

**Pleasant Grove City
City Council Regular Meeting Minutes
May 3, 2016
6:00 p.m.**

PRESENT:

Council Members: Dianna Andersen, Mayor Pro Tem
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
Marty Beaumont, Public Works Director
Sheri Britsch, Library and Arts Director
Tina Petersen, City Attorney
Dave Thomas, Fire Chief
David Larson, Assistant to the City Administrator
Ken Young, Community Development Director

Excused: Mayor Michael W. Daniels

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

1) **CALL TO ORDER**

Mayor Pro Tem Dianna Andersen called the meeting to order and noted that all Council Members were present. Mayor Daniels was excused.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Thomas Draper.

3) **OPENING REMARKS**

The opening remarks were given by Council Member Jensen.

4) APPROVAL OF MEETING'S AGENDA

City Administrator, Scott Darrington, requested that Items 10C, 10E, and 10F be heard prior to the public hearing items.

Council Member Stanley stated that a number of citizens requested that Item 8C be open to public comment.

ACTION: Council Member Stanley moved to open Item 8C to public comment. Council Member LeMone seconded the motion. Council Members Stanley, LeMone, and Jensen voted "Aye"; and Mayor Pro Tem Andersen and Council Member Walker voted "Nay". The motion passed 3-to-2.

ACTION: Council Member Stanley moved to approve the agenda, moving Items 10 C, E, and F before Item 8C. Council Member LeMone seconded the motion. The motion passed with unanimous consent of the Council.

5) OPEN SESSION

Mayor Pro Tem Andersen opened the open session.

Molly Andrew gave her address as 1125 Sage Drive and reported that the Public Safety Building Committee would be meeting on May 4, 2016. All interested members of the public were invited to attend. Ms. Andrew also stated that May 15 to 22 is National Police Week. She encouraged the City to remember those in law enforcement.

Frank Mills gave his address as 466 East 100 South and echoed Ms. Andrew's comments regarding the Police Department. He expressed his appreciation for the City and their attempts to recognize all departments. Mr. Mills explained that National Safe Drinking Water Week would be taking place May 1 through 7. He suggested that this would be an opportune time to recognize the work of the City's Water Department.

Christopher Williams gave his address as 845 North 100 East and thanked the City Council for putting items on the agenda that were important to Pleasant Grove citizens, including the potential impact fee update.

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 April 12, 2016 Work Session Meeting.**
- b) **To Consider Approval of Payment Vouchers for (April 22, 2016).**

Council Member Stanley stated that one of the larger items on the vouchers was an \$18,000 membership fee for The Utah League of Cities and Towns. He requested that the Council discuss whether it was appropriate for Pleasant Grove to be a member of the League. Mayor Pro Tem

Andersen commented that she would be willing to have this conversation. Administrator Darrington stated that the discussion could be placed on the agenda for the next work session. He would also invite Utah League of Cities and Towns to answer questions.

Council Member Stanley expressed concern regarding a voucher for Junior Jazz, which he assumed was reimbursed by the participants. He stated that large amounts can be disconcerting to the public who do not see the reimbursement. Council Member Stanley asked if the reimbursement could be reflected on the voucher for public information. Administrator Darrington stated that the reimbursement is reflected in the budget, which is available to the public. He also commented that it would be a challenge for staff to reformat all of the vouchers. Administrator Darrington explained that the purpose of reviewing the paid vouchers is so that the Council has the opportunity to see each one, but the money has already been paid.

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

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

A) TO CONSIDER THE APPOINTMENTS OF MARK NIELSEN AND LARAINÉ MONTGOMERY AS BEAUTIFICATION COMMISSION BOARD MEMBERS, JOHN HARD AS PLANNING COMMISSION ALTERNATE MEMBER, CLARK EVANS AND VERONICA CHAPMAN AS DOWNTOWN ADVISORY BOARD MEMBERS.

Mayor Pro Tem Andersen introduced Mark Nielsen and LaRaine Montgomery who were to be appointed to the Beautification Commission. Both were long-time residents of Pleasant Grove. Ms. Montgomery would be serving her second term on the Commission.

ACTION: Council Member Stanley moved to appoint Mark Nielsen and LaRaine Montgomery as Beautification Commission Board Members. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

Mayor Pro Tem Andersen invited John Hard to introduce himself to the City Council. Mr. Hard stated that he is a small business owner and has been involved in the Clean Energy Space for over a year. He appreciated the opportunity to serve on the Planning Commission.

ACTION: Council Member Jensen moved to appoint John Hard as an Alternate Planning Commission Member. Council Member LeMone seconded the motion. The motion passed with unanimous consent of the Council.

Clark Evans introduced himself to the Council and stated that he is the owner of the Purple Turtle and has been involved with the business for 46 years. He was happy to be part of the revitalization of Pleasant Grove's downtown area. Veronica Chapman was not present to be recognized.

ACTION: Council Member LeMone moved to appoint Clark Evans and Veronica Chapman as Downtown Advisory Board Members. Council Member Stanley seconded the motion. The motion passed with unanimous consent of the Council.

