

**Pleasant Grove City  
City Council Meeting Minutes  
Regular Session  
June 1, 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  
Tina Petersen, City Attorney  
Deon Giles, Parks Director  
Marty Beaumont, Public Works Director  
Mike Roberts, Police Chief  
Drew Engemann, Deputy Fire Chief  
Daniel Cardenas, Community Development Director  
Kathy Kresser, City Recorder  
Denise Roy, Finance Director  
Tyler Wilkins, Recreation Director

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 Guy Fugal called the meeting to order and reported that all Council Members were present.

**2) PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Dianna Andersen.

**3) OPENING REMARKS**

Council Member Cyd LeMone offered the opening remarks.

**4) APPROVAL OF MEETING AGENDA**

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

5) **OPEN SESSION**

City Administrator, Scott Darrington, stated that there may be members of the public present tonight to discuss agenda item 9.D., dealing with building height. He clarified that people who wish to speak to the proposed change to the ordinance to remove the authority of the Planning Commission to issue Conditional Use Permits for building heights over 35 feet in any Residential (R-1) zone, should make their comments when they open comment on item 9.D. Any comments by persons who wish to discuss or comment on how building height is calculated, or comment on the change to the ordinance in Rural Residential (RR) zones, would be appropriate during the Open Session.

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

6) **CONSENT ITEMS**

- a. **City Council Minutes:  
City Council Minutes for the May 4, 2021 Meeting.  
City Council Minutes for the May 18, 2021 Meeting.**
- b. **To Consider Approval of Payment Number 7 to J. Lyne Roberts & Sons for the Veterans Memorial Park Expansion Pickleball Courts.**
- c. **To Consider Approval of Payment No. 2 to S&L Incorporated for the North Union Ditch Project.**
- d. **To Consider Approval of Payment Approval Reports for May 20, 2021.**

**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**

- A. **Presentation to Brooklin Allen, Miss Pleasant Grove.**

Council Member Jensen reported that Brooklin Allen has been an outstanding citizen and Miss Pleasant Grove for the last two years. He read something that Ms. Allen wrote: “Be the reason that someone smiles. Be the reason someone feels loved and believes in the goodness of other people.” He thanked Ms. Allen on behalf of the Mayor and the City Council. Her platform—“The

Ripple Effect”—was presented to the Council over two years ago, and she continues to spread love and kindness throughout the community. February will always be Kindness Month and they appreciate the dedication she has shown by leading, sharing, and reaching out to so many. He thanked her for changing how they spread kindness in the community.

Council Member Jensen referenced a recent article that states that Ms. Allen has forever changed Pleasant Grove. He stated that kindness is a language that the deaf can hear and the blind can see. He presented her with a plaque. Ms. Allen thanked Council Member Jensen and the City Council, for allowing her to represent the City for the past two years. She would not have been able to accomplish what she did without the support of the Mayor and the City Council, and the support of the City that she loves. She stated that Pleasant Grove will be a part of her heart forever. Over the past two years, she has found that a community united in kindness can change the world. She has seen miracle after miracle as she has visited schools to teach the importance of kindness. Ms. Allen believes that kindness is a unifying power that will bring us back together and keep us moving forward with hope.

Ms. Allen thanked each member of the Council for welcoming her and making her feel important. She felt lucky to live in a city that has a Council that believes in us and wants its residents to accomplish their goals. She commented that one of the last service projects she wanted to complete was to support refugee mothers living in Salt Lake City. She received \$1,000 in donations to make over 150 self-care packages for these women. This would not have been possible without the community being united in kindness. She was excited to represent Pleasant Grove at Miss Utah next week.

Kym Wilson recognized Ms. Allen for the amazing job she has done over the past two years. She thanked the City Council for being supportive. She felt blessed to be part of Pleasant Grove and to have access to the events and appearances that the City makes available to them. Mayor Fugal addressed Ms. Allen and applauded the tremendous job she has done over the past two years. He stated that no one else has served two years and she will always have that distinction.

