

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
March 1, 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
Aaron Wilson, City Engineer
Kyler Ludwig, HR Director
Mike Roberts, Police Chief
Drew Engemann, Fire Chief
Denise Roy, Finance Director
Kara Kresser, Planning Assistant

Excused: Kathy Kresser, City Recorder
Sheri Britsch, Library Director

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

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor 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 Jensen.

3) **OPENING REMARKS**

The opening remarks were offered by Council Member Bullock.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Jensen moved to APPROVE the Meeting Agenda as published. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

5) **OPEN SESSION**

Mark Bezzant commented that several weeks ago, Dr. Peterson, from Utah Valley University fell and was injured on the steps of his home and called 911. The ambulance and fire truck personnel who responded were not only professionally competent but demonstrated kindness. He commended City staff for their efforts.

Mr. Bezzant next spoke in his capacity as President of Pleasant Grove Irrigation Company and Chairman of the Metropolitan Water District Board. He thanked Public Works Director, Marty Beaumont, for his leadership. He stated that under Director Beaumont’s leadership and guidance Pleasant Grove serves as a model of cooperation between cities and irrigation companies. He commented that normally the relationship between the entities is adversarial. However, under Mr. Beaumont's leadership, they can meet their joint goal of preserving and protecting water rights. He thanked the City Council for their service to the Community.

There were no further public comments. The open session was closed.

6) **CONSENT ITEMS**

- A. **City Council Minutes:
City Council Minutes for the February 4, 2022, Budget and Planning Meeting.
City Council Minutes for the February 15, 2022, Meeting.**
- B. **To Consider Approval of Payment Request No. 3 to Skyline Electric for the 1800 North 100 East Signal Project.**
- C. **To Consider Approval of Payment Request No. 1 to J. Lynn Roberts Sons for the Manila Pond Booster Station Project.**
- D. **To Consider Approval of Payment Approval Reports for February 23, 2022.**

ACTION: Council Member Andersen 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**

A. To Consider the Appointment of Brady Hoggard, Madison Fontana, Carolina Moore, and Melissa Lindstrom as Arts Commission Members.

Mayor Fugal identified the members to be appointed to the Arts Commission including Brady Hoggard, Madison Fontana, Carolina Moore, and Melissa Lindstrom. Arts Commission Chair, Tina Fontana, was present. Mr. Hoggard stated that he is a new Pleasant Grove resident. He works in the arts and music community by profession. He was seeking to be involved in the community.

Tina Fontana introduced her daughter, Madison Fontana, who is a recent college graduate with a degree in English. She will be assisting with the website and social media.

Ms. Lindstrom, a 24-year resident, reported that she teaches second grade in American Fork and loves the arts.

ACTION: Council Member Williams moved to APPOINT Brady Hoggard, Madison Fontana, Carolina Moore, and Melissa Lindstrom as Arts Commission Members in Pleasant Grove City. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

B. To Consider the Appointment of Wendy Shirley and Karla Patten as Planning Commission Alternates.

Mayor Fugal identified Wendy Shirley and Karla Patten who were to be appointed as Alternate Planning Commission Members. Community Development Director, Daniel Cardenas, stated that with these appointments the Planning Commission will have a full Commission. It was noted that Mayor Fugal conducted the interviews.

Karla Patten introduced herself and stated that she has worked as a realtor in Pleasant Grove for 23 years. She was excited to be involved in the City.

