

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
May 21, 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 Community Room, 108 South 100 East, 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 Council Member Todd Williams.

3) OPENING REMARKS

The opening remarks were given by Council Member Eric Jensen

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**

Christy Belt, a resident, was very excited about the new Discovery Park and thanked the Council for the opportunity to work on it. It was a great thing for the community to come together to build the new park.

Donna Jolley asked if there was an update on the lawsuit against the City regarding the road fee. She shared an experience she had while driving along 1500 East.

There were no further public comments. Mayor Fugal closed the open session.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Minutes for the April 9, 2019 Meeting.
City Council Minutes for the April 16, 2019 Meeting.**
- b. **To Consider Approval of Payment Approval Reports for (May 9 and 16, 2019).**

ACTION: Council Member Williams 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**

There were none.

9) **PUBLIC HEARING ITEMS**

- A) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2019-8) TO AMEND THE PLEASANT GROVE CITY GENERAL PLAN, IN ORDER TO UPDATE THE CITY'S MODERATE INCOME HOUSING PLAN BY ADOPTING AN UPDATED VERSION OF CHAPTER 6: HOUSING, AND TO DISCUSS CURRENT AND FUTURE OPTIONS TO PROVIDE HOUSING TO MEET STATE REQUIREMENTS. *Presenter: Director Cardenas***

Community Development Director, Daniel Cardenas, explained that in 1996, the State required every jurisdiction to have a General Plan that incorporated a chapter regarding affordable housing. The term was later changed to "moderate-income housing". Every jurisdiction was also required to update that chapter every two years. The State now requires the plan be reviewed every year

because of the growth they were experiencing. Director Cardenas presented information regarding the demographics of Pleasant Grove. A census was done in 2010, and a survey was conducted in 2012. All of the projections are based on the growth they experienced in those two years. He noted that a new census was being done next year. Approximately 40% of the population of Pleasant Grove are under 19 years old, which means that most of them will be looking for a place to live within the next ten years. They were seeing a difference in housing trends. Nine years ago, 80% of people owned homes, and that number has decreased to 68%. This means that more people were choosing to rent than to own.

Director Cardenas presented information regarding household income. He provided the State's definition of affordability. "Moderate income housing means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." The median income for Utah County was \$81,000, and 80% of that was \$65,000. Households that make 80-50% of the median income were considered "moderate income"; 50-30% of the median income were considered "low income"; and households below 30% was considered "very low income". Director Cardenas presented information regarding the household incomes of Pleasant Grove and how much affordable housing was provided for that bracket. Currently, the City didn't provide enough units for each bracket. He noted that the City allowed accessory apartments in all residential zones, which was helpful in providing more affordable housing.

Council Member Jensen asked about the number of accessory apartments listed in the report, and Director Cardenas said that this was just the number staff had from those who have actually come forward and registered their accessory apartment. He was positive that there were many more in the City that they didn't know about.

Director Cardenas presented the following goals, strategies, and actions:

Housing Goals:

1. Provide ample opportunities for residents to live in Pleasant Grove at all stages of life.
2. Ensure that those who work and provide services in Pleasant Grove can afford to live in Pleasant Grove.
3. Provide Housing that is affordable for residents with various lifestyles and income levels.

Strategies:

- A. Provide more flexibility in the Zoning Code:
 - i. Amend the General Plan to allow greater flexibility for lot sizes.

- ii. Create an R1-6 Zone (6,000 square foot lots).
 - iii. Change minimum front and side yard setbacks for R1 Zones.
 - iv. Remove 20-foot dwelling width requirements.
- B. Encourage more diverse housing stock for various stages of life, incomes and lifestyles:
 - i. Actively market the recently adopted code for accessory apartments in existing and new development.
 - ii. Revise City Code to be more friendly to assisted living for the elderly and 55+ senior housing.
- C. Provide incentives for residential development, or redevelopment, with long-term, guaranteed affordability:
 - i. Provide developers with information about government subsidies for affordable housing.
 - ii. Revise The Grove Zone and Downtown Village Zone to allow residential units if a portion of the units are affordable and sales-tax generating uses are also provided.

Council Member LeMone liked the idea of allowing smaller lots, because that seemed to be the trend for millennials. Director Cardenas said that smaller lots would still allow for a single-family dwelling. This would provide more flexibility for infill developments.

Council Member Andersen referenced the last action and asked if they could create a new zone that would allow for more mixed uses. Director Cardenas responded that The Grove and Downtown Village zones already allow mixed uses but they could look at other areas. Council Member Jensen noted that the Larry Myler development was doing exactly what was being described. Director Cardenas said that they didn't need to implement all of these suggestions today, but they did need to submit their report to the State. These action items are things they could work toward over the next year.

