

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
September 15, 2020
6:00 pm**

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
Sheri Britsch, Library Director
Mike Roberts, Police Chief
Jake Larson, Captain
Denise Roy, Finance 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. 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 offered by Recreation Director, Tyler Wilkins.

4) **APPROVAL OF MEETING AGENDA**

Mayor Fugal noted that agenda item 10E was to be continued to the October 6, 2020 meeting, and noted that there would be a Closed Session to discuss pending or reasonably imminent litigation.

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

5) **OPEN SESSION**

There were no public comments.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Retreat/Planning Minutes for the August 18, 2020 Meeting.**
- b. **To Consider Approval of Change Order No. 1 and Pay Request No. 2 to Geneva Rock Products for the PG 1300 West Road Improvements Project.**
- c. **To Consider Approval of Pay Request No. 2 to Johnston and Phillips for the 150 North Street and Water Line Project.**
- d. **To Consider Approval of Payment Approval Reports for September 3 and 10, 2020.**

ACTION: Council Member Williams 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 (2020-054) Adjusting and Amending the Revenues and Expenditures of the 2020/2021 Fiscal Year Budget -
*Presenter: Finance Director Denise Roy.***

Finance Director, Denise Roy reported that it has been two weeks since the capital improvement projects, and additional projects for the CARES tax were discussed. She provided the Council with Schedules A and B to ensure that the projects are included in the budget.

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

ACTION: Council Member Bullock moved to Adopt Resolution 2020-054 Adjusting and Amending the Revenues and Expenditures of the 2020/2021 fiscal year budget. 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 of a Resolution (2020-055) Approving an Honorary Street Name for the Portion of 600 North from 1300 West to 1500 West as “SSG Henscheid Way” and Authorizing the Addition of the Honorary Name to The Three Street Signs in the Area; and Providing for an Effective Date. *Presenter: City Attorney Tina Petersen.***

City Attorney Tina Petersen stated that at the last City Council meeting, there was a request from a resident to take advantage of the process for petitioning the City to add an honorary street name. Mr. Adams presented a request to the Council to rename this portion of 600 North between 1300 West and 1500 West as “Staff Sargent Henscheid Way.”

The Council was amenable to Mr. Adams’ request, and this Resolution is the formal action needed to authorize the City to add that designation to the street signs.

City Attorney Petersen reported that Sgt. Henscheid served honorably in military service and meets the criteria for the request.

ACTION: Council Member Williams moved to adopt Resolution 2020-055 approving an honorary street name for the portion of 600 North from 1300 West to 1500 West as “SSG Henscheid Way” and authorizing the addition of the honorary name to the three street signs in the area. 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.

Before proceeding to the next item, Council Member Williams noted that they are honoring the military, but this Resolution would not have happened without the Adams’ work. He recognized the Adams for their passion, willingness, and diligence ensuring that the Resolution was passed.

- B) To Consider Awarding Granite Construction Companies the 700 South Overlay Project Bid in the Amount of \$302,296.00 and Authorize the Mayor to Sign the Notice of Award and Authorize the Mayor to Sign the Notice to Proceed and the Agreement Upon Receipt and Approval of Final Contract Documents. *Presenter: Public Works Director Marty Beaumont***

Public Works Director Marty Beaumont stated that as part of the conditional use permit for the Ace Recycling Center the City required the builder to upgrade the road to accommodate the additional truck traffic. It was originally designed a few years ago for a certain truck volume.

As part of the conditional use permit, they required a payment of \$280,000 that would cover the cost of installing a 1 ½” overlay of asphalt over the road. The overlay extends from Geneva Road to Pleasant Grove Boulevard. They want to ensure that the roadway stays beautiful and they keep the value already put into the road into the future, with the additional truck traffic.

As part of the agreement, barges or other extremely large trucks are not permitted on the roadway. These vehicles must take a different route. Garbage trucks and pickup trucks are allowed.

Director Beaumont reported that they had five bidders for this project, with the average bid being \$314,000. The low bid was \$302,000, with three of the bidders within \$8,000. They feel comfortable with the bid selected, and it is a project that needs to be completed because Ace Recycling is now actively operating. He expects the work will be completed by the end of October 2020.

This project includes re-striping and eventually a seal coat, which is included in Granite’s bid. When the road was re-constructed, they had planned on applying a seal coat, but they held off on that and it will be done as part of this project.