ACTION: Council Member Jensen moved to APPOINT Wendy Shirley and Karla Patten as Alternate Planning Commission Members. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A. **Public Hearing to Consider for Adoption an Ordinance (2022-8) Amending City Code Section 10-11D-16E: Multiple-Family Residential Development Requirements, by Modifying the Provisions and Requirements for Multi-Family Developments within the CS-2 (Commercial Sales-2) Zone. (City Wide) (Josh Smith Applicant) *Presenter: Director Cardenas.***

Director Cardenas presented the staff report and stated that the above matter is a Code Text Amendment pertaining to multi-family development within the Commercial Sales-2 (“CS-2”) Zone. He indicated that the current City Code requires multi-family developments to provide 2½ parking stalls per residential unit. Of that number, two of the stalls were identified as being in a carport or garage. The additional one-half stall requirement was to provide for visitor parking. It was noted that the current Code does not require driveways. This means that for every 10 residential units the total parking requirement would be 25 stalls with five for visitors. The proposed change to the Code adds driveways to every unit, which will not count as residential parking stalls. It also changes the ratio of parking stalls to units to 2.33 stalls. Another change prohibits carports but requires two-car garages that meet specific interior dimensions. These changes increase the total stalls available for 10 units to 43 spaces.

Council Member Williams stated that most condominiums have a Homeowners Association (“HOA”) and asked if the City intends to require Covenants, Conditions, and Restrictions (“CC&Rs”) to require parking in the garage rather than allowing it to be used for storage. Director Cardenas stated that a similar tact has been taken in the past in the Senior Housing Overlay area. Such direction would not be through the HOA who would provide enforcement in the CC&Rs. Director Cardenas stated that the proposed changes to the Ordinance were presented to the Planning Commission who unanimously recommended approval.

Mayor Fugal opened the public hearing.

Michael Carter identified himself as the co-founder of Tabitha’s Way. In 2015, after selling their company, Vital Smarts, they met with the Utah Food Bank and were made aware of the need for a food bank in northern Utah County, specifically in Pleasant Grove and American Fork. They opened a Food Bank and Pantry in American Fork where they provide food to 3,500 people per month, 900 of which are from Pleasant Grove. Half of that number are children. Their goal was to be closer to those they serve. Mr. Carter reported that the property near Maceys on State Street and the American Fork boundary would have met those needs but they were unsuccessful in their efforts to purchase the property. The Food Bank is limited in terms of where it can be located but their goal was to own the property rather than rent.

Director Cardenas pointed out that the proposed ordinance also includes a change to the setback requirements.

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

ACTION: Council Member Bullock moved to ADOPT Ordinance 2022-8 amending City Code Section 10-11D-16E: Multiple-Family Residential Development Requirements, by modifying the provisions and requirements for multi-family developments within the CS-2 (Commercial Sales-2) Zone (Citywide). Council Member Jensen seconded the motion. Vote on motion: The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

B. Public Hearing to Consider for Adoption an Ordinance (2022-9) to Apply the CS-2 (Commercial Sales-2) Zone to approximately 6.1 Acres on Property Currently Zoned C-N (Neighborhood Commercial) Zone, located at approximately the North-West Intersection of Garden Drive and 600 West. (Mud Hole Neighborhood) (Josh Smith Applicant) Presenter: Director Cardenas.

Director Cardenas presented the staff report and stated that the matter involves a proposed zone change from Neighborhood Commercial (“C-N”) to Commercial Sales-2 (“CS-2”). Both zones are commercial but the CS-2 Zone allows for a residential component. Director Cardenas identified the proposed acreage involved near Maceys and State Street. He also identified an unnamed street that will lead to Garden Drive. He noted that the property frontage is on Garden Drive. Four parcels are currently zoned commercial. He identified the Senior Housing Overlay and stated that a four-story senior residential unit would be permitted. The Senior Housing Overlay density is 24 units per acre. 62 units would be allowed to be developed on the 2.6-acre Senior Housing Overlay.

The applicant was proposing to eliminate the Senior Housing Overlay and rezone the 6.1-acre area to CS-2 to develop townhomes. The allowable density in the zone is 12 units per acre, which would allow for a maximum of 73 townhomes. No site plan had yet been submitted. Director Cardenas reported that the applicant owns two other parcels that were not proposed to be rezoned. He reported that the Planning Commission voted 4-to-1 to recommend denial of the request due to nearby traffic flows and concern about the loss of commercial property for residential purposes.