Council Member Williams commented that the past two years represents 10% of Ms. Allen’s life that she has given to the City. Council Member Andersen added that she is thrilled and excited to see Ms. Allen’s future. She has helped so many women in Salt Lake, which is only going to grow. Opportunities will fall into her lap because she is where she is supposed to be, doing the right thing with the right people, with a perfect smile. Council Member LeMone thanked Ms. Allen for being a role model for young women in the community.

**B. Introduction of Miss Pleasant Grove Royalty.**

Miss Pleasant Grove, Haylie Howell, expressed her excitement in following Ms. Allen’s footsteps to serve the community. She stated that she was born and raised in Pleasant Grove and has a deep love for the community. Ms. Howell introduced her first attendant, Kameryn Christensen, who just graduated from high school. Ms. Howell’s second attendant is Ryleigh Paulin, a 2020 graduate.

Ms. Howell stated that her social impact initiative is “Today a Reader, Tomorrow a Leader.” She was excited to teach young children about the importance of literacy. She has organized book drives, donated books to the local community as well as a classroom in Puerto Rico. She looked forward to organizing more book drives.

Ms. Christensen addressed the Council and stated that her social impact initiative is “Make People ‘Laf.’” She has been teaching youth how to leave a legacy and make people laugh.

Ms. Paulin stated that her social impact project is “Happy Brain Project.” Last year, she started her own non-profit organization called Happy Brain to bring awareness to mental health. She helps people learn skills to face unexpected things that might occur.

Mayor Fugal stated that he looks forward to working with each young lady. Council Member Williams commented that a few of them attended the Miss Pleasant Grove pageant and were impressed by the talent. He looked forward to working with them.

9) **PUBLIC HEARING ITEMS**

- A. Public Hearing to Receive Comments on the Proposed Pleasant Grove City Fiscal Year 2021/2022 Budget. The Final Budget Includes the Comprehensive Fee Schedule. A Copy of the Proposed Budget is Available at the Recorder’s Office, 708 South 100 East. Presenter: Director Roy.**

Finance Director, Denise Roy, reported that they will not be adopting the budget until June 22, 2021. The budget is available to view in the Recorder’s Office. She shared with the Council a page from the budget for the General Fund that shows where they ended up with new money. They are fortunate that the sales tax revenue has been good. They have been working through the market correction with the employees and are fortunate to be able to utilize approximately \$492,000 for increases, which will be positive for the City. Director Roy stated that they will also be working on a market correction for the City’s part-time employees, which will utilize \$200,000. Due to a medical insurance increase, they are making a few changes to the medical plan, and the City will cover \$122,000 of the increase.

They will allocate \$30,000 for election costs incurred with the County. She also added that changes to the Victims of Crime Act (“VOCA”) Grant will result in a decrease in federal funding. They will allocate \$6,000 for this to keep their current full-time and part-time victim advocates.

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

**B. Public Hearing to Consider for Adoption an Ordinance (2021-16) Permanently Closing and Abandoning Approximately 1,507 Square Feet, 0.0346 Acres of Right-of-Way Located at Approximately 1300 West 100 South. (SAM WHITE'S NEIGHBORHOOD) Presenter: Director Beaumont.**

Public Works Director, Marty Beaumont, reported that a number of years ago during a previous plat for 1300 West and 100 South and the development of what was called the 100 South LDS Church plat, there was a requirement for the dedication of a right-of-way for a future road. He explained that one of the problems with that plat was confusion as to where the right-of-way needed to be located. The right-of-way went through a garage, so the landowner dedicated property that was not intended to be dedicated right-of-way. They have worked with the landowner and will dedicate a small section back to them, but they need to record another plat that shows the correct location. This ordinance allows them to accomplish this.

