

**Pleasant Grove City  
City Council Meeting Minutes  
Regular Session  
September 3, 2019  
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen (arrived at 4:39 p.m.)  
Eric Jensen  
Lynn Walker  
Cyd LeMone  
  
Todd Williams

Staff Present: Scott Darrington, City Administrator  
Daniel Cardenas, Community Development Director  
Deon Giles, Parks Director  
Tyler Wilkins, Recreation Director  
Tina Petersen, City Attorney  
Kathy Kresser, City Recorder  
Marty Beaumont, Public Works Director  
Kyler Ludwig, Assistant City Administrator  
Sheri Britsch, Library Director  
Dave Thomas, Fire Chief  
Shawn Nielson, Detective Sergeant

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

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**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 Andersen.

3) **OPENING REMARKS**

The opening remarks were given by Council Member LeMone.

4) **APPROVAL OF MEETING AGENDA**

**ACTION:** Council Member Jensen moved to approve the agenda with the addition of a Closed Meeting. Council Member Williams seconded the motion. The motion carried with the unanimous consent of the Council.

5) **OPEN SESSION**

There were no public comments.

6) **CONSENT ITEMS**

- a. **City Council Minutes:  
City Council Minutes for the August 6, 2019 Meeting.  
City Council Minutes for the August 27, 2019 Special Meeting.**
- b. **To Consider for Approval Partial Payment No. 1 to Staker Parson Materials and Construction for the 1100 North Road and Storm Drain Project.**
- c. **To Consider for Approval Partial Payment No. 3 and Change Order No. 3 to S&L, Inc. for the Battle Creek Springs Rehabilitation Project.**
- d. **To Consider for Approval Partial Payment No. 2 to Stratton & Bratt, LLC for the Walker Tank Landscaping Project.**
- e. **To Consider Approval of Payment Approval Reports for (August 22 and 29, 2019).**

**ACTION:** Council Member LeMone 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**

- A) **TO CONSIDER THE APPOINTMENT OF LINDA WALKER AS A MEMBER OF THE HISTORIC PRESERVATION COMMITTEE.**

**ACTION:** Council Member Williams moved that the City Council APPOINT Linda Walker as a member of the Historic Preservation Committee. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

8) **PRESENTATIONS**

There were none.

9) **CONVENE AS THE BOARD OF CANVASSERS**

**ACTION:** Council Member Jensen moved to adjourn the City Council Meeting and reconvene as the Board of Canvassers. 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.

- A) TO CONSIDER FOR ADOPTION A RESOLUTION (2019-041) AUTHORIZING THE MAYOR AND MUNICIPAL COUNCIL SITTING AS THE BOARD OF CANVASSERS TO ACCEPT THE ELECTION RECOUNT RETURNS AND DECLARING AND CERTIFYING THE RESULTS OF THE RECOUNT FOR THE PRIMARY ELECTION THAT WAS HELD ON AUGUST 13, 2019. *Presenter: Recorder Kresser***

City Recorder, Kathy Kresser reported the final votes after the recount, as follows:

- Cyd LeMone – 2,861 votes
- Eric Jensen – 2,540 votes
- Grant Bullock – 2,009 votes
- Dustin Phillips – 1,833 votes
- Alexander Carter – 1,610
- Carrie Hammond – 623
- Aaron Spinhirne – 605

Council Member LeMone explained that a recount was requested by Aaron Spinhirne because he and another candidate were within 15 votes of each other.

**ACTION:** Board Member Andersen moved to ADOPT Resolution (2019-041) authorizing the Mayor and Municipal Council sitting as the Board of Canvassers to accept the election recount returns and declare and certify the results of the recount for the Primary Election held on August 13, 2019. The Board hereby certified that Candidate Carrie Hammond received the highest number of votes from the recount and declared her nominated to proceed to the General Election. Board Member Walker seconded the motion. A roll call vote was taken with Board Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

**10) RECONVENE AS THE PLEASANT GROVE CITY COUNCIL**

**ACTION:** Board Member Walker moved to adjourn as the Board of Canvassers and reconvene as the Pleasant Grove City Council. Board Member Andersen seconded the motion. The motion carried with the unanimous consent of the Board.

