

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
February 5, 2019
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
Deon Giles, Parks and Recreation Director
Mike Roberts, Police Chief
Dave Thomas, Fire Chief
Kathy Kresser, City Recorder
Marty Beaumont, Public Works Director
Daniel Cardenas, Community Development Director
Tina Petersen, City Attorney
Kyler Ludwig, Assistant City Administrator

The City Council and staff met in the Library, Main Level, at 30 East 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 Council Member Eric Jensen.

3) **OPENING REMARKS**

The opening remarks were given by former Mayor Bruce Call.

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

ACTION: Council Member Jensen moved to approve the agenda with adding a Closed Meeting to discuss pending or imminent litigation. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

5) **ELECT MAYOR PRO-TEM FOR 2019**

Attorney Petersen briefly described the duties of the Mayor Pro Tempore for 2019. Council Member Williams was willing to serve in that capacity.

ACTION: Council Member Andersen moved to APPOINT Todd Williams as Mayor Pro Tempore for 2019. Council Member Walker seconded the motion. The motion carried with the unanimous consent of the Council.

6) **OPEN SESSION**

Bruce Call expressed his thanks to the Council and Mayor for their service to the community. He remarked that Pleasant Grove has the best employees and he was amazed at how much they can accomplish with so few resources. He characterized it as the most complete, unified, purpose-driven, competent elected body he had seen in the 30 years he has been a resident.

Logan Merrill, stated that his Eagle project was to make phone bags that would help people refrain from using their phone while driving. He had worked with Sergeant Carl Neilson on the project and he attended traffic school and gave out over 100 phone bags. In the past month, he had distributed over 300 bags to friends, family members, neighbors, and other members of the community. He intended to continue the project even after receiving his Eagle. He gave bags to the Council Members and anyone else that wanted one.

Mr. Merrill confirmed that they were taking donations to make more bags. Additional information was provided on the flyer inside the bag.

Council Member Jensen offered to put Mr. Merrill in touch with their local representative since the legislature was currently discussing this concern.

7) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Minutes for the January 8, 2019 Meeting.
City Council Minutes for the January 15, 2019 Meeting.**
- b. **To Consider Approval of Payment Approval Reports for (January 16, 23, and 31, 2019).**

ACTION: Council Member Jensen moved to APPROVE the Consent Items. Council Member Walker seconded the motion. The motion carried with the unanimous consent of the Council.

8) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

A) **TO CONSIDER THE REAPPOINTMENT OF PETER STEELE AS A PLANNING COMMISSION MEMBER FOR A FOUR-YEAR TERM.**

Peter Steele commented that he enjoyed his time on the Planning Commission, and he appreciated being able to give some thoughts about the future of the City. They were in the middle of revising the General Plan and wanted to see it through.

ACTION: Council Member Williams moved to REAPPOINT Peter Steele as a Planning Commission Member for a four-year term. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

9) **PRESENTATIONS**

There were none.

10) **PUBLIC HEARING ITEMS**

There were none.

11) **ACTION ITEMS READY FOR VOTE**

A) **TO CONSIDER AUTHORIZING THE MAYOR TO SIGN A LOCAL CONSENT FOR A CLASS “A” OFF-PREMISE BEER RETAIL LICENSE FOR HYATT HOUSE PROVO/PLEASANT GROVE HOTEL LOCATED AT 544 S PLEASANT GROVE BOULEVARD, PLEASANT GROVE, UTAH. (PG HOTEL PARTNERS, LLC, APPLICANT) Presenter: Attorney Petersen
*Continued from the January 15, 2019 Meeting.**

Attorney Petersen explained that the Hyatt House requested a Class “A” Off-Premise Beer Retail License so that they could sell beer in their snack area for off-premise consumption. The applicant had requested other licenses in the past and they were granted by the City Council. The applicant had conformed to all requirements and staff had no concerns.

