

**Pleasant Grove City
City Council Regular Meeting Minutes
March 15, 2016
6:00 p.m.**

PRESENT:

Council Members: Dianna Andersen, Mayor Pro Tempore
Eric Jensen
Cyd LeMone
Ben Stanley
Lynn Walker

Staff Present: Scott Darrington, City Administrator
Denise Roy, Finance Director
Deon Giles, Parks and Recreation Director
Mike Smith, Police Chief
Kathy Kresser, City Recorder
Ken Young, Community Development Director
Marty Beaumont, Public Works Director
Sheri Britsch, Library and Arts Director
Degen Lewis, City Engineer
Tina Petersen, City Attorney
David Larson, Assistant to the City Administrator
Dave Thomas, Fire Chief

Others: Cody Deeter, Lewis, Young, Robertson & Burningham

Excused: Mayor Daniels

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

1) **CALL TO ORDER**

In the absence of Mayor Daniels, Mayor Pro-Tem, Dianna Andersen, called the meeting to order and noted that all Council Members were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by City Recorder, Kathy Kresser.

3) **OPENING REMARKS**

The opening remarks were given by Assistant to the City Administrator, David Larson.

4) **APPROVAL OF MEETING'S AGENDA**

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

5) **OPEN SESSION**

Mayor Pro-Tem Andersen opened the open session.

Representative Brian Greene reported that a milestone was passed this year in the State of Utah, in that they passed the \$15 billion mark in the State budget. Funds are available to address needs in education, in both secondary and higher education. The Governor requested \$420 million in new funds for education and the Legislature was able to commit just under \$440 million. This will not only benefit public education, but some of the funds will also go toward a new Performing Arts Building at Utah Valley University.

During the most recent Legislative session, lawmakers were also able to lay the framework for the State's infrastructure and transportation funding needs. Representative Greene stated that provided there isn't another economic downturn (such as that which occurred in the 2008 recession) the State should be able to meet all of transportation infrastructure needs without bonding. Also this year, the Legislature laid the ground work for a State Administered Public Defender Program. Utah is one of the only states that has pushed the criminal program down to the local level.

Mayor Pro-Tem Andersen asked if the increase in transportation funding is attributed to the quarter cent gas tax increase. Representative Greene stated that the quarter cent sales tax increase is a new source of funding at the State level. As a result, they were able to project into the future a fund that would address the needs of the State. The increased transportation funding is also a result of organic growth of funding since the recession ended. Quite a bit of bonding took place during the recession and as those bonds have been paid back, more funding has become available.

Council Member Stanley expressed appreciation for the number of bills Representative Greene sponsored during the most recent Legislative session. He inquired about a bill that was passed in the House but was never voted on in the Senate. Representative Greene explained that if a bill doesn't get voted on in the Senate, it dies. He mentioned that two bills met that same fate, which isn't untypical. Representative Greene noted that were four bills passed in the most recent session relative to accessing and preserving administrative records. He also worked on a bill with the Division of Real Estate.

There were no further public comments. Mayor Pro-Tem Andersen closed the open session.

6) **CONSENT ITEMS**

- a) **City Council Meeting Minutes:
City Council Minutes for the January 19, 2016 meeting.
City Council Minutes for the February 09, 2016 meeting.**

**City Council Minutes for the February 16, 2016 meeting.
City Council Minutes for the March 01, 2016 meeting.**

- b) **To consider for approval of payment vouchers for March 10, 2016.**

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

7) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- A) **TO CONSIDER FOR APPROVAL THE APPOINTMENT OF COUNCIL MEMBER LYNN WALKER TO THE TIMPANOGOS SPECIAL SERVICE DISTRICT BOARD AND THE NORTH POINTE SOLID WASTE SPECIAL SERVICE DISTRICT BOARD. *Presenter: Administrator Darrington.***

City Administrator, Scott Darrington, stated that former Council Member Jay Meacham, previously served in the aforementioned positions. The Council chose to appoint Council Member Walker in Mr. Meacham's place.

ACTION: Council Member LeMone moved to approve the appointment of Council Member Lynn Walker to the Timpanogos Special Service District Board and the North Pointe Solid Waste Special Service District Board. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

8) **PRESENTATIONS**

There were no presentations.

9) **ACTION ITEMS WITH PUBLIC DISCUSSION**

There were no items with public discussion.