ACTION: Council Member Anderson moved to award Granite Construction Company the 700 South Overlay Project as read. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- C) **To Consider Awarding Insituform Technologies, LLC the FY2019-20 Sewer Rehabilitation Project Bid with Base Bid A and Additive Alternatives #1, #2, #3, and #4 in the Amount of \$279,047.00 and Authorize the Mayor to Sign the Notice of Award and Authorize the Mayor to Sign the Notice to Proceed and the Agreement Upon Receipt and Approval of Final Contract Documents. Presenter: Public Works Director Marty Beaumont.**

Public Works Director, Marty Beaumont reported that the above project involves the yearly lining of the sewer system. Last year, UV rays were used for pipes that have constant water flow. This year they elected to go with a different process. They received a bid from Insituform with four alternatives to ensure that they used the budget available.

Council Member Jensen inquired as to the status of the project. Director Beaumont stated that he believes they have established a great process and the system as a whole is operating very well. Every three months they receive a book of all of the pipes that have been cleaned and televised. The book will identify any issues with the pipes after which the department can focus their work efforts depending on that information. He reported that the sewer system is in good condition and they should proceed forward with the proposed process. He explained that the projects do not require much intrusion as most are completed at the manholes. This process is a great way to rehabilitate the pipes.

ACTION: Council Member Williams moved to award Insituform Technologies, LLC the Fiscal Year 2019/2020 Sewer Rehab Project Bid Base A. Alternates 1, 2, 3, and 4 were included in the amount of \$279,047. The Mayor was authorized to sign a Notice of Award and the Notice to Proceed,

and Agreement upon Receipt and Approval of Final Contract Documents. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- D) To Consider for Adoption a Resolution (2020-056) Authorizing the Mayor to Execute a Reimbursement Agreement with Deny Farnworth for the Construction of Certain Storm Drain Improvements of the North Union Ditch in the Area of 200 South and 900 East, Pleasant Grove, Utah County, Utah and Providing for an Effective Date. Presenter: Public Works Director Marty Beaumont.**

Director Beaumont explained that they have been working on an agreement to address a section of the North Union/Gardner Ditch. It was noted that the project is across from the high school. They have been dealing with the Adams Acres Development. Plat A included the street previously approved to go between 200 South and 100 South. Plat B is another portion that included the development of this piece of property.

It was noted that the North Union/Gardner Ditch is a concrete ditch. The City shares in the main irrigation line for storm drainage. The plan was to get some of that ditch piped. The Master Plan shows the capacity needed across this parcel. They worked with the developer to extend the pipe from 200 South to Anderson Park and tie it back into the existing ditch that is open through Anderson Park. The impacted property owner was also included in the agreement with the developer. The City will be required to pay the cost of the upsize. The reimbursement was between the City and FCI Companies, LLC. The City is paying the difference in cost between a 24-inch HDP pipe to the required 36-inch pipe, which is required to meet future needs.

Director Beaumont reiterated that the agreement before the Council in the amount of \$40,300 is only for the increase the pipe size. He recommended that this project be approved and stated that the expenditure is already included in this year’s budget.

ACTION: Council Member Anderson moved to adopt Resolution 2020-56 Authorizing the Mayor to Execute a Reimbursement Agreement with Deny Farnworth for the Construction of Certain Storm Drain Improvements of the North Union Ditch in the Area of 200 South and 900 East, Pleasant Grove, Utah County, Utah and Providing for an Effective Date. Council Member LeMone seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”. The motion carried unanimously.

- E) To Consider for Adoption a Resolution (2020-057) Authorizing the Mayor to Execute a Development Agreement with Dennis Jay Hullinger and Marietta M. Hullinger Regarding the Deferral of the Construction and Installation of Certain Street Improvements on 4000 North Pleasant Grove, Utah County, Utah, and Providing for an Effective Date.**

The above item was continued to the October 6, 2020 meeting.

11) ITEMS FOR DISCUSSION

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

Recreation Director, Tyler Wilkins reported that events started this week. He thanked his staff who have made adjustments with social distancing requirements in place. Flag football was to begin tonight and will be spread out over three nights due to COVID-19. Director Wilkins stated his hope that fitness numbers come back up with the addition of daycare. They were seeing seniors coming into the facility and were excited to be back.

Mayor Fugal asked what fields are being used for the youth soccer program. Director Wilkins stated that they are using fields at Pleasant Grove Junior High. They also use the big field west of Discovery Park.

In response to an inquiry from Council Member LeMone regarding cuts, Director Wilkins reported that although they have not cut any of their programs, high school wrestling was eliminated.

Council Member Jensen asked about the soccer fields. Director Wilkins responded that there are numerous options for soccer. They would like to have their own fields and not have to rent fields that are not designed for soccer. The City has one soccer field on the west side of Discovery Park, however, it is not regulation so adjustments are necessary. He stated that they would like open spaces for multiple fields for flag football and soccer.

