

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
January 18, 2022
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Brent Bullock
Eric Jensen
Cyd LeMone
Todd Williams

Staff Present: Scott Darrington, City Administrator
Daniel Cardenas, Community Development Director
Deon Giles, Parks Director
Tyler Wilkins, Recreation Director
Tina Petersen, City Attorney
Kathy Kresser, City Recorder
Marty Beaumont, Public Works Director
Kyler Ludwig, HR Director
Mike Roberts, Police Chief
Denise Roy, Finance Director
Sheri Britsch, Library and Arts Director

Excused: Drew Engemann, Fire Chief

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. All City Council Members were present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Andersen.

3) OPENING REMARKS

The opening remarks were offered by Council Member Jensen.

4) **APPROVAL OF MEETING AGENDA**

City Administrator, Scott Darrington, reported that Item 9A was noticed incorrectly and would need to be re-noticed for the next City Council Meeting. Item 10A was also removed from the agenda and rescheduled to the next City Council Meeting.

ACTION: Council Member LeMone moved to ADOPT the Agenda, as modified by Administrator Darrington. Council Member Bullock 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 Minutes for the January 4, 2022, Meeting.**
- B. **To Consider Approval of Change Order No. 2 and Payment Request No. 3 for Geneva Rock Products for the Micro Surfacing 2021 Project.**
- C. **To Consider Approval of Payment Approval Reports for January 13, 2022.**

ACTION: Council Member Williams moved to APPROVE the Consent Items. Council Member Jensen 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 (2022-07) to Amend the Vicinity Plan for Future Local Roads Near 600 West (existing) and Future 1500 North and 750 West, Near Property located at approximately 1445 North 600 West in the R-R (Rural Residential) Zone. (North Field Neighborhood) (Artisan Construction, LLC, Applicant). *Presenter: Director Cardenas.***

Community Development Director, Daniel Cardenas, reported that the above item involves a request to amend the Vicinity Plan. The original Vicinity Plan was adopted in 2014, for the area near 1445 North 600 West. The amendment pertains to the locations of the roads in relation to

connectivity and traffic patterns. Using the existing Vicinity Plan Map, he noted that when originally adopted, the land was undeveloped and reflected the type of roads thought at that time to best serve the community. During the current proposed development process, the engineers and designers realized that the road pattern needed to be revised requiring the removal of some of the through roads. Using both aerial and zoning maps, Director Cardenas identified the original road pattern as compared to the proposed road changes. The proposed changes show that connectivity remained the same when traveling north and south on the one road proposed. In relation to the connectivity going east and west, the two original roads were modified to include two cul-de-sacs. One of the roads would still provide east-west access.

Director Cardenas stated that it is important to note that the development only relates to what is within the property lines. The property to the south, as identified on the proposed vicinity map, is not being developed. There was, however, some concern as to whether the property to the south could be developed given the changes proposed to the Vicinity Plan. Director Cardenas stated that the purpose of a Vicinity Plan is to ensure that no parcel is landlocked. The impact of the change needed to be considered in relation to the property surrounding the development. As a result of that analysis and consideration, staff determined that the proposed Vicinity Plan Amendment allowed the property to the south of the proposed development to be developed.

Council Member LeMone asked that the road locations on the map be clarified. Director Cardenas acknowledged that by including the two cul-de-sacs, both traffic patterns and the opportunity for future development in the area, were diminished. He was asked to show how it was determined that the proposed changes would not preclude development to the south. Director Cardenas reported that the lots to the south of the development are developable and identified four possible lots. He identified a specific rectangular lot that could be at least 13,000 to 15,000 feet in size and developable. The City has a lot width requirement but no requirement for lot depth. He indicated that width requirements can be met by how the lot is shaped. The requirement for a corner lot width is 90 feet plus 10 feet. It was noted that the subject property is 136 feet wide. The requirement would be met given the lot shape described. After deducting the land area to be dedicated for road development, the parcel would still be 76 feet wide. He reported that there was a recent change to the City Code regarding setbacks for corner lots to reduce the setback at the rear of the property to 10 feet as compared to the original 25 feet. This means that a lot could have a building envelope that is at least 40 feet wide. Lots in the surrounding area range from 34 to 41 feet. He identified other areas and potential lots. It was noted that there could be as many as five developable lots.

Council Member Williams asked what the minimum width or depth of the lot would be in the zone. Director Cardenas responded that they would not use that measurement but rather the size of the building envelope. When asked what the minimum size of a building envelope would be, Director Cardenas indicated that it would vary depending on the design presented. Council Member Williams asked for clarification on the City's lot depth requirement. City Attorney, Tina Petersen, reported that the City does not require a specific depth on a corner lot but does require a minimum square footage and width. A corner lot is more difficult to develop because of clear vision restrictions that affect the building envelope. Director Cardenas stated that the recent change in setback requirements for corner lots provides more options for developers. They determined that there is room for future development of the surrounding property based on what is being proposed.

