

**Pleasant Grove City
City Council Regular Meeting Minutes
September 16, 2014
6:00 p.m.**

PRESENT:

Mayor: Mike Daniels

Council Members:

Dianna Andersen
Cyd LeMone
Ben Stanley
Jay Meacham
Cindy Boyd

Staff Present:

Deon Giles, Parks and Recreation Director
Mike Smith, Police Chief
Marc Sanderson, Fire Chief
Degen Lewis, City Engineer
Finance Director, Dean Lundell
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
W. Brent Bullock, Judge
Ken Young, Community Development Director
Lynn Walker, Public Works Director
Sheri Britsch, Library and Arts Director

The City Council and staff met at the Pleasant Grove City Junior High, 810 North 100 East, Pleasant Grove, Utah.

1) CALL TO ORDER.

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

2) PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Council Member Stanley.

3) OPENING REMARKS.

The opening remarks were given by Council Member LeMone.

4) **APPROVAL OF AGENDA.**

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

5) **CONSENT ITEMS.**

There were no consent items to approve.

6) **OPEN SESSION.**

Mayor Daniels opened the open session.

Ruth Johnson stated that she lives at Gateway Village, located at 963 West 600 South. She explained that her children attend a charter school across the street from her home, and wanted to know when a school zone and crosswalks will be installed. City Engineer, Degen Lewis, was unaware that there are children who walk to the school in question. He explained that there are certain criteria that need to be met in order for a crosswalk to be installed. Engineer Lewis agreed to meet with Ms. Johnson privately to further discuss the matter.

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

7) **BUSINESS.**

- A) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-35) PERMANENTLY CLOSING AND ABANDONING A ROAD RIGHT-OF-WAY STRIP ALONG THE NORTH SIDE OF 700 SOUTH FROM APPROXIMATELY 1160 WEST TO APPROXIMATELY 1240 WEST. STRIP VARIES FROM ZERO TO SIX FEET AT THE REQUEST OF DOTERRA. (SAM WHITE'S LANE NEIGHBORHOOD) Presenter: Engineer Lewis.**

Engineer Lewis explained that the first three items on the agenda relate to separate roadway vacations. He noted that all of the roads have been in existence for a very long time. For example, the road on Loader Lane was recorded on the 1937 plat. At the time, the edges of roads were not as clearly defined as they are today. Within the three related subdivisions where there is a need for curb, gutter and sidewalk, staff has identified areas along each of the developments where the City's existing right-of-way is wider than is necessary.

Engineer Lewis provided a brief description of the subject road right-of-way strip, located along the north side of 700 South. He stated that this is a "housekeeping" item, and that the roads will continue to function and will be improved. There is a bit of existing public right-of-way that doesn't need to remain a public right-of-way. Therefore, since most rights-of-way are obtained by dedication or exaction from the City, State law requires that the City yield it back to the respective property owner. Council Member Meacham asked if the graphic matches the description. Engineer Lewis answered in the affirmative. There was brief discussion on the matter. It was noted that there was a discrepancy in the size of the strip. Staff agreed to make the correction.

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

ACTION: Council Member Stanley moved that the Council adopt an Ordinance (2014-35) permanently closing and abandoning a road right-of-way strip along the north side of 700 South from approximately 1160 West to approximately 1240 West. The strip varies from zero to six feet at the request of doTERRA. Council Member Boyd seconded the motion. A voice vote was taken with Council Members LeMone, Boyd, Andersen, Stanley, and Meacham voting "Aye." The motion carried.

B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2014-36) PERMANENTLY CLOSING AND ABANDONING A ROAD RIGHT-OF-WAY ALONG THE WEST SIDE OF 1450 WEST FROM 3300 NORTH TO APPROXIMATELY 2750 NORTH. WIDTH OF STRIP APPROXIMATELY 9,497 SQUARE FEET OR .22 ACRES OF LAND AT THE REQUEST OF KYLE SPENCER, NORTHERN ENGINEERING. MANILA NEIGHBORHOOD. Presenter: Engineer Lewis.

Engineer Lewis explained that the road varies from zero to five feet in width. The strip is about 1,500 feet long. It is a very narrow piece of land, the east side of which will be the new west side of the road.

Mayor Daniels opened the public hearing.

Scott Liger gave his address as 2681 North 1550 West and expressed his opposition to the proposed right-of-way as well as the whole road system on 1450 West. He explained that from 3300 North to 2750 North, about one-third of the south end of 1450 West will be left as at a length of 20 feet. Mr. Liger was opposed to the City giving away land and making any improvements until the entire road is resolved. He then referred to a Planning Commission Meeting from May where there was an agenda item relating to the Muirfield Estates that was to be continued until June 12. Mr. Liger noted that the motion was later passed without public comment.

Mayor Daniels summarized Mr. Liger's points of concern. Mr. Liger reiterated that 1450 West is really just a 20-foot lane, which makes movement difficult for emergency vehicles and first responders. Furthermore, Mr. Liger stated that 2600 North is a mess. He stressed that passing the proposed ordinance prior to addressing the whole road will be counterproductive.

With regard to proper noticing of the public hearing in the spring, Engineer Lewis responded that he will need to do research on what occurred. He continued that 1450 West has need of other improvements along the road. Engineer Lewis agreed that the roadway is narrow as it approaches 2600 North. He further recommended that the City make the proposed improvements. However, this may constitute as a separate discussion at a later time. The Council can decide on the City's priorities in terms of funding.