Administrator Darrington remarked that it was a major political issue in the State right now. Developers have been approaching cities and asking for more density to accommodate affordable housing, and cities are refusing. Because of that, developers have taken the issue to the legislature, and the legislature is forcing their hand with the cities.

Council Member Williams said that he was in favor of affordable housing, but they needed to consider the cause and effect. If the City allowed smaller lots, that didn't guarantee that developers would build affordable homes on those lots. The City could not control how much homes the cost of homes. Administrator Darrington said that this was exactly the argument that cities were making to the legislature. He noted that there was a new RDA law that dedicates 10% of the

income from an RDA has to go toward affordable housing. The City could use this to incentivize developers to build affordable units.

Council Member LeMone said that they had done a lot to help with affordable housing by legalizing accessory apartments, allowing tiny homes, and senior housing developments. She was open to these action items listed, specifically smaller lots.

Council Member Andersen liked the diversity being proposed with these action items. She wanted developers to understand that the Council was open to diverse housing options. She suggested that staff look at rezoning large commercial tracts to allow mixed uses.

Administrator Darrington noted that they would be holding a public hearing tonight, but the Council wouldn't be taking any action. Staff needed to notice the item again before final adoption.

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

10) ACTION ITEMS READY FOR VOTE

- A) **TO CONSIDER FOR ADOPTION A RESOLUTION (2019-025) INDICATING THE INTENT OF PLEASANT GROVE CITY TO ADJUST THE COMMON BOUNDARY WITH CEDAR HILLS, UTAH; AUTHORIZING A PUBLIC HEARING THEREON AND PROVIDING NOTICE OF SAID HEARING. THE PROPOSED AREAS TO BE ADJUSTED ARE OWNED BY RYAN AND ELIZABETH CLARK, LOCATED AT 3842 N CANYON ROAD, AND JODIE VANZANT, LOCATED AT 3862 N CANYON ROAD, PLEASANT GROVE, UTAH. KNOWN AS CLARK COMMON BOUNDARY ADJUSTMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Attorney Petersen***

Attorney Petersen explained that the City had received a request from the two property owners listed above for a boundary adjustment from Pleasant Grove to Cedar Hills. The applicants are requesting the boundary adjustment because their properties were on the east side of 100 East, and Pleasant Grove did not provide sewer services in that area. Cedar Hills was simultaneously processing this request. As part of the motion, the Council needed to establish a public hearing for July 16th.

ACTION: Council Member Andersen moved that the City Council ADOPT Resolution 2019-025 indicating the intent of Pleasant Grove to adjust the common boundary with Cedar Hills, Utah; authorizing a public hearing thereon and providing notice of said hearing on July 16, 2019. The proposed areas to be adjusted are owned by Ryan and Elizabeth Clark, located at 3842 N Canyon Road, and Jodie VanZant, located at 3862 N Canyon Road, Pleasant Grove, Utah; 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.

- B) TO CONSIDER FOR APPROVAL A REQUEST FROM MATT EAU CLAIRE, CLEAR WATER DISTILLING, AUTHORIZING THE MAYOR TO SIGN A LOCAL CONSENT FOR ISSUANCE OF A DISTILLERY MANUFACTURING LICENSE AND LOCAL CONSENT FOR PACKAGE AGENCY PERMIT. *Presenter: Attorney Petersen***

Attorney Petersen gave a background the application for a distillery and tasting room use in Pleasant Grove and stated that the applicant was ready to apply for their State license for those activities. The State required that the applicant get local consent from the municipality prior to getting their State license issued. Staff recommended approval.

ACTION: Council Member LeMone moved that the City Council APPROVE the request of Matt Eau Claire, Clear Water Distilling, authorizing the Mayor to sign a Local Consent for Issuance of a Distillery Manufacturing License and Local Consent for a Package Agency Permit. Council Member Williams seconded the motion. The motion carried with the unanimous consent of the Council.

- C) TO CONSIDER THE REQUEST OF JAMES HANCOCK TO EXTEND FINAL PLAT APPROVAL FOR SAVAGE VIEW PLAT ‘A’ TO JULY 31, 2019 TO COMPLETE THE CONSTRUCTION OF THE INFRASTRUCTURE. PROPERTY LOCATED AT APPROXIMATELY 2150 NORTH 100 EAST. (BIG SPRINGS NEIGHBORHOOD) (LANCE B. MILLER, APPLICANT) *Presenter: Director Beaumont***

Director Beaumont explained that the applicant received an extension for this plat on January 15th of this year, but they had run into a few road blocks in the process. They have requested another extension. Staff was confident that they could finish up the last few items and they recommended approval.