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

**ACTION:** Council Member Williams moved to Adopt Ordinance 2021-16 permanently closing and abandoning approximately 1,507 square feet, 0.0346 acres of right-of-way located at approximately 1300 West 100 South (SAM WHITE'S LANE NEIGHBORHOOD). Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

**C. Public Hearing to Consider for Adoption an Ordinance (2021-17) Amending City Code Section 10-14-24-1-C2: The Grove Commercial Sales Subdistrict, Permitted Uses, Expanding the Permitted Uses to Include Use #6419 Automobile Service, Except Repair and Wash (Includes Lube, Diagnostic, Tune-Ups, Parts, and Tire Replacement Services) Only for Properties Fronting State Street within the Grove Zone and Limited to the Commercial Sales Subdistrict. (SAM WHITE'S LANE NEIGHBORHOOD) Presenter: Director Cardenas.**

Community Development Director, Daniel Cardenas reported that this item involves the addition of a new use in the Grove Zone. He presented a visual of the Grove Zone and stated that within this zone there are various sub-districts. Generally, the Grove is considered the area along the Boulevards, although it also extends to State Street. The feeling and look of a business along State Street is completely different than a business along the Boulevards, even though they are governed by the same standards.

Director Cardenas reported that there have been applications for automotive services, which is not a permitted use within the Commercial Sales Subdistrict in the Grove zone. He stated that the General Plan did not contemplate extending to State Street. Usually, when someone applies for a Business License, they must first ensure that the primary use is permitted in the zone. They have found that applicants for these automotive uses would demonstrate that they actually make more money selling tires than providing services. As a result, those businesses were granted licenses to operate on State Street.

The proposal from the applicant in this instance is to include lube, oil changes, and tires. The application does not include repairs. The Planning Commission unanimously recommended approval of this use only for properties fronting State Street. Director Cardenas noted that many of the businesses along State Street are similar to the requested use. Director Cardenas explained that the proposal seeks a Code amendment to include use #6419 only for businesses or parcels fronting State Street.

Council Member Williams commented that there is a lube shop just down the street from the proposed business and asked how that business differs to have allowed them to escape the requirements of this zone. Director Cardenas explained that when they obtained their business license, they would have had to provide documentation that the main use applied for was the retail sale of tires rather than for automotive services. The applicant provided documentation that showed that they charged more sales tax than they charged for services.

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

**ACTION:** Council Member Bullock moved to ADOPT Ordinance 2021-17 amending City Code Section 10-14-24-1-C2: The Grove Commercial Sales Subdistrict, Permitted Uses, expanding the Permitted Uses to include Use #6419 Automobile Service, except repair and wash (includes lube, diagnostic, tune-ups, parts, and tire replacement services) only for properties fronting State Street within the Grove Zone and limited to the Commercial Sales Subdistrict. (SAM WHITE'S LANE NEIGHBORHOOD). Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

**D. Public Hearing to Consider for Adoption an Ordinance (2021-18) Amending City Code Section 10-9B-9: Building Height, to Refine the Requirements and Limitations for Building Height in the R1 (Single-Family Residential) Zones. (Pleasant Grove City Applicant) Presenter: Director Cardenas.**

Director Cardenas presented the zoning map and explained that every zone that starts with an R is a residential zone. An R-1 zone means single-family residential, which is the zone referred to in this proposed amendment. He stressed that the proposed Code Amendment does not address how the height of a building is calculated; rather, it seeks to clear up the language regarding the approval of building heights over 35 feet as it pertains to single-family dwellings in R-1 zones. He referenced the current language, which states that buildings with one side in excess of 35 feet in height may be approved by a Conditional Use Permit issued by the Planning Commission. The current language of the Code leaves open the criteria for the issuance of a Conditional Use Permit. They have been trying to eliminate as many conditional uses as possible, and this proposed amendment seeks to eliminate that part of the Code that allows the Planning Commission to approve conditional use permits for R-1 housing in excess of 35 feet. He stressed that the calculation of building height is located in a different part of the Code and that is not impacted by the proposed amendment.