The applicant, Steven Hawkins from ICO Development, reported that they have owned the property for approximately 10 years and have been before the City Council on several occasions to request a rezone. They have since been approached by Tabitha’s Way about potentially purchasing the property. If the rezone is approved they will sell a portion to Tabitha’s Way to construct a 15,000 square-foot commercial building. ICO Development plans to retain 1.46 acres for commercial use.

Mayor Fugal confirmed that the applicant would be willing to sell commercial property to Tabitha’s Way only if the rezone is approved.

Mayor Fugal opened the public hearing.

Matthew Hailstone reported that he lives west of the Garden Theater and owns a lot in the General Commercial Zone. He thought that the purpose of the C-N Zone was to protect residential areas from commercial. He believed that Pleasant Grove has neglected this neighborhood by not

protecting it from the large and tall buildings. He wanted the City to make sure the commercial and residential needs remain compatible and consistent.

Jim Adams reported that he resides near 1300 West and 600 North. He was most concerned with the impact on water and sewer services in the City. The system is already suffering. Every Summer there are six to 12 waterline breaks in a one-half block area. He questioned the wisdom of adding more to those systems. He also was concerned about the traffic impact. Additional concerns included the negative impact on the City's already overcrowded schools and police and fire services, which already have significant staff shortages. He did not think senior housing would have the same impact as new townhomes and did not think the tax revenue justified approval of the request.

Jason Dodge identified himself as a commercial real estate developer and broker who has worked in Utah County for nearly 30 years. He is a very close friend of Mike Carter from Tabitha's Way, who approached him years ago to help find a permanent site for the Food Bank. He has attempted to develop the site for others but had been unsuccessful because of the railroad tracks. If the tracks could be eliminated, the area would be perfect for a large commercial site such as Maceys across the street. He stated that national retailers will not build here because of the tracks. Mr. Dodge has not worked with ICO Development in the past but approached ICO on behalf of Tabitha's Way to purchase two to four acres. ICO Development was open to the idea but asked for their help to obtain a rezone for a project that would reduce the density, help with affordable housing needs, and bring in commercial businesses. He recognized that the proposal was for a commercial-retail project but would include 10,000 square feet of commercial space to the east of the townhomes that would remain retail and serve as a catalyst to get the property to the south developed as well as a frontage road to the west. He expressed his support.

Al Switzler identified himself as the co-founder of Tabitha's Way. He thanked Mr. Dodge for his assistance in identifying the specific requirements. He stated that the ICO Development location is near the bus stop, which is one of the requirements. ICO Development could make more money elsewhere if they sold to someone else.

Teresa Casper, a 25-year resident, was fed up with high-density housing and had expressed her opinion to the Council on other occasions. She was informed previously that the City would not approve any more high-density housing. She expressed concern with traffic, school overcrowding, and increased crime. She stated that the City needs more businesses, not more people. She liked the idea of small businesses such as ice cream stores, bakeries, and gathering areas.

Jason Belnap, an area resident, echoed the previous comments. He expressed strong opposition. He was pleased that someone mentioned the railroad tracks and stated that he values his privacy.

John Johannesmeyer, a Mudhole area resident, stated that railroad tracks and children are a bad combination that could be disastrous. He did not want to put children in danger. He did not object to commercial development.

Brad Beachell, a 22-year resident, stated that he lives behind the theater. He considered the proposed development to be a bad idea that will raise property taxes. He also wondered why the

Council was raising their salaries without a Business Tax to support it since the increase will fall on property owners. He stated that there is only one road in the area and traffic is of concern.

Greg Bush, a resident who lives near the subject property, commented that good reasons have been expressed to deny the request. The only benefit would be to provide a permanent location for Tabitha's Way. He did not think that constructing a five-story building on the subject property was a good idea as it would increase dumpster noise, which now begins at 5:30 or 6:00 a.m. on Saturday mornings. He wanted to see Tabitha's Way get a new location, but not here.

