

**Pleasant Grove City
Council Regular Meeting Minutes
April 28, 2015
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members:

Dianna Andersen
Cindy Boyd
Cyd LeMone
Ben Stanley

Staff Present:

Scott Darrington, City Administrator
David Larson, Assistant to the City Administrator
Dean Lundell, Finance Director
Deon Giles, Parks and Recreation Director
Degen Lewis, City Engineer
Ken Young, Community Development Director
Sheri Britsch, Arts and Culture Director
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Dave Thomas, Fire Chief
Mike Roberts, Police Lieutenant
Lynn Walker, Public Works Director

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

1) **CALL TO ORDER.**

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

2) **PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by Frank Mills.

3) **OPENING REMARKS.**

The opening remarks were given by Andy Weight.

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

City Administrator, Scott Darrington, reported that item 10B was continued to May 5.

Councilmember Stanley raised the question of whether item 9C as written on the agenda provided sufficient notice to the public of what will take place in a subject where many have some interest. Administrator Darrington stated that typically a Budget Work Session is held every last Tuesday from February through April. Typically by this time each year the budget is nearly complete with a few exceptions. There were a few small items staff still needed direction on from the Council. Everything else on the budget was the same as discussed. Council Member Stanley suggested using a phrase such as “previously discussed” to help avoid concern or confusion.

Administrator Darrington suggested conducting the public hearings first and coming back to 9C at the end of the meeting.

ACTION: Council Member Stanley moved to approve the meeting agenda with the continuance of item 10B to May 5 and the relocation of item 9C to after items 10A, B and C. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION.**

Mayor Daniels opened the open session.

Doug Gordon gave his address as 125 North in Vineyard, and reported that he was at the meeting representing his business, Utah Grand Finales Fireworks. The business is located on the dead end portion of Garden Way Drive. He stated that a police officer spoke to him about moving his business off of the dead end portion of the street. Mr. Gordon asked the Council for their input. He explained that there are two entrances into Water Gardens and he received permission to locate his business in its present location as long as he does not block the entrances. He also received permission from the landowner. He noted that there is also room for emergency access. He asked that the Council provide input or request additional research be conducted to determine if the road can continue to be closed during the firework selling season on July 4, 24, and New Year’s.

Mayor Daniels thought the correct way to handle the situation was for Mr. Gordon to go through the typical permit request process with the Community Development Department. He stated that Community Development Director, Ken Young, would have to review the request based on City ordinances. If it passes, Mr. Gordon will be granted a permit. If not, it will require further review.

Dennis McIntyre, who resides at 415 South Loarder Drive, addressed the City’s leash laws. He stated that the Code does not require dogs be on a leash in public. He considered this a safety issue particularly on walking and hiking trails. He was concerned that the City does not have a leash law and that people are free to let their dogs run as long as they are watching them.

Council Member Boyd asked if there are rules for the Murdock Trail that is the same in all the cities that use the trail. Parks and Recreation Director, Deon Giles, explained that dogs have to be on a leash on the Murdock Trail at all times as well as in any park. Mr. McIntyre stated a police officer explained the ordinance to him and was adamant that dogs do not need to be on leashes.

Mayor Daniels asked staff to review the ordinance and look into modifying it.

City Engineer, Degen Lewis, introduced Josh Curtis who will be working with Engineer Lewis throughout the summer as an Intern. Mr. Curtis introduced himself to the Council.

Donna Jolley gave her address as 1380 East 150 North and thanked the City workers for patching the road she lives on and improving her home and neighborhood.

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

6) **CONSENT ITEMS:**

- a) **City Council and Work Session Minutes:
City Council Minutes for January 23-24, 2015, Budget Planning Retreat**
- b) **To consider for approval paid vouchers for (April 23, 2015).**

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

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

Peter Steele gave his address as 644 South 1050 West and identified himself as a new Planning Commission Member. He is an Archeologist by profession and works for Horrocks Engineering doing Environmental Compliance. Mr. Steele went to high school in Pleasant Grove but has only been back in the City for three months.

8) **PRESENTATIONS.**

A) NORTH UTAH COUNTY TRANSIT STUDY. *Presenter: MAG.*

Chad Eccles, from the North Utah County Transit Center, indicated that he is part of the Regional Metropolitan Planning Organization for Utah County. The organization is governed by a committee of Mayors and County Commissioners and they direct regional transportation and plan for long-term needs. Every four years a long range plan is updated and shared with the cities. They are currently in the process of approving the next plan. The public hearing will be held the following evening at the MAG offices at 5:30 p.m. It was reported that MAG and the Utah Transit Authority have undertaken a study to look at how transit functions in northern Utah County. UTA and Mountain Land worked together to look at ways to enhance transit.

There are four tasks they wanted the study to cover. First was how to get people off the train at the Lehi Commuter Station and to their offices roughly one mile away. There is a great deal of new business in the area but no way to get people there from the train. A great deal of money has been invested in the commuter rail and it is important that it be usable. The study looked at circulator routes that can circle those areas. The study also looked into north and south light rail. UTA already owns the right-of-way through Pleasant Grove. There will eventually be a transit line there but they wanted to start preliminary plans and provide feedback to the City to help them plan the areas around the rail.

The third item the study reviewed was east west lines. Eagle Mountain has one of the greatest geographical declaration areas for their City. If they grow to their maximum build out they could become larger than Provo City. With that kind of potential growth they want to plan ahead to reserve a line. The final piece of the study was development of an expanded route and improving the bus routes that already exist. Directors Young and Lewis were both involved in the study. The results will go into the long range transportation plan. The study also looked at population density, employment density, inventory activity centers, existing transit ridership, and how it functions in order to begin forecasting a build out scenario. It was anticipated that by 2040, there will be over 1,000,000 residents in the County.

The study reviewed the north and south light rail, potential alignments, and the demand in the area. It will be an expensive project and they want to be sure everything is built in the right time and in the right manner. Additional goals of the study were to look at how to strengthen the transit connections, reduce vehicle miles traveled, and help improve air quality. They would like to maximize transit access in high employment areas and college campuses and have walkable connections to quality transit services and support local land use and economic development goals. There was an idea that a line could travel along State Street through Pleasant Grove at some point. They created several different potential alignments throughout the County. Four different routes were studied. As land use changes occur in the communities there will be adjustments made to the network plan.

