

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
May 1, 2018
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Lynn Walker
Todd Williams

Staff Present: Scott Darrington, City Administrator
Denise Roy, Finance Director
Dave Thomas, Fire Chief
Mike Smith, Police Chief
Kathy Kresser, City Recorder
Daniel Cardenas, Community Development Director
Marty Beaumont, Public Works Director
Tina Petersen, City Attorney
Sheri Britsch, Library Director

The City Council and staff met in the Library, Main Level, at 30 E Center Street.

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) **CALL TO ORDER**

Mayor Fugal called the meeting to order and noted that all Council Members were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Carson Keetch.

3) **OPENING REMARKS**

The opening remarks were given by Council Member Williams.

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

ACTION: Council Member Jensen moved to approve the agenda with adding a Closed Meeting. Council Member Walker seconded the motion. The motion carried with unanimous consent of the Council.

5) **OPEN SESSION**

There were no public comments.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Minutes for the April 10, 2018 Meeting.**
- b. **To Consider Approval of Payment Approval Reports for (April 20, 2018).**

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

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

There were no appointments.

8) **PRESENTATIONS**

A) PRESENTATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AWARD.

Director Roy reported that staff sent the CAFR to the Government Finance Officers Association after this year's audit was complete, and they received recognition. Pleasant Grove had received this award every year for the past seven years.

9) **PUBLIC HEARING ITEMS**

- A) TO CONSIDER FOR ADOPTION AND ORDINANCE (2018-12) AMENDING PLEASANT GROVE CITY BOUNDARIES BY ANNEXING A 35.20 ACRE PARCEL OF LAND TO BE KNOWN AS SMART FAMILY ANNEXATION FROM UTAH COUNTY INTO PLEASANT GROVE CITY. LOCATION IS APPROXIMATELY 900 WEST 3300 NORTH, PLEASANT GROVE UTAH, WITH THE ZONING DESIGNATION OF A-1 (AGRICULTURAL, VERY LOW DENSITY RESIDENTIAL, ONE ACRE LOTS). MANILA NEIGHBORHOOD (SID AND KAREN SMART, APPLICANTS) *Presenter: Attorney Petersen.***

Attorney Petersen explained that the City received an annexation petition from Sid and Karen Smart for 35.20 acres of property located at the address listed above. Staff anticipated that the applicants would have submitted the final plat, but they had not yet done so. She recommended tabling the issue until the final plat is received. The item was advertised as a public hearing, so they should take public comment today. Attorney Petersen stated that the Planning Commission reviewed the application in 2013, but staff wanted them to hear it again and hold a public hearing before the item comes back to the City Council. The Smart family owns the majority of the property in question, but there was one small parcel belonging to another land owner. Staff had yet to contact that property owner.

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

ACTION: Council Member LeMone moved to CONTINUE the action to June 12, 2018. Council Member Jensen seconded the motion. The motion carried with unanimous consent of the Council.

- B) TO CONSIDER FOR ADOPTION AN ORDINANCE (2018-13) TO REZONE 21.67 ACRES IN ORDER TO APPLY THE GROVE MIXED USE OVERLAY (GMU) TO PROPERTY LOCATED AT APPROXIMATELY 1473 W STATE STREET IN THE COMMERCIAL AND MIXED HOUSING SUBDISTRICTS OF THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD (LARRY MYLER, APPLICANT) *Presenter: Director Cardenas.***

Director Cardenas explained that the City Council had taken action on this project previously, including the creation of the Grove Mixed Use Overlay Zone. The action tonight would apply the overlay to the subject property. The property is currently located in both the Mixed Housing and Commercial Subdistricts of The Grove Zone, and the new overlay would essentially consolidate the two zones. The density will be eight units per acre and the project will yield 26,000 square feet of retail sales tax related uses and roughly 25,000 square feet of office use. The Planning Commission unanimously recommended approval of the rezone.

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

ACTION: Council Member Andersen moved to ADOPT Ordinance 2018-13 to rezone 21.67 acres in order to apply the Grove Mixed Use Overlay (GMU) to property located at approximately 1473 West State Street in the Commercial and Mixed Housing Subdistricts of The Grove Zone. Council Member Williams seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting "Aye". The motion carried unanimously.