Mayor Daniels explained that if an individual wants to develop property, particularly one that is as large as the subject property. One of the City requirements is that they must provide all of the improvements along the road that their development will affect. Mr. Liger agreed with this

requirement and reiterated the points made previously. He suggested that the City widen 1450 West prior to moving forward with a subdivision. Community Development Director, Ken Young, explained that a site plan for the property was reviewed and road improvements and alignments were presented by the City's Engineering Department during that process. No determinations were made from staff or the Planning Commission with respect to the widening of the road. Fire Chief, Marc Sanderson, added that 20 feet is the minimum required for emergency access.

Mr. Liger stated that he attended a Planning Commission Meeting on the subject back in February. At the time, the Commission responded that it was an issue that needed to be reviewed by the City Council. It was noted that Mr. Liger was sitting next to City Attorney, Tina Petersen, during this meeting, and he was able to present her with a copy of the public agenda from May 22, 2014. Attorney Petersen verified that Item 2 on said agenda had an asterisk indicating that the item would be continued to June 12, 2014. Director Young was unable to recall the happenings of that particular meeting. Attorney Petersen noted that Mr. Liger also had a copy of the minutes from the Planning Commission Meeting held on May 22, 2014. The minutes indicated that a staff report was presented and that action was taken to approve the phasing plan for the associated development. Based on the documents presented, Attorney Petersen concluded that the aforementioned action will need to be re-noticed to the public.

ACTION: Council Member Boyd moved that the Council continue the public hearing to consider adoption of Ordinance (2014-36) permanently closing and abandoning a road right-of-way along the west side of 1450 West from 3300 North to approximately 2750 North. Width of strip approximately 9,497 square feet or .22 acres of land at the request of Kyle Spencer of Northern Engineering to an undetermined date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members LeMone, Boyd, Andersen, Stanley, and Meacham voting "Aye." The motion carried.

Mayor Daniels thanked Mr. Liger for bringing the matter to staff and elected officials' attention.

**C) PUBLIC HEARING TO CONSIDER FOR ADOPTION AND ORDINANCE (2014-37)
PERMANENTLY CLOSING AND ABANDONING A ROAD RIGHT-OF-WAY
STRIP ALONG THE EAST SIDE OF LOADER LANE FROM 200 SOUTH TO
APPROXIMATELY 400 SOUTH. WIDTH OF THE STRIP VARIES FROM ZERO
TO APPROXIMATELY 12 FEET. (SCRATCH GRAVEL NEIGHBORHOOD)**

Presenter: Engineer Lewis.

Engineer Lewis explained that the item was discussed with the conditional approval of the Pleasant View Plat B Subdivision. In reviewing the existing parcel, the right-of-way sits back quite a bit further than the rest of the private property located to the south. In order to have a roadway, staff determined that the most logical plan was to pick a point along the development and make a gradual shift to the west. As the shift is being made, once the sidewalk goes in and the right-of-way is established, there isn't a need for the City to continue to own the small strip of property in question. Vacating the property will not increase the size of the subdivision, and it was noted that no improvements have been made to the road at this point. Engineer Lewis clarified that there are two homes located south of the subdivision that also do not have road improvements. Council Member Meacham pointed out that the radius does not match the description. Staff agreed to make the correction.

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

ACTION: Council Member Boyd moved that the Council adopt an Ordinance (2014-37) permanently closing and abandoning a road right-of-way strip along the east side of Loader Lane from 200 South to approximately 400 South. The width of the strip varies from zero to approximately 12 feet. Council Member Stanley seconded the motion. A voice vote was taken with Council Members LeMone, Boyd, Andersen, Stanley, and Meacham voting "Aye." The motion carried.

D) PUBLIC HEARING FOR THE PURPOSE TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO (A) THE ISSUANCE OF THE BONDS AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE IMPROVEMENTS, FACILITIES, OR PROPERTIES FINANCED IN WHOLE OR IN PART WITH THE PROCEEDS OF THE BONDS MAY HAVE ON THE PRIVATE SECTOR. *Presenter: Administrator Darrington.*

Mayor Daniels presented an updated brochure from the August 7 meeting. It was noted that stacks of the brochures were left on tables and available for each audience member to obtain their own copy. Mayor Daniels explained that the City received feedback from the public and the Council that when time limits are placed on individual public comments, emotions tend to be escalated and an artificial barrier can inadvertently be created. Mayor Daniels then asked audience members to indicate by the raise of hand how many preferred to have comments timed by way of a clock, as opposed to those who preferred not to have comments timed. The majority of the public decided to have comments timed for five minutes, by way of a clock. Finance Director, Dean Lundell, was assigned to be the timekeeper for the public hearing item.

Mayor Daniels explained that elected officials will try to present clear and concise answers to questions throughout this hearing. Should a question arise to which they do not know the answer, they will indicate accordingly. Some questions may be deferred to the printed published material or specific slides from a slide show presentation. Furthermore, certain Council Members and staff will be called upon to respond. Chief Sanderson and Police Chief, Mike Smith, were invited to sit next to Judge Brent Bullock. Mayor Daniels noted that the Chiefs have been more involved this year in answering questions regarding the City's public safety needs. In response to a question from an audience member, Mayor Daniels conducted a brief vote with regards to time allotted for answering questions. The majority of the public decided that the clock would be stopped for questions to be answered to allow citizens a full five minutes to discuss their inquiries and/or concerns.

Mayor Daniels informed those in attendance that the Council recently voted to put a bond of approximately \$12.7 million on the election ballot for this upcoming November. The purpose of the bond is to finance the construction of a new Public Safety facility, which will house the Police, Fire, Courts, and City Council Chambers. He noted that the brochure provides an outline of how the bond amount was determined based on the City's needs, as well as how the bond will take place. It was noted that the bond amount was rounded from \$12.67 million to \$12.7 million because the bond has to be sold in increments.

