

**Pleasant Grove City
City Council Regular Meeting Minutes
August 19, 2014
6:00 p.m.**

PRESENT:

Mayor: Mike Daniels

Council Members:

Dianna Andersen
Cindy Boyd
Cyd LeMone
Jay Meacham
Ben Stanley

Staff Present:

Scott Darrington, City Administrator
Deon Giles, Parks and Recreation Director
Degen Lewis, City Engineer
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Ken Young, Community Development Director
Lynn Walker, Public Works Director

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

1) **CALL TO ORDER.**

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

2) **PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by Jennifer Baptista.

3) **OPENING REMARKS.**

The opening remarks were given by Eric Jensen.

4) **APPROVAL OF AGENDA.**

ACTION: Council Member LeMone moved to approve the meeting agenda as written. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **CONSENT ITEMS.**

- a) **City Council and Work Session Minutes;
City Council and Planning Commission Joint Meeting Minutes for July 22, 2014.
City Council Work Session Minutes for July 29, 2014.
City Council Meeting Minutes for August 5, 2014.
City Council Special Meeting Minutes for August 7, 2014.**
- b) **To consider for approval the appointment of Kaydee Dye as the Little Denmark Neighborhood Chair.**
- c) **To consider for approval Change Order No 3 and Pay Request No 3 for B. Jackson Construction for the 1300 West and Pleasant Grove Boulevard Intersection Traffic Signal and ATMS Fiber Optic System Project.**
- d) **To consider for approval of awarding Canyon Industries, Inc. the Battle Creek Microhydro Power Generation Project.**
- e) **To consider for approval of paid vouchers for (August 11, 2014).**

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

6) **OPEN SESSION.**

Mayor Daniels opened the open session.

Sidney Carson gave her address as 732 West 900 North and expressed concerns with the Community Development Department and the Camberlango Development currently under construction adjacent to her home. She explained that the development will include four lots. As part of the construction work the grade was significantly modified. The cul-de-sac in which she resides was torn apart in March and workers crossed through her yard to access the utilities. By the end of June, reparation still had not been made to her property and the cul-de-sac. During this time, Ms. Carson explained that she tried contacting the City Engineer and various personnel in the Community Development Department via telephone as well as in person. After several attempts to contact the City and the developer, Ms. Carson bid out the project and finished it herself.

On the day of the final inspection of the development, Ms. Carson stated that she was able to visit with City Engineer, Degen Lewis, on site. She recalled that in response to her inquiries, Engineer Lewis indicated that the City does not have responsibility for the area of concern due to an easement. Ms. Carson distributed copies of pictures and emails to City Council Members that outlined the details of correspondence she has had with the City on the matter. She pointed out that some of the damage occurred as close as 12 feet off of the side of her house. Ms. Carson was advised to put together an email containing receipts of the repair that she had done on her property. Ms. Carson reported that she has done this.

Ms. Carson explained that according to City Code, the developer is responsible to repair all of the damage and the City is supposed to receive a note from the homeowner stating that the work has been done to their satisfaction. This, however, never happened. And while the City ultimately offered to reimburse Ms. Carson for half of the expenses to repair her property, she did not feel this was fair. Ms. Carson stated that she had shown good faith in making phone calls and coming to the City offices on a regular basis over the course of those months. She took the lowest bid possible

and did not have anything installed that was of better quality than what was previously in place. Last, Ms. Carson asked the City Council what they can do to resolve the issue.

Mayor Daniels referred Ms. Carson to City Attorney, Tina Petersen. Ms. Carson was of the opinion that the developer should ultimately pay for the damages rather than the City. The City, however, does have the responsibility to enforce the Code. Council Member Stanley agreed that this would be the best course of action.

Craig Thorne stated that he is the Senior Vice Commander of the local Veterans of Foreign Wars. Mr. Thorne announced that the local Macey's grocery store will be joining the VFW for a food drive on September 11 for the Fisher House. The Fisher House is similar to the Ronald McDonald House and serves the VA Hospital. The food drive will run from 10:00 a.m. until 7:00 p.m., and there will be several military vehicles onsite. Flyers will also be distributed containing a list of items that the Fisher House specifically needs. This will allow shoppers the opportunity to drop off items as they leave the store. Mr. Thorne stated that if anyone is interested in helping with the food drive, they can contact him for more information.

