

**Pleasant Grove City
City Council Regular Meeting Minutes
October 21, 2014
6:00 p.m.**

PRESENT:

Mayor: Mike Daniels

Council Members: Dianna Andersen
Cyd LeMone
Ben Stanley
Jay Meacham

Excused: Cindy Boyd

Staff Present: Scott Darrington, City Administrator
David Larsen, Assistant to the City Administrator
Dean Lundell, Finance Director
Degen Lewis, City Engineer
Tina Petersen, City Attorney
Mike Smith, Police Chief
Marc Sanderson, Fire Chief
Ken Young, Community Development Director
Lynn Walker, Public Works Director
Sheri Britsch, Arts and Culture Director
Kathy Kresser, City Recorder

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

CALL TO ORDER

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

1) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Boy Scout, Breck Blackburn.

2) **OPENING REMARKS**

The opening remarks were given by City Administrator, Scott Darrington.

3) APPROVAL OF AGENDA

ACTION: Council Member Stanley moved to approve the agenda as written and continue agenda items F and G to November 5, 2014. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

4) CONSENT ITEMS

- a) **City Council and Work Session Minutes;
There were no minutes to approve.**
- b) **To consider for approval appointing Eric Jensen as a regular Planning Commission Member.**
- c) **To consider for approval of paid vouchers for (October 10, 2014).**

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

5) OPEN SESSION

Mayor Daniels opened the Open Session.

Craig Allred, a Hillside Drive resident reported that he has been a Pleasant Grove resident for the last 27 years. He asked for a follow up on a discussion regarding Walker Ridge that took place earlier in the year. He expressed concern with the road being higher than the fence and presented handouts regarding the issue. Mr. Allred mentioned that there was a consensus to maintain the contour of the land. He displayed photos taken earlier in the day showing where the road was placed and how its location affects his home.

In response to a question raised by Mayor Daniels, Mr. Allred confirmed that he had spoken to the developer regarding the issues presented. Mayor Daniels explained that an agreement between Mr. Allred and the developer was presented to the Council, where the road would be located, as well as the height of the fence. Mr. Allred replied that the developer presented a 2.7-foot retaining wall, and noted that upon inspecting the property, stakes were placed to show the placement of the curb. The stakes were buried by four feet of dirt. He explained that there has always been a lake from the rain at Hillside Drive and Dalton, if the grade isn't changed there will be a significant maintenance issue at the bottom of the gully.

Mayor Daniels asked if there is currently any blacktop. Mr. Allred indicated that currently it is just dirt. He explained that when the agreement with the developer was made, Mr. Allred was under the impression that the road would be placed where the retaining wall was located. He would not have agreed to the road being higher than the fence. Mayor Daniels asked City Engineer, Degen Lewis, if he was aware of the situation. Engineer Lewis replied that he was aware there are an approved set of plans. He explained that all project details on the plat are not typically shown on the construction plans. Mayor Daniels and Engineer Lewis reviewed previous discussions regarding the Walker Ridge project. City Attorney, Tina Petersen, added that she would need to research what was approved and suggested that she meet with Mr. Allred and review in greater detail what was recorded in the minutes. In addition, she needed to meet with the Community Development

Department to assess what construction is currently taking place to avoid expensive repairs in the future.

There were no further public comments. Mayor Daniels closed the open session.

6) **BUSINESS**

- a) **ARGUMENTS IN FAVOR OF AND AGAINST THE PROPOSED BALLOT PROPOSITION.** *NOTE: This item will be continued to the October 28, 2014 meeting.*

Attorney Petersen explained that the above item was continued to the next meeting. It was placed on this agenda because the original resolution, which was adopted for the purpose of putting the bond on the ballot, mentioned that a public meeting would be held on this day. Subsequently, a determination was made to move the meeting to October 28. The revised meeting date has been publicly noticed.

At the request of Council Member Stanley, Administrator Darrington detailed the format of the public meeting. According to the new State Statute, both sides of the issue, those who are opposed and those who are in favor of the bond proposition, will be given an equal amount of time to defend their position. Staff recommended each side be given 20 minutes to present their arguments and five minutes each at the end to make closing comments. The proposed time allotments would be divided by the number of people wishing to speak on each side. Administrator Darrington explained that citizens will not address the Council, but will instead address each other.

