

**Pleasant Grove City  
City Council Meeting Minutes  
Regular Session  
June 12, 2018  
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Cyd LeMone  
Dianna Andersen (arrived at 5: 17 p.m.)  
Eric Jensen  
Lynn Walker

Excused: Todd Williams

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

Others: Sergeant Carl Nielsen

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

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**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 Council Member Jensen.

**3) OPENING REMARKS**

The opening remarks were given by Council Member Andersen.

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

**ACTION:** Council Member Jensen moved to approve the agenda, as written. Council Member Walker seconded the motion. The motion carried with unanimous consent of the Council.

5) **OPEN SESSION**

Darrin Leetham gave his address as 890 South 1500 East and addressed the speed bump near his home. He explained that within the last three weeks, he had retrieved three oil pans, parts of bumpers, and a license plate from the road near the speed bump. The speed bump was meant to slow traffic, but the signs were not well-placed or well-lit, so people simply do not see the speed bump. Mr. Leetham was not sure what the options were but he wanted to bring up the issue with the City.

Mayor Fugal commented that the City does not allow any new speed bumps to be constructed. He would, however, look into the issue.

Public Works Director, Marty Beaumont, commented that the speed bumps make plowing difficult in the winter and they can be more of a hazard than a help. Staff would research the issue.

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

6) **CONSENT ITEMS**

a. **To Consider Approval of Payment Approval Reports for (June 6 and 7, 2018).**

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

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

There were no appointments.

8) **PRESENTATIONS**

A) **STRAWBERRY DAYS ROYALTY**

Taryn Christensen, Royalty Queen, reported that they visited nearly all of the neighboring City Councils to invite them to Strawberry Days and give them cheesecake. The Royalty had already helped with 5K events and participated in Good Things Utah just that morning. They were excited to participate in Strawberry Days in any way they could.

The Mayor invited the Royalty forward who were identified as:

Queen: Taryn Christensen

1st Attendant: Bailey Sherriff

2nd Attendant: Morgan Carlson

Council Member Andersen stated that she had seen the Royalty out and about and they were representing Pleasant Grove beautifully.

Miss Christensen presented an award that the Royalty received for their float in a recent parade and said they would be going to the Miss Utah Week event later that day.

Bailey Sherriff introduced herself as the First Attendant and Morgan Carlson presented herself as the Second Attendant.

## **B) CITIZEN'S ACADEMY GRADUATE PRESENTATION**

Police Chief, Mike Smith, reported that they recently finished their sixth Citizen's Academy, and it was a great success. He explained a bit more about the Citizen's Academy program and said that the most important thing was for the citizens in the community to get to know the Police Department and become part of their team. Chief Smith was hoping to institute a Youth Citizen's Academy this year.

Certificates were presented to Wendy Winder, Yinfeng Liu, Tony VanUitert, Adrian Escalante, Sheldon Winder, Jeff Wooton, Emily Wooton, Kaylab Marrelli, Jacob Pettersson, Kim Crapo, Joe Crapo, Christy Belt, TJay Belt, Frank Xu, Eryn Wilkins, Elliott Neff, Mandy Neff, and Jenny Sumsion.

Christy Belt reported that the Academy was a fantastic experience and recommended everyone participate in it. She appreciated the honorary colonels and the City for giving the residents an opportunity to participate. Mrs. Belt stated that she would also be interested in a Citizen's Fire Academy if the City wanted to put that together as well. It was an eye-opening experience to see what police officers deal with every day.

Adrian Escalante thanked Chief Smith and Sgt. Nielson for sharing their experiences. Mr. Escalante and his wife had lived in Pleasant Grove for 19 years, and he had volunteered at the Provo Police Station, but he had never had such a strong connection to the leadership in Pleasant Grove until he participated in this Academy. The program was more than just education; it also inspired him to participate, help, and collaborate. Mr. Escalante announced that he would be hosting a Thank You barbeque for all of Pleasant Grove public safety employees. He and his wife would also be starting a neighborhood watch program and he was in the process of filling out an application to volunteer with the Pleasant Grove Police Department.

Chief Smith recognized Sgt. Nielson for the many hours he puts into creating and participating in the program.

### **9) PUBLIC HEARING ITEMS**

#### **A) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN 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 WEEST 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: Director Cardenas***  
(Continued from the May 1, 2018 meeting).

