

**Pleasant Grove City Council Meeting Minutes**  
**Work Session**  
**September 10, 2013**  
**6:00 p.m.**

**PRESENT:**

Mayor Pro Tem:  
Cindy Boyd

Council Members:  
Cyd LeMone  
Jay Meacham  
Kim Robinson

Excused:  
Bruce W. Call, Mayor  
April Harrison, Arts and Culture Director

**Staff Present:**

Scott Darrington, City Administrator  
Dean Lundell, Finance Director  
Degen Lewis, City Engineer  
Tina Petersen, City Attorney  
David Larson, Assistant to the City Administrator  
Deon Giles, Parks and Recreation Director  
Kathy Kresser, City Recorder  
Mike Smith, Police Chief  
Marc Sanderson, Fire Chief  
Ken Young, Community Development Director  
Lynn Walker, Public Works Director

**Others:**

Greg Hudnall, Utah County HOPE Task Force for Suicide Prevention  
Justin Earl, Ivory Commercial Development  
Jim Seaberg, Ivory Commercial Development  
Clark Chamberlain, Ivory Commercial Development  
Kyle Spencer, Northern Engineering

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

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- 1) **CALL TO ORDER.** Council Member Boyd stated Mayor Call has asked to be excused and since Lee Jensen has resigned as Council Member and another Mayor Pro Tem has not been appointed, she said that the first order of business will be to appoint a Mayor Pro Tem for this meeting.

**ACTION:** Council Member Meacham moved to appoint Council Member Boyd as Mayor Pro Tem. Council Member LeMone seconded and the motion passed unanimously with the consent of the Council.

Mayor Pro Tem Boyd called the meeting to order and noted that Council Members LeMone, Meacham, was present and Council Member Robinson will be late. Council Member LeMone questioned if there were enough Council Members present for a quorum. Attorney Petersen

answered that although Council Member Boyd is the Mayor Pro Tem she is still a Council Member which constitutes a quorum.

**2) PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by Boy Scout Garrett.

**3) OPENING REMARKS.**

The Opening Remarks were given by Assistant to the City Administrator, David Larson.

City Administrator Darrington asked if a couple of the items could be switched around, he would like to have item #5 go first, then item #7, then item #4 and item #6 as last. The Council agreed to the change of the order.

**5) PRESENTATION BY GREG HUDNALL ON SUICIDE PREVENTION.**

HOPE for Utah Executive Director, Greg Hudnall, addressed the Council. He reported that HOPE for Utah is a suicide prevention program that was introduced into the Provo School District 15 years ago. At the time the program was created, Provo School District was averaging three suicides per year. Director Hudnall was a high school principal and later became Associate Superintendent at which time he started a suicide prevention program for the State of Utah. He was invited to testify before the United States Surgeon General and Congress and reported that he has trained roughly 16,000 people.

Mr. Hudnall reported that the State of Utah is fifth in the nation in suicides for children between the ages of 10 and 17. He stated that it is an epidemic in the State. In January KSL did a story on suicide. It did not get the traction they were hoping for, so they contacted Mr. Hudnall to conduct a training for employees. After the training, KSL did a special on suicide. Mr. Hudnall stressed his belief that suicide can be prevented. He stated that it is not unusual for the Provo School District and others to have four or five elementary school children on suicide watch. The State worries the most about children from fifth to ninth grades.

Mr. Hudnall said that the community, mental health agencies, and school programs all need to come together to focus on suicide prevention. He hoped Pleasant Grove will adopt the program as a City and work with HOPE for Utah and follow the model. They need to organize a task force and collaborate with City and community agencies. In Provo they have a task force of nearly 60 people. The most important component is community support. Mr. Hudnall reported that he provides weekly training because he believes that education will prevent suicide.

Mr. Hudnall stated that they work closely with mental health agencies. He spoke with Wasatch Mental Health who are excited and want to be partners in the HOPE for Utah program. Pleasant Grove High School and Middle School have already been trained and are excited to be a part of the program. They look for high risk and low risk students and train parents on what to look for. High risk individuals need to be taken to the hospital for immediate intervention and low risk individuals need to get counseling. Every new school employee, from custodians to teachers, will be trained each year.

