1		Pleasant Grove City
2 3		City Council Regular Meeting Minutes May 26, 2015
4		6:00 p.m.
5		0.00 p.m.
6	PRESENT:	
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8	Mayor:	Michael W. Daniels
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10	Council Members:	Dianna Andersen
11 12		Cindy Boyd Eric Jensen
13		Cyd LeMone
14		Ben Stanley
15		Deli Stanicy
16	Staff Present:	Scott Darrington, City Administrator
17	2	David Larson, Assistant to the City Administrator
18		Dean Lundell, Finance Director
19		Mike Smith, Police Chief
20		Dave Thomas, Fire Chief
21		Ken Young, Community Development Director
22		Kathy Kresser, City Recorder
23		Greg Woodcox, Water Superintendent
24		Degen Lewis, City Engineer
25		Tina Petersen, City Attorney
26 27		Sheri Britsch, Library and Arts Director
28	The City Council a	nd staff met in the City Council Chambers at 86 East 100 South, Pleasant
29	Grove, Utah.	la starr met in the city country chambers at 60 East 100 Boath, Floasant
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32	1) CALL TO C	<u>ORDER</u>
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34	Mayor Daniels called the meeting to order and noted that all Council Members were present with	
35	the exception of Council Member Boyd who arrived late.	
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37	2) <u>PLEDGE O</u>	<u>FALLEGIANCE</u>
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39	The Pledge of Allegiance was led by Council Member Jensen.	
40 41	3) OPENING I	DEMADES
41	3) OPENING I	<u> MENIATRIS</u>
43	The opening remarks were given by City Administrator, Scott Darrington.	
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4) APPROVAL OF AGENDA

Administrator Darrington suggested moving Item 10A to after Item 8A. Mayor Daniels added Item 8B to allow several local groups the opportunity to present themselves and be recognized.

ACTION: Council Member Stanley moved to approve the agenda with the aforementioned changes. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

5) OPEN SESSION

Mayor Daniels opened the open session.

Jennifer Baptista gave her address as 32 North 1500 East. She addressed the Bus Rapid Transit (BRT) Referendum for the County and stated that the sponsors were granted permission to collect signatures on the sidewalk outside of the Fireman's Breakfast. Ms. Baptista stated that she was informed by various other individuals who were collecting signatures that they were harassed and bullied by some of the police officers patrolling the event. Furthermore, she mentioned that a gentleman - Bob Webster - was collecting signatures in another permissible area, where he was approached by five police officers. Ms. Baptista asked if there is an issue with the sponsors collecting signatures in Pleasant Grove and if there is any bias occurring in the City.

City Attorney, Tina Petersen, explained that sidewalks are traditionally public forums. Citizens are allowed to demonstrate on the sidewalk, hold signs, collect petition signatures, etc. However, blocking rights-of-way or harassing other citizens is not permitted. Attorney Petersen stated that she was not at the Fireman's Breakfast and does not know what occurred. She mentioned that she received a phone call from an officer who indicated that the referendum sponsors were not on the sidewalk and were on public property, which is not allowed.

With regard to Mr. Webster, who was collecting signatures at Ace Hardware, Attorney Petersen does not know whether they are located on private or public property. Furthermore, in response to another remark that was made by Ms. Baptista, Attorney Petersen explained that UTA will be renting out a conference room in one of the City's buildings for one of their meetings. They were required to go through the same procedure as any other group for reserving that space.

Ms. Baptista asked if there is a reason why the local law enforcement is responding to a petition complaint. Police Chief, Mike Smith, explained that most officers are not informed of the nature of the complaint. Chief Smith stated that he looked into this complaint and noted that according to Mr. Webster, the officers who approached him were very professional. Additionally, two of the officers who approached him were accompanied by officers in training. While the fifth officer approached Mr. Webster, he ultimately did not stop because he saw that there were already other officers speaking with Mr. Webster at the time.

- Chief Smith explained that in looking at the statistics of national issues, most problems arise when there aren't enough officers on the scene. From his perspective, the officers treated Mr. Webster with dignity, and once they understood the nature of his business at Ace Hardware, they
- 48 moved on and cleared the call.

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Mayor Daniels noted that he also received an email from Mr. Webster and summarized the points made by Ms. Baptista. Attorney Petersen emphasized that gathering signatures for a petition can't be done using public property or resources. Public property is not permitted to be used to influence a ballot proposition for either side of the debate. The aforementioned UTA meeting is strictly informational.

Note: Council Member Boyd joined the meeting at approximately 6:12 p.m.

In response to a question from Council Member LeMone, Fire Chief, Dave Thomas, recalled that the referendum sponsors set up a canopy near the entrance to the Fireman's Breakfast. Some officers explained to them that they needed to be set up on a public right-of-way, rather than in front of the office. Chief Smith indicated that he would like residents to direct specific complaints to him. He felt as if his officers were placed in a no-win situation and stated that they are impartial to political issues when responding to calls.

Mayor Daniels concluded that collecting signatures and/or distributing information is a first amendment right as long as these activities take place on sidewalks. Furthermore, the activities cannot block traffic, and canopies, tables, or chairs cannot be set up in a way that blocks the right-of-way.

<u>Blaine Thatcher</u> gave his address as 120 North 1400 East and asked about the awarding process, particularly the contract mentioned in Item 9A. Mr. Thatcher recalled that in the past, contracts have been awarded to the lowest bidder if they are deemed qualified. He was of the opinion that all four of the firms that were interviewed were qualified.

 Mayor Daniels explained that staff and the Council prepared an RFP and there were multiple responses. Therefore, the Council asked staff to help narrow the decision down to four potential engineering firms. They were required to do a walk-through of the four buildings and were able to ask questions. Subsequently, four firms were selected to present to the Council and be interviewed publicly. After the interviewing process, the Council then made its selection.

Attorney Petersen added that State Statute provides an exception for professional services and the City is not required to hire the lowest bidder. However, for contracting and building fees, cities are required to take the lowest responsible bidder. Quality is ensured by the way in which the bid is described.