Director Cardenas highlighted the fact that the current language does not provide guidance to the Planning Commission on the factors to consider in granting a conditional use permit for buildings where one side exceeds 35 feet.

Council Member Jensen commented that the Planning Commission has unanimously recommended approval of this amendment. Director Cardenas emphasized that the conditional uses under this section are complicated to establish and, as noted by Commissioner Andersen, very subjective.

Mayor Fugal opened the public hearing.

*Jeff Brimhall* raised four points related to this discussion. The first two points related to the differences in building heights based on topography. He had a video showing two homes that are side by side, both 35 feet in height. One home has a walkout basement in the back. Because of that, the home is shorter in height than the neighboring home even though they are on the same ground level. He showed the Council a real-life example of the disparities in heights. He explained that the area in red is lower than the rest of the property, and the rest of the property is at the same ground level as the neighboring homes. There is a dip on the east side of this home that was dug out over 50 years ago when the home was built in order to accommodate a three-car garage. Mr. Brimhall expressed his thought that this is the exact type of situation that the Code contemplated.

Mr. Brimhall stated that the red brick house depicted in the photograph is 35 feet in height. He wants to move the blue barn on the property and build a new structure in its place that is the same height as the red brick house; however, the current Code will not allow him to do so because the height on the east side is six feet taller. Mr. Brimhall presented a rendering of what the property would look like from the southwest. Because the other side is dug out, it would be taller than 35 feet. He suggested that City staff and the Planning Commission should be able to look at specific situations and make a judgment call. He noted that his proposed plan is nicer for the neighbors because it is lower, thereby preventing traffic noise and traffic views.

Mr. Brimhall stated that he believes that the proposed Code amendment is a direct result of the project he submitted and the resulting public outcry. He provided emails to the Council regarding the history of the Code change and stated that he has asked the City to reverse its prior decision to change the Code as it pertains to the Rural Residential (RR) zone on May 4, 2021.

*Curtis Marshall* stated that the truth is important. It was evident to him that something is going on that has resulted in the proposed change. His home faces a home with a basement in the backyard that is all level, but if you look in the back, it is three levels high and therefore quite a bit higher than 35 feet. Mr. Marshall stated that he could build a barn in his backyard as long as it is not higher than his home, but that would not be right.

Mr. Marshall stated that the City should look at each situation individually based on the truth of the land that a building is on. He wants the City to look at this as truth, not as Code.

*David Anderson* handed out graphics for the Council. He stated that he works for a large builder with projects in Pleasant Grove and he enjoys working with the City. He stated that Director

Cardenas touched on how building height is measured as compared to the grade and the Code is not clear. He stated that this is something that the City should address.

Referencing the photographs provided to the Council, Mr. Anderson stated that this is a typical home, and similar to hundreds of homes built in Pleasant Grove. If the ordinance passes, the dimensions of this house would not conform to the Code and there would be no exemption for these homes. He stated that it would be difficult to obtain permits to build homes with walk-out basements. Mr. Anderson asked the Council to be aware of the practical impact on homeowners and builders trying to design homes. As stated, the City's job is to make it easier for homeowners and builders, not cause more problems.

*Bill Lee* stated that he understands that zoning rules can be arbitrary, but they can be moved around. He stated that his home on 500 East has a slope. He questioned whether the City has looked at how this change will affect the homeowners. He asked if there was any analysis of how many projects impacted by this change are in the planning stage, or whether there are future projects that would be affected. He commented that calculating building height is confusing. When he walks into his front room, he sees his neighbor's roofline and wonders if that now becomes a view issue. He expressed his hope that the City has done its due diligence and has the information to assess the impacts of this change. Mayor Fugal reaffirmed that this item is not seeking to change the ordinance on building height.

Council Member Williams stated that Pleasant Grove is not a flat city. It was confirmed that this change has already been made for RR zones, and today's hearing involves the same change to R-1 zones. Council Member Williams asked if the proposed change eliminates the ability for someone to build a two-story walk-out basement in the future. Administrator Darrington stated that the Planning Commission has never issued a Conditional Use Permit to someone who wanted to construct a home with a height of greater than 35 feet, meaning that the conditional use permit option was not used, not that the Planning Commission has never approved the application.

