

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
Tuesday, October 3, 2023
6:00 p.m.**

Mayor: Mayor Guy Fugal

Council Members: Dianna Andersen
Brent Bullock
Eric Jensen
Cyd LeMone
Todd Williams

Staff Present: Tina Petersen, City Attorney
Drew Engemann, Fire Chief
Neal Winterton, Public Works Director
David Packard, Human Resources Manager
Kathy Kresser, City Recorder
Megan Zollinger, Recreation Director
Sheri Britsch, Library and Arts Director
Deon Giles, Parks Director
Britt Smith, Police Captain

Excused: Scott Darrington, City Administrator
Kyler Brower, Assistant to the City Administrator
Keldon Brown, Police Chief

The City Council and staff met in the Community Room, 108 South 100 East, Pleasant Grove, Utah.

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Guy Fugal called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Parks Director, Deon Giles.

3) OPENING REMARKS

The opening remarks were offered by Council Member Andersen.

4) **APPROVAL OF MEETING AGENDA**

Mayor Fugal reported that there were no changes to the Agenda other than the one continuance previously noted.

ACTION: Council Member Jensen moved to APPROVE the meeting agenda. Council Member Bullock seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

5) **OPEN SESSION**

There were no public comments. The Open Session was closed.

6) **CONSENT ITEMS**

- A. **City Council Minutes:
City Council Minutes for the August 28, 2023 Special Meeting
City Council Minutes for the September 19, 2023 Meeting; and**
- B. **To Consider Approval of Payment Reports for September 21, 2023.**

ACTION: Council Member Andersen moved to APPROVE the Consent Items. Council Member Jensen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

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

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A. **Public Hearing to Consider for Adoption of an Ordinance (2023-23) for the Dedication of a Road Right-of-Way to Pleasant Grove City, Approximately 32,529 Square Feet, located at approximately 450 South North County Boulevard in The Grove Commercial Sales Subdistrict. (Sam White's Lane Neighborhood) (JVO Commercial Development, LLC Applicant) *Presenter: Director Cardenas.***

Community Development Director, Daniel Cardenas, reported that at the last City Council Meeting a plat and a site plan for JVO Commercial Development, which involves 26,000 or 27,000 square feet of retail space in the project and three buildings with multiple units, was approved pending approval of a dedicated road right-of-way. The ordinance before the Council dedicates the required public road right-of-way. Normally, road dedications come with the plat; however,

that did not occur in this case. A proposed road dedication exhibit was presented of the subject roadway through the plat. It has been part of the City's Traffic Road Transportation Plan and the Utah Department of Transportation ("UDOT") plans for many years. The applicant is working with the City Engineer and UDOT staff on the future installation of a traffic light. It was reported that the City received an e-mail from a resident who was concerned about increased traffic that was forwarded to the City Engineer. The road itself has been approved as noted.

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

ACTION: Council Member Williams moved to ADOPT Ordinance 2023-23 for the dedication of a road right-of-way to Pleasant Grove City, approximately 32,529 square feet, located at approximately 450 South North County Boulevard in The Grove Commercial Sales Subdistrict. Council Member Bullock seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

- B. Public Hearing to Consider for Adoption of an Ordinance (2023-24) to Amend City Code Section 10-19: Signs and Outdoor Advertising. The applicant is proposing to make changes to the Sign Ordinances to Permit Two New Signs in The Grove Zone. (City Wide) (Pleasant Grove City, Applicant) Presenter: Director Cardenas.**

****CONTINUED TO THE OCTOBER 17, 2023, CITY COUNCIL MEETING****

10) ACTION ITEMS READY FOR VOTE

- A. To Consider for Approval a One-Lot Final Subdivision Plat, called Valley Grove Business Park Plat M on 1.584 acres, approximately located at 1824 West Pleasant Grove Boulevard in The Grove Interchange Subdistrict. (Sam White's Lane Neighborhood) (St. John Properties, Applicant) Presenter: Director Cardenas.**

Director Cardenas identified the location of the proposed subdivision plat on an aerial map and reported that it is on the northwest corner where North County Boulevard and Pleasant Grove Boulevard intersect. The applicant, St. John Properties, is seeking approval for a one-lot Final Subdivision Plat called Valley Grove Business Park Plat M. This plat consolidates two lots into one to be used for a future site plan on approximately 1 ½ acres.