The study identified 47 potential station locations. They looked at existing land uses, site restraints, vehicular access, pedestrian access, bike access, and transit connections to determine potential locations. A workshop was held for key stakeholders that included citizens, business owners, and government to give feedback on the locations. After revisions and the workshop discussion they ended up with about 21 station locations they would recommend go forward with the light rail. Pleasant Grove would have three stations. The project will be completed through phases.

Another part of the project could be a bus route to a transit line, or BRT. This would be a high frequency bus connection that would travel from Lehi to the Lehi station and there could also be a light rail that would go through the primary corridor in the future. BRT is a mode that is occurring all across the County and acts like light rail at a fraction of the cost. These are most effective in areas that have high travel demands.

Council Member Stanley expressed concern about funding and asked if there might be solutions that would have communities with the greatest impact from the rail systems and bus systems could

be the primary contributors to those infrastructure improvements. He asked if they have thought about those types of solutions.

Mr. Eccles reported that he previously worked for UTA and was involved in the initial Trax. Similar questions were asked at that time. Communities did not want to pay for Trax if it did not go through their City. Ultimately it was projected that there would be 14,000 riders, which turned out to be a low estimate. The network has since expanded and taken impact off of I-15 and all of the communities in the valley have benefited from Trax. All communities benefit from these types of improvements. Mayor Daniels asked what the next step was for the City. Mr. Eccles said that as the plan develops they will continue to work with staff to refine the plan, discuss station locations, and make sure those locations line up with the City's Master Plan. UTA will also work with the City on future plans.

9) **ACTION ITEMS READY FOR VOTE:**

A) TO CONSIDER AWARDING GERBER CONSTRUCTION THE BLUE ENERGY MICRO-HYDRO PROJECT CONSTRUCTION BID. *Presenter: Director Lundell.*

Finance Director, Dean Lundell, stated that work was to begin on the micro-hydro project. It will generate electricity through water, which help offset power costs incurred by the City. There is a final approval that should be coming from DOE shortly. Council Member Boyd asked how soon construction will begin. Director Lundell said that once final approval comes from DOE and the project is awarded to Gerber Construction, work should begin within a few weeks. Construction was expected to take roughly 60 days. The total amount budgeted for the project was \$535,300.

ACTION: Council Member Boyd moved to award Gerber Construction the Blue Energy Micro-Hydro Project in the amount of \$535,300 upon final DOE approval. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

B) TO CONSIDER FOR APPROVAL THE REQUEST OF FRANCIS D. EICKBUSH FOR A VACATION OF LOTS 7 AND 8 OF KLOEY'S COVE SUBDIVISION PLAT A AND CREATE LOTS 9 AND 10 OF KLOEY'S COVE SUBDIVISION PLAT B LOCATED AT APPROXIMATELY 1227 WEST 2180 NORTH IN THE R1-20 (SINGLE FAMILY SUBDIVISION) ZONE. (MANILA NEIGHBORHOOD) *Presenter: Director Young.*

Director Young stated that the subdivision was originally approved in 2009 and there was a deeding of the property that the City was not aware of on a small strip of the parcel. The owner of the subdivision did not originally own the strip of land but through the platting process the original owner decided they did not want to maintain the property and offered it to the property owner to the north. The land has been transferred by deed but has not gone through the appropriate platting process. The land currently is nicely landscaped along the road. Director Young recommended approval.

ACTION: Council Member LeMone moved to approve the request of Francis D. Eickbush for the vacation of Lots 7 and 8 of Kloeys's Cove Subdivision Plat A and create Lots 9 and 10 of Kloeys's

Cove Subdivision Plat B located at approximately 1227 West 2180 North in the R1-20 Zone. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

C) CONTINUED BUDGET DISCUSSION WITH POSSIBLE ACTION TAKEN ON INDIVIDUAL ITEMS.

Director Lundell explained that the following Tuesday the Council would adopt the tentative budget. A public hearing was to be held the first meeting in June and then two weeks later the final budget would be adopted. He presented the City's General Fund Sources and Uses and noted that the City budgeted \$515,000 in projected revenue for next year. Planned uses include retirement, health insurance increases, part-time increases, Public Works wage adjustments, Recreation wage adjustments, and Streets vehicle replacement. Additionally, three new positions will be created, including one police officer, one Parks employee, and one Recreation employee. Equipment will be purchased for the new police officer.

There will be some savings from the vacant administrative position. Administrator Darrington explained that staff found a way to move personnel around to save money, which includes the creation of a Human Resources position for a current employee. There is a \$7,500 cost associated with the change. Lockbox will also be implemented for utility billing at a cost of \$6,000 to the City.

The employee who will take on the new HR role is currently also serving as the Executive Director of the Chamber of Commerce. In order to fill the role needed for the Chamber, an Economic Development Specialist position will be created. Their duties will include overseeing the Chamber and handling Public Relations and Social Media Management. The City budgeted an additional \$20,000 to pay for this position. With regard to bringing new businesses to the City, Administrator Darrington and Randy Sant are also instrumental in these projects.

In response to a question from Council Member Boyd, Administrator Darrington explained that the \$20,000 needed to fund the part-time Chamber position is coming from the budget, which funded a former employee who no longer works for the City. Council Member Boyd asked how proactive the City will be in trying to attract more businesses to the City. Administrator Darrington replied that the City can be proactive in dealing with retail brokers, such as Coldwell Banker. These companies have close connections with retail partners and recommend certain properties for specific developments. Currently St. John Properties is doing this for Pleasant Grove.

The Council discussed alternative ways to operate the Chamber of Commerce. Mayor Daniels observed that when the City is involved with the Chamber, there is more consistent, regular effort, and attendance. Administrator Darrington considered the Chamber a function of economic development in the City because it focuses on serving local businesses that have already chosen to come to Pleasant Grove. Council Member Boyd agreed and remarked that businesses also do a lot of recruiting for the City.