Andrew Davis, an 11-year Pleasant Grove resident reminded the Council that people want to move to Pleasant Grove because of what it has to offer. The roads and infrastructure are underfunded and the City is not able to support a larger base than currently exists. Mr. Davis did not want the City to become overpopulated.

Mike Daniels identified himself as a 30-year resident and theater owner. He likes Tabitha's Way and stated that the theater benefits either way. He suggested that they place the taller buildings closer to State Street rather than against the wall near the neighboring residents. He commented that the City will benefit and development is needed to draw people into the City.

Irene Johannesmeyer, a nearby resident, was concerned about schools, water, utilities, services, but mostly traffic. She stated that there are frequent accidents in this area, which is already congested. To add more housing would compound the problems

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

Council Member Williams expressed his support for Tabitha's Way. He found it interesting that a commercial developer wants to utilize this property, which is what the City has wanted for many years. A contingency that would allow a commercial developer to come in only to develop residential property did not feel right. He hoped that ICO Development would sell to Tabitha's Way regardless. He was disappointed that ICO Development would put a burden on Tabitha's Way to accomplish that.

Council Member Jensen commented that the discussion about commercial not being viable in that area has been heard before. He did not like to be strong-armed into a certain position and stated that ICO Development has other options. They could sell to Tabitha's Way and use the other areas for commercial development. He supported eliminating the Senior Housing Overlay to benefit commercial development. Council Member Andersen stated that Messrs. Carter and Switzler plan to bring in a bakery and shops, which was the type of business they were seeking. She served on the Planning Commission for four years and the City Council for eight years and during that time had never seen a developer try to hold hostage something the City loves to get what they want. She was disappointed.

Council Member LeMone agreed with the concerns expressed regarding schools, crime, and traffic. She hoped to keep Tabitha's Way in Pleasant Grove.

Council Member Bullock stated that it is not in his nature to give in to an all-or-nothing proposition. He stated that the City Council has tried numerous ways to bring commercial businesses to the City but attempting to resolve the matter this way was not right.

ACTION: Council Member Jensen moved to DENY Adoption of Ordinance 2022-9 to apply the CS-2 (Commercial Sales-2) Zone located at approximately the North-West Intersection of Garden Drive and 600 West. (Mud Hole Neighborhood). Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

Staff was directed to work on the removal of the Senior Housing Overlay in the area.

C. Public Hearing to Receive Public Comment on the Proposal to Adjust the Compensation of Elected Officials. The Proposal would Adjust the Compensation of the Mayor and the Five City Council Members as follows:

Mayor:

Current Annual Compensation: \$18,000.00

Proposed Annual Compensation: \$28,095.00

City Council:

Current Annual Compensation: \$ 7,200.00

Proposed Annual Compensation: \$14,155.00

Administrator Darrington reported that staff analyzed the salaries of employees and compensation for elected officials in the City. The last time there was a compensation change for elected officials was 22 years ago. Staff researched the salaries, health, and retirement benefits of neighboring cities of a similar size to Pleasant Grove. The proposed salary changes reflect the middle market average range. The Mayor's salary was to be increased by \$10,095.00. The salaries of the Council Members were to increase by \$6,955.00.

Mayor Fugal opened the public hearing.

Mike Petersen, a 30-year resident, did not support the salary increase. He is a business owner and stated that the proposed hourly rate does not add up. His calculations were based on his estimate that the Mayor averages 520 work hours per year resulting in a new hourly rate of \$27.22. He then added a monthly benefit amount of \$1,800 per month and concluded that the Mayor, if paid this salary and benefit increase would be paid \$57.88 per hour. The City Council, by the same assessment, would earn \$73.66 per hour. He reported that Fire and Police personnel earn far less per hour than what the Mayor or Council would be paid for their part-time jobs. He noted that as an Honorary Colonel and President of the organization, they have spent \$80,000 purchasing needed police equipment that is not in the budget. He stated that the proposed raises take necessary resources from City employees. He did not think an increase was warranted and thought the market rates were inflated.

