

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
June 22, 2021
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Brent Bullock
Cyd LeMone
Todd Williams

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Marty Beaumont, Public Works Director
Mike Roberts, Police Chief
Drew Engemann, Fire Chief
Daniel Cardenas, Community Development Director
Kathy Kresser, City Recorder
Denise Roy, Finance Director
Tyler Wilkins, Recreation Director
Kenny Rymer, Park Superintendent

Excused: Council Member Eric Jensen
Park Director, Deon Giles

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 Guy Fugal called the meeting to order and reported that all Council Members were present with the exception of Council Member Eric Jensen, who was excused.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by AJ Ebson, a recent U.S. citizen.

3) **OPENING REMARKS**

The opening remarks were offered by Council Member Todd Williams.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Williams moved to APPROVE the meeting agenda with the modifications of 9a and 10c. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting “Aye”.

5) **OPEN SESSION**

Cheryl Williams led the Council in singing happy birthday to Council Member Williams.

Rod DeJel stated there is presently a real potential for cyber-attacks and asked how the City would deal with the shutdown of their power grid. Mayor Fugal remarked there is a plan in place and directed the question to Director Beaumont for the sake of security. City Administrator, Scott Darrington confirmed when they discuss emergency management issues, they do not publicly disclose that information as it may pose a security risk for the City.

There were no further public comments. The Open Session was closed.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
City Council Minutes for the June 1, 2021, Meeting.**
- b. **To Consider for Approval Change Order No. 1 and Payment No. 1 to Geneva Rock for the Cemetery Expansion Project.**
- c. **To Consider Approval of Change Order Nos. 1 and 2 and Payment Request No. 4 to Silver Spur Construction for the Mill Ditch Project.**
- d. **To Consider Approval of Change Order No. 2 and Pay Request No. 3 to S&L Corp. for the North Union Ditch Project.**
- e. **To Consider Approval of Payment Approval Reports for June 3 and 17, 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, LeMone, and Williams voting “Aye”.

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

There were no appointments.

8) **PRESENTATIONS**

A. **Utah League of Cities and Towns (“ULCT”) Essay Award Winner – Presenter Mayor Fugal.**

Administrator Darrington reported that every year the Utah League of Cities and Towns (“ULCT”) holds an essay contest and invites fourth and seventh graders from across the State to write an essay explaining why they like their community. The ULCT reviews the essays and selects the winners. He noted that this is the first time a Pleasant Grove resident has received the award.

Mayor Fugal introduced the 2nd place winner, Ella Stevens, and asked her to read her winning essay.

Miss Stevens read her essay explaining why she loves her community. She detailed the early settlers of 1850 and why they were drawn to the area. Her love for the City was due to its ecological, historical, and cultural significance. Her family enjoys fishing and the wildlife that lives in the City. She stated that Pleasant Grove was originally named Battle Creek due to the first fight between Native Americans and the pioneers. The City has strong, tight-knit communities much like the groves of trees throughout. She concluded by stating that Pleasant Grove is a breathtaking place to live and she hopes to stay for a long time.

Mayor Fugal presented Miss Stevens with a certificate and check for \$300.

9) **PUBLIC HEARING ITEMS**

A. **Public Hearing to Consider for Adoption a Resolution (2021-023) Adjusting and Amending the Revenues and Expenditures of the 2020/2021 Fiscal Year Budget and Providing an Effective Date. *Presenter: Director Roy.***

The above item was continued.

B. **Public Hearing to Consider for Adoption an Ordinance (2021-20) Amending the Compensation Schedule for the Elected Officers, Statutory Officers, and Appointed Officers of Pleasant Grove City and Providing an Effective Date. *Presenter: Administrator Darrington.***

Administrator Darrington reported that Ordinance 2021-20 involves amending the Compensation Schedule for the elected, statutory, and appointed officers. The previously completed study reviewed salaries in comparison to other cities in the State of Utah. He reported that the study is used to review the compensation over the last two budget cycles. They have adjusted the salary ranges for the other employees but to do the same for the appointed officers requires a public hearing and action.

Mayor Fugal opened the public hearing.

Rod DeJel reported that it seems that the public employees are continuously having their salaries raised and compared to other cities. He believed it would be interesting to see how those salaries compare to the average taxpayer's income 50 years ago and today. When comparing to other cities, City employees are continuously receiving raises and he was of the opinion that the income and compensation of City employees have increased repeatedly. He asked if the City Council would be willing to pay someone to review the averages over the last 50 years.

There were no further comments. The public hearing was closed.