Community Development Director, Daniel Cardenas, presented the proposal to amend the City boundary to incorporate the Smart Family land, which is roughly 35.2 acres in size. He presented the existing Pleasant Grove Annexation Plan map and identified the subject property. He explained that if the property were annexed into the City, it would be given the A-1 zoning as a default. The owners could apply for a rezone when they choose to develop, and the application would come before the Planning Commission and City Council for a public hearing. This item was heard by the Planning Commission on May 24, 2018, and they unanimously recommended approval.

Mayor Fugal opened the public hearing.

The applicant, Karen Smart, reported that the annexation had been a long time coming. She thanked the City for their consideration.

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

**ACTION:** Council Member Walker moved that the City Council ADOPT 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). Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, and Walker voting “Aye”. The motion carried unanimously.

- B) PUBLIC HEARING CONSIDER FOR ADOPTION AN ORDINANCE (2018-15) AMENDING SECTION 11-3-4, STREET STANDARDS, ADDING 11-3-4 SUBSECTION “P” TO PROVIDE A REQUIREMENT FOR CRACK SEAL AND SEAL COAT PRESERVATION ON ALL NEWLY CONSTRUCTED STREETS; AMENDING SUBSECTION 2 “CUL-DE-SAC” REQUIREMENTS; AMENDING SUBSECTION “O” “STUB STREET” REQUIRMENTS AND MAKING OTHER TECHNICAL CHANGES; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.***

Director Beaumont reported that the above item was an attempt to clean up some of the language in the Streets Ordinance. The changes would address dedicating ground for sections that would eventually be signalized and requiring developers to provide funds for a seal coat on all new roads.

With regard to seal coat, Director Beaumont stated that the City had previously been requiring developers to pay for the seal coat, however, this ordinance amendment would codify that requirement. He further explained that the City's contractor actually applied all of the seal coats to new roads and the developers simply provided those funds when their development was completed.

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

**ACTION:** Council Member LeMone moved that the City Council ADOPT Ordinance 2018-15 amending Section 11-3-4, Streets Standards, adding 11-3-4 Subsection "P" to provide a requirement for crack seal and seal coat preservation on all newly construction streets; amending Subsection 2 "Cul-De-Sac" requirements; amending Subsection "O", "Stub Street" requirements and making other technical changes; and providing for an effective date. Council Member Andersen seconded the motion. A public Hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, and Walker voting "Aye". The motion carried unanimously.

**ACTION:** Council Member LeMone moved to hear Items 10E and 10F prior to Item 10A. Council Member Jensen seconded the motion. The motion passed with unanimous consent of the Council.

#### 10) **ACTION ITEMS READY FOR VOTE**

- A) **TO CONSIDER A REQUEST FROM ROBB TAYLOR FOR APPROVAL OF THE PROPOSED SITE PLAN FOR THE CONSTRUCTION OF A TWO-STORY CLIMATE CONTROL INDOOR STORAGE BUILDING ON PROPERTY LOCATED AT APPROXIMATELY 200 NORTH 2000 WEST (NORTH COUNTY BOULEVARD) IN THE GROVE ZONE – COMMERCIAL SALE SUBDISTRICT. SAME WHITE'S LANE NEIGHBORHOOD.** *Presenter: Director Cardenas.*

Director Cardenas presented the staff report regarding the proposed site plan for a two-story climate control indoor storage building. He stated that the Code was amended in November 2016 to allow the indoor storage use in the Commercial Sale Subdistrict, but it was limited geographically to the subject property alone. Director Cardenas then presented the proposed site plan and said that the new building would be constructed behind an existing car dealership. The site plan was reviewed by the Planning Commission about one year ago, and the reason it took so long to come to the City Council was because the applicant had been working with UDOT on the access. As of this meeting, the site was only approved for one access on Center Street. Referencing the site plan, Director Cardenas identified the other potential access the applicant was trying to secure. He then explained that the Planning Commission had included a condition of approval that allowed the south façade to be left with basic materials because the applicant intended to add onto the building. The condition granted the applicant a period of 24 months to complete the addition or apply finish materials to that exterior wall.

Mayor Fugal asked if the entire building would be climate controlled or just the upper floors.

The applicant, Robb Taylor, stated that the entire building would be climate controlled. The walls will be made primarily of insulated steel panels, which is what the southern wall would be until the addition is completed. They would be adding a brick veneer to the rest of the building. He briefly spoke about the purpose of the addition, and the intentions for the rest of the development, including retail pads and possible vehicle storage.

Director Beaumont reported on the applicant's discussions with UDOT. Currently, there were two separate site plans with different access arrangements. The site plan being discussed tonight met all current requirements, while the other could be utilized if UDOT granted them the other access.

