

**Pleasant Grove City  
City Council Meeting Minutes  
Regular Session  
July 21, 2020  
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen  
Brent Bullock  
Eric Jensen  
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, HR Director  
Mike Roberts, Police Chief  
Drew Engemann, Deputy Fire Chief

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 stated 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 offered by City Administrator, Scott Darrington.

**4) APPROVAL OF MEETING AGENDA**

**ACTION:** Council Member Jensen moved to approve the agenda. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

5) **OPEN SESSION**

Mayor Fugal opened the Open Session.

*Jim Adams* a 600 North resident, reported that the late Sergeant Leo Henscheid bought a home across from him. His parents took over his home and have lived there for six years. He suggested that the road on 600 North between 1300 West and 1580 West be renamed SSG Henscheid in honor of Sergeant Henscheid’s service. He felt that throughout the nation, military and police officers do not receive the recognition they deserve for their service.

Administrator Darrington confirmed that he had received voicemails and emails about the matter and requested that Public Works Director, Marty Beaumont address the Council about the progress. He stated that the Council should address the feasibility of changing street names. Mr. Adams further stated that there was a flagpole installed on 1380 West to commemorate Sergeant Henscheid’s third anniversary. He requested that a street sign be placed in front of the flag. The community was willing to cover the costs incurred as part of the installation process.

Director Beaumont reported that he had spoken to the team about the progress. He apologized to Mr. Adams for the poor communication. He stated that three signs would need to be changed. According to street standards, the name of the street should be secondary to the actual address. Mr. Darrington requested that the City Council address what criteria should be followed for naming streets after people. Beaumont explained that most name changes occur during the development stage. Council Member LeMone asked if Mr. Henscheid’s name was engraved on the memorial wall at the cemetery. He said that the City should also do that to honor him. Council Member Andersen requested information on how much the sign would cost.

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

6) **CONSENT ITEMS**

- a. **City Council Minutes:  
City Council Minutes for the July 7, 2020 meeting.**
- b. **To Consider Approval of Payment Request NO. 1 for BD Bush Excavation of the 700 South Sewer Improvement Project.**
- c. **To Consider Approval of Payment Approval Reports for July 16, 2020.**

**ACTION:** Council Member Jensen moved to APPROVE the Consent Items. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

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

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A) **PUBLIC HEARING TO CONSIDER FOR ADOPTION A RESOLUTION (2020-042) AMENDING THE FY21 BUDGET FEE SCHEDULE BY MAKING A TECHNICAL CORRECTION TO THE STORM DRAIN MS4 LID RESIDENTIAL DEVELOPMENT FEE (NO CHANCE IN FEE) AND PROVIDING AN EFFECTIVE DATE.** *Presenter: Director Beaumont.*

Director Beaumont reported that as they were adopting the fee schedule, they need to add a fee that is coming up pertaining to stormwater fees charged when a developer wants to develop. This will result in a change in the ordinance and the Stormwater Technical Manual. There is also a change in Chapter 10 of the ordinance that will be adopted later. He stated that the fee schedule was labeled in acre-feet rather than cubic feet, which should be changed.

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

**ACTION:** Council Member Andersen moved that the City Council adopt Resolution 2020-042 amending the FY21 Budget Fee Schedule by making a technical correction to the Storm Drain MS4 LID Residential Development Fee and providing an effective date. Council Member Williams seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams, voting “Aye”. The motion carried unanimously.

10) **ACTION ITEMS READY FOR VOTE**

- A) **TO CONSIDER FOR ADOPTION AN ORDINANCE (2020-15) AMENDING TITLE 5 CHAPTER 4 ADOPTING SECTION 4 “EXCEPTIONS” PROVIDING FOR AN EXCEPTION TO THE PROHIBITIONS REGARDING HUNTING AND DISCHARGE OF WEAPONS WITHIN CITY LIMITS FOR THE URBAN DEER CONTROL PLAN AND PROVIDING FOR AN EFFECTIVE DATE.** *Presenter: Attorney Petersen.*

City Attorney, Tina Petersen reported that the City Council approved the Deer Control Plan and entered into an agreement with Humphries Archery. The current ordinance prohibits the discharge of weapons within the City’s environs. She requested that an exception be written into the ordinance that would apply to anyone who is under contract with the City and engaged in the harvesting of deer pursuant to the adopted Urban Deer Control Plan.

Mayor Fugal opened the public hearing.

Council Member Williams reported that he read the ordinance as he was researching for the meeting and never realized before that air rifles were illegal.

