

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
April 10, 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
Deon Giles, Parks and Recreation Director
Dave Thomas, Fire Chief
Kathy Kresser, City Recorder
Daniel Cardenas, Community Development Director
Marty Beaumont, Public Works Director
Tina Petersen, City Attorney
Shawn Nielson, Police Sergeant
David Larson, Assistant to the City Administrator

The City Council and staff met in the Library at 30 East Center Street, Pleasant Grove, Utah.

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 Chief Dave Thomas.

3) **OPENING REMARKS.**

The opening remarks were given by Council Member Andersen.

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

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

5) **OPEN SESSION.**

Mayor Fugal opened the open session.

Brian Vanderwel gave his address as 1015 North 1010 West and addressed the City Council seeking direction regarding a zoning issue in his neighborhood. Mr. Vanderwel explained that his neighbor was renting out his home, and it was a nuisance. He had tried to address the issue several times with staff, but with no results. Mr. Vanderwel had researched the City's zoning ordinances and was sure that his neighbor was in violation of the Code.

Administrator Darrington stated that they need to get this information to Chief Smith, who was not present. He reported that the City is currently without a Zoning Officer. The City Council requested that Mr. Vanderwel continue to follow up with them and staff until the issue is resolved.

There were no further public comments. Mayor Fugal closed the Open Session.

6) **CONSENT ITEMS.**

There were no consent items.

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

There were no appointments.

8) **PRESENTATIONS.**

A) **STRAWBERRY DAYS ROYALTY INTRODUCTION.**

Mayor Fugal invited the Strawberry Days Royalty to come forward and introduce themselves to the City Council. Taryn Christensen, Bailey Sherriff, Morgan Carlson, and Jenacie Boren identified themselves and their various platforms.

B) **CENTER STAGE YOUTH THEATRE PRESENTATION OF MARY POPPINS, JR.**

Lori Sanders, Director of the Youth Theatre's upcoming production, introduced the youth group and said that Mary Poppins, Jr. will take place at the Covey Center in Provo during the last week of April. The youth performed a number from the production.

C) RECOGNITION OF DREW ARMSTRONG AS A PLANNING COMMISSION MEMBER.

Director Cardenas recognized Drew Armstrong and stated that it had been a privilege and a pleasure working with him. He had never met someone with so much passion for planning and he looked forward to possibly working with Mr. Armstrong on future projects.

Mr. Armstrong commented that serving on the Planning Commission had been a good experience and he was excited about what had been accomplished during the past four years. He looked forward to seeing continued resurgence in the downtown area.

D) RECOGNITION OF NEIGHBORHOOD CHAIRS.

Mayor Fugal recognized each Neighborhood Chair and asked them to come forward to be recognized.

E) FUGAL FAMILY PRESENTATION. *Presenter: Dan Fugal.*

Dan Fugal was present representing his parents, Boyd and Venice Fugal. Boyd Fugal passed away nearly eight years ago and Venice Fugal passed only two month ago. Mr. Fugal commented on the love and devotion his parents had for Pleasant Grove City and their involvement in the community. As they were doing their financial and estate planning, Boyd and Venice created a Charitable Trust with Pleasant Grove City as the sole beneficiary. Mr. Fugal presented the City with a check for \$61,000 and requested that the money be used to develop the Downtown Park.

The City Council expressed their appreciation.

F) RECOGNITION OF TEAM MEMBER OF THE YEAR.

David Larson explained that the City had recognized a Team Member of the Year for the past six years and he was happy to present the award tonight. Any employee in the City has the ability to nominate a fellow team member and those nominations are compiled and voted on by a Selection Committee. The Committee votes for their top three candidates and each vote has a point value. This year, the winner had the most first place, second place, and tied for the most third place votes. The award was presented to City Recorder, Kathy Kresser.

9) PUBLIC HEARING ITEMS

There were no public hearing items.

10) ACTION ITEMS READY FOR VOTE

A) TO CONSIDER FOR APPROVAL A PROCLAMATION DECLARING APRIL 28, 2018 AS ARBOR DAY. *Presenter: Director Giles.*

Director Giles explained that the Proclamation will be part of the packet sent to Tree City, U.S.A, which the City has participated in for 22 years. He invited all to attend the event at Manila Creek Park on April 28 at 8:00 a.m.

ACTION: Council Member LeMone moved to approve a Proclamation declaring April 20, 2018 as Arbor Day. Council Member Andersen seconded the motion. The motion passed with unanimous consent of the Council.

B) TO CONSIDER FOR ADOPTION A RESOLUTION (2018-020) AUTHORIZING THE PARKS AND RECREATION DIRECTOR TO SUBMIT APPLICATION FOR THE 2018 UTAH COUNTY COMMISSION MUNICIPAL RECREATION GRANT FOR THE FUNDING ROLLOVER REQUEST; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Giles.*

Director Giles explained that the City has the opportunity each year to apply for the above-stated grant through Utah County, but there was also an option to roll the money over to the next year. Staff decided to take advantage of that option this year. Between this grant money and the donation from the Fugal family, staff should be able to make good headway on the downtown park next year.