Mr. Thatcher noted that the Council did not select the lowest bid out of the four finalists, which were interviewed earlier. Mayor Daniels recalled some of the discussion that took place after each of the firms presented to the Council. The Council was concerned with one particular firm that presented a significantly shorter projected timeline than the other candidates. Furthermore, there were concerns with regard to the highest bidder. The Council deemed it best to go with one of the firms that submitted a mid-range bid.

<u>Don Paas</u>, who resides at 1616 North 210 East, asked questions about the process by which a structural engineering firm was selected.

Attorney Petersen explained that there were four total firms that met the qualifications. There was one low bid, two mid-range bids, and one bid that was much higher. After reviewing the presentations, the Council identified one or two out of the four firms they felt would do a better job of fulfilling the requirements posted in the RFP. The lowest bidder had gaps in their presentation, which concerned the Council. On the other hand, the other firms presented more closely along the lines of what the Council was seeking for the project. Mayor Daniels reaffirmed Attorney Petersen's remarks and Council Member LeMone added that the Council was given packets in advance that contained company profiles and resumes detailing their prior experience.

<u>Molly Andrew</u> gave her address as 1107 Nathaniel Drive and stated that indicated that she is a housewife and mother of four. She was able to verify information by contacting various officials on a number of issues. At this point, she had not made up her mind on the BRT; however, she urged those present to contact the appropriate personnel, as they are more than willing to address the public's questions and concerns.

<u>Donna Jolley</u>, who resides at 1380 East 150 North, inquired about information presented on roads at the previous week's meeting. Administrator Darrington explained that the City needs \$4 million per year over 20 years to eventually resolve all of the issues related to Pleasant Grove's road system. Ms. Jolley recalled that Mayor Haynie's plan was to fix two roads per year and was under the impression that this plan is no longer in place. She asked staff to explain where they plan to obtain the needed \$4 million per year.

Administrator Darrington explained that with current Class C Road monies, contributions from the General Fund, and the potential sales tax increase, the City would have \$1.7 million available each year for roads, which is \$2.3 million short of what is needed. He noted that Public Works is preparing a cost estimate to repair the road in front of Ms. Jolley's house. Additional details relative to the City's road funds were reviewed. Administrator Darrington mentioned a 2008 Road Bond that is still being paid for by the City. Ms. Jolley expressed concerns with whether the City's roads are being appropriately prioritized.

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

6) CONSENT ITEMS

a) City Council Meeting Minutes:
 City Council Minutes for the April 28, 2015 meeting.
 b) To consider approval of paid vouchers for May 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, COMMISSION, COMMITTEE APPOINTMENTS**

There were no Board, Commission, or Committee appointments.

8) PRESENTATIONS

A) PRESENTATION OF GRADUATES OF LEADERSHIP ACADEMY. Presenter: Administrator Darrington.

Administrator Darrington explained that the Leadership Academy is an educational program designed for City staff, particularly those who are in supervisory roles. The academy is comprised of 12 employees who meet once a week for about two months. The program curriculum consists of reading a book called *Endurance: Shackleton's Incredible Voyage*, by Alfred Lansing, which details a voyage to Antarctica in which the group faced extraordinary circumstances. The captain of the ship used incredible tactics to keep everyone alive and ultimately survive. The book is a great tool for studying leadership traits and how to best apply them within various departments. Administrator Darrington presented the graduates of the latest Leadership Academy Training program.

Randy Johnson, from the Parks Department, shared insights on his experience throughout the training, and provided a brief synopsis of the book. After reading it, the group met and listed various key points they learned from the story. Mr. Johnson was able to extract several important principles in the areas of hiring, trust, respect, focused goals, persistence, community team-building, staying out of drama, taking responsibility, delegating, hope, faith, optimism, courage, knowledge, training, humility, and self-confidence. Each academy participant was given the opportunity to share their own personal experiences and glean from the insights of their colleagues. Mr. Johnson remarked that the Leadership Academy was a valuable educational experience.

B) INTRODUCTION OF VARIOUS LOCAL GROUPS AND CLUBS.

Council Member LeMone showed a brief video of the Pleasant Grove Vikings. Council Member Jensen noted that several coaches, assistant coaches, faculty, etc., representing Pleasant Grove High School were present.

A student provided a brief overview as presented in a recent newspaper article detailing the many achievements of Pleasant Grove High School. Volleyball Coach Alicia Jones then introduced each of her team members. Coach Jones stated that her team took State and Region this year and noted that they are back-to-back region champs and three time State Champions. She expressed pride in her team and commented that they worked very hard this year.

Coach Henry, Baseball Team Head Coach, was thrilled to be working in Pleasant Grove with such a good group of boys. He explained that he approached Council Member Andersen this year with a vision of having an indoor facility where his team could practice throughout the winter. The Council helped provide this for the team, which put them at an advantage when the season started. Last year, his team took second at Region, and this year they took Region and State. Currently, Pleasant Grove's Baseball Team is ranked 7th in the Nation, which was announced in *USA Today*. Coach Henry then introduced the other coaches. He expressed appreciation for the community support and noted that fans pack the stadium at every game.

Randy Hicken announced that this year the baseball team dedicated their season to Sarah Hicken, who is fighting cancer. Their jerseys pay tribute to Miss Hicken by displaying the words "Sarah

Hicken Strong". Coach Hicken explained that when he came to the program, they had to work their way up from the bottom. There were several issues with the team, and Coach Henry has done a great job at uniting everyone throughout the past several years. He thanked Coach Henry for all of the work and effort that he has put into the team. Coach Hicken concluded by stating that he is proud to be part of Pleasant Grove. Miss Sarah Hicken was present at the meeting and was recognized by those who were in attendance.

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Council Member Jensen commented that he has seen tremendous unity in the community through Pleasant Grove High School and all that they have accomplished. The ways Miss Hicken's peers have encouraged and supported her through her cancer has spoken volumes as to the character of the programs in Pleasant Grove. He thanked all of the coaches and leaders for the hard work and effort they put into creating rich youth programs. Council Member LeMone and Council Member Stanley echoed Council Member Jensen's remarks.

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

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A) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-016) AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICE AGREEMENT WITH BOWEN COLLINS AND ASSOCIATES FOR THE PURPOSE OF PROVIDING STRUCTURAL AND LIFE SAFETY EVALUATION ON FOUR BUILDINGS OWNED BY PLEASANT GROVE CITY; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Administrator Darrington.