**11) PUBLIC HEARING ITEMS**

- A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2019-19) AMENDING CITY CODE SECTION 10-13D-3: RURAL COMMERCIAL OVERLAY (RCO) ZONE: PERMITTED AND CONDITIONAL USES, BY CHANGING THE CONDITIONS AND REQUIREMENTS FOR THE ESTABLISHMENT OF USE 5811 RESTAURANTS AS A CONDITIONAL USE AND USE 6519 OTHER MEDICAL AND HEALTH SERVICES – OFFICES ONLY AS A PERMITTED USE, WITHIN THE RURAL COMMERCIAL OVERLAY (RCO) ZONE; AND PROVIDING FOR AN EFFECTIVE DATE. (STONE GATE/DAHLIA’S HOPE, APPLICANT) *Presenter: Director Cardenas***

Community Development Director, Daniel Cardenas presented the staff report regarding a Code amendment to the Rural Commercial Overlay (RCO) Zone. He displayed a zoning map of the City and identified a specific area zoned RCO and discussed its unique circumstances. The applicant is the owner of the Stone Gate Reception Center. The proposed amendment would add two uses to the RCO zone. Use 5811 – Restaurants, would be added as a conditional use, along with three qualifying provisions. Staff and the Planning Commission felt it was important to keep it as a conditional use so that the residential neighbors would be informed if this use were proposed. The qualifying provisions include a requirement that in order to have frontage on 2600 North, the site must be a minimum of two acres, and the square footage of the restaurant would be limited by the number of parking stalls that can be provided on-site. The second use proposed was Use 6519 – Other Medical and Health Services, Offices Only as a permitted use.

Director Cardenas explained that the applicant was working with the Underground Railroad program to provide services for victims of human trafficking. Offices for counseling would be provided in the basement of the building, and the restaurant on the main floor would provide occupational training for women going through the program. He noted that the building would not be used for housing or overnight stays of any kind.

Council Member Andersen asked why the qualifying conditions regarding frontage specified 2600 North instead of allowing any collector road. Director Cardenas stated that he included 2600 North to limit where the restaurant use could be located.

The applicant, Jennie Johnson, reported that she reached out to the Underground Railroad organization a few years ago and offered help with aftercare services. She wanted to provide a place of hope and healing for women who have suffered. Currently, there were very few places in the nation that offer aftercare for victims of human trafficking. It was estimated that 800,000 to 1.3 million women and children are trafficked every day. Dahlia's Hope helps women obtain counseling and occupational training to help them reenter society. The women in the program would be thoroughly vetted to make sure they are in the second stage of recovery.

Council Member Jensen thanked Ms. Johnson for her efforts in providing this service.

Council Member LeMone asked the applicant if she would be housing women in the program. Ms. Johnson clarified that she would not. The women would stay at another location and come to the facility for counseling and occupational training. The restaurant would be open to the public. They hoped to open the restaurant in February or March.

Council Member LeMone suggested they make the community aware of their program when they were ready. The community could provide volunteers and donations to help the program.

Upon request, Ms. Johnson explained how she became involved in the Dahlia's Hope project.

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 2019-19 amending City Code Section 10-13D-3: Rural Commercial Overlay (RCO) Zone: Permitted and Conditional Uses, by changing the conditions and requirements for the establishment of Use 5811: Restaurants as a conditional use and Use 6519: Other Medical and Health Services – Offices Only as a permitted use, within the Rural Commercial Overlay (RCO) Zone; and providing for an effective date. Council Member Williams seconded the motion. A roll call vote was taken with Council Members Andersen, Jensen, LeMone, Walker, and Williams voting “Aye”. The motion carried unanimously.

**12) ACTION ITEMS READY FOR VOTE**

- A) TO CONSIDER APPROVAL FOR A TWO-LOT SUBDIVISION PLAT CALLED GROVE STATION SUBDIVISION PLAT ‘A’ ON PROPERTY LOCATED AT APPROXIMATELY 95 SOUTH 2000 WEST IN THE GROVE ZONE – COMMERCIAL SALES SUBDISTRICT. (SAM WHITE’S LANE NEIGHBORHOOD) (CLARE MOON, APPLICANT) *Presenter: Director Cardenas.***

Director Cardenas presented the staff report regarding a request for a two-lot subdivision plat at the address listed above. Lot 1 would be 1.21 acres in size and Lot 2 would be 2.79 acres with a 30-foot access easement between the two lots. The purpose of the subdivision was to facilitate the development of Lot 1. The Planning Commission unanimously recommended approval.