Mr. Hudnall stated that in the last eight years they have not had a suicide in the schools thanks to the program. He stated that suicide occurs in a window and research has shown that eight out of 10 children show signs of need before a suicide occurs. He explained that the three tiers to HOPE for Utah are prevention, intervention, and postvention. Prevention is the education

portion. They will do all in their power to train the Pleasant Grove community including parents, leaders, church leaders, church members, etc. They will be trained in what to look for, warning signs, when to get help, and where to go for help. Intervention was described as the time when a child is identified as a suicide risk. Parents often have no idea their child is struggling, but the child often mentions it to a friend, teacher, or other adult. Many suicides can be prevented if people know how to respond when a child displays warning signs or says something that can be a cry for help. Postvention involves bringing in the crisis team to help prevent additional suicides after one occurs.

Mr. Hudnall stated that the model uses the community working with mental health and partnering with schools for suicide prevention, intervention, and postvention. For young people suicide often follows a crisis such as a romantic break up or disciplinary action. He stated that they were careful to train individuals to watch for that window and intervene. Mr. Hudnall stated that from 2005 until the present they have not had one suicide in Provo and have hospitalized many children. They work with the police department and IHC who wants to be involved in the program. With the support of the City Council he hopes to establish the free program that is sponsored by Vivint. He felt the only way to make a real difference will be to work with one city at a time. Mr. Hudnall stated that Pleasant Grove's suicide numbers are high and they want to help.

Council Member LeMone asked if the HOPE Squad will be implemented in schools this year. Mr. Hudnall stated that they never expected to take the HOPE Squad state wide. The first training will be on Friday where 53 schools will participate. They sent information to counselors across the state and assumed they would get 20 to sign up. The focus this year is junior high and high schools but they had an elementary component for schools that were interested. Both Pleasant Grove High School and Pleasant Grove Middle School will attend the training.

Council Member LeMone asked how the elementary schools will get involved this year. Mr. Hudnall stated that they would be willing to work with the schools to train the staff, principal, and parents. The HOPE Squad was to be introduced the following year. They were overwhelmed with the amount of interest throughout the state, but selected Pleasant Grove as the place to focus their attention this year.

Mr. Hudnall stated that if Pleasant Grove wants to work with HOPE for Utah they will schedule meetings with staff to discuss who the main "key player" will be for the City to work closely with Mr. Hudnall. There are already private providers who expressed interest in being part of the program. They will hold a meeting with the private providers, key stakeholders and trainings for church leaders, police officers, and other groups. They would like the key player to be a Pleasant Grove resident. Mr. Hudnall stated that the junior high and high school have already been trained. They would next like to train the elementary school and parents in the community.

Mayor Pro Tem Boyd found the presentation to be eye opening and was grateful that HOPE for Utah chose Pleasant Grove because they clearly need assistance. She asked when Mr. Hudnall would like the key player to be selected. He stated that they would like to begin working with someone in the next couple of weeks. He explained that it is a five-year project and his team will be involved with Pleasant Grove throughout that time. Mayor Pro Tem Boyd stated that the Council would like Mr. Hudnall to move forward. Mr. Hudnall stated that the hope was that the parents and the community will rise up and make a difference. Council Member Robinson felt that the community was ready for this type of program. Mayor Pro Tem Boyd asked that Mr. Hudnall begin working with City Administrator, Scott Darrington.

## **7) DISCUSSION ON THE JORDAN VALLEY WATER CONSERVANCY DISTRICT AGREEMENT.**

Administrator Darrington stated that when the pipelines were placed years ago in Battle Creek Drive and Grove Creek Drive to take the spring runoff and put it into the Murdock Canal, the City had to determine a way to pipe the water in with the canal closure. They had already bonded and began construction when they received notice from Metro Water of Salt Lake and Sandy that they were not going to allow Pleasant Grove to put the water into the system. After negotiations with both entities, an agreement was reached roughly one year ago that set the parameters for them to take the water.

Administrator Darrington stated that one of the signees to the master agreement that regulated the Murdock Canal was the Jordan Valley Water Conservancy District and they had an issue that Pleasant Grove did not have an agreement with them as well. They hoped to put in place an agreement with Metro that would allow Metro to take it back to the other four entities identified in the master agreement. They would all sign off on it and it would then become an approved water source. Jordan Valley did not sign off because they wanted their own agreement with the City. He explained that staff sat down with Salt Lake, Murray, and Jordan Valley to try and work out a Master Agreement that would work for everyone.

Administrator Darrington stated that one of the issues with the Master Agreement was that Metro of Salt Lake and Sandy had a trigger point where they could give 15 years' notice that would require the City to move the water. While negotiations were underway the City received notice from Metro stating that the City was receiving their 15-year notice. Eventually Jordan Valley and Metro came together and developed an agreement that would allow the water to go into the Murdock Canal and allow Pleasant Grove to continue using it.

