

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
May 17, 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
Tina Petersen, City Attorney
Kathy Kresser, City Recorder
Neal Winterton, Public Works Director
Kyler Ludwig, Human Resources Director
Mike Roberts, Police Chief
Denise Roy, Finance Director
Drew Engemann, Fire Chief
Sheri Britsch, Library and Arts Director

Excused: Tyler Wilkins, Recreation 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 at 6:00 p.m. 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 Andersen.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Bullock moved to APPROVE the agenda as published. Council Member Williams seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

5) **OPEN SESSION**

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

6) **CONSENT ITEMS**

- A. **City Council Minutes for the May 3, 2022 Meeting.**
- B. **To Consider for Approval Change Order No. 1 and Payment Request No. 1 for Morgan Pavement for the Crack Seal 2022-2025 Project.**
- C. **To Consider for Approval Change Order No. 1 and Payment Request No. 1 for Cody Ekker Construction for the 800 North Storm Drain Project.**
- D. **To Consider for Approval Payment Request No. 2 for Hydro Resources – Rocky Mountain Inc. for the Boulevard Well Project.**
- E. **To Consider Approval of Payment Approval Reports for May 3, 2022.**

ACTION: Council Member Williams moved to APPROVE the Consent Items as published. Council Member Bullock seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

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

The appointment of Ben Driggs as an Arts Commission Member was announced by Mayor Fugal as being before Council. He interviewed Mr. Driggs for the position and invited him to comment. Mr. Driggs stated that he was approached by Stacy Martineau regarding the position. He has roots in the community as his grandmother, Beth Driggs, was well known. He indicated that he is the fifth generation living in her home. This appointment was a good opportunity to get involved in the community.

ACTION: Council Member Jensen moved to APPOINT Ben Driggs as an Arts Commission Member. Council Member LeMone seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

There were no public hearings.

10) **ACTION ITEMS READY FOR VOTE**

- A. **To Consider for Adoption a Resolution (2022-028) Authorizing the Mayor to Declare a 2002 Ford Truck 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. *Presenter: Director Winterton.***

Public Works Director, Neal Winterton reported that the City's 2002 Ford Truck has reached its useful life and needs to be disposed of as surplus.

ACTION: Council Member Andersen moved to ADOPT Resolution 022-028 authorizing the Mayor to declare a 2002 Ford truck 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 Jensen seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

- A. **To Consider for Adoption a Resolution (2022-029) Adopting the Mountainland Pre-Disaster Mitigation Plan and Providing an Effective Date. *Presenter: Director Winterton.***

Director Winterton reported that the above item was discussed during the Work Session. Public Works recommended adoption of being part of the group to offer mutual aid if needed.

ACTION: Council Member Jensen moved to ADOPT Resolution 2022-029 adopting the Mountainland Pre-Disaster Mitigation Plan and providing an effective date. Council Member Bullock seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

- B. **To Consider for Adoption a Resolution (2022-030) Authorizing the Mayor to Sign an Amended 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.**

City Administrator, Scott Darrington, presented the above item and stated that it was discussed during the Work session. Drew Armstrong, on behalf of Armstrong Flinders and Associates Realtors, PLLC, entered into an agreement for eight designated parking spaces and identified a need for two additional designated parking spaces on City property. He was willing to pay \$10,000, over time, for the two extra stalls. Administrator Darrington stated that it was further agreed that installation and maintenance of the parking strip between the building owned by

Armstrong Flinders and Associates Realtors and the City would be the responsibility of Armstrong Flinders and Associates Realtors. Administrator Darrington further stated that the agreement included a Cross Access and Cross Parking Easement Agreement in that access to some of the private building's back entries required driving through the City parking lot.

ACTION: Council Member Andersen moved to ADOPT Resolution 2022-030 authorizing the Mayor to sign an Amended 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. Council Member Williams seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

- C. To Consider Awarding Awolf Construction, LLC the 400 East Central Elementary Safe Routes to School Project Bid in the amount of \$87,900.40 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 Winterton.**

Director Winterton reported that the above matter was discussed during the Work Session and was a great project for the City. Council Member LeMone disclosed that because she has a relative who is affiliated with Awolf Construction, she would recuse herself from voting on this Item and Item E.