ACTION: Council Member Williams moved to APPROVE the request of James Hancock to extend final plat approval for Savage View Plat ‘A’ to July 31, 2019 to complete the construction of the infrastructure. Property located at approximately 2150 North 100 East. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

- D) TO CONSIDER FOR APPROVAL A 6-LOT RESIDENTIAL FINAL SUBDIVISION PLAT CALLED BLACKHAM FARMS PLAT ‘A’ ON PROPERTY LOCATED AT APPROXIMATELY 2024 NORTH 600 WEST IN THE R-R (RURAL RESIDENTIAL) ZONE. (NORTH FIELD NEIGHBORHOOD) (LANCE B. MILLER, APPLICANT) *Presenter: Director Cardenas***

Director Cardenas presented the staff report regarding the Blackham Farms Subdivision. The property was approximately 3.7 acres in size and was zoned R-R. The six lots would be configured around a cul-de-sac, and they included animal rights. The Planning Commission forwarded a unanimous recommendation of approval.

ACTION: Council Member Walker moved that the City Council APPROVE a six-lot residential final subdivision plat called Blackham Farms Plat ‘A’ on property located at approximately 2024 North 600 West in the R-R (Rural Residential) Zone. Council Member Williams seconded the motion. The motion passed with the unanimous consent of the Council.

- E) TO CONSIDER FOR APPROVAL A 7-LOT RESIDENTIAL FINAL SUBDIVISION PLAT CALLED DAYBREAK MEADOWS SUBDIVISION PLAT ‘A’ ON PROPERTY LOCATED AT APPROXIMATELY 736 NORTH 400 EAST IN THE R1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE. (MONKEY TOWN NEIGHBORHOOD) (TY VANES, APPLICANT)**
Presenter: Director Cardenas

Director Cardenas presented the staff report regarding a seven-lot subdivision plat. The property was approximately 2.55 acres in size and zoned R1-8. The Planning Commission unanimously recommended approval.

Director Beaumont briefly explained why the proposed cul-de-sac didn’t complete a full round.

ACTION: Council Member Jensen moved that the City Council APPROVE a seven-lot residential final subdivision plat called Daybreak Meadows Subdivision Plat ‘A’ on property located at approximately 736 North 400 East in the R1-8 (Single-Family Residential) Zone. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

- F) TO CONSIDER FOR APPROVAL A FINAL SUBDIVISION PLAT, WITH TWO LOTS AND ONE PARCEL, CALLED VALLEY GROVE BUSINESS PARK PLAT ‘K’ ON PROPERTY LOCATED AT APPROXIMATELY 1043 SOUTH VALLEY GROVE WAY IN THE INTERCHANGE SUBDISTRICT OF THE GROVE ZONE. (SAM WHITE’S LANE NEIGHBORHOOD) (MARK CATHEMER, APPLICANT)** *Presenter: Director Cardenas*

NOTE: Items 10F and 10G were discussed simultaneously.

Director Cardenas presented the staff report regarding the request to subdivide a 7.88 acre property into two commercial lots and one parcel. The intention of the applicant was to construct two multi-tenant retail buildings on the two lots. Staff, the Planning Commission, and the Design Review Board had reviewed the proposal and recommended approval of both requests.

ACTION: Council Member Andersen moved that the City Council APPROVE a final subdivision plat, with two lots and one parcel, called Valley Grove Business Park Plat ‘K’ on property located at approximately 1043 S Valley Grove Way in the Interchange Subdistrict of The Grove Zone. Council Member Jensen seconded the motion. The motion carried with the unanimous consent of the Council.

- G) TO CONSIDER FOR APPROVAL A SITE PLAN FOR TWO MULTI-TENANT RETAIL BUILDINGS ON PROPERTY LOCATED AT 1043 SOUTH VALLEY GROVE WAY IN THE INTERCHANGE SUBDISTRICT OF THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD (MARK CATHEMER, APPLICANT) Presenter: Director Cardenas**

NOTE: Items 10F and 10G were discussed simultaneously.

ACTION: Council Member Jensen moved that the City Council APPROVE a site plan for two multi-tenant retail buildings on property located at 1043 S Valley Grove Way in the Interchange Subdistrict of The Grove Zone. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

- H) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-026) AUTHORIZING THE MAYOR TO DECLARE 14 IPHONES AS SURPLUS AND DIRECTS THAT THEY BE DISPOSED OF ACCORDING TO THE CITY'S POLICY FOR DISPOSING SURPLUS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Chief Thomas**

Fire Chief Dave Thomas explained that the department liked to rotate their cell phones every few years. He was requesting that 14 iPhones be declared as surplus.