8) PRESENTATIONS

A) PRESENTATION OF CERTIFICATES TO LEADERSHIP ACADEMY PARTICIPANTS. *Presenter: Administrator Darrington.*

Administrator Darrington explained that the City's Leadership Academy takes place twice annually. He presented certificates to the City employees who completed the most recent training. The participants were identified as Scott Wells, Linda Weeks, Rick Winder, Linda Chipman, Josh Motsinger, Deon Giles, Denise Roy, Dean Krzymowski, Bryan Stubbs, and Barbara Johnson.

B) INTRODUCTION OF NEW EMPLOYEES.

Community Development Director, Ken Young, introduced Daniel Cardenas as the New City Planner. He reported that Mr. Cardenas has planning experience with Salt Lake County.

Public Works Director, Marty Beaumont, introduced Mario Gonzalez and Matt Redman as Staff Engineers and Matt Debreeze and John Chadwick as Summer Interns.

City Attorney, Tina Petersen, introduced Summer Shelton as the City's first full-time Prosecutor.

C) PRESENTATION AND DISCUSSION ON PUBLIC SAFETY IMPACT FEES. *Presenter: Cody Deeter and Fred Philpot, Lewis Young Robertson & Burningham Inc.*

Administrator Scott Darrington explained that a few weeks ago the City Council requested that staff invite representatives from Lewis Young Robertson & Burningham to describe the process of updating the City's Facilities Plan and potentially implementing new impact fees for police and fire. Staff received a number of questions that were forwarded on to the representatives. Administrator Darrington confirmed that they would do their best to answer the questions although some may require further research. Administrator Darrington introduced Cody Deeter and Fred Philpot, representatives from the consulting firm, who would be presenting portions of the presentation.

Mr. Philpot began his presentation by explaining that the Impact Fees Act defines what requirements the firm would have to fulfill during the analysis process. The firm would obtain information for certain data points and create an Impact Fee Facility Plan and Impact Fee Analysis. Once complete, the City would go through an adoption process, which includes noticing and a public hearing. If the City Council chose to approve the recommended plan and fee analysis, there would be a 90-day waiting period before the ordinance would be fully adopted. Mr. Philpot explained that the City Council would have the opportunity to adopt, reject, or modify a proposed ordinance. If the Council wanted to modify the proposed fee, they would have the ability to adjust the amount below the maximum recommended in the analysis.

Mr. Philpot continued his presentation by explaining that each impact fee is calculated using different data points. In the case of Public Safety Impact Fees, they would collect land use data, information regarding future capital projects related to growth, call data for services, future calls, cost estimates for future facilities, current response times, and the City's past patterns for impact fees. They would also include a level of service analysis, which is a key element in determining whether the City is currently charging appropriate fees for new development activity without burdening them beyond reason.

Mr. Philpot responded to one of the questions they received previously by explaining how they determine what portion of a new facility is growth related. The City first had to determine if their current facilities meet the needs of the City without future development. They could also approach the issue by viewing the potential building from full buildout and apportion the fees to new, current, and future residents. Mr. Philpot stated that the analysis could include a "buy in" component, where they pull costs from past investments into the new impact fee evaluation.

With regard to financing, Mr. Philpot explained that they would explore different financing options to determine if credit is necessary to fund capital projects. He stated that a general obligation (GO) bond has an associated tax levy that accompanies that debt service payment. The levy would be assessed to all properties within the community, including new development activity. He also explained a few other bonding options. Council Member Jensen commented that the City Council should be cautious when choosing a bonding option, and consider what is best for the City and residents. Mr. Philpot agreed and stated that the direction they choose to take with financing will influence the outcome of the impact fee analysis.

Council Member LeMone asked if a new impact fee could be implemented when the City did not have a location or set plans for a new facility since the Public Safety Building Committee was still working on this issue. Mr. Philpot explained that they would need to evaluate the building plans as part of the analysis. They would be able to calculate what portion of the building was growth related and how much would be meeting the existing needs of the City.

Mayor Pro Tem Andersen asked if the analysis would include a comparison to the impact fees of surrounding communities. Mr. Philpot explained that that is typically part of the process. Administrator Darrington commented that the fee Pleasant Grove would charge would be based on their specific needs. He cautioned against comparing too seriously with other cities. Mayor Pro Tem Andersen wanted to see what other cities are charging commercial businesses particularly. She feared that a large impact fee would drive future businesses away from Pleasant Grove.

Council Member Jensen asked if other cities who had worked with Lewis Young Robertson & Burningham had chosen to adopt the recommended maximum impact fee. Mr. Philpot stated that most of them do. He commented that the danger in choosing a lower impact fee is how that will affect the level of service. The fee that would be recommended represents the calculated fee based on maintaining the necessary level of service. Cody Deeter added that if the City adopted a lower impact fee and then General Funds would have to make up the difference or the City would have to lower their level of service.

Mr. Philpot continued his presentation by explaining that the Public Safety Fee would be divided into residential and non-residential uses. Those can be broken down further, if necessary. For example, non-residential could be subdivided into general commercial, office, industrial space, and transportation.

Council Member Jensen asked how the requirement to use impact fees within six years would affect the analysis. Mr. Philpot stated that they consider capital projects within a six to 10-year window.