Mayor Daniels stated that staff indicated that the City needs an HR function in addition to maintaining a presence with the Chamber of Commerce. While these are not the same functions,

they are not mutually exclusive either. Council Member LeMone agreed that with a City of Pleasant Grove's size, an HR position is critical. Administrator Darrington added that in researching other cities of the same size in Utah, Pleasant Grove was the only one without a full-time HR representative. The Council stressed the importance of the Economic Development Specialist to the City. Council Member Andersen stated that this individual would serve as the City's concierge. She mentioned the front of the seminary building as a prime location.

Council Member Stanley expressed concern with the budget of \$20,000 for the Economic Development Specialist position. It did not seem like an adequate salary to bring in a highly qualified candidate and/or someone who will be working a significant number of hours. Administrator Darrington explained that the budget would pay \$10.00 to \$15.00 per hour on a part-time basis. He agreed that it will be important to find someone with the right skill set.

Council Member Andersen asked if Lindon will be involved. Administrator Darrington replied that they approached the City about being part of the Chamber. David Larson, Executive Director of the Chamber, explained that they are in the process of putting together a proposal for the Lindon City Council. The proposal includes three options. First, the Chamber will help businesses in the neighboring city when they reach out to Pleasant Grove. Second, they will be a secondary partner or area Chamber of Commerce concept. The third option will be a full partnership with Lindon and an itemized list of financial contributions from both cities would be involved. Overall, the Chamber is an organization that functions on its own and requires the support of the City. It would be great if they had the support of both Lindon and Pleasant Grove. There had been talk of having three area Chambers with Lehi, American Fork, and Pleasant Grove each being the central cities for each area.

Council Member LeMone noted that Debbie Lorette is an example of a part-time Chamber employee who has excelled in her job and done great things for American Fork City. Council Member Andersen agreed and could think of a few people who would be a great fit for this job. Council Member Stanley was in favor of the administrative shuffle and stated that he would like more research to go into the matter. He would also like a comprehensive discussion to take place with Lindon City. Council Member Boyd requested there be a more defined job description for the HR position.

Director Lundell noted that the unassigned fund balance as of last year was \$2,149,398, which is the City's Reserve Account. He explained that State law governs how much money can be carried over. It must be at least 5% of the expenditure budget, but cannot exceed 25%. The aforementioned balance is approximately 17%.

Director Lundell presented the 2016 Capital Project proposals and noted that there are two items that have since changed. The backstops at Manila Park were originally budgeted for \$110,000, and are now being budgeted for \$60,000. Additionally, there will be infrastructure improvements to the rodeo grounds, which are estimated at approximately \$50,000. Director Giles noted that the netting will be replaced at Manila Park. Impact fees will not be used to fund this project.

Last, Director Lundell presented the 2016 utility rates, which were also presented the previous week. He reported that there will be an overall 2% increase based on 8,000 gallons of culinary water on a one-quarter acre lot. Culinary, secondary, and storm drain rates will all increase while

sewer rates will decrease. The overall estimated dollar amount increase per household is \$2.49 and the rates presented based on 180 days of reserve funds. He explained that the majority of the rate increases are due to infrastructure needs.

Administrator Darrington presented policy issues. The first related to road funding. He explained that the engineering study was conducted to identify the City's needs. The estimated annual cost to repair Pleasant Grove City's roads is around \$4 million per year. Currently the City has about \$1.2 million per year in Class C road monies allocated to roads. The City also has a bond payment and as soon as the bond is paid off, the money used for that annual payment can go toward roads. Administrator Darrington presented an HB 362 informational packet, which is the bill for the State Transportation infrastructure funding. He invited the Mayor and Council to read the packet since it provides valuable information about the new bill. He referenced a chart showing what each City will receive in additional road funding as a result of the bill.

The bill will involve an increase to the gas tax, which will be effective January 1, 2016. Revenue generated is guaranteed for the City. An additional \$177,000 will be earmarked for transportation. According to the state legislature, the funding can be used for various forms of transportation. However, for Pleasant Grove, the funding will likely go directly to roads. The state legislature also approved a mechanism allowing the County to implement a \$.0025 sales tax, which needs to be placed on the ballot by the County Commissioners. Utah County residents will then need to vote in favor of the sales tax increase. If approved, the increase will be implemented and each city will collect .10% of the revenue. In looking at the chart, the potential revenue Pleasant Grove could collect each year in additional road funding is \$551,464, which is significantly lower than what was originally anticipated.

The Council asked staff to describe how the transportation shortfalls of each City were calculated. Administrator Darrington explained that this information was extracted from the 2011 UT 2 form. During the 2011 fiscal year, the road expenditures were calculated against how much revenue was brought in through Class C Road funds. Therefore, the numbers reflect only one window of time. It was noted that the number that represents Pleasant Grove in the chart is grossly inaccurate.

Mayor Daniels reported that a vote was recently taken and the County Commissioners voted 2-to-1 to include a portion of the proposal on the ballot, specifically for BRT.

Jennifer Baptista, who resides at 32 North 1300 East, stated that the vote and funding for BRT has nothing to do with the new sales tax increase and is based on three quarters that have already been passed by the citizens. The first quarter is 100% UTA. Some bonds have matured and there are revenues coming from that tax source. Ms. Baptista explained how the money will be bonded.

Mayor Daniels asked if the public can be sufficiently informed in time for an election. Ms. Baptista explained that the County only conducts elections on even years and in order to do a special election in 2015, they would have to pay an additional \$300,000. Administrator Darrington stated that the City needs to wait and see if the County puts the sales tax on the ballot. He then asked the Council if they would like to pursue a local road fee.

Mayor Daniels thought it would be best to wait until all of the facts are available, prior to moving forward to implement a fee. Council Member Stanley felt the City would still have a huge shortfall, even if they are able to obtain the full amount listed in the chart. He thought it would be beneficial to research additional funding options and hold off on pulling the trigger until more information is collected on HB 362. Administrator Darrington referred to a study done in Provo that based road funding on daily trips. He suggested that a similar study be done in Pleasant Grove. Another option was to implement a property tax increase. Council Member LeMone suggested the City put a parallel plan in place regardless of what happens with the \$.0025 sales tax, because the City will have a shortfall either way.