- C) TO CONSIDER FOR ADOPTION AN ORDINANCE (2018-14) TO REZONE 0.9 ACRES IN ORDER TO REMOVE THE SENIOR HOUSING OVERLAY FROM PROPERTY LOCATED AT 526 W CENTER STREET. LITTLE DENMARK NEIGHBORHOOD (MARK JOHNSON, APPLICANT) *Presenter: Director Cardenas***

Director Cardenas explained that the request is to remove the Senior Housing Overlay from 0.9 acres of property at the address listed above. The Senior Housing Overlay was created and applied to the subject property in June 2014, and it allowed for high density senior housing. The Grove Crest Villas adjacent to this property was about 6.79 acres in size with 162 units, with a density of 24 units per acre. Removing the overlay would allow the developer to push the building a little closer to Center Street and put commercial units on the bottom floor, and it would decrease the allowed density to three residential units per 1,000 square feet of commercial use. Director

Cardenas presented the concept plan submitted by the applicant, which included a three-story building with 16 residential units and at least 9,500 square feet of retail. They had no specific tenants yet. He confirmed that the residential units would still be senior housing.

Council Member Andersen asked if they would only be developing one building. Mr. Cardenas stated that the applicant was working to purchase the neighboring property and construct a second building.

Larry Lindstrom was present representing the applicant and spoke about the building design and materials and their attempt to match the downtown design standards. They wanted the building to look like Main Street Disneyland with a variety of designs and colors. It would also be over-landscaped. He noted that the building will share amenities with Grove Creek Villas.

Director Cardenas stated that the project was already reviewed by the Design Review Board who approved everything that was proposed.

Mayor Fugal opened the public hearing.

Sabrina Beck, a resident, asked about the sidewalks and the intersection at 600 West. She was concerned about the number of children that use the intersection and how much traffic will increase as a result of the development.

Director Beaumont reported that a development will be going in on the corner and staff was working with the developer to install sidewalks to 600 West and ADA ramps at the intersection. Currently, there was no connecting sidewalk.

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

ACTION: Council Member Walker moved to ADOPT Ordinance 2018-14 to rezone 0.9 acres in order to remove the Senior Housing Overlay from property located at 526 W Center Street. Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

D) TO RECEIVE COMMENTS ON THE PROPOSED PLEASANT GROVE CITY FISCAL YEAR 2017/2018 BUDGET AMENDMENT TO REFLECT ACTUAL AND ANTICIPATED EXPENDITURES TO PROVIDE FOR THE DISBURSEMENT OF FUNDS FROM THE GENERAL FUND BALANCE TO THE PARKS DIVISION OF THE GENERAL FUND IN THE AMOUNT OF \$50,000 FOR THE DISCOVERY PARK RENOVATION.

Administrator Darrington explained that a committee was working on a project called Rediscover Discovery Park and they intend to completely rebuild the park. The committee was made up of volunteer citizens, a few staff members, and some elected officials. Their intent was to tear down the existing park and build brand new facilities. They hoped to complete the project with donated funds and volunteer labor. The estimated value of the park was over \$1 million. The committee

engaged Landscape Architect, Leather's Company that specializes in these types of projects. The initial fund raising has begun, but the committee had discovered that their seed money was not enough to cover the engineering expenses. They were requesting that the City front some money for the project to cover those expenses, and they would repay the City as the fundraising money comes in. They were asking for \$15,000.

Sabrina Beck, the co-chair of the committee, explained that the \$15,000 would be used to cover the outstanding engineering fees. She explained that Leathers Company had already designed the park and provided 3D renderings. Their original seed money was \$17,000 from doTERRA and an anonymous donor, and that had already been used to pay architectural fees. Ms. Beck addressed the timing of the project, which was pushed back from October to next spring.

Council Member Jensen stated that the turnaround investment here was tremendous and he felt that the City could accommodate the request.

Administrator Darrington reminded the Council that this was the first time they have approached the City about money because they intend to fund the project completely through donations and fundraising. They intend to repay the front money.

Council Member Williams was concerned about the ambiguity of the situation. The committee wanted to fund the project with donations, but they were asking the City for money. It was possible that they did not receive enough donation money and they would not be able to reimburse the City. Administrator Darrington stated that the Council could include a stipulation that the Committee repay the City with the first \$15,000 they receive in donations. Council Member LeMone asked what the next step in the process would be for the committee.

Josh Walker stated that the next step will be fundraising. The big gala dinner was pushed back to the fall because most of the businesses in town are being asked to contribute to Strawberry Days right now. They had talked about making a big campaign launch during Strawberry Days to make the public aware of the project. He was certain that this would give them enough time to raise the funds for the park by next spring.

Council Member LeMone asked what the committee will do if they do not raise as much money as they are anticipating. Mr. Walker stated that they will use whatever funds are raised, even if they have to simplify the design to accommodate that. Council Member LeMone was worried that they may not raise the necessary money by next spring.

Council Member Williams again addressed the ambiguity of the City providing this money to the committee. He was more comfortable simply giving \$50,000 to the project rather than fronting the money.

Council Member Jensen stated that similar questions were raised when Discovery Park was first completed 22 years ago. It was a lofty goal to get the anticipated funds, but he believed they could do it.

