, Fire Chief
Kathy Kresser, City Recorder
Royce Davies, City Planner
John Goodman, Streets Superintendent
Tina Petersen, City Attorney
Degen Lewis, City Engineer
Sheri Britsch, Library and Arts Director

The City Council and staff met in the City Council Chambers at 86 East 10 South, Pleasant Grove, Utah.

1) **CALL TO ORDER**

Mayor Pro-Tem, Cyd LeMone, called the meeting to order, and noted that all Council Members were present. Mayor Daniels was excused from the meeting.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Fire Chief, Dave Thomas.

3) **OPENING REMARKS**

The opening remarks were given by Fire Chief, Mike Smith.

4) **APPROVAL OF AGENDA**

City Administrator, Scott Darrington, noted that Item 10B was continued to April 28, 2015. Item

11A was continued indefinitely. City Recorder, Kathy Kresser, noted that the Minutes from the January 2015, Budget Retreat were not ready for approval tonight and need to be continued. Administrator Darrington noted that Item 9B will take place after Item 8A. Last, Council Member Stanley suggested that Item 9D receive public comment. The Council agreed to the proposed change.

ACTION: Council Member Stanley moved to approve the agenda with the aforementioned changes. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

5) OPEN SESSION

Council Member LeMone opened the open session.

Jennifer Baptista gave her address as 32 North 1300 East. She explained that she has been involved with the proposed BRT project in Orem and Provo. The project pertains to a \$150 million bond and federal grant program. The Commissioners voted 2-to-1 to move the process forward she does not agree or support the project. . Ms. Baptista was one of seven so far that has signed a petition on the referendum. She would be collecting additional signatures from the community over the next 45 days starting on Friday. Over 20,000 signatures are needed from the County.

Donna Jolley gave her address as 1300 East 150 North. She stated that she spoke two weeks ago about the poor condition of her road and is determined to keep addressing the issue. Ms. Jolley showed pictures of the road and stated that at the last meeting she challenged the Council to drive it to see if any of them would want to live there. She stated that the photos show the reality of the situation. City records note that her road burst around December 2. She recounted what occurred and noted that 1400 East also burst around the same time. Construction on other broken roads in the area then took place and some patchwork was done on 1400 East. However, her street, 1300 East, still needs work. Ms. Jolley expressed additional concerns regarding roads and noted that she decided to start a petition on the matter.

Council Member LeMone responded that there are many other citizens in the community, along with the Council, who share Ms. Jolley's concerns. Photos of the aforementioned roads were circulated for review. The petition was left with the Council and made available for additional signatures. Council Member LeMone explained that at the Budget Retreat the Council discussed roads extensively and a Pavement Management Plan had since been put into place in order to move the issue forward. Staff and the elected officials are all taking action to fix the roads in Pleasant Grove. It will be a long process, but the situation was being addressed. The good news from the most recent State Legislative Session was that local governments will be receiving more funding specifically for roads this year.

Council Member Andersen informed those present that House Bill 362 was passed in the most recent State Legislative Session. City Attorney, Tina Petersen, explained that there will be an increase in the Gas Tax, which will generate a few hundred thousand dollars of additional revenue for the roads in the City. Furthermore, the Legislature made it possible for counties to

enact and put on the ballot a \$.0025 option sales tax, which means that every purchase made in the County will be divided between the City, the County and UTA. It was anticipated that this could generate \$400,000 to \$600,000 per year for City roads. This optional tax will go on the ballot and the County will decide whether to include it on the ballot this year or next. That portion of the funding might not be seen until it has been adopted by the voters. The Gas Tax portion, however, will be seen relatively soon.

Council Member Andersen explained that as of now, the City is spending about \$500,000 on roads. The State has made it possible for the City to potentially have up to \$1.5 million of additional road funding per year. Additionally, there are bonds that are retiring. One of the bond payments is \$750,000 annually. Once that bond is paid off, that money will also be included in annual road funds. It could be concluded that the road funding mechanism is definitely growing. Attorney Petersen briefly explained that Ms. Jolley's petition does not have any legal force. It is simply a way for the citizenry to let the elected body know that there are certain individuals who have an interest in a specific topic.

Council Member Boyd addressed Ms. Jolley, and pointed out that the issue of leaks in her road is separate from the big picture and the issues surrounding City roads. The Council indicated that the issue would be studied at over the next week.

Stan Williams, who resides at 175 South 1300 East, asked about secondary water. He commented that as a resident he has limited usage; however, he notices very green yards around town. He was willing to pay for more culinary water and asked if that is acceptable. Council Member Andersen noted that the schools are currently using culinary water for their properties. Residents are welcome to use culinary water for their lawns and gardens. Mr. Williams asked what happens to the excess water that comes out of Battle Creek Reservoir. He asked if it is sold back into a system for water users. Streets Superintendent, John Goodman, explained that the water does not belong to the City at this point. Mr. Williams asked if once the water is used, if it flows back out to Utah Lake, rather than being sold elsewhere. Staff answered in the affirmative. Attorney Petersen added that the City is obligated to continue letting it flow down to Utah Lake as there are water rights in the lake water that have already been determined.

Mr. Williams did not like paying \$40 a month for water he can't use and then being warned by the City that if he does overuse water he will be fined. Mayor Pro-Tem LeMone informed Mr. Williams that he can use culinary water any time and will only be fined if he uses secondary water on a day he isn't scheduled to be watering. The secondary watering schedule is based on the physical address, and will be available on May 1.

Mr. Williams was concerned with the City's emphasis on water conservation, when at the same time there are several high density housing developments that are allotted 5,000 gallons of water per month. In his opinion, as long as the City is able to supply building permits as well as the water needed for new developments there is not really a shortage. A real drought will be evident when a building moratorium is established. Council Member LeMone mentioned that the high density housing West of Macey's will not be using secondary water. Administrator Darrington added that when housing developments come to Pleasant Grove, they are required to bring water to the City to account for the growth.

Council Member Andersen explained that when residents were only using culinary water on their lawns and paying for it, they used 2.2 gallons per minute per acre foot. When a base rate was established and residents were not paying for water by the gallon, but rather by lot size, residents started using 7.7 gallons per minute per acre foot. The City needs to get back to only using 2.2 gallons of water per minute.

There were no further public comments. Council Member LeMone closed the open session.

6) **CONSENT ITEMS**

- a) **City Council and Work Session Minutes:
City Council Minutes for the January 2015 Budget Planning Retreat.
City Council Minutes for the March 17, 2015 Meeting.
City Council Minutes for the March 24, 2015 Joint City Council and Planning Commission Meeting.**
- b) **To consider for approval Payment Request No. 4 for S&L Inc. for the Shannon Fields Softball Complex - Phase 2.**

The consent items were reviewed and discussed. It was noted that the City Council Minutes for the January 2015 Budget Planning Retreat were continued to a future date.

ACTION: Council Member Boyd moved to approve the consent items. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

7) **APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES**

- A) TO CONSIDER FOR APPROVAL THE APPOINTMENT OF PETER STEELE AS PLANNING COMMISSION ALTERNATE MEMBER.**

Mr. Steele's Curriculum Vitae was presented.

ACTION: Council Member Andersen moved that the Council approve the appointment of Peter Steele as the Alternate Member of the Planning Commission. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

8) **PRESENTATIONS**

- A) BIKE AND PARK DESIGN PRESENTATION AND PROPOSAL.**

Parks and Recreation Director, Deon Giles, explained that in 2012, Pleasant Grove City received a grant from the Mountainland Association of Governments (MAG) to produce a Master Trail Plan for the City. The process began in December of 2012. The trails will be bike and pedestrian friendly and will connect various points within the City and the surrounding areas. A year later, Pleasant Grove adopted a Bicycle and Pedestrian Master Plan. In the process, information from previous plans was evaluated and online surveys were conducted. The

information was incorporated into the Bicycle and Pedestrian Master Plan that was adopted in 2013.

One of the plans that was evaluated for the Bicycle and Pedestrian Master Plan was the General Plan from 2007, which listed priorities for trail development at the Battle Creek Trail Head, Bonneville Shoreline Trail Head, and Trail Head Park. The trail development included an upper reach and a lower reach on the Bonneville Shoreline Trail, which accommodates cyclists, pedestrians and equestrian users. The 2009 Transportation Master Plan recommends coordinating an interconnecting trail with the adjacent cities in the County. The 2013 Bicycle and Pedestrian Master Plan suggests connecting the Bonneville Shoreline Trail with Cedar Hills, Lindon, and the Forest Service. The Bike Park would connect the Bonneville Shoreline Trail and the Murdock Trail would connect multiple cities and other trail systems.

It was suggested that the bike park location include the Wade Springs area, due to its proximity to the Murdock Trail, ownership terrain, existing facilities at the Wade Springs Trail Head, and the Murdock Trail. Director Giles also spoke about space for the development of future facilities and a permanent water source. He mentioned that Jason Crowley approached Council Member LeMone about information on where the City is currently at with the Bike Park, as well as the proposal for additional trail development. Since that discussion, regular meetings have occurred in order to come up with a plan.

Director Giles explained that the trail system is a multi-use system. Staff has had discussion with the Forest Service regarding the need for the Bonneville Shoreline Trail along the foothills of Pleasant Grove. One of the major problems the City and Forest Service are having relate to legal issues with neighboring property owners. The City hopes to gain the support of these individuals and the troops to help the City develop the trail system.

Last week, staff attended the first Utah Valley Trail and Bikes Committee Meeting. At the meeting there was representation from MAG, multiple cities, the Forest Service and various bike groups. It was noted that there is a great deal of interest in designing and constructing a multi-use trail along the Wasatch Front, from Draper to Nephi. It was noted that the season is longer for cyclists. However, the further up the canyon where it snows, the season is more limited. The Utah Valley Trail and Bikes Committee will be meeting monthly and the purpose of the committee will be to design trails to connect communities, counties, and forest service lines. MAG offered their services and support for the project.