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

**ACTION:** Council Member Williams moved that the City Council adopt Ordinance 2020-15 amending Title 5 Chapter 4 adopting Section 4 “Exceptions” providing for an exception to the prohibitions regarding hunting and discharge of weapons within City limits for the Urban Deer Control Plan and providing for an effective date. Council Member Jensen seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams, voting “Aye”. The motion carried unanimously.

- B) TO CONSIDER FOR ADOPTION AN ORDINANCE (2020-16) AMENDING TITLE 8 “UTILITIES” TO PROVIDE FOR LOW IMPACT DEVELOPMENT STANDARDS FOR STORMWATER FLOWS B ADDING CHAPTER 7 “LOW IMPACT DEVELOPMENT” AND AMENDING OTHER SUBSECTIONS TO INCLUDE PROVISIONS FOR LOW IMPACT DEVELOPMENT STANDARDS INCLUDING CHAPTER 8-6-5 “REDUCTION OF STORMWATER FLOWS” REQUIRING STORM DRAIN DESIGN PRACTICES THAT COMPLY WITH LOW IMPACT DEVELOPMENT STANDARDS AND IMPOSING AN MSA LID RESIDENTIAL DEVELOPMENT FEE AND AMENDING TITLE 11 CHAPTER 7 SUBSECTIONS 4 AND 5 “PRELIMINARY PLAT” AND “FINAL PLAT” SUBSECTION 7 “SITE PLAN REQUIREMENTS OR PERMITTED AND CONDITIONAL USES” ADDING A PROVISION FOR LOW IMPACT DEVELOPMENT CALCULATIONS AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Beaumont.***

Director Beaumont reported that there is a mandate from the Division of Water Quality that the City develop new standards to be applied to all stormwater discharges from any new development or redevelopment within the City. He explained that the City is trying to get compliant with the new requirements mandated by the Division of Water Quality. The City has an MS4 Permit that is used to manage stormwater.

Director Beaumont stated that developments on large sites will have to meet flow requirements to be approved. Water should be kept in place that has naturally fallen and cleaned before it goes back to the ground or flows into streams that go to the lake. A technical manual will be presented to all developers to describe how they intend to meet the requirements set by MS4 through the Division of Water Quality. He reported that the City will use a banking system to manage infiltration by maintaining groundwater injection wells located throughout the City.

Director Beaumont reported that fees adopted by the fee schedule issued to developers will be used to maintain and modify existing facilities to accommodate water going into the ground. Developments in residential areas can put water in different locations while commercial areas can handle it on-site based on the technical manual.

Council Member Andersen asked if the City has underground detention basins. Director Beaumont stated that the City does not have any underground facilities apart from the one at the park. He further stated that some commercial developments have underground facilities. In response to a question by Council Member Andersen, Director Beaumont stated that the detention basin will need to be modified to meet the needs of the City. The upper portion of the basin will have an outlet to the ground while the bottom part will be used to retain water.

**ACTION:** Council Member Jensen moved that the City Council adopt Ordinance 2020-16 amending Title 8 “Utilities” to provide for Low Impact Development Standards for Storm Water Flows by adding Chapter 7 “Low Impact Development” and amending other subsections to include provisions for Low Impact Development Standards including Chapter 8-6-5 “Reduction of Storm Water Flows” requiring storm drain design practices that comply with Low Impact Development Standards and imposing an MSA LID Residential Development Fee and amending Title 11 Chapter 7 Subsections 4 and 5 “Preliminary Plat” and “Final Plat” Subsection 7 “Site Plan Requirements for Permitted and Conditional Uses” adding provision for Low Impact Development Calculations and providing for an effective date. Council Member Andersen seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams, voting “Aye”. The motion carried unanimously.

- C) TO CONSIDER FOR ADOPTION A RESOLUTION (2020-043) AUTHORIZING THE MAYOR TO SIGN A LICENSE AGREEMENT WITH UNION PACIFIC RAILROAD TO ALLOW PLEASANT GROVE CITY TO INSTALL A SEWER PIPELINE ACROSS PROPERTY OWNED BY THE RAILROAD AT MILEPOST 764.25 ON THE PROVO INDUSTRIAL L.D. SUBDIVISION AT OR NEAR THE INTERSECTION OF STATE STREET AND CENTER STREET AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Beaumont.**

Public Works Director, Marty Beaumont reported that the City awarded a project to install a new sewer line. The line will abandon the lift station next to the water gardens and cut across State Street. A permit from the Utah Department of Transportation (“UDOT”) is required to bore underneath the railroad. Union Pacific Railroad (“UPR”) has an existing operating agreement on the railroad. The City is required to acquire licensing from UPR to carry out the project. He further stated that the sewer line has to be eight feet below the railroad tracks.