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Administrator Darrington explained that the agreement outlines the fee that the City would pay, as well as the schedule. According to the proposal, the fee was set at around \$27,500. Staff would like to keep to the six week schedule and will give Bowen Collins & Associates the trigger date. Furthermore, staff would like to assemble the Public Safety Committee so that they will be able to participate in the big kick-off meeting.

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Mayor Daniels reported that he conducted several interviews for the Public Safety Committee. Once interviews are complete, nine names will be presented for consideration, as well as several alternates. He hoped to have a trigger date of June 9, which is two weeks from now.

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Mayor Daniels explained that when this item was discussed two weeks ago, he was under the impression that once the contract was executed, the engineers would immediately begin the work. Furthermore, there was discussion about organizing the committee once the work is completed. Mayor Daniels noted that since there will be strong personalities at the table, it will be important to establish ground rules on how the committee will function. If the engineering firm comes back and indicates that the City has a life-threatening problem with any one of the buildings, the Council will need to take action independent of the Public Safety Committee.

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Council Member Andersen added that if the committee has different criteria they would like to have studied, this may alter the fee with Bowen Collins. Council Member Stanley supported an

43 earlier trigger date. Administrator Darrington explained that the kickoff meeting will be the time 44 the Council indicates to the engineering firm what they are anticipating from the study. If

another committee gets involved midway through the study and they want alternative criteria

46 analyzed, it could create more time and expense added to the study as a whole.

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B) TO CONSIDER APPROVAL OF CREEKSIDE AT ASPEN GROVE PLAT C, VACATING A PORTION OF CREEKSIDE AT ASPEN PLAT A, LOCATED AT APPROXIMATELY 440 WEST 3300 NORTH IN THE RR (RURAL RESIDENTIAL) ZONE. (MANILA NEIGHBORHOOD) Presenter: Director Young.

Community Development Director, Ken Young, explained that this item has been ongoing for a few years. Staff has been working with the Creekside in Aspen Grove development to readjust their plat boundaries. They also decided to add another lot. Director Young presented an aerial map of the subject property where the lot lines will be adjusted. The Planning Commission approved the preliminary plat. Council Member Andersen asked if the neighboring property owners are in favor of the change. Director Young answered affirmatively. He noted that staff received a letter of support from the Homeowners' Association.

ACTION: Council Member Stanley moved that the Council approve Creekside at Aspen Grove Plat C, vacating a portion of Creekside at Aspen Plat A, located at approximately 440 West 3300 North in the RR (Rural Residential) Zone, and adopting the exhibits, conditions, and findings contained in the staff report. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

C) TO CONSIDER APPROVAL OF A TWO LOT SUBDIVISION CALLED CASSIE ESTATES PLAT A,) LOCATED AT APPROXIMATELY 700 NORTH 300 EAST IN THE R1-8 (SINGLE FAMILY RESIDENTIAL ZONE. (MONKEY TOWN NEIGHBORHOOD) Presenter: Director Young.

Director Young explained that this is a simple two-lot subdivision. He presented an aerial map of the subject property and noted that this item received approval from the Planning Commission.

ACTION: Council Member Stanley moved that the Council approve a two-lot subdivision called Cassie Estates Plat A, located at approximately 700 North 300 East in the R1-8 (Single Family Residential) Zone. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

D) TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-19) AMENDING TITLE 1 CHAPTER 7 OF THE PLEASANT GROVE MUNICIPAL CODE TO COMPLY WITH RECENT CHANGES IN THE ELECTION LAWS OF THE STATE OF UTAH; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.

Attorney Petersen explained that the proposed ordinance amendment makes two changes. First, the qualifications, filing timeframe, and filing fees for elective office in the Campaign Financial Disclosure section have since been created as their own section. Secondly, the other changes have been mandated by a change in State law. In the Campaign Financial Disclosure section, staff proposed adding definitions as they are found in State Code. One of the most significant changes is that candidates can no longer accept anonymous donations over \$50. If a candidate receives an anonymous donation, they are required by law to either turn the money over to the City's General Fund, or another 501(c)(3) organization.

ACTION: Council Member Stanley moved that the Council adopt an Ordinance (2015-19) amending Title 1 Chapter 7 of the Pleasant Grove Municipal Code to comply with recent changes in the election laws of the State of Utah; and provide for an effective date. Council Member Jensen seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, Jensen, LeMone and Stanley voting "Aye". The motion passed unanimously.

E) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-17) AUTHORIZING THE MAYOR TO SIGN AND INTERLOCAL AGREEMENT BETWEEN UTAH COUNTY AND PLEASANT GROVE CITY FOR THE ADMINISTRATION OF THE 2015 MUNICIPAL ELECTIONS. *Presenter: Attorney Petersen*.

Attorney Petersen explained that this action is formalizing a decision that was made by the Council during the retreat, in which they decided to contract with the County to manage the upcoming municipal election in the fall. The Interlocal Agreement sets the amounts that will be charged to City, and details the services which the County will be providing.

Council Member Jensen referred to page four of the agreement, which states that the City will pay Utah County up to \$7,200 for programming, etc. Attorney Petersen explained that these services can't exceed that amount. Council Member Stanley recalled that at the retreat, it was determined that signing an Interlocal Agreement with Utah County for these services would save the City money.

ACTION: Council Member Jensen moved that the Council adopt an Ordinance (2015-19) amending Title 1 Chapter 7 of the Pleasant Grove Municipal Code to comply with recent changes in the election laws of the State of Utah; and provide for an effective date. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Stanley, LeMone, Jensen, Boyd and Andersen voting "Aye". The motion passed unanimously.

F) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-018) ACCEPTING THE MUNICIPAL WASTEWATER PLANNING PROGRAM SELF-ASSESSMENT REPORT IN THE 2014 CALENDAR YEAR; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Superintendent Woodcox.

Water Superintendent, Greg Woodcox, explained that this is an evaluation that takes place every year, which helps with the City's insurance rating. Council Member Jensen commented that the City scored a lot of zeros. Superintendent Woodcox noted that this is a good thing. Council Member Stanley expressed appreciation for the effort that goes into this report every year.