Director Giles mentioned the support of Lori Harwood who is the Executive Director of the Utah High Schools City Cycling League. She has been a big support of the project. She initiated contact with International Mountain Bike Association (IMBA), and has worked with them on the initial proposal. The current proposal consists of phasing the project. Phase I includes Grove Creek Trail Head, and the Cedar Hills corridor. Phase II will include the Bike Park facility and Phase III will include Battle Creek to Lindon. Phase IV is the biggest hurdle and involves Battle Creek to Grove Creek, due to agreements with the neighboring property owners.

Tonight, Phase I will be discussed as well as the proposal to design all facilities and the development of the Bonneville Shoreline Trail. As funding becomes available, bike park

facilities and amenities will be discussed, such as the parking lot, restrooms, pavilion, tracks, kids' park and the skater park. The trail head and restrooms at Wade Springs, Murdock Trail Head and Grove Creek Trail Head will be utilized until the facility at the Bike Park is complete.

The order of phasing may change due to construction needs along the bottom Bonneville Shoreline Trail. Director Giles presented various bullet points relating to Phase I. Nine locations need to be addressed with regard to off-road access. Staff will need to work closely with the water department, since Wade Springs is a culinary spring.

Director Giles introduced Jason Crowley, the Head Coach of the Pleasant Grove Biking Vikings. Mr. Crowley explained that the trail system will be multi-use. He presented photographs of what the trails and parks will look like. They will not be paved trails, no extra materials will be brought in, and no expansion will occur to the construction that has already taken place in some of these areas. They are single track trails with a few dirt roads, most of which already exist, and are in place for emergency vehicle access. Mr. Crowley stated that IMBA will assist the City with this process, and they are the most recognized trail building group in the world. Pleasant Grove and IMBA will be building sustainable, environmentally-friendly and erosion-resistant trail systems.

Mr. Crowley presented a map of the improved trails that currently exist from American Fork Canyon to Provo Canyon. There is only one gap in North Utah Valley, which is Pleasant Grove's foothills. The map indicated where the Bonneville Shoreline should exist. It should be an improved single track trail that matches either side. The Bonneville Shoreline Trail should run from Nephi to Utah's border with Idaho, which is a distance of 250 miles. This is important because no other trail systems can be accessed from Pleasant Grove without getting on very poor dirt roads.

Mr. Crowley presented concept designs to show what the parks may look like and noted that ultimately IMBA will do the full design. The concept designs show Grove Creek down to the main part of Phase I is projected to end, which is the border with Cedar Hills. Mr. Crowley explained that parking will exist at the 1100 North trail head for the Murdock Canal, the Canyon Road trail head for Murdock Canal, and the Grove Creek trailhead. There have been some concerns that the Grove Creek trailhead will be overflowing. However, the other two trailheads will likely be more desirable for use because they are closer and easier to access. Furthermore, these consist of three existing trailheads, each with bathrooms, and so nothing else needs to be built. If more parking becomes necessary later, Phase II is able to allow expansion and add two more trailheads, if necessary.

Mr. Crowley displayed a map showing neighborhood land ownership. He identified the drainage basin at the mouth of Grove Creek Canyon, and noted that verbal consent has been given to level out the area for event parking. This will ensure that race events do not impact the surrounding neighborhoods. Furthermore, Mr. Crowley stated that all of the other landowners in the area who will be affected by the park have been contacted and provided verbal consent to comply with the plans as outlined. The landowners were excited about the upcoming development and are willing to allow construction at no additional charge. This is a huge donation from approximately half a dozen landowners, comprising both corporations and entities.

Council Member Boyd asked what will be considered the Bonneville Shoreline Trail. Mr. Crowley identified the trail on the map and noted that it will also connect all of the other trails.

Mr. Crowley addressed the question of why this is important and identified three major reasons. The first is that of environmental stewardship. Mr. Crowley explained that the Pleasant Grove foothills corridor is the City's marquis feature. He explained that the foothills corridor is filling up with garbage, couches, and shows signs of ATV destruction. He showed corresponding photographs of the pollution taking place. Furthermore, there are dead animal carcasses, carpeting, and the ATV trails are starting to get wider and rougher. The vast majority of the trails are illegal. Pleasant Grove was supposed to be Utah's City of trees; however, they are lacking in this feature. All of these problems are getting worse every year. Mr. Crowley presented another picture of what the foothills could look like, noting that the picture of the beautiful area in the photo is less than 15 miles away from the littered zone. The area could be opened up to public access, and still be maintained.

Mr. Crowley noted that Murdock Canal and the Grove Creek Trail are popular on any given day. This is the kind of recreation that Pleasant Grove citizens want, as it is the kind of recreation they are using on a daily basis. He acknowledged the vast community support for the project and noted that the room and hallways during the meeting were full. People are willing to donate their time and money to make the project possible. Over \$10,000 has been offered in private sponsorships to help fund the park, and landowners have offered to allow use of their land free of charge.

Mr. Crowley spoke about his team, the Pleasant Grove Biking Vikings. He stated that they have doubled in size and are expanding to 60 riders to include a junior team and around 30 other coaches. Currently they are sharing trails with the American Fork and Lone Peak teams, which equates to about 150 riders plus coaches, all riding one trail system three days a week. Compared to other sports complexes for other types of sports, building a dirt trail system was not asking a lot. Mr. Crowley explained that mountain biking serves as a resource for youth that is underappreciated. This sport picks up youth who fall through cracks and who are not into main stream sports or activities. Currently, Mr. Crowley was working to develop a scholarship for the Hope for Utah Foundation through the Pleasant Grove Hope Squad. The scholarship program will benefit at-risk children in that they will be able to join the team at no cost.

Mr. Crowley presented a document of statistics from the National Forest Service. On average nationally, property values near trail systems increased from 1.0 to 6.5%. 88% of homeowners who live near the Bonneville Shoreline Trail report that they believe the trail has improved the quality of their neighborhood. The National Association of Homebuilders and the National Association of Realtors have also found that respondents rate proximity to trails as the second most important community amenity.

With regard to economic values, Mr. Crowley presented a letter from a Draper City Councilman and noted that Draper City has the Corner Canyon Trail System. It is a massive and very popular trail system. The letter was addressed to the Pleasant Grove City Council and was from Council Member Jeff Stenquist. Mr. Crowley outlined a few key points from the letter including some of the benefits of having a trail system in the City. In the letter, Council Member Stenquist states

that numerous studies show that homebuyers are willing to spend 10% more for a house that is close to parks and trails. Second, trails increase property tax revenues. Third, higher average home values have helped Draper City attract businesses.

Council Member Stenquist indicated in his letter that several people have approached him and stated that they have purchased their home specifically because of the proximity to trails and open space. While higher in the summer and lower in the winter months, at an average of 10 visitors per day to the City's trail, each visitor spends an average of \$10 each visit. As a result of these visits, the City can see approximately \$50 a day in sales tax, and around \$20,000 annually. These figures can be much higher, if visitors choose to stop and visit a retail store. Larger events easily generate \$500 in sales tax revenue per event, and Draper City holds dozens of events each year, including mountain biking, running and equestrian events.

As the City becomes known for hiking and biking, it has supported Draper City's retailers. Just this year, the City has had two new bike stores open, for a total of three in the City. A typical bike store will bring around \$15,000 annually in sales tax revenue. On top of this revenue, Draper City charges a use fee for large events of \$2.00 to \$5.00 per participant. A large event can result in as much as \$500 in fees. Therefore, it makes a lot of sense for Pleasant Grove to look at building a trail system, as it will have several economic benefits. The park will easily cover its own expenses and likely make money for the City in the first year or two.

Mr. Crowley explained that the third reason this project should be prioritized is to make Pleasant Grove a destination City. Currently, Pleasant Grove is a drive-thru City, with the exception of events such as Strawberry Days. However, on a day-to-day basis, there is no reason for anyone to stop in Pleasant Grove. The proposed trail system would change that. One of the features that will be included in the bike park is a race course that will be built to meet the standards of the National Interscholastic Cycling League. He noted that Ms. Harwood was present to represent the State Chapter of that league. The Utah Divisional League has already committed to helping Pleasant Grove build the park and use it as a race venue.

Mr. Crowley presented a short video documenting the 2014 season. The video showed what it would mean to have a yearly high school race in Pleasant Grove. In watching the video, Mr. Crowley asked the Council to pay attention to how large the race was, as well as what the trails look like. Last year there were five events held around the state, represented by 62 high schools and over 600 athletes. This year, the National Interscholastic Cycling League predicts there will be a 30% growth. This will bring in thousands of visitors to Pleasant Grove, all of whom will need gas, food, accommodations, bike repairs, etc. Furthermore, these visitors will get to see the amazing park, and stay in the City for several days and weeks at a time. These events will have a major economic boost for Pleasant Grove and make the City a destination.

This new identity will differentiate Pleasant Grove from other cities and make it more attractive for businesses. Mr. Crowley turned the time over Brad Petersen, the Director of Outdoor Recreation for the State of Utah, representing the Governor's Office.

Mr. Petersen stated that his goals are similar to the goals of Pleasant Grove City. He remarked that it is amazing to see what the recreation infrastructure does for the State. He mentioned that

currently there is a statewide initiative called Envision Utah, which outlines plans for the State as the population doubles over the next 40 years. If the State of Utah does nothing except maintain current recreational assets, it will need about \$450 million. To maintain the State's current level of service, \$2.5 billion will be needed over the 40-year period. To match the growth of recreation, \$3.5 to \$5 billion is needed. Mr. Petersen explained that everything starts at the grassroots level, and all of the aforementioned ways are the best ways to get things going. Furthermore, if the focus shifts to children, parents will join them.

