

**Pleasant Grove City  
City Council Meeting Minutes  
Regular Session  
February 7, 2023  
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  
Deon Giles, Parks Director  
Tina Petersen, City Attorney  
Kathy Kresser, City Recorder  
Denise Roy, Finance Director  
Drew Engemann, Fire Chief  
Neal Winterton, Public Works Director  
Kyler Brower, Assistant to the City Administrator  
David Packard, Human Resources Manager  
Keldon Brown, Police Chief

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

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**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 the Assistant to the City Administrator, Kyler Brower.

**3) OPENING REMARKS**

Council Member Bullock offered the opening remarks.

**4) APPROVAL OF MEETING AGENDA**

City Administrator, Scott Darrington, reported on a change to Agenda Item 9A and stated that the item would be continued indefinitely.

**ACTION:** Council Member Jensen moved to APPROVE the Meeting Agenda with the change to Agenda Item 9A. 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.

## 5) OPEN SESSION

Mayor Fugal announced a special presentation by Council Member Andersen. Council Member Andersen honored a wonderful Pleasant Grove resident and noted that she has been familiar with the family for a while. Marjory Bravo Woffinden lived on the corner of 300 East and 500 North and passed away the previous Saturday at the age of 102. A celebration of her life was to take place on Thursday. Ms. Woffinden grew up in Mexico and New Orleans and moved often as her father was a Civil Engineer. She moved back to New Orleans at the start of World War II where she met her husband, John Howard Woffinden, who was serving in the Navy on a Liberty ship. After marrying, they moved to Provo, Utah, and then to Pleasant Grove in 1951. Ms. Woffinden loved Pleasant Grove and spent the rest of her life here raising her family. She worked and had many friends. She loved the Utah desert and the beautiful mountains around her home.

Ms. Woffinden also enjoyed her employment with Pleasant Grove City as the City Treasurer for 18 years, having retired in 1980. Council Member Andersen stated that Ms. Woffinden was the first employee of Pleasant Grove City to work with a computer sending out water bills. Mr. Woffinden passed away in 1991. Council Member Andersen also noted that Ms. Woffinden enjoyed her many friends from Pleasant Grove and was part of a club that met monthly. She also loved traveling the world and visited many countries. She was a talented quilter and judged local quilting shows. She was also an ardent genealogist and traveled weekly to Salt Lake City to research her ancestors. Ms. Woffinden was an artist and enjoyed painting Utah red rock deserts. Her passion was reading novels and read on average three per week. At the age of 101, Ms. Woffinden overcame a broken ankle and COVID-19. She left behind three children, John, Greg, and Deanne, 11 grandchildren, 32 great-grandchildren, and two great-great-grandchildren with two more on the way. Council Member Andersen remarked that Ms. Woffinden was a delightful woman who served the community well. She thanked the Woffinden family for allowing her the opportunity to celebrate her life.

Council Member Bullock reported that in 1968 he began his employment with Pleasant Grove City as a police officer. He knew Ms. Woffinden as "Marge." He recalled that she did not have a very active City Council or Mayor. His father worked as the Recorder and he recalled being present many times after hours with his father and Marge was always there. Council Member Bullock reiterated that she was a wonderful lady and very stalwart in her service to the City. He stressed that Ms. Woffinden was an integral part of the City as it was growing and she will be missed.

Mayor Fugal invited the Woffinden family to the dais for photographs.

Mayor Fugal opened the Open Session.

*Lon Lewis* distributed photographs of areas of concern and stated that there was an item up for discussion tonight that he would not have the opportunity to speak on. He stated that there is a slurry

seal contract coming up for approval and provided two photographs of a crack seal project that was recently completed in the City. Mr. Lewis opined that the crack seal work is substandard and he hoped that the slurry seal contract would not end up being similar. Mr. Lewis acknowledged that money and budgets are tight but stated that it is difficult as a citizen to see the City accept and/or pay for this kind of subpar work. He hoped that the subcontractor chosen for the slurry seal project would do a proper, professional job. He commented on the discussions regarding the Pipe Plant, the acquisition of additional land to assist in the storm drain system and converting the captured water into the pressurized irrigation system. Mr. Lewis did not see that this was on the City's radar in terms of the plans and he did not see anything earmarked for the expansion. He felt strongly that they should take care of existing problems in the City before they expand into future projects.

Mr. Lewis was opposed to the expansion of the park/detention/storm sewer at the Pipe Plant and requested that the City focus on existing problems. He felt that the City should not pursue property acquisitions but work with the property they have and stay on budget. Mr. Lewis did not know how the City plans to pay for \$60-plus million worth of infrastructure and stated that this type of behavior needs to stop.