Mayor Daniels opened the public hearing.

Kristy Belt who resides at 266 East 1640 North asked why the bond amount was reduced from last year's amount. Mayor Daniels gave a brief overview of the research that has gone into the project up to this point. He explained that last year the project cost was estimated at \$19 million. That amount was estimated based on a study done by VCBO Architecture, the square footage, and the projected interest rates. The bond amount was then reduced to \$16.5 million, which was the result of changing the bond type from an MBA Bond to a GO Bond. It was noted that the difference between the two bonds is that only elected officials vote on an MBA Bond, whereas all citizens in the community vote on a GO Bond. Interest rates and level of security also vary between the two types of bonds.

As discussions continued into this year, the needs were constantly being re-evaluated, and the actual cost of the building was reduced down to a lower amount. The hard costs were estimated at \$12.2 million, \$900,000 in contingences, and \$1.9 million in soft costs, for a total of \$14.9 million. The City had also acquired additional funds through the sale of property in prior years for public safety uses, as well as public safety funds that the City saved. With these additional sources, the City will contribute approximately \$1.3 million into the project as well, which reduced the amount of the bond from \$14.9 million to \$13.6 million, with a par amount of \$12.7 million. Essentially, with a premium bond more is given in cash than the actual bond amount. It was noted that the square footage of the proposed facility has also been refined over the past year.

Ms. Belt asked Chief Smith and Chief Sanderson if they would have to give up any fundamental resources that they or the citizens need in order to reduce the overall project cost. She stated that her foremost concern is that of her children's safety. Ms. Belt explained that as the project is used over the next 20 years she needs to know that the Public Safety Department has everything they need in order to keep the community safe.

Chief Smith remarked that Pleasant Grove is fortunate in the fact that there is a strong relationship between the Fire and Police Departments. There are benefits to the two departments sharing a facility, because it allows them the opportunity to share resources and thereby cut costs. Chief Smith expressed optimism that the proposed facility will benefit the City for many years. Chief Sanderson felt that the Fire Department's needs will be met with the current plan. He pointed out that there are still several logistics that will need to be worked out. Chief Sanderson was of the opinion that even if the bond passes, there will likely still be several changes that will need to be made. He could not specify one way or the other as to whether or not all of their needs will be completely met, and felt it would be premature to provide a confident answer to Ms. Belt's question.

Ms. Belt inquired as to whether or not the Fire Department has been asked to give up certain anticipated needs for the future to help reduce the cost of the new facility. Chief Sanderson indicated that he has cut out 10,000 square footage from the original floor plan to this year's proposed floor plan. From his perspective, there was nothing else they can cut without compromising a certain level of service to the community. Chief Smith reviewed some of the discussions between the City and MOCA, which included several negotiations regarding the floor plan of the facility.

Judge Bullock likened the current Municipal Court and offices to a closet and noted that the proposed plan will include a shared courtroom with the City Council. Plenty of space will also be added for visitors. Last, Ms. Belt commented that as she has visited with personnel from the Police and Fire Departments, all have remarked on the great working relationship between the two departments.

John Johannesmeyer gave his address as 1069 West 810 North and inquired about the funding of the project. He noted that several cities use retail tax revenues to help fund these items. Mr. Johannesmeyer felt that the residents have been asked to take on most of the financial responsibility for the project. He asked staff and elected officials what means other than property taxes the City plans to use to fund the Public Safety Building. Mayor Daniels deferred Mr. Johannesmeyer's inquiry to information provided in the brochure. He explained that should other funds become available, they could be used to pay off the bond, thereby removing the burden to the citizens.

Mr. Johannesmeyer recalled that another bond for the Public Safety Building was voted on last year, and the citizens' response indicated that they were not in favor of the facility. He inquired as to what will happen next if the public votes against the item again this year. Mayor Daniels deferred the question to the City Council. Council Member Stanley responded that there are many ways to interpret a majority vote against the bond. It could mean that the citizens weren't happy with the value or the amount of money spent, or perhaps they want a different priority for the City. Council Member Stanley stated that the public should be driving the effort and defining priorities, because it is their money. If the public votes against this bond, then staff and elected officials will determine a way to interpret that result.

Council Member LeMone added that if the bond doesn't pass, the City will find another solution for the Public Safety Building. She noted that at this point, the Council has not determined a conclusive alternative plan, because they are taking the matter one step at a time. Council Member Boyd agreed with Council Member LeMone's comments and added that the need will not go away, regardless of how the vote goes in November. She expressed her faith in the citizens. Council Member Andersen echoed previous comments, and explained that last year many residents expressed that they wanted a more clearly defined approach to the matter. She felt that the staff and elected officials have put together a more defined and vetted project this year. Council Member Meacham agreed with the points made by the members of Council.

Lindsey Swasey gave her address as 1141 North 300 East and referred to a survey conducted in 2012 regarding what citizens would be willing to pay for using more tax dollars. The Public Safety Building was ranked at the very bottom and roads were one of the top priorities. Last year, a similar proposal was voted down by a 3-to-1 margin. The City has now spent nearly \$56,000 on consultants and packaging in presenting this facility to the public. The constituents, however, have already made it clear that they do not want to spend money on this project.

Mayor Daniels deferred the question to the Council. Council Member Meacham acknowledged that the City spent money on trying to reach a solution. He explained that the Council seeks to determine the needs and wants of the citizens and then come up with a plan to address those items. Council Member Meacham stated that the City is trying to approach one deficiency at a time and a Public Safety Building is one of the City's primary needs.