**ACTION:** Council Member Williams moved that the City Council APPROVE a two-lot subdivision plat called Grove Station Subdivision Plat ‘A’ on property located at approximately 95 South 2000 West in The Grove Zone – Commercial Sales Subdistrict. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

- B) TO CONSIDER APPROVAL OF A SITE PLAN FOR A ‘FOOD TRUCK PARK’ AND AN ASSOCIATED BUILDING ON PROPERTY LOCATED AT APPROXIMATELY 95 SOUTH 2000 WEST IN THE GROVE ZONE – COMMERCIAL SALES SUBDISTRICT. (SAM WHITE’S LANE NEIGHBORHOOD) (CLARE MOON, APPLICANT) *Presenter: Director Cardenas.***

Director Cardenas presented the staff report regarding a proposed site plan for property located at the address listed above. The applicant intends to develop the property as a food truck park. The site would be developed with areas for food trucks to park and plug in, a parking area with 63 lots, and a 4,600 square-foot building. The proposed building would look like a train station that would serve as a seating area where beverages would be sold. Director Cardenas noted that the Code was recently amended to allow the applicant to use the building for receptions and events but it would have to be a subsidiary use. Staff would continue to work with the applicant on the landscaping plan, as they want to incorporate the existing, unused train tracks. The development would be called The Grove Station.

Council Member Andersen inquired about the access and staff confirmed that it would be a right-in/right-out only. There would be a shared access between the food truck park and the future development on Lot 2 of the subdivision.

The applicant, Clare Moon, explained that she has seen food truck parks in other cities and felt that this would be useful in Pleasant Grove. The building would provide an area for patrons to enjoy their food and the site would provide amenities for the food truck owners that they don't normally get elsewhere. She hoped the design would address the concerns of owners and patrons alike.

**ACTION:** Council Member Williams moved that City Council APPROVE the site plan for a 'food truck park' and an associated building on property located at approximately 95 South 2000 West in The Grove Zone – Commercial Sales Subdistrict. Council Member LeMone seconded the motion. The motion carried with the unanimous consent of the Council.

**13) ITEMS FOR DISCUSSION**

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

**a. Staff Business.**

Library Director, Sheri Britsch reported that Heritage Festival will take place on September 16 at the Downtown Park and the Cemetery. Those who would like a Dutch Oven dinner must preorder on the City's website. There would be other food available that night as well. The Library would also be hosting a Harry Potter Event on September 28. More volunteers were needed.

Recreation Director, Tyler Wilkins reported that they held a Special Needs Pool Day over the weekend and there were 25 people in attendance. At the beginning of the event, a local business owner paid for a portion of the admission fee. Director Wilkins stated that they were looking for more opportunities for these types of events.

Parks Director, Deon Giles reported on three service projects that occurred over the past week, including work on and around the cabins at Pioneer Park, and cleanup in the foothills.

Detective Sergeant Shawn Nielson stated that the Police Department would be hiring a new officer very soon, as Cory Russell had resigned.

Public Works Director, Marty Beaumont reported on various road projects throughout the City including the Walker Tank and the Battle Creeks Springs Rehabilitation Project.

Director Cardenas briefly described a few items that would be coming to the City Council in the next month.

**14) REVIEW AND DISCUSSION ON THE SEPTEMBER 17, 2019 CITY COUNCIL MEETING AGENDA**

The aforementioned meeting agenda was briefly discussed.

**15) MAYOR AND COUNCIL BUSINESS**

Council Member Jensen announced that the Chamber will be hosting a luncheon on Thursday at 11:45 a.m. at Stone Gate. Those present were invited to attend. He also reported that the Pleasant Grove schools were participating in Choose Kindness Week, which was scheduled for September 9-13.

Council Member Andersen shared her experience with emergency services over the past week when her husband injured his back at work. She was grateful for their professionalism and kindness.

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

**ACTION:** At 7:25 p.m., Council Member LeMone moved to adjourn and enter into a Closed Meeting. Council Member Jensen seconded the motion. The motion carried with the unanimous consent of the Council.

**ACTION:** At 7:51 p.m., Council Member Williams moved to reconvene the City Council Meeting. Council Member Andersen seconded the motion. The motion carried with the unanimous consent of the Council.

**17) SIGNING OF PLATS**

**18) REVIEW CALENDAR**

**19) ADJOURN**

Council Member Andersen moved to adjourn the meeting at 7:57 p.m. Council Member Walker seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council Minutes of September 3, 2019 were approved by the City Council on October 1, 2019.

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Kathy T. Kresser, MMC  
City Recorder

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