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

7) **BUSINESS.**

- A) **TO CONSIDER FOR ADOPTION A RESOLUTION (2014-034) CALLING A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 4, 2014, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF PLEASANT GROVE CITY, UTAH, A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED TWELVE MILLION, SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$12,670,000) GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF CONSTRUCTING AND FURNISHING A NEW FIRE STATION, POLICE STATION AND JUSTICE COURT FACILITY AND ALL RELATED IMPROVEMENTS; AND RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. CITY WIDE** *Presenter: City Administrator Darrington.*

City Administrator, Scott Darrington, explained that this process has taken place over the past several months and has included numerous public committees and a private consultant company called MOCA. MOCA was able to help determine a cost estimate and the public gave input on the size, location, and look of the facility. The number being proposed to go on the ballot will not be the full construction cost of the building. Administrator Darrington explained that the City has committed to putting \$1.3 million toward the project as well. Furthermore, the bonds will be sold as premium bonds to reduce the bond's par amount. He stated that the monthly burden on the average household will be approximately \$7.41 on a \$223,000 home, which is the average price of a home in Pleasant Grove. It was noted that the bond would be for a 20-year period. The City will publish a matrix that will better show home values in Pleasant Grove. If the bond passes in November, the aforementioned expense would be assessed on property taxes beginning next year.

Mayor Daniels asked why the amount was rounded. Administrator Darrington replied that bonds are sold in \$5,000 increments. Attorney Petersen added that a public hearing on the matter will take place on September 16, 2014, as required by law. Council Member Stanley encouraged the public to ask tough questions so that they can be at ease with the decisions made. He felt that the process

was overall successful this year compared to last year, however, he would have liked to see less than 130% of the hard costs covered through the bond payment.

ACTION: Council Member LeMone moved that the City Council adopt a Resolution (2014-034) calling a Special Bond Election to be held on November 4, 2014, for the purpose of submitting to the qualified electors of Pleasant Grove City, Utah, a proposition regarding the issuance of not to exceed Twelve Million, Six Hundred Seventy Thousand Dollars (\$12,670,000) General Obligation Bonds to finance the costs of constructing and furnishing a new Fire Station, Police Station, and Justice Court facility and all related improvements; and related matters; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members LeMone, Andersen, Boyd, Stanley and Meacham voting "Aye". The motion carried.

Mayor Daniels reminded those in attendance that a public hearing will take place on September 16, 2014, to discuss the matter. The location of the hearing had yet to be determined.

B) TO CONSIDER FOR CONDITIONAL APPROVAL A 20-LOT FINAL PLAT KNOWN AS PLEASANT HEIGHTS LOCATED AT APPROX. 200 SOUTH LOADER AVENUE IN R1-9 (SINGLE FAMILY RESIDENTIAL) ZONE. SCRATCH GRAVEL NEIGHBORHOOD Presenter: Engineer Lewis.

Engineer Lewis presented the staff report as well as an aerial photo of the subject property. He explained that the proposed plat is to divide the property into 20 separate lots, all of which exceed the 9,000 square feet needed in the zone. Upon reviewing the aerial photo, access was shown to come off of Loader Avenue for the interior lots, while the exterior lots will front onto Loader Avenue or 200 South. There are homes on Lots 1, 2, 4, 6, and 5 which will remain, and a structure on Lot 12 that will be removed. Additionally, a utility parcel exists between Lots 9 and 10 that will also remain. A 100-foot well head limitation easement exists in association with the utility parcel.

The vacation of a narrow strip of street right-of-way along Loader Avenue near 300 South, adjacent to Lot 9, had been deemed necessary to correct the street alignment. The street vacation process had begun, however, it will not be ready to come to the Council until next month. Approval of the plat should be in conjunction with the street vacation; however, in order to allow development to move forward, Engineer Lewis recommended that the final plat be conditionally approved now, subject to approval of the anticipated street vacation plat.

The location of where the curb, gutter, and sidewalk will be placed was discussed. Engineer Lewis also pointed out that the vicinity plan shows an eventual connection on 1100 East as well as another potential cul-de-sac in the future. Council Member Boyd asked if vacating the land will make the lots larger or if they will be compensated in the road space. Engineer Lewis explained that the lots will be made bigger. Council Member Meacham inquired as to what restrictions are placed on the well. Engineer Lewis explained that hazardous materials cannot be stored on it and there is not a significant impact on residential uses.