Attorney Petersen clarified that while the City has already held a public hearing on the bond, the public meeting scheduled to take place the following Tuesday is mandatory to comply with a new piece of legislation known as the Transparency Ballot Proposition Act. The meeting is not necessarily a public hearing designed to solicit comment and feedback but will serve as a forum for both sides to provide oral testimony on the proposition.

- B) **CONTINUED ITEM: PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-38) AMENDING THE PLEASANT GROVE TRANSPORTATION MASTER PLAN REGARDING THE REMOVAL OF A PLANNED ROUNDABOUT AT THE INTERSECTION OF 1000 SOUTH AND LOCUST AVENUE. SCRATCH GRAVEL NEIGHBORHOOD. PRESENTER: ENGINEER LEWIS *CONTINUED FROM THE OCTOBER 7, 2014 MEETING.** *NOTE: This item will be continued to the October 28, 2014 meeting.*

- C) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-39) TO AMEND CITY CODE SECTION 10-11E-2-14-K AMENDING THE STREET SECTIONS WHERE RETAIL IS REQUIRED ON THE GROUND FLOOR IN THE DOWNTOWN VILLAGE ZONE.** *Presenter: Director Young.*

Community Development Director, Ken Young, presented the staff report and displayed an aerial map of the downtown area. He explained that retail is currently required on all arterial and collector roads in the downtown area. Director Young stated that the boundaries of the downtown area have changed since the ordinance was adopted. The current property lines were identified. He explained that the proposed amendments will modify the verbiage "arterial and collector streets", to more

specifically read "...Center Street between 100 West and 100 East, and on Main Street between 100 North and State Street, shall be exclusively used for retail uses. All other commercial and office uses as permitted in this article may be located on the ground level floor spaces..."

Mayor Daniels asked how the TestOut facilities located on Main Street, between Center Street and 100 West, will fit with the proposed changes. Director Young explained that any existing office buildings may continue to function as office uses. He noted that any facilities that undergo significant remodeling will need to comply with the amended ordinance. If TestOut expands to a location that has been used for retail, they must abide by the retail requirement. They have, however, been expanding into locations that have historically been used for office space. Attorney Petersen then described legal non-conforming uses.

Council Member Meacham pointed out that the commercial and office spaces are shown as having back entrances, rather than front entrances. He was concerned that there will be insufficient room for frontage on the street for retail space. Director Young explained that TestOut has proposed to remove some of the existing structures on the block, and construct a completely new building with retail space facing Main Street. The access behind the building could be used for office space. There was continued discussion regarding how the language was worded. Director Young reiterated that the portions of the building that face the street must be used for retail. He noted that the proposed ordinance amendment will primarily affect future development in the downtown area.

Mayor Daniels opened the public hearing.

Diane Moss suggested that the proposed amendment be reworded to make it clearer. She remarked that the ordinance should state that the building abutting Main Street must be used for retail. Furthermore, any space above or behind the retail building can be used for offices.

Donald Blackburn gave his address as 1338 North 1070 West and asked what the objective was in the original statute. He remarked that significant adjustments to the map are proposed. He wanted to know more about the City's strategy behind the changes. Mayor Daniels reviewed what was shown on the aerial maps of the downtown area and referenced Council Member Meacham's concern about back entrances allowing for offices over retail space. Furthermore, he noted that Ms. Moss' suggestion that use of the term "abutting" would help address this concern.

Drew Armstrong asked how much of the building needs to be retail space. He stated that depending on the property, the City may be requiring business development that is much larger than what was envisioned.

Scott Richards added that when the proposed amendments were reviewed by the Planning Commission, they focused primarily on the boundaries.

Mayor Daniels asked Director Young to speak to the difference of using the term "abutting" rather than "fronting." Director Young stated that the thesaurus includes the term "bordering on" as a synonym for both "abutting" and "fronting." He concluded that there is a relationship between the two words; however, if there is a greater comfort level using the term "abutting," the Council can make that change.

Council Member Stanley suggested that the Council revisit the purpose for the proposed ordinance amendment, so as to agree on language that achieves the desired purpose. Mayor Daniels replied

that this would be an entirely different discussion, which would need to be publicly noticed separately. Attorney Petersen stated that if the Council would like to have the ordinance reworded they can request that staff make the revisions and continue the item to a future meeting.

