

**Pleasant Grove City
City Council Meeting Minutes
Work Session
September 27, 2022
4:30 p.m.**

Council Members: Brent Bullock, Mayor Pro Tempore
Dianna Andersen
Eric Jensen
Cyd LeMone

Staff Present: Scott Darrington, City Administrator
Daniel Cardenas, Community Development Director
Deon Giles, Parks Director
Tina Petersen, City Attorney
Kathy Kresser, City Recorder
Britt Smith, Police Captain
Denise Roy, Finance Director
Drew Engemann, Fire Chief
Sheri Britsch, Library and Arts Director
DaSheek Akwenye, Recreation Director
Aaron Wilson, City Engineer
David Packard, Human Resources Director

Excused: Guy L. Fugal, Mayor
Todd Williams, Council Member

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

4:30 P.M. WORK SESSION

In the absence of Mayor Fugal, Mayor Pro Tempore, Brent Bullock, called the meeting to order at 4:30 p.m. and welcomed those present.

- a. **To Discuss the Proposed Modifications to a Previously Approved Development Agreement with Drew Armstrong.**

City Administrator, Scott Darrington, reported that Drew Armstrong was present to discuss proposed modifications to a previously approved Development Agreement regarding the Main Street Project.

Community Development Director, Daniel Cardenas, provided background information on the project. He identified the subject property on an aerial map of Main Street. The project was identified as 45 Main and was built after being approved seven years earlier. The building houses commercial establishments on the ground floor with four residential units above. At the time of development, the developer entered into a Parking Agreement with the City for seven parking stalls to be used for

commercial use only. The parking requirements included eight residential and 18 commercial stalls. 11 commercial spaces were available on the property, which was why the additional seven commercial spaces were negotiated in the rear of the property.

Director Cardenas identified the location of the proposed development on a site plan and reported that the applicant was proposing 19 residential units with commercial units on the main floor. For the 19 residential units, 38 parking stalls are required. The site plan provides 21 parking spaces within the property, and the City has agreed to allow 10 of its stalls to be used for residential and commercial in the back for a total of 31 spaces. The applicant was now seeking to amend the original seven parking stalls, which were being purchased for the new development, to be used for both residential and commercial use. The proposed amendment would provide the needed number of residential parking stalls for the new development.

Council Member Jensen observed that the seven parking spaces are consistently used for residential parking as there is nothing limiting who can park there. Director Cardenas agreed and stated that City does not actively enforce the required use. City Attorney, Tina Petersen, stated that at the time of the agreement, the City did not seek compensation from the developer for the use of those seven stalls as the emphasis was on commercial and not residential development. Signs should have been posted but were not. Director Cardenas reported that the Planning Commission cannot approve the project because of the designation of commercial use for the seven spaces.

Mayor Pro Tempore Bullock asked Attorney Petersen for confirmation that the original agreement was based on the City not wanting to incentivize the residential parking but noted that it was what the current request does. Attorney Petersen acknowledged that the City did not seek compensation for the first stalls but currently they are asking for compensation from the developer for the 10 new stalls. Mayor Pro Tempore Bullock asked if the amendment was adopted and if there would be a reimbursement requirement. Attorney Petersen stated that the issue had not yet been discussed.

Drew Armstrong from the Historic Downtown Partnership introduced himself and stated that the Partnership will be developing the new building. He was also part of the group that developed the first building. At that time, the developers considered that they compensated the City for the seven stalls they needed for commercial parking in that they constructed the building to be 50 feet wide rather than the allowable 60 feet. This allowed for a sidewalk from the front to the back of the building to be constructed mid-block. He commented that in the downtown area a developer can build from property line to property line, which can result in no access from the front to the back of some buildings.