In response to a question from Council Member LeMone, Mr. Philpot stated that the cost of performing the analysis could range from \$8,000 to \$16,000, depending on the community and the complexity of the analysis. The analysis would take roughly three months to complete. Council Member LeMone asked if it would be appropriate to begin the analysis before the City has chosen a location and solidified plans for the new facilities. Mr. Philpot explained that there would be some benefit to conducting the two things at the same time, but there is also the risk that the data collected for the analysis would be stale if the process were drawn out too long.

Council Member Stanley asked if there was some legal language requiring cities to have a specific level of service. Mr. Philpot explained that the term “level of service” is defined in the Impact Fees Act, but does not outline specific requirements. It leaves room for each community to meet their individual needs.

Administrator Darrington thanked Mr. Philpot for his presentation and stated that he would be addressing more of the questions they received previously. He commented that the Council could choose a lower impact fee than recommended, however, the gap will have to be filled somehow. He stated that the burden would likely fall on the users.

Administrator Darrington stated that the accounting of impact fees is heavily regulated by the State, as is the requirement to use the funds within a six-year timeframe. The City has encountered issues using the Public Safety Impact Fees within the designated time frame.

Council Member Jensen asked if the City has the funds to pay for the analysis. Administrator Darrington confirmed that the funds are available. There is roughly \$10,000 in Public Safety Impact Fees that were soon to expire. Administrator Darrington explained that the City was currently using the same impact fee amount that was proposed in 2002. In response to a question from Mayor Pro Tem Andersen, Administrator Darrington described the purpose of the Traffic Impact Fee and what the funds could be used for. Currently, the money was being used for the project on Pleasant Grove Boulevard.

Director Beaumont reported that he recently met with Matt Millis from Zions Bank, as he was not aware that the City had an outstanding impact fee analysis being conducted. They were working to complete that study as well as an overall rate study. With regard to the public works utilities, Director Beaumont stated that the City would be updating the master plans for the pressurized irrigation system, culinary water, and sewer. He recommended that they conduct impact fee analyses for each of the utilities once the master plans are updated to ensure that the City is collecting the correct amount of impact fees to fund the capital projects.

Mayor Pro Tem Andersen opened the public hearing.

Christy Belt asked if the Public Safety Impact Fees could be used to obtain additional dispatch consoles if the need arises. Attorney Petersen clarified that the law prohibits anything that does not have a lifespan of at least 10 years, the funds cannot be used for computers. The funds could, however, be used to expand the physical space used to accommodate new consoles. Ms. Belt then asked for confirmation that the City could not start collecting the new impact fees until an impact fee ordinance is adopted. Administrator Darrington confirmed that that was correct.

Lori Williams gave her address as 175 South 1300 East and asked if the projects on Pleasant Grove Boulevard and North County Boulevard have been bonded for. Administrator Darrington confirmed that the Pleasant Grove Boulevard project had been bonded but the North County Boulevard project was being funded by the County and the City would be reimbursing them. Mrs. Williams then asked for clarification on the use of impact fee monies for bond repayment. Administrator Darrington stated that they would not designate impact fees as the sole source of repayment but the City needs to be prepared to use General Fund money as a backup. Mrs. Williams stated that the fee for Parks and Recreation was recently raised 77% and the City was able to put about a \$1 million toward Shannon Field. She wondered why the City had not considered raising the Public Safety Impact Fees several years ago, which could have raised a significant amount of money by now. Administrator Darrington explained that they had a list of known projects for Parks and Recreation at the time. The City intends to build new public safety facilities but they did not know how much of that building will be attributed to growth.

Mrs. Williams questioned the cost of the MOCA study. Administrator Darrington confirmed that the amount was \$55,000, which was paid via grant monies. Mrs. Williams asked if the information gathered by MOCA could be used for the impact fee analysis. Administrator Darrington stated that other information would still be required for the fee analysis and they would still be paid for their work. With regard to potential commercial businesses being deterred by a high impact fee, Mrs. Williams suggested that the City consider waiving those fees for certain businesses to invite them into the City.

Chris Williams gave his address as 175 South 1300 East and asked about the advantages and disadvantages of each type of bond with the use of impact fees. Administrator Darrington explained disadvantages of the GO bond and stated that the City would not be able to use impact fees to offset the cost of a facility. With a sales tax revenue bond or MBA bond the City would have to create a revenue stream to make the bond payments, and would likely lead to a property tax increase.

Mr. Deeter commented that there are two sides to any bond, security, and repayment. For example, someone can choose to secure the bond with property tax and repay the bond with sales tax revenue.

Blaine Thatcher gave his address as 120 North 1300 East and commented that if the impact fee money were used for building construction, the method of financing doesn't matter. Mr. Deeter stated that a portion of the building could be funded by impact fees, but only the portions associated with City growth.

Council Member Stanley asked if the impact fee can be subdivided into high density housing and single-family housing or used to discourage certain types of development. Attorney Petersen explained that it would be a challenge to have disproportionate fees.

Seeing no more interested parties, Mayor Pro Tem Andersen closed the public hearing.

Administrator Darrington recommended that staff be given permission by the City Council to move forward with the Public Safety Impact Fee Study. Mayor Pro Tem Andersen asked if each type of bond would be explored in the analysis. Administrator Darrington stated that this would be discussed during the process. The City Council directed staff to move forward in obtaining an Impact Fee Study on Public Safety.