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

Council Member Meacham expressed his support for the proposed language. Council Member Andersen asked if any of the sections in the ordinance speak to a square footage requirement specifically for frontage. Mayor Daniels responded that square footage will be discussed at another meeting. Tonight's decision pertained specifically to boundary lines.

ACTION: Council Member Meacham moved that the Council adopt an Ordinance (2014-39) to amend City Code Section 10-11E-2-14-K amending the street sections where retail is required on the ground floor in the Downtown Village Zone. Council Member Andersen seconded the motion. A voice vote was taken. Council Members Andersen, LeMone, Meacham, and Stanley voted "Aye." The motion carried.

Engineer Lewis noted that "frontage" is defined in the Chapter 6 zoning. Mayor Daniels clarified that the Council requested that staff further address the intent and specific square footage at a later date.

D) PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED AMENDMENT TO THE PLEASANT GROVE CITY FISCAL YEAR 2014/2015 BUDGET. THE FEE SCHEDULE AND THE PLEASANT GROVE REDEVELOPMENT AGENCY BUDGET IS ALSO INCLUDED IN THE FINAL BUDGET. CITY WIDE. *A copy of the proposed budget amendment is available at the Records Office, 70 South 100 East, the Library 30 East Center and Community Development 86 East 100 South. Presenter: Director Lundell.*

Finance Director, Dean Lundell, explained that most of the amendments to the budget are related to several projects that won't be completed by the end of the fiscal year. As a result, they need to be reauthorized in order for them to be completed. Additionally, Director Lundell reported that some state grants have since been awarded to various City departments, and that the Council needs to authorize the spending of those funds. Director Lundell noted that one new proposed item is the Everbridge software, which allows the City to send out messages and calls to a distribution list. Furthermore, two new capital projects have been listed, including one relating to public works and the purchase of a new document imaging system for the City. Last, the Council needs to approve the spending of donations for various library projects.

Council Member Stanley explained that there have been some requests by the Library Board to simplify the process by which they can use grant and donation monies. Mayor Daniels stated that this request cannot be discussed until it has been publicly noticed. He suggested that the matter be placed on a future agenda.

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

E) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-044) APPROVING AND ADOPTING THE PLEASANT GROVE CITY'S FISCAL YEAR 2014/2015

AMENDED BUDGET. THE PLEASANT GROVE CITY REDEVELOPMENT (RDA) BUDGET AND A COMPREHENSIVE FEE SCHEDULE ARE INCLUDED IN THE AMENDED FINAL BUDGET AND PROVIDING FOR AN EFFECTIVE DATE.

Presenter: Director Lundell.

ACTION: Council Member Stanley moved that the Council adopt a Resolution (2014-044) approving and adopting the Pleasant Grove City's Fiscal Year 2014/2015 amended budget. Council Member LeMone seconded the motion. A voice vote was taken. Council Members Stanley, Meacham, LeMone, and Andersen voted "Aye." The motion carried.

F) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-045) AUTHORIZING THE MAYOR TO SIGN THE THIRD ADDENDUM TO THE SOLID WASTE AND RECYCLING COLLECTION AGREEMENT WITH ALLIED SERVICES FOR THE PURPOSE OF EXTENDING THE TERM OF THE SERVICE CONTRACT AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington*

**Continued to November 5, 2014.*

G) TO CONSIDER FOR APPROVAL A FINAL PLAT OF THE DEER MEADOW LANE SUBDIVISION ON PROPERTY LOCATED AT APPROXIMATELY 575 EAST 200 SOUTH IN THE R1-7 (SINGLE FAMILY RESIDENTIAL) ZONE. SCRATCH GRAVEL NEIGHBORHOOD. *Presenter: Director Young* **Continued to November 5, 2014.*

