

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
April 16, 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 Director
Tyler Wilkins, Recreation Director
Tina Petersen, City Attorney
Mike Roberts, Police Chief
Dave Thomas, Fire Chief
Kathy Kresser, City Recorder
Marty Beaumont, Public Works Director
Kyler Ludwig, Assistant City Administrator
Sheri Britsch, Library Director

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 Public Works Director, Marty Beaumont.

3) **OPENING REMARKS**

The opening remarks were given by Recreation Director, Tyler Wilkins.

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

ACTION: Council Member Williams 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**

Donna Jolley thanked Council Member Williams for coming to see the condition of her street this week. She enjoyed coming to the City Council meetings and seeing first-hand how the government works. Regarding the roads, she said that they had been neglected for decades. She urged the Council to make the roads a priority and include maintenance and repair in the budget.

Mayor Fugal commented that there was a budget for ongoing road maintenance, and now they have a budget to repair streets. They simply had not yet gotten to Mrs. Jolley's street.

6) **CONSENT ITEMS**

(Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion.)

- a. **City Council Minutes:
City Council Minutes for March 5, 2019 Regular Meeting
City Council Minutes for March 19, 2019 Special Meeting**
- b. **To Consider Approval of Payment Approval Reports for (April 11, 2019)**

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

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

There were none.

8) **PRESENTATIONS**

- A) **CENTER STAGE PERFORMANCE – MY SON PINOCCHIO, JR.**

NOTE: This presented was done at the beginning of the meeting.

9) **PUBLIC HEARING ITEMS**

There were none.

10) **ACTION ITEMS READY FOR VOTE**

- A) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-017) AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH CENTRAL UTAH WATER CONSERVANCY DISTRICT (“DISTRICT”) AND THE UNITED STATES DEPARTMENT OF THE INTERIOR (“INTERIOR”) FOR THE CARRIAGE OF NON-PROJECT WATER THROUGH BONNEVILLE UNIT PROJECT FACILITIES TO ALLOW PLEASANT GROVE CITY TO CONVEY ITS NON-PROJECT WATER THROUGH THE OLMSTED FLOWLINE AND ALPINE AQUEDUCT SYSTEM UNDER CERTAIN CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**
Presenter: Director Beaumont

NOTE: Items 10A and 10B were discussed simultaneously.

Director Beaumont stated that the City had to enter into several contracts in order to deliver water to the City’s Pressurized Irrigation (PI) system. Items 10A and 10B were coming up because a new hydro power plant had been constructed at the mouth of Provo River. The City was previously contracted with Rocky Mountain Power on the old power plant, but the new plant was owned by Central Utah Water Conservancy District, which means that the previous agreements needed to be updated. Director Beaumont explained that Pleasant Grove City water used to come through the north union canal and into the power plant. However, that water was now being diverted through the Alpine Aqueduct before going through the power plant. The second agreement states that the City would pay a charge to cover the money lost from the water going through the power plant. Director Beaumont then explained the difference between project and non-project water, and the costs associated with each. He noted that every drop of water that comes into the City has to be paid for, which is why the City should promote conservation even during a good year.

ACTION: Council Member Williams moved that the City Council ADOPT Resolution 2019-017 authorizing the Mayor to sign an agreement with Central Utah Water Conservancy District (“District”) and the United States Department of the Interior (“interior”) for the carriage of non-project water through Bonneville Unit Project Facilities to allow Pleasant Grove City to convey its non-project water through the Olmsted Flowline and Alpine Aqueduct System under certain conditions; 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 voted “Aye.” The motion carried unanimously.

- B) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-018) AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH CENTRAL UTAH WATER CONSERVANCY DISTRICT (“DISTRICT”) AND THE UNITED STATES DEPARTMENT OF THE INTERIOR (“INTERIOR”) FOR THE COLLECTION OF LOST REVENUE INCURRED FROM DIVERTING WATER RIGHTS AWAY FROM OLMSTEAD HYDROELECTRIC POWER PLANT; AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Director Beaumont.*

NOTE: Items 10A and 10B were discussed simultaneously.

ACTION: Council Member Andersen moved that the City Council ADOPT Resolution 2019-018 authorizing the Mayor to sign an agreement with Central Utah Water Conservancy District (“District”) and the United States Department of the Interior (“Interior”) for the collection of lost revenue incurred from diverting water rights away from Olmstead Hydroelectric Power Plant; and providing for an effective date. Council Member LeMone seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye.” The motion carried unanimously.

C) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-019) ACCEPTING THE MUNICIPAL WASTEWATER PLANNING PROGRAM SELF-ASSESSMENT REPORT FOR THE 2018 CALENDAR YEAR; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.*

Director Beaumont stated that the City was required to do the self-assessment and submit a resolution yearly. He reported that there were no Type 1 incidents this year, and only one Type 2 incident. The sewer system was in good condition.