One of the components of the recently passed gas tax law allows cities to use a portion of that funding toward building trails. A \$2 billion fund from the capitol will also go toward funding additional recreational infrastructure, including trails for grant programs. Recreational infrastructure provides a better place for people to live.

Mr. Crowley stated that he believes the project is the very essence of what Pleasant Grove City should be about and noted that it is largely supported by the citizenry. It is economically sound, it promotes public health and wellness, revitalizes and protects the environment, and the funding is derived from sources other than tax dollars. Furthermore, the proposal will bring in enough tax revenue to cover maintenance. Mr. Crowley stated that he has lived in Pleasant Grove his entire life, and he plans to stay for many more mentoring youth through mountain biking. He believed that completion of the project will help heal some of the division that has occurred in the City. In conclusion, Mr. Crowley implored the Council to move forward and approve the project.

Director Giles thanked Mr. Crowley for his time and for bringing ideas to the table. Council Member LeMone stated that in all of her years on the Council she has never met a resident that is more passionate about an issue. She pointed out that Mr. Crowley has spent hours on this project outside of his regular job. She stated that good things happen when passionate residents come forward with a good idea. She thanked Mr. Crowley again for his time, and stated that should that this item move forward, it will benefit many people now and in the future.

Director Giles presented the funding for phase I, which will involve IMBA coming to Pleasant Grove City to teach City personnel how to build a trail. Part of the funding needed will be for design work. The City will also need to provide access barricades, tools, signage, heavy equipment, etc. Phase I will not include the bike park because it is not technically part of the trail system.

Director Giles noted that the cost associated with Phase I is \$31,214. He explained that currently the City has the opportunity to obtain a grant from Utah County in the amount of \$19,204, which will be discussed with the next agenda item. Another group has offered \$5,431 and a private donor has also promised \$5,000. This provides around \$29,635 without any City expenses. Therefore, for Phase I the City is just short about \$1,500, which can easily be drawn from impact fees, which has been set aside already for this type of development. Director Giles explained that he works weekly with Boy Scouts, service groups, churches and businesses on these types of projects. There are several groups that are wanting to move forward and work on this project, and he anticipates that that this project can be completed at a lower price than what has been

presented. This trail system will be beneficial not only for Pleasant Grove residents, but for anyone who visits the City.

The item was brought back to the Council for further discussion. Council Member LeMone commented that the trails in the video presentation look amazing and she wants to ride them. She recognized all of the work that Director Giles has put into the project outside of his regular responsibilities as the Parks and Recreation Director.

Council Member Stanley complimented everyone on their excellent presentation. He stated that with regard to funding, it is difficult to deny such a proposal. The presenters have already answered many questions and it makes it easy to support the project. Council Member Anderson stated that she only had two concerns, parking and cost; however, those questions were already addressed in the presentation. She was stunned by the overwhelming support from the youth at tonight's meeting. Council Member Boyd echoed previous comments made and remarked that there is a lot of volunteerism being represented tonight. Once the matter is approved, she expects everyone present to not only go out and use the trails but help make them possible.

Director Giles commented that one of the principles that comes from the Utah High School Cycling League is that of teaching youth trail responsibility and maintenance, so that they can appreciate the effort that goes into creating these wonderful places. Council Member Andersen added that all of her children play sports. As a result she has spent a great deal of time appreciating and supporting teams. She understands what it means to create a place for children to go after school. Council Member Andersen thanked the parents for their presence at tonight's meeting. Council Member Stanley acknowledged that in addition to those present at the meeting tonight, there has been overwhelming support from residents who have sent emails, made phone calls, and shown their support for the project in other ways.

9) **ACTION ITEMS READY FOR VOTE**

A) TO CONSIDER AWARDING CONDI CONSTRUCTION THE BID FOR THE FY 2014 - 2015 SANITARY SEWER IMPROVEMENT PROJECT LOCATED AT 100 WEST BETWEEN CENTER STREET AND 400 NORTH. *Presenter: Engineer Lewis.*

Note: Item 9A was moved to Item 9B.

Engineer Lewis explained that the City now has the annual sewer budget for the sewer rehabilitation project. The project is located on 100 West between Center Street and 400 North and is a pipe bursting project. A map of the project area was presented. The contractor will pull a U-pipe in through the existing pipe and ultimately leave the new pipe in place of the old pipe. This is a little bit more disruptive as the sewer lining also cuts everyone off for several hours. This will be about a 12-hour project and there will be some traffic restrictions on 100 West. The road will either be closed or have limited traffic access. Council Member Andersen asked if the pipe will be exposed. Engineer Lewis explained that will be exposed only if it is deteriorated.

A minimum of an eight-inch line will be installed. Engineer Lewis explained that the workers will go in through the manhole to complete the project. The size may or may not be increased to

a 10 or 14-inch. Cables will be used to pull the new pipes through the old pipe and the procedure will split the existing pipe into pieces and force it out of the way. Construction will be restricted and will not take place during Strawberry Days. Staff anticipates that basic construction will begin after Strawberry Days. Council Member LeMone reiterated that the Strawberry Days event is the longest running tradition in Pleasant Grove and she wants to ensure that there are no interruptions.

Engineer Lewis explained that there were four different bidders and presented a summary table. The lowest bid was about \$30,000 less than the highest. Staff recommended that the bid be awarded to Condi Construction. It was noted that their base bid was \$365,900. It was noted that this bid was 2% under the City Engineer's estimate. There were a total of four bidders with an average bid of \$405,465.75. Staff checked Condi Construction's license, bonding, and references and found everything to be in order.

ACTION: Council Member Andersen moved that the Council award Condi Construction the bid for the FY 2014 - 2015 Sanitary Sewer Improvement Project located at 100 West between Center Street and 400 North, in the amount of \$365,900.00. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

B) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-010) AUTHORIZING THE PLEASANT GROVE CITY PARKS AND RECREATION DEPARTMENT DIRECTOR TO SUBMIT APPLICATION FOR THE 2015 UTAH COUNTY COMMISSION MUNICIPAL RECREATION GRANT FOR IMPROVEMENTS TO BE MADE TO RECREATIONAL FACILITIES THROUGHOUT THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Giles.*

Note: Item 9B was moved to Item 9A.

Director Giles explained that this is a grant from the County that the Recreation Department applies for each year. The grant is funded through tourism and taxes and are spent on recreation and tourism. Pleasant Grove will spend these funds on the new trail system. The grant application has to be to the County by May 1, 2015. All of the expenditures and invoices subsequently need to be turned into the County for reimbursement by October 30, 2015. The design work will be done by the State. Council Member LeMone asked Director Giles to provide the Council with a projected timeline. Director Giles replied that trail building will likely not begin until the end of this fall. There are some agreements that need to be established between property owners, to ensure that everyone's needs are met. The entire first phase of the project will take about two years.

ACTION: Council Member LeMone moved that the Council adopt Resolution (2015-010) authorizing the Pleasant Grove City Parks and Recreation Department Director to submit application for the 2015 Utah County Commission Municipal Recreation Grant for improvements to be made to recreational facilities throughout the City; and provide for an effective date. Council Member Stanley seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone and Stanley voting "Aye". The motion carried.

Council Member LeMone explained that the Council has given Director Giles permission to move forward in applying for a grant from the Utah County Commission Municipal Recreation grant in the amount of \$19,204. Council Member LeMone asked Director Giles when he will hear whether the application has been approved for funding. Director Giles stated that usually he knows by the end of May whether not the grant was approved. Therefore, ground work should not start until June at the earliest. Council Member LeMone stated that they will announce to the public once the grant has been approved. They will continue to work closely with Mr. Crowley, the appropriate landowners, and IMBA to get the design work started. Council Member LeMone thanked everyone for their attendance at tonight's meeting.

Note: A break was taken at 7:25 p.m.

C) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-011) ADOPTING THE WATER CONSERVATION AWARENESS AND EDUCATION PLAN; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Giles.*

The previous week a presentation was made on the issue, by Mr. Nathan Gerber. Staff was asking for approval of the plan as it was presented. Director Giles noted that the information presented was compiled by the Beautification Committee. Administrator Darrington explained that the Council directed staff to have meters installed on all City-owned facilities. As a result, Administrator Darrington had been working with Greg Woodcox to get this done. Mr. Woodcox was creating a list of properties throughout the City where meters need to be installed. The list will include information on the size of meters needed and the associated costs. The City will likely begin with the largest water users, and staff hoped to have the list prepared within the next couple of weeks. Once prices have been determined, staff will come back for review with the Council.

Council Member LeMone made reference to a one-page information sheet prepared by Administrator Darrington. She requested that this information be included in the Water Conservation Awareness and Education Plan. Administrator Darrington suggested making the information sheet available but it was not necessary to include it with the plan prepared by the Beautification Committee.

Council Member Stanley referred to a budgetary item within the plan that states that \$4,000 per year will be required to reach the goals outlined in the plan. He stated that adopting this budgetary item will be a separate action the Council will need to adopt. Administrator Darrington commented that the \$4,000 per year budget is the recommendation of the Beautification Committee; however, the Council ultimately will decide what the budget will be. It was noted that the plan will begin to be implemented as soon as the necessary troops are rallied. Realistically, implementation could start this year. In fact, many of the items listed in the plan began to be implemented last year, such as distributing watering schedules, etc.

Council Member LeMone asked staff to make the information available on the City website. Council Member LeMone stressed the urgency of the matter since the day the secondary water will officially be turned on (May 1) is approaching quickly.

ACTION: Council Member Stanley moved that the Council adopt a Resolution (2015-011) adopting the Water Conservation Awareness and Education Plan; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone and Stanley voting "Aye". The motion passed with the unanimous consent of the Council.

D) TO CONSIDER FOR APPROVAL THE CREATION OF A WEBSITE ENHANCEMENT AD-HOC COMMITTEE AND APPOINTING COUNCIL MEMBER CYD LEMONE AS CHAIR.