ACTION: Council Member Jensen moved that the Council adopt a Resolution (2015-018) accepting the Municipal Wastewater Planning Program Self-Assessment Report in the 2014 Calendar Year; and provide for an effective date. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Stanley, LeMone, Jensen, Boyd and Andersen voting "Aye". The motion passed unanimously.

G) TO CONSIDER AWARDING BOWEN CONSTRUCTION THE PIPE PLANT RAILROAD TRACK DEMOLITION PROJECT LOCATED AT APPROXIMATELY 400 WEST AND 800 NORTH. *Presenter: Engineer Lewis*.

City Engineer, Degen Lewis, explained that removing the railroad track is the first step in clearing the pipe plant property. Staff contacted several railroad demolition firms when they initially bid out the project, because some of the product could potentially be reused. However, these firms determined that the amount of track was too small to warrant the effort. The three that ended up bidding were salvage companies. Bowen Construction's bid was for \$61,726.50 including all of the track staff was able to identify on the property. The total amount of track was estimated at 4,500 lineal feet remaining on the ground and an additional 470 feet that is stacked elsewhere on the property.

In response to a question raised by Council Member Jensen, it was confirmed that the company will patch the section of Center Street where the railroad will be removed. The crossing itself will be removed as well as all of the signaling. In response to a question from Council Member Stanley, Engineer Lewis explained that Bowen Construction also bid in any salvage value. Furthermore, they have been advised not to work during Strawberry Days.

ACTION: Council Member Boyd moved that the Council award Bowen Construction the Pipe Plant Railroad Track Demolition Project located at approximately 400 West and 800 North. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

10) ACTION ITEMS WITH PUBLIC DISCUSSION

PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED PLEASANT GROVE CITY FISCAL YEAR 2015/2016 BUDGET. THE FINAL BUDGET INCLUDES THE FEE SCHEDULE AND THE PLEASANT GROVE REDEVELOPMENT AGENCY BUDGET. (CITY WIDE) A copy of the proposed budget is available at the Recorder's Office, 70 South 100 East, the Library, 30 East Center Street, and Community Development, 86 East 100 South.

Note: Item 10A was discussed after Item 8B.

 Finance Director, Dean Lundell, provided additional information on the proposed budget. He explained that the City's biggest revenues are sales and property taxes. He showed a chart of how these numbers have varied in the past several years. While revenues were lower in 2008 and 2009, they have been gradually improving. Sales tax revenues in the State are distributed by way of a formula. Half of the money is based on where the sale occurred. For example, if \$1.00 is spent in Pleasant Grove, \$.50 stays in Pleasant Grove. The other \$.50 is distributed based on

State wide need. In other words, much of the City's sales tax revenue is driven by the State wide economy. Currently, the economy is healthy, and the forecast for 2016 is showing similar trends.

Property tax is typically fairly stable and is largely determined by growth that takes place in the City. Director Lundell presented another chart representing those figures. He noted that the trend line from 2010 to 2016 is almost in line with the exception of one year. He then presented a pie chart of General Fund revenues that showed each source of revenue as follows: Property taxes (25%), Sales tax (37%), and Other taxes (21%). Business Licensing and Intergovernmental Revenue, Charges for Services and Miscellaneous Revenues were all smaller sources of revenue that contribute to the General Fund.

A chart showing General Expenditures was presented with Public Safety being shown as the largest portion at 44%. The next largest expenditure is Parks and Recreation at 18%. General Government at 13%, includes items such as staff, utility bills, building cleaning, insurance, etc. Public Works is the Street Department, which includes filling in potholes and other related street matters. Each year the City spends \$511,000 on capital equipment, such as vehicles, computers, and desks. Dispatch costs around \$382,000 on an annual basis, a portion of which is funded through a tax included on phone lines. While this tax is actually a State tax, the City receives a portion to help pay for dispatch. Director Lundell explained that \$195,000 was transferred out of the General Fund into the Class C Streets budget. He also noted that the total Class C budget for the year is \$740,000. The expenditures used to fund the programs at the Rec Center and Library were then reviewed.

A table showing an overview of upcoming Capital Projects was presented. Director Lundell explained that the money used to fund these projects is generally surplus from the General Fund from the previous fiscal year. The other items are related to Enterprise funds. For example, secondary and culinary water projects are funded by way of ongoing revenues. Additionally, some of the revenue is from bonds issued in 2013.

The utility rates for next year were reviewed, several of which will be raised next year. The increase in water rates is based on 800,000 gallons used per month. For a one-quarter acre lot, the increase will be an additional \$2.41 per month. However, the drought surcharge will decrease from \$1.25 per month to \$.62 per month.

Mayor Daniels opened the public hearing.

<u>Blaine Thatcher</u> gave his address as 120 North 1400 East and was interested in hearing the Council's impression of the proposed budget.

Council Member Jensen commented that the sales tax revenue is quite high, which is a good thing. As more development comes to the City the sales tax revenue will increase, which will help offset some of the costs presented. Furthermore, the Council always asks staff to prepare a balanced budget. Council Member Jensen was of the opinion that a balanced budget has been presented. It is difficult to cut corners, as has been previously suggested, because the City is already running lean on what they have to spend on upcoming project needs. Council Member Jensen stated that overall he was happy with the City's General Fund.

Council Member Andersen stated that she relies heavily on Director Lundell's expertise, and noted that he has won awards for his ability to effectively budget for a City. Furthermore, anytime she has a question about the budget, Director Lundell is able to explain the answer in understandable terms. While she is not in favor of additional increases to the citizens, she understands that these increases are largely due to an increase in the cost of materials.

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<u>Don Paas</u> asked what the Council's role is in making recommendations on the budget. Council Member Jensen agreed that the role to which Mr. Paas was referring is paramount, because the Council represents the citizens. It is also the citizens' opportunity to approach the City with their questions. Council Member Jensen was impressed with the work Director Lundell did on the budget.

Council Member Andersen explained that her role is to review the 84-page budget chapter by chapter and page by page. She then enumerates her questions and leaves notes in the margins. She subsequently follows up with each department head on each of those items. She was very impressed with the work they are able to accomplish with the limited funding that is available.