9) PUBLIC HEARING ITEMS

A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-8) FOR A REZONE OF APPROXIMATELY 3.4 ACRES FROM R1-20 (SINGLE FAMILY RESIDENTIAL) TO R1-12 (SINGLE FAMILY RESIDENTIAL) ON PROPERTY LOCATED AT APPROXIMATELY 1040 EAST GROVE CREEK DRIVE. (Applicant Sam Walker) *Presenter: Director Young.*

Note: Continued to the May 17, 2016 Meeting.

B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-9) A TEXT AMENDMENT TO SECTION 10-15-14, FLAG LOTS OF THE PLEASANT GROVE CITY MUNICIPAL CODE, AMENDING THE PURPOSE AND ABILITY FOR THE APPROVAL OF FLAG LOT DEVELOPMENTS IN PLEASANT GROVE. (Applicant Kevin Peterson) *Presenter: Director Young.*

Director Young explained that the above item was heard previously by the City Council and they requested that the item be taken back to the Planning Commission for further review. They recommended that the amendment focus on the City as a whole rather than Mr. Peterson's specific request. Director Young felt that the Planning Commission had good discussions regarding this amendment and at the last meeting they unanimously recommended approval of the proposed language.

Director Young described the primary changes to the ordinance, including the purpose statement, the removal of the historical background section, and the additional language regarding the vicinity plan. The proposed language meets the needs of the City while allowing Mr. Peterson to develop his property.

Council Member LeMone asked the applicant if he was in favor of the proposed changes. Mr. Peterson indicated that he was.

Mayor Pro Tem Andersen commented that the proposed language seemed to be a good marriage between the needs of the applicants and the City.

Mayor Pro Tem Andersen opened the public hearing. There were no public comments. Mayor Pro Tem Andersen closed the public hearing.

Council Member Stanley asked a question about a sentence in the Purpose Statement regarding the burden of proof. Attorney Petersen explained that the applicant would have to provide proof that the flag lot would not negatively impact the health, safety, and welfare of the community, and the governing body would include that as a finding.

ACTION: Council Member Walker moved to adopt an Ordinance (2016-9), a text amendment to Section 10-15-14, Flag Lot, as presented by Director Young, of the Pleasant Grove Municipal Code amending the purpose and ability for the approval of flag lot development in Pleasant Grove. Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting “Aye”.

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

C) PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED PLEASANT GROVE CITY FISCAL YEAR 2016/2017 BUDGET. THE TENTATIVE BUDGET INCLUDES THE FEE SCHEDULE AND THE PLEASANT GROVE REDEVELOPMENT AGENCY BUDGET. *Presenter: Director Roy*

Financial Director, Denise Roy, stated that the tentative budget information is available in Dropbox. She also provided hard copies for each Council Member. Director Roy briefly outlined the different sections of the document. Administrator Darrington explained that Pleasant Grove City would have \$400,000 in “new money” for this fiscal year. The Council previously discussed how that money could be used. Under the direction of the Council, staff examined current personnel and operational costs to see if budget cuts could be made in those areas. Administrator Darrington reported that they were able to find approximately \$95,000 to be used in addition to the \$400,000. Staff recommended that the funds be used to increase salaries for full and part-time employees by 2%, increase benefits, and invest in the employee retention program. Administrator Darrington stated that part of the funds had already been used to hire a full-time Prosecutor. If the Council chose to act on staff’s recommendation, there would still be \$129,620 available to put toward roads, as previously discussed by the City Council.

Administrator Darrington spoke regarding the potential implementation of a road fee to cover the cost of road projects within the City. He intended to send a letter to the public explaining the possible road fee and other increases and was seeking direction from the City Council as to what that letter would contain. Administrator Darrington stated that City would like to lay out a plan that would eventually generate \$3.8 million dollars in revenue annually that could be used for roads. He then presented a spreadsheet with six possible scenarios outlining the next seven years. He noted that none of the scenarios could reach the goal within the timeframe. Administrator Darrington then described the different scenarios, each one having two variables: new General Fund money and the Implemented Road Fee.

Council Member Stanley suggested that a seventh scenario be drafted that would include an escalated General Fund category. The other scenarios already escalated the public fee for every year and doing the same for the General Fund may help the City reach the goal of \$3.8 million annually. Administrator Darrington stated that he could present that at a future presentation and have it ready before the end of the meeting. He cautioned that escalating the General Fund money may not be realistic, as it varies from year to year.

Council Member Stanley stated that many citizens have approached him with concerns regarding City bonds, the Public Safety Building, and the upcoming utility increases. He believed that the citizens should be able to vote on this decision. Administrator Darrington stated that the City Council could choose to put the item on the ballot if they feel it is necessary. Council Member LeMone commented the Council Member Stanley was opposed to putting the utility rate increase on the ballot recently and asked why he believed the Road Fee should be included. Council Member Stanley explained that the utility rate increase is an adjustment to the fees the users are already paying, whereas the Road Fee would be new to them. Council Member LeMone suggested that they hold a public hearing for this issue before it is included on the ballot. This would give the Council the opportunity to gauge how the citizens' feel about road fee and other fee increases.

Council Member Stanley expressed concern that the impact on businesses with the road fee is significant with the scenarios presented. Mayor Pro Tem Andersen had the same concern.