Administrator Darrington presented the Jordan Valley Water Conservancy District Agreement to the Council. The Council would not take action on the agreement until the following meeting. The agreement stated that Pleasant Grove could put water into the Murdock Canal with the stipulations that they meet watershed protection, test the water, and meet indemnity requirements. The downside for the City was that Jordan Valley would now be able to trigger the 15-year notice. In the end, the City did not have a lot of leverage to negotiate because they had to get the water into the pipe. He reported that they had been working on the agreement for six months.

Mayor Pro Tem Boyd asked why one of the cities would trigger the 15-year notice and what justified them being able to do so. Administrator Darrington stated that they did not need justification and could do so whenever they so desired. If the 15-year notice was ever triggered the City would exhaust all options to find the best solution. They could try to renegotiate or save money to raise the \$15 million necessary to improve the infrastructure that would allow the water to be moved to Utah Lake. They could attempt to get the State Legislature to intervene. Fifteen years would allow time to find the best solution. Administrator Darrington stated that there was not an obvious reason why any of the entities would trigger the 15-year notice.

Administrator Darrington stated that the agreement was not ideal, but the best the City could get at this time. If the agreement was signed, it was likely that the Master Agreement would be approved. Mayor Pro Tem Boyd clarified that either Jordan Valley or Metro would be able to trigger the 15-year notice independent of the other entity. City Attorney, Tina Petersen, stated that Mayor Pro Tem Boyd was correct. Administrator Darrington requested that the City Council review the agreement and send any questions to him.

## **6) DISCUSSION ON TUSCAN GARDENS.**

Community Development Director, Ken Young, stated that Ivory Commercial Development (ICO) was interested in developing in the Tuscan Gardens area located next to Water Gardens Theater. He explained that there may be zone changes or overlays requested for the new development. ICO wanted to see how the Council felt about developing the area before proceeding.

Justin Earl of ICO sought to reacquaint the Council with the Tuscan Gardens site, present a new concept, and receive feedback from the Council. The property was comprised of approximately 10 acres and surrounds the movie theater. Originally the property was farm land and in 2006 the property was acquired by Pleasant Grove Development Partners to develop a medical plaza, however, they changed the concept to mixed use. The plan was approved and recorded in 2007 and in 2008 they obtained a loan and began construction. Work stopped after several months because the bank stopped issuing funds. It was later discovered that the FDIC was investigating the bank, which was eventually shut down. The project had been on hold ever since.

Mr. Earl stated that ICO is under contract with the FDIC to purchase the project back. He felt they had improved the concept and it would create a vibrant mixed-use development at what they considered an important crossroads in the City. Mr. Earl explained that the original site was planned for office, medical, and retail. Demolition and grading were done when construction first began, in addition to an expensive gas line and detention/retention ponds. They planned to take advantage of some of the work that was done as well as use some of the existing roads in an effort to avoid wasting money that was already spent.

Mr. Earl stated that their approach was to evaluate the site and the surrounding uses before creating a concept. When they evaluated the site they looked at the existing infrastructure, the marketing window, and the railroad tracks. He noted that the tracks presented a challenge in accessing the site. They evaluated the surrounding uses as well. There is strong retail across the street, entertainment from the theater, and a new office building that was recently approved. There was also residential above and below the property.

Mr. Earl stated that they were proposing multi-tenant retail in the front of the property. ICO felt that restaurants and ice cream or cupcake shops could benefit from the visibility from State Street as well as complement the movie theater. Mr. Earl stated that they were also proposing commercial in the area but did not specify whether it would be medical or office or just restaurants. He stated that they would want to see where the market takes them. Mr. Earl stated that ICO felt that a senior housing component of roughly 60 units could be a complementary use for the back side of the property. The surrounding uses would be walkable through the entire development and the different uses would greatly benefit each other.

Mr. Earl stated that they intended for over 70% of the site to be office and retail. The residential use would allow more balance and complement the space. He explained that ICO is a fully integrated real estate company with capital, construction, management, and development branches. ICO would be the master developer, with Mr. Earl working on the project as a retail specialist and Lincoln Harris as a medical office specialist. Utah Non-Profit Housing Corporation was recognized as one of Utah's leaders for providing housing to fixed-income seniors and would be involved in the project as well. Clark Chamberlain, the son of the original developer, would work with the development team and knows the site well.