Administrator Darrington introduced the last budget item, which was to set the salary ranges for administrative and appointed members of staff. The salary ranges are adopted by ordinance and do not necessarily affect the budget because they do not refer to actual salary adjustments. Salaries are benchmarked based on cities that are roughly the same size. Pleasant Grove enters into a study to determine what other cities are paying their employees. Information is then pulled from a database to set specific salary ranges. He presented an Excel spreadsheet containing Pleasant Grove's current salary data for administrative and appointed staff members. The spreadsheet also contained figures for the bench average, low, and high benches. The same spreadsheet will be made available when the budget is approved in June. Attorney Petersen noted that while it is not necessary to adopt salary ranges annually, it is wise to review them and make necessary changes on an annual basis.

10) ACTION ITEMS WITH PUBLIC DISCUSSION:

A) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-16) AMENDING THE PLEASANT GROVE CITY MUNICIPAL CODE SECTION 10-14-24-1-C: “PERMITTED AND CONDITIONAL USES” TO ALLOW RECEPTION CENTERS IN THE GROVE ZONE COMMERCIAL SALES SUBDISTRICT. (SAM WHITE’S LANE NEIGHBORHOOD) (ALAN HIGLEY, APPLICANT) *Presenter: Director Young (Continued from the April 21, 2015 meeting).*

Director Young commented that this item was before the City Council and Planning Commission as a continued item because it was not ready earlier. The required public hearing was held with the Planning Commission. The request is to allow reception centers in the area. The Planning Commission was concerned that reception centers are not sales tax generating which could potentially be problematic in the future for other types of businesses wanting to be develop in the Grove Zone.

The original request was to add land use 6399, which is a general category that allows different types of uses. The request would have added the verbiage “reception center only” as well as have it listed as a conditional use. Staff added recommendations including that approval must be accompanied by an active permitted use.

The request came from Aroma Tools who has meeting space on the upper level of the building that was originally planned to be used for their business. They determined that the space was not necessary full time for that use so they would like to be able to use it as a reception center as well. Staff did not want to open the request up as a use that is generally permitted throughout the zone

without limitations. By adding it as a conditional use they will have to come back to the Planning Commission who will review the situation and ensure that there is sufficient parking and other needs that may need to be mitigated to comply with the conditional use permit.

Staff's recommendation was to limit the available space for receptions to 50% of the overall square footage of the building. The Planning Commission ultimately determined to limit it to 20% of the overall square footage of the building. This was confirmed with the applicant and the Planning Commission considered this to be a good way to limit the use going forward. It was noted that the reception center will not be allowed on the ground floor.

Council Member Boyd asked for clarification of the claim that the City receives no sales tax from reception centers. Director Young explained that reception centers cater to private functions. There is a fee to rent the facility so no sales taxes are generated from the private event. If it were an open center for the public where each person would be charged, there would be a tax. Council Member LeMone felt this was a creative solution and supported it.

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

ACTION: Council Member LeMone moved to adopt an Ordinance (2015-16) amending the Pleasant Grove City Municipal Code Section 10-14-24-1-C: "Permitted and Conditional Uses" to allow reception centers in The Grove Zone Commercial Sales Subdistrict. Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Boyd, LeMone and Stanley voting "Aye." The motion carried.

B) THE PUBLIC HEARING TO CONSIDER FOR ADOPTION A RESOLUTION (2015-011) AUTHORIZING THE MAYOR TO SIGN A UTILITY EASEMENT AGREEMENT BETWEEN PLEASANT GROVE CITY AND PACIFICORP AND OREGON CORP., D/B/A ROCKY MOUNTAIN POWER TO CONSTRUCT, RECONSTRUCT, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT, AND REMOVAL OF ELECTRIC POWER DISTRIBUTION AND COMMUNICATION LINES AND ALL NECESSARY OR DESIRABLE ACCESSORIES AND APPURTENANCES; PROPERTY LOCATED ON THE SOUTH SIDE OF 500 SOUTH AT APPROXIMATELY 350 WEST, AND PROVIDING FOR AN EFFECTIVE DATE. (SAM WHITE'S LANE NEIGHBORHOOD) *Presenter: Director Young.*

Mayor Daniels stated that item 10B was continued to May 5, 2015.

ACTION: Council Member Stanley moved to continue the Public Hearing to consider adoption a Resolution (2015-011) authorizing the Mayor to sign a utility easement agreement between Pleasant Grove City and PacifiCorp and Oregon Corp., d/b/a Rocky Mountain Power to construct, reconstruct, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution and communication lines and all necessary or desirable accessories and appurtenances; property located on the south side of 500 South at approximately 350 West, and

providing for an effective date to May 5, 2015. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

C) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-17) REGARDING THE REQUEST OF AARON FREEMAN TO AMEND CITY CODE SECTION 10-14-24-1-C TO ADD LAND USE CODE # 6377 “CLIMATE CONTROLLED INDOOR STORAGE UNIT FACILITIES” AS A CONDITIONAL USE TO THE GROVE ZONE, COMMERCIAL SALES SUBDISTRICT. (SAM WHITE’S LANE NEIGHBORHOOD) *Presenter: Director Young.*

Administrator Darrington explained that on February 5, 2015, an application was received to add use number 6376 “General warehousing and storage, and unidentified storage” to Section 10-14-24-1-C of the Pleasant Grove City Code. The item was taken to the Planning Commission on March 12. At that time the staff recommended use #6377 “Climate controlled indoor storage unit facilities” instead of the originally applied for use 6376. The Planning Commission then forwarded the item to the City Council with a positive recommendation. The applicant then made revisions to the request.

On April 23, the Planning Commission met and reviewed the requested revisions. The result was to conditionally approve # 6377, or add it as a conditional use. Modifications included an allowance of storage facilities to be built to the standard 75-foot setback if the bottom floor of the building is used for retail or office permitted uses. This would be allowed instead of requiring all storage units have a 200-foot setback. Staff recommended that storage uses be accompanied by an active permitted use and allowed as a conditional use only on properties within the sales sub-district west of North County Boulevard and north of 112 West. Director Young presented an aerial map of the areas where the proposed request would be allowed.

Director Young explained that the applicant also plans on having other units with an exterior access that are climate controlled. A question was raised about whether to include the exterior access points with the indoor climate control facilities. Mayor Daniels confirmed that the exterior access points are on the ground level. Each access point will have its own garage door, which was also part of the original proposal. The Planning Commission did not have concerns when they initially discussed the item. Director Young noted that the Council would review the site plan at a later date.