ACTION: Council Member Andersen moved that the City Council conditionally approve the final plat, known as Pleasant Heights, and adopt the exhibits, conditions, and findings contained in the staff report. Approval is contingent upon vacation of the roadway on Loader Avenue. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER FOR APPROVAL THE REQUEST OF ANDREA BISHOP FOR A 2-LOT FINAL PLAT CALLED CANYON BROOK PLAT B LOCATED AT APPROX. 359 WEST 2900 NORTH IN THE RR (RURAL RESIDENTIAL) ZONE. MANILA NEIGHBORHOOD *Presenter: Director Young.*

Community Development Director, Ken Young, presented the staff report and displayed an aerial photo of the subject property. He explained that the proposed plat is to vacate Lots 17 and 18 from Plat "A" of the Canyonbrook Estates Subdivision and create a new subdivision consisting of the two lots with the intent of developing on Lot 18. The two lots constitute the new subdivision to be called Canyonbrook Estates Plat "B". Lot 17 exceeds the 21,780 square feet necessary in the zone, however, Lot 18 does not exceed this requirement. A variance for a minimum lot size was approved by the Board of Adjustment on June 26, 2014, for Lot 18, thereby making it compliant in the Rural Residential Zone with a lot size of 21,526 square feet.

Director Young informed the Council that a preliminary plat was approved by the Planning Commission on August 14, 2014. He also noted that Lot 18 will access Canyon Road. There will be a shared driveway that will be used as an access easement. Additionally, there is an existing temporary utility easement. A letter from the Fire Department indicates that it will no longer be necessary. Last, Director Young explained that there is 40-foot temporary secondary easement that occupies nearly the entire eastern property line of Lot 18. Staff recommended that a condition of approval be that this easement become permanent.

Council Member Meacham pointed out that according to the aerial map the driveway is angled, whereas the easement is parallel to Canyon Road. He asked Director Young to elaborate on the matter. Director Young replied that this will allow for future opportunities to improve the easement, which is currently just a dirt road.

ACTION: Council Member Boyd moved that the City Council approve the final plat, known as Canyonbrook Estates Plat "B", and adopt the exhibits, conditions, and findings contained in the staff report, and change the temporary secondary easement to become a permanent easement. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER FOR APPROVAL THE REQUEST OF LARRY LINDSTROM FOR A 2-LOT FINAL PLAT CALLED GROVE CREST VILLAS PLAT A SUBDIVISION LOCATED AT APPROX. 502 WEST CENTER STREET IN THE DV (DOWNTOWN VILLAGE) ZONE - SENIOR HOUSING OVERLAY. LITTLE DENMARK NEIGHBORHOOD *Presenter: Director Young.*

Council Member Meacham recused himself from this agenda item due to a conflict of interest. Director Young presented the staff report and displayed an aerial photo of the subject property. He noted that a site plan for the development was approved by the Planning Commission on June 26, 2014. The proposed plat is to divide the property into two separate lots, both of which exceed the 5,000 square feet needed in the zone. Director Young explained that both lots in the subdivision access Center Street, with Lot 1 also accessing 400 North. The subdivision was cleared of all preexisting development, and will occupy 6.70 acres. Furthermore, there is a 10-foot public utility easement that abuts both 400 North, Center Street, and the railroad tracks. This easement also crosses the property at the southeastern corner. Director Young recommended approval, with the condition of adding an access easement between Lots 1 and 2.

Council Member Boyd asked if the applicant plans on expanding the development to the east or west at some point in the future. The applicant, Larry Lindstrom, remarked that the senior housing facility probably will not expand, however, he was of the opinion that it could be tied together to a possible commercial expansion to the west at some point.

ACTION: Council Member Boyd moved that the City Council approve the final plat, known as Grove Crest Villas, and adopt the exhibits, conditions, and findings contained in the staff report, and add an access easement between Lots 1 and 2. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

D) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-036) AUTHORIZING THE MAYOR TO DECLARE A CERTAIN PIECE OF REAL PROPERTY .538 ACRES LOCATED GENERALLY AT 200 SOUTH 850 EAST IN THE BATTLE CREEK PARK AS SURPLUS PROPERTY AND DECLARING THEIR INTENT TO TRANSFER SAID PROPERTY TO ALPINE SCHOOL DISTRICT BY DEED AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.