Council Member Andersen explained that she knocked on 1,200 doors last year. In speaking with residents, very few questioned why this issue had become one of the City's top priorities. One of the common issues last year was that it wasn't clearly defined. As a result, the City decided to invest more money into researching ways to meet this need while lowering the overall projected cost. She reiterated several comments previously made by other Council Members and explained that the process by which staff and elected officials have evaluated the City's needs and ways to address them.

Council Member Boyd remarked that the Council Members are not experts on building a Public Safety Building and decided to hire consultants who possessed the knowledge and expertise necessary to provide the best possible direction for the project. She noted that the brochure indicates that over 850 collective volunteer hours were spent developing the proposal, and that a dollar amount can't be put on all of that time spent.

Council Member LeMone responded to Ms. Swasey's comments regarding the survey conducted in 2012. She stated that the survey comprised feedback from 1,300 out of 35,000 Pleasant Grove residents. She was of the opinion that basing this year's proposal on a 1,300 person vote from two years ago may not be the most accurate approach. Council Member LeMone emphasized that the Council encourages feedback from the citizens, which is the purpose of the public hearings held on the matter. She added that not all of the City's priorities can be focused on at the same time. She addressed the City's needs relative to roads and stated that the Council has a separate plan in place. Council Member LeMone was pleased that the City had gone through the bond process a second time, because in so doing they were able to reduce the bond amount by \$5 million. Last, she expressed confidence in MOCA and felt that the City will be getting the best facility for their money.

Council Member Stanley acknowledged that the City has had several different data points for moving forward with this year's project. He reiterated that the Council's analysis begins with listening to the public regarding where they would like to see their money spent. He stated that the citizenry will have another opportunity this fall to express what needs they would like to prioritize. Mayor Daniels summarized the comments made and added that the consultants from MOCA were hired at his recommendation because of the level of expertise they are able to provide.

Ms. Swasey explained that she tried to be more involved in the process this year and noted that she attended several of the community meetings held on the matter. She was of the opinion that several of the Council Members for whom she voted, have not represented her wants and needs as a taxpayer.

Mayor Daniels spoke to the issue of roads, noting that it has currently been set as the City's number two priority. He explained that the reason it has been placed second on the list is due to the amount of money involved. Furthermore, last year it was discussed at the State level, as well as among mayors and elected officials of other cities. Because there is no viable way for cities to fund their own roads, monies are collected through gas taxes and then given back to cities in the form of B & C road funds.

Mayor Daniels relayed that Attorney Petersen recently attended a legal briefing with the Utah League of Cities and Towns (ULCT) who represents municipalities before the State Legislature.

Currently there is a movement to pass a bill that would change the way road funds are collected and distributed. If the proposed bill passes, the amount of money coming to the City for roads and infrastructure would be about ten times higher than what is currently being allocated. Mayor Daniels advised individuals who wish to participate in that movement to write to their Representative and Senator.

Shannon West who resides at 1030 East 1100 North pointed out that Draper and Kaysville are also in the process of building new police stations. Each of those cities is roughly the same size as Pleasant Grove and their facilities will cost \$3.8 million and \$4.3 million, respectively. Ms. West mentioned that the Blue Ribbon Committee suggested a project total of around \$6.5 million. She expressed concern with the proposed bond amount and stated that as a citizen it is difficult for her to understand why the City wants to spend more than double what other cities are spending on their public safety facilities.

Mayor Daniels replied that during the research portion of the project, staff developed a side-by-side comparison of all costs involved, not just those published in the newspapers. What they found was that Pleasant Grove's numbers were comparable to a similar project in Springville. The Mayor explained that staff obtained a letter from Springville's City Administrator, stating that due to the timing of their construction bidding, they were able to beat out other cities. A slide showing the letter from Springville was displayed and Mayor Daniels commented that the three other projects need further examination.

Council Member Meacham added that a citizen made a presentation on the Kaysville project to the City Council previously. The presentation compared construction and square footage costs, and those figures were very close to the numbers that MOCA quoted for Pleasant Grove's project. The presentation also contained soft costs, however, architectural fees and an inflation percentage increase were not provided, which is included in Pleasant Grove's project bid.

Ms. West remarked that she arrived at different calculations than those presented. Council Member Meacham replied that the numbers shown for the Kaysville project were extracted directly from the bid summary provided to the City. Ms. West pointed out that from last November, the proposed square footage decreased while the price per square foot increased. Mayor Daniels explained that VCBO Architecture conducted last year's research, and came up with square footage requirement of approximately 60,000 square feet. This year, MOCA came up with a requirement of 49,286 square feet. Mayor Daniels remarked that VCBO projected a cost per square footage out of thin air, with little financial backing to the projection. The purpose of this year's exercise was to dig deeper into the project details. Ms. West concluded that the simple reality check is that if the City can't afford a certain amenity, they cannot have it. Mayor Daniels acknowledged her statement as fair, and stated that the electorate should speak to this issue.

Blaine Thatcher gave his address as 120 North 1400 East asked the Mayor a question relating to his election as Mayor. He stated that Mayor Daniels defeated the incumbent, primarily because of the City's approach to the previous bond. Mr. Thatcher asked Mayor Daniels why he supported this project and the associated bond, when it appears to be at least twice as expensive as other potential options.

Mayor Daniels replied that he has been involved with the project since January. He stated that the Council voted the matter as the City's top priority. In assessing the associated project costs, Mayor Daniels indicated that the City has reached the best possible solution. He provided an overview of several details that were examined throughout the process, such as architecture, building layout, engineering, types of materials, construction, etc. The Mayor stated that he did not run on the platform of the City not needing a Public Safety Building but rather, he ran on the platform of the City needing to take a different approach. Mayor Daniels explained that there were a lot of people who voted for him for very different reasons, and it was never his intent to kill this project.