Council Member Stanley expressed concern with some of the rate increases, as well as with the money spent to rent half the amount of water from Orem than the previous year. However, there are always areas where compromise is required or where the majority vote will prevail. The Council needs to take a holistic approach, be willing to make difficult decisions, and set priorities. He agreed with Council Member Andersen that the City's departments accomplish a great deal with limited resources. In general, he supported the budget but had concerns that were noted on the record in past meetings. He felt that the budget as presented is worthy of approval tonight.

In response to another question from Mr. Paas, Council Member Stanley explained that the staff and elected officials meet the beginning of each year for an extensive all-day budget and planning retreat. This is the Council's opportunity to bring up concerns one at a time and delve deeply into discussion on each item.

Council Member LeMone explained that Pleasant Grove needs more business to increase revenue, and great strides have been made to meet this objective. She reviewed Director Lundell's accolades as Finance Director, making special mention of his expertise in creating balanced budgets and bond writing. Council Member LeMone felt staff does a great job every year of doing whatever they can to maximize their budget. She remarked that the process of creating the budget lasts for months because of the contributions of all. This is a serious matter as it deals with taxpayer money. Furthermore, Council Member LeMone stated that in speaking with elected officials from other cities, she has collected various ideas on how to save citizens more in the coming years.

Council Member Boyd commented that staff and the elected officials do not take the budget lightly. Budget discussions take place all year long and directors come forward with their projects for review and approval. At times, the Council decides that a certain project or projects are not financially feasible and they are not approved. Council Member Boyd stated that all of the City's employees are very creative in making the most of their resources. In order to do this, they often offer a lot of volunteerism. She supported all of the City's programs and had personally been heavily involved with many of them.

Mayor Daniels stated that because he owns a business, he looks at budgets differently than when he worked for other employers. There are two factors he looks for when assessing a budget. First, is enough revenue being generated to cover costs. Secondly, are the areas in which significant amounts of money can be saved being identified. In some cases, this may require elimination of programs or services that part of the community would like continued. For example, the Council may propose eliminating certain programs, which generates public support from a general standpoint. However, once it is specified that the Council is interested in eliminating the softball program from Recreation, citizens will arrive in droves to address the Council on the matter.

The budget presented is a reflection of priorities and decisions the public has made over a very long time. Commitments made cannot change overnight just because someone suddenly decides they no longer want to pay for it. Mayor Daniels likened this reality to paying for a mortgage. There are many instances like this in the City and they are working toward eliminating these kinds of debts and saving the types of monies that are necessary.

Mayor Daniels explained that currently there are conflicting priorities among the public. Right now, there are at least three or four top priorities which were identified as (1) Roads, (2) Water, (3) Public Safety, and (4) eliminating programs that are losing money, such as Fox Hollow Golf Course. For the coming year, Mayor Daniels asked Director Lundell to change the formatting of the reporting on a quarterly basis. He wanted to see year over year performance, what the budget was in the prior year and quarter, what the budget was projected to be, how the City is doing terms of revenues and expenses in each category, and then track all of this information. Some of these revenues are going to trail and won't be absorbed until later in the year, and vice versa.

 Mayor Daniels stressed the importance of the Council educating itself on how a city budget differs from a home or business budget. He was concerned about the number of emails he receives on ideas for solving the budget crisis. The suggestions that come forward often lack the depth of understanding of what is legal and required by the State of Utah. The Council has been asked to gain this understanding and then assess how much it will really cost the City to resolve the problems identified as priorities by the public.

Policies that are implemented are comprehensive, and address problems as a whole over a period of time. Mayor Daniels explained that his job is to manage the budget in the best interest of the public and educate the citizens as best as he can about where that money is coming from and where it needs to be spent. Furthermore, it is his job to help the Council move in the right direction in allocating these resources.

Matt Godsey, who resides at 1026 East 1100 North, made reference to the third page of the Engineering section, and noted that the original fiscal year budget totaled \$94,000, and has been increased to \$519,000.

 Director Lundell explained that most of the difference can be attributed to contract engineering. He also explained that most of the engineering projects are directly related to development. In 2009, when development was slow, the City needed a lower budget for contract engineering. However, over the past four years that has increased dramatically, especially with projects like doTERRA. Director Lundell explained that he does not want to put the larger amount in the base budget, because down the road it may not be needed. Furthermore, more revenue may be

available later for bigger projects. Mayor Daniels added that additional money collected is directly related to fees collected that are associated with that construction.

Mr. Godsey asked if this principle also applies to the Fire Department's budget. Director Lundell noted that overall, the budget for the Fire Department didn't change much. Personnel has been reorganized, which was reflected in their budget. Mr. Godsey asked additional questions about specific line items within the budget. First, he asked how long the City will be paying on the Class C Road Bond. It was reported that the bond will be finished in 2018. Additionally, Director Lundell noted that the lease payment line item is mostly for equipment. Other Class C Road revenues were reviewed.

In response to a question from Council Member Andersen, Director Lundell explained that the lease on the Vac Truck was a capital lease. Furthermore, while the City purchases some of their equipment some is leased. The total cost of running Dispatch is \$598,000 with \$215,000 coming from a State grant and the remainder from the General Fund. Recreation, the Swimming Pool, and Arts and Culture are funded from programs, however, they don't cover the entire cost. As a result, they are partially subsidized by the General Fund as well.

Council Member LeMone expressed appreciation for Mr. Godsey taking the time to educate himself on matters related to the budget. She explained that it is important for the City to start cutting costs starting with very simple things, such as cutting back to only one referee for youth soccer games. This mindset with the employees will leave room for creatively finding more ways to save money over time. Mr. Godsey agreed that small daily actions of cutting back make a huge difference in the overall budget.

Council Member Andersen emphasized that the City runs on a very lean budget. To illustrate this point, she made reference to the huge snow storm that hit Utah last Christmas. The City of Taylorsville, which is similar than Pleasant Grove, received criticism for not clearing the roads soon enough, yet they had double the manpower and equipment Pleasant Grove did. She noted that both cities have 120 miles of roads to clear, and Pleasant Grove was still able to clear the roads in a timely manner. Furthermore, Pleasant Grove City pays employees at the lower end of the pay scale.