ACTION: Council Member Andersen moved to APPROVE a one-lot final subdivision plat, called Valley Grove Business Park Plat M on 1.584 acres, approximately located at 1824 West Pleasant Grove Boulevard in The Grove Interchange Subdistrict. Council Member Jensen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

B. To Consider Authorizing the Mayor to Sign Evermore Park's Local Consent Request to Apply for a Single Event Liquor License as Required for a State Liquor License for Evermore Park's Halloween Bash for Evermore Park, LLC located at 382 South Evermore Lane, Pleasant Grove, Utah. Presenter: Attorney Petersen.

City Attorney, Tina Petersen, reported that the above request is for local consent to allow Evermore Park to obtain a Single Event Liquor License, as required by the State. This is the third or fourth year the event has been held and beer and wine will be served at the Halloween Bash. It was noted that earlier, the City has given local consent for several Evermore Park events, however, this one had not been previously approved.

ACTION: Council Member Williams moved to AUTHORIZE the Mayor to sign the Evermore Park's local consent request to apply for a single event liquor license as required for a State liquor license for Evermore Park's Halloween Bash for Evermore Park, LLC located at 382 South Evermore Lane, Pleasant Grove, Utah. Council Member Bullock seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

C. To Consider for Adoption an Ordinance (2023-25) Amending Title 1 Chapter 9 "City Council" Subsection 9 "Vacancies" of the Pleasant Grove Municipal Code to Comply with Recent Changes in the Laws of the State of Utah Regarding Midterm Vacancies in Municipal Offices, and Providing an Effective Date. Presenter: Attorney Petersen.

Attorney Petersen stated that this is a housekeeping or clean-up ordinance amending an ordinance due to recent changes to State law. The amendment mirrors what is now required by the State regarding how vacancies that occur mid-term are to be filled for municipal elected officials. There is nothing particularly new, however, the following changes were identified:

- A tie vote is to be decided by a coin toss;
- Qualified candidates are to be interviewed in an open meeting;
- If there is no majority on the first vote, tie-breaker procedures were described;
- If an elected official tenders a resignation mid-term, it cannot be rescinded; and
- If the elected official whose resignation creates a vacancy on the municipal legislative body is present, he or she may participate in the interview and can vote unless they are a current City Council Member seeking the Mayor's position.

ACTION: Council Member Andersen moved to ADOPT Ordinance 2023-25 amending Title 1 Chapter 9 "City Council" Subsection 9 "Vacancies" of the Pleasant Grove Municipal Code to comply with recent changes in the laws of the State of Utah regarding midterm vacancies in municipal offices, and providing an effective date. Council Member Jensen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

11) **ITEMS FOR DISCUSSION**

A. Continued Items from the Work Session if needed.

12) **REVIEW AND DISCUSSION OF THE OCTOBER 17, 2023, CITY COUNCIL MEETING AGENDA**

Attorney Petersen reported that there will be two or three items, involving Public Works and amendments pertaining to St. John Properties. Mayor Fugal stated that the November Work Session will pertain to a concept proposal about Main Street and the Westside property owner.

13) **MAYOR AND COUNCIL BUSINESS**

There was no Mayor and Council Business.

14) **SIGNING OF PLATS**

There were no plats to be signed.

15) **REVIEW CALENDAR**

Council Member Jensen reported that the Halloween Event is scheduled for October 30, 2023 in the downtown park. There will be a Costume Contest for employees and the City Council. A Luncheon was also scheduled at Stonegate on Thursday. Council Member LeMone was congratulated for taking second place in the recent Pickleball Tournament.

Council Member LeMone reported that Viking Day is on October 10, 2023, between noon and 5:00 p.m. There will be multiple activities including booths and food.

16) **ADJOURN**

ACTION: At 6:21 p.m. Council Member Williams moved to ADJOURN. Council Member Andersen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously. The City Council minutes of October 3, 2023, were approved by the City Council on October 17, 2023.


Kathy T. Kresser, MMC
City Recorder

(Exhibits are in the Recorder's office.)