ACTION: Council Member LeMone moved to adopt Resolution 2018-020 authorizing the Parks and Recreation Director to submit application for the 2018 Utah County Commission Municipal Recreation Grant for the Funding Rollover Request; 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.

C) TO CONSIDER FOR ADOPTION AN ORDINANCE (2018-10) ENACTING TITLE 8 CHAPTER 10 “TRANSPORTATION UTILITY” OF THE PLEASANT GROVE MUNICIPAL CODE ESTABLISHING A TRANSPORTATION UTILITY SERVICE WITH THE PURPOSE AND POWER OF UNDERTAKING SUCH MAINTENANCE AND IMPROVEMENT OF CITY STREETS, ESTABLISHING AN ANNUAL REVIEW PROCESS, AND RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter Attorney Petersen.*

Attorney Petersen reported that tonight was a culmination of many years of study, public input, analysis, and debate between the Council and the citizens regarding the implementation of a Transportation Utility Fee to fund the City’s roads. This action item was an ordinance that would enact the transportation utility in Title 8 Chapter 10 of the Municipal Code. She noted that Title 8 contains all ordinances regarding public utility systems. In 2012, the City Council commissioned a study regarding the condition of the City’s roadways. Based on the results of that study, the City

Council determined to look at cost effective mechanisms for funding the transportation needs of the citizens of Pleasant Grove. Over the next few years, the City had a financial analysis done that outlined various methods of generating revenue sufficient to maintain the roads. The City Council determined through this process that the City road network was a utility service, and the Motor Fuel Tax was not sufficient to cover the cost.

Attorney Petersen addressed sections of the ordinance she felt the City Council and residents would want to be aware of, including the purpose of the ordinance. The ordinance specifies that a Transportation Revenue Fund will be established, and that revenue will only be used for road maintenance and some engineering fees. She noted that there was a provision that would allow Transportation Utility Funds to be transferred to other funds for services and expenses that are directly attributable to transportation utility projects. Each residence and business in the City will receive a fee based on the average peak day trips as determined by the engineering study. The fee itself would be established by resolution, which was the next item on the agenda. The ordinance also establishes that the fee would be reviewed by the City Council annually. The ordinance provided an appeal process for any business owner who feels they have been misapplied in a category. Attorney Peterson also made the residents aware that there was an abatement available for citizens who are indigent and have problems paying their utility bills. The process the City used was the property tax abatement process that Utah County utilizes. The property owner would have to provide evidence that they qualified for the exemption.

Council Member LeMone commented that the transportation utility would be included in the annual third-party audit, so the City would be held accountable for charging a fair fee.

ACTION: Council Member Jensen moved to adopt Ordinance 2018-10 enacting Title 8 Chapter 10 “Transportation Utility” of the Pleasant Grove Municipal Code establishing a transportation utility service with the purpose and power of undertaking such maintenance and improvement of City streets, establishing an annual review process, and related matters; 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 OF A RESOLUTION (2018-021) ESTABLISHING A TRANSPORTATION UTILITY SPECIAL REVENUE FUND AND ADOPTING A TRANSPORTATION REVENUE FEE; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Attorney Petersen.*

Attorney Petersen reported that the proposed resolution will establish the Transportation Utility Fund and implement the Transportation Utility Fee. The fee will be based on the average peak day adjusted trips for each type of business using the ITE manual as established by the Road Fee Analysis produced by Lewis Young Robertson and Burningham, the City’s financial consultant. Residential units will be charged a fee of \$8.45 per month. Businesses will be broken up into two tiers: businesses with 0-4 average daily trips will be charged \$41.27 per month, and business with 4+ average daily trips will be charged a fee of \$236.05 per month. Attorney Petersen briefly addressed some of the terms of the resolution, including a description of what the funds could be used for. The fee will be assessed starting with the July 2018 utility bill.

ACTION: Council Member Williams moved to adopt Resolution 2018-021 establishing a Transportation Utility Special Revenue Fund and adopt a Transportation Revenue Fee; and providing for an effective date, which will not be assessed until the July 2018 utility bill. Council Member Walker seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”.

11) ITEMS FOR DISCUSSION

There were no items do discuss.

12) REVIEW AND DISCUSSION ON THE APRIL 17, 2018 CITY COUNCIL MEETING AGENDA

The aforementioned meeting agenda was briefly reviewed and discussed.

13) MAYOR AND COUNCIL BUSINESS

Council Member Andersen commented on growth occurring in The Grove and expressed her excitement about the new development coming in.

Council Member Williams reported that he has lived in Pleasant Grove for 10 years, and he was proud to be a resident here. Great things were happening in the community. He spoke about steps the City was taking in moving forward with growth, health, and economic development, and he was excited for the future.

Council Members LeMone, Jensen, and Walker echoed the sentiment.

Mayor Fugal commented that this was a great night to move forward on one of the City’s biggest concerns of the last several years. The roads had been neglected for more than 20 years, and now they could move forward to make it right again. He thanked everyone for their work.

14) SIGNING OF PLATS

There were no plats signed.

15) REVIEW CALENDAR

There were no additional calendar items.

16) ADJOURN

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

The meeting adjourned at 6:55 p.m.

The minutes of April 10, 2018 City Council meeting were approved on May 1, 2018

Kathy T. Kresser, City Recorder, MMC

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