 Mr. Godsey did not disagree that the City runs on a lean budget. He understands that many of the budget problems have been inherited by the current staff and Council; however, he was concerned with whether the City can show a trajectory of bouncing back from past losses. In the end, the City needs to be more fiscally responsible. He noted that they cannot run in the negative forever.

<u>Frank Mills</u> gave his address as 466 East 100 South and commented that the school groups that presented tonight were great. He recalled that in 1955, Pleasant Grove High School won every State Championship in every athletic, academic, and arts competition. Mr. Mills asked which Council Member was over the golf course last year. Council Member Andersen noted that this was her responsibility. Furthermore, it was noted that the City subsidized the golf course in the amount of \$240,000 last year, and \$220,000 more was budgeted this year.

Additional financial figures were discussed. Council Member Andersen reviewed the history of the Fox Hollow Golf Course and stated that in 1969, the tri-cities entered into an Interlocal

Agreement. It was noted that American Fork owned the land. In 2007, a 20-year bond was issued for improvements, and the \$240,000 annual budget amount helps cover the payment of that bond. Mr. Mills was of the opinion that the City should pull out of this bond. Director Lundell explained that according to the bond documents, Pleasant Grove is still responsible for a portion of the facility operations. Mr. Mills made suggestions on how to rearrange the budget for the golf course to free up funding for other projects such as roads.

Council Member LeMone explained that there is a liquidation clause in the operating agreement that requires that all three cities agree to liquidate the assets of the golf course. That does not include the real property that is owned by American Fork. Even if Pleasant Grove wanted to liquidate all of the equipment and lease the land, the bond will not be paid off until 2027 and they are not in a position to sell the golf course. The land belongs to American Fork and, therefore, American Fork will maintain the title. Council Member LeMone contacted an American Fork Council Member, who indicated that their City is not interested in selling at this time. In speaking to Mr. Mills' point about pulling out of the bond commitment, Council Member LeMone stated that the City has legal obligations that prevent them from doing so.

Attorney Petersen explained that when Pleasant Grove City decided to be involved in the remodeling, the bond counsel indicated that a separate entity needed to be created which was identified as the Tri-City Golf Course Agency. The Interlocal Agreement, which Pleasant Grove signed, specifies that the Operative Agreement will be in effect for 30 years after the, or the date upon which all contractual bonds of the Tri-City Golf Course Agency have been retired, but in no event later than 50 years after the effective date. Upon termination of the Interlocal Agreement, the title to all of the assets of the Tri-City Golf Course Agency shall revert to the parties in proportion to their commitment to secure the bond payments.

Mr. Mills argued that the aforementioned section of the agreement was part of the original agreement entered into over 30 years ago. Attorney Petersen replied that the City re-signed this agreement in 2007. There was continued deliberation on the issue, as well as ways to use impact fees and the funds that will be freed up after the bonds have been retired. Council Member Andersen noted that Provo City is doing something unique in that when their bonds retire, the money used to pay those bonds will be put into a Transportation Fee on the utility bill.

Mr. Mills stated that he would like Director Lundell to present information on how much Pleasant Grove's portion of the sales tax is increased compared the portion the City receives from the State. He felt this was valuable information when assessing Pleasant Grove's economic development. Mr. Mills spoke about a previous Economic Development Director, Paul Blanchard, and explained that while Mr. Blanchard worked for the City, several businesses came to Pleasant Grove. In order to boost economic development and increase sales taxes for the City, staff and the elected officials need to seek out businesses and sell them on the benefits of choosing Pleasant Grove. While there has been great industrial development that has brought in property tax revenue to the City, businesses are needed to boost sales tax revenues.

Mr. Mills pointed out that business owners are interested in the quality of the roads in the areas where they consider starting or expanding their businesses. He once again urged the Council to take a serious look at how to address the quality of the City's road system. He stated that Road Impact Fees are implemented as part of the solution.

Mr. Mills asked about the salaries of the personnel who operate the golf course and TSSD, and wanted to know if they are higher than what the City pays their own employees. He reiterated previous points made and expressed concern with the amount the City is spending on these programs. In response to Mr. Mills' remarks, Council Member LeMone stated that the Council is addressing salary issues and working toward raising employee salaries to where they are midrange in comparison to other cities. It was noted that the Pleasant Grove City Council does not approve the TSSD budget, however, former City Council Member Jay Meacham is on their Board.

Council Member LeMone commented on remarks made by Mr. Mills regarding her commitment to bring more businesses to Pleasant Grove. She explained that she initiated a discussion to rezone the Grove area to reduce high-density housing and replace those zones with commercial. Furthermore, she voted against high-density housing in areas where the City hasn't already had a legal obligation to allow that type of development. The current Council has also voted in favor of several businesses that have since come to Pleasant Grove. Mr. Mills stated that the housing developments that have come to the City in the past four years exceed the commercial retail developments.

<u>Bill West</u> gave his address as 48 North 1400 East and asked what the exact payments are for the Fox Hollow Golf Course. Mayor Daniels replied that they do not have those documents available but according to his quick calculations, the payments are around \$82,000 per year for Pleasant Grove's portion. Therefore, if the City is subsidizing the golf course a total of \$240,000 per year, this means there is approximately \$150,000 of additional subsidy being paid each year.

Mr. West asked if it would be better to close the golf course than to continue to subsidize it. Mayor Daniels replied that this is the same question Mr. Mills was asking and at this point the Council does not fully understand the answer. However, they have been under the belief that they do not have the ability to shut down operations or remove themselves from the agreement. The City needs to look at the agreement to determine if there is a way to still honor the bond payment while saving the money being spent on the additional \$150,000 subsidy. Mr. West stated that the public would love to hear the results of their investigation on the matter.

Mr. West stated that Iron County recently sold their ambulance service for \$1.5 million to Gold Cross, which eliminated their emergency services altogether. He asked if Pleasant Grove has looked into pursuing a similar option. Mayor Daniels replied that this has not been discussed as a Council, however, it is something they could review. However, there may be some ramifications of pursuing this option with both the citizens and members of staff. Mr. West felt that it would be worthwhile to review this possibility.