Attorney Petersen commented that the site plan appears to mix the two different land use types. She was of the opinion that if the Council adopts the proposed Land Use Code, it will be the only type of storage permitted in the zone. The applicant may try to argue that because the units in the back are climate controlled, they fit the definition. This, however, is something the Council will need to determine. Director Young was of the opinion that the proposed request is not the best use or interpretation for the property. Therefore, he disagreed with the Planning Commission. He noted that currently the Code does not allow for storage units in this area.

Council Member Boyd felt that just because the units in the rear are climate controlled does not mean the proposal meets the rest of the regulations since there is limited retail and commercial space. It appeared that the applicant was trying to justify the units in the back because they are climate controlled. Attorney Petersen suggested having the Planning Department better define

climate controlled land use designation and specify what it includes. There was continued deliberation of the applicant's proposal. Council Member Andersen wondered if there was a certain percentage of the property that can be allocated to commercial use only. Director Young stated that this is the direction staff was headed initially.

Mayor Daniels opened the public hearing.

The applicant, Aaron Freeman, explained that it was not his intention to sabotage the Grove Zone and stated that he has been searching for a self-storage site. He explained that his proposed site plan renderings are the result of information collected as it relates to the need in the Pleasant Grove community. He understands that retail is an important element of the future of the City, however, there are many challenges that arise with this particular parcel because it is an odd-shaped lot. Mr. Freeman encouraged the Council to consider the challenges that a retail developer will face trying to utilize the property.

Mr. Freeman explained that this will primarily be a self-storage facility. He also thought retail would complement the project well. When he submitted his application, he was unaware of the new Code adopted in January of this year. When the Code was changed, he discovered that there were also conditions associated with setbacks. Mr. Freeman was trying to maintain the open space element and the single level storage on the back of the property made the most sense from a cost standpoint.

Mayor Daniels clarified that the Council was trying to understand the land use rather than review the site plan. What has happened is that a concept has been presented, however, there was some disagreement about whether the concept plan shows what is reflected in the Code. He recalled that the original way the proposal was presented included climate controlled storage on the upper level and retail commercial on the lower level.

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

Council Member Boyd remarked that additional clarification was needed for the Code language. Council Member Stanley recalled that the original proposal included retail as part of the frontage. He wanted to see the retail incorporated. He was not opposed to the proposal particularly since the Planning Commission was favorable to the language in the Code. He did, however, feel there will need to be discussion about whether the back portion of the site plan fits the definition as outlined. Council Member Andersen agreed with Council Member Boyd that it would be advantageous for developers to have a better definition of the language included in the Code. She would also like to have a higher percentage of the building be retail commercial space. She understood, however, that this particular lot is unusual.

Administrator Darrington explained that the proposed request would only apply to this parcel and a small portion of property to the north. A land use map was reviewed. Administrator Darrington stated that staff can further assess the wording in the Code prior to the Council adopting changes. Mayor Daniels stressed that this item has changed significantly since the last time it was presented. This could potentially create a spot-zoning area. Mayor Daniels asked the Council to discuss whether this is their intent.

In speaking on behalf of the Council, Mayor Daniels stated that their objective is to maintain commercial retail sales. Originally, storage units were a secondary element by which to preserve this main goal for the subject parcel. Administrator Darrington asked the Council to elaborate on what they would like to see happen. Council Member LeMone stated that she wants to shop, dine, and entertain her family in the Grove Zone. There is a reason why storage units were not allowed in the Grove Zone in the first place, namely they would only generate property tax revenue and not sales tax revenue. Council Member LeMone agreed with Mayor Daniels that this particular item and proposed land use was modified since it was originally presented. She was open to discussing the allowance of the storage units if there is retail on the frontage and/or bottom level of the building, as previously discussed.

Council Member Boyd asked about the requirement for commercial retail in the Grove Zone. Director Young replied that there isn't a specific requirement; however, there are certain permitted uses that include retail, commercial services, and professional office space. He explained that when the applicant came forward with a site plan and a presented the proposed use of the property, staff did their best to accommodate the request. Council Member Stanley noted that members of the Planning Commission were present at the meeting and he invited them to share their thoughts on the project with the Council.

Planning Commission Chair, Eric Jensen, stated that the Planning Commission originally discussed the 25 to 75-foot setbacks. Furthermore, they also discussed at length retail on the bottom floor. There are, however, certain permitted uses that are allowed according to what is written in the Code. Therefore, although the Planning Commission would like to require the applicant to develop all retail, they are unable to do so. Mayor Daniels recommended the matter go back to staff for additional review.

Council Member Boyd suggested the Council discuss the Grove Zone in general. There was continued deliberation on the matter and Council Member Stanley stated that he would be willing to entertain the storage units if it were to bring in retail that otherwise would not be possible. Mayor Daniels explained that if the Council wants to discuss the allowance of this type of use in the Grove Zone, it should not be associated with one specific project. Director Young felt it would be most productive for the Council to discuss their vision for the Grove Zone rather than revisit the proposed language changes.

ACTION: Council Member Boyd moved that the Council deny the request of Aaron Freeman to amend City Code Section 10-14-24-1-C to add land use code # 6377 "Climate controlled indoor storage unit facilities" as a conditional use to the Grove Zone, finding that this type of use does not meet the intent of the original use of the Commercial Sales Subdistrict. Council Member LeMone seconded the motion. A public hearing was held. A voice vote was taken with Council Member Stanley voting "Nay", and Council Members LeMone, Boyd and Andersen voting "Aye". The motion passed 3-to-1.

Note: The Council took a break from 7:45 to 7:55 p.m.

ACTION: Council Member LeMone moved to discuss Item 11b before 11a. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

11) ITEMS FOR DISCUSSION – NO ACTION.