10) **ACTION ITEMS READY FOR VOTE**

- A) **TO CONSIDER FOR ADOPTION THE FY 2015 PLEASANT GROVE CITY FINANCIAL AUDIT AND THE FY 2015 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR). *Presenter: Director Roy.***

Finance Director, Denise Roy, explained that the report was reviewed during the Budget Retreat, in addition to the PAFR which is a condensed version of the report.

ACTION: Council Member Jensen moved to adopt the FY 2015 Pleasant Grove City Financial Audit and the FY 2015 Comprehensive Annual Financial Report (CAFR). Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

- B) **TO CONSIDER FOR APPROVAL THE REQUEST OF DANIEL MCKEON TO EXTEND THE FINAL PLAT APPROVAL FOR MUIRFIELD ESTATES PLATS A**

& B FOR THREE MONTHS. (NORTH FIELDS NEIGHBORHOOD) *Presenter: Engineer Lewis.*

City Engineer, Degen Lewis, stated that the Muirfield project was originally approved on July 1, 2014, with construction beginning two weeks later on July 16, 2014. Last summer, on July 17, the developer requested an extension. At the time, the Council granted a 90-day extension based on a request from Kyle Spencer. Progress slowed down in the winter time; however, even after the bad weather had passed, there still wasn't much progress being made. The City sent a letter to the developer indicating that they are past the deadline and are, therefore, at risk of going into default. At this point in time there is no contractor on site. Engineer Lewis explained that if the developer goes into default, they will have to go through the approval process again. Currently, there are no legal lots available for sale and the only risk involved is to those who have physical investments in the property.

Lisa and Dan McKeon introduced themselves as Managing Members of the development company overseeing the Muirfield Estates project. Mr. McKeon explained that the underwriter who was underwriting the loan and closing documents asked them to shut down the project, including Plats A, B, C, and D. As such, the developer asked the contractor to temporarily remove their equipment from the property. They are requesting additional time to resolve outstanding issues with the project.

There was discussion regarding the length of extension being requested, based on what outstanding matters need to be addressed. Mr. McKeon explained that the boundary line description predates them, however, they now have the funding and resources to resolve the issue. Engineer Lewis' recommendation was to grant an extension through the end of the month, based on the current progress of the project. The request lists an extension of three months. Council Member Stanley asked what the harm would be if the full three-month extension were granted. Engineer Lewis replied that the City needs to eventually determine an end point on the project. If and when the end point is exceeded, the developer needs to start completely over. He was also concerned with the developer's struggles to finance the project.

Administrator Darrington commented that regardless of what the Council decides in terms of an extension, staff was requesting that their determination be the final decision since there have already been two extensions granted on the project. Council Member Stanley asked what the default costs would be to the developer. Ms. McKeon responded that it would involve hundreds of thousands of dollars.

ACTION: Council Member LeMone moved to approve the request of Daniel McKeon to extend final plat approval for Muirfield Estates Plats A & B for three months, to a date certain of June 15, 2016. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-010) AUTHORIZING THE MAYOR TO DECLARE A VINTAGE 24-DRAWER STEEL FILING CABINET AS SURPLUS AND DIRECT THAT IT BE DISPOSED OF ACCORDING TO THE CITY'S POLICY FOR DISPOSING OF SURPLUS PROPERTY. *Presenter: Attorney Petersen.*

City Attorney, Tina Petersen, stated that the vintage filing cabinet was in the City vault. After a recent deep cleaning, staff determined that the cabinet is no longer needed. In researching similar items, staff learned that there may be significant value in the item. Staff was requesting that the Council declare the item surplus so that the bidding process can begin and the item disposed of according to the City's policy. The public noticing procedure was reviewed and Attorney Petersen explained that because this is such a unique item, they will probably put it out to bid with a request for sealed bids. Advertisements were to be placed on www.ksl.com and other media outlets.

ACTION: Council Member Jensen moved to adopt a Resolution (2016-010) authorizing the Mayor to declare a vintage 24-drawer steel filing cabinet as surplus and direct that it be disposed of according to the City's policy for disposing of surplus property. Council Member Stanley seconded the motion. A voice vote was taken with Council Members Andersen, LeMone, Stanley, Walker and Jensen voting "Aye". The motion carried unanimously.

D) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-011) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN THE \$9,500,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE REFUNDING BONDS SERIES 2016; AND RELATED MATTERS. *Presenter: Administrator Darrington.*

Administrator Darrington stated that the City has water bonds that were initially issued in 2008 when the interest rate was higher than it is today. Therefore, the City has had an opportunity to refinance.

Cody Deeter with Lewis, Young, Robertson & Burningham, the City's Financial Advisor, explained that had the City refinanced in November 2014, the savings would have been around \$30,000 per year. In January of 2015, the savings increased to around \$40,000 per year. Shortly thereafter, that figured dropped; however, as of today, the current savings to refinance will be around \$60,000 per year.

Mr. Deeter explained that there are two reasons the numbers fluctuate. When the bonds were refinanced in January 2015, staff hit the market perfectly. The bonds have been priced low in the market over the last 10 years. When bonds are issued, the investor wants to know that they will have a 10-year commitment. Mr. Deeter explained the call date and how the bond refinancing process works. One way of issuing bonds is through a public offering, where an underwriter is hired to sell the bonds to hundreds of investors. Another way of issuing a bond is dealing directly through a bank or other lending institution.

Currently, Lewis, Young, Robertson & Burningham is looking at both options in order to find the lowest cost of capital possible. If they opt to pursue a public offering, Mayor Daniels,

Administrator Darrington, and Director Roy will need to travel to San Francisco with the firm to get a rating on the bond. They hope to close on the bonds sometime in April.

In response to a question from Council Member Andersen, Administrator Darrington explained that the savings will remain in the Water Fund. Council Member Stanley asked if they would be better off waiting until the call date in 2018 to complete the financial transaction. Mr. Deeter spoke about money currently in escrow that is counter balancing the negative arbitrage on the bonds. They estimate that even if rates increase by .85%, or 85 basis points between now and December 2018, the City would see the same amount of savings they will see if the bonds are refinanced today. Mr. Deeter recommended the City move forward with refinancing now.

Council Member Stanley referred to Mr. Deeter's comment about staff needing to travel to San Francisco and wondered if some of the business communications could take place remotely. Mr. Deeter explained that there are always transactional costs, including the underwriter fee. With regard to the trip to San Francisco, while business could take place over the phone, his experience has been that direct conversations with investors always generates more successful results. Administrator Darrington added that they won't just talk hard core numbers during the discussions. Investors will want to know how long people have been on the Council and will want to feel comfortable with the level of stability in the City's administrative leaders.

ACTION: Council Member LeMone moved to adopt a Resolution (2016-011) authorizing the issuance and sale of not more than the \$9,500,000 aggregate principal amount of Water Revenue Refunding Bonds Series 2016; and related matters. Council Member Jensen seconded the motion. A voice vote was taken with Council Members LeMone, Jensen, Walker, Andersen and Stanley voting "Aye". The motion carried unanimously.

E) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-012) APPROVING AND ADOPTING AMENDMENTS TO THE PLEASANT GROVE CITY 401(K) PLAN AMENDMENT NUMBER ONE DEFINING SALARY DEFERRAL (ALSO KNOWN AS "ELECTIVE DEFERRALS") AND ADOPTING THE RESTATEMENT OF THE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Assistant to the City Administrator Larson.*

David Larson, Assistant to the City Administrator, explained that this is a housekeeping item. Staff thought the City had the Roth option in the 401(k) plan; however, it turns out that it was not included in the plan. This amendment will make that change.

ACTION: Council Member Stanley moved to adopt a Resolution (2016-012) approving and adopting amendments to the Pleasant Grove City 401(k) Plan Amendment Number One defining Salary Deferral (also known as "elective deferrals") and adopting the restatement of the Plan, and providing for an effective date. Council Member Jensen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

F) TO CONSIDER DIRECTING STAFF TO ENTER INTO AN AGREEMENT WITH EDCUTAH. *Presenter: Administrator Darrington.*

Administrator Darrington explained that there has been extensive discussion on whether the City should enter into a membership with EDCUtah. If the City Council chooses to join the organization, staff will meet with EDCUtah and an agreement will be created between the two parties. The agreement would then be reviewed by the Council prior to being signed. If the Council chooses not to join EDCUtah, their discussions with the organization will end.

ACTION: Council Member Jensen moved to direct staff to enter into an agreement with EDCUtah. Council Member Walker seconded the motion. A voice vote was taken with Council Members Jensen, LeMone, Andersen and Walker voting “Aye”, and Council Member Stanley voting “Nay”. The motion passed 4-to-1.