Attorney Petersen informed those in attendance that the subject property is a portion of the Battle Creek Park, located at the top of 200 South. Previous to this item, the Council sold a majority of the park to Alpine School District. There was, however, a remaining portion of property over which the Council was undecided on what action to take. Administrator Darrington has since contacted the Alpine School District about purchasing the property in addition to the other land that they have acquired. Engineer Lewis added that a 40-foot easement will be allowed and the exact boundary lines of the easement are currently being worked out. Attorney Petersen explained that even though the matter will be approved tonight, the property will not be deeded to the school district until the details of the easement are finalized.

ACTION: Council Member LeMone moved that the Council adopt a Resolution (2014-036) authorizing the Mayor to declare a certain piece of real property .538 acres located generally at 200 South 850 East in the Battle Creek Park as surplus property and declare their intent to transfer said property to the Alpine School District by deed and provide for an effective date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members LeMone, Andersen, Boyd, Stanley, and Meacham voting "Aye". The motion carried.

E) TO CONSIDER FOR ADOPTION A RESOLUTION (2014-037) AUTHORIZING THE MAYOR TO SIGN A SALES AGREEMENT WITH ALPINE SCHOOL DISTRICT FOR A PARCEL OF PROPERTY APPROXIMATELY .538 ACRES LOCATED AT 850 EAST 200 SOUTH (BATTLE CREEK PARK) AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.

Attorney Petersen explained that this is a continuation of the previous item and involves the Sales Agreement between the City and Alpine School District. She noted that the purchase price is \$25,000 and reiterated that the easement will be retained.

ACTION: Council Member Stanley moved that the Council adopt a Resolution (2014-037) authorizing the Mayor to sign a Sales Agreement with Alpine School District for a parcel of property of approximately .538 acres located at 850 East 200 South (Battle Creek Park) and provide for an effective date. Council Member LeMone seconded the motion. A voice vote was taken with

Council Members LeMone, Andersen, Boyd, Stanley, and Meacham voting "Aye." The motion carried.

- F) **TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-32) AMENDING TITLE 1 CHAPTER 11 SUBSECTIONS 2 AND 4 MODIFYING THE TITLE OF THE CULTURAL ARTS DEPARTMENT, AND THE DIRECTOR'S TITLES, AND ADOPTING SUBSECTION 7 TO ADD PROVISIONS FOR THE PUBLIC WORKS DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Attorney Petersen.*

Attorney Petersen stated that this is a "clean-up" ordinance and explained that last year several services were split into two separate departments. Specifically, the Council decided that they did not like the Cultural Arts Department to be labeled as such and directed staff to rename it the Library and Arts Department. While staff worked on the matter, they noticed that the Public Works Department had not been given a description outlining the organization within Title 1. The additions had since been made and need to be adopted by ordinance.

ACTION: Council Member Stanley moved that the Council adopt an Ordinance (2014-32) amending Title 1 Chapter 11 Subsections 2 and 4 modifying the title of the Cultural Arts Department, and the Director's titles, and adopting Subsection 7 to add provisions for the Public Works Department and providing for an effective date. Council Member LeMone seconded the motion. A voice vote was taken with Council Members LeMone, Andersen, Boyd, Stanley, and Meacham voting "Aye". The motion carried.

- G) **TO CONSIDER FOR ADOPTION A RESOLUTION (2014-038) ADOPTING THE POLICY AND PROCEDURES MANUAL FOR THE PLEASANT GROVE CEMETERY, AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Director Giles.*

Parks and Recreation Director, Deon Giles, explained that his department has always had policies and procedures, however, they have not been written in a formal policy document. He noted that the proposed changes were made in light of Senate Bill 158 which was recently passed. This will thereby bring the City's policies and procedures into compliance with the bill.

Director Giles briefly reviewed some of the changes made. He noted that no changes were made to the fees. The term "Baby Land" was removed as requested and changes were made to the introduction to burial rights, namely to the explanation on Certificate of Burial Rights. Changes to record-keeping practices were also made as well as the number of burials allowed per plot. Other changes relate to tents, maximum height for headstones, and decorations. A brief history of the Memorial Garden was included in the manual. Last, Director Giles explained that individuals purchase a right to be buried in the City's cemetery, not the actual plot itself.

ACTION: Council Member Meacham moved that the Council adopt a Resolution (2014-038) adopting the Policy and Procedures Manual for the Pleasant Grove Cemetery, and providing for an effective date. Council Member LeMone seconded the motion. A voice vote was taken with Council Members LeMone, Andersen, Boyd, Stanley, and Meacham voting "Aye". The motion carried.