H) THE COUNCIL WILL HEAR CONCERNS REGARDING METHOD OF SELECTING THE PROPOSED SITE FOR THE FIRE STATION; REASON FOR CONTINUING TO PURSUE BONDING FOR PUBLIC SAFETY BUILDING; PAST DISCUSSIONS AT BUDGET RETREATS REGARDING PRIORITIES FOR FUNDING; PERCEIVED UNNECESSARY SPENDING WITHIN THE CITY; PRIORITY OF FUNDING PROJECTS INCLUDING SHANNON FIELDS; FUNDING OF PROGRAMS WITHIN THE CITY INCLUDING THE RECREATION CENTER, THE LIBRARY, THE POOL AND THE LION'S CLUB, STATUS OF HAMMONS DEBT; CURRENT SPENDING TRENDS AND FUTURE SPENDING COMMITMENTS; UNIFYING THE FIRE DEPARTMENT WITH OTHER JURISDICTIONS AND ITS IMPACT ON THE SIZE OF THE PROPOSED PUBLIC SAFETY BUILDING; AND OTHER RELATED MATTERS.

Mayor Daniels stated that the City's elected officials received a letter from Jennifer Baptista on October 12, 2014.

Jennifer Baptista gave her address as 32 North 1300 East and read an email she sent to the Mayor and Council. Mayor Daniels asked those in attendance if they would also like to speak to the issues presented in Ms. Baptista's email. (See Exhibit A)

Jolie Huggard gave her address as 1221 West 1500 North and asked where the minutes from the retreat as mentioned in Ms. Baptista's email can be found. It was noted that they are available on the City's website from City Recorder, Kathy Kresser.

There was brief discussion on which meetings were recorded. Mayor Daniels explained that it was cost prohibitive to have all of the various neighborhood meetings recorded. Administrator

Darrington noted that typically one to two neighborhood sessions were filmed on a given night. The intent of filming the neighborhood meetings was for citizens who did not have an opportunity to participate on the nights the meetings were held to be able to get the information.

Ms. Baptista pointed out that there were several unrecorded meetings, and statements made that can neither be confirmed nor denied. Mayor Daniels agreed that this was an oversight. Council Member LeMone added that all of the members of each committee are listed on the City's website. She was happy to speak on behalf of the Steering Committee on which she served. She encouraged those in attendance to reach out to their respective neighborhood committee members with questions. Council Member Meacham asked if MOCA recorded any meetings. Mayor Daniels explained that they have notes on what took place.

Mayor Daniels referred to concerns regarding the method of selecting the proposed site for the fire station. He noted that last year the proposal was to locate the new Public Safety Building to the northeast of the current City offices as it was part of an overall Civic Center Plan. Mayor Daniels asked staff to research whether formal adoption of the plan took place, and if so, to provide a specific date.

Mayor Daniels recalled several discussions from the annual Budget Retreat held in February. The Council discussed the priorities for the year and determined that there was insufficient property on the previously proposed location of the Public Safety Building. The Council discussed their level of commitment to the Civic Center Plan and whether the new facilities had to be configured according to that plan. Ultimately, the Council determined that they were not "married" to the proposed four-block plan presented.

Also during the Budget Retreat, the Council discussed the possibility of disposing of the property that had already been purchased. It was determined that if an ordinance or resolution was adopted for the Civic Center Plan, the action first needs to be reversed before the City can sell any property. Furthermore, the monies used to purchase the properties on the northeast side of the block were Public Safety Impact Fees. Therefore, money acquired from selling the property would need to be allocated to public safety funds. The Council discussed whether the citizens would prefer to use the land in the future for park space or other uses in a downtown plan rather than dispose of it altogether. The item was tabled and had not been formally readdressed. Reserves from the both the Parks and Recreation and General Funds were also considered at the Budget Retreat.

This year, the City hired MOCA to undergo a different selection process by identifying properties that are currently owned by the City. Steve Shrader asked if there was a proposed budget for the overall Civic Center Plan. Administrator Darrington explained that the City obtained a cost estimate from VCBO of approximately \$70 million for new police and fire stations, a new library, a performing arts center, and City Hall. The estimate also included necessary land purchases.

Rick Benedict commented that he read through several sets of minutes pertaining to these issues. He didn't recognize any common practice in obtaining solid numbers and asked why this was not done. Mayor Daniels explained was unable to speak to last year's procedures. However, this year elected officials determined that the Public Safety Facility is still the City's top priority. They discovered that the state has a list of preapproved contractors that cities can work with to conduct the type of work needed in Pleasant Grove. In other words, the contractors can assist cities in gathering information from citizens to create a proposal based on their input. The reason a Request for Proposal (RFP) was not obtained for the purpose of hiring MOCA was because they were

already on a state bid. Municipalities are allowed by state law to move forward with a contract with companies already on state bid.