Mr. Armstrong stated that when working on the current development he did not recall that the seven spaces were commercial only as he was not directly involved. He will now have to pay the other development group the same amount they are paying for the 10 new spaces from the City. As currently designated, the seven spaces are of no use for the new development. He stated that the project will go forward in any event by modifying the size of the units and putting three-bedroom units on the second floor, which is the same as what is on the third and fourth floors. He, however, was trying to provide an assortment of housing sizes. The other developer, Mindy Fung, is proposing two-bedroom units. One-bedroom units would provide more diversity, be more economical, and better serve the needs of senior citizens and/or single individuals. In support of his modification request, he further noted that City Code allows for shared parking between commercial and residential

units. He noted that 50% of daytime commercial use parking space can be used as residential nighttime parking space.

Mr. Armstrong stated that they will also be seeking an agreement with 45 Main to share parking. He described in detail what he observed about commercial and residential parking in the area to be developed and found as many as 480 empty spaces in the general area at night within a one-block radius of the proposed building. He stated that it showed that parking in the area was not an issue. He emphasized that they want to provide a variety of residential unit developments. Further, the building will be developed in any event bringing five new commercial units to the area.

When asked what effect not allowing the amendment would have, Mr. Armstrong stated the residential units would drop by four units. He described how the other residential developer's plans were in contrast with his development, in that they would be offering two-bedroom units. Ms. Fung's development would look like a different building, as it has a different façade. The planning ensured compliance with the required zoning design elements. Mr. Armstrong stated that he serves on the Design Review Board and wants the project to comply with the standards required. He stated that he could ask the City for different spaces but noted that these seven spaces are not currently being used by commercial users.

Director Cardenas stated that the Council has the following three options:

1. Keep the requirements as they are, resulting in a loss of units.
2. Amend the Code and allow residential parking use; or
3. Have the developer look for seven spaces elsewhere with a new agreement.

Director Cardenas stated that staff was looking for direction on how to proceed.

There was discussion regarding the City losing its guaranteed parking, identifying parking for commercial spaces, and current parking requirements in the area. The Council agreed to proceed with an amendment and have staff prepare the necessary paperwork.

b. Staff Business.

Police Captain, Britt Smith, reported that the Police Department has partnered with Ring Doorbell, which will allow them to better address and document suspicious activity, notify neighbors of shelter-in-place requirements, or information involving criminal or safety-related activity. Once the agreement is finalized, a notice will be posted to alert the community that the police are a part of the neighborhood. He expected the agreement to be in place within one month.

Fire Chief, Drew Engemann, reported on two recent episodes requiring Cardio-Pulmonary Resuscitation ("CPR"). The first episode resulted in the person initially surviving the incident but later passed away after being at home for a few days. The second incident occurred at the Recreation Center where Recreation Director, DaSheek Akwenye, performed CPR until the emergency crew arrived and transported the 73-year-old man to the hospital. Chief Engemann stated that the gentleman survived because of Director Akwenye's immediate intervention. Chief Engemann asked

Director Akwenye to come forward. He was acknowledged and praised for his quick action. Chief Engemann stated that they are doing Advanced Cardiovascular Life Support (“ACLS”) training, training with other agencies, and are planning to offer community CPR Training courses. Administrator Darrington reported that they will be having an official recognition ceremony on October 18th, at which time they hoped the survivor would also be present to raise community awareness.

Director Cardenas reported that they are getting several calls about the desire for residential development along Pleasant Grove Boulevard. Currently, the space is being reserved for commercial. He also indicated that they are working on the Boulevard Project, from doTERRA.

Director Akwenye also thanked Chief Engemann and his staff as well as his own staff for their participation in the CPR episode. He reported they remain busy with multiple events. They have finished fall soccer and will be starting registration for men's basketball soon. He also noted that there is an employee pickleball tournament next Wednesday. They are busy preparing for kids' gym, toddlers' gym, Halloween Cooking, and a Halloween celebration on Main Street for October 29.