- 8) **NEIGHBORHOOD AND STAFF BUSINESS.**

NAB Chairperson, Libby Flegal, spoke about a recent Chair Meeting and relayed that the Committee will be presenting ideas relative to Public Works to the City Council in the near future. Council Member Stanley asked if the ideas will address water conservation. Ms. Flegal responded in the affirmative.

Director Young reported that he met with a representative from Evermore who expects to get their final submittal to the City within the next two to three weeks. Evermore will also attend Comic Con in September to show a 3D video presentation. Additionally, Director Young reported that he met with the Neighborhood Committee earlier in the day. Another meeting with committee chairs and staff representatives will be held on September 4, 2014, to discuss accessory apartments.

Several other announcements were made by various members of staff. Assistant to the City Administrator, David Larsen, reminded those present of Food Truck Tuesday as well as an upcoming promenade. Fire Chief, Marc Sanderson, recognized the Public Works Department for a job well done on some asphalt patching completed on the corner of 900 East and Sage Drive. Administrator Darrington announced a mini-retreat scheduled for August 28, 2014, from 8:00 a.m. to 12:00 p.m. He also reported that staff had a productive meeting with Stan Smith and Mark Ryan earlier in the day.

Attorney Petersen made reference to a potential application from a developer by the name of Jeff Southard that came forward several months ago. The application related to the intersection at 100 South and Locust Avenue, which is currently designated as a roundabout area. While Mr. Southard ultimately decided not to move forward with his proposal, Attorney Petersen stated that there is another individual who is interested in making an application for that area. She wanted to know if the City Council was interested in removing the roundabout at that intersection.

Engineer Lewis announced that Spectrum Academy opened today, and traffic was hectic. In response to several phone calls made to City Hall, Engineer Lewis visited with the School Administrator to discuss the problem. There was continued discussion on the matter.

City Recorder, Kathy Kresser, announced that the Utah League of Cities and Towns Conference will be held September 10 through 12, 2014.

9) **MAYOR AND COUNCIL BUSINESS.**

There was no Mayor and Council business.

10) **SIGNING OF PLATS.**

The Pleasant View Plat was signed.

11) **REVIEW CALENDAR.**

There were no calendar items to review.

Mayor Daniels called for a motion to go into executive session to discuss the purchase, exchange, or lease of real property (UCA 52-4-205 (1) (d), the sale of real property (UCA 52-4-205 (1) (e) and pending or reasonably imminent litigation (UCA 52-4-205 (1) (c).

ACTION: At 7:01 p.m. Council Member LeMone moved to adjourn to an Executive Session to discuss the purchase, exchange, or lease of Real Property (UCA 52-4-205 (1) (d)), the Sale of Real Property (UCA 52-4-205 (e) and Pending or Reasonably Imminent Litigation (UCA 52-4-205 1 (c)). Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

PRESENT:

Mayor: Mike Daniels

Council Members:

Dianna Andersen
Cindy Boyd
Cyd LeMone
Jay Meacham
Ben Stanley

Staff Present:

Scott Darrington, City Administrator
Tina Petersen, City Attorney
Degen Lewis, City Engineer
Kathy Kresser, City Recorder

ACTION: At 8: 14 p.m. Council Member LeMone moved to come out of executive session and go back into the regular meeting. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

Council Member LeMone voiced her concern about Council Members and Staff not being on the same page with the public safety building bond. She felt that everyone needs to be united, but if there are concerns or questions that need to be answered she encouraged Council Members to get those questions or concerns resolved before the September 16th meeting.

Council Member Stanley responded that the questions that he still has, has to do with the cost. He said that he has spoken with Director Lundell about the ongoing maintenance cost of the new building and how is that going to be paid for. Next he said that he would like for the fire and police to do a detailed inventory list of FF&E's that we will be able to move over to the new building. He would like to look for other resources to help fund the building. He then said that he loves the fire and police chief's and wants to be part of building a great building, but he wants to make sure that it is done with the most financially responsibly way possible. He hears all the time from constituents around the City that tells him that they see him as the only one that is really advocating for some responsibility on the front, he helps them understand the issues.

Council Member Stanley then said that he wants to make sure that the public is fully vetted and fully discussed. He feels that the bond will pass if we find a way to trim the dollars, the actual bond amount and thinks that we will have a great result at election time.