ACTION: Council Member Jensen moved to ADOPT Resolution 2019-019 accepting the Municipal Water Planning Program Self-Assessment Report for the 2018 calendar year; and providing for an effective date. Council Member Walker seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye.” The motion carried unanimously.

D) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-020) AUTHORIZING THE MAYOR TO SIGN A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) REGARDING LOCAL AGENCY PERFORMING WORK FOR UDOT TO ALLOW THE PLEASANT GROVE BOULEVARD WIDENING PROJECT TO BE CONSTRUCTED; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.*

NOTE: Items 10D and 10E were discussed simultaneously.

Director Beaumont stated that staff and St. John Properties had been working diligently to coordinate with UDOT on the widening of Pleasant Grove Boulevard. St. John Properties was in the process of developing along that road, so they had been coordinating with UDOT on the street improvements. UDOT agreed to pay \$225,000 to St. John Properties in order to complete the street improvements. However, UDOT doesn’t enter into agreements with developers. UDOT would make an agreement with Pleasant Grove City and the City would, in turn, make an agreement with St. John Properties. There was no financial obligation for the City other than passing on the funds.

ACTION: Council Member Walker moved that the City Council ADOPT Resolution 2019-020 authorizing the Mayor to sign a Cooperative Agreement with the Utah Department of Transportation (UDOT) regarding a local agency performing work for UDOT to allow the Pleasant Grove Boulevard Widening Project to be constructed; 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.

- E) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-021) AUTHORIZING THE MAYOR TO SIGN A REIMBURSEMENT AGREEMENT WITH ST. JOHN PROPERTIES UTAH, LLC, REGARDING CONSTRUCTION OF CERTAIN STREET IMPROVEMENTS REQUIRED BY UDOT KNOWN AS THE “PLEASANT GROVE BOULEVARD WIDENING PROJECT”; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Beaumont**

NOTE: Items 10D and 10E were discussed simultaneously.

ACTION: Council Member Jensen moved that the City Council ADOPT Resolution 2019-021 authorizing the Mayor to sign a Reimbursement Agreement with St. John Properties Utah, LLC, regarding construction of certain street improvements required by UDOT known as the “Pleasant Grove Boulevard Widening Project”; and providing for an effective date. Council Member LeMone 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 AWARDED THE BID FOR THE 1100 NORTH ROAD AND STORM DRAIN PROJECT TO STAKER & PARSON COMPANIES IN THE AMOUNT OF \$1,008,332.60 AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT AND NOTICE TO PROCEED AND TO SIGN THE AGREEMENT UPON RECEIPT AND APPROVAL OF FINAL CONTRACT DOCUMENTS. Presenter: Director Beaumont.**

Director Beaumont stated that Staker & Parson Companies was the low bid received for this project. \$800,000 would be coming from the Streets budget and the rest from the Storm Drain Fund.

ACTION: Council Member LeMone moved that the City Council AWARD the bid for the 1100 North Road and Storm Drain Project to Staker & Parson Companies in the amount of \$1,008,332.60 and authorize the Mayor to sign the Agreement and Notice to Proceed upon approval of final contract documents. Council Member Jensen seconded the motion. The motion carried with the unanimous consent of the Council.

- G) TO CONSIDER AWARDED THE BID FOR 300 EAST STREET AND UTILITY IMPROVEMENT PROJECT TO CODY EKKER CONSTRUCTION IN THE AMOUNT OF \$1,184,005.00 AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT AND NOTICE TO PROCEED UPON RECEIPT AND APPROVAL OF FINAL CONTRACT DOCUMENTS. Presenter: Director Beaumont.**

Director Beaumont reported that the project would include 300 East and 380 East because the City wanted to address the water line issues that they had experienced lately. \$500,000 would come from the Streets budget and the rest would come from the Water Line budget.

ACTION: Council Member Andersen moved that the City Council AWARD the bid for the 300 East and 380 East Street and Utility Improvement Project to Cody Ekker Construction in the amount of \$1,184,005.00 and authorize the Mayor to sign the Agreement and Notice to Proceed upon receipt

and approval of final contract documents. Council Member Williams seconded the motion. The motion carried with the unanimous consent of the Council.

- H) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-022) AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN UTAH COUNTY AND PLEASANT GROVE CITY FOR THE ADMINISTRATION OF THE 2019 VOTE BY MAIL MUNICIPAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.**

Attorney Petersen reported that the above Resolution would allow the County to manage the municipal elections this year. The agreement outlines the responsibilities of the County and the City, and would last for the duration of one year. The cost per election would be \$29,768.40. It was unsure yet whether there would be a primary election this year, so they would need to be prepared to pay for a primary and a general election.

ACTION: Council Member LeMone moved that the City Council ADOPT Resolution 2019-022 authorizing the Mayor to sign an Interlocal Cooperative Agreement between Utah County and Pleasant Grove City for the administration of the 2019 Vote By Mail Municipal Election; 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.