Mayor Daniels noted that the Mayor does not vote on public priorities, nor does he vote on most of the decisions made in City Council Meetings. There are five votes cast by five City Council Members, and the Mayor only votes in the case of a tie.

Mr. Thatcher agreed that the City has several needs. He explained that his primary concern is with the process being followed. He inquired as to why the City is fixed on a solution that appears to cost twice as much as the other solutions. Mayor Daniels responded that the Council is not necessarily fixed on this particular option; however, if the public approves the bond, their intent is to continue on a more architectural and engineering approach to drive the costs down before any construction takes place. There was discussion regarding MOCA's role in this year's bond process. Mayor Daniels noted that MOCA was on the State bid of contractors and they were selected for the public service portion of the project.

Mr. Thatcher spoke about the Blue Ribbon Committee and felt that the only option that they were allowed to discuss as a committee was that of the bond proposal supported by the City. He questioned why they weren't allowed to discuss other possible solutions. Mayor Daniels responded that he was not aware of the Blue Ribbon Committee not being allowed to discuss other options. He noted that there was a list of options presented by last year's committee that they were free to discuss. The City, however, did not have the time and money to pursue different options at the same time. Mayor Daniels asked members of the Blue Ribbon Committee to indicate by raise of hand how many individuals felt they were not allowed to further discuss alternative options, as opposed to those who felt that the bond proposal was the best option and required the most attention. The response indicated a 50/50 result.

Bill Lee gave his address as 835 North 500 East. He thanked the Mayor and Council and acknowledged that it has been vastly different than what occurred last year. Mr. Lee also thanked the citizens for their involvement. He alluded to some of responses given by staff during last year's discussions and explained that there had been a lack of clear communication and understanding. He explained that there will need to be some restoring of trust in order for the City to gain future support from the public.

Mr. Lee made reference to the other needed projects and remarked that he does not want the City to have buyer's remorse when there are so many other needs to be met. He referred specifically to roads and infrastructure. He acknowledged that the Public Safety Building is a worthy project, but he was concerned that the City might be getting ahead of itself by making this investment now. Mr. Lee made several additional comments, including his perception of MOCA's overall statewide reputation. He also was of the opinion that City residents want to first see a Public Safety Facility that is functional and architecturally simple.

Mayor Daniels explained that the City is looking into how not to accept money after it has been bonded, in the event that they come in under budget with the project. Furthermore, the current elected officials don't want to bind future City Councils. Mayor Daniels described the difference between hard and soft costs, noting that soft costs are items themselves that may or may not depreciate after a five-year period. He informed those in attendance that \$1.4 million will be used from General and Public Safety funds to pay some of the soft costs. It was hoped that an additional \$500,000 will be gained through the devaluation process to reduce construction costs or other soft costs. Mayor Daniels stated that the citizens always have the final say. He explained that if the public doesn't like the manner in which elected officials are handling their positions, they can be voted out of office.

Mayor Daniels noted that Mr. Gary Yeates did all of the artwork for the informational brochure distributed to the public at no cost.

Gary Yeates gave his address as 1225 East Nathaniel Drive and reported that he attended a similar meeting about 15 months ago. He recalled that during that meeting there was nearly an overthrow of the City's government. Mr. Yeates explained that he supported the bond last year, and he supports it now. He noted that the number of people who will be making comments is indicative of the progress made over the past 15 months. He thanked the Mayor and Council for their approach in involving the public this year.

Mr. Yeates likened the City's need for a Public Safety Facility to a time in his personal life when his family outgrew their vehicle and needed to upgrade to something that could accommodate the family. They didn't have the money at the time and had to make a tough financial decision to meet this need. Similarly, when the Public Safety Building was constructed in 1980, the City had 1/3 the population they do today. Mr. Yeates was of the opinion that the longer the City waits to construct the facility, the greater the likelihood that the project will become more expensive. He commented that while he wholeheartedly supports repairing the City's roads, he feels this project should take priority. He strongly encouraged staff, the elected officials, and citizens to push the matter forward.

Mayor Daniels remarked that the informational brochure is transparent as to proposed property tax increases for each individual property owner.

Kim Robinson who resides at 1934 Tuscany Way encouraged voters to come to the polls in November to vote their conscience. Furthermore, she encouraged voters to make a decision based on the information provided, without thinking out of intimidation. She stated that everyone is a citizen of the same community and it is important not to skip information that may be available, simply due to emotions. It was Ms. Robinson's hope that this bond will provide the answer. She expressed concern with comments made by elected officials that the matter was rushed in order to move forward. She questioned what more time and consideration will provide in terms of making a decision. Ms. Robinson commended the work of the Fire and Police Departments.

Kyle Judson who resides at 2076 North 10 East, remarked that as he has participated in the process. He is more comfortable with this year's facility as opposed to one presented last year. He did not perceive the current proposal to be overly extravagant. Mr. Judson suggested that if the bond doesn't pass, that the City seriously consider a radical alternative, such as offsite storage for evidence, rather than another alternative for a new building. He referred to comments made about

the possibility of the bond being defeated and asked if there is any chance of it increasing. If so, he asked what affect it would have on taxpayers. Mr. Judson inquired as to how this bond will affect other bonds.

Mayor Daniels addressed one of Ms. Robinson's comments regarding the City rushing the matter. He noted that "rushed" was used in the past tense, meaning that the Council rushed to get the language to the Lieutenant Governor's Office by a certain deadline for publishing the dollar amount that will go on the bond, should it be passed. He stated that the City is at a halt on the project and there is not currently any work being done to further modify the numbers on the bond.