There was no further public comment. Mayor Fugal closed the Open Session.

6) **CONSENT ITEMS**

- A. **City Council Minutes:  
City Council Minutes for the January 3, 2023, Meeting.  
City Council Minutes for the January 17, 2023, Meeting.**
- B. **To Consider Approval of Payment Request #1 for Newman Construction, Inc. for the 1300 West Street and Utility Improvement Project.**
- C. **To Consider Approval of Payment Reports for January 26, 2023.**

**ACTION:** Council Member Andersen moved to APPROVE the Consent Items. 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.

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

- A. **To Consider for Approval the Appointment of Keely Giles and Steven Chipman to the Fox Hollow Board as Board Members.**

**ACTION:** Council Member Bullock moved to APPROVE the Appointment of Keely Giles and Steven Chipman to the Fox Hollow Board as Board Members. 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**

- A. **Public Hearing to Consider for Adoption an Ordinance to Adjust the Common Boundary between Pleasant Grove City and American Fork. The Property Owners of Said Parcel are Dale McKinley and Jack Arnold Jeppson. The Proposed Area is located at approximately 1485 East 300 North, American Fork, UT, or 1600 West 2000 North, Pleasant Grove, Utah. Parcel Number 14:018:0067 Consisting of .0729 Acres; and Providing an Effective Date. *Please Note this item will be continued indefinitely.***
- B. **Public Hearing to Consider for Adoption of an Ordinance (2023-4) Permanently Abandoning Pleasant Grove City's Interest in and Vacating a Public Right-of-way Approximately 170 Square Feet in Area (0.003 acres) located at approximately 200 South and 1300 East, Pleasant Grove City, Utah County, State of Utah, and Approving a Land Exchange between City and Property Owner located at 195 South 1300 East, Pleasant Grove, Utah and Providing an Effective Date. *Presenter: Director Winterton.***

Public Works Director, Neal Winterton, referenced the 1300 East Sidewalk and Roadway Project and stated that on this particular parcel, they needed to put the sidewalk on the property owned by the property owner. He reported that the City owns 200 South and there was interest in a property exchange. Since it would not impact the future 200 South sidewalk, they felt this was an appropriate exchange. He recommended obtaining .003 acres along 1300 East in exchange for the same amount of land on 200 South. He referenced the exhibit in the packet that showed the areas of exchange.

Mayor Fugal opened the public hearing. There was no public comment. Mayor Fugal closed the public hearing.

**ACTION:** Council Member Andersen moved to ADOPT Ordinance 2023-4 permanently abandoning Pleasant Grove City's interest in and vacating a public right-of-way of approximately 170 Square Feet in area (0.003 acres) located at approximately 200 South and 1300 East, Pleasant Grove City, Utah County, State of Utah, and approving a land exchange between the City and the property owner located at 195 South 1300 East, Pleasant Grove, Utah and providing 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.

- C. **Public Hearing to Consider for Adoption an Ordinance (2023-5) Permanently Abandoning Pleasant Grove City's Interest in and Vacating a Public Right-of-way of approximately 779 Square Feet in area (0.018 acres) located at approximately 1300 West and 2600 North, Pleasant Grove City, Utah County, State of Utah and Approving a Land Exchange between City and Property Owner located at 1255 West 2600 North, Pleasant Grove, Utah and Providing an Effective Date. *Presenter: Director Winterton.***

Director Winterton reported that the above item presents very similar circumstances to the prior item

but in a different location. The City was looking to perform work on 2600 North and was obtaining a right-of-way along 2600 North in exchange for some right-of-way along 1300 West. Both lots are corner lots, which allowed room on the 1300 West corner to effectively exchange 779 square feet which resulted in an equal exchange of property. In response to a question raised, Director Winterton stated that the exchange involves the southeast corner of 1300 West and 2600 North. Staff looked at the future sidewalk for 1300 West and determined that the proposal would not impede the completion of the project. He felt that the proposed exchange was reasonable and will allow the City to complete the 2600 North Project.

Mayor Fugal opened the public hearing. There was no public comment. Mayor Fugal closed the public hearing.

**ACTION:** Council Member Jensen moved to ADOPT Ordinance 2023-5 permanently abandoning Pleasant Grove City's interest in and vacating a public right-of-way of approximately 779 Square Feet in area (0.018 acres) located at approximately 1300 West and 2600 North, Pleasant Grove City, Utah County, State of Utah and Approving a Land Exchange between City and the property owner located at 1255 West 2600 North, Pleasant Grove, Utah 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.