**ACTION:** Council Member Jensen moved that the City Council APPROVE the proposed site plan for a two-story climate control indoor storage building on property located at approximately 200 North 2000 West in The Grove Zone – Commercial Sales Subdistrict. Council Member Walker seconded the motion. The motion passed with unanimous consent of the Council.

- B) TO CONSIDER AUTHORIZING THE MAYOR TO SIGN EVERMORE PARK'S REQUEST FOR THREE (3) LOCAL CONSENT FORMS FOR A LIMITED-SERVICE RESTAURANT LIQUOR LICENSE, AN ON-PREMISE BANQUET LIQUOR LICENSE, AND A SINGLE EVENT PERMIT TO APPLY FOR A STATE LIQUOR LICENSE. Presenter: Attorney Petersen.**

Attorney Peterson explained that staff received three local consent applications from Ken Bretschneider, representing Evermore Park. The first local consent application was for a single event that they were planning to host at the end of August or the beginning of September. The second was for an on-premise liquor license, and the last for a limited-service restaurant liquor license. Attorney Petersen explained that these consent forms are required by the State Department of Alcohol Damage Control, and they indicated that the City was supportive of the applications. She emphasized that the signing of these forms would not actually issue a liquor license at this point. Once the applicant receives their liquor licenses from the State, then they can begin the business license process with the City.

The applicant, Ken Bretschneider, explained that they were creating a substantial park that would draw in participants from in and outside of Utah, and they wanted to provide services to those that would like to have a drink every now and then. They had no intention of becoming a bar.

**ACTION:** Council Member LeMone moved that the City Council AUTHORIZE the Mayor to sign the Evermore Park's request for three (3) local consent forms for a limited-service restaurant liquor license, an on-premise banquet liquor license, and a single event permit to apply for a State Liquor License. Council Member Andersen seconded the motion. The motion passed with unanimous consent of the Council.

- C) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-034) ADOPTING THE REVENUES AND EXPENDITURES OF THE FY19 FINAL BUDGET. THE FINAL BUDGET INCLUDES THE COMPREHENSIVE FEE**

**SCHEDULE AND THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY (RDA) BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Director Roy.*

Finance Director, Denise Roy, reported that there were no changes to the budget from last week's discussion. They had added the Assistant City Engineer position and maintained the current recycling fee, as discussed.

**ACTION:** Council Member LeMone moved that the City Council ADOPT Resolution 2018-034 adopting the Revenues and Expenditures of the FY19 Final Budget. The Final Budget includes the comprehensive fee schedule and the Pleasant Grove City Redevelopment Agency (RDA) Budget; and providing for an effective date. Council Member Jensen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, and Walker voting "Aye". The motion carried unanimously.

**D) TO CONSIDER FOR ADOPTION A PROCLAMATION DECLARING JULY 1 – 7, 2018 AS INDEPENDENTS WEEK (BUY LOCAL FIRST UTAH).** *Presenter: Attorney Petersen.*

Director Roy reported that this was the second or third year that the City had been asked to consider this proclamation. The purpose of the proclamation was to express support for local independent businesses that give back to the community.

**ACTION:** Council Member Andersen moved that the City Council ADOPT a Proclamation declaring July 1 – 7, 2018 as Independents Week. Council Member LeMone seconded the motion. The motion passed with unanimous consent of the Council.

**E) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-35) ESTABLISHING A SOCIAL MEDIA POLICY GOVERNING ADMINISTRATION AND USE OF CITY SOCIAL MEDIA PLATFORMS AND ESTABLISHING AN EFFECTIVE DATE.** *Presenter: Attorney Petersen.*

Attorney Peterson explained that the City has established a presence in the social media world over the past several years, but they do not have a formal policy in place. Currently, the City was following a closed forum policy, which allowed the City to put information out on the social media pages, but they could not respond to any comments being made. Staff discussed changing to a limited public forum, which would allow the City to participate in simple discussions and provide nine guidelines for what types of comments could be deleted or hidden. Department heads who are in charge of posting on social media would receive training on this policy. Attorney Petersen explained that the closed forum would be the safest route for the City in terms of free speech rights, but the limited public forum would allow the City to answer simple questions asked on the social media pages. If a comment violates the nine criteria, the City can hide or delete it, but the difficulty would be justifying that decision if someone challenges it.

Administrator Darrington commented that residents often pose simple questions, such as the time and place of the fireworks, and currently staff cannot answer that question on the social media

platforms. If they chose to move to a limited public forum, staff could answer those questions easily. If a resident wanted an explanation on a policy decision made by the City Council, staff would request that they send an email to staff so that they could reply in depth. They would not participate in policy discussions on social media.