Mr. West noted that the budget for the Fire Department is nearly \$2 million and asked if there was any way to reduce this amount. Fire Chief, Dave Thomas, reported that last year there were over 350 fire related calls. Mr. West explained that it was his understanding that there were only two structural fires last year. Council Member LeMone commented that the Fire Department is also comprised of paramedic services as well.

 Mr. West asked in what other ways the City can save money and suggested that there may be other staff positions that could be eliminated. He mentioned that contract engineering alone will cost the City hundreds of thousands of dollars and was of the opinion that this money could be

spent more creatively and effectively. Mayor Daniels responded that the City is looking at the potential savings by contracting structural engineering services out to a third party, as opposed to hiring additional engineers directly as a City.

Furthermore, Mayor Daniels explained that staff and the elected officials are trying to develop a human resources function that is needed for the staff that currently exists in the City. Throughout this process, the City has discovered that they haven't been very successful at developing management programs, but rather it has been more of a shared effort. Director Lundell noted that currently the City has 105 full-time employees, 50 part-time employees, and several seasonal employees.

Mr. West suggested combining dispatch. Council Member Boyd explained that having local dispatch is what provides such a high level of service to the community. Chief Smith explained that all calls come to Pleasant Grove, except in the event that a cell phone call hits a cell tower in another City. Mayor Daniels stated that Pleasant Grove has been approached by other cities to take on their dispatch, and after quoting a price staff found that these cities are only shopping around to see if they can get a better deal in their area.

Council Member Stanley added that he has done research to see if Pleasant Grove could do something similar, however, the reality is that a lot of money is collected through a 911 service. If the City joined County dispatch, 911 funds would no longer come to Pleasant Grove. Furthermore, the City enjoys greater control by managing their own dispatch. Council Member Boyd stressed that time is wasted when emergency calls go through extensive routing prior to dispatch of emergency services. Chief Smith commented that even if the dispatch center was eliminated, the City would still have to retain office personnel. Mr. West provided additional history on the golf course, and reiterated previously made points.

Mayor Daniels spoke about the importance of the community coming forward in unity to voice the decisions they would like the Council to make, especially when it comes to eliminating services such as dispatch and emergency. So far, the Council has not felt this unity, but has instead sensed a massive divide, especially when it comes to public safety.

Mr. Thatcher was of the opinion that the City has decreased services on roads and funded increases in every other department by using funds that could have otherwise gone toward roads. Mayor Daniels asked Mr. Thatcher to provide financial figures to back up his statement. Mr. Thatcher reiterated his previous statement that the spending trend for each department has increased every year for the last 10 years, whereas road funding has decreased or remained relatively constant. It was noted that Class C Road funds come from the Gas Tax, over which the City has no control. Mayor Daniels explained that the City has subsidized roads in the amount of \$200,000 per year from the General Fund.

Mr. Thatcher commented that as he has participated in various budget discussions, he is unable to identify a rational solution from the Council on how to address the major road issues. Mayor Daniels explained that according to an outside study, \$3.5 to \$4 million will be needed over a 20-year period bring every road in Pleasant Grove from failing to a sustainable, drivable surface. This time frame can be reduced with additional funding.

Mr. Thatcher stated that the City is still be short a significant amount of funding. Mayor Daniels agreed. In response to Mr. Thatcher's concern that the City is not taking action to resolve the problem, Mayor Daniels referenced the road studies presentation given by J-U-B Engineers, as well as two other road discussions that took place since that presentation. Mayor Daniels stated that the Council is currently working on a plan that has to go to the public.

There was continued deliberation on the subject and Mayor Daniels explained that the study is not yet complete. One component that still has yet to be completed is the implementation of the Gas Tax that the State Legislature approved this year for Class C Road Funds. Additionally, the \$.0025 sales tax increase needs to be voted on by the public in order to be implemented. In 2018, the final road bonds will be paid off, which will free up an additional \$700,000 in the budget for roads. Once all of these revenue sources have been considered, the City will have approximately \$1.75 million available each year for roads. This still creates a shortfall and the public needs to decide what services they are willing to cut in order to fill the gap. There was continued deliberation on previous discussion points.

Council Member Andersen remarked that all cities are dealing with similar issues related to roads, and will also soon be implementing some sort of a transportation fee. Council Member Boyd explained that the miles of roads in Pleasant Grove have not increased over the past 10 years, with the exception of subdivisions where developers have built roads. However, the population has increased, thus demanding more police officers, more recreational resources and other needs throughout the City which warrants funding increases. The roads themselves have not increased over the past decade; however, the budget has increased by hundreds of thousands of dollars for those same exact roads. Council Member Boyd stated that roads are discussed in nearly every Council Meeting and they are working on a plan to solve the problem.

Steve Swayze, who resides at 1141 North 300 East, made additional remarks on the City's overall budget. Mayor Daniels noted that the actual money that pays for road construction does not come out of the General Fund. The portion of road funds in the General Fund is paying for the people and the other services related to roads, but not the actual roads. Administrator Darrington added that the City receives just under \$1 million in Class C Road Funds from the State and Pleasant Grove reserves \$200,000 from the General Fund, with the understanding that there is a bond payment. Sometimes there is a fluctuation in what is spent in a given year, depending on the Class C Road Fund balance and which projects are prioritized in a given fiscal year.

Mr. Swayze stated that if roads are the City's top priority, they will be required to cut spending in all other areas. He expressed his support for the Council making the necessary cuts to address the issue. Mr. Swayze commented that from a citizen's perspective, it is frustrating not to hear much discussion about budget cuts. He noted that primarily the discussion is about increasing revenue and charging the citizens more. He acknowledged that the Mayor and Council have tough jobs, and difficult decisions to make.

Mayor Daniels asked Mr. Swayze if he would be willing to help garner support from the majority of the citizens as the Council begins to make decisions on budget cuts. Mr. Swayze answered in the affirmative, and urged the Council to not only develop a plan, but also make the public their allies. Council Member Stanley expressed the support the citizens have showed by attending meetings, voicing their opinions, and sharing their suggestions. He agreed that the

Council needs to evaluate every possibility. Furthermore, the Mayor and Council need to more efficiently communicate to the public why certain expenses are legitimately justified. There was brief discussion about whether the Council occasionally appears to be defensive when approaching the public with budgetary items.