Ms. Beck then reported that the actual build would last 10 days, and they would be doing a poured-in-place foundation which would make the park all-accessible. The foundation would be poured

after the rest of the park is constructed. Altogether, it will probably take 2 ½ weeks to build. There will also be a four-week period before the build where the existing structures will be demolished.

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

10) ACTION ITEMS READY FOR VOTE

- A) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-026) ADJUSTING AND AMENDING THE 2017/2018 BUDGET TO REFLECT ACTUAL AND ANTICIPATED EXPENDITURES TO PROVIDE FOR THE DISBURSEMENT OF FUNDS FROM THE GENERAL FUND BALANCE TO THE PARKS DIVISION OF THE GENERAL FUND IN THE AMOUNT OF \$50,000 FOR THE DISCOVERY PARK RENOVATION; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington.***

ACTION: Council Member Jensen moved to ADOPT Resolution 2018-026 adjusting and amending the 2017/2018 budget to reflect actual and anticipated expenditures to provide for the disbursement of funds from the General Fund Balance to the Parks Division of the General Fund in the amount of \$15,000 for the Discovery Park renovation; and providing for an effective date; and requesting information from the Rediscovering Discovery Park Committee where that money will be allocated. Council Member Williams seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

- B) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-027) ADOPTING THE PLEASANT GROVE CITY TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019, WHICH INCLUDES THE PLEASANT GROVE REDEVELOPMENT AGENCY TENTATIVE BUDGET AND THE COMPREHENSIVE FEE SCHEDULE; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Roy.***

ACTION: Council Member Andersen moved to ADOPT Resolution 2018-027 adopting the Pleasant Grove City tentative budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, which includes the Pleasant Grove Redevelopment Agency tentative budget and the comprehensive fee schedule; and providing for an effective date. Council Member Williams seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

- C) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-028) AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE USDA, FOREST SERVICE, UINTA-WASATCH NATIONAL FOREST, AND THE UTAH STATE**

HISTORIC PRESERVATION OFFICER REGARDING THE PLEASANT GROVE MUNICIPAL WATER SYSTEM REPLACEMENT PROJECT IN BATTLE CREEK CANYON; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.*

Director Beaumont explained that this item and the next relate to the Battle Creek Springs Rehabilitation Project that staff has been working on for the past five years. They were finally able to send the project out to bid, but the two bids they received were much higher than anticipated. Staff decided to deny both bids and send the project back out for a bid in December or January. The City has been working with the US Forest Service to get the agreements in place to preserve the historical aspects of the area. The agreements would be good for two years from the adoption date which would give the City time to get the project done next year. He described the basic terms of the agreement regarding historical preservation.

ACTION: Council Member Williams moved to ADOPT Resolution 2018-028 authorizing the Mayor to execute a Memorandum of Agreement (MOA) between the USDA Forest Service, Uinta-Wasatch National Forest, and Utah State Historic Preservation Office regarding the Pleasant Grove Municipal Water System Replacement Project and Battle Creek Canyon; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

- D) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-029) AUTHORIZING THE MAYOR TO EXECUTE A COST RECOVERY AGREEMENT BETWEEN THE USDA, FOREST SERVICE, UINTA-WASATCH CACHE NATIONAL FOREST SERVICE (UWCNF), AND PLEASANT GROVE CITY REGARDING THE PLEASANT GROVE MUNICIPAL WATER SYSTEM REPLACEMENT PROJECT IN BATTLE CREEK CANYON; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.***

ACTION: Council Member Jensen moved to ADOPT Resolution 2018-029 authorizing the Mayor to execute a Cost Recovery Agreement between the USDA Forest Service, Uinta-Wasatch Cache National Forest Service (UWCNF), and Pleasant Grove City regarding the Pleasant Grove Municipal Water System Replacement Project in Battle Creek Canyon; and providing for an effective date. Council Member Walker seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

- E) TO CONSIDER AWARDING CURTIS TOOLS FOR HEROES THE BID FOR 27 SELF-CONTAINED BREATHING APPARATUS (SCBA) IN THE AMOUNT OF UP TO \$177,300.00. *Presenter: Chief Thomas.***

Chief Thomas explained that they received three bids for the SCBAs, and they wanted to award the bid to Curtis Tools for Heroes. He noted that Curtis Tools for Heroes was not the lowest bid, but based on the references he spoke to, Chief Thomas determined that they would be the company

that they could work with for years to come. He also pointed out that the packet says, “in the amount up to \$177,300”, even though the cost of the SCBAs would be less than that. They intended to maximize the bid with other equipment, not to exceed the allotted amount.

Council Member Andersen asked about the lifespan of the SCBAs. Chief Thomas stated that the ones they currently have were purchased in 2003 and they are at the end of their lifecycle.