Council Member Andersen asked if they could implement the limited public forum for a trial period, and Attorney Petersen said that they could adopt this policy not and amend it if they find the limited public forum wasn't working. Policy decisions can be changed at any time, but they needed to be clear with the public.

Administrator Darrington felt that there would be little need to hide or delete comments on social media, because the current social media response from the public was positive.

There was discussion regarding personal attacks, and Attorney Petersen explained that the standard was different for public officials, and there may be cases where they want a comment deleted and she would advise them against it.

Council Member Andersen commented that they were receiving a lot of questions about Strawberry Days, such as the location of the carnival. She was concerned that this policy will not be put in place before those events occurred. Attorney Peterson said that there was nothing currently preventing the City from posting that information on the social media pages. Council Members LeMone, Andersen, and Jensen were amenable to the limited public forum, while Council Member Walker favored the closed forum. After some discussion, the Council determined to continue the item to allow Attorney Peterson to draft language for a limited public forum policy.

**ACTION:** Council Member LeMone moved that the City Council CONTINUE Resolution 2018-035 to the July 3, 2018 City Council Meeting. Council Member Jensen seconded the motion. The motion passed with unanimous consent of the Council.

Administrator Darrington noted that he would ask Lisa Flinders to start posting information about Strawberry Days as soon as possible.

- F) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-036) NOTIFYING THE UTAH COUNTY COMMISSION OF THE CITY OF PLEASANT GROVE'S INTENT TO SUBMIT AN OPINION QUESTION TO THE PLEASANT GROVE RESIDENTS REGARDING WHETHER PLEASANT GROVE SHOULD IMPOSE A CITYWIDE LOCAL SALES TAX TO FUND CULTURAL, RECREATIONAL AND ZOOLOGICAL FACILITIES AND BOTANICAL, CULTURAL, RECREATIONAL AND ZOOLOGICAL ORGANIZATIONS IN PLEASANT GROVE CITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Attorney Petersen***

Attorney Petersen presented the information regarding the resolution and explained that the language included in the packet was taken from the State statute. The next step would be for the City to narrow those options down to what they really needed the funds for. This resolution would

notify the County that Pleasant Grove City would like to put the question on the ballot regarding the potential parks tax.

**ACTION:** Council Member LeMone moved that the City Council ADOPT Resolution 2018-036 notifying the Utah County Commission of the City of Pleasant Grove’s intent to submit an opinion question to the Pleasant Grove residents regarding whether Pleasant Grove should impose a citywide local sales tax to fund cultural, recreational and zoological facilities and botanical, cultural, recreational and zoological organizations in Pleasant Grove City; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, and Walker voting “Aye”. The motion carried unanimously.

**11) ITEMS FOR DISCUSSION**

**a) Staff Business.**

Library Director, Sheri Britsch, reminded the Council of the Panda Express fundraiser and asked them to pass the information along to other residents. Normally the Library makes a few hundred dollars from the fundraiser. She also reported that they had about 1,700 people signed up for the Summer Reading Program, and those numbers were up from last year.

Mayor Fugal thanked Chief Thomas for hosting the Topping Off Ceremony.

Chief Thomas reminded the Council that the Firefighter Breakfast will take place on Saturday at the rodeo grounds from 6:00 a.m. to 11:00 a.m.

Director Beaumont briefly reported on the construction taking place on 100 East.

**12) REVIEW AND DISCUSSION ON THE JULY 3, 2018 CITY COUNCIL MEETING AGENDA**

The aforementioned meeting was briefly reviewed and discussed.

**13) MAYOR AND COUNCIL BUSINESS**

Council Member Andersen expressed her excitement for the upcoming week and reminded the Council that there was a Strawberry Days Golf Tournament happening on Wednesday.

Council Member LeMone thanked the Council for recognizing the soccer team during the work session.

Council Member Jensen encouraged the Council to wear their best modern cowboy shirt to Strawberry Days this year.

**14) SIGNING OF PLATS**

There were no plats signed.

15) **REVIEW CALENDAR**

There were no additional calendar items.

16) **ADJOURN**

**ACTION:** Council Member Walker moved to adjourn. Council Member Andersen seconded the motion. The motion carried with unanimous consent of the Council.

The meeting adjourned at 7:51 p.m.

The City Council Minutes of June 12, 2018 were approved by the City Council on July 3, 2018.

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Kathy T. Kresser, City Recorder, MMC

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