ACTION: Council Member Andersen moved to AWARD Awolf Construction, LLC the 400 East Central Elementary Safe Routes to School project bid in the amount of \$87,900.40 and authorize the Mayor to sign the Notice of Award and authorized the mayor to sign the Notice to Proceed and Agreement Upon Receipt and Approval of the Final Contract Documents. Council Member Williams seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; and Todd Williams, Yes. The motion passed unanimously. Council Member LeMone did not participate in the vote.

- D. To Consider Awarding Awolf Construction, LLC the Veteran's Memorial Park Sidewalk Project Bid with the Base Bid Plus Additive 1 in the Amount of \$106,426.31 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 Winterton.**

Director Winterton stated that the above matter was discussed during the Work Session. He considered it a good way for the City to enhance the safety of the area.

ACTION: Council Member Jensen moved to AWARD Awolf Construction, LLC the Veteran's Memorial Park Sidewalk project bid with the base bid plus Additive 1 in the amount of \$106,426.31 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 Bullock seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; and Todd Williams, Yes. The motion passed unanimously. Council Member LeMone did not participate in the vote.

11) **ITEMS FOR DISCUSSION**

A. **Continued Items from the Work Session, if needed.**

12) **REVIEW AND DISCUSSION OF THE JUNE 7, 2022, CITY COUNCIL MEETING AGENDA**

13) **MAYOR AND COUNCIL BUSINESS.**

14) **SIGNING OF PLATS.**

15) **REVIEW CALENDAR.**

It was reported that two dates were inadvertently excluded from the list of event dates provided during the Work Session. They included the Main Street Cleanup on June 6, 2022, which by tradition involves both work by City staff and elected officials, and the Discovery Park Community Clean-up on May 25, 2022.

16) **CLOSED MEETING TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY (UCA 52-4-205(1)(d)).**

ACTION: Council Member Jensen moved to ADJOURN THE CITY COUNCIL MEETING SESSION AND OPEN THE CLOSED SESSION MEETING at 6:17 p.m. Council Member Bullock seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

The City Council was in Closed Session from 6:17 p.m. to 8:05 p.m.

ACTION: Council Member Bullock moved to ADJOURN THE CITY COUNCIL CLOSED SESSION MEETING AND RECONVENE AS THE CITY COUNCIL MEETING at 8:05 p.m. Council Member Andersen seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

Administrator Darrington reported that the following discussion was not up for decisions today. He noted they originally had six scenarios to consider regarding funding and were now down to two options. If the Council decided to go forward with the \$20 million bond, they would need to make decisions as to how to pay for it. He described the first option as including purchase of

discussed property (determining its cost, and how to pay for it). The second option related to what would be done with the \$7.5 million if the discussed property were not purchased.

Administrator Darrington then addressed the list of projects presented and prioritized by staff, from Plan A, at a cost originally indicated to be \$20 million. The first item on the list he discussed was the demolition of and road improvements around the pipe plant and the cemetery space. He stated that the estimated cost of \$2 million would cover grubbing the property; leveling some of it; taking the trees and fences down; adding curb, gutters, and sidewalks; and doing road improvements. That work would turn the area into an open field, without fencing and without security. If the additional property was purchased equipment could be moved from the pipe plant to that new location and be secured. He also stated that they could consider just fencing the pipe plant property and fortifying it. He noted the intention was to make the property more presentable.

The second item on the list Administrator Darrington discussed was the storm drain-pipe to the lake project, which total cost was estimated to be \$7.5 million. He stated that \$4.5 million was already set aside for that project leaving the City in need of \$3 million to cover the full cost. He reported that this project was on the critical path, as the current water drainage level point was in The Grove area in an area anticipated for future development. He pointed out that project should be done this next year.

The third item discussed on the list was the storm drain basin projected in the pipe plant property, which cost was \$500,000. He stated that money has been set aside but the cost to do road improvements for that area would likely cost another \$1 million. He estimated it would take approximately \$2.5 million to get the pipe plant to a place where it looked presentable. Options regarding what parts of that project could be delayed, including curb, gutter and sidewalks, were discussed.

The fourth item on the list discussed was the proposed Park. Administrator Darrington stated that the donor agreed to donate \$5 million for the Park which would leave the City needing to cover \$3 million. He noted items included would be the splash pads, a playground, restrooms, parking, and three sports fields. He commented that the original plans had put the splash pad and playground by the Northwest corner, and the fields moved towards the east to accommodate for long-term future cemetery expansions. Council Member Andersen asked if the donor portion of the Park funding was a part of the bond. Administrator Darrington stated that such was the intention but said they would need to have further discussions with the donor to explore what would be covered by the bond and what would be covered by the donor money. He stated that with the property purchased at \$7.5 million, Plan A's estimated cost was now \$21,492,000.