In response to Mr. Judson's comments, Mayor Daniels agreed that to meet the need the City will need to find ways to be creative and think outside the box. He informed those present that evidence cannot be stored offsite. The Police Department is required to store evidence for certain periods of time in a protected environment. Mayor Daniels explained that the bond itself cannot increase, however, there is the possibility that the cost of the project will increase. The cost of the project depends on the timing of the bid and the climate of the bond market. If the bid were to come back at a much higher amount than originally anticipated, the City would take a strategic step back.

Mayor Daniels explained that given the approach taken last year and the division created in the City, it behooved the Council to take smaller steps and move forward on a project that was more palatable and affordable. After tackling a project that would ideally create unity and rebuild trust, the City could then move forward with larger projects, such as roads. Furthermore, the City does not know what direction the State Legislature will take this coming session. Mayor Daniels explained that the Council recently had a review session on all of the City's bonds. Additionally, the City has not reached their cap in terms of bonds. Each of the existing bonds has their own sources of revenue. In the case of roads, staff recommended the City not pursue bonds as the source of funding, but rather find a revenue stream.

Council Member LeMone stated that at no point last year did the Council fabricate a number out of thin air. The City was given a number by VCBO Architecture based on the needed square footage and their analysis. The Council decided to pursue that number based on their professional expertise. She promised members of the audience that there was never a time last year when the Council simply made up a number to get the bond passed. Council Member LeMone expressed gratitude for the process this year and stressed that there was not a lot of backing behind last year's number. This year's approach allowed the City to refine the project amount for detailed line items, which is something that was not done last year.

Diane Moss gave her address as 391 East 200 South and stated that she served on the Citizen Committee. She explained that she has never bought into the Public Safety Building. She felt that whenever the committee asked tough questions the response they were given by MOCA was simply to trust their expertise. The committee never received numbers they asked for. Ms. Moss expressed disappointment with the process and felt that MOCA's voice was heard over the public voice.

Andy Weight who resides at 425 South 1100 East, thanked the Mayor and Council for their service. He commented that there is no crystal ball that can provide insight on to how much an alternative option would cost if the bond is voted down. He referenced the FAQs listed in the informational brochure and suggested that one of the items be stricken. Mr. Weight explained that as a member of

the Blue Ribbon Committee, one of the inquiries they made pertained to remodeling options. He relayed that the MOCA representative's first response was that remodeling would cost more than rebuilding, and that was the end of the conversation. Mr. Weight expressed his frustration with this response, as he later learned that the Blue Ribbon Committee presented several alternative options that included shuffling personnel around and freeing up funds to build a new library.

Mr. Weight was also concerned with the idea of tearing down a public gathering place and replacing it with a court, jail, and garage. He stated that the community deserves more than that. He noted that the community has thrived on these public gathering places. Mr. Weight thanked the Mayor and Council for allowing the public to be a part of the process. Mr. Weight was also appreciative of the tone of the meeting.

Council Member LeMone reported that she spoke with MOCA directly about the option of remodeling because she also had similar questions. She noted that they have extensive experience in remodeling. With regard to the City's facility, MOCA made a statement that without doing an expensive structural analysis, at this point a building of this age becomes more of a preservation process than a process of building a functional facility to meet public safety needs. It was noted that the existing building is more than 65 years old.

Council Member LeMone explained that one of the frequent comments received from the public last year pertained to constructing the facility on City property. The public also expressed concerns with the facility not being built where the current buildings are located. This year, the Council took a serious look at the matter and agreed that the previously proposed location was not ideal. The old Recreation Center costs about \$1,000 per month to operate. It is not used for many activities because it is not the safest building in the City. She pointed out that the staff and elected officials want to build on City property and no additional funds will be used to acquire additional property. The current location is logical for the needs of the Fire Station. Council Member LeMone noted that MOCA researched the architectural history of several other buildings in the City and incorporated those elements into the new building. The City will, therefore, get a new building that represents Pleasant Grove's history as well as a facility that will serve the community for the next 20 to 30 years.

Bill West gave his address as 48 North 1400 East and noted that he recently sent a letter to the Mayor and Council regarding the bond. He referred to a Council Member's concerns about the accuracy of the survey conducted two years ago. He noted that she did not speak to the 3-to-1 vote. He stated that basically what changed this year is the repackaging of the project. Mr. West agreed that the community is polarized on this issue and this will be evident at election time. He also was of the opinion that there is also a significant amount of unrest among City employees.

Mr. West acknowledged that the City has many public safety needs and explained that they could all be adequately resolved without borrowing money. He stated that the MOCA representatives are not skilled builders and described some of the remodeling that could take place. For example, the community development wing could be converted into housing for the firemen and areas of the fire station could be added to the south. Mr. West stated that all of this could be done for about \$1 million. He was also confident that the City Offices could be moved out of City Hall and the Courts and Police situations resituated for an additional \$1 million. He suggested that rental offices be found for City staff for a time while additional solutions are researched.

Mr. West explained that in the last meeting with MOCA, the Blue Ribbon Committee presented a list of cost savings strategies that could potentially save the City \$5 five million. He reported that MOCA was not open to discussing those strategies. Mr. West read a segment of the minutes from a meeting held on April 15, 2014 that he felt indicated that MOCA was never serious about considering other locations or dividing existing facilities. He continued that this was the feeling that they received in their committee meetings as well. Mr. West strongly encouraged the staff and elected officials to examine the matter along with the bigger picture that includes other, more expensive City needs.