Council Member LeMone liked the idea of developing the Tuscan Gardens area. She stated that two senior housing developments were recently approved and she was concerned that the area will be too heavily concentrated with that type of housing. She understood that the developers were trying to accommodate the needs of seniors in the community and but questioned whether one more was necessary. She stated that they are more focused on trying to provide a place for young families to spend time and shop and eat. She felt that even though the back of the property is not in the main marketing window, additional retail would be successful because the movie theater will help attract customers.

Mr. Earl inquired about the size of the two senior housing projects that were previously approved. Mayor Pro Tem Boyd stated that one of the developments will have 140 units. She asked Mr. Earl how they defined senior housing. Mr. Earl displayed a photo of similar housing developments they have used previously and stated that the proposed project will have a Tuscan feel. The development will be leased, fixed low-income housing.

Council Member Robinson asked if the housing will be multi-level. He stated that the multi-tenant retail will be a single story and the housing will be three stories. There will also be a two-story commercial area. Mr. Earl stated that they were currently working on a project called Ivory Ridge in Utah County where they are developing buildings to look the same in the back and on the side as in the front so that all sides of the building are equally attractive. They would do something similar in this case due to the visibility from State Street.

Council Member LeMone asked if the development will be a strip mall. Mr. Earl stated it will be a strip mall concept. Council Member LeMone said they had a difficult time keeping tenants in the strip mall near Macey's as well as the strip mall off the freeway exit. She did not know if that was because it is a strip mall or another issue. She was concerned that another strip mall will have similar problems as opposed to a restaurant pad site. Mr. Earl stated that they reached out to name brand restaurants and none expressed interest due to the access problem from the railroad tracks.

Mayor Pro Tem Boyd asked if they anticipated putting a restaurant pad in the corner. Mr. Earl responded that a medical office would be better in that location; however, if a restaurant approached them they would definitely consider it. If the railroad was not an issue they would have approached the project very differently.

Council Member LeMone stated that community members were desperate for more shopping and restaurants so she was hesitant to approve more office space. She asked if there was a possibility of changing the amount of office space to more retail. Mr. Earl stated that they would propose a phasing process. They would begin with the area closest to the movie theater and see how well the retail does. If it is highly successful, they will rethink the rest of the development for more retail or restaurants.

Mayor Pro Tem Boyd asked what phase the housing will be in. Mr. Earl stated that housing will likely be in the first phase followed by retail. Council Member LeMone asked if they had any other options for the senior housing if it is not approved. Mr. Earl stated that if that is the case, they will likely walk away from the project.

Council Member Robinson asked if the other senior housing developments are fixed or low income facilities. Administrator Darrington stated that there are age restrictions but not income requirements. Mr. Earl stated that it would be a different clientele than the other housing facilities and that they always have waiting lists associated with these types of projects.

Mayor Pro Tem Boyd stated that while the Center Street senior housing was not deemed affordable, it was affordable based on the size and price of the rental properties. Council Member LeMone stated that they would have to be able to explain to the community why they were approving another multi-family project because there had already been debate in the City.

Mr. Earl stated that the senior housing will serve as a buffer from commercial or retail to the residential homes that line the property. Mayor Pro Tem Boyd expressed concern about the noise from the commercial for seniors who likely prefer peace and quiet. Council Member LeMone wanted to do everything possible to approve the project and develop the area, but wanted to do it right the first time because they will only have one opportunity. Mr. Earl stated that if the City wants more retail there was the potential to satisfy both retail and other elements with phasing.

Mayor Pro Tem Boyd stated that phasing in the past had not gone well in that they would approve the housing portion after which there were long periods of time before the retail and commercial were developed. Council Member Meacham stated that phasing beginning with housing would be IOC's biggest hurdle. He explained that the City has been burned many times by residential coming in with the promise of retail to follow. Council Member Robinson asked if anyone had explored the possibility of developing an Instacare, which she felt the City could benefit from. Mr. Earl stated that they had not looked into it and could do some research.

Mr. Earl stated that the senior housing would only cover 27% of the project. He felt that the proposed retail and office would complement the senior housing and vice versa. They wanted to begin the project with the housing development because it will help finance the rest of the project. Council Member LeMone stated that while she had concerns, she wanted to do everything possible to reach an acceptable solution. Mr. Earl asked what the next steps would be. He did not want to move forward without the consent of the Council. Mayor Pro Tem Boyd stated that the Council would be happy to meet with ICO as many times as necessary to make the project happen.