Note: A request was made that this item receive public comment.

Administrator Darrington explained that normally when committees are set up for these types of purposes, they are arranged on an administrative level. In other words, they are set up internally with employees. This has been done in the past, specifically with regard to the website. Each department has a representative who meets with the webmaster and they discuss ways to improve the website and how to make it more user friendly. Therefore, forming this type of committee is not a unique situation. The difference was that there may be citizens in the community who will be interested in being part of the committee as well. There will be a small cost associated with the committee, relative to the webmaster's time. The small cost was expected to be around \$150 a month, which, in Administrator Darrington's opinion, is not drastic.

Administrator Darrington explained that he was not present at last week's meeting, however, he received e-mail correspondence from a Council Member who expressed concern about the cost of the committee. Administrator Darrington requested that the Council allow staff to assemble the committee administratively since this would be a simpler process. Council Member Boyd suggested that staff and the elected officials ask residents to volunteer to serve on the committee. Administrator Darrington was not sure if there would be enough public interest to recruit even a handful of citizens to participate in this type of committee. Council Member Stanley thought Administrator Darrington's suggestion made a lot of sense. He was comfortable moving the committee forward at the administrative level.

Administrator Darrington explained that typically when forming these types of committees, staff identifies specific residents who may be interested in participating. Staff then contacts those individuals, rather than making a general solicitation. Administrator Darrington was of the opinion that this is not a political issue, therefore, an open invitation to the general public would not be necessary. Currently, there are several staff members and at least one Council Member interested in approaching the issue by way of a committee. If there is additional interest from the Council to participate, staff suggested that the number of Council participants be limited to two. Putting more than two Council Members on a committee would require an open forum take place.

Council Member LeMone opened the matter for public discussion.

Molly Andrew commented that she did not care who does the job, as long as it gets done. She commented that the website is not user friendly and needs improvements. She explained that the

older generation in the community likely has a more difficult time navigating the website. Administrator Darrington agreed and stated staff contact information should be more available to residents while protecting staff at the same time. Ms. Andrew commented that the website is not well organized.

Andy Weight gave his address as 425 South 1100 East and expressed appreciated for how the item had been addressed. He did not feel it needs to be blown into a big political issue, but rather be solved at the administrative level. He inquired as to how a committee would change the contract currently established with the City's website administrator.

Administrator Darrington explained the City pays an individual \$25 per hour to manage the website and they never reach a threshold of \$2,000 per month. There have only been a couple of months in the last two years he has contracted with the City, where the City has reached that threshold. This instance occurred when the City was essentially rebuilding the back end of the web site. It was a major overhaul and took a lot of time. In a given month, the contractor typically works around 20 hours. Any time the City sends something to the webmaster, he is able to put it on the web site that same night.

Council Member Stanley stated that last week he asked staff to provide information on the City's website traffic flow and followed up with staff to see if this information was available. Administrator Darrington mentioned that he spoke to the webmaster about a year ago and recalled that while this information was collected, it may have never been forwarded to the Council. Administrator Darrington agreed to follow up on the matter.

In response to a question from Council Member Andersen, Administrator Darrington stated that interested individuals in the community who want to participate on the committee can contact him for additional information. Council Member LeMone remarked that she has already had several people contact her. She knows of about six people already who want to be involved. Administrator Darrington pointed out that the commitment will be around two hours a week. Council Member LeMone reiterated that she is interested in participating in the committee and agreed to meet with staff to determine the best time for the committee to meet.

There were no further public comments. Council Member LeMone closed the public discussion.

10) **ACTION ITEMS WITH PUBLIC DISCUSSION**

- A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-15) ENACTING SECTION 3-3E OF THE PLEASANT GROVE CITY CODE ADOPTING A FRANCHISE FEE UPON THE CITY UTILITIES FOR USE OF CITY STREETS, ESTABLISHING THE MAXIMUM RATE, AND OTHER RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. CITY WIDE. *Presenter: Administrator Darrington.***

Administrator Darrington explained that the State Auditor communicated to cities that they need to account for the utilities they are using because the City's enterprise funds need to charge the General Fund for the use of the services. It was noted that this issue is more of a bookkeeping

item. If the City's utilities are in a City road, the City will charge a 6% franchise fee. In order to account for this, cities are doing one of two things. They can either opt to hold a public hearing at the end of each year and then transfer funds from the enterprise funds to the General Fund or charge themselves as a City a franchise fee. Staff believed the second option would be easier for Pleasant Grove, as it will be a method that will continue in perpetuity. The General Fund will charge the enterprise funds for using City streets and the franchise fee will cover the loss in the General Fund.

The ordinance suggests that a rate of up to 3% be set that will likely be adjusted each year. This will be done to make sure that the General Fund stays whole on the franchise fee issue. Administrator Darrington stated that this is more of an accounting issue and the new process will be put in place to ensure that the money stays where it has always been. This procedure also satisfies what is being requested by the State Auditor. Administrator Darrington explained that this item was brought up during the budget retreat in January and there have been several subsequent discussions on the matter. This is something the State will look for during the current budget year; therefore, staff wants to get this procedure implemented right away.

Council Member Boyd asked if this method would improve the City's bond rating. Administrator Darrington explained that the purpose of the new procedure is more to satisfy a requirement requested by the State Auditor. He noted that Pleasant Grove usually has a clean audit each year. This is definitely an issue that will come up in the audit that will take place in the fall.

Council Member LeMone opened the public hearing. There were no public comments. Council Member LeMone close to the public hearing.

ACTION: Council Member Boyd moved that the Council adopt an Ordinance (2015-15) enacting Section 3-3E of the Pleasant Grove City Code adopting a franchise fee upon the City utilities for use of City streets, establishing the maximum rate, and other related matters; and provide for an effective date. A public hearing was held. Council Member Stanley seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone, and Stanley voting "Aye". The motion carried.

B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-16) AMENDING THE PLEASANT GROVE CITY MUNICIPAL CODE SECTION 10-14-24-1-C: "PERMITTED AND CONDITIONAL USES" TO ALLOW RECEPTION CENTERS IN THE GROVE ZONE COMMERCIAL SALES SUBDISTRICT. SAM WHITE'S LANE NEIGHBORHOOD. ALAN HIGGLEDY, APPLICANT. Presenter: Director Young *Note: This item will be continued to the April 28, 2015 Meeting.

Attorney Petersen requested that a formal motion be taken on this item, since it was noticed as a public hearing.

ACTION: Council Member Boyd moved to continue Item 10B to the April 28, 2015 meeting. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

C) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-17) TO REZONE APPROXIMATELY 5.56 ACRES BY APPLYING THE RESIDENTIAL AGRICULTURE OVERLAY (RAO) TO PROPERTIES LOCATED AT APPROXIMATELY 4145 NORTH AND 4097 NORTH 900 WEST IN THE R-R (RURAL RESIDENTIAL) ZONE. MANILA NEIGHBORHOOD. Abigail Fowls, Applicant. *Presenter: City Planner, Royce Davies.*

City Planner, Royce Davies, presented the staff report and displayed an aerial map of the subject property. In late 2014, the applicant approached the City with a proposal to modify buildings on lots located at approximately 4097 North and 4145 North 900 West. The modifications were intended to maintain a rural feel on the property and allow for maintenance of a rural aesthetic. In the course of determining the best course of action for the development, staff was challenged with applying residential regulations designed for the residential zone in which the lots are found while still maintaining a rural feel on the properties. Because of this challenge, staff recommended that the applicant explore the possibility of applying a Residential Agriculture Overlay (RAO) to the property, which would allow for the current rural use of the property to be more easily maintained now and in the future.

The applicant requested that the properties be rezoned to apply the RAO that will allow for maintenance of rural activities and aesthetics on properties located at approximately 4097 North and 4145 North 900 West in the R-R (Rural Residential) the Zone. The proposed rezone was the result of the applicant's desire to protect the current rural use and feel of their two properties, while providing for possible expansion of rural uses in the future. The minimum lot size requirement for standalone properties in the RAO is two acres. However, if the property is adjacent to another property already in the RAO, it may be less than two acres. Both properties are approximately 2.78 acres, which exceeds the minimum two-acre requirement.

The City Code establishes the following concerning the RAO:

"The existing agricultural land in Pleasant Grove makes an important contribution to the quality of life within the City by preserving open space, providing diversity in the economy and the use of land within the City, and preserving an important part of the heritage of the City. The residential agriculture overlay is designed to encourage the preservation of agricultural uses within the City to the extent that they are compatible with residential uses."

Mr. Davies explained that because the applicant's property is so large, and because of the distribution of the buildings on the property, staff recommended that the applicant apply for the RAO. There was further review of the aerial map of the subject property. Mr. Davies identified existing structures on the subject properties. In looking at the properties, there are have been a lot of issues with the current rural residential zoning. It seemed like every time an applicant comes in, modifications need to be made to the Code to make their situation work.

Mr. Davies explained that the applicant wants to rebuild the home that is currently on the property. Staff reviewed a more loose interpretation of the Code and decided that as long as the accessory building is behind the 30 feet required from setback, it is permitted to be in front of the primary structure or home. Mr. Davies explained that this is a unique allowance for the property. Furthermore, there are structures that are either existing or will be built that exceed the height that is currently allowed for an accessory structure in the Rural Residential Zone.

In order to exceed that height, the RAO allows up to 35 feet, provided that the applicant obtains a conditional use permit from the Planning Commission. For these reasons, along with other agricultural uses, this will provide the applicant the opportunity to maintain a rural feel. This area is also a very low density residential area for the General Plan, and therefore the proposal lends itself to this type of use. For all these reasons, staff recommended approval of the proposal. On April 9, 2015, the Planning Commission recommended that the City Council approve the proposed rezone.