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

ACTION: Council Member Bullock moved to ADOPT Resolution 2022-07 to amend the Vicinity Plan for future local roads near 600 West (existing) and the future 1500 North and 750 West, near property located at approximately 1445 North 600 West in the R-R (Rural Residential) Zone. (North Field Neighborhood) (Artisan Construction, LLC, Applicant). Council Member Andersen seconded the motion. Vote on motion: Council Member Andersen-Aye; Council Member Bullock-Aye; Council Member Jensen-Aye; Council Member LeMone-Aye; Council Member Williams-Aye. The motion carried unanimously.

B. Public Hearing to Consider for Adoption a Resolution (2022-08) to Amend the Vicinity Plan for Future Local Roads Near 300 South and Future 1100 East, near property located at approximately 1034 East 300 South in the R1-9 (Single-Family Residential) and RAO (Residential Agricultural Overlay) Zone. (Scratch Gravel Neighborhood) (Jackson Jones, Applicant) Presenter: Director Cardenas.

Council Member LeMone recused herself from the discussion due to a conflict of interest. She noted that she has clients who are interested in purchasing one of the lots.

Director Cardenas displayed an aerial map of the subject property and reported that there is a need to connect 1100 East to 300 South. Originally, the Vicinity Plan contained a cul-de-sac to allow access to some of the lots in the back of the development. The proposal is to eliminate the cul-de-sac and instead provide a private stem for a flag lot entry for proposed Lot 2 only, which would be privately owned. The proposed change will provide each lot access to the public streets.

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

ACTION: Council Member Jensen moved to ADOPT Resolution 2022-08 to amend the Vicinity Plan for future local roads near 300 South and future 1100 East, near property located at approximately 1034 East 300 South in the R1-9 (Single-Family Residential) and RAO (Residential Agricultural Overlay) Zone. (Scratch Gravel Neighborhood) (Jackson Jones, Applicant). Council Member Andersen seconded the motion. Vote on motion: Council Member Andersen-Aye; Council Member Bullock-Aye; Council Member Jensen-Aye; Council Member Williams-Aye. The motion carried unanimously. Council Member LeMone did not participate in the vote.

10) ACTION ITEMS READY FOR VOTE:

A. To Consider for Approval a Proclamation Proclaiming February as Choose Kindness Month. Presenter: Brooklin Burns

Brooklin Allen Burns, from Choose Kindness, reported that this was the third year February has been designated as Choose Kindness Month in Pleasant Grove. That designation will continue

every year hereafter. She was happy to watch this tradition blossom, bringing the community together through acts of kindness, service, and intentional impact. She shared a story regarding how a single act of kindness changed the life of the recipient and shared a quote pertaining to making an impact with intentional acts of kindness. The month will kick off at the high school on February 1. A community service project is planned, and Kindness Week will take place in the middle of the month. Ms. Burns was accompanied by Charlene Day, Co-Chair; Sarah Allen, Co-Chair; Angenell Palmer, who oversees the project in the schools and the Retreat; Jen Lyman, Treasurer; Lydia Gabbert, High School Club President, Mason Curtis, Cameron Rice, and Ty Christensen. Mayor Fugal invited those present to participate in a photograph to commemorate the Proclamation. Ms. Burns expressed appreciation for the support of the program.

ACTION: Council Member Jensen moved to APPROVE a Proclamation proclaiming February as Choose Kindness Month. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

B. To Consider Awarding Hydro Resources – Rocky Mountain, Inc. the Boulevard Well Project Bid with a Total Bid Base Price of \$2,170,782.00 and Authorize the Mayor to Sign the Notice of Award and Authorize the Mayor to Sign the Notice to Proceed and Agreement Upon Receipt and Approval of Final Construction Documents. Presenter: Director Beaumont.

Public Works Director, Marty Beaumont, reported that the Boulevard Well Project is moving forward. The site is being prepared for drilling and the bond should be finalized within one month. They received one bid for the drilling, which is not that unusual for that type of technical work and the demand for well drillers. He recommended awarding the contract to Rocky Mountain, Inc. in the amount of \$2,170,782.00. Mayor Fugal asked about the size of the casing to be used with the drilling. Director Beaumont reported that it will be 20” or 24” but is larger for the first 300 feet. He indicated this is the deepest well in Pleasant Grove and is expected to generate more water than the Gibson well, which generates about 2,500 gallons per minute. He noted this is one of the few in the Master Plan and is needed, especially in The Grove.

Council Member Andersen asked if they need to acquire shares or if it involves new water. Director Beaumont reported that the well has been in the plans for many years. They did have to relocate the point of diversion but have had well-sharing in the master plan for many years. As they move or receive water rights, they are moved into a City well. The relocation was approved, and the water rights are associated with that diversion. Mayor Fugal asked how many acre feet of water comes from that well. Director Beaumont reported that is tied to all of the wells. Well volume is determined by the depth, size of the pumps, and water availability. He hoped to get 3,000 gallons per minute from the new well. The draw will depend on demand.