Council Member Stanley reported that EDCUtah is an incredible organization and they have a lot to offer. He would, however, rather put more funds toward roads. Council Member LeMone commented that hopefully with the help of EDCUtah, the City will be able to increase their tax revenue, thereby lightening the financial burden on the citizens when it comes to funding better roads. She remarked that she was ready to invest in economic development in Pleasant Grove.

11) ITEMS FOR DISCUSSION

A) DISCUSSION AND POSSIBLE ACTION OF THE 4000 NORTH SEWER PROJECT.

Administrator Darrington stated that the above matter has been discussed extensively and most recently the Council advised staff to conduct additional research on a discrepancy that was identified. He turned the time over to Attorney Petersen to recap the Executive Summary which she developed for this project.

Attorney Petersen reiterated that this issue has been discussed several times for many years, particularly over the last year. She reviewed the history of the unincorporated areas that were annexed into Pleasant Grove City two separate times. In 1997, the area between 2600 North and the Murdock Canal was annexed into the City and in 1998, the area from the canal to Cedar Hills Drive was also annexed in. At the time the annexations were accomplished, the State law required as a fundamental criteria that cities be ready, willing, and able to provide all municipal services.

Attorney Petersen noted that a copy of the State law at the time was included as an attachment to the Executive Summary. The Executive Summary also included a study that found that it would be more cost effective and practical for Pleasant Grove City to provide sewer for both annexations.

The first annexation was protested by Cedar Hills and Pleasant Grove City was required to go before the County Boundary Commission to argue their case for why the unincorporated areas should be annexed into Pleasant Grove rather than Cedar Hills. At the hearing, Pleasant Grove City made representation that they would provide sewer services to that area. Ultimately, the County Boundary Commission ruled in Pleasant Grove’s favor, and they were allowed to annex that area. When the first annexation occurred, the existing homes were on individual septic tanks and it was understood that they could remain on septic tanks until they failed or some other necessity required them to connect to a sewer line.

The Manila Township annexation was accomplished in 1998, which includes 4000 North. The same State standards regarding the City's provision of municipal services were in effect for this annexation. The City again made representation during the annexation process that it would be able to provide sewer services to the area. Cedar Hills again protested; however, the dispute was settled mutually with a letter from Cedar Hills that was dated in August of 1998, rather than before the County Boundary Commission. The letter from Cedar Hills indicated that both cities would allow permits for service lines through their respective incorporated areas.

Several meetings were held during this time and several questions were brought up pertaining to the annexation process. At one of the meetings, a resident asked if they would be required to connect to a sewer line immediately. Frank Mills responded that when the septic tanks failed, they would be required to hook into the sewer. Otherwise, residents could hook on anytime they choose.

In August of 1998, there was an item on the City Council agenda to approve the Manila Neighborhood sewer line. In that meeting, Mr. Mills, who was the City Administrator at the time, stated that the project had been broken up into phases because of cost. Phase I went to bid and was constructed with the intent of being charged a front foot fee; however, this never happened. The other phases, including the one for 4000 North, were never constructed. There was no official record as to why those phases were not finished.

On April 6, 1999, the City Council approved a letter of understanding with Cedar Hills regarding sewer services in the Manila area. One provision concerned allowing Pleasant Grove to have the Wedgewood sewer line connect to the Cedar Hills main for six months. Pleasant Grove was to construct a permanent connection into the Pleasant Grove system during that time frame with the possibility of a three-month extension. Currently, Pleasant Grove City has not installed the necessary lines to disconnect Wedgewood from the Cedar Hills system. Existing residents in the second annexation were on septic at the time of the annexation, just like the residents in the first annexation.

Over the next few years, Pleasant Grove City extended trunk lines of their own volition. Part of the extension was approved as Phase I from the aforementioned meeting that took place in 1998. A sewer was installed along 2600 North, 900 West and Wedgewood Drive, which cost the City around \$500,000. In 2002, the City installed a sewer line on 1450 West. There was a discrepancy on the bill from the contractor and a resident approached the City to point out the inaccurate information. Upon further investigation, it was discovered that the City paid \$100,000 to install a sewer trunk line from a road that was coming onto 1450 West from a new subdivision. From that road to 3300 North was where the City paid 100% of the bill. The area from 2600 North to that subdivision, there are various homes and developments that either paid for all or a portion of their sewer lines.