Darrold McDade gave his address as 671 South 1500 East and commented that he was glad he voted against last year's bond. He explained that this year's process made it very clear that the proposal was not ready to go before the public. Mr. McDade stated that he had high expectations for how the process would play out this year, and he witnessed a lot that was to be accomplished. He felt that the citizenry could have responded more, not necessarily in volunteer hours, but from voters who could have attended more public hearings on the matter. Mr. McDade remarked that he sees more oversight and responsibility from the City's leaders this year. He continued that he has witnessed Council Members learning the role they are to play in the community. Based on these observations, Mr. McDade explained that he does not dispute the numbers that produced and he recognizes the efforts that have been made.

Mr. McDade expressed his appreciation for the amount of time and money spent hiring a consultant. He felt this was something that was severely lacking last time. He explained that bringing in a third party ensures a higher level of expertise. The City's leaders have done a good job this year, and Mr. McDade acknowledged that they are looking for ways to improve and spend less. He also felt that Chief Sanderson and Chief Smith have done a great job of looking for ways to reduce costs. He stated that the work they are involved in is very important. Mr. McDade was of the opinion that each of the City's departments will be better off in the future because of the decisions the Mayor and Council are making now. Last, Mr. McDade stated that he will support the bond this year simply because of the efforts made by the staff and elected officials.

Amy Lindstrom gave her address as 1160 East 100 North and explained that she was invited to join the Citizens' Committee halfway through the process. As she sat in meetings, she was impressed that the committee was given so many options and that there were numbers to support them. Ms. Lindstrom stated that it was the Blue Ribbon Committee that decided that this would be the option that would be brought forward to the City. Overall, she felt the entire process had been open, and mentioned the level of involvement from Chief Sanderson and Chief Smith. Furthermore, Ms. Lindstrom stated that she came to realize how much the committee was actually steering the project.

Ms. Lindstrom referenced previous comments that had been made regarding the committee having an alternative budget, which places the overall project cost at \$6 to \$8 million. She hadn't seen spreadsheets that contain detailed line items but only seen an estimate. She explained that constructing a Public Safety Facility is much different than building a home.

Mike Carter, who resides at 2708 North 450 West explained that he attended all of the Citizens Committee and public meetings, and he is in favor of building the Public Safety Facility. Mr. Carter noted that he was in meetings with MOCA for 15 to 20 hours and during that time he asked a

lot of questions and received a lot of answers. He felt that MOCA did a great job and presented all kinds of numbers. Mr. Carter remarked that the level of detail they provided was amazing.

Mr. Carter acknowledged the involvement on the part of the staff and elected officials and expressed his appreciation for their efforts to reduce the cost by \$5 million. He noted that the next step to take if the bond is passed will be to put the project out to bid, which will hopefully reduce the costs further. Based on those bids, a quality building will be constructed that will be functional and last for many years. He felt that everything that can be done has been accomplished to this point. Last, Mr. Carter expressed that he has put his trust in the staff and elected officials.

Jacob Sutch gave his address as 291 South 300 East and indicated that he too attended all of the public meetings held on the matter. In his opinion, some of the meetings felt either scripted or limited in terms of what was allowed to be discussed. He felt there were definitely times when it was communicated to the Citizens Committee that certain matters were not to be discussed, or put off subtly. Mr. Sutch noted that the Blue Ribbon Committee was formed and referred to as the project experts, until MOCA was hired. He thanked the Mayor and Council for this year's process and reiterated that last year the matter was very divisive and nasty. Last, Mr. Sutch expressed his appreciation for the tone set throughout tonight's meeting.

Council Member LeMone explained that Mayor Call formed the Blue Ribbon Committee and the Council did not provide input on the matter. Mayor Call's intention was to have a group of experts in various fields collaborate. Council Member LeMone recalled that one of the comments the City received last year pertained to hiring a consultant, simply because the staff and elected officials are not experts in the construction of public safety facilities. This feedback led the City to hire an independent contractor, which was MOCA. The Blue Ribbon Committee was kept on board, because the Council recognized their significance and the important role they would play throughout the process. She felt that while the committee possesses a great deal of construction expertise, MOCA was able to provide expertise specifically on construction of a public safety facility. Council Member LeMone emphasized that the Council does not discount the roles and professionalism of the Blue Ribbon Committee and the City wanted to keep both groups on board to get the best of both worlds.

Adrienne Shrader gave her address as 697 Mohican Lane and remarked that in looking at the chart, she recognized would only be required to pay \$8 a month, which is small and will not be missed. Ms. Shrader inquired as to what the City envisions will be the next project. She noted that secondary water rates are on the rise and the City is currently on hold with regard to roads due to pending legislation.

Mayor Daniels noted that everyone, including the elected officials, will all be taxed. It's not a matter of elected officials versus the citizens, because everyone is a City resident. Therefore, all decisions need to be made collectively. Mayor Daniels continued that the City has determined that it will be best to wait to make decisions about the roads until January when the State Legislature meets again, and begins their 45-day process of determining the laws. It will be beneficial to see what direction the State will take in collecting gas taxes and the subsequent distribution of those taxes back to local municipalities to help fund roads. If the City were to try and formulate a plan prior to the State indicating their plan, the outcome would be dramatically different.

Ms. Shrader asked Mayor Daniels if he anticipates that taxes will continue to increase with various other projects. Mayor Daniels answered in the affirmative and explained that anytime the citizens collectively want a new, improved, or maintenance done on an existing facility, the citizens have to fund the project. If the citizens decide they don't want to fund a certain service, they should consider eliminating it altogether rather than letting it deteriorate. He stated that this is something that should be discussed together as citizens. Ms. Schrader asked Chief Sanderson and Chief Smith if the proposal meets their basic needs or if there is still room for downsizing and cutbacks.

