

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
February 16, 2021
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
Deon Giles, Parks Director
Marty Beaumont, Public Works Director
Kyler Ludwig, HR Director
Mike Roberts, Police Chief
Drew Engemann, Fire Chief
Denise Roy, Finance Director
Sheri Britsch, Library Director
Daniel Cardenas, Community Development Director
Kathy Kresser, City Recorder

Excused: Tina Petersen, City Attorney
Tyler Wilkins, Recreation Director

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

4:30 P.M. WORK SESSION - CANCELLED

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Guy 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 Williams.

3) **OPENING REMARKS**

The opening remarks were offered by Fire Chief, Drew Engemann.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Jensen moved to APPROVE the meeting agenda. Council Member Williams 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. There were no comments from the public. The Open Session was closed.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Minutes for the February 2, 2021 meeting.**
- b. **To Consider Approval of Payment Approval Reports for February 11, 2021.**

ACTION: Council Member Bullock moved to APPROVE the Consent Items. Council Member Andersen 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) **CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION A RESOLUTION (2021-05) ADJUSTING AND AMENDING THE REVENUES AND EXPENDITURES OF THE 2020/2021 FISCAL YEAR BUDGET.
*Presenter: Director Roy. (Continued from the February 2, 2021, City Council Meeting.)***

Finance Director, Denise Roy, presented the budget amendments and reported that they were working through a couple of issues. She reported that they were asking for an amendment to the storm drain budget of \$75,000 as part of the pickleball project. There will be storm drain improvements in that area so they needed to appropriate money from the stormwater budget.

Director Roy reported that the amount of the Storm Drain Improvement Project for the North Union Gardner ditch pipeline replacement on Loader Avenue is up to \$450,000. They were asking for the Pleasant Grove Irrigation Company to pay one-third of that cost. The City will pay two-thirds depending on the bid.

Director Roy reported that they will be using \$29,000 of the CARES tax funds for fencing and field improvements at the Discovery and Shannon Park baseball fields. \$20,000 will be used for swimming pool improvements such as painting. The carpet and sound system are already in place.

Director Roy reported that when the budget was adopted, there was funding for part-time Code Enforcement. The position is now full-time and they were asking for funding to cover the expense until the end of June. They also needed to purchase a Code Enforcement vehicle so they repurposed and retained one of the Ford Explorers from the Police Department that was going to go back as part of the lease plan.

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

ACTION: Council Member Williams moved to ADOPT Resolution (2021-05) Adjusting and Amending the Revenues and Expenditures of the 2020/2021 Fiscal Year Budget. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

B) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (20221-1) TO AMEND CITY CODE SECTION 10-18-3: MINIMUM NUMBER OF PARKING SPACES REQUIRED, BY MODIFYING PARKING REQUIREMENTS FOR RETAIL AND OFFICE USES ONLY WITHIN THE DOWNTOWN VILLAGE ZONE AND LIMITED TO THE DOWNTOWN COMMERCIAL SUBDISTRICT. (JOHN ANDREW ARMSTRONG APPLICANT). Presenter: Director Cardenas. (Continued from the February 2, 2021, City Council Meeting.)

Community Development Director, Daniel Cardenas, reported that the above item seeks to modify certain parking criteria in the City. He explained that most codes in the State of Utah have a table that specifies the number of parking stalls required for a new business. This number is based on the type of use and the size of the building. Recent situations have shown that the same table is used in various municipalities throughout the State of Utah. Some cities have changed and improved their requirements. Director Cardenas reported that by applying these regulations, staff found that the number of parking stalls required for residential uses is always all used. They cannot be changed but adding more is always recommended. In addition, developers consider parking requirements before making a decision on a project.

Director Cardenas explained that for 1,000 square feet of office space, one parking stall per 300 square feet is required or three parking stalls. Retail uses require one parking stall per 200 square feet for a total of five parking stalls for 1,000 square feet. In such a case, a developer would likely pursue an office use. Director Cardenas pointed out that the City would lose out on the retail use.

He further reported that cities across the nation are eliminating minimum requirements for parking for retail uses because it has proven to be self-regulated. Some retail uses in Pleasant Grove such as Cocolito's, Cravings Bistro, and others would not exist if they had been required to comply with parking requirement.

Director Cardenas reported that new projects have come to the City and their decision regarding use was based on the parking requirement. He pointed out that this hinders the flow of retail sales tax into the City. The Planning Commission's recommendation was to change the requirement to one parking stall per 500 square feet of retail use in the Downtown Commercial Zone only.

Mayor Fugal opened the public hearing.

Drew Armstrong stated that they built a building on Main Street years ago and are planning to develop another. They are one of the businesses that approached Director Cardenas to make Downtown more business-friendly and vibrant. This was something to consider in the future to motivate developers to do more retail Downtown.

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

Council Member Williams commented that what is proposed makes a lot of sense. He had been concerned about the City limiting its ability for retail. Council Member Jensen stated that the Downtown 2020 Plan Vision is starting to come to fruition. He commended Mr. Armstrong for moving that vision forward. Council Member Andersen expressed support for the proposed amendment.