Director Beaumont gave his portion of the presentation and explained that staff was trying to coordinate some of the public works projects with road improvements. There are several projects that need to be completed within the upcoming year, including \$2 million worth of water projects. Director Beaumont explained that one of the issues the City has been experiencing is the lack of constant water flow due to the lack of storage in certain areas. In addition, there is a need to install a booster pump to feed water to citizens in higher areas. The City has been renting a pump every year and the Public Works Department intends to install a pump that belongs to the City. Director Beaumont stated that roughly 60% of the City's infrastructure is more than 50 years old and will soon need to be repaired or replaced.

With regard to sewer, Director Beaumont reported that the Sewer Fund was in healthy condition and the upcoming projects would involve the reparation of manholes. These would be repaired in tandem with road projects.

In response to a question from Council Member Stanley, Director Beaumont explained that once a road project is completed there is a one-year warranty on the work. For this reason, the City is stressing proper inspections and other measures to ensure that the work has been done correctly. The project on Pleasant Grove Boulevard differs from other projects because they are removing a damaged portion of the road and replacing it with something better. The City has responsibility for the quality of that portion. Mayor Pro Tem Andersen asked if the City would have the ability to select something other than the lowest bid to ensure good quality. Attorney Petersen responded that State law requires that the City accept the lowest responsive bidder. However, the City can choose to be very specific in the language of the RFP and include certain requirements to ensure quality bids.

Director Beaumont stated that he received several questions about which sewer lines had been lined recently and prepared a map of the City identifying those lines. He explained that they would be lining pipes that have current infiltration issues, erosion, and other problems. It was noted that not every pipe in the City would require this treatment. Director Beaumont commented that Public Works would be undergoing a Master Plan update at the end of the year and he recommended that the City Council revisit the impact fees for each utility at that time.

Director Beaumont stated that the storm drain system had many needs and very little funding available to accomplish them. If the City intends to maintain a certain level of service and charge impact fees to those levels, the current system needs to be improved to provide that same level of service to the existing residents. Director Beaumont reported that the storm drain utility recently went through the auditing process and staff identified all of the non-residential properties within the City and what fee they are currently paying. They found that there was a substantial discrepancy in what was being charged to these commercial uses. Based on this finding, staff recommended a reduction of the overall rate to \$12.42, which would actually represent a 7% increase overall to the storm drain utility. He explained that the residents would see a decrease and the commercial uses would be paying the correct amounts.

Council Member Stanley asked for an example of a non-residential use that would see a dramatic increase if the Council acted on staff's recommendation. Director Beaumont stated that Pleasant Grove High School would likely see an increase from \$384 per month to \$2,365. He explained that the majority of the increases would be for churches and schools. Administrator Darrington commented that the reason they conducted the audit was because staff believed there were discrepancies. Before implementing the changes, staff would meet with those who would see major increase and discuss it.

Council Member LeMone was concerned that the charge to the High School would still be \$1,000 more than surrounding municipalities. Director Beaumont explained that Pleasant Grove's needs are different from other cities and the amount was correct.

Council Member LeMone asked if staff was seeking approval for all of the capital projects and budget adjustments requested. Administrator Darrington stated that they were seeking approval on the fee changes.

Administrator Darrington continued the presentation by stating that the capital money for the year is \$66,000. What had not been accounted for was the capital costs to change all of the medians on Pleasant Grove Boulevard from green landscaping to xeriscaping. Staff had received two different cost estimates at \$75,000 and \$90,000.

Administrator Darrington stated that another concern that was brought to staff's attention was the structural condition of the Lion's Center. Currently, the Center Stage program holds dance classes and rehearsals in the building, but the structure is having difficulty accommodating the weight. Administrator Darrington explained that staff has spoken to a Structural Architect who gave an estimate of \$5,000 for a study to be completed. Staff recommended proceeding with the structural analysis. Council Member Walker commented that the Lions Center is made of cinder block, and if the structure was moving it may be beyond repair. Mr. Darrington said that the engineer briefly

examined the building and stated that it was fixable. The analysis would probably take a few months to complete, and the Council would then have a discussion regarding funding. The Council discussed possible alternative locations for the classes and directed staff to move forward with getting the structural analysis done.

Administrator Darrington reported that he completed the road fee scenario requested by Council Member Stanley and stated that in this case the City would be able to reach \$3.8 million in eight years.

Mayor Pro Tem Andersen opened the public hearing.

Orrin Andersen addressed the Council as the owner of a business located at 381 West Center Street. With regard to the storm drain fees, Mr. Andersen was concerned about how the change would impact his business. He explained that his business is located in the middle of town, and many other businesses in the area have been there for 50 years or more. The owners have been paying taxes and fees to the City for a long time and Mr. Andersen felt this should be considered before the City raises fees.

There were no further public comments. Mayor Pro Tem Andersen closed the public hearing.

10) ACTION ITEMS READY FOR VOTE

- A) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-016) TENTATIVELY ADOPTING THE PLEASANT GROVE CITY BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017, WHICH INCLUDES THE PLEASANT GROVE REDEVELOPMENT AGENCY TENTATIVE BUDGET AND THE COMPREHENSIVE FEE SCHEDULE; AND PROVIDING FOR AND EFFECTIVE DATE. *Presenter: Finance Director Roy.***

ACTION: Council Member Jensen moved to adopt a Resolution (2016-016) tentatively adopting the Pleasant Grove City Budget for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017, which includes the Pleasant Grove Redevelopment Agency Tentative Budget and the Comprehensive Fee Schedule. Council Member Walker seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting “Aye.”