It was clarified that the proposed change does not address building height. It addresses the ability of the Planning Commission to grant a Conditional Use Permit on a structure over 35 feet. If a home builder has a pitched property and wants to build a walk-out basement, the Code dictates how to measure building height. It was reiterated that the calculation of building height has been in place for years.

City Attorney, Tina Petersen, stated that the ordinance should answer the questions of the home builders as to whether this change effectively eliminates walk-out basements or requires a lower-height home. Director Cardenas explained that this change only eliminates the Conditional Use Permit authority of the Planning Commission. He referred to a photo presented to the Council and explained that the height of the two-story building is approximately 25 feet. Generally, each story is 11 feet in height, and then you factor in the pitch of the roof.

Director Cardenas described how the grading or topography of the land impacts building height. When there is a slope, they find the average between the low point and the high point of the building. The Code specifies that the calculation must be done from the finished grade.



In response to an inquiry, Director Cardenas explained how a builder would apply for a Building Permit and provided a calculation of building height based on the current Code and the average of the grades. Initially, a builder would be requested to show the finish grade on the parcel. Once they are provided with the finished grade and the location of the building on the parcel, they look at the average grade and calculate from that point. It is important for them to receive the building elevations to confirm that the building height meets the Code. He noted that staff has seen a lot of creativity in the design of buildings and the walk-out basements so that the homes meet the requirements of the Code.

Council Member Andersen clarified that this agenda item solely involves eliminating the conditional use authority for the Planning Commission. Under the proposed amendment, if a builder wants to build a home, and the planner determines that it is 40 feet high, the builder can challenge the determination of staff through a Hearing Officer who will decide if staff's calculation is correct under the Code. Attorney Petersen clarified that if someone wants to build a structure greater than 35 feet, the Hearing Officer would not hear that as an appeal from staff interpretation. Rather, the applicant would have to qualify for a variance. Therefore, unless there is some reason to build a structure higher than 35 feet, there is no appeal process. The appeal would be appropriate if there was a disagreement in the way staff calculated the height.

In response to an inquiry, Attorney Petersen explained that if an application was submitted prior to the amendment, that would not go to the Hearing Officer if the applicant otherwise meets the requirements of being vested in the old ordinance. If staff determines the applicant is not vested, they could appeal that decision to the Hearing Officer. In response to an inquiry from Council Member Williams, it was reported that the Planning Commission has not issued any Conditional Use Permits under the current Code provision.

**ACTION:** Council Member Williams moved to Adopt Ordinance 2021-18 amending City Code Section 10-9B-9: Building Height, to refine the requirements and limitations for building height in the R-1 (Single-Family Residential) zones. 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 Approval a Commercial Subdivision Plat Called Battle Creek Business Park Plat "B" on Property Located at Approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict. (SAM WHITE'S LANE NEIGHBORHOOD) (Ridgepoint Management Group, LLC) (Susan Palmer, Applicant) Presenter: Director Cardenas.**

Director Cardenas explained that the next three agenda items involve the same project, which they have named the Battle Creek Project. The applicant is creating a plat that would allow for three-story office buildings, with each building on its own plat. Director Cardenas displayed a map of the proposed project, which consists of six lots. Each lot will have its own building and parking as well as access to the entire area. He noted that one site plan only includes Buildings A and B, while the second site plan includes the remainder of the project. He reported that the applicant has

worked extensively with the City and the project will bring Class A office space to the City. Director Cardenas displayed landscape renderings and stated that each of the six lots meets the requirements for landscaping, parking, and open space. According to staff and the Planning Commission, the project is ready to proceed.