Council Member Boyd commented that this situation is similar to what occurred on the Fugal property on 1100 North. She considered this to be a win-win situation for keeping the area near the canal agricultural and rural residential. She remarked that this is a great development for the area. Council Member Andersen agreed.

Council Member LeMone opened the public hearing. There were no public comments. Council Member LeMone closed the public hearing.

ACTION: Council Member Boyd moved that the Council adopt an Ordinance (2015-17) to rezone approximately 5.56 acres by applying the Residential Agriculture Overlay (RAO) to properties located at approximately 4145 North and 4097 North 900 West in the R-R (Rural Residential) Zone. A public hearing was held. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Boyd, Andersen, LeMone and Stanley voting "Aye". The motion carried.

D) DISCUSSION AND POSSIBLE ACTION REGARDING THE INSTALLATION OF A SEWER LINE IN 4000 NORTH. *Presenter: Administrator Darrington.*

Administrator Darrington explained that this issue has been ongoing for a long time. Staff has been working to collect and present as much information as possible to the Council, to make sure they are fully informed. Currently staff is focused on making sure that residents who live along 4000 North have access to sewer services. There are other residents who live in the Manila area that use septic tanks and don't have access to sewer. The next discussion will be how to accommodate those residents; however, for tonight's purposes the discussion will primarily focus on 4000 North.

Administrator Darrington reported that he has been employed by the City for five years. As a result, most of his knowledge dates back to around 2010. During that time, Administrator Darrington has done extensive research and has been unable to pinpoint specific agreements or contracts between Pleasant Grove and Cedar Hills. Therefore, it is the Council's job to interpret the research presented.

Minutes from a meeting held on November 4, 1998, were presented. Administrator Darrington commented that the minutes paint a good picture of the issue. In the minutes, as a resident, Cindy Boyd expressed concern and noted that she had already been working on the issue for two years at that point. The minutes also indicated that there would initially be one project that would provide sewer from part of 2600 North, part of 900 West, and Wedgewood Drive, which is a small subdivision located North of 4000 North, in the middle of several Cedar Hills properties.

Council Member LeMone asked if there was any audio available from the meetings. Staff stated that no audio was available, just written minutes. In 1998, the project was put out to bid, however, it came back as being too expensive to complete all of the improvements. Therefore, the project was broken up into different phases. Phase I included part of 2600 North, 900 West, and Wedgewood Drive. The minutes state that these were designated priorities because there were two water wells in the area they wanted to protect from the septic. The minutes did not mention whether the wells were City-owned or privately owned.

Engineer Lewis presented an aerial map of the subject properties. Administrator Darrington commented that he created a separate Dropbox folder that contains all of the documents he has pertaining to this issue over the last five years. The documents show that Phase I was paid for by the City. The intent was to charge residents a front foot fee to connect to the line. That money could then be used to fund Phases II and III. The front foot fee looks at a lot, assesses the street frontage, and determines an amount to charge per foot. This amount is then used to pay for the sewer. Phases II and III were never finished and staff did not know what happened during that process. Administrator Darrington recalled that John Schiess had a map from 1998 that showed that a line was to be installed at 4000 North.

In response to a question from a member of the audience, Administrator Darrington noted that the sewer is owned by the Timpanogos Special Services District (TSSD). TSSD is a service district to which all neighboring cities belong. The audience member expressed frustration regarding the battle over sewer services.

Administrator Darrington was not sure whether the front foot fee was ever collected. Council Member Boyd recalled that residents did not pay for the sewer in the street, however, they did pay for sewer to the lateral. At the time of the agreements, the City offered to have residents pay an upfront cost for future hookups. The City has been holding that money since 1998 and the residents who paid the cost have not yet been able to connect to sewer. It was recommended that the City consider that those people have paid that money as a commitment to Pleasant Grove.

Administrator Darrington acknowledged that many were told by the City that the sewer line would be put in. However, the problem remains that staff cannot find any binding documentation or agreements to that effect. Council Member Boyd reviewed the process by which the item would be reviewed and discussed. She stressed that while she represents the Manila Neighborhood, she feels this item benefits all area residents and she was elected to represent them. When the time comes to discuss financial matters pertaining to this item, Council Member Boyd would recuse herself from the discussion. At this point, however, she felt it was appropriate for her to participate.

Administrator Darrington stated that it is his responsibility to be fair to the process and present what has been documented. Council Member Jim Danklef stated that in the November 4, 1998 Council Meeting, that he had issues with certain residents who wanted to make boundary adjustments with Cedar Hills. This indicates that at the time there were some residents who indicated an interest in boundary adjusting into Cedar Hills. This wasn't just for 4000 North, but rather it applied to the entire project. This same Council Member also expressed concerns with the duplication of services. Administrator Darrington stated that, from his perspective, what was put in during Phase I was not considered a duplication of services.

Council Member Boyd stated that there was some duplication, however, it came afterwards. There was some sewer installed up to approximately 4354 North. Later, based on some development, Cedar Hills put in additional sewer, but it was only a few feet. It is not redundant anywhere else. In the meeting, Mayor Ed Sanderson indicated that the City committed that to the residents and agreed to take care of them and treat them like citizens of Pleasant Grove.

Attorney Petersen stated that she also found minutes from March 18, 1998. These minutes further addressed the issue of duplication of services. These were Special Meeting minutes and addressed the annexation of the proposed Manila township area. Attorney Petersen was under the impression that the annexation was specifically referring to the North portion of the Manila township area. Mayor Sanderson asked Mr. Frank Mills to explain the sewer situation after residents Nicholas and Anne Wells had asked whether or not Pleasant Grove City would be able to get sewer lines out there to service the citizens. According to the meeting minutes, Mr. Mills explained how the City would finance a sewer line into the area. He assured those present that there would not be any problem running lines there and under the Provo River aqueduct. He anticipated that it would cost the citizens in the area approximately \$24 per foot. Attorney Petersen explained that usually the City charges a front foot fee along the frontage of one's property.

Later on in the March 18, 1998 meeting, after talking about duplication of services, a resident expressed concern with double services. Mayor Sanderson replied that he expected at some time there to be two sets of sewer lines down the same street; one that will service Cedar Hills and one that will service Pleasant Grove. Attorney Petersen believed he made that statement based on the fact that he had been trying to work the issue out for two or three years. Progress with Cedar Hills simply was not being made.

Administrator Darrington recalled that sometime between 2008 and 2009, Cedar Hills and Pleasant Grove came close to reaching an agreement on resolving the issue. The issue, however, always came back to the boundary adjustments. The issue was that in order for Pleasant Grove residents to connect to the 4000 North sewer, which is owned by Cedar Hills, they must agree to boundary adjust into Cedar Hills when the transfer of property ownership occurs. This had never been an acceptable arrangement for Pleasant Grove.

Council Member Boyd presented a letter that Mayor Sanderson wrote to all of the citizens of the Manila area at that time of the township. The letter was dated March 13, 1998. The letter she presented was an original copy with the Mayor's signature. The letter was addressed to Council Member Boyd's mother. Everyone in the area received the same letter. Council Member Boyd

noted that there were two annexations that took place into Pleasant Grove. She provided a brief overview of the annexations that occurred and then read the letter to those in attendance. The letter essentially detailed efforts the City was making at the time to work with Cedar Hills to provide sewer services for the residents living in the Manila area. Administrator Darrington asked for a copy of the letter.

Administrator Darrington recalled that in 2010, this item returned to the City Council for further discussion. As Administrator Darrington became familiar with the issue, he presented three options to the City Council. On August 9, 2010, he proposed that the City agree to Cedar Hills' stipulations surrounding the boundary adjustment at the time of property ownership. The second option was for Pleasant Grove to work out a deal with Cedar Hills to buy into their sewer line. The third option was for Pleasant Grove put in their own infrastructure. At the time they estimated that a new sewer line just for residents along 4000 North would cost approximately \$312,812. For all the sewer improvements north of the canal, the estimated cost was \$2.2 million. The City Council would make a decision on the matter based on feedback they receive from the area residents. Administrator Darrington advised the Council that if the City pays for the sewer to go in at 4000 North, there will be additional expectations beyond just 4000 North. He also pointed out that these estimated figures were from five years ago and the numbers have likely increased by about 20%.

Council Member LeMone asked how many homes would be affected by the \$2.2 million expense. Council Member Boyd stated that there are currently around 120 homes there; however, the zoning will determine how many homes there will be once the area is built out. In 2010, the City Council indicated that they wanted to pursue the second option. Over the next year or so, Administrator Darrington brought the issue back to the Council and outlined several policy issues. The first question was how setting this precedent would affect everyone else and if it would be impact the entire City and not just this one neighborhood.

Administrator Darrington stated that there is a map that shows where all of the septic systems in the City are located. A majority of them are north of the canal. There are, however, other pockets within the City. The same residents who live elsewhere other than north of the canal could come back and ask for the same thing. The main difference was that the Manila area where the 4000 North sewer is located, was annexed, whereas the other areas within the City were not.

A precedent was set at 900 West when the City established a special improvement district to pay for the improvements that went in that area. Through the special improvement district, the residents paid for a portion of the improvements. Administrator Darrington emphasized that there have been several points throughout the years when the Council has discussed the option of trying to negotiate an arrangement with Cedar Hills. The need is always identified and the City keeps deciding to try to keep working with them.

On August 22, 2011, Pleasant Grove received a letter from Cedar Hills. It was sent in response to a letter Pleasant Grove sent to Cedar Hills asking them to come up with some kind of an agreement so that Pleasant Grove could have some ownership in the sewer line. In their letter, Cedar Hills provided the same response. Cedar Hills kept the stipulation of a boundary

adjustment as their main baseline. However, every single time this option came back to the Pleasant Grove City Council, they reject it.