Jim Seaberg, from ICO, commented that the only change from the initial development plan that was previously approved was the addition of residential as a buffer to existing residential. He stated that they had done numerous housing projects across the State. As a developer his capital was at risk and the FDIC was not a friendly negotiator. The FDIC gave him 30 days with a 30-day extension. If the Council were to give him negative feedback they would walk away from the project. He stated that over the next two to four weeks they need to get a firm direction. Mr. Seaberg agreed to provide as much data as the Council desires and stated that several impact studies were performed.

Mr. Seaberg stated that his job is to make sure that the development is successful. He felt there would be no problem ensuring that the units will be occupied. He explained that they have a great deal of information that the Council could share with their constituents to explain why they approved the housing development. He asked what the process would be over the next two to four weeks. Mayor Pro Tem Boyd stated that she preferred not having housing in the area at all. She was not concerned with the quality or if the units will sell and simply preferred more retail and commercial.

Council Member Robinson stated that in the entire development she would not object to 60 residences that buffer the rest of the development. Council Member LeMone asked what Mike Daniels said about senior housing. Mr. Earl replied that Mr. Daniels did not have a problem with what was proposed and felt that because of the retail and restaurants it would be acceptable.

Mr. Seaberg stated that the City could keep the existing plat and let the next developer try to work through the issues, but he did not think it would happen in the next 10 years. Mayor Pro Tem Boyd asked what ICO's guarantee would be that they would finish the retail and commercial space if the Council approves the senior housing. Mr. Seaberg stated that as a developer he makes a commitment to the plat. It is his job to determine when the area can be developed based on the market. He indicated that nothing will happen immediately.

Mr. Earl asked if IOC were to develop retail in conjunction with the housing whether that would alleviate some of the Council's concerns. Council Member Meacham felt that would definitely help. Council Member LeMone stated that they have been told the same thing by other developers and it had not happened. They were not trying to be difficult to work with but were looking out for the best interests of the community and citizens. Their concerns were based on past experience. Residents get concerned about a potential property tax increase when they feel more sales tax revenue should come in.

Mr. Seaberg asked what the Council would propose to alleviate their concerns. Council Member LeMone stated that the residents want more places to shop, dine, and entertain. Mayor Pro Tem Boyd asked if ICO considered the originally approved plat to be a viable option. Mr. Chamberlain stated that the previous plat was roughly 80% office and the new plan would reduce that dramatically with the hope of bringing in more restaurant and retail space. They tried to bring in a big restaurant, but due to the railroad tracks there was no interest. He explained that in order to move the project forward, this type of development must be considered.

Mayor Pro Tem Boyd asked if the previous plat was all office space other than the one restaurant pad. Mr. Chamberlain stated that there were three small retail pads. He looked into other options for a medical office and felt that they would have success there. Mayor Pro Tem Boyd asked about the possibility of an assisted living facility instead of senior housing. Mr. Chamberlain responded that he had not looked into it.

Mayor Pro Tem Boyd asked Administrator Darrington if ICO could meet with the City's Economic Consultant, Randy Sant, in an effort to make decisions that would allow ICO to move forward. Administrator Darrington thought that was a good idea and offered to facilitate a meeting.

Council Member Robinson stated that the City needed to be smart in their development decisions, but the economic status in 2008 was not good. She felt the Ivory brand was dependable and brought additional confidence that they would be able to complete the project. She did not want to be shackled by past inadequate developers. Mr. Seaberg said they had not explored assisted living and wanted to know if that would be an acceptable option for the Council. Mayor Pro Tem Boyd did not fully understand the difference between assisted living and senior housing. Attorney Petersen explained that an assisted living facility is more of a medical facility. She questioned whether such a facility would be a good fit for the area. Council Member LeMone said the next step would be to meet with Mr. Sant prior to scheduling another meeting with the Council.

#### **4) DISCUSSION ON AGENDA ITEMS FOR THE SEPTEMBER 17, 2013 CITY COUNCIL MEETING.**

- A. Interview applicants for City Council vacancy.
- B. Executive session to discuss the character, professional competence or physical or mental health of an individual (UCA 52-5(1)(a)(i)).**



- C. To consider selection/appointment of new city council member who will serve the remaining term of office (four months) left vacant by Council Member Lee Jensen.
- D. Oath of Office administered to interim Council Member who will serve until January 7, 2014.

Mayor Pro Tem Boyd stated that the first item of business would be reviewing the applicants for the new City Council position. The Council would make the final decision. Attorney Petersen stated that there were four candidates.