Council Member Williams asked if there is only one entrance off of State Street for the project. Director Cardenas noted that there is an entrance on the North County Boulevard side of the project. He identified those entrance points. It was noted that there is a future planned street in the middle of the development. The access point on North County Boulevard will be right in/right-out only. Another access point just north of this will connect to the middle of the development. Staff would require a road be extended to the boundary to be able to connect a full access intersection in the future.

The applicant, Susan Palmer, was present and stated that they have been working extensively with the Planning Commission.

**ACTION:** Council Member Jensen moved to APPROVE a Commercial Subdivision Plat called Battle Creek Business Park Plat “B” on property located at approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict (SAM WHITE’S LANE NEIGHBORHOOD). Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- B. To Consider for Approval for a Site Plan for Four Three-Story, Multi-Tenant, Professional Office Buildings on Property Located at Approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict. (SAM WHITE’S LANE NEIGHBORHOOD) (Ridgepoint Management Group, LLC) (Susan Palmer, Applicant). Presenter: Director Cardenas.**

**ACTION:** Council Member Williams moved to APPROVE a Site Plan for four three-story, multi-tenant, professional office buildings on property located at approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict (SAM WHITE’S LANE NEIGHBORHOOD). Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- C. To Consider for Approval a Site Plan for Two Three-Story, Multi-Tenant, Professional Office Buildings on Property Located at Approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict. (SAM WHITE’S LANE NEIGHBORHOOD) (Ridgepoint Management Group, LLC) (Susan Palmer, Applicant). Presenter: Director Cardenas.**

**ACTION:** Council Member Andersen moved to APPROVE a Site Plan for two three-story, multi-tenant, professional office buildings on property located at approximately 1877 West State Street in The Grove Zone – Commercial Sales Subdistrict (SAM WHITE’S LANE NEIGHBORHOOD). 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 Approval a Request for Class “C” On-Premise Full Service Restaurant Liquor License for The Under Wraps Located at 1043 South Valley Grove Way, Suite F, in The Grove Zone Interchange Subdistrict. (Skylar McCallson, Applicant). Presenter: Attorney Petersen.**

Attorney Petersen reported that at a prior meeting, the Council approved a local consent for Under Wraps, a new restaurant in Pleasant Grove described as an upscale Japanese dining experience. They desire to have an Alcoholic Beverage License and have applied for a Full-Service Restaurant Liquor License. The applicant has fulfilled all requirements under the law. At the time of submission, they had an educational seminar that had not yet been completed. That had since been accomplished. The Business License has been approved and they are now ready for approval of the Full-Service Alcohol License.

The applicant, Skylar McCallson, commented that the restaurant has been doing well, has been very busy, and will continue to bring more people to Pleasant Grove.

**ACTION:** Council Member Williams moved to APPROVE the request for a Class C On-Premise Full-Service Restaurant Liquor License for Under Wraps Located at 1043 South Valley Grove Way, Suite F, in The Grove Zone Interchange Sub-district. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

**E. To Consider for Adoption a Resolution (2021-022) Authorizing the Mayor to Sign a License Agreement with North Utah County Water Conservancy District (“District”) to Allow City to Place a Pole and Solar Powered Light on the District’s Property at or Near the Grove Creek Trailhead Parking Lot, 1300 East Grove Creek Drive, Pleasant Grove, Utah and Providing an Effective Date. Presenter: Director Beaumont.**

Director Beaumont recalled prior discussions involving installing more lighting at the Grove Creek Trailhead. He presented a County map and noted that some of the property at the trailhead is owned by North Utah County Water Conservancy District. In order for the City to place the lights at the trailhead, they require a written agreement to light the parking facilities on the property. This was the first of two agreements to be presented to the Council. The second agreement with the U.S. Government was not quite ready for consideration but will be very similar to the agreement before the Council tonight. Director Beaumont explained that the agreement makes the City fully liable for the light and will be responsible for its maintenance.