ACTION: Council Member Jensen moved to ADOPT Ordinance (2021-1) to amend City Code Section 10-18-3: Minimum Number of Parking Spaces Required, by Modifying Parking Requirements for Retail and Office Uses Only within the Downtown Village Zone and limited to the Downtown Commercial Subdistrict. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

10) ACTION ITEMS READY FOR VOTE

- A) TO CONSIDER FOR ADOPTION A RESOLUTION (2021-06) AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED COMMISSIONED PAINTING AGREEMENT WITH ERIC DOWDLE, DBA AMERICANA ART ENTERPRISES, LLC, FOR A PAINTING OF PLEASANT GROVE, COMMEMORATING HISTORICAL AND CURRENT PLACES, PEOPLE, AND BUSINESSES SIGNIFICANT TO THE COMMUNITY AND PROVIDING AN EFFECTIVE DATE. *Presenter: Administrator Darrington.***

City Administrator, Scott Darrington, reported that the above resolution was discussed at the previous meeting. Staff was directed to go back and pursue a better option for the City. The price was ultimately reduced from \$50,000 to \$40,000 for the same portrait size of 22' by 28'.

Administrator Darrington reported that some language was added to the agreement to have the puzzles ready by June 1, 2021. The only potential problem would be a government-related COVID-19 shutdown of the plants in Indiana. The sketch was delivered on Monday. Council Member Jensen had the master copy in his possession. It was noted that the City Council can make changes to it. Administrator Darrington and Council Member Jensen planned to meet the following day to make a final decision. Administrator Darrington confirmed that the amended sketch would be distributed again prior to the final print.

ACTION: Council Member Andersen moved to Adopt Resolution (2021-06) authorizing the Mayor to execute an Amended Commissioned Painting Agreement with Eric Dowdle, DBA Americana Art Enterprises, LLC, for a painting of Pleasant Grove, commemorating historical and current places, people, and businesses significant to the community 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.

B) TO CONSIDER FOR APPROVAL A RESOLUTION (2021-07) AUTHORIZING THE MAYOR TO ENTER INTO A REIMBURSEMENT AGREEMENT BETWEEN PLEASANT GROVE CITY, PLEASANT GROVE METROPOLITAN WATER DISTRICT, AND PLEASANT GROVE IRRIGATION COMPANY FOR THE MILL DITCH ENCLOSURE PROJECT. Presenter: Director Beaumont.

Public Works Director, Marty Beaumont, reported that for the last several years they have been working to address a leaky ditch issue between American Fork Canyon in the first 3,000 feet of the Mill Ditch. It was noted that the water involves a Pleasant Grove Irrigation Company ("PGIC") facility. Director Beaumont reported that the PGIC President took the issue to the Board at a recent shareholders meeting. They agreed that they did not want to pay for the ditch to be piped. The engineering group looked at the value of the water that is lost and found that it is substantial at 15 to 20 percent of the total water volume currently used in the City.

Director Beaumont reported that they looked for funding opportunities and found the Natural Resources Conservation Service ("NRCS") Fund, which awards up to a 75% grant. They applied and were awarded approximately \$1.2 million. The project is underway and the pipe will be constructed by April 1 when the water goes back into the canal.

Director Beaumont reported that they needed to go back to PGIC to get the benefit of piping the ditch. He further reported that the agreement specifies that the City will work with PGIC to get the water that would be lost into the Manila Pond. The City will contribute \$350,000 for the project and obtain a grant for the rest. The agreement was approved by the PGIC Board and the Pleasant Grove Metropolitan Water District and needed City Council approval.

ACTION: Council Member Bullock moved to APPROVE Resolution (2021-07) authorizing the Mayor to enter into a Reimbursement Agreement between Pleasant Grove City, Pleasant Grove Metropolitan Water District, and Pleasant Grove Irrigation Company for the Mill Ditch Enclosure Project. 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.

- C) TO CONSIDER AWARDING S&L, INC. THE NORTH UNION DITCH PIPING PROJECT BID IN THE AMOUNT OF \$279,160.00 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: Director Beaumont.***

Director Beaumont reported that this is a project they wish they did not have to do but that needs to be done. He explained that on Loader Avenue, to the south of Valley View Elementary is Orchard Drive. Across the Orchard Drive on the south side is where the project ends. The ditch is an extension of the North Union Ditch, which comes from the Provo River and is a major water source for the irrigation company. Currently, there are no pumps on the system so water cannot be taken out of North Union Ditch. The ditch is one of the major 30-inch main lines for the storm drain system.

The pipe is very old and has been leaking. The best way to fix it is to replace it, which is very difficult and expensive. The project was put out to bid and three bids were submitted. S&L was the lowest at \$280,000, which was 39% higher than the engineer's cost estimate. He described the timing and stated that it has to be done in the next month and a half. It is located in front yards and within 10 feet of a few homes.

Director Beaumont reported that they need to resolve the flooding issue for the homes on the west side of the road. Staff recommended awarding the project to S&L. He further reported that the cost of construction of the pipe was separate. The \$50,000 cost was for the contractor to install the pipe and redo all of the driveways.