Council Member Meacham noted that an RFP was created when the City contracted with VCBO. Administrator Darrington explained that last year when the Civic Center Plan was drafted, the City received about 10 different proposals. Three of the companies were interviewed by the City Council and staff. At that time, VCBO was chosen to prepare the Civic Center Plan. After the plan was completed, the City pursued the Public Safety Building and the relationship with VCBO was continued to put that plan together as well.

Council Member Andersen recalled that when the Civic Center Plan was developed the City did not own the rest of the block and there was still property that needed to be acquired. Council Member Stanley relayed that several citizens expressed interest in having the City look at sites other than downtown, such as the pipe plant property. Some citizens were disappointed that the engagement letter from MOCA specifically identifies the downtown area as the location. Mayor Daniels asked Council Member Stanley to look up the contract to verify this information after review of the contract on the Mayor's iPad Council Member Stanley stated that the language was not there.

Administrator Darrington recalled that at least one Steering Committee, Blue Ribbon Committee, and each of the various neighborhood meetings were dedicated specifically to site selection. While the vote was not unanimous, the majority of citizens who attended the meetings agreed that the downtown location would be best. Staff further described impact fees as well as City-owned property values in response to inquiries from Ms. Baptista. Mayor Daniels explained that whatever funds can be collected from savings and/or selling City-owned properties will go toward reducing the bond obligation.

Council Member Stanley presented the aforementioned engagement letter from MOCA as well as the minutes from a Council Meeting that took place earlier in the year. During this particular Council Meeting, Administrator Darrington spoke about the City's guiding principles being that of seeking public support for a bond. It was noted, however, that the contract with MOCA does not specifically state that the City will be constructing a single building in downtown Pleasant Grove. Mayor Daniels noted that the Master Plan was adopted previously and incorporates a Public Safety Facility in the downtown area.

Diane Moss gave her address as 391 East 200 South. She stated that upon discussing the option of using the pipe plant property for the Public Safety Building, a specific dollar amount was not provided as to how much it would cost. Ms. Moss recalled that the public was informed that the building could be constructed with different materials that would be less expensive; however, the chiefs preferred to have the building downtown. She stated that the approach was more of a directive and the public's input was not seriously considered.

Molly Andrew gave her address as 1107 Nathaniel Drive. She also attended the meetings and did not feel the public was not taken seriously as indicated by Ms. Moss. MOCA and members of City staff presented information regarding road widening, utilities, and associated costs. They also pointed out that by building the Public Safety Building downtown, the City would not need to spend money on the infrastructure necessary to support the facility because all of the needs were already readily available in the downtown location. Ms. Andrew did not think it was fair to put all of the blame on the chiefs. She was of the opinion that anyone and everyone was given equal opportunity to weigh in on the issue.

Gary Yeates gave his address as 1225 Nathaniel Drive. He recalled that slides containing spreadsheets reviewing different options from a financial standpoint were presented at the neighborhood meetings. He also remembered seeing much higher figures for the option of having two separate buildings for each department and one of the guiding principles was cost. Mr. Yeates explained that the possibility of tearing down the old recreation center was also discussed in length and several citizens were in favor of this option.

Administrator Darrington noted that there are videos from the neighborhood meetings where site location was specifically being discussed, which are available, online. Mayor Daniels added that the Council did not direct MOCA verbally or in writing to develop a solution specific to the downtown area for a single building.

Steve Shrader gave his address as 697 South Mohican and suggested that the City be very specific in writing, so as to eliminate multiple interpretations of their statements.

Jack Freeman gave his address as 450 East 100 North and thanked Ms. Andrew for her comments. He commented that there was no coercion from MOCA or members of staff at the meetings and felt it has been unfair to the chiefs and elected officials for strong accusations to be made. He encouraged those in attendance to participate by casting their vote and stop the bickering and gossip. Mr. Freeman stated that he never once walked away from neighborhood or other public meetings feeling that he had been “muzzled”. He emphasized the need for all to be respectful of the opinions expressed. Last, Mr. Freeman voiced his support for the bond and felt it was time for the City to move forward and replace the public safety facilities.