A) DISCUSSION ON CEDAR HILLS LETTER REGARDING 100 EAST. *Presenter: Administrator Darrington.*

Administrator Darrington explained that recently Pleasant Grove and Cedar Hills had discussions with the Utah County Commission regarding improvements on Canyon Road, which is in poor shape. It used to be a State road; however, there was a swap between the County and State for Canyon Road (100 East) and North County Boulevard. The County planned to take ownership of 100 East and the State planned to take ownership of North County Boulevard. When the swap took place, the County approached Pleasant Grove and indicated that they didn't want the road (100 East), partially because they didn't have any equipment in the area. They asked the cities to take it over and offered funding to help with repairs and maintenance. The cities would have ownership and take care of it long term.

At one point, both cities felt this would be a worthwhile endeavor and applied for funding from the Mountainland Association of Governments (MAG) to enhance the improvements. They ended up being awarded \$4.5 million for the project; however, it was estimated to be a \$9.7 million project, prior to four years of inflation. Both cities had second thoughts and were concerned with how the road would be maintained over a 30-year period.

Pleasant Grove and Cedar Hills communicated to the County that they were no longer interested in taking ownership of the road. The County Commissioners agreed to keep the road and do minimum treatments and an overlay. The cities were willing to remove names from the \$4.5 million grant award and put it in the County's name to use for the project. About one month earlier both cities met with the County and the County Commissioners agreed to take on the project with the condition that the cities remain involved as partners. The County asked the cities to take care of the striping, potholes, signage, and snow removal. The County would then maintain ownership of the road and the grant will be transferred to them. Pleasant Grove City would only need to invest around \$5,000 per year in the road.

There was discussion about the maintenance standards required for cities versus the County. Administrator Darrington clarified that the road would include State Street all the way to the mouth of American Fork Canyon. The letter in question is an offer to Cedar Hills to work out an agreement with Pleasant Grove for the aforementioned improvements. Mr. Mills confirmed that the County will get Class C credit if they maintain ownership of the road. He suggested the cities enter into a Lease Agreement each year because the Class C money should be used to maintain the road.

Administrator Darrington explained that it is essential that Cedar Hills agree to the partnership, otherwise there won't be a deal with the County. In meeting with the Mayor of Cedar Hills, he suggested Pleasant Grove send a letter of encouragement to the Cedar Hills Council, because they are not enthusiastic about the proposal. Administrator Darrington mentioned that Cedar Hills is concerned with the proposal because it will require them to invest over \$150,000 in equipment.

Pleasant Grove proposed that Cedar Hills pay Pleasant Grove for their portion of the maintenance, because Pleasant Grove has the equipment. This arrangement was suggested by the Cedar Hills City Manager. A copy of the drafted letter was presented to the Council.

B) DISCUSSION ON CEDAR HILLS 4000 NORTH SEWER LINE PROPOSAL.

Presenter: Administrator Darrington.

Administrator Darrington noted that City leaders from both cities recently met, at which time Cedar Hills representatives agreed to draft a proposal on the issue. He explained that Pleasant Grove at one point offered to purchase half of the pipe. The price of the entire pipe was estimated at around \$328,000, meaning that Pleasant Grove would pay Cedar Hills \$164,000. Ideally, Pleasant Grove would like joint ownership of the line, however, Cedar Hills indicated that they would prefer a Lease or Rental Agreement instead. Billing and treatment costs would then be worked out between the two cities. Cedar Hills countered the proposal with another offer that is similar to the letter they sent on April 22, 2015.

The most recent proposal from Cedar Hills indicates that they are willing to establish a Lease Agreement with Pleasant Grove in perpetuity or a period of 99 years, whichever is the maximum period allowed by statute. Like their last proposal, they are willing to establish the agreement with the condition that Pleasant Grove compensate Cedar Hills in the amount of \$250,000. The letter indicates that the compensation amount will include all reimbursements for past projects including the Manila Water Disconnect Project and Harvey Boulevard construction and repair. Administrator Darrington stated that the other projects do not relate to the 4000 North Sewer and staff would prefer to resolve these items separately. The benefit to Pleasant Grove putting in their own sewer is that the City will not have to tie the 4000 North sewer in with some of the other ancillary issues.

Administrator Darrington explained that Pleasant Grove owes Cedar Hills approximately \$10,000 for the Manila water disconnect project. Manila Water was dissolved two or three years ago. At that time there was a cash balance of about \$400,000. It was noted that Manila Water had its own water systems to service the area. Over time, Pleasant Grove City took the system over because it was starting to fail and had other issues.

When Manila Water was dissolved the system was going to be split so that both cities owned some of the lines. The money was given to Pleasant Grove City because the City was in charge of splitting the system and hiring a contractor to finalize the process. The \$400,000 was used to cover the expenses. Cedar Hills was under the impression that there would be money left over. However, all of the money was used to split the system. There was one outstanding item involving a well on Cedar Hills property that Pleasant Grove was planning to purchase for \$10,000. Pleasant Grove City still had not paid the \$10,000. At the request of Cedar Hills, staff contacted John Schiess and the Cedar Hills City Manager to reconcile how the money was spent.

It was noted that Harvey Boulevard is a road that extends to a point that it crosses into Pleasant Grove City. Cedar Hills constructed the road and claimed that at some point a flood damaged the road, which cost them around \$30,000 in repairs. In response to a request from Cedar Hills, Administrator Darrington advised the Cedar Hills City Manager to get in touch with Pleasant Grove Irrigation. Administrator Darrington does not believe Cedar Hills ever contacted Pleasant Grove

Irrigation and believes that Pleasant Grove Irrigation owes them money for Harvey Boulevard. Pleasant Grove does not believe they owe Cedar Hills the money, because Pleasant Grove Irrigation would be responsible for the damage done to Harvey Boulevard and Pleasant Grove Irrigation is a separate entity. Council Member Boyd noted that the expenses come from different funds.

The City of Cedar Hills will not be responsible to provide connection points including laterals or required manholes to the sewer main. All connections will need to be approved by the City of Cedar Hills according to construction standards and specifications adopted by the City of Cedar Hills. All fees applicable to the connection of the sewer main shall be remitted to the City of Cedar Hills at the time of connection. Fees shall include City impact fees, hookup fees, district fees, etc. The monthly user rates will be calculated based on the Cedar Hills fee schedule, as adopted by the Cedar Hills City Council. Attorney Peterson pointed out that Cedar Hills has a fee schedule for non-residents, which is significantly higher than the fee schedule for Cedar Hills residents. Therefore, this particular point in the letter needs further clarification.