**D. Public Hearing to Consider for Adoption a Resolution (2023-07) Adjusting and Amending the Revenues and Expenditures of the Fiscal Year 2023 Budget and Providing an Effective Date. Presenter: Director Roy.**

Administrator Darrington reported that the above resolution proposes changes to the current Fiscal Year Budget to accommodate four different items, all of which will come out of the General Fund balance. The first item was \$335,000 to complete the Historic Town Hall Project. They also recommended a Capital Expenditure and Capital Improvement Fund for the Cemetery Irrigation Project and will need an additional \$180,000 to get that system installed this year. Administrator Darrington indicated that they are also requesting an additional \$88,500 to go toward police wages and \$38,500 to cover a full-time firefighter.

Mayor Fugal opened the public hearing.

*Jim Adams* appreciated everything the Council does for the City. With respect to the budget, he acknowledged that some funds were going to the Fire and Police Departments, which he was supportive of. He reported that over the last six months, they have lost approximately 25 years of combined police experience. They lost a 10-year sergeant who was SWAT-certified, as well as a 10-year corporal who was a canine handler credited with saving a child's life using Cardiopulmonary Resuscitation ("CPR"). In addition, they lost a five-year motors officer. Mr. Adams noted that in the State of Utah, there were three females certified to ride motorcycles and Pleasant Grove had two of them. He knows these people personally and had conversations with them. They love the City and the people but left due to low wages. He stated that none of these individuals should have to work two jobs to pay their bills. He understands that money is tight but encouraged the Council to push this Budget amendment along, as it was a good step.

There were no further public comments. Mayor Fugal closed the public hearing.

**ACTION:** Council Member Andersen moved to ADOPT Resolution 2023-07 adjusting and amending the revenues and expenditures of the Fiscal Year 2023 Budget and providing 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.

10) **ACTION ITEMS READY FOR VOTE**

- A. To Consider Awarding BD Bush Excavation, Inc. the Bid for the 1300 East Street and Utility Improvement Bid in the Base Bid amount of \$1,856,399.00. 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 presented the above project and stated that it is within budget. The bid was competitive with 6 to 7 different qualified contractors. He reported that they hope to build the project this spring and summer and complete 1300 East with utilities, a new water line, new water services, secondary improvements, stormwater, and a new roadway.

Council Member Jensen asked if there some pre-work was done. Director Winterton responded that there were a couple of leaks that were repaired. He noted that they try to avoid pre-work.

In response to a question from Mayor Fugal, Director Winterton stated that the project will extend to 250 North. Mayor Fugal questioned why they did not go further. Director Winterton responded that they had to stop somewhere and it had to do with the storm drain and the way the drain naturally breaks in that location. He confirmed that this will go to the gully.

**ACTION:** Council Member Andersen moved to AWARD BD Bush Excavation, Inc. the bid for the 1300 East Street and Utility Improvement Bid in the Base Bid amount of \$1,856,399.00, 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 contract documents. 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.

- B. To Consider Awarding Intermountain Slurry Seal, Inc. the Micro Surfacing 2023 Project with a Base Bid Plus Additive #1 in the amount of \$367,765.00. 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 two bids were received for the project and noted that few contractors perform this type of work. This is a project the City puts out every year to preserve the asphalt over which they place a thin layer of protectant. He was confident that the slurry seal will do the job. Mayor Fugal asked about the spread between the two bids received. Director Winterton reported that the difference was \$1,500. Mayor Fugal noted with interest that Slurry Seal, Inc. was the first to offer these types of services in the State and has been doing it for many years.

**ACTION:** Council Member Jensen moved to AWARD Intermountain Slurry Seal, Inc. the Micro Surfacing 2023 Project with a Base Bid Plus Additive #1 in the amount of \$367,765.00, 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 contract documents. 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.

- C. To Consider for Adoption a Resolution (2023-08) Authorizing the Mayor to Declare a 14-Pod Pressurized Irrigation System Filter and an 8-Pod Pressurized Irrigation System Filter as Surplus and Direct that they be Disposed of According to the City's Policy for Disposing of Surplus Property; and Providing an Effective Date. Presenter: Director Winterton.**

Director Winterton reported that the City has been storing the above items since 2007. They are filters used in the pressurized irrigation system that have reached the end of their useful life and have been out of service for several years. They were held for parts that are no longer utilized; however, they may have value for others. In response to an inquiry from Mayor Fugal, Director Winterton stated that the filters were used at Battle Creek and are being replaced.