**ACTION:** Council Member Bullock moved to ADOPT Resolution 2021-022 authorizing the Mayor to sign a License Agreement with North Utah County Water Conservancy District (“District”) to allow the City to place a pole and solar-powered light on the District’s property at or near the Grove Creek Trailhead parking lot at 1300 East Grove Creek Drive, Pleasant Grove, Utah, and providing an effective date. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

**F. To Consider for Adoption an Ordinance (2021-19) Permanently Abandoning a Perpetual 25-Foot Sewer Easement and Storm Drain Easement Located at Approximately 1149 West 100 South (Cambria Condominiums) Pleasant Grove City, Utah and Providing an Effective Date. *Presenter: Director Beaumont.***

Director Beaumont reported that with the development of the recently approved Boulevard Development, they noticed that during the prior Cambria Development, sewer and storm drain access was required to go through the Jon Harr property. All of the improvements were made on private easements with private utilities. A document was recorded in 2005 that dedicated the easement to the City. The easement is a 25-foot wide sewer and storm drain easement that extends to provide service to Cambria. With the development and construction of 100 South, they were able to tie the utilities directly into the utilities in the road and abandon the utilities that go around the property.

**ACTION:** Council Member Jensen moved to ADOPT Ordinance 2021-19 permanently abandoning a perpetual 25-foot sewer easement and storm drain easement located at approximately 1149 West 100 South (Cambria Condominiums) Pleasant Grove City, Utah, and providing an effective date. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

**G. To Consider Awarding Miller Paving, Inc. the 1400 North 500 East Street Improvement Project Bid in the Amount of \$147,126.00 and Authorize the Mayor to Sign the Notice of Award, 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 when he began working for the City six years ago, the roadway at 1400 North 500 East needed to be improved. He presented images to the Council from two years earlier. He reported that approximately 10 years ago, the City placed asphalt on the roadway. A new home was recently built and the builder is required to put in 150 feet of curb, gutter, and sidewalk and repave the road to the center. The City suggested that the builder give the road improvement funds to the City so that the entire roadway can be improved at the same time. He reported that the home has been completed and it is time to make the improvements to the roadway. He noted that the intersection has quite a bit of cracking, so they have extended the project to involve the removal of the existing asphalt, install new road base, and pave with three inches of asphalt. They sent the project out to bid and received three competitive bids. The low bidder was Miller Paving who is qualified to do the work.

Council Member Andersen asked about the endpoint of the street. Director Beaumont reported that currently the road dead-ends into a fence. He added that there is an opportunity to develop another lot further down. The Vicinity Plan contemplated that a cul-de-sac would be constructed at the end of the road. He noted that they are also doing sidewalk repairs in the area to make sure the entire roadway is addressed as part of the project.

**ACTION:** Council Member Andersen moved to Award Miller Paving, Inc. the 1400 North 500 East Street Improvement Project Bid in the amount of \$147,126.00 and authorize the Mayor to sign the Notice of Award, authorize the Mayor to sign the Notice to Proceed and the 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”.

**11) ITEMS FOR DISCUSSION**

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

No further discussion was needed on items from the Work Session.

**B. Staff Business**

Parks Director, Deon Giles reported that a Trail Day is scheduled for Saturday, June 5, and will provide a good opportunity for a service project.

Police Chief, Mike Roberts, updated the Council on a recent shooting and stated that it was a blessing that no one was hurt. The County was assigned a Critical Incident Task Force who will be investigating the incident. The Department will also conduct its own internal investigation. The officer will be on administrative leave during the investigations. He noted that the civilian involved was an escaped convict from California. Based on reports of reckless driving, they determined that the vehicle was stolen and the owner located the vehicle using his iPhone.

Director Beaumont reported that they have treated the moss in the Manila Creek Pond and everything went well. He reported that they will continue maintenance treatments since this type of moss cannot be completely eradicated. Staff would continue to remove the moss around the edges and want to ensure that they keep the pond full.

In response to an inquiry, Director Beaumont stated that in the fall, they will be installing a pump system on the north side of the pond to drain it completely.