Administrator Darrington reported that an additional project, not covered by the above costs was the secondary water meters. He stated that the estimated cost for that project was \$15 million, with \$11 million coming from a grant which has been applied for, and \$4 million from a loan applied for from the State, which had, at that time, a one percent interest cost. He stated that they should know the status of the loan and grant applications in a few months.

Administrator Darrington then identified the unfunded projects as including the Cemetery Expansion at \$2 million, the Public Works Building at \$17 million, and the storm drain basin at

the Pipe Plant, at \$5 million. He noted that the cost of the Public Works Building might change, depending on the actual cost of the property but indicated its' construction was not anticipated under this bond. With regard to the storm drain basin piping, both the 40-acre property and the surrounding streets would be an extra cost to make it operational. He stated that initially they thought this basin would be located on the southeast portion of the property but more recent consideration proposed using the playing fields as catch areas during episodes of intense rain. When asked how long this project could be delayed, it was noted that the initial volume work needed to be done immediately as the drainage water flowed down and was retained on property that was soon to be developed. A comment was made that the intent was to move the water storage area away from the more valuable Grove property to the basin structure, which provided a more effective means of storm water management. There also was general discussion about the effect of the storm drain basin's location on nearby property.

Administrator Darrington concluded his presentation about Plan A. He then stated that Plan B, which did not include the purchase of additional property, would be the same except for doing the storm basin project and getting the piping to the basin property done within the next few years. Council Member Andersen asked if the secondary water meter cost would come out of PI. Director Roy indicated that would be the case. She also asked about the time frame of the response to the grant application and when the loan money for the project would be sought and was told that money would be obtained at the same time.

Administrator Darrington indicated that if they went with Plan A, the City would need \$454,000 from the General Fund. He stated that currently, the City has \$380,000 available but he had confidence in the sales tax trend to cover that gap without having to raise property taxes. He also stated that the General Fund component would have money contributed by the Cemetery Fund in paying for improvements and future expansion, at a contribution of \$40,982.

Administrator Darrington stated that the effect the projects have on the residents' monthly utility bill is \$4.00. He reported that staff recommended a 5% hike on the utility bills, amounting to a monthly increase of \$7.50, which was still the recommendation. He went through the breakdown of those costs per category. He noted that \$4.00 the monthly fee would be directed toward the bond payment and \$3.00 of the monthly fee would be directed toward operations. There were no other questions about Plan A.

In relation to Plan B, he stated that the \$7.5 million set aside for the additional property would instead go to the storm drain. The General Plan contribution would be less at \$300,000 per year, and the only residential impact would be for the storm drain bill, at a monthly cost of approximately \$4.50.

Administrator Darrington stated that a few of the figures used were not fully final but were provided to give a general picture of the funding costs. He stated that the recommendation was to proceed in haste, as interest rates were rising and given the economic climate.

Council Member Williams asked about the storm drain piping issue. Administrator Darrington stated that once the storm drain basin is complete on the pipe plant property, they still would not have the infrastructure in the ground to support it both on the property and the surrounding streets

(including 800 North, 600 West, and possibly other nearby locations). It was noted the goal was to get the piping in place to allow storage of water in the basin, with overflow getting slowly released to The Grove, where the pipe to the lake would be located. He also stated that in any event, future projects would come up in a couple of years for the projects that were delayed.


Council Member Williams stated that even with the \$43,492,000 to be spent, that money would not cover the secondary water meters. Administrator Darrington stated that the water meter issue was not even on the radar when they talked about this last February, as it has only recently been mandated by the State. They have until 2030 to get the secondary water meters done.

Administrator Darrington reported that this matter would be discussed at the next meeting in June when they have more information including the space needs analysis by Public Works and a property cost analysis. Council Member LeMone stated that they needed to know if the donor is going to bond or not. General discussion ensued regarding various options regarding the projects, including whether to go forward on the Public Works building, demolishing the pipe plant property, and various Park issues. Council Member LeMone asked that the donor's agreement to fund \$5 million on the Park be put in writing.

17) **ADJOURN.**

ACTION: Council Member Jensen moved to ADJOURN at 8:32 p.m. Council Member Bullock seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. The motion passed unanimously.

The City Council minutes of May 17, 2022, were approved by the City Council on June 7, 2022.


Kathy T. Kresser, MMC
City Recorder

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