Ms. Moss expressed disagreement with some of Mr. Freeman's comments. Mayor Daniels encouraged those in attendance to agree to disagree and stated that everyone is entitled to their beliefs.

Blaine Thatcher gave his address as 120 North 1400 East and stated that the discussion that has taken place is valid as they are questions pertaining to whether or not the City has been listening to public input. Mr. Thatcher stated that it is important for the citizens to be heard. Mayor Daniels agreed.

Mayor Daniels shifted the conversation to the next item listed in Ms. Baptista's email, relating to the why the City decided to continue pursuing bonding for the Public Safety Building. Mayor Daniels stated that his impression had been that since 2008 there has been a continuous decline in the economy. Reserves from the General Fund have been used to support the City operations and funds have been reallocated to different uses. There has not, however, been any growth or increase in the funds the City has received. In other words, the funds needed to operate the City and complete capital projects have been depleted.

Mayor Daniels explained that he had previously asked Director Lundell to calculate how long it would take for the City to save the money needed for the facility. Director Lundell stated that if the City were to save the same amount per year with property and sales tax increases, as well as with an estimated 3% interest rate, it would take the City 18 years to save up. Furthermore, the future costs of a facility could be much higher in 18 years. Mayor Daniels explained that it does not make sense to wait nearly 20 years to construct the facility if the same amount of time and money will be

required for a bond. With regard to grants, the City cannot apply for a grant if they don't have a project already in process.

Drew Armstrong explained that as he attended meetings last year, he was skeptical of the information he was receiving. He acknowledged his appreciation for the City's efforts to include public involvement in this year's process. Mr. Armstrong referred to the Golden Gate Bridge as an example of a project that was bonded for \$35 million over the course of 40 years. When the bond was paid off in 1970, it was estimated that the project would have cost millions more than at the time that it was bonded in 1930. Today, it would cost around \$4 billion to rebuild the bridge. Mr. Armstrong expressed hope that the City will build a facility that will last for decades. He considered the bond to be a wise investment for the City.

Lisa Liddiard gave her address as 1095 East Canyon View Lane and observed that the aforementioned spreadsheets contained cost details and were available at then neighborhood meetings. Ms. Liddiard asked about various ways to generate additional revenue to fund the project.

Mayor Daniels explained that there are laws dictating where and how the City can raise money. He noted that sales and property taxes go into the General Fund. Individual uses have revenues that are associated with a specific expense. Ms. Liddiard suggested that if revenue was raised at the pool or recreation center, the City wouldn't be subsidizing those facilities any longer and the additional monies would be put back into the General Fund. She suggested the City sell unused properties to raise funds for the Public Safety Building and stated did not believe a bond was necessary for the project. Mayor Daniels explained that the process needs to be put forward in front of the public. If the public votes to continue the project there is still adequate time on the table for the City to assess what should comprise the facility and what else can be done to reduce the cost.

Mr. Benedict asked what will be done if the bond does not pass. Mayor Daniels replied that this same question was asked in another public hearing at which time each member of the Council was given an opportunity to share their individual answers. The bottom line was that the project will not be dropped. Ultimately, the situation will be reassessed and a new approach will be taken because the need has not changed. Mr. Benedict asked if the City will approach the manner in a similar way next year or if they will consider suggestions the public has made. Mayor Daniels stated that an elected government allows the public to do the decision making and he is in office to help steer and guide the process.

Mayor Daniels addressed the next concern listed in Ms. Baptista's email relating to the Hammon's property. He explained that the City signed an agreement with Mr. Hammon in 2007. The contract stated that the citizens would not be paying for the project to be located on the property and a tax exempt bond was also involved. The revenues generated from the development by the freeway would generate the incremental tax base. The rest of the projects involved would help boost the City's property taxes. Mayor Daniels noted that the County and the Alpine School District both agreed to the proposal.

When the economy started to collapse in 2008, banks were not loaning money, the project was going into disarray, and Mr. Hammon was in the hospital as a result of a heart attack. His secretary took over the project and Mr. Hammon passed away. Now, according to the tax records, the land is in his secretary's name. In other words, a multi-billion dollar company is involved with the Hammon's organization, which is now being directed by someone other than Mr. Hammon. The

fervor surrounding Mr. Hammon's initial proposal faded and the secretary is dealing with multiple lawsuits for breaking up the company.