- I) TO CONSIDER FOR ADOPTION AN ORDINANCE (2019-7) AMENDING 1-10-4 “OATHS AND BONDS” FOR ELECTED AND APPOINTED OFFICIALS OF THE CITY BY ALLOWING A CRIME OR THEFT INSURANCE POLICY TO COVER THE SECURITY OBLIGATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Attorney Petersen.**

Attorney Petersen reported that the State changed requirements for oaths and bonds for elected and appointed officials a few years ago, but the City Ordinances did not reflect that change. Staff was proposing to allow the security obligation to be fulfilled by a bond or an insurance policy. The proposed amendment would bring the City ordinance into compliance with the State.

ACTION: Council Member Andersen moved that the City Council ADOPT Ordinance 2019-7 amending 1-10-4 “Oaths and Bonds” for elected and appointed officials of the City by allowing a Crime or Theft Insurance Policy to cover the security obligation; and providing for an effective date. Council Member Walker seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye.” The motion carried unanimously.

11) ITEMS FOR DISCUSSION

- A) Continued Items from the Work Session, if needed.**

Director Roy continued the budget discussion from the Work Session. It was noted that staff had not heard back about the grant for the street sweeper and the dump truck but they would let the Council know when they have more information.

Administrator Darrington stated that the Council needs to adopt the tentative budget by May 7, per State Law. Changes can be made to the tentative budget before final approval. Staff would continue to work to balance the budget.

Director Roy addressed the proposed utility rate increases, as follows:

- Culinary – 5% increase. \$1.49 per month, per residence.
- Secondary – 5% increase. \$1.72 per month, per residence.
- Storm Drain – 10% increase. \$1.31 per month, per residence.
- Sewer – 2.5% increase. \$1.10 per month, per residence.
- Garbage and Recycling – no change proposed.

Director Roy stated that the average resident's bill would be increased by \$5.62 per month.

NOTE: Council Member Williams left the meeting at 6:53 p.m.

Council Member Jensen asked why staff was proposing such an increase. Director Beaumont explained that the City has an aging infrastructure and leaks continue to be a problem. They need to be able to address these issues as the roads were being fixed. Staff felt that the proposed increase was reasonable.

Director Roy noted that the second page of the handout showed the dollar amounts for those percentage increases for each fund. She explained that 1% in the Sewer Fund was different from 1% in the Storm Drain Fund.

Director Roy presented a Consolidated Fee Schedule and stated that the biggest changes were to Parks and Recreation Fees. They were looking at a 1.5% increase on passes and class fees. General Admission would not be changed. Other fee changes included construction charges for asphalt, the ambulance fee, and a reduction in late fees for DVD rentals at the library.

12) **REVIEW AND DISCUSSION ON THE MAY 7, 2019 CITY COUNCIL MEETING AGENDA**

The aforementioned meeting agenda was briefly discussed.

13) **MAYOR AND COUNCIL BUSINESS**

Library Director, Sheri Britsch, reported that the Library will be having their annual "Food for Fines" event from May 6 to 20. They will be having a Stress Management and Mindful Living Class on May 2.

Police Chief, Mike Roberts, reported that there had been 17 accidents involving deer in the last year. Other than that, the department was getting ready for the open house.

Fire Chief, Dave Thomas, stated that the Fire Department was also getting ready for the open house, and the upcoming Breakfast and 5K.

Director Giles reported that Arbor Day will be on April 27 and they will be meeting at 8:00 a.m. to plant trees at Discovery Park. He gave a brief update on the work that had been done on the Discovery Park and Downtown Park.

Director Beaumont indicated that the PI system was currently filling up, and they would be turning on the system on May 1. Staff was moving forward with projects such as 100 East, a Downtown Park detention facility, and several development reviews that they had to conduct.

Recreation Director Wilkins stated that they are very busy at the Recreation Center and their spring sports and programs were getting started in the next few weeks.

Administrator Darrington addressed the upcoming open house schedule. Tours were to take place from noon to 2:00 p.m. and 3:00 p.m. to 5:00 p.m. The ceremony would take place at 2:00 p.m. between the Police and Fire buildings. There will be signage directing people from the parking area to the ceremony location. In the case of inclement weather, they would move the ceremony into the fire bays. The major move for police and courts was scheduled for May 6. With regard to Discovery Park, Administrator Darrington stated that the build will be from May 3 to May 11. They currently have over 1,000 volunteers signed up and they hoped for more.

Council Member Andersen was excited about all of the projects going on in the City.

Council Member Jensen expressed appreciation for Rediscovering Discovery Park in their efforts to support the project.

Council Member LeMone thanked staff for their work on the various projects in the community.

14) SIGNING OF PLATS

15) REVIEW CALENDAR

16) ADJOURN

Council Member Jensen moved to adjourn the meeting at 7:29 p.m. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council Minutes of April 16, 2019 were approved by the City Council on May 21, 2019.

Kathy T. Kresser, MMC
City Recorder

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