Library Director, Sheri Britsch reported that the Library is doing well. They are waiting for the approval of a marquee. They are working to add more hours and putting more of the furniture back. Patrons have been wearing masks so they feel safe having more people use the Library.

Council Member Williams asked if the Council requires a report from the Library Board. Administrator Darrington stated that he has reached out to the various Boards and Commissions to present their reports to the Council. Normally, new Board Members appear before the Council when they are appointed.

Community Development Director, Daniel Cardenas reported that Captain D's is no longer going to develop in Pleasant Grove. The previous day an application was received for the same site from Dutch Brothers Coffee. There is another Dutch Brothers Coffee Shop near BYU and it is popular. The final code enforcement officer interviews were to be conducted this week. They have reviewed the applications and were confident that any of the candidates will catch on quickly.

Council Member Bullock reported that he attended three separate events this past week and at each one, the issue of a "code enforcer" was brought up. He was also asked about contact information. He suggested that these persons contact Director Cardenas or Administrator Darrington. Discussion ensued regarding a centralized code enforcement point of contact. Director Cardenas stated that once a Code Enforcement Officer is hired, they need to have the software in place to address all inquiries. Currently, Director Cardenas receives three to four phone calls each day, which are put into an Excel spreadsheet.

Director Beaumont reported that the E. coli situation arose. Some great people stepped up to help address the issue. The involved well has not had a lot of repairs so they were now trying to figure out how to best address the situation to restore it. There had been a lot of discussion and meetings with the State regarding the situation. To date, no cause had been identified. They initially thought there might have been some cross-contamination, backflow issues, or cross-connections, but they isolated the location and determined that was not the case.

A thorough cleaning of the system was done. They shocked the system with chlorine and flushed it to remove the organisms. While that cleaning was extensive, it was suggested by the State that they shock it using a higher concentration of chlorine and that it be done before Friday. They will give notice to the impacted residents that water will be shut down for at least ½ a day while the water meters are removed and there will be a water truck will be present with very high chlorine residual to flush the lines. Once pumped in, they will let the treatment sit for two to four hours. They increased the level of chlorine following the issue on Saturday and have seen the residuals stabilize around the .3 mark, which means the issues that may still be there. They want to ensure that the street where they had the poor results is completely clean and will not cause problems if the residuals drop.

Additional testing by the State was to begin on Monday. Director Beaumont reported that they removed Wade Springs Well for a time, as the first test came back negative for E. coli but positive for Coliform. Roots were found growing into the spring box, which were removed and chlorinated. The next few tests came back clean. The well would not be reinserted back into the system until five clean tests have been performed.

Director Beaumont stated that in the more than 50 tests conducted, all came back negative except on the one dead-end street. The source of the bacteria was not known, however, because of the low chlorine residuals, the belief was that something was proliferating in that one pipe. The water flow on that street goes in one direction because it is a dead-end line, which prevented it from being pushed back into the system and becoming more widespread.

Council Member Andersen asked how they flush the accelerated levels of chlorine out of the system. Director Beaumont explained that they pump it back into the truck where it is then discharged onto land where it can dissipate. It cannot be pushed into the storm drain or sewer systems. Council Member Anderson thanked Director Beaumont for his work.

The discussion then turned to 1300 West. Director Beaumont reported that he received a call from Larry Myler and they have worked out the issues with the State and the right-of-way. They can now get the power pole relocated with Rocky Mountain Power.

Council Member Andersen asked if the fire destroyed any of the power poles. Fire Captain Jake Larson reported that one pole was damaged and will likely have to be replaced.

Director Beaumont reported on 1300 West and stated that he expects the lower portion to be completed in the next week or so. Asphalt will be installed the following week. By the end of September, the lower portion was expected to be finished. The asphalt in front of the Pemberley development is very thin, and they have a plan to resolve that issue to ensure that it is done right and that the travel lanes will be stable.

In response to an inquiry from Council Member LeMone, Director Beaumont stated that secondary water filters are going better than expected. Over the past week, they have filtered the south turnout at Center Street. Work on the 1100 North filtration began this week. There was an issue with the north filter that was expected to be resolved soon. At that point, all three will be working. Water as to be turned off on October 1. Next spring they will all be functioning and operational.

Council Member LeMone noted that there have not been as many complaints received about secondary water as in years past. Director Beaumont stated that there are several factors. They have implemented effective backup systems. Additionally, no water is flowing from Battle Creek to that zone because of the installation of the filters, which required water to be diverted. They pumped out of the Battle Creek zone all year to the upper zone. He explained that this is not the most economical way to operate the system, however, they now the ability to run it properly.