- E. **Public Hearing** to receive input from the public with respect to (a) the issuance of Bonds in the aggregate principal amount of not to exceed \$16,960,000 and (b) any potential economic impact and improvements, facilities, or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector. **(CITY WIDE)**  
*Presenter: Administrator Darrington*

Attorney Petersen stated that they had been informed by bond counsel that the City would have to hold another public hearing regarding the GO bond. They were not 100% sure that was accurate, but she would let the Council know. The point was to give the public another opportunity to express their thoughts after some education has been completed.

Mayor Pro Tem Boyd asked if it would be to the City's advantage to hold a public hearing even if it is not required. Attorney Petersen said it was something to consider and they could discuss date options because there were date restrictions.

- F. **Continued Public Hearing** to consider for adoption an Ordinance **(2013-26)** permanently abandoning a road right-of-way located at approximately 600 East 100 South **(STRING TOWN NEIGHBORHOOD)** *Presenter: Engineer Lewis* (Continued from the September 3, 2013 meeting)
- G. **Continued Item.** To consider the approval of a 4-lot Final Plat to adjust boundary lines called Walker Landing Plat B located at approx. 140 South 600 East in an R1-7 (Single Family Residential) zone. **(OLD FORT NEIGHBORHOOD)** *Presenter: Engineer Lewis* (Continued from the September 3, 2013 meeting)

Attorney Petersen stated that item "F" and "G" was continued to the 17<sup>th</sup> meeting because of an advertising issue.

- H. To consider for adoption an Ordinance **(2013-29)** amending Title 2 Chapter 1 "Permanent Administrative Councils, Boards, Commissions and Districts" of the Pleasant Grove Municipal Code to add the Strawberry Days Committee as one of the permanent committees and providing for an effective date. *Presenter: Attorney Petersen*
- I. To consider for adoption an Ordinance **(2013-30)** establishing a Strawberry Days Committee, amending Title 2 Chapter 2 of the Pleasant Grove Municipal Code to add Section I, "Strawberry Days Committee; providing for appointment of a standing committee and other related matters; and providing for an effective date. *Presenter: Attorney Petersen*

She reported that item "H" and "I" is an ordinance regarding proposed bylaws for the Strawberry Days Committee.

- J. To consider for adoption a Resolution **(2013-036)** authorizing the Mayor to sign a lease-purchase agreement with Zion's Bank to purchase vehicles for the Police Department,

and other matters in connection therewith, and providing for an effective date. *Presenter: Director Lundell*

Item “J” would authorize a police officer to be equipped with a vehicle.

- K.** To consider for adoption a Resolution (**2013-037**) authorizing the Mayor to sign an agreement among Jordan Valley Water Conservancy District, Provo Reservoir Water Users Company and Pleasant Grove City for the monitoring of water quality and the carriage of flood flows of Grove Creek and Battle Creek in the Provo Reservoir Canal Enclosure Project and providing for an effective date. *Presenter: Administrator Darrington*

Administrator Darrington reported that this is the resolution for Item #6.

## **8) MAYOR, CITY COUNCIL AND STAFF BUSINESS.**

Director Young reported that he had discussions with Kyle Spencer from Northern Engineering. The matter was not on the agenda but Mr. Spencer was present and wanted to make a proposal to the Council. Mr. Spencer stated that they want to rezone the development area from Rural Residential to R-1-20. He explained that the Council asked him to explore the possibility of a PUD, which proved not be a viable option. The plan would remove the negative aspects of the roads and include a standard roadway section that would include public rather than private roadways. It would also include more open space. He wanted to maintain fairly large lots, but would reduce some of them. He felt there may be historical value in preserving the historical farmhouse in the area. He stated that the new proposal included two small soccer fields.

Council Member LeMone liked the idea of the soccer fields and asked Parks and Recreation Director, Deon Giles, if the City currently owns more than one. Director Giles stated that they did not. Council Member LeMone asked if the soccer fields would be a deterrent to the residents who will potentially purchase the lots in the area. She also wanted to know who would maintain the soccer fields. Mr. Spencer did not think the soccer field would be a deterrent, but rather the opposite since people would like their yards to extend into the open space. They would not be full size regulation fields, but games could take place on them. The field would be closer to a U-11 sized field. Mr. Spencer stated that they did not want to have an HOA in the development, so the developer would improve and prepare the green space and then turn it over to the City.