Council Member Williams commented he has been a business owner and in executive positions for 30 years and stated that the City has a good budget and a lot of responsibility. He emphasized that without reservation, the salaries he sees are not only indicative of the private sector but on the very low side of the private sector. He emphasized that he would not run the City as a City Administrator, City Attorney, or other positions for the salaries they are requesting to be presently approved. The salaries are lower than the private sector and not out of line. He undoubtedly recommended the proposal be approved.

Council Member Bullock reported that he has two sons that work as police officers in addition to working part-time jobs to provide for their families. He believed the statement made regarding high salaries to be untrue.

Council Member Andersen commented that she and her husband started their business in 1991. She appreciated the comment that allows them to share the research they have completed regarding salaries. She indicated that the research included the private sector. The salary audit took two years to complete and included all salaries. As residents, they desire a level of service that comes with a skill set requiring compensation for those skills. She stated that the Council is trying to get out from a below minimum to a range where they can retain good quality employees.

ACTION: Council Member Bullock moved to adopt Ordinance 2021-20 amending the Compensation Schedule for the elected, statutory, and appointed officers of Pleasant Grove City and provide an effective date. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting "Aye".

C. Public Hearing to Consider for Adoption a Resolution (2021-024) Amending the Proposed FY22 Budget Fee Schedule by Amending the Government Records Access and Management Act (GRAMA/Records Request) Fees and Providing an Effective Date. Presenter: Attorney Petersen.

City Attorney, Tina Petersen stated that they have not adjusted the City's fees for responding to Government Records Access Management Act ("GRAMA") requests in more than 10 to 12 years. They were charging \$12.50 per hour after the first 15 minutes since the statute requires the first 15 minutes to be provided at no charge. She explained that they have found that the actual cost of responding to the GRAMA request is continuously increasing. The City previously had an employee who was paid at a lower rate to provide that service; however, the position is now vacant. GRAMA requests are being filled by highly skilled people and the rate has increased to \$35 per

hour after the first 15 minutes. She confirmed that that number came from the actual costs including benefits of the least qualified person to perform those duties and is consistent with several neighboring cities. She remarked they receive one or two requests per week for multiple departments.

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

ACTION: Council Member Williams moved to ADOPT Resolution 2021-024 amending the proposed fiscal year 2022 budget fee schedule by amending the Government Records Access and Management Act (“GRAMA”) fees and providing for an effective date. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting “Aye”.

D. Public Hearing to Consider for Adoption an Ordinance (2021-22) Applying the BMU (The Boulevard Mixed-Use Overlay) to Approximately One Acre on Property Currently Zoned The Grove Zone – Commercial Sales Subdistrict, located at Approximately 220 South Pleasant Grove Boulevard and Providing an Effective Date. (Sam White’s Lane Neighborhood) (McKay Christensen, Applicant). *Presenter: Director Cardenas.*

Community Development Director, Daniel Cardenas reported that Ordinance 2021-22 involves the Boulevard Mixed-Use Overlay for approximately one acre of property currently zoned for the Grove Zone. An aerial rendering was displayed. He stated that the Boulevard will consist of commercial and residential uses and measures approximately 10 acres. When the applicant purchased the property, Interior Concepts owned the entire parcel but only utilized a portion. The one-acre parcel was sold to the applicant. He explained that the one-acre parcel has no frontage and it makes sense to add it to the project. The overlay was created in 2018 and although the Boulevard plat was approved, that portion was not rezoned. The amendment does not change the language of the Code and only asks that the one-acre parcel be added to the 10 acres already being developed.

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

ACTION: Council Member Andersen moved to APPROVE Ordinance 2021-22 applying the BMU (The Boulevard Mixed-Use Overlay) to approximately one acre on property currently zoned The Grove Zone – Commercial Sales Subdistrict, located at approximately 220 South Pleasant Grove Boulevard and providing an effective date. Council Member Bullock seconded the motion. Council Members Andersen, Bullock, and Williams voted “Aye” and Council Member LeMone voting “Nay”. The motion passed 3-to-1.

10) **ACTION ITEMS READY FOR VOTE**

- A. To Consider for Adoption a Resolution (2021-025) Adopting the Pleasant Grove City Fiscal Year 2021/2022 Final Budget which Includes the Comprehensive Fee Schedule; and Adopting the 2021/2022 Certified Tax Rate of .001497 and Providing for an Effective Date. (CITYWIDE) Presenter: Director Roy. A Copy of the Proposed Budget is Available at the Recorder's Office, 70 South 10 East.**

Finance Director, Denise Roy, stated that the only item of note is that the Certified Tax Rate has been received from Utah County. The City's guaranteed revenue based on the Certified Tax Rate leaves them with \$58,503 that is not obligated. She made the change to the budget and confirmed that they will have additional money that can be brought back before the Council for further discussion.