**ACTION:** Council Member Andersen moved that the City Council adopt Resolution 2020-043 authorizing the Mayor to sign a License Agreement with Union Pacific Railroad to allow Pleasant Grove City to install a sewer pipeline across property owned by the railroad at Mile Post 764.25 on the Provo Industrial LD. The subdivision must be at or near the intersection of State Street and Center Street and providing for an effective date. Council Member Bullock seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams, voting “Aye”. The motion carried unanimously.

- D) TO CONSIDER FOR ADOPTION A RESOLUTION (2020-044) AUTHORIZING THE MAYOR TO EXECUTE A SEWER COLLECTIONS SERVICE AGREEMENT WITH R.H. BORDEN AND COMPANY, LLC FOR SEWER LINE AND MANHOLE INSPECTION AND ASSESSMENT SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Beaumont.**

Director Beaumont reported that there was a pilot program the previous year to test if a sewer line rapid assessment tool would be useful for sewer line and manhole inspection and assessment services. He stated that the program was very useful and worth rolling out City-wide.

Director Beaumont stated that \$110,000 was added to the sewer budget for this project. The assessment that is underway will be done in four to six weeks. The project will help provide information on the status of manholes and sewer lines throughout the City.

Council Member Andersen asked if this tool assessed leaks and blockages. Director Beaumont responded that only blockages can be assessed and detected. This process is done every three years. Director Beaumont stated that the plan is to do it every five years going forward.

**ACTION:** Council Member Jensen moved that the City Council adopt resolution 2020-044 authorizing the Mayor to execute a Sewer Collections System Service Agreement with R.H. Borden and Company, LLC for sewer line and manhole inspection and assessment services; and providing for an effective date. Council Member Andersen seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, Williams, voting “Aye”. The motion carried unanimously.

- E) TO CONSIDER FOR ADOPTION A RESOLUTION (2020-045) AUTHORIZING THE MAYOR TO SIGN AN AMENDED PARTICIPATION AGREEMENT FOR THE UTAH COUNTY OFFICER INVOLVED CRITICAL INCIDENT PROTOCOL; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Chief Roberts.**

Attorney Petersen reported that early in the year the Council adopted an Officer Involved Critical Incident Protocol (“OICIP”) proposed by the County’s Police Chiefs. There have been incidents where the protocol has been used and it was discovered that some changes need to be made to make things flow better/ The Police Chiefs are. Requesting that the OICIP be amended to make executing the protocol easier.

**ACTION:** Council Member Williams moved that the City Council adopt Resolution 2020-045 authorizing the Mayor to sign an Amended Participation Agreement for the Utah County Officer-Involved Critical Incident Protocol; and providing an effective date. Council Member LeMone seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, Williams, and LeMone voting “Aye”. The motion carried unanimously.

## **11) ITEMS FOR DISCUSSION**

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

Police Chief, Mike Roberts reported that the City’s Police Patrol Division received state of the art tasers and one of the officers was sent to California to be certified as an instructor. He would make sure the other officers were certified to use those tasers when he comes back. He reported that they were finishing up an online traffic school program. It will allow one-on-one interaction with officers. It was reported that Detective Ben Knopp and Sergeant Nielson solved two major child sex crime cases and arrested the offenders.

Community Development Director, Daniel Cardenas reported that the job posting for Code Enforcement ends soon. One application was received. He received numerous requests about adding new uses to the Grove zone including residential areas. He stated that despite COVID-19, staff has been busy.

Deputy Fire Chief, Drew Engemann reported that the Fire Department was doing well and has been busy. They received ultraviolet lights that can be used to kill germs on surfaces. Departments can use the lights to clean offices and bathrooms.

Council Member Williams asked if the Boy Scouts or the military are required to dispose of flag bins and what process would be followed for that to take place. Administrator Darrington stated that it is the City's responsibility to dispose of the flags that were donated by the Boy Scouts.

Director Beaumont reported that the Battle Creek Springs Project contractors will be pulling out and closing the project on Friday. The gate will be finished later on. He commented that the trail looks great. The contractors have tried to define the trail and deal with some depth so that it does not wash out and take off the side of the mountain.