Council Member Williams asked about the grant they received for the equipment. Chief Thomas stated that the majority came from the grant. The City was required to match 10% of the grant, so they provided roughly \$16,000.

ACTION: Council Member Andersen moved to AWARD Curtis Tools for Heroes the bid for 27 Self-Contained Breathing Apparatus (SCBA) in the amount up to \$177,300.00. Council Member Williams seconded the motion. The motion carried with unanimous consent of the Council.

F) TO CONSIDER AWARDED LANTIS PRODUCTIONS INC. THE BID FOR 2018 PLEASANT GROVE JULY 4TH FIREWORKS CELEBRATION IN THE AMOUNT OF \$15,000. Presenter: Chief Thomas.

Chief Thomas explained that when he put the above item out for bid, he specifically wrote it so that the contract would last for two years.

ACTION: Council Member Williams moved to AWARD Lantis Productions Inc. the bid for 2018 Pleasant Grove July 4th Fireworks Celebration in the amount of \$15,000. Council Member LeMone seconded the motion. The motion carried with unanimous consent of the Council.

11) ITEMS FOR DISCUSSION

A) STAFF BUSINESS.

Director Roy noted that the tentative budget will be made available on the website in the near future.

Library Director, Sheri Britsch, reported on the Ribbon Cutting Ceremony and stated that everything went smoothly. They had activities every hour starting at 10:00 a.m., and the Pleasant Grove Junior High Choir did a flash mob. They had over 2,000 residents attend the activities. She also reported that the Library received a grant of \$26,000 for new laptop computers so they could offer Coding classes.

Chief Thomas reported that the decking for the floors and roof had been delivered at the New Fire Station, and the masonry was up to the point that you can see the roof trusses.

Chief Smith reported that the Police Department was having a fitness test next Wednesday at 2:00 p.m. at the Junior High.

Director Cardenas stated that he would be starting a review of the General Plan this summer. Originally, he intended to complete the review in six months, but based on his research, the project

will probably take much longer. He had spoken to the Planning Commission about the project and they would be heavily involved.

Administrator Darrington briefly reviewed the dates for the upcoming City Council Meeting.

12) REVIEW AND DISCUSSION ON THE MAY 15, 2018 CITY COUNCIL MEETING AGENDA

There was no discussion.

13) MAYOR AND COUNCIL BUSINESS

Council Member Andersen commented that she learned a great deal at the Utah League of Cities and Towns (ULCT) Conference this week, and she was glad that she was able to attend. She also commented that Pleasant Grove beat Lone Peak in baseball this week.

Council Member Williams gave positive feedback about the programs offered by the City, including Center Stage. He asked if the secondary water is fully pressurized. Director Beaumont confirmed that the City is pressurized but they will have some shutoffs to accommodate work done on 100 East. These will be rolling shutoffs throughout the summer with the various road projects that are planned. Staff would notify citizens of the shutoffs.

Council Member LeMone also attended the ULCT conference and found it enlightening. She reported that she was also able to attend a meeting the previous night at the Junior High School about social media and the affect it has on teens and families. There were more than 600 people in attendance and was very enlightening.

Council Member Jensen commented on the Library opening and the success of the Choose Kindness initiative.

Mayor Fugal asked where he could refer citizens who had damaged tires and rims from construction on 100 East. Director Beaumont directed him to the County website which is www.canyonroadconstruction.com. The website contains a lot of good information about the project status and they were very responsive to questions and concerns.

Council Member LeMone requested that staff try to set up informal meetings or a lunch with other City Councils in the area. All of the surrounding cities have New City Council Members and she thought it would be nice to get to know them.

Mayor Fugal reported that he represented Pleasant Grove City at the Utah Valley Commercial Real Estate Conference and it was noted that Pleasant Grove is still one of the fastest growing cities in the area. He thanked everyone who attended the conference.

14) SIGNING OF PLATS

There were no plats signed.

15) **REVIEW CALENDAR**

There were no additional calendar items.

16) **CLOSED MEETING TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY (UCA 52-4-205 (1)(d))**

ACTION: Council Member LeMone moved to exit into an executive session to discuss the purchase and lease of real property. Council Member Jensen seconded the motion. The motion carried with unanimous consent of the Council.

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Lynn Walker
Todd Williams

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Kathy Kresser, City Recorder

ACTION: At 8:30 p.m. Council Member Andersen moved to exit the Closed Meeting and go back into the regular City Council meeting. Council Member Jensen seconded the motion. The motion carried with unanimous consent of the Council.

17) **ADJOURN**

ACTION: At 8:30 p.m. Council Member Williams moved to adjourn. Council Member Andersen seconded the motion. The motion carried with unanimous consent of the Council.

The City Council minutes of May 1, 2018 were approved by the City Council on May 15, 2018

Kathy T. Kresser, City Recorder, MMC

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