The City of Cedar Hills will service the mainline according to the maintenance schedule adopted by the City. The City shall not guarantee service at all times but shall maintain the system with diligence and correct any deficiencies with expediency. Cedar Hills shall bear all costs of maintenance and replacement of the mainline and 4000 North for the duration of the lease period. All portions of the agreement shall remain in effect and shall not terminate unless both parties agree to severance conditions.

Administrator Darrington then went on to discuss the regarding Harvey Property which is also an issue with Cedar Hills. He explained that the Harvey family had approximately 11.5 acres of property for which they entered into a Development Agreement with Cedar Hills City. The agreement indicated that the Harvey family could develop a portion of their property with higher densities as long as a portion of their property is sold to the City for the development of a park. Once the agreement was made, the housing developments began to be developed with the higher densities. The Harveys then petitioned to disconnect from Cedar Hills and become part of Pleasant Grove. All this took place around 2004, and ultimately resulted in two lawsuits. One was filed by the Harvey family for the disconnect. The second was filed by Cedar Hills to condemn the property. Since then the Harvey family has not pursued the matter further. Both lawsuits had been sitting in court for over five years.

Essentially, Cedar Hills wants to eliminate the possibility of the Harvey's from disconnecting and annexing into Pleasant Grove. According to Cedar Hills, they were promised that piece of property by the Harvey family for development in their City.

There was further discussion on the Harvey matter. Council Member Andersen asked if there was any way to limit the 4000 North sewer discussion to the sewer issue. Administrator Darrington explained that Cedar Hills does not feel inclined to do this favor for Pleasant Grove City because according to them, Pleasant Grove City has neglected other issues of importance to them. Administrator Darrington stressed that if Pleasant Grove were to build their own sewer line, the other issues would be eliminated. This route would come at a greater cost and the City would need to determine the cost of the line. If, however, the City agrees to Cedar Hills' terms, they could potentially save \$130,000 on the overall cost of the line.

Administrator Darrington informed the Council that staff has an upcoming meeting with a consultant who will help set the parameters for a special assessment area. Staff also began pursuing design work for a new sewer line. The City was running on parallel tracks and staff asked for direction from the Council on how to proceed.

Mayor Daniels summarized the proposal from Cedar Hills. In discussing the financials, Mayor Daniels pointed out that even after calculating the added expenses for Harvey Boulevard and Manila Water, there is a \$46,000 difference between what Pleasant Grove originally proposed and Cedar Hills' counter offer. Staff explained that there is no real definition for this discrepancy. It is simply an additional cost for a pipe they didn't pay for. Administrator Darrington informed the Council that the cost of putting in a parallel system would be around \$382,000. He noted that the parallel system would end at 900 West, which is Pleasant Grove's system. Council Member Boyd provided a brief history on ownership of the road in question.

In response to a question from Mayor Daniels, Administrator Darrington explained that the front foot fee was discussed 17 years ago. This is an indication that the City did not intend to fully fund the lines the last time consideration was given to building a parallel line. Council Member Boyd confirmed that the 900 West residents did not pay a front foot fee and noted that some of the homeowners were asked this at last week's meeting. However, everyone paid a connection fee. In calculating the cost to citizens and the City, staff broke down the total expenses by percentage. Currently on 4000 North, there are 10 lots. Once the area is built out, there will be approximately 24 lots. These figures only account for Pleasant Grove.

Mayor Daniels asked if staff had information regarding the outcome of the Harvey property. Attorney Petersen explained that the actual issue was appealed. There was a question of interpretation of a specific code section that changed from the time since they initially filed for disconnection. The Utah Supreme Court remanded the issue back to the 4th District Court in favor of the Harvey family, affirming that summary judgment was issued in error. Furthermore, the Utah Supreme Court communicated that the Disconnection Petition should have been considered and could be granted under the old statute from 2001.

Attorney Petersen was not sure where the issue currently stands but can access additional information. The language did not specify where the Harvey property would go and simply stated that they could have their disconnection petition considered. If the two cities are not willing to do a boundary adjustment, the only option would be to go through the courts to finalize the disconnection petition. Attorney Petersen did not believe the City could legally bind itself to a condition of never accepting the Harvey property into Pleasant Grove. She agreed to conduct further research on the matter.

Mayor Daniels invited Frank Mills, former City Administrator, to provide the Council with information he has on the matter. Mr. Mills recalled discussions he had with Dave Harvey when Mr. Harvey was deciding which City to adjoin his property to. He recalled events as they occurred in the mid-1990s surrounding the sewer issue. He spoke about the Manila Township, noting that there were individuals who wanted to be part of Cedar Hills and people who wanted to be part of Pleasant Grove. One of the factors in determining how to split the township was who could provide

the sewer. He recalled that most residents in the township were on septic tanks and Cedar Hills was starting to run sewer lines to service those residents. Several residents preferred to be part of Pleasant Grove and approached the City about what sewer services could be provided to them. At the time, there was enough money in the Enterprise Fund for the sewer to be run in the area and the project began at 2600 North.

Mr. Mills recalled a problem with Manila Water where there were septic tanks above the water system that could reach down into the water. At the time, Pleasant Grove had just experienced the same thing with the cemetery well. The cemetery well was causing problems for a development to the north, which resulted in taking the cemetery well offline. He explained that Pleasant Grove then ran a new line up 2600 North to 100 East and 900 West. The City was not planning on collecting front foot fees until residents connected to the line. Furthermore, residents were only going to be charged the front foot fee for the front footage required in the zone at that time. Residents were allowed to pay their connection fees ahead of time for two reasons. First, the fees would eventually increase so paying them up front would save money. Secondly this would give the residents ownership in the project.

When it came time to decide what to do about 4000 North, the residents didn't need the sewer because their septic tanks were working fine. There were also issues of trying to get the line into the neighborhood, land would have needed to be acquired from property owners, and there was a ditch on the north side. Mr. Mills explained that it was also going to be a very expensive project.