Attorney Petersen stated that from her perspective, the citizens in the north Manila annexation had been represented and that sewer service was going to be provided to them at some point. It has been 20 years and the City still has not provided sewer to the Manila residents. Pleasant Grove has an outstanding promise to Cedar Hills that they will hook the Wedgewood line into their own line at some point, which they still have not done.

Administrator Darrington explained that initially they were going to do a Special Assessment Area (SAA) where the citizenry would be involved in paying for the line over time. However, over time they realized that because there were only about 10 residents involved in the project, it would be just as easy for the City to enter into individual agreements with them. The last time this item was discussed, staff recommended not pursuing the SAA any longer. Prior to moving forward, staff wanted to make sure that the perimeters from the City Council are clear.

Administrator Darrington provided an overview of the proposal. As far as the cost breakdown, the City would pay 83.7% and the residents would pay 16.3%, for a 20-year payback period. The City would act as a bank for residents when installing the laterals. With regard to future development, moving forward lots will be charged the full amount of the sewer, which will be approximately \$24,955 per connection.

The total estimated cost for the 4000 North sewer is \$349,378, of which the City will pay approximately \$292,429 and the property owners will pay \$56,949. The City will pay for their portion of the sewer up front through the Sewer Reserve Account, which currently has a balance of \$2 million. There are a total of 14 connections, which breaks down to \$4,068 per connection, plus a 3% interest rate. Each utility bill would include an increase of \$22.75 per month to pay back the capital cost. Staff did not have the exact numbers available for a 10-year term. Administrator Darrington stated that the cost of the laterals will be different for each resident.

Council Member Andersen apologized to the residents that this discussion has taken 20 years, and provided a summary of the history given by Attorney Petersen. She stated that she only wants to have this conversation with existing homeowners in the area from 1998 and is not in favor of helping develop property. Council Member Andersen also wants to make it possible for those homeowners to have the ability to get sewer service. Attorney Petersen noted that to her knowledge, there aren't any new homes on the street. The parcels are all the same, with the exception of perhaps one. Administrator Darrington mentioned that there are some residents on 900 West who might be in the same circumstance.

Council Member Jensen stressed that this topic has been discussed extensively over the years. He was amazed that the City has promised to provide this service over and over, and yet 20 years later this commitment still has not been realized. He felt that staff had put together a good plan for meeting this need, and he too apologized to the residents for the way the City handled the issue.

Council Member Stanley noted that he voted against the proposal when it was last presented. He gets calls from residents regularly who are concerned and angry by this transaction, because it is grossly unfair to those who paid 100% of their sewer. The law requires the City to be ready, willing, and able to provide services, but not to gift them. Council Member Stanley stated that he has proposed creative, alternative solutions that would be fairer to the City at large, which will still allow for payment over time to make the project more manageable. The big mistake that took place in the history of the transaction was the failure to collect the front foot fee, which was very clearly manifesting the intent that residents pay for the sewer, but they chose to wait and stay on their septic systems.

Attorney Petersen clarified that the decision made in 1999 not to move forward was not because the residents wouldn't pay and was a City decision. When the City originally sent the bid out for the initial sewer project they intended to do all of 900 West from 2600 North to Cedar Hills Drive, all of 4000 North, and Wedgewood. When the bid came back, it was \$50,000 or \$60,000 more than what they anticipated. At that point the City decided to phase the projects.

Council Member Stanley asked if the City opts to go with the private contract approach with individual residents, if there be a threshold requirement in order to move forward. He noted that with an SAA, there is a 60% threshold. Administrator Darrington explained that a threshold with individual contracts would be at the Council's discretion. Council Member Stanley stated that some residents are so upset by this transaction that they would be willing to challenge it legally by filing a referendum. He posed the question about what would be the triggering event for this kind of action to take place. Attorney Petersen stated that concerned citizens are more than welcome to speak with her or any other member of staff. She explained that according to the State Statute, legislative actions (resolutions, ordinances, contracts that are awarded, expenditure of funds, etc.) are what typically trigger referendums.

Council Member LeMone asked Attorney Petersen if the way this was presented to the residents 20 years ago led them to believe that the City was going to install the line. Furthermore, she wanted to know if there would be any legal recourse for the City because the citizens have been under this assumption. Attorney Petersen replied that it is not her role to provide a legal opinion about whether they have action against the City. It would be up to the citizens to make this determination with private legal counsel. Administrator Darrington added that further legal discussions would also need to take place during an Executive Session. Council Member LeMone stated that she would like to receive more information from the residents.