Council Member Stanley reported that he voted in favor of this resolution with the understanding that the Fee Schedule and the Road Fee are not part of the Tentative Budget.

- B) TO CONSIDER FOR APPROVAL A THREE-LOT FINAL PLAT CALLED FORREST PHILLIPS DEVELOPMENT PLAT A CONSISTING OF APPROXIMATELY 0.47 ACRES ON PROPERTY LOCATED AT APPROXIMATELY 10 SOUTH 400 EAST IN THE R1-7 (SINGLE FAMILY RESIDENTIAL) ZONE. *Presenter: Director Young.***

Note: Continued to the May 17, 2016 Meeting.

C) TO CONSIDER FOR APPROVAL A ONE-LOT FINAL PLAT CALLED ZHIPENG ESTATES ON PROPERTY LOCATED AT APPROXIMATELY 600 SOUTH APPLE GROVE LANE IN THE R1-8 (SINGLE FAMILY RESIDENTIAL) ZONE.

Presenter: Director Young.

Note: This item was heard prior to Item 8C.

Director Young explained that the above application was for a one-lot final plat at the address listed above. The applicant, Mr. Zhipeng, received a variance from the Board of Adjustment in January of this year allowing him to create a one-lot plat from property that was illegally subdivided. Director Young explained that the applicant has been unable to get the other property owners involved in the plat to correct the illegal subdivision. The applicant owns the subject property and intends to construct a home. Staff recommended approval of the application.

ACTION: Council Member Stanley moved to approve a one-lot final plat called Zhipeng Estates on property located at approximately 600 South Apple Grove Lane in the R1-8 (Single Family Residential) Zone. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

D) TO CONSIDER FOR APPROVAL A SIX-LOT FINAL PLAT CALLED WALKER GROVE PLAT A CONSISTING OF APPROXIMATELY 3.317 ACRES ON PROPERTY LOCATED AT APPROXIMATELY 1040 EAST GROVE CREEK DRIVE IN THE R1-20 (SINGLE FAMILY RESIDENTIAL) ZONE.

Presenter: Director Young.

Note: Continued to the May 17, 2016 Meeting.

E) TO CONSIDER FOR RE-APPROVAL OF A TWO-LOT FINAL PLAT CALLED CANYON BROOK PLAT B LOCATED AT APPROXIMATELY 2879 NORTH CANYON ROAD IN THE R-R (RURAL RESIDENTIAL) ZONE.

Presenter: Director Young.

Note: This item was heard prior to Item 8C.

Director Young stated that the applicant was seeking re-approval of a two-lot final plat called Canyon Brook Plat B. The City Council approved the plat over one year ago but the applicants were unable to record the plat before the approval expired. Director Young gave a brief history of the property and explained that the lot was non-conforming as it does not meet the minimum lot size for the zone. The applicants, however, received a variance from the Board of Adjustment allowing the lots to be smaller than the minimum lot size. Director Young confirmed that no changes had been made to the plat since the first approval. The Planning Commission approved the preliminary plat and recommended approval.

ACTION: Council Member Jensen moved to re-approve a two-lot final plat called Canyon Brook Plat B located at approximately 2879 North Canyon Road in the R-R (Rural Residential) Zone.

Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

F) TO CONSIDER FOR APPROVAL A FINAL PLAT CALLED 1000 SOUTH STREET DEDICATION PLAT CONSISTING OF APPROXIMATELY 0.93 ACRES LOCATED AT 1000 SOUTH AND LOCUST AVENUE IN THE R1-9 (SINGLE FAMILY RESIDENTIAL) ZONE. Presenter: Director Young.

Director Young presented the staff report and explained that 1000 South is along the border of Pleasant Grove and Lindon City. The full street is currently dedicated to Pleasant Grove. A new subdivision called Huckleberry Estates was recently approved in Lindon City adjacent to 1000 South. In order for the proposed development to move forward, they need the street plat dedicated and approved by Pleasant Grove.

ACTION: Council Member LeMone moved to approve a final plat called 1000 South Street Dedication Plat consisting of approximately 0.93 acres located at 1000 South and Locust Avenue in the R1-9 (Single Family Residential) Zone. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

G) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-017) INDICATING THE INTENT OF PLEASANT GROVE CITY TO ADJUST THE COMMON BOUNDARY WITH THE CITY OF CEDAR HILLS. APPLICANTS GINA AND SCOTT DAY (PARCEL #55:090:0005), BRENT AND NEVA WILSON (PARCEL #55:218:0002), GORDON AND KAREN DAVIES (PARCEL #55:090:0007), AND CHRISTOPHER AND SARAH EAGER (PARCEL #14:002:0144). Presenter: Attorney Peterson.

Note: The above matter was continued indefinitely.

Council Member Stanley asked for an explanation on the continuation of the above item. Attorney Petersen stated that there were errors in the plat map that was submitted. Once the errors have been fixed and the map resubmitted, the item will be placed back on the agenda.