John Johannesmeyer thought the raise was significant and found it interesting that the Council votes on their own raises. He suggested that the matter be determined by the voters since the proposed increase nearly doubles the current compensation.

Jim Adams commented that he thinks the Council does deserve a raise, however, when the accident happened on 100 East and totaled 3 cars, none of the Council responded to the accident. When someone was trying to break into his house he called 9-1-1 but he didn't see any of the Council members there. He saw the fire department and the police department; those are the ones that protect the city. Mr. Adams stated that the Council should get a raise but nothing higher than what the police and fire got last year of 3%.

Peter Steele stated that he respectfully disagrees with his fellow citizens on this matter. First of all a 90% raise yes, it has been 22 years since the city has changed the compensation of the Council. Number 2 he hopes that the fellow citizens will support a property tax increase there are plenty of other things that the City needs to be spending money on like public safety and roads and the only way to do that is to raise taxes on ourselves. Number 3 the low pay for public officials limits the kinds of people that can afford to run for office. You can run for Council if you can afford to take time off from your job or have a flexible job that will let you take time off and be available 15 – 20 times a week for public service. Whatever number is settled on it is time to increase the compensation.

Matthew Hailstone remarked that he agrees that the Councils service is important, it does take a certain type of people to be able to serve in these positions. He thinks that the increase is too much and maybe a certain rate that you could get be put into the by-laws so that it would be consistent each year.

Mike Daniels commented that he has been in the position as the Mayor and Council. He knows how many hours are actually put in; you would be hard pressed to find less than 20-30 hours per week and when there is something done like building the public safety building it is more like 50 – 60 hours per week. The amount of money that is being talked about is small, and he is sure that none of them joined up for the money. If you redo the math for the number of hours that are put in, you will find that you are making a lot less.

There was no further public comment. The Mayor closed the public hearing.

Council Member Anderson stated that she has a job outside of the City Council and Council business frequently takes her away from performing those duties. She also leaves her family to attend meetings and fulfill her duties. She stated that the Council Members work long hours. She recognized that it is a difficult decision to ask for compensation. She considered it to be a selfish move and stated that the Council has worked diligently to give raises to City employees to keep their wages competitive. In the last eight years, there were 400 empty acres in The Grove and now there are 20. That required a lot of work. She found it disappointing that the public does not recognize the time commitment involved.

Council Member Williams recalled conversations with businesses owners and others regarding City-related matters, which require business aptitude, prowess, and time. He does not serve on the

City Council for the money but stated that the City needs to be able to attract qualified people to do the job, which is done by providing competitive compensation. He noted that the compensation of the Mayor and City Council has not been increased in 22 years. Council work should be done by people who can bring economic development to the City.

Council Member Jensen stated that he also does not serve on the City Council for the money. He has lived in Pleasant Grove for nearly 32 years and has worked hard to limit tax increases. It is important to keep the compensation similar to neighboring cities that compete for the same businesses.

Council Member LeMone recognized that a pay increase request is unpopular but stated that salaries need to be comparable to other cities. The amount could have been phased in over time, but she works more than 15 hours per week. She was offended that people do not feel that the Council puts in the time and that an increase is not deserved. She shared the reality of her Council salary and benefits. Even though the issue is not a popular one, the fact that there has been no change in salary since 2000 was evidence that it is time for an increase. She was happy to meet with any member of the public to discuss how her time is spent.

Council Member Bullock commented that before serving on the Council he worked as a Judge for 28 years and has a license to practice law. After he retired from the Bench, he decided to return to work as a lawyer, which he does in addition to his Council work. He noted that some suggested raising taxes. The Council has kept the tax rate as-is, in part, because of opposition. No one wants costs to increase but it will be necessary at some point to face the issue head-on.

Mayor Fugal reported that they raised property taxes once to pay for the new Police and Fire Stations. Property assessments have also increased but the tax rate has remained the same.