ACTION: Council Member Jensen moved to direct staff to approach said residents on 4000 North regarding sewer and to discuss with them a 20-year payback period, with the City paying 83.7% and the residents paying 16.3%, whether or not to finance laterals with the City acting as bank for the residents, and charging the full estimated amount of \$24,955 per connection for all future developments.

Council Member LeMone was not sure how the City will act as a bank for the residents when financing the laterals.

AMENDED ACTION: Council Member Jensen moved to direct staff to approach said residents on 4000 North regarding sewer, and to discuss with them a 20-year payback period, with the City paying 83.7% and the residents paying 16.3% as well as the full cost of the laterals, and charging the full estimated amount of \$24,955 per connection for all future developments. Council Member LeMone seconded the motion. Council Members Andersen, Jensen, LeMone and Walker voted "Aye" and Council Member Stanley voted "Nay". The motion passed 4-to-1.

B) DISCUSSION AND POSSIBLE ACTION ON THE PROSECUTOR POSITION.

Attorney Petersen stated that Judge Bullock has approached the Council twice pleading with them to approve funding for a full-time Prosecutor. Traditionally, the City has had a part-time

Prosecutor, and as such they have had a very difficult time retaining attorneys. Typically, they last about one year before moving on to other full-time opportunities. This creates stress not only for the Court but the Police Department as well. The Council requested that Attorney Petersen come up with statistics, particularly relating to the increase in case load that has occurred as a result of Legislative changes that took effect as of October 2015.

Pleasant Grove's Justice Court shows a total of 3,169 cases handled in 2015, which are approximately 100 cases more than in 2014. The total of all domestic violence cases for 2015 was 56, whereas the domestic violence cases just for the 4th quarter from October to December 2015 were 30. Domestic violence cases for January 2016 to March 9, 2016, were 21. Attorney Petersen stated that if this information is extrapolated, it can be noted that there has been a caseload increase for 2016 of about 80 to 90 cases. This is significantly higher than the overall case load from 2015. The Court's Driving Under the Influence (DUI) cases for 2015 were 61, whereas there have already been 21 DUI cases from between January 2016 to March 9, 2016.

Attorney Petersen was also asked to address the increase in severity of the cases that the Justice Court handles. She explained that the Court reports don't break down individual drug cases and just classify them as misdemeanors. Anecdotally as they look at the calendars, there is a definite increase in the number of drug cases. County and nationwide, courts are dealing with a significant heroine and opiate addiction problem and Pleasant Grove City is not immune to this crisis.

Attorney Petersen stated that more severe cases require more time on the Prosecutor's part, and they are physically in Court about 14 hours per week. Currently, the Prosecutor position is funded no more than 29 hours a week. Therefore, half of their time is spent in court, which only leaves 14 hours per week to prepare and screen cases. The most severe cases go to American Fork District Court. There were a total of 112 cases filed in that court in 2015. Of those cases, 29 came the last two months of the year after the law changed.

Currently, the City has budgeted \$57,000 for the part-time Prosecutor and are seeking an increase of \$50,000 to be allocated toward funding a full-time position. At Council Member Stanley's request, Attorney Petersen provided an overview of a week in the life of a part-time Prosecutor.

Council Member Jensen stated that if the Prosecutor has inadequate time to prepare, that puts the City at risk. Council Member LeMone asked how many part-time Prosecutors there have been over the past few years. Attorney Petersen explained that according to Judge Bullock, in the 25 years he has been with the City, he has had 18 Prosecutors. Attorney Petersen has been with the City since 1998, and she acted as the Prosecutor for five to seven years. One Prosecutor stayed for several years but since he left there has been a new Prosecutor every year.

Council Member Stanley stated that the current Prosecutor is a classmate of his from law school, and that he is excellent. He spent several years in the Air Force and has a strong legal background. He stated that it would be great if the City could keep him on staff. Council Member Stanley argued that roads should be the top priority since from his vantage point, the City always ends up putting roads on the back burner. He recommended going through a comprehensive budget process where they tackle these questions together as a Council.