Pleasant Grove sent another letter to Cedar Hills dated November 8, 2011, with a different proposal. The proposal was for Cedar Hills to allow Pleasant Grove residents hook onto the 4000 North sewer in exchange for Pleasant Grove purchasing all or a portion of the pipe. Pleasant Grove expressed a willingness to work out a type of rental agreement in which Cedar Hills would maintain ownership of the pipe, but Pleasant Grove would pay a rental fee to allow their residents to connect. Pleasant Grove had consistently throughout the years tried to come up with a solution that did not involve constructing a separate sewer line.

Pleasant Grove sent an official proposal to Cedar Hills sometime between November 2011 and February 2013. They suggested that Pleasant Grove either establish an agreement in perpetuity, or enter into a 99-year agreement; whichever was more legally viable. Pleasant Grove City offered to pay half of the estimated construction costs, which at that time was \$164,406. Even if this was half ownership through a rental agreement, it was something the City Council at the time was willing to pay.

The proposal suggested that Cedar Hills receive the impact fees from Pleasant Grove residents and Pleasant Grove homeowners would pay for the lateral. The billing would be done through Pleasant Grove and then subsequently passed on to Cedar Hills. Cedar Hills would be responsible for future maintenance or replacement costs. Therefore, if they planned to maintain ownership or simply rent the line, this would be their cost. The agreement could not be terminated unless both parties agree, which was also a big part of the proposal. In exchange, the Pleasant Grove residents could connect to the line at their convenience.

In response to the proposal, Cedar Hills sent a counter proposal. The counter proposal letter was dated February of 2012. Cedar Hills offered to grant 13 laterals for 50 years, and they wanted Pleasant Grove to pay \$250,000 for the right to connect. Furthermore, they opted for the rental option, as was suggested by Pleasant Grove. They did not want to deal with granting a portion of the sewer ownership to Pleasant Grove. Pleasant Grove would pay Cedar Hills for additional costs for sewer treatments, because the line discharges into the Cedar Hills system. Therefore, Cedar Hills would end up paying a higher fee to TSSD. Since the added treatments would be a result of Pleasant Grove users, Pleasant Grove would then be required to reimburse Cedar Hills for that additional cost, which would be minimal.

Administrator Darrington made mention of a conflict that occurred between a Pleasant Grove resident and Cedar Hills City. There were issues pertaining to the gentleman's sewer, however, Cedar Hills could not use water shut-off as leverage for payment, because he was using Pleasant Grove water.

Administrator Darrington explained that in 2008 and 2009, at least the two cities were beginning to discuss numbers, and were close to making a deal. At that point, they also had a change in leadership. The Cedar Hills City Manager and the Mayor both left. Both were the two main people Pleasant Grove had been working with on the matter. At one point, Administrator

Darrington and Mayor Bruce Call went to a Cedar Hills Council Meeting and had some additional discussion.

When this shift in leadership occurred, a joint meeting was held on the matter in the Pleasant Grove City Council Chambers. Administrator Darrington recalled that at this meeting, Cedar Hills was focused more on the issue of public safety. Pleasant Grove has its own fire and police departments, whereas Cedar Hills is part of Lone Peak, which is the County's dispatch. Cedar Hills wanted to make a point that emergency services can be difficult because some roads have different nameplates, and it can be challenging to determine which homes belong in which City. Furthermore, there are some residents in Pleasant Grove who are closer to the emergency services in Cedar Hills than are provided by Pleasant Grove. In other words, Cedar Hills would be able to provide a quicker response time in emergency situations than Pleasant Grove in some situations for residents living closer to Cedar Hills. In speaking about public safety in that joint meeting, Council Member Boyd realized they have a different level of service expectation than Cedar Hills. As a result of this discussion, Pleasant Grove offered to provide joint emergency services to Cedar Hills as part of an agreement for the sewer. This particular discussion took place in June 2013.

Pleasant Grove sent another letter to Cedar Hills dated October 8, 2014, on behalf of the current Mayor and City Council. Pleasant Grove requested that staff reengage with Cedar Hills to purchase a portion of the 4000 North sewer line, which prompted the letter that was sent. The letter stated that Pleasant Grove was willing to pay \$164,406 to allow Pleasant Grove residents to connect to the sewer line. Cedar Hills did not respond to the letter. Administrator Darrington had conversations with their City Manager; however, the decision always rests with the City Council. During the Budget Retreat in January of 2015, Mayor Daniels stated that the item needs to be put on an agenda and a decision made once and for all. Pleasant Grove could not wait on Cedar Hills another 20 years.

As of this morning, staff met with two members of the Cedar Hills City Council. Council Member Boyd and Council Member LeMone were both at that meeting, as well as the Cedar Hills City Manager and Mayor. Administrator Darrington explained that the issue with these types of meetings is that a majority presence of the governing bodies was not in attendance. They were however, able to get the opinion of two Council Members, which was helpful. At this point, it seemed that Cedar Hills has a couple of issues with Pleasant Grove that are not related to 4000 North sewer. These are issues date back 10 to 20 years. Some of the decisions were made by Pleasant Grove and could affect Cedar Hills in the future. Cedar Hills wants Pleasant Grove to address these issues in exchange for letting Pleasant Grove hook on to their sewer. Cedar Hills was simply using the 4000 North sewer as leverage.

A formal proposal from Cedar Hills had not yet been received. However, as for the discussion that took place earlier, staff had an idea of what Cedar Hills was looking for in order to allow Pleasant Grove to connect to the line. The two Cedar Hills Council Members indicated earlier in the day that annexing into Cedar Hills is not a big deal, which is a shift from previous dialogue. Administrator Darrington emphasized that staff wants to work with Cedar Hills on their request.

The new estimate for connecting to the line was \$382,934. The Council asked staff to provide a breakdown of how much it would cost residents per month to pay for a portion of the sewer line, over the course of 10 years. One way to do this was for the City to front the cost and then for the residents to turnaround and reimburse the City over the course of the 10-year period. The residents who would pay back the City would be part of a special service district. It was noted that 10 years is a typical timeframe for these types of issues. The interest rate would depend on what the City feels would be appropriate and what they would be comfortable charging.

If the City pays 90% of the cost and the residents pay 10%, the residents would be paying an extra \$36.98 per month for 10 years. This does not account for what they would need to pay for the lateral. In one discussion, consideration was made for the City to pay for the laterals to go in. However, a certain percentage would be reimbursed by the citizens, which would allow them to connect right away. If the residents were to pay for 20% of the line, they would instead pay \$74 per month for 10 years. If the residents to pay for 100% of the costs associated with the project, it would cost them around \$370 per month for 10 years. If the special assessment area is created, the citizens who live there will have to vote on the matter. More than 50% of the residents will need to indicate that they are willing to move forward with the plan. The amount spent by the City and the citizens will be determined by the City Council.

There were a few issues that were outstanding and legal in nature. In Administrator Darrington's opinion, if the City were to pursue those options, they would be in a full-fledged lawsuit with Cedar Hills. If the Council wants to discuss each item in detail, they should do so in an Executive Session. One issue pertained to eminent domain with Cedar Hills. Attorney Petersen had discussed this option with several other lawyers, who all had different opinions. Administrator Darrington felt this route could potentially lead to a lawsuit. The other issue related to ownership of the pipe. The pipe was installed by PRI, which is the real estate arm of the LDS church. There is a church just east of 4000 North, and Cedar Hills requires them to provide services. This is the reason the line went in on 4000 North in the first place. Something occurred between the time the matter was initially discussed and when the infrastructure was installed because that particular church is now being serviced by a different line.

Currently there are only three people connected to the line and they are all located on the west end. Part of the frustration from the City's point of view, was that there are several Pleasant Grove residents who need sewer and could receive services from the line. The line is simply not being used otherwise. In speaking with Mr. Schiess, he indicated that he is not sure who owns the lines, PRI or Cedar Hills. Typically when a developer installs infrastructure, they deed all of the utilities to the City. Therefore, it is most likely that Cedar Hills owns the lines, however, this information should be verified.

Council Member Boyd noted that the sewer was put in not just for the church, but for all of the residents who live in the neighboring developments on the east side of the road. Council Member Boyd reviewed additional history of the sewer lines owned by Cedar Hills, which led to 4000 North not being used. Administrator Darrington explained that when the line was put in, the area was the Manila Township, and had not yet been annexed into Pleasant Grove. Council Member LeMone asked if the County would have record of this information. Staff replied that the County would not have any record of whether a developer was deeding infrastructure to the

City. Cedar Hills might have some records with this information; however, despite requests from Pleasant Grove, they had not provided documentation.

Attorney Petersen discouraged the Council from pursuing the question of ownership of the pipe. She explained that once the pipe was put in and accepted by Cedar Hills, it would have been legally constituted as dedicated to Cedar Hills City. Therefore, this was not something Pleasant Grove would want to spend time pursuing.

The Council thanked Administrator Darrington for his presentation. Council Member Boyd commented that she felt the meeting this morning with Cedar Hills was fairly productive. She was of the opinion that Pleasant Grove has done their due diligence to work the Cedar Hills over the years; however, all of the efforts have been to no avail. She felt that the decision was not so much about the sewer, but about the commitment to the citizens who live north of the canal. This is a commitment that was made nearly 18 years ago. Council Member Boyd spoke about the pride all Pleasant Grove citizens feel for their City. She expressed the importance of following through on this commitment to the citizens who have been promised these services.

Council Member Boyd presented her property taxes, and noted that over the past 17 years, she has collectively paid over \$4,000 in property taxes to Pleasant Grove City. Therefore, Pleasant Grove has received over \$470,000 collectively over the past 17 years from all of the residents who live north of the canal. When considering the first annexation on 2600 North, it is quite a bit more property tax dollars than have been paid to Pleasant Grove City over the years. For this money, Pleasant Grove residents are getting incredible services, namely public safety services. Council Member Boyd reiterated the importance of communicating a specific commitment to the citizens tonight.

Council Member LeMone opened the discussion to the public.