10) **ACTION ITEMS READY FOR VOTE**

- A. To Consider for Adoption an Ordinance (2022-10) Providing for an Increase in the Compensation of Elected Officials of Pleasant Grove City and Providing an Effective Date. *Presenter Administrator Darrington.***

Administrator Darrington reported that the recommendation for compensation for elected officials as set forth by staff was in line with market value. The Mayor worried about the next person who takes the position. His opinion was that delaying action would only compound the problem. Council Member Williams stated that salaries need be at market rate to effectively help the City remain competitive.

ACTION: Council Member Williams moved to ADOPT Ordinance 2022-10, providing for an increase in the compensation of elected officials of Pleasant Grove City and providing an effective date. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- B. To Consider for Approval a Proclamation Proclaiming that Pleasant Grove City Supports the “RESTORE THE ‘G’” Project. *Presenter: Administrator Darrington.***

Administrator Darrington reported that the above item was discussed during the City Council Work Session. The Proclamation sets forth the history involved in the placement of the “G” by the 1920 Pleasant Grove High School senior class, its revamping, and identifies the historical nature of the symbol. Mayor Fugal stated that it was decided that the “G” needs to be lit, which led to it being redone and updated. The City would proceed with construction, which includes in part, permanent lighting for the “G” and removal of the light aluminum woven into hog wire to be replaced with concrete.

ACTION: Council Member Jensen moved to APPROVE a Proclamation proclaiming that Pleasant Grove City Supports the “RESTORE THE ‘G’” Project. 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 an 11-Lot Final Subdivision Plat, called Prestbury Cove Plat ‘A,’ on Property Located at Approximately 1620 North 1400 West in the R1-12 (Single-Family Residential) Zone. (North Field Neighborhood) (Monterey Properties LLC, Applicant) Presenter Director Cardenas.

Director Cardenas reported that the above request is for approval of an 11-lot Final Subdivision Plat in the R1-12 (Single-Family Residential) Zone. 10 new lots were created. The 11th lot contains an existing church building. Each lot meets the requirements of the zone, with averaging. The matter was presented to the Planning Commission and received unanimous approval.

ACTION: Council Member Williams moved to APPROVE an 11-lot Final Subdivision Plat, called Prestbury Cove Plat ‘A,’ on property located at approximately 1620 North 1400 West in the R1-12 (Single-Family Residential) Zone. (North Field 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 Site Plan for a Five-Story Office Building, on Property located at 1333 South Valley Grove Way in The Grove Zone-Interchange Subdistrict. (Sam White’s Lane Neighborhood) (St. John Properties, Applicant) Presenter: Director Cardenas.

Director Cardenas reported that this is the third five-story tower in the quadrant of the City between Valley Grove Way and the City of Lindon. The total area of the building is 145,470 square feet. The parking requirements were met in that 485 stalls are required. The number of stalls to be provided was 550. This Plat meets all Code requirements, including landscaping and open space. He noted that the Design Review Board reviewed the project and approved the design, colors, and materials. The matter also came before the Planning Commission and received unanimous approval.

ACTION: Council Member Jensen moved to APPROVE a Site Plan for a five-story office building on property located at 1333 South Valley Grove Way in The Grove Zone-Interchange Subdistrict. (Sam White’s Lane Neighborhood.) 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 Approval a Five-Lot Final Subdivision Plat, called Ashlyn Lane Plat ‘A,’ on Property located at approximately 135 North 1400 East in the R1-12 (Single-Family Residential) Zone. (Grove Creek and Battle Creek Neighborhood) (Spencer Shumway, Applicant) *Presenter: Director Cardenas.***

Director Cardenas reported that the above request is for a five-lot flag lot subdivision with two interior lots with a common stem. Each of the lots was determined to meet the requirements of the zone. The Planning Commission held a public hearing on the matter and unanimously recommended approval. Each lot was determined to meet the zone requirements.