ACTION: Council Member Andersen moved to ADOPT Resolution 2021-025 adopting the Pleasant Grove City fiscal year 2021-2022 final budget which includes the Comprehensive Fee Schedule and adopting the 2021-2022 Certified Tax Rate of .001497 and providing an effective date. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting "Aye".

- B. To Consider for Adoption a Resolution (2021-026) Authorizing the Mayor to Sign a Contract with Holbrook Asphalt Company for a Service Agreement and Notice to Proceed for the 2021-2023 Street Preservation Project Providing Asphalt Seal Coating on Specific Streets within Pleasant Grove City and Providing an Effective Date. Presenter: Director Beaumont.**

Director Beaumont reported that they have been proactive in their preventive maintenance of the asphalt, specifically preventing oxidation resulting in it becoming brittle. He explained that during the first two to three years after the asphalt has been installed, they apply a seal coat to ensure the preservation of the oils naturally lost through oxidation from the sun. The proposed contract with Holbrook Asphalt Company is a three-year contract and they have prepared a material that adheres well to the asphalt that comes with a five-year guarantee. He confirmed that they typically give them \$200,000 in work annually and approximately five miles of road.

ACTION: Council Member Bullock moved to APPROVE Resolution 2021-026 authorizing the Mayor to sign a contract with Holbrook Asphalt Company for a service agreement and notice to proceed for the 2021-2023 Street Preservation Project providing asphalt seal coating on specific streets within Pleasant Grove City and providing an effective date. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting "Aye".

- C. **To Consider for Adoption a Resolution (2021-027) Authorizing the Mayor to Sign a Cross Access and Cross Parking Easement Agreement in Favor of Armstrong Flinders and Associates Realtors, PLLC, for Property Located at Approximately 67 South Main Street, Pleasant Grove, Utah, and Providing an Effective Date. Presenter: Director Beaumont.**

The above item was continued.

- D. **To Consider Adoption of a Resolution (2021-028) Authorizing the Mayor to Execute a Service Agreement with STREETSCAN, Inc., for an Automated Data Collection Program to Assess and Prioritize Roadway and Related Street Improvement Maintenance within Pleasant Grove City and Providing an Effective Date. Presenter: Director Beaumont.**

Director Beaumont reported that Resolution 2021-028 involves an Agreement with STREETSCAN, Inc., who provided the pavement view with three cameras and assisted in allowing the City to have a better grasp on the condition of those roads. He stated that they would like to have STREETSCAN do the same with the City sidewalks and ADA ramps providing clarity as to their condition. The contract will require them to conduct an inspection and evaluation with their 3D cameras providing the current status of those areas. The agreement covers an estimated 100 miles of sidewalk evaluation and 1,500 ADA ramps. It will measure slopes, widths, and anything causing a potential trip hazard.

ACTION: Council Member Andersen moved to ADOPT Resolution 2021-028 authorizing the Mayor to execute a Service Agreement with STREETSCAN, Inc., for an automated data collection program to assess and prioritize roadway and related street improvement maintenance with Pleasant Grove City and providing an effective date. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting "Aye".

- E. **To Consider for Approval a Permit to Exceed the Noise Ordinance for Kyle Fox and Follow the Flat on July 9 thru July 11, 2021, During the Time Period of 10:00 p.m. and 11:00 p.m. Presenter: Attorney Petersen.**

Attorney Petersen reported that the City has been approached by Kyle Fox who is seeking an extension of the Noise Ordinance restrictions for a Follow the Flag celebration that he has been conducting for the past several years. She stated that Mr. Fox intends to have musical performances from July 9-11 ending at 10:30 p.m. and has requested additional time. She recommended that it be extended to 11:00 p.m. to allow for clean-up and takedown. The applicant was still required to not exceed a certain decibel level during that extra hour and to provide notice to neighbors immediately adjacent to his property.

ACTION: Council Member Bullock moved to APPROVE a Permit to Exceed the Noise Ordinance for Kyle Fox for the Follow the Flag Event to be held July 9 thru July 11, 2021, during the time period of 10:00 p.m. and 11:00 p.m. Council Member LeMone 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.

Director Beaumont reported that his water conservation discussion took place as part of the Work Session. He welcomed any suggestions or direction moving forward. He suggested that anything to be included in the newsletter would need to be submitted the next day.