Mayor Daniels explained that amid all of those happenings, the deal was renegotiated. An agreement was reached to change the tax exempt bond to a taxable bond and require the Hammons to pay the City for the cost of the bond. Mayor Daniels that this deal has continued faithfully, every six months, since day one. The citizens have not put out any money on the Hammon's property. Mayor Daniels stated that as long as the Hammons continue to pay the bill he was of the opinion that there is no reason why the City would make changes. The only exception would be if someone else with money approaches the City and wants to assume responsibility for the property. Mayor Daniels noted that if Hammon's ever default on their payments, the City will get the land back.

There was further discussion regarding the Hammon's property. Attorney Petersen explained that the City purchased the property from Dennis Baker and we bonded for the purchase amount. The land was then transferred to the Hammon's organization as part of the incentive package for them to development the property. If the Hammons default and the City recovers the land, the City would still owe the money on the debt. The City initially purchased the land to get two hotels, a convention center, and everything else that would have been developed in the Grove.

Andy Weight gave his address as 425 South 900 East and asked the Mayor and Council if they received indication that the Hammons would ever not pay the debt. Mayor Daniels responded that he had received no indication that that will ever happen. Furthermore, they have always made their payments on time. Mr. Weight expressed concerns that the City has not met with the Hammon's organization in a long time. He encouraged the Mayor and Council to reach out to them.

Mayor Daniels reported that the City has had discussions with very large players who have the wherewithal to develop a multi-use, hotel facility on the Hammon's property. There has been more interest from investors since the economy started to change than has occurred in a very long time. The City, however, has turned down different investors, because they were unwilling to take the debt upon themselves.

Mayor Daniels spoke briefly about Fox Hollow Golf Course. He explained that the City provides a subsidy for Fox Hollow, and noted that it was purchased in 1973. Three cities including Pleasant Grove, American Fork and Lehi, decided that it would be good to be part of a Tri-City Golf Course. This worked out well at the time, but now there are too many golf courses in Utah County. The rates at Fox Hollow are such that they do not sustain the operation and the City is stuck owning one-third of the facility. There is no way to get out of the deal unless someone steps forward and buys the golf course. Mr. Benedict asked if the other two cities would be willing to sell to Pleasant Grove, so that the City can own and sell the property for development. Mayor Daniels did not know the answer but indicated that the golf course is located in American Fork boundaries. It would be logical for them to purchase the golf course.

The next item in Ms. Baptista's email was that of funding programs within the City, including the recreation center, the library, the pool, and the Lion's Club. Mayor Daniels explained that each of these items fall into the category of decisions that were made in the past. Current citizens are now paying extra to subsidize the operation of these facilities. At the time the recreation center was constructed, 66% of the citizens who voted were in favor of it. Mayor Daniels emphasized that it was not a Council decision and was made by the citizens.

Mayor Daniels turned the time over to Administrator Darrington to discuss Shannon Fields. Administrator Darrington stated that he can provide an overview dating back to 2010, when he started working for the City. Initially, the City owned the softball fields at the high school. The high school approached the City about possibly purchasing the softball fields. At the same time the City was working on an incentive package to recruit doTERRA to locate in Pleasant Grove. The City then approached the school district to determine if they would participate in the portion of the property tax. After reviewing several options, a determination was made to deed the field to the school district to bring doTERRA to Pleasant Grove.

In the meantime, the school district entered into a short-term agreement with the City to allow public usage of the field until a new one is built. In conjunction with this agreement, the school district wanted to build a new field house on the high school property. Furthermore, the school district approached the City about purchasing a portion of Battle Creek Park. The discussions led to the school district purchasing all of Battle Creek Park, with the proceeds going toward construction of the softball field. The softball field is needed because the high school will now have exclusive use of the existing field. The City currently has a new bid out to determine how much the project will cost, and whether it will be within the City's budget. Administrator Darrington explained that the \$400,000 acquired from the sale of Battle Creek Park is not an impact fee. It simply was intended to be used to construct the new field.