ACTION: Council Member Jensen moved that the City Council AUTHORIZE the Mayor to sign a Local Consent for a Class “A” Off-Premise Beer Retail License for Hyatt House Provo/Pleasant Grove Hotel located at 544 South Pleasant Grove Boulevard, Pleasant Grove, Utah. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

B) **TO CONSIDER A RESOLUTION (2019-04) AUTHORIZING THE MAYOR TO SIGN AN AMENDED INTERLOCAL AGREEMENT WITH UTAH COUNTY FOR THE MAJOR CRIMES TASK FORCE. Presenter: Attorney Petersen
*Continued from the January 15, 2019 Meeting.**

Attorney Petersen explained that there was already an Interlocal Agreement in place with the Major Crimes Task Force, and they have been a participant for at least 15 years. Because it is a multi-jurisdictional entity, often more than one jurisdiction is named party in litigation. They found that there was a need for more cooperation between entities when that occurs. In Section 2 of the Interlocal Agreement, one sentence would be added requiring entities to cooperate with each other and disclose any settlement negotiations to the other entities.

ACTION: Council Member Andersen moved that the City Council ADOPT Resolution 2019-04 authorizing the Mayor to sign an amended Interlocal Agreement with Utah County for the Major Crimes Task Force. Council Member Jensen seconded the motion. A roll call vote was taken with Council Members LeMone, Jensen, Williams, Andersen, and Walker voting “Aye”. The motion carried unanimously.

- C) TO CONSIDER FOR APPROVAL A FOUR-LOT RESIDENTIAL SUBDIVISION PLAT CALLED TIMPANOGOS GROVE PLAT “A” ON PROPERTY LOCATED AT APPROXIMATELY 959 EAST 100 SOUTH IN THE R1-10 (SINGLE-FAMILY RESIDENTIAL) ZONE. (SCRATCH GRAVEL NEIGHBORHOOD) (BRUCE CALL, APPLICANT) Presenter: Director Cardenas.**

Director Cardenas explained that four home owners came together to purchase a strip of land behind their homes with the intention of incorporating it into their back yards. The homes were part of different subdivisions, so they would vacate their current subdivisions and create a new one. The Planning Commission reviewed the application and unanimously recommended approval.

The applicant, Bruce Call, stated that the entire process had been very smooth, and appreciated working with staff on the request.

ACTION: Council Member Williams moved that the City Council APPROVE a four-lot residential subdivision plat called Timpanogos Grove Plat “A” on property locate at approximately 959 East 100 South in the R1-10 (Single-Family Residential) Zone. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

- D) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-06) AMENDING THE VICINITY PLAN FOR THE FUTURE TERMINATION OF A ROAD CALLED 1400 NORTH, AFFECTING PROPERTIES ALONG 1400 NORTH THAT LIE EAST OF A STREET CALLED 500 EAST, IN THE R1-20 (SINGLE-FAMILY RESIDENTIAL) ZONE. (BIG SPRINGS NEIGHBORHOOD) (CHRISTINE GONZALEZ, APPLICANT). Presenter: Director Cardenas**

ACTION: Council Member Andersen moved that the City Council ADOPT Resolution 2019-06 amending the Vicinity Plan for the future termination of a road called 1400 North, affecting properties along 1400 North that lie east of a street called 500 east, in the R1-20 (Single-Family Residential) Zone. Council Member Jensen seconded the motion. A roll call vote was taken with

Council Members Andersen, Jensen, LeMone, Walker and Williams voting “aye”. The motion carried.

- E) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-07) AMENDING THE VICINITY PLAN FOR THE FUTURE LOCAL ROAD LAYOUT AFFECTING PROPERTIES ON THE EAST SIDE OF 600 WEST FROM 2124 NORTH TO 1800 NORTH IN THE R-R (RURAL RESIDENTIAL) ZONE. (NORTH FIELD NEIGHBORHOOD) (LANCE MILLER, APPLICANT). *Presenter: Director Cardenas.***

ACTION: Council Member Jensen moved that the City Council ADOPT Resolution 2019-07 amending the Vicinity Plan for the future local road layout affecting properties on the east side of 600 West from 2124 North to 1800 North in the R-R (Rural Residential) Zone. Council Member Williams seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker and Williams voting “Aye”. The motion carried unanimously.