Council Member Bullock commended Director Beaumont for his efforts and understood that this is exactly what the Statewide Conservation District is recommending. He believed residents will comply and suggested an education campaign providing details. Many residents are still watering on Saturday, which is the day they should not be. He asked for assistance in reinforcement. He was in favor of a 30% cutback and asking residents to comply.

Director Beaumont proposed utilizing the newsletter and media sites to educate residents. He believed the current news media does a good job of getting the information out but expressed concern with the information reaching residents as it should. It was suggested that flyers be placed on doors. Council Member Bullock believed the City must take a position as opposed to just suggesting it. He was of the opinion there will be very little change unless they make a recommendation asking for the residents to comply prior to moving to another step.

Director Beaumont explained that with a recommendation or suggestion, they can monitor the direction of water use, which will predict where they may end up. He indicated that if they continue in the same direction and drop to the previous year's usages, restrictions could then be imposed.

Council Member Williams suggested conveying that the City's water shares are limited, which could result in having to pay for water shares that are not included in the budget. Council Member LeMone envisioned the situation being worse than last year. She suggested that if they are in an emergency situation, Lyndsay could be utilized to provide updated numbers for the local schools, churches, and ecclesiastical leaders in the area. They could then, in turn, reach out to municipalities and local leaders to inform them of the situation. Council Member Andersen suggested a graph or numbers be provided to the residents showing usage. Mailers and door hangers were suggested.

Director Beaumont confirmed that agricultural properties utilize their own irrigation. He reiterated that there is only so much water available based on the number of water rights and shares owned. Attorney Petersen reported that she forwarded an email from the ULCT to the Council that contains a toolkit detailing social media resources, posters, and a messaging system that can be utilized to provide information. Conveying the information over the pulpit was discussed. Attorney Petersen suggested contacting a church representative asking them to provide the cutback information on their stake or ward Facebook page rather than announcing it over the pulpit.

Council Member Williams emphasized the need to get the information out and believed it was something that will impact next year's water use. Administrator Darrington believed it was time to create a Public Relations Plan. Although it will cost a few thousand dollars, a specific flyer would be effective in addressing a 30% cutback.

In response to a question raised regarding cutbacks on new landscaping, Attorney Petersen confirmed that if that is the direction the Council chooses to go, they will present a temporary ordinance suspending that requirement.

B. Staff Business – Strawberry Days

Park Superintendent, Kenny Rymer, reported that Strawberry Days went well and Main Street was a success. They cleaned up over 5,000 pounds of horse waste and fireworks. He reported that the fence on the east side was torn down by horses tied to it and the grass at the park is in need of repair and time to rehabilitate after the events.

Police Chief, Mike Roberts, reported that there was little to no trouble at the rodeo and carnival. The Utah Department of Transportation ("UDOT") assisted at the intersection of 200 South and Pleasant Grove Boulevard. Parking lot access for the public safety building was restricted to one exit due to the carnival blocking the south gate. This left only one way in and out. He believed there was a need to paint the curb from 100 South to 200 South on 100 East to prohibit parking as it creates safety hazards when pulling out.

Deputy Fire Chief, Drew Engemann, reported that Old Joe was ready for the parade and the retired firefighters enjoyed riding in it. The Kickoff Breakfast was a success with residents waiting up to one hour to get in. Approximately 1,300 people were served. He thanked Maceys grocery store who donated much of the food. There were extra firemen on duty and no major incidents. He stated that overall it went very well.

In response to a concern regarding fireworks, Chief Engemann explained that the boundaries will be similar to the previous year. The residents adhered to the restrictions and he confirmed that maps and requirements are available on the City's website.

City Librarian, Sheri Britsch reported that a special Story Time was held in the park during Strawberry Days where 500 people were in attendance. She stated that Story Time is generally held inside the Library to attract visitors. They expected checkout numbers to be lower than in previous years. A member of the Historic Preservation Commission wrote the Strawberry Days History book and sold all 150 copies. She confirmed that more will be printed and available at Heritage Days. The Arts Commission was in charge of the Concert in the Park and the Children's Art Show awards were presented by the Pleasant Grove Royalty.

Director Cardenas reported that this is the busiest time of the year for their department and permits are increasing largely due to weather. He clarified that single-family dwelling permits must be reviewed within two weeks followed by commercial.

Director Beaumont reported that the construction industry is experiencing a shortage of PVC pipe so he was unsure whether the 1100 North Project will be completed this year. They will bid it out in October with anticipated completion in March 2022. There will be micro surfacing done on some major roads and a portion of Pleasant Grove Boulevard where there are issues on the inside westbound lane between State Street and 1300 West. He confirmed that the 100 East Project final revisions took place earlier in the week. The project will be out to bid within the week with an anticipated completion date of September 2021.