Council Member Stanley remarked that the best communication the Council can send the public is that of taking action in vetting all of the suggestions that come forward. He believes that the public is in charge and that they have intelligent and creative ideas on how to solve some of the City's big issues. Council Member Boyd agreed that the Council needs to research each of the ideas that have come forward in public discussions. Mayor Daniels acknowledged that it takes courage for citizens to share their ideas in a public forum. Council Member Andersen enjoys hearing from and the Council genuinely wants to listen.

Mr. Paas asked for additional clarification on what is required to maintain the roads on an annual basis. Mayor Daniels explained that according to the study from J-U-B Engineers, \$3.6 million to \$4 million is required for maintenance, and over a 20-year period, these funds will also cover improvements. Mr. Paas suggested floating the bond for one year. This would involve the City paying interest one year and subsequently extending the bond by one year. This could infuse additional project start-up funds. Furthermore, he asked the Council to assess which City assets and/or properties can be sold.

Mr. Mills explained that the formula for Class C Road Funds is partially calculated on road mileage. He stated that the older roads were not designed to sustain heavy construction traffic, and asked if impact fees could potentially be used to improve the roads in certain neighborhoods. Furthermore, he pointed out that the City has several capital projects planned for sewer, water, storm drain, and secondary water, all of which are projects that damage roads. Mr. Mills asked if it would be possible to allocate a portion of the capital project fees towards roads.

<u>Diane Moss</u> gave her address as 391 East 200 South and remarked that down the road, budget cuts aren't as painful as they might seem at first. There is much to gain in the end by being out of debt. Ms. Moss looked forward to having nice roads in the City, having higher property values, and seeing good people move to Pleasant Grove.

<u>Jennifer Baptista</u>, who resides at 32 North 1300 East, asked for clarification on the time frame of the road projects and when to expect the forecasted funding to be implemented into the budget. Ms. Baptista was of the opinion that some of the frustration with the public is that it is unclear as to when they can expect these improvements to be made. Furthermore, the revenue from the gas tax and \$.0025 sales tax will not be available until 2017. Ms. Baptista also commented that she reviewed the Fox Hollow Golf Course budget and last year there was a negative balance in that budget, despite all of the money contributed to it by each city.

 Molly Andrew remarked that the City is looking in hindsight at many of the decisions made in the past by former City officials. She wondered why cuts weren't made in the past and remarked that at this point, the City would be reaping those rewards. Ms. Andrew asked why the golf course bond was passed in 2007 and what considerations were made as part of that decision. Mayor Daniels replied that the City felt like they were locked into a commitment with the other cities prior to the bond and so the additional investment was justified with the anticipation that the money would help Fox Hollow become self-sustaining.

Ms. Andrew asked when the last time taxes were raised. Administrator Darrington explained that there have been two GO Bonds that were voter approved. One was for the Rec Center and another was for the swimming pool. The Council, however, has not imposed a property tax increase in at least 25 years.

Mr. Mills commented that each year natural growth causes an increase to the Class C Road funds. Furthermore, he emphasized the importance of keeping the channel of communication open between the City and the citizens. Mr. Mills expressed that it was offensive to him when the Council proposed an MBA Bond without the vote of the people. He felt this created a divide. Council Member LeMone was of the opinion that the process to which Mr. Mills referred worked out in an appropriate way. The Council proposed an idea, received input from the public, and then changed their course of action based on the feedback received. Mayor Daniels summarized the discussion points that took place.

Roger Green, who resides at 665 East 200 South, pointed out that based on the charts presented, the swimming pool has a budget of \$175,000 and the Rec Center has a considerably lower budget. Director Lundell explained that the swimming pool budget is specifically for the pool, whereas the recreational funds also include community programs. Mr. Green was of the opinion that the swimming pool and recreational programs are beneficial for the community, because they give kids a place to go during the summer. Removing those programs could have unintended consequences with the youth.

Mr. Mills concluded by commending staff for their work in creating a balanced budget.

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

Council Member Jensen commented that the Mayor and Council listen to the citizens. Now it is the responsibility of the staff and elected officials to further research their suggestions and make necessary changes. Council Member Stanley remarked that this has been a healthy discussion and requested that staff help answer some of the questions raised tonight.

Note: There was a 10-minute break in the meeting beginning at 9:51 p.m.

11) <u>ITEMS FOR DISCUSSION – NO ACTION TAKEN:</u>

There were no further items of discussion.

12) <u>DISCUSSION ITEMS FOR THE JUNE 2, 2015 MEETING</u>

Administrator Darrington informed the Mayor and Council that he will be sending them an email with information needed for next week's meeting.

13) NEIGHBORHOOD AND STAFF BUSINESS

 Chief Smith reported that last week he received a call from an emotional resident, regarding a small dog who was playing in a front yard and suddenly fell down ill, possibly due to a spider bite. The resident ended up taking the small dog to the Fire Department, where Brandon

Victoree gave it chest compressions and was able to get its heart beating again. This action ultimately saved the little dog's life. Chief Smith stated that this level of service speaks volumes to the level of commitment that public safety personnel have for the community. Library and Arts Director, Sheri Britsch, thanked everyone who helped with the Memorial Day program, and noted that it was very successful. Administrator Darrington reported that Marty Beaumont accepted employment as the new Public Works Director. He would be appointed and sworn in next week. Mr. Beaumont will begin his employment with the City on June 15. Attorney Petersen announced that the City now also has a new part-time Prosecutor named Darrin Johns. Furthermore, it was discussed during the Directors Meeting that they will be bringing in a group of new employees on June 9 to be introduced to the Council. Attorney Petersen also has a new temporary employee and is currently interviewing for a permanent position. City Recorder, Kathy Kresser, announced that filing for candidacy begins on June 1.) MAYOR AND COUNCIL BUSINESS

There was no further Mayor and Council business.

) **SIGNING OF PLATS**

There were no plats signed.

) **REVIEW CALENDAR**

There were no other additional calendar items to review.

) **ADJOURN**

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

The City Council Meeting adjourned at approximately 10:40 p.m.

Minutes of May 26, 2015 were approved by the City Council on June 23, 2015.

Kathy T. Kresser, City Recorder

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