ACTION: Council Member Andersen moved to AWARD Hydro Resources – Rocky Mountain, Inc., the Boulevard Well Project bid with a total bid base price of \$2,170,782.00 and authorize the Mayor to sign the Notice of Award and authorize the mayor to sign the Notice to Proceed and Agreement upon receipt and approval of final construction documents. Council Member Jensen

seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

- C. To Consider for Adoption a Resolution (2022-09) Authorizing the Mayor to Declare a 2020 Caterpillar Loader as Surplus and Directs that it be Disposed of According to the City's Policy for Disposing of Surplus Property and Providing for an Effective Date. Presenter: Director Beaumont.**

Director Beaumont reported that they participate with Caterpillar each year and replace the City's Loader by selling it back to Caterpillar in exchange for a new one. This year, it will cost \$1,000.00 after Caterpillar buys back the Loader. The City, in turn, gets a new piece of equipment.

ACTION: Council Member Andersen moved to ADOPT Resolution 2022-09 authorizing the Mayor to declare a 2020 Caterpillar Loader as surplus and direct that it be disposed of according to the City's policy for disposing of surplus property and providing for an effective date. Council Member LeMone seconded the motion. Vote on motion: Council Member Andersen-Aye; Council Member Bullock-Aye; Council Member Jensen-Aye; Council Member LeMone-Aye; Council Member Williams-Aye. The motion carried unanimously.

- D. To Consider for Adoption a Resolution (2022-010) Declaring Its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with the Acquisition, Construction, and Equipping of Certain Capital Improvements i.e., Police Vehicles, Technology, and Recreation Equipment and Providing for an Effective Date. Presenter: Director Roy.**

Finance Director, Denise Roy, reported that two weeks prior the City accepted a Lease Agreement from U.S. Bank. During that conversation, the Bank realized that the City had a 60-day look-back period agreement on a police vehicle received on November 8, 2021. As the City was charged for that 60-day period, the amount charged by the Bank will be reimbursed.

ACTION: Council Member LeMone moved to ADOPT Resolution 2022-010 declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the acquisition, construction, and equipping of certain capital improvements i.e., police vehicles, technology, and recreation equipment and providing for an effective date. Council Member Jensen seconded the motion. Vote on motion: Council Member Andersen-Aye; Council Member Bullock-Aye; Council Member Jensen-Aye; Council Member LeMone-Aye; Council Member Williams-Aye. The motion carried unanimously.

- E. To Consider for Adoption a Resolution (2022-11) Declaring Its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with the Acquisition, Construction, and Equipping of Certain Capital Improvements i.e., New Fire Truck, and Providing for an Effective Date. *Presenter: Director Roy.***

Director Roy reported that the above matter involves the same issue as the previous item but involves fire equipment.

ACTION: Council Member LeMone moved to Adopt Resolution 2022-11 declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the acquisition, construction, and equipping of certain capital improvements i.e., new fire truck, and providing for an effective date. Council Member Andersen seconded the motion. Vote on motion: Council Member Andersen-Aye; Council Member Bullock-Aye; Council Member Jensen-Aye; Council Member LeMone-Aye; Council Member Williams-Aye. The motion carried unanimously.

11) ITEMS FOR DISCUSSION

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

Director Roy reported that she received notice that the 2022 Fiscal Year Budget was awarded the Distinguished Budget Presentation Award from Government Finance Officers Association (“GFOA”). The Popular Annual Financial Report (“PAFR”) was submitted for certification and was available on the City’s website. She hoped to have the single federal audit completed by the end of February. She was also working on the 2023 budget.

12) REVIEW AND DISCUSSION OF THE FEBRUARY 1, 2022, CITY COUNCIL MEETING AGENDA

Administrator Darrington reported that the items removed from the agenda will be moved to the February 1, 2022, meeting. The Annual Budgeting Meeting was scheduled for February 4, 2022. He would also be seeking feedback on items the Council Members would like to see completed this year.

13) MAYOR AND COUNCIL BUSINESS.

Council Member LeMone asked Director Cardenas if he would put an item related to the Beekeepers on the upcoming agenda in lieu of a field trip. Director Cardenas indicated that the matter was to go to the Planning Commission first on February 21.

14) SIGNING OF PLATS

Two plats were signed Valley Grove Plat “O” and Atwood Plat.

15) REVIEW CALENDAR

16) ADJOURN

MOTION: Council Member Jensen moved to ADJOURN the meeting at 6:54 p.m. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

The City Council minutes of January 18, 2022 were approved by the City Council on February 1, 2022.



Kathy T. Kresser, MMC
City Recorder

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