Council Member Jensen asked about the status of the three-year road plan. Director Beaumont reported that it is going well. They have been discussing the availability of funds for planning purposes. There is a project at 2600 North next year and the project at 1300 West is expected to be completed next spring. They also have bonds in the amount of \$14 million over the next three years for road improvements. It was noted that many of the improvements will be made next year.

Director Roy commented that they completed direct placement for the bonds mentioned by Director Beaumont. They received five competitive bids and will be awarding them today or tomorrow and close in July. She noted that interest rates are still good.

Director Roy reported that the City received the Distinguished Budget Award from Government Finance Officers Association (“GFOA”).

Fire Chief, Drew Engemann, indicated that they have had several staff members have attended Swift Water classes with the County. Three or four new hires attended an aerial class to obtain their certifications. He reported that Jake Larsen went through a Fire Investigation class.

With regard to a recent fire, Chief Engemann reported that it remained mostly contained in the garage and fortunately did not intrude much into the home. The homeowner was there at the time and received minor injuries. City personnel did a great job containing the fire and received assistance from American Fork and Lone Peak. He also reported that the department also assisted with a scrap lumber fire in Lindon.

Recreation Director, Tyler Wilson, reported that with the onset of summer, the pool is now open. All of their camps started today. In conjunction with the event mentioned by Director Giles, there is a Family Day Hike this weekend, which is a great opportunity to get a free breakfast and hike to the waterfall. Tickets were still available and he reported that breakfast will be served until all of the food is gone.

City Recorder, Kathy Kresser, reported that candidate filings open today and will go until June 7, 2021. The Mayoral seat and two City Council seats are open.

Attorney Petersen reported that her Legal Assistant was accepted into the Utah Prosecution Council Legal Assistant's Association. She also provided an email update on a development issue they have been working on with Mr. Liston. The issue had been resolved and they were moving forward.

## **12) REVIEW AND DISCUSSION OF THE JUNE 22, 2021, CITY COUNCIL MEETING AGENDA**

Administrator Darrington reported that because June 15, 2021, is Strawberry Days, they have moved the next meeting to June 22, 2021. He noted that two employees who are retiring from the Recreation Department will be recognized at the next Work Session. There will also be a presentation from the City's Victim Advocate.

The agenda for the June 22, 2021, Regular Meeting will include recognition of a Pleasant Grove student who came in second in an essay contest. They will consider the Final Budget Amendment for the current budget year. They will also consider wage changes for appointed officials. There will be small Fee Schedule changes and consideration of adoption of the Final Budget.

Administrator Darrington reminded the Council that June 9 will be the unveiling of the Dowdle Portrait and a ceremony where each Council Member will place their puzzle piece into the puzzle. All who are featured in the portrait have been invited to install their puzzle pieces.

June 12 will be the kickoff for Strawberry Days.

Administrator Darrington stated that they hope to have the link for pre-ordering puzzles ready in the next few days. The cost is \$25.00 for one puzzle and \$20.00 for two or more.

Mayor Fugal inquired about the Main Street Cleanup. It was reported that the Cleanup would be held on June 7 at 6:00 p.m.

**13) MAYOR AND COUNCIL BUSINESS.**

Council Member Jensen expressed appreciation for the recent concert. He reported that there would be a Chamber of Commerce event on June 10. Governor Cox will be present to speak.

Council Member Williams expressed appreciation for the lights on Main Street and asked how long they will remain in place. Director Giles reported that they will be up until October. They will then be removed and replaced with Christmas lights. Council Member Williams commented that they want to make downtown special and the simple addition of lights accomplishes that.

**14) SIGNING OF PLATS.**

**15) REVIEW CALENDAR.**

**16) ADJOURN.**

**MOTION:** Council Member Williams moved to ADJOURN the meeting at 8:09 p.m. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

The City Council minutes of June 1, 2021, were approved by the City Council on June 22, 2021.



Kathy T. Kresser, MMC  
City Recorder

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