One of the major problems was the amount of dirty water coming in from the Battle Creek zone because the stream was open. The flow plugs the filters with debris and then the water cannot be filtered. They have since installed a screen that will keep material out of the system before it reaches the filters.

Director Beaumont reported that they now know how to ensure that the system functions more efficiently. Pumping was still a viable option, however, it is expensive and infrastructure is in place to allow them to remove the filter, which improves its function.

Director Beaumont applauded those assisting in the work. He reported that the lab has not seen positive E. coli tests in 12 years and is an uncommon issue to address.

City Recorder, Kathy Kresser thanked the Public Works, Fire, and Police Departments for all they do for the City.

Mayor Fugal reported that when responding to the fire near Recorder Kresser's home, the first responders had to remove a hedge in order to access a hydrant. Director Beaumont stated that they raise this issue in the newsletter each year because they are constantly dealing with people who want to paint the hydrants, or landscape around and over them. Residents should be aware that three feet of access is required around hydrants.

City Attorney, Tina Petersen reported that they filed their Initial Appellate Brief on the Transportation Utility Fee earlier in the week. She would inform the Council once the response is filed.

HR Director, Kyler Ludwig reported that they hired a New Intern from the high school who will be working on a time capsule project and public relations campaigns. They have five open full-time positions. They are looking to fill positions in the Code Enforcement, Water, and Streets Departments as well as hire a City Engineer and a Police Officer.

Administrator Darrington reported that the last 10 days have been extremely busy and difficult. He thanked the employees who have stepped up during this intense time. He would recognize specific City employees at the October 6 meeting.

Administrator Darrington reported that staff was working on specific issues addressed at the Joint Meeting with the Planning Commission. Code Enforcement interviews were upcoming and the CARES Committee was established to discuss the CARES funding. They were originally scheduled to meet last week, but the meeting was canceled and was being rescheduled. \$2.7 million in CARES funding was available. The intent was to ensure that it is accounted for and that they understand the rules for spending it.

12) **REVIEW AND DISCUSSION ON THE SEPTEMBER 15, 2020 CITY COUNCIL MEETING AGENDA**

13) **MAYOR AND COUNCIL BUSINESS**

Council Member Jensen acknowledged that the last few days have been intense. He stated that they have all received phone calls, texts, and inquiries. He thanked staff for their updates.

Council Member Jensen commented on the recent golf tournament.

Next Friday would be the last Food Truck Concert in the Park. Food trucks will start serving at 5:00 p.m. with the concert commencing at 6:30 p.m.

A Ribbon Cutting was to be held for Ghost Longboards the following Saturday at 10:00 a.m. It was reported that the company produces approximately 3,000 boards per month.

Council Member Bullock echoed the sentiments of Council Member Jensen and expressed appreciation to staff for their efforts. It was noted that the fire response was an amazing collaboration.

Council Member Andersen announced that she was closest to the pin in the Chamber Golf Tournament. She thanked those who responded to the recent fire.

Council Member Williams was grateful to live in such an amazing City with great staff. He thanked the City employees for their efforts.

Council Member LeMone, a lifelong Pleasant Grove resident, stated that there has never such a severe fire in the City in her lifetime. During her time serving on the Council, there have never been instances of E. coli. They have also dealt with COVID-19. She expressed her appreciation to the staff.

Mayor Fugal commented on the Public Safety personnel and the outstanding job they do. When he joined the Pleasant Grove Fire Department 40 years ago, it was a different time. He was pleased to witness their organization and training. A few years earlier during the election cycle, there was talk of going back to a volunteer department. He stated that they cannot go back to a volunteer department and still provide the same level of service. In the budget, the Council will be asked to do more for public safety, and they need the Council's full support. Efforts to protect the "G" were described.

14) **SIGNING OF PLATS**

15) **REVIEW CALENDAR**

16) **CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION (UCA 52-4-201(c))**

Council Member Jensen moved to go into Closed Session to discuss pending or reasonably imminent litigation. Council Member Bullock seconded the motion, with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”. The motion carried unanimously.

The City Council was in Closed Session from 7:21 p.m. to 7:54 p.m.

17) **ADJOURN**

Council Member Williams moved to adjourn at 7:54 p.m. Council Member Anderson seconded the motion, with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”. The motion carried unanimously.

The City Council minutes of September 15, 2020, were approved by the City Council on October 6, 2020.

Kathy T. Kresser, MMC
City Recorder
(Exhibits are in the City Council Minutes binders in the Recorder’s office.)