Council Member LeMone commented that there are many other needs in the City besides roads. Council Member Andersen added that they will not be able to completely eradicate the deficit in the roads within the next few years with their limited budget. While she appreciates the enthusiasm for roads, she wants to make sure that all of the City's bases are covered. Attorney Petersen noted that the current Prosecutor has been offered another position and can only delay giving the other firm an answer for so long. Administrator Darrington clarified that they are asking for funding for a full-time Prosecutor no matter what; however, their preference is to retain the current person in the position. There was continued deliberation regarding budgeting priorities and the best strategy for moving forward and making progress in the City. Attorney Petersen stressed that this is an extremely time sensitive matter for the Court as the current Prosecutor's last day is Friday.

ACTION: Council Member LeMone moved to approve the funding of a full-time Prosecutor position. Council Member Jensen seconded the motion. Council Members LeMone, Jensen, Andersen and Walker voted "Aye", and Council Member Stanley voted "Nay". The motion passed 4-to-1.

Council Member Stanley clarified that his opposition did not pertain to the need for a Prosecutor and recognized that it is clearly justified. However, he was concerned with the process and desire to have a comparative analysis where the Council can actually see the marginal costs involved.

12) DISCUSSION ITEMS FOR THE MARCH 29, 2016 CITY COUNCIL AND PLANNING COMMISSION JOINT MEETING.

Council Member Andersen reported that various district caucus meetings will be held next Tuesday night. Staff briefly reviewed the agenda items for the March 29, 2016 City Council and Planning Commission Joint Meeting. They will be discussing an ordinance amending the Pleasant Grove City Code by adding Section 10-13F, Indoor Storage Overlay, in the Downtown Village Zone. Other items of discussion will include the Verizon Agreement, and a resolution to enter into an agreement with Lewis, Young, Robertson & Burningham. Last, the Council and Planning Commission will review the General Plan update, as well as discuss Open Meetings Training.

13) NEIGHBORHOOD AND STAFF BUSINESS

Members of staff shared updates pertaining to their respective departments. Parks and Recreation Director, Deon Giles, reported that he recently attended a conference in St. George. Director Beaumont announced that the City Cleanup Days will be April 23-30, which will be posted on the website and in the newsletter. Fire Chief, Dave Thomas, provided updates on the construction taking place at Grovecrest Elementary. He reported that fireworks can no longer take place at that location and he and Director Giles have decided to move the show to Discovery Park. The one issue with this change is that fireworks aren't allowed in City parks; however, they have a solution. Chief Thomas also announced that Fire Marshal, Andrew Engemann, applied for and received a grant from Fire House Subs for \$5,000 worth of carbon monoxide monitors. These will be distributed at no cost to Pleasant Grove citizens.

Police Chief, Mike Smith, announced that the 2016 Citizens' Academy has been scheduled to begin May 5 and will last eight weeks. The Academy will be announced via the website and the

Department's Facebook page. He also reported that he received an email from the Department of Justice, who took notice of the Youth Citizens' Academy. They prepared a report on the President's Task Force on 21st Century Policing that was delivered to the White House.

Library and Arts Director, Sheri Britsch, announced that several authors will be visiting the Library this week. The first is local author, Jordan McCollum, who writes spy novels, and who has had national success with her work. Her newest series takes place in Ireland and she thought it would be fun to hold an Irish-themed activity night. On Thursday, Elana Johnson will be speaking in the Library's writers' series, which teaches people how to write. She is also a very successful author.

14) MAYOR AND COUNCIL BUSINESS

Council Member Andersen stated that for the last few years she has had the opportunity to visit different boards and commissions. She commended everyone who serves on a board or commission, and expressed how impressed she is with all of the volunteer efforts that take place in the City. Council Member LeMone reminded those present of the Miss Pleasant Grove Pageant the following Saturday. Council Member Jensen reported that he registered for the Citizens' Academy. Council Member Stanley noted that Daniel Thomas was in attendance and he recently visited Mr. Thomas's project site. He challenged Mr. Thomas to participate in the Citizens' Academy sometime in the future. Last, he thanked Council Member Andersen for her leadership tonight as the Mayor Pro Tem.

15) SIGNING OF PLATS

The Grove Creek Center plat was signed.

16) REVIEW CALENDAR

17) ADJOURN

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

The City Council Meeting adjourned at 8:28 p.m.

The minutes of March 15, 2016 City Council meeting were approved by the City Council on April 19, 2016.

Kathy T. Kresser, City Recorder, MMC

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