Parks Director, Deon Giles, reported that they replaced 28 ballasts and double the number of lights over the past few months in Discovery Park. They are in the process of trying to get replacement supplies. He also stated they had been involved with a couple of service projects. The Heritage Festival turned out nice. They have done a lot of work on the trails. A group of DoTERRA employees helped with work on Pioneer Park. They got the slide replaced at Discovery Park. They also helped Public Works at Battle Creek get water back in the creek and the off the trail.

City Engineer, Aaron Wilson, stated that Public Works has been busy and is continuing to work on water leaks and with the Community Development Department on proposed developments. When asked about the secondary water meters, he reported that the formal grant award was received but they were working through the process to get started. Mayor Pro Tempore Bullock referenced other cities starting back-ordering. Engineer Wilson reported that they had already been in contact with the contractors wanting to do the work, as well as ordering materials, all of which are part of the process they have already started. Administrator Darrington stated that the project will likely take one to three years and would be contracted out. The issue of funding limitations on who was to do the work was raised. Attorney Petersen stated that the grant portion of the funding may have some restrictions but the loan amount and any City funding had no such restrictions. Engineer Wilson commented that any new construction now requires the installation of and payment for secondary water meters.

Library and Arts Director, Sheri Britsch, announced that the Heritage Festival went well with a good crowd in attendance. The Harry Potter event, likewise, had well over 1,000 in attendance. The event did not feel as crowded as it was planned to be more spread out this year. It was noted that they had around 900 attendees last year. During the Heritage Festival, the Heritage Foundation Book (the abridged and edited volume two) was made available for sale. The mistakes in the second were corrected and more photos were added to make it much improved. She announced that on October 10, 2022, the Library will be closed for a staff training day. The City Council was invited to meet the staff or attend the lunch. The training was to take place from 8:30 a.m. to 3:00 p.m.

Finance Director, Denise Roy, reported that staff is preparing to file its Comprehensive Budget Book for 2023 with the Government Finance Office Association (“GFOA”), which is normally due 60 days

after adoption of the budget. They are also preparing for a visit from Auditor in 2 ½ weeks. She thanked Kyler Brower and David Packard for their assistance.

Attorney Petersen reported that both the Legal Assistant and Prosecutor attended training over the last two weeks. The Legal Assistant has completed the training and is receiving her T.A.C. certification. The Prosecutor attended a Prosecutor's Conference in St George.


Administrator Darrington introduced New HR Director, David Packard, who began working with the City the previous day. He is originally from Arizona but received his college education at Brigham Young University, graduating with a degree in Public Administration 10 years ago. Since then, he has worked as a Performance Auditor for the Utah Department of Corrections and the State of Arizona. He also worked for the City of Mesa, Arizona, and has spent the last two years with Solvang, California as the Assistant to the City Manager. He was pleased to be working for Pleasant Grove. Administrator Darrington noted that in reviewing Intern applications from 2013, he found applications from 10 people including David Larson, Camden Bird, and David Packard. He noted that after eight years all have remained employed in local government.

City Engineer, Aaron Wilson reported on Items D & E, on the agenda. Item D pertains to a sidewalk easement. He reported that originally when the right-of-way was reserved for the roadway, it had not yet been designed. During the design process, it was determined that part of the sidewalk would have to be placed outside of the right-of-way to meet the requirements of North County Boulevard. The developers have graciously granted the City an easement that was on the agenda for approval. Item E pertained to a developer's request to have certain requirements for finishing the road on 1300 West removed from certain parcels that do not have frontage on 1300 West. He reported that when the original development began, the property consisted of one continuous parcel, but that property has now been separated into different parcels, which the developer wants to sell.

ADJOURNMENT

MOTION: At 5:27 p.m. Council Member LeMone moved to ADJOURN the Work Session. Council Member Jensen seconded the motion. Council Members vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; and Cyd LeMone, Yes The motion passed unanimously.

The City Council Work Session Meeting minutes of September 27, 2022, were approved by the City Council on October 18, 2022.



Kathy T. Kresser, MMC
City Recorder
(Exhibits are in the Recorder's office.)