ACTION: Council Member Andersen moved to APPROVE a five-lot Final subdivision Plat, called Ashlyn Lane Plat ‘A’ on property located at approximately 135 North 1400 East in the R1-12 (Single-Family Residential) Zone. (Grove Creek and Battle Creek neighborhood). Council Member Jensen 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 (2022-11) Amending Title 7, Chapter 3 Section 3 “Resident Defined” and Section 14 “Permits Required for Burial. Disinterment.” Refining the Definition of Resident and Prohibiting Double Deep Disinterment and Providing for an Effective Date. *Presenter Director Giles.***

The above item was discussed during the Work Session.

ACTION: Council Member Jensen moved to ADOPT Ordinance 2022-11 amending Title 7, Chapter 3 Section 3 “Resident Defined” and Section 14 “Permits Required for Burial. Disinterment.” Refining the definition of Resident and prohibiting double deep disinterment and providing for an effective date. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- G. To Consider for Adoption a Resolution (2022-014) Amending the Pleasant Grove Cemetery Statement of Policy Providing for Technical Updates; Adding a Headstone Inspection Fee; Refining the Definition of “Resident”; Prohibiting Double Deep Disinterment’s; and Providing New timelines for Notifying Burial Notices and Headstone Settings and Providing an Effective Date. *Presenter: Director Giles.***

The above item was discussed during the Work Session.

ACTION: Council Member Williams moved to ADOPT Resolution 2022-014 amending the Pleasant Grove Cemetery Statement of Policy Providing for technical updates; adding a Headstone Inspection Fee; refining the definition of “resident”; prohibiting double deep disinterment; and

providing new timelines for notifying burial notices and headstone settings 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”.

- H. To Consider Authorizing the Mayor to Sign a Permit to Exceed Noise Restrictions for Hydro-Resources–Rocky Mountain, Inc. for the Purpose of Construction of the Boulevard Well, Specifically Drilling and Related Tasks to Installing the well. *Presenter: Attorney Petersen.***

The above item was discussed during the Work Session.

ACTION: Council Member Jensen moved to AUTHORIZE the Mayor to sign a Permit to Exceed Noise Restrictions for Hydro-Resources-Rocky Mountain, Inc. for the purpose of construction of the Boulevard Well, specifically drilling, and related tasks to install the well. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting “Aye”.

- I. To Consider Awarding Morgan Pavement Maintenance Crack Seal Services 2022-2025 Bid with the Proposed Unit Price of \$2,711.70 Per Ton 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 Contract Documents. *Presenter: Director Beaumont.***

The above item was discussed during the Work Session.

ACTION: Council Member Andersen moved to AWARD Morgan Pavement Maintenance Crack Seal Services 2022-2025 Bid with the proposed unit price of \$2,711.70 per ton 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 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.**

12) **REVIEW AND DISCUSSION OF THE MARCH 15, 2022, CITY COUNCIL MEETING AGENDA**

13) **MAYOR AND COUNCIL BUSINESS.**

14) **SIGNING OF PLATS.**

15) **REVIEW CALENDAR.**

The Council next conducted employment interviews for three applicants for the Public Works Director position. After the interviews, the Council went into a closed session to discuss the character, professional competence, or physical or mental health of an individual.

16) **CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL (UCA 52-4-2059(1)(a)).**

MOTION: Council Member LeMone moved to go into a Closed Meeting at 7:50 p.m. Council Member Bullock seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock Jensen, LeMone, and Williams voting “Aye”.

MOTION: At 10:25 p.m. Council Member Williams moved to come out of the Closed Meeting. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock Jensen, LeMone, and Williams voting “Aye”.

17) **ADJOURN.**

MOTION: at 10:26 P.M. Council Member Jensen moved to adjourn the meeting. 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 March 1, 2022, were approved by the City Council on March 29, 2022.



Kathy T. Kresser, MMC
City Recorder

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