Gordon Olson explained that at one point in time a former Mayor and City Administrator decided to allow a one-year grace period for residents to decide which City that they would adjoin themselves with; Cedar Hills or Pleasant Grove. City leadership constructed a letter on this issue, which was highly publicized and advertised in the newspaper.

Council Member Boyd explained that this proposal was included in the letter from Mayor Sanderson, which she read earlier. Mayor Sanderson distributed the letter to all of the citizens being affected and outlined his commitment to them. Mr. Olson asked if this offer was still valid. Council Member Boyd replied that in her opinion it should still be valid. Mr. Olson and Attorney Petersen both agreed that it should still be binding. Attorney Petersen explained, that councils cannot bind previous councils with regard to budgetary issues. While the commitment to provide services is still in force, the current Council is not bound by the previous commitment to spend \$382,000 to put in a sewer line at no cost to the citizens. Mr. Olson agreed that the financial details are a separate discussion.

Scott Richards gave his address as 4354 North 900 West and stated that he had been in the area for eight years, has studied the history, and knows people in the area who have been involved with this issue. Mr. Richards explained that he spent a long time deciding where to live, and he

decided on Pleasant Grove because it was where he was most comfortable. Everyone who has chosen to live in Pleasant Grove feels the same way. He also studied the issues as best as he could with regard to the Manila Township, the annexation, and all of the problems associated with it. He noted that some of the frustrations still fester today. Mr. Richards continued to speak about the history of the area. Mr. Richards commented that oftentimes there are misunderstandings that occur because people don't take the time to educate themselves properly on important issues.

Mr. Richards presented a petition he started a few days earlier and noted that at this point he had already collected over 90 signatures. He submitted a copy to the Council for review and left one for the public record as well. Those who signed the petition are in support of moving forward with a decision on the sewer. Mr. Richards stated that it is time for the City to stand up and do the right thing. While the current Council is not obligated to move forward with a commitment made by a previous Council, it is still the City's responsibility to provide services to its citizens. He felt that Pleasant Grove can and should still work out their differences with Cedar Hills and encourage them to come to the table for discussion.

Note: The Council took a break at 9:25 p.m.

Ralph Levine gave his address as 866 West 4000 North and explained that at one point, his ground became too saturated and could not take it anymore, which caused his septic tank to fail. When a septic tank fails within 300 feet of a sewer line, federal law mandates that a household hook onto a sewer line. In response to a question from Council Member LeMone, Mr. Levine explained that his septic tank was very old when it failed. When the incident occurred, Cedar Hills started charging him eight times more than they normally would because he wasn't a Cedar Hills resident. He started getting bills for around \$600 a month. He refused to pay them because no one should have to pay that much for sewer. The bills started to accumulate and eventually he racked up a \$10,000 bill.

At that point, Cedar Hills decided to take legal action against Mr. Levine. In response to their actions, Mr. Levine called Matt Gephardt to investigate. Mr. Gephardt then did a segment on Cedar Hills and their practices. This was an embarrassment to Cedar Hills and they ended up going a different route in order to save face. Mr. Gephardt was very frustrated with the fact that there was already a sewer line in place and that the line had been given to Cedar Hills. Their City didn't even have to pay for it in the first place. Mr. Levine felt strongly that Pleasant Grove should not have to pay additional expense for an additional line, because the resource is already available. Mr. Levine suggested the City involve Mr. Gephardt again in this ongoing situation which still, after 18 years, has not been resolved. He reiterated that in his own personal situation, Cedar Hills peacefully resolved the situation in order to save face. That is the power of the media. Mr. Levine stressed that Cedar Hills still has not done right by the citizens.

Gilbert Atkinson, a Canyon Road resident, stated that he lives next to the Cedar Hills Fire Station and stated that he has had nothing but trouble with Cedar Hills for the last 35 years. Several years ago the mayor of Cedar Hills trespassed on Mr. Atkinson's property. When asked what he was doing, the Mayor replied that he was surveying the property for a City Park. Mr. Atkinson informed the Mayor that the property he was surveying was private and did not belong to the

City. The Mayor informed Mr. Atkinson, that he could simply give his property to the City. Mr. Atkinson used this as an example to explain how Cedar Hills functions in their dealings with the public.

Dennis Thayne gave his address as 4087 Canyon Road and inquired about the fees Administrator Darrington presented earlier. Administrator Darrington explained that the City has record of the \$265 hook on fee, however, they don't have record of the front foot fee. There was further discussion about the fees that other residents have paid. Some residents paid around \$20,000 to connect. Administrator Darrington explained that the lateral fees would have been paid to a third party contractor, which is the cost to run a line from the main trunk line to private residences. This expense is the resident's responsibility. Mr. Thayne explained that he has built other homes on 4000 North which he has never been able to connect to anything. He has paid for three laterals that can hook to nothing, which has cost him around \$60,000.

Attorney Petersen clarified that according to the City's records, no residents in the area or on 900 West have paid Pleasant Grove City for sewer main trunk lines. The front foot fee on 900 West, although it was discussed, was never actually implemented. Therefore, citizens were never charged. When there is a sewer main in the street and a resident wants to connect to it, they pay a third party contractor to construct a lateral from their home to the line. Therefore, the expenses to which the residents were referring, were all paid to third party contractors.

Council Member LeMone asked citizens if they paid the hookup fees with a knowledge that they would be able to gain access to the sewer services. The citizens in the room answered in the affirmative. A gentleman from the audience explained that they were told that if they paid the fees in advance, it would be to their advantage because it would save them money.

Andy Weight gave his address as 425 South 1100 East and did not disagree that the citizens in the neighborhood deserve sewer services. However, when he built his home in the Scratch Gravel Neighborhood, there was a frontage fee charged him by the developer. He noted that he paid a hook on fee as part of his lot. What was assessed to him was the cost of putting the pipe in the ground as it was for everyone else in the neighborhood. Mr. Weight stated that everyone in his neighborhood pays taxes too. He commented that this issue raises two important questions. The first is whether these people and the Manila neighborhood should have access to sewer. He felt that answer to this question was "yes". The residents, however, are responsible to pay their own frontage fees and costs to put the pipe into the ground. Putting a pipe in the ground that will only service one neighborhood should not be a responsibility shouldered by every Pleasant Grove resident.

Council Member Boyd stated that at this point the City needs to clearly communicate their commitment to the citizens. The financial discussion would take place later. The commitment the City wants to make tonight is that they will provide sewer for the residents. The citizens of the Manila neighborhood understand they will have to pay for the associated costs. Mr. Weight appreciated Council Member Boyd's remarks.

Phil Hall gave his address as 4407 North Canyon Road and expressed frustration with Cedar Hills City. About 15 years ago, Mr. Hall recalled that he was working in his yard when a

gentleman stopped by and introduced himself as the City Engineer. Mr. Hall did not know whether he was from Cedar Hills or Pleasant Grove. The gentleman stated that they were going to run the sewer through his southern property line and that it would require 10 feet of his property and 10 feet from the neighboring property. In order to accomplish this they would need to tear down his new fence and fruit trees. In order to avoid having his fence removed, Mr. Hall offered to allow the City to build the sewer entirely on his property.

About 1 ½ years passed and nothing happened. Around the same time, a Councilman from Cedar Hills approached Mr. Hall and asked him why he was preventing the sewer from being built. Mr. Hall recalled that this was complete nonsense. Later, Cedar Hills put the secondary water system on his lawn and destroyed his retaining wall in the process. It also plugged his sprinkling system and now he can't use it. Mr. Hall stated that he uses Pleasant Grove City water, and would only be able to access secondary water from Cedar Hills if he decided to annex into their City and pay their exorbitant fees. Mr. Hall questioned why a district isn't set up and why there has to be two separate utility lines. He remarked that Pleasant Grove needs to resolve the problems and stop letting Cedar Hills hold everyone hostage.

Council Member Boyd recalled that in one of the many attempts to resolve the problem with Cedar Hills, they suggested setting up a special service district. They worked many months on this process.

Mary Jo Hall gave her address as 4407 Canyon Road and noted that she is Mr. Hall's wife. Mrs. Hall stated that they were promised that they would have a sewer line. They have waited many years and understand the cost involved. Recently, their septic tank went out, and they had to pay \$6,000 to fix it. If the sewer ever comes in they will be out \$6,000 because they had no choice but to fix their septic tank due to a lack of sewer access.

Another gentleman from the audience commended staff for reaching out to Cedar Hills to try and have a discussion. However, this has not proven to bear much fruit yet. He suggested that this matter be submitted to an arbitrator and let a third party make a binding decision. Attorney Petersen explained that both parties have to agree to arbitration. Arbitrations usually involve contractual obligations or a lawsuit, which mandates arbitration or mediation. Pleasant Grove does not have this with Cedar Hills. Cedar Hills does not need anything from Pleasant Grove. Therefore, there is nothing to force them to go to arbitration. Staff did not believe Cedar Hills would be willing to sit down with Pleasant Grove.

Charles Steadman stated that he lives across the street from the Mr. Atkinson and provided a brief history of his family, noting that they have been in Utah County for a long time. He recalled when Utah Lake was filthy because that's where all of the sewer would drain. A law was then passed to put in sewer lines. He commented that the ground would be horrible if everyone used septic tanks. Mr. Steadman stated that it is State law to provide sewer services to residents. All cities are responsible to provide this for their citizens, because it is for the health safety and well-being of the community. He explained that it isn't fair for him to be forced to annex into Cedar Hills just so that he can have access to this service. Mr. Steadman explained that at one point in his life he served in the City. His purpose was to benefit the community, not

his own personal agenda. This sewer discussion should not be an argument of where citizens have to decide where to live.