City Engineer, Degen Lewis, identified a piece of property between Lots 75 and 76 owned by American Fork. It was a 200’ x 200’ square that was to be used for a well house in the future if needed. Mr. Spencer said that communication and coordination will be important with American Fork. Council Member LeMone asked if American Fork would want ownership in the field. Mr. Spencer responded that they would want protection for the well source as well as access to and from the well. He felt that American Fork would be agreeable to the green space because it would protect the well and the well source. Mr. Spencer stated that they created the plan in an effort to preserve some of the farm area in the City and make the larger lots slightly smaller. He asked for feedback from the Council. There was currently no ordinance allowing for the type of development they hoped to create. He explained that they discussed the possibility of adding an enlarged park strip and planter area between the curb and gutter and all of the sidewalks would be meandering.

Engineer Lewis stated that maintenance could be a concern for the City. The public boulevard could be larger or the lots could be slightly larger with a bigger easement area to the sidewalks. Mr. Spencer said they would do one or the other of the options suggested by Engineer Lewis.

Mayor Pro Tem Boyd suggested Mr. Spencer sit down with Director Giles and discuss the matter in detail.

Council Member Meacham asked if the City used the type of soccer fields that would be in the development for little league soccer games. Director Giles stated that there would not be adequate parking and facilities for the City to use the parks for soccer games although they may be able to use the fields for practice. Mr. Spencer stated that they did not want to create a large parking and restroom area because they were not trying to create a large City park, but a space that would benefit the City.

Mr. Spencer stated that before proceeding they wanted to get feedback from the City Council. Mayor Pro Tem Boyd liked the idea of the development but wanted more specifics on the logistics of the proposal with the help of Director Giles. She appreciated the open space and wider streets that would make it more accessible to the community. She felt that if the City was going to take over maintenance they would need a lot of input.

Council Member LeMone remarked that it requires a lot of work and money for the City to maintain the fields if they cannot be used for City soccer programs. There was possibly a better use for the open space than a soccer field that would require less maintenance and cost the City less. She appreciated the preservation of the buildings and requested that Director Giles come up with figures showing what it would cost the City over the next 10 years.

Mayor Pro Tem Boyd stated the open space would be a benefit to that particular area because there were currently no parks or open space. The soccer fields would be considered a neighborhood park and not a multi-purpose field with bathrooms and parking, but would be large enough to accommodate practices and small league games.

Director Giles stated that without the proper restroom facilities it could become a burden for residents who could potentially have people knock on their doors to use their restroom. Mayor Pro Tem Boyd suggested looking into removing the strip to make room for facilities. She stated that the other alternative would be to change the zoning to RR one-half acre or R-1-20, which would remove all of the open space. She felt that would not be a better option and stated that parks are vital to the City. She preferred the updated proposal and requested that staff work with the developers to reach a solution.

Administrator Darrington stated that the park near his home was an HOA but everything else was to City standard. It was developed with the PRUD so the density averaged out to R-1-20 throughout the entire subdivision. He said it was a private park because of the HOA. Engineer Lewis stated that the new proposal was an increase of 16 lots. If the lot size was increased slightly and the number of lots reduced there could potentially be more room for facilities or other needs. Mayor Pro Tem Boyd stated that the farmhouse may not be worth preserving.

Administrator Darrington thought that a park that size would not be utilized by a large portion of the City. He felt it would be a neighborhood park based solely on size. Another option would be to require the subdivision to maintain the park through an HOA. When the School District completed their project there would be no need to utilize the smaller park by people other than the neighborhood residents. Director Young stated that they would likely need to open the park to the major road to make it more inviting to the general public. Mr. Spencer stated that they discussed the issue and were willing to reconfigure as the City requests. He agreed to meet with Director Giles and thanked the Council for their time.

Director Young reminded the Council that the Bicycle and Pedestrian Master Plan and the Parks Master Plan would be presented at an open house the following evening at the Recreation Center at 6:00 p.m.

Administrator Larson stated that the last promenade will be on Thursday and will be a car show.

Public Works Director, Lynn Walker, stated that the heavy rain caused a scar down Battle Creek Canyon. The stream position changed and if there is heavy rain again he will likely need help. Council Member Meacham asked how much damage had occurred. Engineer Lewis showed photos of the extensive damage to the Council. Director Walker said there was quite a bit of damage and they filled the basin completely with rock. He noted that the retention basin was full of debris.

