

**Pleasant Grove City
City Council Meeting Minutes
Regular Sessions
October 23, 2018
5:00 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
Mike Roberts, Police Chief
Kathy Kresser, City Recorder
Daniel Cardenas, Community Development Director
Marty Beaumont, Public Works Director
Tina Petersen, City Attorney
Sheri Britsch, Library and Arts Director
Kyler Ludwig, Assistant City Administrator

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

5:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Fugal called the meeting to order and noted that all of the 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 Williams moved to approve the agenda, with Item 9B being continued to the November 13, 2018 Meeting. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

5) **OPEN SESSION**

William Justice, a resident, commented that 300 East desperately needs to be fixed and the residents on the street would greatly appreciate it being done. Mr. Justice was concerned that each time he approaches the City offices for answers, he is frequently told that they do not know. This reflected a poor management style for the City. Most recently, no one was able to give him information regarding Canyon Road. Mr. Justice brought up drainage issues on Timothy Way and someone from the City came out to look at it but he had not heard back since then. He commented that the Council was elected to serve the citizens and they do not seem to be doing that. Mr. Justice asked what he needs to do to get things fixed in the City and how he could propose an enhancement to the City Code.

Mayor Fugal responded that 300 East is scheduled to be rebuilt in the spring. He explained that County Road is owned by Utah County and the City is just as frustrated as the residents about that situation.

Public Works Director, Marty Beaumont, invited Mr. Justice to meet with him to speak about Timothy Way and his other concerns.

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

6) **CONSENT ITEMS**

- a. **To Consider Approval of Payment Request for Holbrook Asphalt for the 2018 to 2020 Street Preservation – Asphalt Seal Coat.**

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

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

There were no appointments.

8) **PRESENTATIONS**

- A) **ARGUMENTS IN FAVOR OF AND AGAINST THE PROPOSED BALLOT PROPOSITION THAT IS ON THE NOVEMBER 6, 2018 GENERAL ELECTION BALLOT.**

Tiffany Mendenhall read the arguments for the CARE Tax.

The sponsor for the arguments against the CARE Tax was not present to read the argument. Ms. Mendenhall read the rebuttal.

9) **PUBLIC HEARING ITEMS**

- A) **CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2018-23) TO REZONE APPROXIMATELY 10.7 ACRES IN ORDER TO APPLY THE BOULEVARD MIXED-USE (BMU) OVERLAY TO PROPERTY LOCATED AT APPROXIMATELY 234 S. PLEASANT GROVE BOULEVARD IN THE COMMERCIAL SALES SUBDISTRICT OF THE GROVE ZONE. (SAM WHITE'S LANE NEIGHBORHOOD) (MCKAY CHRISTENSEN, APPLICANT) *Presenter: Director Cardenas***
****Continued from the October 16, 2018 City Council Meeting.***

Community Development Director, Daniel Cardenas explained that the City Council approved a new overlay zone on October 2, 2018, and now the applicant wishes to apply the overlay to his property. The applicability of the BMU Overlay is limited to properties larger than 10 acres with frontage along Pleasant Grove Boulevard. Director Cardenas noted that development on the property would still require City Council approval of a site plan and a final plat. The Planning Commission unanimously recommended approval of the rezone request.

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

ACTION: Council Member Jensen moved that the City Council ADOPT Ordinance 2018-23 to rezone approximately 10.7 acres in order to apply the Boulevard Mixed-Use (BMU) Overlay to property located at approximately 234 S. Pleasant Grove Boulevard in the Commercial Sales Subdistrict of The Grove Zone. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, Walker, and Williams voting "Aye", and Council Member LeMone voting "Nay". The motion carried 4-to-1.

- B) **PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE (2018-27) TO AMEND CITY CODE SECTION 10-12B-2: PERMITTED USES IN THE MANUFACTURING DISTRIBUTION ZONE, BY ADDING USES (#2182, 2183, AND 2184) AS PERMITTED USES TO THE MANUFACTURING DISTRIBUTION (MD) ZONE IN ORDER TO ALLOW MANUFACTURING OF A VARIETY OF LIQUOR PRODUCTS. (SAM WHITE'S LANE NEIGHBORHOOD) (MATTHEW EAU CLAIR, APPLICANT) **Presenter: Director Cardenas***
****Continued to the November 13, 2018 Meeting.***

10) **ACTION ITEMS READY FOR VOTE**

- A) **TO CONSIDER FOR ADOPTION A RESOLUTION (2018-053) AUTHORIZING THE MAYOR TO SIGN A RIGHT-OF-WAY EASEMENT IN FAVOR OF PACIFICCORP, D/B/A ROCKY MOUNTAIN POWER, FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT, OR REMOVAL OF ELECTRIC POWER DISTRIBUTION AND COMMUNICATION LINES ON ACROSS OR UNDER PROPERTY OWNED BY PLEASANT GROVE CITY LOCATED AT APPROXIMATELY 150 S 100 E; AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Director Beaumont.*

Director Beaumont explained that it was common for Rocky Mountain Power to require easements running from their power supply to the meter location on new buildings. As the City has two new Public Safety Buildings being built, the City would need to allow the easement on City property.

ACTION: Council Member Andersen moved that the City Council ADOPT Resolution 2018-053 authorizing the Mayor to sign a right-of-way easement in favor of PacifiCorp, d/b/a Rocky Mountain Power, for the construction reconstruction, operation, maintenance, repair, replacement, enlargement, or removal of electric power distribution and communications lines across or under property owned by Pleasant Grove City located at approximately 150 South 100 East; and providing for an effective date. Council Member Jensen seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “aye”. The motion carried unanimously.

ACTION: Council Member LeMone moved to adjourn the Regular Council Meeting for one hour, and then the Council will reconvene for an Executive Session. Council Member Andersen seconded the motion. Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “aye”. The motion carried unanimously.

The meeting adjourned at 5:30 p.m.

ACTION: At 6:34 pm the Council reconvened in regular session.

ACTION: At 6:35 pm Council Member Jensen moved to go into a Closed Meeting to discuss the character, professional competence, or physical or mental health of an individual. Council Member LeMone seconded. Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “aye”. The motion carried unanimously.

11) **CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL (UCA 52-4-205(1)(a))**

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

ACTION: At 10:25 pm Council Member Walker moved to exit the Closed Meeting and go back into the regular City Council Meeting. Council Member Jensen seconded. Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “aye”. The motion carried unanimously.

A brief discussion took place as to next steps in the process for hiring the police chief position. Next Tuesday at 5:00 p.m. was tentatively set for a formal appointment at city council meeting. The mayor noted that he will be out of town but the mayor pro tem will be available.

12) **ADJOURN**

ACTION: Council Member Williams moved to adjourn. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 10:30 pm.

The City Council Minutes of October 23, 2018 were approved by the City Council on November 13, 2018.

Kathy T. Kresser, City Recorder, MMC

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