ACTION: Council Member LeMone moved that the City Council ADOPT Resolution 2019-026 authorizing the Mayor to declare as surplus and directs that they be disposed of according to the City's policy for disposing surplus property; 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.

11) ITEMS FOR DISCUSSION

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

- a. Discussion on Water Features on I-15 Off-Ramp and Pleasant Grove Boulevard.**

Director Beaumont stated that this discussion was coming about due to the future widening of Pleasant Grove Boulevard. Some years ago, there was a betterment agreement made between Pleasant Grove and UDOT, and the City installed landscaping and some water features in Pleasant Grove Boulevard. To accommodate the water feature and stream, the City invested \$300,000 to install a vault, pump station, landscaping, and the water feature. He noted that the water in the feature and stream circulates. As staff has been working with UDOT on the future widening, there was some question as to what would happen to this infrastructure. The current concept for the road widening showed the median shifting in order to accommodate the new land configuration, and it would be narrowed. He asked the Council if they wanted the infrastructure and water features moved, or if they wanted to negotiate with UDOT about some compensation for the loss

of the infrastructure. It would be costly to relocate the water feature, but they did put a lot of money into the infrastructure already.

Council Member LeMone recalled residents asking why the stream was on when they were being asked to conserve water. She understood that the water was being circulated, but the perception of waste was there. She was in favor of doing away with the water feature and explore other options.

Council Member Williams said that a lot of people didn't know that there was a stream there. He agreed that it wasn't necessary. Council Member Jensen agreed.

Council Member Andersen agreed that they should do away with the stream. She suggested a different water feature, such as the one at Hole #8 at Fox Hollow.

Council Member Walker felt that they should remove the water feature and the stream.

Director Beaumont asked if the Council wanted staff to negotiate with UDOT about some other betterments. This would be a large expense they were abandoning. The Council agreed.

b. Staff Business.

Recreation Director, Tyler Wilkins, stated that baseball was postponed because of the rain. The pool would open on Memorial Day weekend.

Parks Director, Deon Giles, reported on the volunteer days they had for Discovery Park and stated that it was a big success. He thanked everyone for their work. He noted that surfacing had been delayed to June 3rd because of the weather. There was a discussion regarding the ribbon cuttings for both parks. Director Giles reported that they had already done one mile of trail in the new trail system, but the weather had been a hindrance.

Chief Thomas reported that the Fireman's Breakfast will be on June 15 at 6:00 a.m. They will also be holding barbeque for the Fire Department employees, the City Council, Mayor, and Administrator after the parade on the 22nd.

Director Cardenas reported that the rap sheet was emailed to the Council and he commented on Iceberg and the Taki Barbeque.

Director Beaumont indicated that construction on 380 East would begin the following day and they move to 300 East in about one month. The bid for pipe bursting has been sent out, and the Battle Creek Springs project would begin around July 1st. Staff would be trying a new infrared repair method on some of the trenches in the next few weeks.

Assistant to the City Administrator, Kyler Ludwig, stated that they were working with a new intern, and they would be getting some performance measures to the Council by July 1st. They would continue to work with each department to get performance information, and it would be reported to the Council monthly.

Council Member Walker expressed his appreciation for Emergency Services and shared an experience he had with one of his grandchildren over the past month.

Council Member Jensen thanked everyone for helping with Discovery Park and said that that volunteer action worked right under the umbrella of “Choose Kindness”.

Administrator Darrington said that staff would be having a “thank you” dinner with the steering committee, Mayor, Council, and captains after Strawberry Days.

Mayor Fugal proposed that they use the new Council and Mayor picture for the article in the Strawberry Days magazine. Council Member LeMone offered to help with the article.

12) **REVIEW AND DISCUSSION ON THE JUNE 4, 2019 CITY COUNCIL MEETING AGENDA**

The aforementioned meeting agenda was briefly discussed.

13) **MAYOR AND COUNCIL BUSINESS**

14) **SIGNING OF PLATS**

15) **REVIEW CALENDAR**

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

ACTION: Council Member Williams moved to adjourn the public meeting and go into a closed meeting to discuss pending or reasonably imminent litigation at 7:49 p.m. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

ACTION: Council Member LeMone moved to come out of the Closed Meeting and back into the regular meeting at 8:04 p.m. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

17) **ADJOURN**

Council Member Jensen moved to adjourn the meeting at 8:05 p.m. Council Member Williams seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council Minutes of May 21, 2019 were approved by the City Council on June 4, 2019

Kathy T. Kresser, MMC
City Recorder

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