Council Member Andersen asked for a cost estimate for the landscaping. Director Beaumont indicated that they are working with the property owners on the final landscape plan.

ACTION: Council Member Andersen moved to AWARD S&L, Inc. the North Union Ditch Piping Project bid in the amount of \$279,160.00 and authorize the Mayor to sign the Notice of Award, the Notice to Proceed, and the Agreement upon receipt and approval of the final contract documents. 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.

11) ITEMS FOR DISCUSSION

A) **Continued Items from the Work Session, If Needed.**

Staff Business.

Library Director, Sheri Britsch, reported that they put up the virtual Valentine's reading and the episode with Sandeep got 372 views in only a few days. Council Member Jensen stated that Greg Cook is another star because he submitted two book readings. Director Britsch reported that the PG Players plan to start rehearsing in April.

Council Member LeMone stated that Nathan Gerber is doing a gardening workshop and asked if has been posted on the Library's Facebook page. Director Britsch was not aware of the workshop.

Police Chief, Mike Roberts, reported that all officers took part in a recent virtual reality training that took place with the Lehi Police Department. He also reported that the detective division was able to solve a rash of garage burglaries with the thief now in jail. Another burglary occurred over the weekend on 1100 West where only a baby monitor and baby clothes were stolen. The baby is adopted and the biological mother had just gotten out of jail. It was believed to be an attempted kidnapping.

Chief Roberts reported that Detective Lauren Locke was involved in her first interstate drug bust. It was noted that she was assigned to the Major Crimes Task Force several weeks ago.

Council Member Jensen stated that Chief Roberts was working on a spreadsheet regarding crime in the various neighborhoods within the City. He commended Chief Roberts on the email he sent on Community Emergency Response Team ("CERT") training.

Director Cardenas reported that he is preparing a report to be presented to the City Council the following Friday. It pertains to numbers he submitted to the Fire Department regarding the amount of land used in the City for residential, commercial, and manufacturing. Council Member Bullock inquired about Code Enforcement and requested an update. Director Cardenas indicated that he meets with the Code Enforcement Officer every Friday. He will ensure that a report is provided with statistics.

Parks Director, Deon Giles, reported on the previously mentioned Beautification Gardening classes. The first will involve fruit trees followed by grapes and berries. The classes will be held remotely via Zoom. Nathan Gerber will conduct a hands-on pruning event that was to be announced the following day. Director Giles also reported that construction on the pickleball courts were shut down earlier in the day due to weather. They planned to have the posts for the lights drilled in. The restrooms were scheduled for the following week.

Director Beaumont reported that plowing was done following a recent snowstorm. He also reported that several items were under design currently. They looked forward to a busy construction season. It was noted that the road striping on 1300 West did not get done. They were waiting for reasonable temperatures.

Director Beaumont also reported that they are working on the design of 100 East and Center. The engineer is getting ready to move forward on that with the County.

Council Member LeMone asked if they could set a date for the spring clean-up. Director Beaumont indicated that it could be moved to April before Mother's Day. He also reported that they are working on the pipe plant facility and trying to figure out where to move the clean-up dumpsters.

Fire Chief, Drew Engemann, reported that there was a fire earlier in the day. It started in the power that goes into a home that had a short. There were numerous dogs in the residence that they were able to rescue. Fortunately, there was no fire damage on the inside of the home.

Chief Engemann reported that the new Dispatch worked well to dispatch trucks from other cities. The mutual aid with the cities was also a success. He further reported that they plan to conduct interviews this week to fill the Deputy Chief position. Sarah has also been contacted by several departments to do CPR forums.

Administrator Darrington reported that he emailed the draft copy of the Retreat agenda. It will commence at 8:30 a.m. in the Community Room, and go until 2:00 p.m.

Administrator Darrington stated that with regard to the budget amendments approved today, there were certain commitments made to residents on what the CARES tax will do. All had been fulfilled with the exception of the improvements at the ball fields and swimming pool. The amendments will address those obligations.

On Friday they will discuss a CARE Tax Master Plan and decide whether to do larger or smaller projects.

12) REVIEW AND DISCUSSION OF THE MARCH 2, 2021, CITY COUNCIL MEETING AGENDA

Administrator Darrington stated that if there are no agenda items for the Work Session for March and April, that time could be spent on a budget discussion.

13) MAYOR AND COUNCIL BUSINESS

Council Member LeMone indicated that she would be unable to attend the Retreat as her son will be participating in the State Wrestling Tournament.

Council Member Jensen reported that the Chamber Business Awards went well. Mayor Fugal presented the award to Ace Allred. Council Member LeMone presented the Business Person of the Year award to Kyle and Carrie Fox. The Heroes Award was presented to American Fork Hospital and Mountain Point Medical. The Organization of the Year Award went to Tabitha's Way.

14) **SIGNING OF PLATS**

There were no plats to be signed.

15) **REVIEW CALENDAR**

16) **ADJOURN**

Council Member Jensen moved to adjourn the meeting at 6:59 p.m. Council Member Bullock seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council minutes of February 16, 2021, were approved by the City Council on March 2, 2021.



Kathy T. Kresser, MMC
City Recorder

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