Director Wilkins stated it was a very busy week and included the Pickleball Court Ribbon Cutting and the free Family Swim, which reached their capacity of 700 at 3:00 p.m. A Fitness Night was held with approximately 200 people exercising in the parking lot and a Pickleball Tournament that ran for two days and included 80 to 90 people. A Princess Party was held with 90 princesses with the Pleasant Grove Royalty.

Council Member Bullock stated that there were thousands in attendance for the Parade. He asked if there was a possible attendance count.

Director Roy reported that she enjoyed the strawberries and cream and purchased a puzzle. Although puzzle mania was hectic, it was a success and drew a lot of interest.

Attorney Petersen reported that she took a few emergency phone calls and had an opportunity to accompany the Royalty to Channel 4's Good Things Utah. She enjoyed attending the baby contest where one of her granddaughters was a participant. She expressed gratitude to the Royalty for their involvement in the activities of Strawberry Days.

Director Wilkins remarked that he opened the doors on Tuesday and it resembled Black Friday. He appreciated Tamara Oborn and believed she did an excellent job with the chalk the lot activity.

Administrator Darrington expressed gratitude to the City employees and their participation in the function. The Strawberry Days does a fantastic job setting it all up with the City employees supplementing in other areas. It was the most participation he has ever seen. He reported that they purchased 6,000 puzzles with 3,000 selling out in four days. They generated enough revenue to pay for all 6,000 puzzles in addition to another \$20,000. He reported that the portrait cost \$40,000 and when all is done, they will have paid for the puzzles and the portrait without the need for the budgeted \$75,000. The Follow the Flag event offered to take some of the remaining puzzles and sell them. He confirmed that they have sold 4,300 puzzles after only having them in their possession for one week.

Administrator Darrington referenced the meeting schedule moving forward and stated that for the next four months, meetings will be held on the first and third Tuesday of each month with the exception of the first Tuesday in November. He confirmed that key members of the Strawberry Days Association have been invited to attend the Work Session to be held in two weeks. Fireworks will take place on Saturday, July 3, and City Hall will be closed on July 5.

Council Member LeMone appreciated the atmosphere at Strawberry Days with friends and neighbors in attendance since COVID-19 in record numbers. It was a huge undertaking and very

much appreciated. She reported that the Pickleball courts are great and she and her 14-year-old have been utilizing them nightly. She read a comment from an anonymous resident who enjoyed chalk-a-lot. The resident stated she does not have a lot of friends or people to talk to and asked how she can receive help and support without paying a lot of money. Council Member LeMone reported that she reached out to Tamara who provided resources and direction in receiving help from PG Care.

Council Member Williams emphasized it was a wonderful week and was amazed by how the City continues to blossom.

Council Member Andersen remarked it was the happiest completion of a delightful week and expressed gratitude to those she served within the City. She reflected on the first Strawberry Days with 550 people and where they are currently at 40,000. The Parade was also well attended. She believed that the puzzle, the Royalty, and the Concert in the Park were the highlights. The Rodeo was a success. Her only concern was with the late hour of the fireworks.

Council Member Bullock reported that he has attended multiple Strawberry Days and felt this was the best by far. He borrowed 10 puzzles to take to the reunion and sold them within 10 minutes. He was very appreciative of all involved.

Mayor Fugal echoed all of the comments shared. He acknowledged Council Member Jensen's efforts while running the Chamber, the pins, shirts, and puzzles and wished him a quick recovery. He stated it was a success and has never seen so many excited children.

- 12) **REVIEW AND DISCUSSION OF THE JULY 6, 2021 CITY COUNCIL MEETING AGENDA**
- 13) **MAYOR AND COUNCIL BUSINESS.**
- 14) **SIGNING OF PLATS.**
- 15) **REVIEW CALENDAR.**
- 16) **ADJOURN AS THE PLEASANT GROVE CITY COUNCIL.**
- 17) **CONVENE AS THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY.**
- 18) **ADJOURN AND RECONVENE AS THE PLEASANT GROVE CITY COUNCIL.**
- 19) **ADJOURN.**

MOTION: Council Member Williams moved to ADJOURN the meeting at 7:55 p.m. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, LeMone, and Williams voting "Aye".

The City Council minutes of June 22, 2021, were approved by the City Council on July 20, 2021.

Kathy T. Kresser

Kathy T. Kresser, MMC
City Recorder

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