H) TO CONSIDER AWARDING THE BID FOR THE LOCUST AVENUE CONSTRUCTION PROJECT TO GENEVA ROCK. Presenter: Director Beaumont.

Director Beaumont reported that the City had five companies show interest in the Locust Avenue Construction Project and a mandatory pre-bid meeting was held with the contractors. After the meeting, the City received two bids. Staff recommended awarding the bid to Geneva Construction in the amount of \$679,900.

Mr. Beaumont identified the areas of Locust Avenue that the project would affect as well as other water and storm drainage projects that would be done in conjunction with this.

Council Member Walker asked what would be done with the tailings. Director Beaumont explained that they will be milled and taken to the City's current pile at the Pipe Plant. The tailings can be used for many purposes.

ACTION: Council Member Stanley moved to award the bid for the Locust Avenue Construction Project to Geneva Rock in the amount of \$679,900. Council Member LeMone seconded the motion. The motion carried with unanimous consent of the Council.

D) TO CONSIDER AWARDING THE BID FOR THE MULTI-USE TRAIL PROJECT. *Presenter: Director Giles.*

Administrator Darrington explained that the City received a bid that was significantly higher than the amount estimated by the engineer. As a result, the bid was rejected. Staff then attempted to address the project by hiring a Project Manager to supervise the laborers and hire a professional trail builder to handle the technical aspects of the proposed trail system. Administrator Darrington stated that Jake Carston, who came to the City the previous year and marked the proposed trail system, was available for the Supervisor position.

Administrator Darrington described the difference between a General Contractor and a Professional Trail Builder and stated that staff recommended the latter. The City budgeted \$50,000 to hire a professional and the awarding of the bid should be based on their ability to be insured in addition to other requirements from Metro of Salt Lake and Sandy.

Parks and Recreation Director, Deon Giles, stated that they received three responses and two bids. The first was from Sagebrush Trails, which is a company based out of Park City. Their bid was for \$37,026. The second bid was from FlowRide Concepts of Denver, Colorado. Their bid was significantly higher at \$80,494. Director Giles explained that the main difference in the bids was mobilization and bringing people in for construction. Staff recommended awarding the bid to Sagebrush Trails.

Council Member Stanley explained that he received a lot of feedback from the public regarding the project. His first concern pertained to the grants obtained for the project. Director Giles stated that the City applied for a grant for \$19,800 from Utah County Recreation last year. That amount was used primarily for engineering fees to design the site plan. This year the City has applied for another grant from the same organization for \$20,000. This grant would be used for tools, gates, fencing, and other hard costs. Director Giles explained that the City was going to apply for another grant from the State but they did not have the agreement with Metro in place in time. They planned to apply for another grant next year. Director Giles stated that the City was not planning on using any money from the General Funds for the project.

Council Member LeMone asked if they were still planning to use volunteers for some of the trail construction. Director Giles confirmed that they were. Council Member LeMone commented that she has also received feedback from the residents regarding the project and many are in favor of it. She was glad that the City would be able to move forward with the project this year.

Council Member Stanley referred to the City Council Meeting minutes from April 21, 2015 and read the language regarding the proposed phasing. He asked if the plan had changed since then. Director Giles stated that phase was split in two to reduce costs. He identified the area that would now be considered Phase 1. He reminded the Council that phasing could still change during the construction process. Council Member Stanley asked about the private donations that were spoken of at the April 21, 2015 meeting. Director Giles stated that the donors were still committed to the project but the City would not receive the money until the project is approved. The amount received from donors would be approximately \$10,000. Director Giles confirmed that the City's volunteer website would be updated with the project information once approved. They already had several scouts waiting for the project to open up. Pleasant Grove High School had also committed to volunteering for the project on Service Days. With the number of committed volunteer, Director Giles believed the project would come in under budget.

ACTION: Council Member LeMone moved to award the bid for the Multi-Use Trail Project to Sagebrush Trail Services, Park City, Utah, in the amount of \$37,026, with the condition that they meet the insurance, bonding, and other requirements of the City. Council Member Jensen seconded the motion. Mayor Pro Tem Anderson and Council Members Jensen, Walker, and LeMone voted "Aye"; and Council Member Stanley voted "Nay". The motion carried 4-to-1.

ACTION: Council Member Stanly moved to extend the meeting beyond the 11:00 p.m. deadline. Council Member Walker seconded the motion. The motion carried with unanimous consent of the Council

J) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-018) AUTHORIZING THE MAYOR TO DECLARE A 0.33 ACRE PIECE OF REAL PROPERTY LOCATED AT 135 EAST 100 SOUTH AS SURPLUS AND DIRECT THAT THE PROPERTY BE DISPOSED OF ACCORDING TO THE CITY'S POLICY FOR DISPOSING OF SURPLUS PROPERTY AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington.*

Administrator Darrington explained that Items 9J and 9K involved the same piece of City property and he would give the staff reports together. The subject property was referred to as the Wadley Home, which was acquired by the City with the intention of building a Public Safety Building in accordance with the Four Block Plan. The City was no longer following that plan, and they were approached by Mr. Bugden about selling the property. Administrator Darrington stated that the offer price came in higher than the recent appraisal and was close to the amount the City originally paid for the property. The funds received from the sale would go back into the Public Safety Impact Fund.