Judge Bullock addressed the Court's needs and stated that the City's Court is currently inadequate and does not meet the State's standards and certification. One issue that is of particular concern is that of transporting individuals to and from the County Jail. They are escorted through the foyer where family members are sitting. Individuals who are in prison are not allowed to be transported to Pleasant Grove's City Court due to the lack of safety for both prisoners and court personnel. Judge Bullock stated that Court is held on Thursday mornings. He invited members of the public to observe. He stressed that there is no room in his court, and they have proposed to share a room with the City Council, because their chambers are inadequate. Furthermore, Judge Bullock pointed out that the restrooms are located in a central location and oftentimes he finds himself in a restroom with an individual who he sentenced to jail a few minutes prior, which poses a safety concern. He explained that the only amenities they are asking for are offices, private restrooms, and adequate space.

Chief Sanderson commented that the Fire Station has a similar situation to what Judge Bullock described of the City Courts. He encouraged citizens to come visit their facility and noted that the spaces they have asked for have been justified by OSHA standards. The spaces are desperately needed and accomplish a specific task for Pleasant Grove's fire service. Chief Smith agreed that Judge Bullock addressed many of the same issues the Police Department faces in terms of safety. He explained that his involvement with the project has been to identify needs and relay them to the City's leaders. He felt that as these needs have been identified they have been given unfair labels. Chief Smith strongly encouraged interested citizens to speak directly with the chiefs in order to get answers from the source. Many of the comments made are not based on fact. He remarked that his biggest fear is that 10 years from now, there will be issues with the facility that indicates that it was constructed inadequately. As a result, the Public Safety Department heads have tried to be as realistic as possible. In observing both processes that have occurred over the past couple of years, Chief Smith expressed his appreciation for the approach taken this year. He concluded that the Public Safety Building will belong to the entire community.

Mayor Daniels noted briefly that there are other grants for which the City can apply for public safety dispatch. It is not a guarantee that the City will be approved, however, they have been awarded to Pleasant Grove in the past.

Lisa Liddiard who resides at 1095 East Canyon View Lane, stated that her primary issue was not with whether or not the bond was needed, but rather how to pay for it. She explained that she conducted research on what the founding fathers wrote would be proper situations where it would be appropriate to take out a loan or bond. They indicated that war or extreme unforeseen emergencies constituted situations where taking out a loan would be the right course of action. Ms. Liddiard expressed her belief that taxpayers pay too much to the federal government and to the

state, but that they do have control over the City. She provided suggestions on alternative ways to distribute taxpayer dollars to remain within the limits set forth.

Sandy Carter gave her address as 2708 North 450 West and remarked that she is unable to see this as a discussion of need versus wants because she does not see any wants being discussed. She did not understand how the City can have facilities that do not meet state and federal codes and stressed that they are, in fact, breaking the law by not addressing the issues. Ms. Carter emphasized that these men and women are not dealing with ordinary jobs; and are citizens who are in the most dangerous line of work. She felt they need to be provided with an adequate facility to do their jobs. She stated that she has personally been in a home fire and it was a very traumatic experience. Ms. Carter declared that individuals who have been in these types of emergency situations don't question what the City's first responders need to do their jobs. She stated that she will continue speaking up at every opportunity that presents itself until they have what they need.

Curtis Miner gave his address as 2382 North 1050 West and stated that he served on the Blue Ribbon Committee this year. His understanding upon joining the committee was that they were trying to accomplish a very specific task. He noted that the Council decided in February that this project would be the City's top priority. They made this decision based on the timing of road funding as well as the public's priority as it was communicated to them. Mr. Miner stated that the question they focused on was whether the City should construct the building. He explained that the Mayor organized several committees as a way of collecting data on the matter.

Mr. Miner reported that this was a very thorough process and each potential option was systematically eliminated based on the cost and feasibility of each option. As a committee they ultimately decided to pursue the downtown option. He explained that there are national standards that are set forth as a guide for the level of functionality these facilities need to provide. Mr. Miner stated that the Mayor and Council have led the community through a process that has prepared them to determine whether the City should proceed to build a new Public Safety Building. He thanked the Mayor and Council for their leadership in getting to this point.

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

Mayor Daniels thanked those present for their participation in the public process. He acknowledged that he has received many letters and emails on the matter. He expressed how pleased he was with the outcome of tonight's discussion and noted that it was a very civil discussion. He expressed his appreciation for the opportunity to be involved and stated that it gives him personal fulfillment to serve the citizens. Mayor Daniels acknowledged that this year's City Council is completely different from last year's in tone, demeanor, approach, and openness. He expressed his gratitude for the opportunity to work with them. He felt that as elected officials they have done their best to set aside personal agendas and do what is best for the citizens.

Mayor Daniels thanked those who participated on a committee and stated that without volunteers, the City would not have arrived at the point they are today. Next, the Mayor thanked members of the staff and explained that the City's public safety personnel are heroes who are used to saving lives and protecting the community. He acknowledged how far the City has come in comparison to last year. Mayor Daniels stated that as a City, they have done the best they can in getting to this

point. The matter is now in the hands of the citizens. Mayor Daniels encouraged those present to spread the word and get their neighbors to the polls in November.

E) **NEIGHBORHOOD AND STAFF BUSINESS.**

There was no further neighborhood and staff business.

F) **MAYOR AND COUNCIL BUSINESS.**

There was no further Mayor and Council business.

G) **SIGNING OF PLATS.**

There were no plats signed.

H) **REVIEW CALENDAR.**

There were no calendar items to review.

I) **ADJOURN.**

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

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

Approved by the City Council on **November 5, 2014.**

Kathy T. Kresser, CMC, City Recorder

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