- F) TO CONSIDER FOR ADOPTION AN ORDINANCE (2019-1) PERMANENTLY ABANDONING PLEASANT GROVE CITY’S INTEREST IN A SEWER EASEMENT LOCATED ON THE PARCEL OWNED BY JERRY P. SMITH AND BARBARA J. SMITH AS TRUSTEES OR THEIR SUCCESSORS OF THE SMITH FAMILY REVOCABLE TRUST (UTAH COUNTY PARCEL #140510019) GENERALLY LOCATED AT APPROXIMATELY 555 WEST 220 SOUTH; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.***

Director Beaumont reported that staff was approached by the property owner regarding an issue with the alignment of a sewer line on their property. The easement was recorded in 2001, but the sewer line was not actually placed in the easement. The proposal was to vacate the unused easement and record a new easement on the actual sewer line.

ACTION: Council Member Williams moved that the City Council ADOPT Ordinance 2019-1 permanently abandoning Pleasant Grove City’s interest in a sewer easement located on the parcel owned by Jerry P. and Barbara J. Smith as Trustees or their successors of the Smith Family Revocable Trust (Utah County Parcel #140510019) generally located at approximately 555 West 220 South; and providing for an effective date. Council member Andersen seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker and Williams voting “Aye”. The motion carried unanimously.

- G) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-08) AUTHORIZING THE MAYOR TO SIGN A SPECIAL USE PERMIT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ALLOW THE CITY TO PLACE WATER COLLECTION FACILITIES AND TRANSMISSION LINES ON FOREST SERVICE PROPERTY (BATTLE CREEK SPRINGS PROJECT); AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.***

Director Beaumont explained that this would be an ongoing Special Use Permit that will need to be renewed when it expires on December 31, 2036. He presented a map showing the springs in the Battle Creek area.

Council Member Andersen requested a field trip to the area.

ACTION: Council Member LeMone moved that the City Council ADOPT Resolution 2019-08 authorizing the Mayor to sign a Special Use Permit Agreement with the United States Department of Agriculture to allow the City to place water collection facilities and transmission lines on Forest Service property (Battle Creek Springs Project); and providing for an effective date. Council Member Jensen seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker and Williams voting “Aye”. The motion carried unanimously.

At the request of Mayor Fugal, Director Beaumont reported on the ongoing Public Works projects. He stated that the 100 East projected had been postponed because of weather. The project was expected to be done by June.

12) ITEMS FOR DISCUSSION

A) Continued Items from the Work Session if needed.

13) REVIEW AND DISCUSSION ON THE FEBRUARY 19, 2019 CITY COUNCIL MEETING AGENDA

The aforementioned meeting agenda was briefly discussed.

14) MAYOR AND COUNCIL BUSINESS

There was a discussion with Logan Merrill about his phone bag project. He indicated that they intended to go as far as they could with it. They had an interview with KSL scheduled for the near future.

15) SIGNING OF PLATS

16) REVIEW CALENDAR

17) CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. (UCA 52-4-205 1(c))

ACTION: Council Member LeMone moved to enter into a Closed Meeting to discuss pending or reasonably imminent litigation at 6:43 p.m. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

PRESENT:

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

18) ADJOURN

ACTION: Council Member Williams moved to come out of the Closed Meeting and back into regular meeting at 7:09 pm. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

ACTION: Council Member Williams moved to adjourn the meeting at 7:09 pm. Council Member Walker seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council Minutes of February 5, 2019 were approved by the City Council on February 19, 2019.

Kathy T. Kresser, City Recorder, MMC
(Exhibits are in the City Council Minutes binders in the Recorder's office.)