Mr. Levine reiterated that involving the media is a viable option. Cedar Hills has tried to stronghold everybody to get residents because they need money. He did not understand why they don't see the value of taking a resource that they got for free in the beginning and allowing Pleasant Grove to pay them money so that their residents can connect to the line. He agreed with Mr. Steadman that it isn't fair for them to demand that citizens adjoin themselves with their City just to hook onto a sewer line that isn't being utilized. Mr. Levine wanted the record to show that he is willing to involve the media to get results.

Nancy Gerard gave her address as 725 West 4430 North and stated that she is a citizen of Pleasant Grove and wants to remain so. She did not want to be forced into becoming a resident of Cedar Hills so she can have a service that should be provided for her. She bought a house in Pleasant Grove because that's where she wants to raise her family. This is a free country and people get to choose where they live.

Dennis Hollinger gave his address as 637 West 4000 North and discussed the different finances involved in both a septic tank installation and supplying residents with a sewer line. Both are very expensive.

Dan Stewart gave his address as 4611 North 900 West and explained that at one point everything North of Cedar Hills drive was just Cedar Hills. Everything south of that was either part of the County or residents who considered themselves part of Pleasant Grove. The reason that particular area is now full of high density housing, is because a former Cedar Hills Mayor offered them sewer that they didn't have, in order to get more people to join his City. Cedar Hills used to get their sewer from American Fork.

In 1996, the Utah County Commission held a meeting in American Fork City. A number of people who are in attendance at tonight's meeting were most likely also at that meeting. A lot of the older farmers expressed that they didn't want to be a part of any City and instead wanted to be part of the County. The County informed them that they needed to choose a City to join. There was a standing vote of the 400 to 500 people with 75% wishing to be part of Pleasant Grove City. Mr. Stewart stated that it has been a good choice.

Mr. Stewart explained that he has spent about \$20,000 because when his original septic tank was installed it was inadequate. He tripled his septic tank and then put in 450 feet of laterals himself. He has neighbors that are afraid that any day now their septic tanks are going to fail on them. He spoke about additional issues that residents in the area have faced with their septic tanks as well. Many of the same residents signed the petition that Mr. Richards mentioned earlier in the meeting.

Council Member LeMone closed the public discussion.

Council Member Stanley stated that he has been on the phone nonstop for the last few of days with Pleasant Grove residents, as well as with Cedar Hills. He stated that the City has a moral

obligation to treat all citizens equally. They have the obligation to make all services available to all residents. They have an obligation to protect citizens from having to choose whether to reside in a City that they don't want to be in. If citizens want to be in Pleasant Grove, the City wants them to be a part of Pleasant Grove as well. He noted that staff and the elected officials have a moral obligation to fight for their citizens.

Council Member Stanley felt that perhaps the City should no longer try to involve Cedar Hills in trying to resolve this issue. He commented that he has championed eminent domain possibilities in the past as well as any number of possibilities that involve the court and arbitration. The City could try to go to a higher authority to force some neighborliness out of Cedar Hills; however, there are associated costs.

Council Member Stanley believes there are solutions the City can come up with on their own. As Mr. Weight pointed out earlier, the City has an obligation to provide sewer services, but not necessarily free sewer services. There are costs associated with putting in a new line. There is a general understanding that is widespread across the community that everyone has to contribute to the cost of services.

The City should keep its promises, especially because there are people who have relied on the promises the City has made. It is evident that a sewer in the Manila neighborhood is needed, and the big question is how to pay for it. Council Member Stanley suggested that rather than have situation where residents are paying monthly, there is an alternative option to explore a solution that might involve a lien against the property to cover the value increase based on the installation of substructure utility and infrastructure. When a property owner realizes the gain, they would then pay the City back with the current day adjustment CPI. Council Member Stanley felt the City should get paid back of 100% of the cost. He realized that may not be a popular idea, but he also did not feel it should be paid for monthly.

The plan that was originally in place that included three phases was good. Some people received a tremendous benefit as a result of it. Council Member Stanley reiterated that he believes there is a definite possibility that Pleasant Grove City can move forward independent of Cedar Hills and not have to involve a third party. Furthermore he believes Pleasant Grove has the ability to come up with a solution that would enable them to move forward with something now rather than later. He concluded by stating that two wrongs will not make a right in this situation. The City needs to move forward, forget what happened in the past, and do the right thing now.

Council Member Andersen explained that she is new to this discussion and has asked a lot of questions from residents. She thought most of her questions had been answered. She stated that the proper role of government is to provide vital services to its residents. She was sad that the City has waited this long to move forward with a solution. Council Member Andersen addressed the citizens present at the meeting and stated that she wants them to be citizens of Pleasant Grove. She believed the situation was at the point where a solution will be reached. She commented that she was ready to go to the media.

Council Member LeMone agreed with Council Members Stanley and Andersen and felt committed as a Council Member to find a solution. She stated that while she does not have a

specific timeline of when the situation will get resolved, she promised it will not be another 17 years. She agreed that as a City they have the obligation to provide this service to the citizens.

Council Member Council Member Boyd expressed that it has been a long 20 years and appreciated the Council's response tonight. Council Member Boyd stated that it will be a financial obligation for the affected residents, and as she stated previously, she will recuse herself from that part of the discussion. She was ready to put the issue to rest. She was emotional about the matter and thanked everyone present. She concluded by stating that Pleasant Grove is a loving, committed community.

ACTION: Council Member Stanley moved that the Council authorize staff to proceed with the assembly of a design package for a sewer line on 4000 North, with the understanding that prior to awarding a bid, additional discussion on financial issues will take place. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

11) ITEMS FOR DISCUSSION – NO ACTION TAKEN:

A) DISCUSSION ON CEDAR HILLS REGARDING 100 EAST. *Presenter: Administrator Darrington *Note: This item will be continued indefinitely.*

12) DISCUSSION ITEMS FOR THE APRIL 28, 2015 MEETING

Mr. Davies presented an item that will be voted on next week. The item will be consideration for the vacation of lots located in Kloey's Cove Subdivision Plat A, and will create additional lots in a second plat. The subject property is located at approximately 1227 West 2180 North in the R1-20 zone. He presented an aerial map of the subject property. Staff recommended approval and on March 12, the Planning Commission approved a preliminary plat. Furthermore, there is a public hearing to consider adoption of an ordinance amending the Pleasant Grove City Municipal Code Section 10-14-24-1-C: "Permitted Conditional Uses" to allow reception centers in the Grove Commercial Sales Sub-district. The applicant was proposing a development that will include acclimatized storage units as well as retail frontage. A map showing where the use will be permitted was displayed.

Administrator Darrington announced that next week MAG will present the North Utah County Transit Study. There will also be items to discuss for the Budget Work Session. City Recorder, Kathy Kresser, explained that Finance Director, Dean Lundell, asked her to put the Gerber Construction Award for the Micro Hydro Project on the agenda for approval. Council Member LeMone made reference to a previous discussion regarding property availability for retail and multi-family uses in the Grove Area. She asked if staff had compiled any more information on the matter.

13) NEIGHBORHOOD AND STAFF BUSINESS

Director Giles announced that the Daily Herald voted Discovery Park second in Utah Valley. He also reminded those present that Arbor Day was this Saturday. All were invited to meet at Anderson Park in 8:00 a.m. It was noted that Pleasant Grove City has been part of Tree City

USA for 19 years. Superintendent Goodman reminded those present of Lynn Walker's retirement party scheduled for April 30. The event was being held at the Lions Center from 3:00 p.m. to 6:00 p.m., with a presentation at 4:00 p.m.

Administrator Darrington reported that a group reviewed the proposals for the structural engineer, and recommendations for the top three were in the Council packet for review. The Review Committee consisted of Engineer Lewis, David Huston Building Official, Jay Meacham Civil Engineer, Curtis Miner Architect, and Administrator Darrington, who was there to facilitate the discussion. Each firm was rated on their qualifications, experience with historic buildings, references, schedule and pricing. Personnel and qualifications were weighted at 25%, experience 40%, references 10%, schedule 10%, and price 15%.

The top three candidates were Bowen Collins & Associates, R2H Engineering, and Think Architecture. Staff would like these firms to make a presentation to the Council and the Council would then choose a finalist. Administrator Darrington spoke about Ensign Engineering and provided a history of the services they have provided to Pleasant Grove City in the past. Administrator Darrington explained that it was his preference to include them in the interview process, thereby interviewing a total of four firms rather than three. There was further deliberation on the matter and the Council agreed to hear a presentation from Ensign Engineering. Presentations were to take place during the May 12 Council Meeting.

14) MAYOR AND COUNCIL BUSINESS

Council Member Boyd spoke briefly about a class her daughter is taking at UVU and noted that in one of her marketing classes they focused on how Strawberry Days and doTERRA are bringing more citizens to Pleasant Grove.

15) SIGNING OF PLATS

There were no plats signed.

16) REVIEW CALENDAR

There were no additional calendar items for review.

ACTION: At 10:51 p.m. Council Member Boyd moved that the Council go into Executive Session to discuss pending or reasonably imminent litigation and sale of real property. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

ACTION: Council Member Andersen moved that the Council meet past 11:00 p.m. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

17) **EXECUTIVE SESSION TO DISCUSS PENDING OR REASONABLY
IMMINENT LITIGATION AND SALE OF REAL PROPERTY (UCA 52-4-205
1(c))**

PRESENT:

Council Members: Dianna Andersen
Cyd LeMone Mayor Pro-Tem
Ben Stanley
Cindy Boyd

Excused: Mayor Michael W. Daniels

Staff Present:

Scott Darrington, City Administrator
Tina Petersen, City Attorney
Kathy Kresser, City Recorder

ACTION: At 11:09 p.m. Council Member Stanley moved to come out of executive session. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

ACTION: At 11:09 p.m. Council Member Stanley moved to adjourn. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 11:09 p.m.

Minutes of April 21, 2015 City Council meeting were approved on May 19, 2015.

Kathy T. Kresser, City Recorder

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