**ACTION:** Council Member Andersen moved to ADOPT Resolution 2023-08 authorizing the Mayor to declare a 14-pod pressurized irrigation system filter and an 8-pod pressurized irrigation system filter as surplus and direct that they be disposed of according to the City's Policy for Disposing of Surplus Property; and providing an effective date. 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.

- D. To Consider for Adoption a Resolution (2023-09) Amending the Personnel Policies and Procedures Manual Previously Approved by the City Council. Specifically, Amending Section XVI "Leaves of Absence" Subsection 3 "Holiday Leave" and Section X Subsection 11 "Holiday Pay" and Providing an Effective Date. Presenter: Attorney Petersen.**

City Attorney, Tina Petersen reported that Staff proposed an amendment to the City's Personnel Policies and Procedures pertaining to Holiday Pay and Holiday Leave. She stated that it had been problematic in the past and this was the proposed solution. In the past when everyone worked 8 hours/5 days per week, the City began counting leave time in 8-hour increments. Over the past few years, several departments have switched schedules so that some are working 10-hour shifts, Monday through Thursday. There are also 10-hour shifts from Tuesday through Friday. In addition, they have

police officers working 12-hour shifts. When there is a holiday, they were asked to fill out a timecard and how to account for those hours was confusing. This resulted in inconsistencies and inequities in terms of how departments handle the gap. The proposal was to establish a Leave Bank of 120 hours, which represents the approximate number of hours that a 10-hour shift employee would need for holidays. The intention was to bridge the gap between employees who would have never received the benefit of holiday pay and others who were forced to use part of their own vacation time to make up the hours. The proposed change has no cash value and if an employee leaves the City's employment, it would not be paid out. The holiday pay is to be used by December 31 of each year. If an employee is hired mid-year, the Leave Bank would be prorated for the remaining holidays. Leave hours would not carry over.

**ACTION:** Council Member Jensen moved to ADOPT Resolution 2023-09 amending the Personnel Policies and Procedures Manual previously approved by the City Council. Specifically, amending Section XVI "Leaves of Absence" Subsection 3 "Holiday Leave", and Section X Subsection 11 "Holiday Pay", 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.

## 11) ITEMS FOR DISCUSSION

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

Mayor Fugal reported that he met with the Directors on Friday who provided updates. He wanted to provide each with the opportunity to present any new information with the Council.

Fire Chief, Drew Engemann, reported that this last week they received a letter from a citizen following a call. A woman who lives a few blocks away passed away 8 or 9 months ago but the family only recently sent the letter thanking City crews for what they did for their mother over the years. The team's professionalism gave the family three more years with their mother. They asked that their appreciation be extended to the crews.

Mayor Fugal echoed the comments and reported that he spent an hour at the firehouse earlier in the day. He stated that it is always good to go into the firehouse because they always work as a team. It is clear that they like each other and enjoy working together.

Human Resources Manager, David Packard, reported that they scheduled the next Employee Awards Luncheon for April 13, 2023, from 11:30 a.m. to 1:30 p.m. in the Rec Center. He recalled that this was the Fourth Annual Luncheon and they will give the following same five awards:

- Team Member of the Year;
- Community Service Award;
- Innovation Award;
- Exceptional Service Award; and
- Leadership Award.

Manager Packard reported that nominations would open next week.



Administrator Darrington stated that the event will begin at noon but they start closing everything down around 11:30 a.m. They close down the entire City so that all can attend.

12) **REVIEW AND DISCUSSION OF THE FEBRUARY 21, 2023, CITY COUNCIL MEETING AGENDA.**

Administrator Darrington reported that during the Work Session, the PG Robotics Club will make a presentation and recognize New Planning Commission Members. They will also recognize the two new Fox Hollow Board Members.

13) **MAYOR AND COUNCIL BUSINESS.**

Council Member Jensen reported that this is Choose Kindness Month. The Council was asked to do an 18-second spot.

Council Member Andersen wanted to ensure that there will be a conscious effort to continue studying the wages of all City employees. She understood that they went through a cycle but that cycle needs to continue. She stressed the importance of the 10-year employees and making sure they are fairly compensated.

14) **SIGNING OF PLATS.** The Loader Estates Plata "B" was signed.

15) **REVIEW CALENDAR.**

16) **ADJOURN.**

**ACTION:** At 6:43 p.m. Council Member Jensen moved to ADJOURN. 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.

The City Council minutes of February 7, 2023, were approved by the City Council on February 21, 2023.

  
Kathy T. Kresser, MMC  
City Recorder

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