Mr. Mills explained that Doug Bezzant, the City's former Building Official, had a book that contained all of the front footage agreements. When developers came in for building permits, Mr. Bezzant would check to see if a front foot fee was required. The developer would then pay all of the fees, including the hook up fee, impact fee, front foot fees, etc., required for the permit. The City would then cut a check to the developer as reimbursement for their payment. The impact fees would go toward various capital projects. The front foot fees were calculated based on the type of development and zoning requirements. Mayor Daniels asked if the intent of the front foot fee was that it would be equal to the cost of the sewer installation. Mr. Mills answered in the affirmative with the understanding that due to timing, the entire cost would never be fully recovered.

Mayor Daniels explained that of the \$382,000 cost of installing the parallel, it would need to be somehow divided by a front foot fee with the intent to collect from those that develop along the road. Administrator Darrington agreed that this is one method of paying for the line.

Mayor Daniels stated that it would be less expensive for the residents along 4000 North, as well as for the City, to connect to the 4000 North sewer line, rather than construct a parallel line. Council Member Boyd remarked that the City has always known this would be the best solution; however, there have always been many conditions associated with the agreement with Cedar Hills. She stressed that the sewer needs to stand on its own and the other issues need to be dealt with separately. Administrator Darrington was of the opinion that if Pleasant Grove doesn't agree to the terms as outlined, the deal will be off. Council Member Boyd suggested that Pleasant Grove draft individual proposals. Mayor Daniels explained that Cedar Hills does not seem willing to separate these issues and will only look at them as one joint package. At Mayor Daniels' request, Attorney Petersen agreed to research whether this type of agreement is feasible.

Mr. Mills suggested that if Pleasant Grove decides to pursue working with Cedar Hills that they get an iron clad agreement on the monthly cost to the residents. The reason so many Manila residents were in favor of annexing into Pleasant Grove was because the cost of utilities is so much higher in Cedar Hills. The Council agreed that the resident versus non-resident rates would need to be clarified.

Mayor Daniels explained that there seems to be a fair and economical way to resolve several issues, provided that Pleasant Grove City fully understands the options with the Harvey property. Once the City has collected additional information, they can write a memo to Cedar Hills that is purely based on State law. Administrator Darrington suggested that the Cedar Hills City Attorney also be involved in researching the matter to see if the City can meet Cedar Hills's request from a legal standpoint.

Council Member Andersen asked if the 4000 North sewer proposal settles all of the issues that Cedar Hills has with Pleasant Grove. Staff was unsure and felt there was further discussion of previously made points. Dennis Thayne verified that the items discussed are part of a written proposal from Cedar Hills. Administrator Darrington briefly recapped communications between the two cities over the past several years. Council Member Boyd mentioned a meeting held with several representatives from both cities the previous week. Mayor Daniels summarized the discussion and explained that the City should continue to pursue parallel options. These would include design of a new line as well as further research of the Cedar Hills proposal until one solution is identified.

12) DISCUSSION ITEMS FOR THE MAY 5, 2015 MEETING.

The first item on next week's agenda will be presentations from the applicants for the Interim City Council Member position. City Recorder, Kathy Kresser, noted that the City has received three applications for the position and the deadline for applications is May 2, 2015. Each applicant will take a few minutes to make a statement and then the Council will go into Executive Session to discuss specific individuals. A decision cannot be made during the Executive Session. Discussion and a decision by way of a motion occur in an open session. The first candidate who gets three votes will be selected. If none of the applicants receive three votes, a name will be drawn out of a hat, as per State Law. Council Member Stanley read from the State statute and argued that in the case of a tie, the Mayor can cast a vote. He was opposed to appointing an official by random selection. Attorney Petersen agreed to research what is allowed as per the State Statute.

Next week there will be several action items that are ready for a vote. Item 9B on next week's agenda will be consideration for approval a final plat for a two-lot subdivision called Sidwell Subdivision, located at approximately 950 East 900 South in the R1-9 Zone. Item 9C is a final plat for a five-lot subdivision called Newman Estates located at approximately 700 North 700 East in the R1-9 Zone. A site plan and final plat for a 68-lot mixed housing development and phasing plan called Garden Grove located at approximately 15 South 1300 West in the Grove Zone will also be reviewed. Item 9F will be adoption of the 2016 Fiscal Year Tentative Budget, which will be done by Resolution. Item 10G will be a Resolution to declare several City-owned items and equipment as surplus. Last, the Council will review a business license for Kevin Shurtleff. Attorney Petersen noted that this item may or may not move forward.

13) **NEIGHBORHOOD AND STAFF BUSINESS.**

It was reported that tonight will be Lynn Walker's last official meeting. Director Britsch reported that the Day of the Child event at the library was very successful, with over 90 children participating. The State also sponsored a grant that allowed every child to take home a book. Administrator Darrington announced that screening will begin for the Public Works position next week. There were 24 applications and staff will make recommendations on the top three to five candidates.

14) **MAYOR AND COUNCIL BUSINESS.**

Council Member Andersen reported that she was approached by a resident collecting signatures for the BRT referendum. The gentleman was wondering if he could set up a table at the Fireman's Breakfast. Attorney Petersen replied that he cannot have a table, he can stand on the sidewalk but cannot block the sidewalk as it is a City sponsored event. Additionally, Council Member Andersen explained that for many years Scott Fugal has run the concessions at Strawberry Days. However, due to an increasing work load, he will not be able to continue to serve in this capacity. Administrator Darrington noted that committees find volunteers to fill these positions.

15) **SIGNING OF PLATS.**

There were no plats to sign.

16) **REVIEW CALENDAR.**

There were no calendar items to review.

ACTION: Council Member Stanley moved to meet past 11:00 p.m. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

ACTION: Council Member Stanley moved to adjourn into Executive Session to discuss the purchase, exchange or lease of real property. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

Note: The Council adjourned into Executive Session at 10:45 p.m.

17) **EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY (UCA 52-4-205 (1)(d)).**

PRESENT:

Mayor: Michael W. Daniels

Council Members:

Dianna Andersen

Cindy Boyd
Cyd LeMone
Ben Stanley

Staff Present:

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

18) **ADJOURN.**

ACTION: At 11:09 Council Member Stanley moved to come out of executive session and adjourn. Council Member Andersen seconded the motion, and the motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 11:09 p.m.

Minutes of the April 28, 2015 meeting were approved by the City Council on June 9, 2015.

Kathy T. Kresser, City Recorder

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