Director Beaumont stated that the filter project is still underway. All three filters on the main turnout from the Alpine aqueduct are installed and operational. Changes to the screen in Grove and Battle Creeks are operational and working. Three meters were installed and the last ones are being connected.

Director Beaumont reported that a gate will be operated remotely through the SCADA system to see how the water is being used by the irrigation company in the City. This will make the operation better. He also noted that the 700 South Project is done. There will an overlay project on 700 South from Geneva Road to Pleasant Grove Boulevard. Traffic has been shifted to two lanes on the west so that the east half of the road can be constructed.

Director Beaumont stated that the traffic will be flipped over to the east so that the west half of the road can be constructed. The northern portion of State Street in conjunction with Larry Miller and the Hidden Springs Project is also in construction. The storm drain installation to extend and widen the road was nearly complete. All these projects will be done by the end of the season to open back up for traffic.

In response to a question by Council Member LeMone, Director Beaumont stated that the 100 East Widening Project is on hold. Council Member LeMone insisted that this project be completed before December. Director Beaumont reported that he had not received any information about widening, designing, and completing the project along 100 East. His calls and emails had not been responded to.

Council Member Bullock stated that the water meter on 100 East was left too high after construction. There is noise when vehicles come down at the high spot near his home. He asked if this problem was listed on Director Beaumont's punch list. Director Beaumont said that it was not but he would address the problem.

Director Beaumont reported that 150 North will be closed as well. The proof roll was done and they were finishing up on the subgrade. He further stated that the paving will be done in the next few weeks.

Parks Director, Deon Giles reported that it is hot and dry on the trail. He reported that baseball games will finish during the week and softball games in three weeks. Soccer will begin in three or four weeks at the junior high. Council Member Andersen asked how the water flow levels were.

Director Beaumont stated that they can hold over 500 feet of water. Half of the water was already utilized. There were enough water sources available in case the year is dry. Precipitation was at 60% of normal.

Director Beaumont reported that precipitation in Grove Creek is down to 200 to 300 gallons per minute. This means that the City has to use more water sources from the Provo River. A water conservation note was to be put in the newsletter to address the over usage problem that exists in the City. If the problem persists, the City will have to purchase water to meet existing needs.

Council Member LeMone asked if there are Water Enforcement Officers. Director Beaumont said that there is one officer who works off hours to help people understand the need for water conservation. He stated that notices can be run to share information on watering times and problems that may arise as a result of over-usage.

12) **REVIEW AND DISCUSSION OF THE AUGUST 4, 2020 CITY COUNCIL MEETING AGENDA**

Administrator Darrington had little to discuss for the August 4 meeting apart from the Storm Drain Agreement. He stated that the Mid-Year Retreat would be held the following week on Wednesday at City Hall. A draft agenda would be sent out on Thursday.

Administrator Darrington stated that a good portion of the budget discussion would be based on sales tax revenues. Some money was being freed up for capital projects. There will be a discussion about uses for the money received from the County for COVID-19 purposes. There will also be an update of projects that are underway. He expected the meeting to last four hours from 08:30 a.m. to 12:30 p.m.

13) **MAYOR AND COUNCIL BUSINESS**

Council Member LeMone commented that the event hosted by Pleasant Grove and the Chamber of Commerce downtown was wonderful. He commended Eric and Bailey for their efforts. Council Member Bullock was disappointed that there was not a Mexican food truck at the event. Council Member Williams felt that those types of events set the culture and tone for the community. He felt there should be more.

Council Member Jensen reported that there was a good turnout for the Concert in the Park.

Administrator Darrington reported that they are working on a proposal that will include a full-time Code Enforcement Officer.

Council Member Andersen commended Council Member Jensen and his Assistant for hosting an awesome event. She stated that the Council needs to discuss future events.

Mayor Fugal presented a card received from Follow the Flag, the Foxes, and others thanking the City Council for working with them.

Council Member LeMone asked if it was possible to get the Foxes and Mr. Hartel to attend the next meeting to thank them publicly for their good work.

Council Member Andersen stated that it would be appropriate to talk about Follow the Flag, the future, and the Council's role on the Retreat agenda.

**14) SIGNING OF PLATS**

**15) REVIEW CALENDAR**

**16) ADJOURN**

Council Member Jensen moved to adjourn the meeting at 7:05 p.m. Council Member Williams seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council minutes of July 21, 2020, were approved by the City Council on August 4, 2020.

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Kathy T. Kresser, MMC  
City Recorder

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