ACTION: Council Member LeMone moved to adopt a Resolution (2016-018) authorizing the Mayor to declare a 0.33-acre piece of real property located at 135 East 100 East as surplus and direct that it be disposed of according to the City's policy for disposing of surplus property. Council Member Jensen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye".

K) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-019) AUTHORIZING THE MAYOR TO SIGN A SALES AGREEMENT WITH WILLIAM J. BUGDEN FOR A 0.33 ACRE PIECE OF REAL PROPERTY LOCATED AT 135 EAST 100 SOUTH; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington.*

ACTION: Council Member Stanley moved to adopt a Resolution (2016-019) authorizing the Mayor to sign a Sales Agreement with William J. Bugden for a 0.33-acre piece of real property located at 135 East 100 South. Council Member Jensen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting “Aye”.

11) ITEMS FOR DISCUSSION

A) DISCUSSION ON THE DEFINITION OF THE PARKING SURFACE FOR RESIDENTIAL HOMES. *Presenter: Administrator Darrington.*

Administrator Darrington explained that the above came about based on recent inquiries from the public. The City Code currently requires parking surfaces for residential homes to be constructed of hard surfaces such as asphalt, concrete, or concrete pavers. Requests were made to allow the use of slag for RV pads or other additional off-street parking areas. Administrator Darrington stated that there are some locations in the City where this use has been grandfathered in, but it is not allowed for new development. Staff recommended hard surfaces for drives that lead to the garage, but wanted the Council to discuss the use of slag for additional off-street parking.

Director Beaumont commented that slag is a material that came from Geneva Rock and is good in terms of compacting. Although it is a tight surface, there is still a lot of gravel involved. There would be some impact to the storm drainage system.

Council Member LeMone thought it might be appropriate to allow this type of surface because it would be much less costly than concrete. She asked if staff had received many requests for it. Administrator Darrington stated that they had received only one. Attorney Petersen commented that allowing this surfacing may open the door to more requests.

Council Member Walker explained that slag can have a negative chemical reaction with pipes, which is the reason the City prohibited it years ago. However, he believed that slag is a good material that interlocks well and will probably be much more effective than road base. Director Beaumont added that slag is a byproduct of a metal so it will rust and can stain concrete.

Council Member Stanley was sympathetic to the burden placed on residents with accessory apartments in requiring additional off-street parking. He was, however, unsure whether this option should be allowed for the entire City.

Council Member LeMone wondered if the residents could be allowed to apply for a waiver in special circumstances. In the case of the recent request, Director Beaumont stated that staff recommended that the applicant provide two additional off-street parking stalls, which would only require a 20 foot by 20 foot concrete pad. Other circumstances may require additional parking

spaces which could be costly to the resident. Director Young commented that the option of using concrete pavers is an option given only to accessory apartments.

Council Member LeMone was comfortable allowing slag for accessory uses but not the main drive.

Based on the discussion, Administrator Darrington stated that staff would come up with a proposal to amend the Accessory Apartments Ordinance, rather than the entire City, to allow the use of slag. A proposal would be taken to the Planning Commission before returning to the City Council.

12) REVIEW AND DISCUSSION ON THE MAY 10, 2016 CITY COUNCIL WORK SESSION MEETING AGENDA

With regard to the upcoming work session, Administrator Darrington stated that Daniel Thomas, who purchased 40 acres of property next to the hotel property in the Grove Zone, would be making a presentation about his ideas for development. The Council would also be hearing from D.R. Horton who was looking to purchase property on 900 West and 3000 North, which is currently owned by the School District. Finally, the Public Safety Building Commission would be making a presentation.

13) NEIGHBORHOOD AND STAFF BUSINESS

Director Giles thanked those present for their participation on Arbor Day, which was a great success. He also reported that Test Out completed their Day of Service in which they cleaned City curbs, mowed the cemetery, and other work on City properties.

Fire Chief, Dave Thomas, stated that the Breakfast at the Fire Station would be held on Jun 11, 2016.

Library and Arts Director, Sheri Britsch, stated that Center Stage and the PG Players were still performing this week and invited the Council Members to attend. She also reported that the architects have almost completed the designs for the library elevator, and hoped that construction will begin in mid to late-July.

Attorney Petersen welcomed the new Prosecutor, and thanked the City Council for allowing the position to be made full-time. She also stated that she would be attending the Utah Municipal Training Association the following week.

14) MAYOR AND COUNCIL BUSINESS

Council Member Walker asked what was being done about the illegal signs being posted throughout the City. Administrator Darrington stated that staff would be assigning the task of taking those down to one of the City employees.

Council Member Jensen stated that the Citizens' Academy would be starting again on Thursday of that week, as well as the Library Board and Beautification Commission.

Council Member Stanley thanked those who attended the town hall meeting the week prior, and stated that it was successful.

15) SIGNING OF PLATS

There were no plats signed.

16) REVIEW CALENDAR

There were no additional calendar items reviewed.

17) ADJOURN

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

The City Council Regular Meeting adjourned at 11:21 p.m.

The minutes of May 3, 2016 City Council Meeting were approved by the City Council on May 31, 2016.

Kathy T. Kresser, City Recorder, MMC

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