Director Walker commented that he has an amazingly loyal team that worked day and night to clean the debris and make the Canyon safe. The debris was coming from the face of Mt. Timpanogos. He stated that if a hard rain came down again it could be dangerous and potentially result in a flash flood. Council Member Meacham asked if the Forest Service helped with the clean up. Engineer Lewis said they would meet with them tomorrow to discuss multiple issues. They had not been involved at all up to this point. Director Giles stated that the City would do some of the trail repair on its own. Director Walker stated that the repair cost would be spread out over several years. Council Member Meacham commented that there was a lot of mud and water that came down Battle Creek and covered the road. In response to a question raised, Director Walker stated that it was localized and occurred because they could not handle the water flow. They used all of the sand bags and should look into preparing more.

Director Walker stated that the water was isolated based on color when they started draining the tank. There were multiple inches of silt at the bottom of the tank that needed to be removed. They had to chlorinate and disinfect the water as well as determine where to put the hot water and then remove it. They rerouted the water to avoid turning off any residents' water. Council Member Meacham asked when the tanks would be back online. Director Walker responded that he was not yet halfway done and expected to be back online the following day. He noted that the water pressure was not great for the people at the top of the mountain.

Mayor Pro Tem Boyd thanked Director Walker and his staff for all that they had done over the past few days. Engineer Lewis stated that a report from BYU that KSL described it as a 25-year storm. Director Walker stated that he read reports that described it as a 50-year storm. Administrator Darrington reported that they will debrief on Thursday and discuss the issues with the reverse 911 calls.

Police Chief, Mike Smith, stated that the reverse 911 calls had a 75% contact rate. They would be looking at the system to see what worked and what did not. For those who do not have a landline, the resident has to register on their own because the Police Department has no way to obtain contact data for cell phone numbers. Council Member LeMone suggested they encourage residents to register their cell phone numbers.

Administrator Darrington stated that there have been issues with City Watch, the program the City currently uses to perform reverse 911 calls. A company called Parlant Technologies has a much more sophisticated system. The City would consider transitioning to this program once they see that it is successful. Other cities in Utah County were already using it. Administrator Darrington said that City Watch is free while the Parlant Technologies program would not be. Chief Smith clarified that City Watch is not free. It was free to the City because as Chiefs of

Police and the County, they pooled grant money to pay for it. They recently held a meeting to discuss whether to renew City Watch and the grants used to pay for it. The Chiefs all wanted to move away from it. The grant money would not be available to use toward Parlant's program for another year. Administrator Darrington stated that they had a lot of research to complete before decisions are finalized.

Chief Smith stated that no system would be 100% perfect. There will still be people who are not contacted if they switch to the new program, but the numbers will be greatly reduced. He explained that people don't answer their phones, they dismiss the call and hang up, or a child answers and doesn't report it to their parents. He explained that a new system with the ability to send a text message would be a big improvement.

Council Member LeMone stated that there were over 50,000 views on the police department's Facebook page. The police department does a fantastic job of getting information out immediately. Director Walker said there were wonderful residents in the City that he had seen cleaning up neighboring properties and helping to remove downed trees within hours of the storm.

Attorney Petersen stated that she emailed information regarding the Water Garden contract. She did not hear back but the term will expire at the end of the month. She said that there were reports from Cyd LeMone the Council Member involved in the contract that there were issues on whether the ads were actually being shown before each movie as the contract required. Mayor Pro Tem Boyd was not in favor of renewing the contract. The rest of the Council agreed.

Administrator Darrington stated that there would be a meeting with Randy Sant and ICO on Thursday in Salt Lake City.

Finance Director, Dean Lundell, was working on the audit numbers for the Council on where the General Fund would be at the end of the year. He stated that there should be a surplus of just over \$400,000.

Council Member LeMone thanked Director Lundell for his willingness to answer questions regarding the proposed tax increase. She said he responded quickly to all of her questions in a way that was easy to understand. He had been a big part of helping her to educate the public.

Council Member Robinson stated that on October 1 the new insurance exchange will go live for those who are uninsured. She encouraged staff and Council to share the website with the community in an effort to explain the new insurance plans that will be available. Administrator Darrington clarified that no City employees lost benefits. He stated that the website information will be included in the payroll stuffers.

Administrator Darrington stated that the website was updated with respect to City buildings. The updates included a seismic report for the fire facility. Mayor Pro Tem Boyd asked about the calendar of events regarding the proposed property tax increase. Administrator Darrington said they were working to schedule community meetings in October. The presentation was to be completed within one week. The dates would be shared on social media and in the October newsletter.

**9) ADJOURN.**

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

The City Council Meeting adjourned at 8:49 p.m.

This certifies that the City Council  
Minutes of September 10, 2013 are a true,  
-full and correct copy as approved by  
the City Council on October 15, 2013.

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Kathy T. Kresser, CMC, City Recorder

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