Mayor Daniels segued into a discussion about the Timpanogos Special Services District (TSSD) and related the City's relationship with TSSD to the proposal to create a Unified Public Safety District. He noted that Council Member Meacham is the City's only representative on the TSSD Board. The rest of the board positions either come from other participating cities or are appointed by the County. Ultimately, the City only has 1 out of 13 votes on the Board and has very little say on the decisions made. Based on the City's history working with TSSD, they lack interest in participating in a Unified Public Safety District. The City would not have much of a say on matters such as response times, where the buildings will be located, how many police officers will survey the City, etc.

Note: The Council took a short break at 8:52 p.m.

Mayor Daniels explained that this year's City Council came together under strenuous circumstances. The Council has worked to learn and perform and while they have been far from perfect, they have followed the process. Mayor Daniels stated that this year's Council is better informed on details of the Public Safety Building Project than last year's Council. The process is designed to put a proposal forth to the citizenry. It is then up to the public to make a decision. Regardless of what decision is made during this year's election, Mayor Daniels encouraged those in attendance to be gracious to the other side of the debate. He stated that there is no room in Pleasant Grove's community for boasting and promoting ill will which will only result in bad feelings amongst citizens.

Mr. Thatcher asked the Mayor and Council what leads them to believe that the City's tax base can support the bond and the future Civic Center Plan. Mayor Daniels stated that while he does not vote, he is personally not in favor of the Civic Center Plan. Every Council Member will need to decide for themselves their position on the matter. This, however, will be a discussion for another day. Council Member LeMone added that to this point the Civic Center Plan has been used as a vision for the downtown area. Serious discussions have not taken place to move forward with the plan, especially to spend \$70 million.

Council Member Meacham stated that it is important to plan for the future; however, he agreed that the City does not have the money to spend at this point. Council Member LeMone explained that the Civic Center Plan was developed in response to several citizens inquiring about a new library and what the associated costs would look like. Staff did research to put a dollar amount to a potential project. She reiterated, however, that it has not been on the table as a serious discussion.

Ms. Baptista noted that the Council discussed the Civic Center Plan for 2 ½ hours at the Planning Retreat held in February. Council Member LeMone replied that the plan was developed over the course of several years and to reverse the process in 2 ½ hours would not have been wise on the part of the Council. She explained that at the Planning Retreat the Council agreed to revisit the Civic Center Plan after a decision on the bond is made. A determination has not made to make the Civic Center Plan permanent. Council Member LeMone stated that the Council is open to suggestions on the issue. While minutes are a valuable reference, they should not be used as the only source of information. She stressed the importance of speaking with people directly.

Council Member Stanley referenced Ms. Baptista's email, which included minutes from the 2013 Offsite Planning Meeting. In the excerpts there is extensive discussion of sequencing the bonding, and is revelatory of both processes taken last year and this year. Council Member Stanley stated that he ran for office specifically to address concerns relating to the City's spending habits. He wanted to ensure that every program implemented will help lighten the citizens' burdens.

Ms. Liddiard made additional comments relative to the Constitution. Mayor Daniels explained that the citizenry has elected five City Council Members and a Mayor and they have the Constitution of the United States, the Constitution of the State of Utah, and a very large set of books from both the City and State that govern the actions of the elected officials. He addressed Ms. Liddiard by stating that if she disagrees with how local government is being facilitated she should consider running for office in the next election.

Council Member Andersen commented that her three years on the Planning Commission were invaluable. She commented that city planning is a science. She referenced a survey conducted to receive input on the public's priorities for the community. She explained that regardless of which direction the public votes on the bond, the Council still has a vision for the City that needs to be addressed.

Mayor Daniels encouraged those present to discontinue making personal attacks and focus on the facts. Everyone should vote their conscience with the result being the best indication to the City's governing body what the citizens want for Pleasant Grove. Last, Mayor Daniels emphasized that the City's elected officials are doing their best to get a sense of the public's inclination and respond accordingly.

I) **NEIGHBORHOOD AND STAFF BUSINESS**

There was no additional neighborhood and staff business.

J) **MAYOR AND COUNCIL BUSINESS**

There was no additional Mayor and Council business.

K) SIGNING OF PLATS

There were no plats signed.

L) REVIEW CALENDAR

There were no calendar items to review.

M) ADJOURN

ACTION: Council Member Andersen moved to adjourn. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 9:27 p.m.

The minutes were approved by the City Council on November 18, 2014

Kathy T. Kresser, CMC, City Recorder

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