Mayor Daniels commented that the \$1.3 million that has been identified to use from the General Fund which will go towards the soft costs and will bring the soft cost from \$2.8 million down to \$1.5 million. The difficulty that we face today is, in order for us to put anything on the bond election, we have to have the language turned into the County Recorder by August 21st. To do

justice to the voters to lower numbers that have been based on fact, it will take longer than the time that we have to do due diligence. It is good for us to continue and put the time into research the 600 thousand dollar gap. The soft cost numbers that you see are just plugged in numbers, by the time that we reach November and the election we are hoping to have all of those costs identified. We do not want to spend more than is necessary to spend.

Continuing on Mayor Daniels said that MOCA spent a great deal of time analyzing the recommendations of the committees on some of the costs and if you have not read the letter from MOCA you may want to read it, it is articulated in the letter which soft costs are possible to adjust and which ones are not. He feels that it is unsafe for us to say that this is the cost and this is the cap. There are two ways of looking at this, one is the systems approach and the other is a cap and they are two separate ways to approach this.

The Mayor said that he has asked Administrator Darrington to sit down with the Chief's and start the process of getting an owner's cost list going but it is a process and it will take some time. Council Member LeMone remarked that that is the reason that we hired MOCA to figure out the numbers for the cost. If we can get more detail that is good but we need to have confidence and support the numbers that they have given us up to this point, which is based on their expertise in building these kinds of buildings. She feels that it will be detrimental to the process to get so finite with the numbers and then the numbers we give turn out to be wrong.

Attorney Petersen interjected that the percentages that MOCA has given us are their best estimates based on their education and experience, however, even they have told us that those percentages are wide ranging, they have chosen a number to put in that they feel is their best guess. What if it is wrong, what if the range was 8 to 25 percent and they put in 10 percent and it really is 25 percent, we have no cushion if we start putting out numbers and the percentage goes up.

Administrator Darrington commented that Chad Jones told us last week that the technology ranges from 12% to 25% and they have us at 13%, they have us on the low end for an estimate. MOCA has pushed the numbers down so low that they feel uncomfortable with them.

Mayor Daniels remarked that the numbers that we have they aren't as accurate as we have the ability for them to be today but we need to take it to the next step which is if the bond passes we need to hire an architect, a project manager, and construction and engineering teams.

Council Member Andersen commented that she does not have a legal background but there are specific skills people have and they have spent years developing them. When MOCA came in she knew within a few minutes that they knew what they were talking about. When someone comes in and says we are doing this wrong, she has to say to herself that this person does not have the expertise that MOCA does in building public safety buildings. There is over 60 years combined experience in building public safety buildings with MOCA. There have been accountants that have come in and questioned the accounting of the City; we have our own accountant that is his skill set. On the funding issue she trusts that Director Lundell will stand up and say "no, this is not good for our City." At some point we have to trust that we have done everything that we can do and then we have to share that.

Council Member Boyd said that the Mayor has said that we need to show a united group and she agrees. We do not have to agree with each other on everything but we need to show that we are united with the process that has taken place.

Council Member Stanley said that we might not have the skill set as others but we can still provide a critical eye to make sure that we get the best for the City. He feels that there is still some information that is missing i.e. the continuing maintenance cost of the new building, if we cannot pay for the gas why are we buying the vehicle. There are other issues in the City that need just as much attention such as the roads and the water system. He agreed that we are united in putting the bond on the ballot and letting the citizens decide if the public safety building is the best thing for the City.

Continuing on Council Member Stanley said that he would like to break out some of the line items into more by saying that technology includes the wiring for the system, dispatch, how many security cameras we will have, how many radios, break that line item into 30 more line items. MOCA has given us percentages and he thinks it is a good percentage that we can work with but he feels that it needs to be broken down further.

Council Member Andersen commented that she was speaking with a person and they asked why can't we keep it at \$10 million, her reply was that we can if we want to steal money from another department, as soon as they understand that then they get it. The understanding comes from the conversation. The number on the ballot is not to exceed, if we don't need the \$12 million we won't use it.

Administrator Darrington said that as far as maintenance goes, we do not budget maintenance for the buildings now, if something goes wrong like the Public Works building needs a new roof we are scrambling to find the money to repair it, most cities don't budget for maintenance. If we try to have money in the bank for these kinds of things for 20 years that means that we will be ignoring other things in the City that needs repair, unless we have a significant revenue stream come in. It is the same with our infrastructure we should be charging \$500 a month for utilities if we ever want to get ahead, but that is not possible politically. Council Member LeMone asked if we have had that conversation with Director Lundell, have we sat down with him to get the cost of ongoing maintenance. Administrator Darrington replied that we have not but we can do that.

Council Member LeMone suggested that between now and the public hearing on September 16th if anyone has questions or reservations then we can get together with MOCA and get the information that they are looking for. We want to come across as a team, which is what happened last time we didn't come across as a team and that hurt us. If we are educated on how we got to the \$12, 669,000 number for the bond that will be a great service to the City and the Staff and everyone that has been involved up to this point. We need to be cognizant of the message that we are giving to the public in our conversations. The Council agreed.

Mayor Daniels commented that when this process started last year the number was \$19 million then it was cut to \$16.9 million we have now cut it down to \$12,670 million, that is \$6 million in cuts. We have done a better job in producing a believable project that can be built. Can we cut this number down further, the answer is yes but do we see a clear path between now and November that will cut the cost by millions, he doesn't know if we see that path yet. In order for us to see that path to go from \$12.67 million to \$11 million or \$10 million it is going to require the expenditure of hundreds of thousands of dollars rather than \$50 thousand. At this point in time he doesn't feel comfortable authorizing or asking the Council to authorize \$50 thousand in expenditures. The other thing if someone asks the question, "Why do you need to have a full time fire department?" The response should be that the lowest response to an incident prior to having a full time fire department was 11 minutes and that is not acceptable by federal standards, state standards and the City

standards. The current average for response is about 3.5 minutes which is acceptable. We cannot run a City of 36,000 people with a volunteer fire department and an 11 minute response time, that is not acceptable it is unsafe. There are answers to some of the questions that are still out there and we have those answers.

Council Member Stanley replied that every one of those answers are predicated on assumption, if you look at Springville they are still using a part time fire force but he hasn't asked the Fire Chief what their response time is and they have 31,000 people. He didn't know what standards they feel like they have to comply with but whether we have to comply with standards as a matter of law or whether we prefer to comply with City standards as our own sense of levels of service and safety a question for the public to resolve it is not a question for us to dictate.

Mayor Daniels responded that that is correct. What we are looking for in this point in time if we feel that we are so broadly divided as a Council as to the form of government that we have or the debt structure and the level of service that are tolerable then we are so far down the road. He doesn't think that there are two different philosophies about where we need to be as a government. If you feel strongly that that is where you need to be that is fine you do have that right. He said that he still has concerns about the FF&E, the technology and communications but if added all up you are not going to reduce the bond by \$1 million. He feels that until we get through the bond we have reached a point of diminishing returns and we should go to the next level and express to the public this is the research that we have found and if you, the citizens are comfortable with this and want to continue down this path then move forward then pass the bond. Then we will bring in the professionals and have them help us reengineer this down to something that is doable for the lowest possible bang for the buck.

Council Member Stanley remarked that other questions that he has is who is against tearing down the old rec center and building a new fire station there and then storing the police evidence in the old fire station for 5 years and then do another bond in 5 years for the police station. Attorney Petersen responded that those questions were answered in the meetings with MOCA. She suggested that he sit down with MOCA and go over all the information that they have presented. Council Member Stanley replied that at this point doing that would probably lead to more questions because he is not going to take anything that MOCA tells him at face value. He said that he has talked with some citizens and they feel that MOCA has inflated the percentages because they want to have a more inflated percentage when they become the project manager.

Mayor Daniels responded that Council Member Stanley skepticism is well placed and as far as the access to information, he didn't know if Council Member Stanley had availed himself of all of the information that has been discussed, the then invited Council Member Stanley to sit down with him or Administrator Darrington or other members of the Council to get the information needed to make himself knowledgeable of the process.

Council Member Stanley replied that what he will do is come up with 50 questions and email them to the Council and ask for the thoughts of the Council on these questions.

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

12) ADJOURN.

ACTION: At 9:10 p.m. Council Member LeMone moved to adjourn. Council Member Meacham seconded. The motion passed unanimously with the consent of the Council.

The City Council Meeting adjourned at 9:10 p.m.

Approved by the City Council on September 23, 2014.

Kathy T. Kresser, City Recorder

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