

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
March 21, 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
Sheri Britsch, Library and Arts Director
Neal Winterton, Public Works Director
Kyler Brower, Assistant to the City Administrator
David Packard, Human Resources Manager
Keldon Brown, Police Chief
Megan Crowley, Customer Service

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 Police Chief, Keldon Brown.

3) **OPENING REMARKS**

The opening remarks were offered by Council Member Jensen.

4) **APPROVAL OF MEETING AGENDA**

City Administrator, Scott Darrington, reported that Item 10 F was postponed.

ACTION: Council Member Bullock moved to APPROVE the Agenda with the stated change. Council Member Andersen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

5) **OPEN SESSION**

Lon Lewis reported that he recently sent an e-mail to the majority of the Council expressing his concern about the neighborhood route children are taking to Valley View Elementary School. He provided photos of the roadway conditions showing water ponding from the storm. A crossing guard told him that he sees children choosing between getting wet or walking in the middle of the roadway to get to school and has seen them get splashed with water from passing vehicles. Even though Valley View Elementary School is closing, the children will still have to use the same route to get to Central Elementary School and he does not believe they will have a crossing guard any longer or access to busing. He knows a Safe Route to Schools Grant has been applied for and accepted but wants to make sure the children get a safe route to Central Elementary.

Denise Trickler was present representing the Historic Preservation Commission. She sent a memo to Administrator Darrington and recalled there previously being a sidewalk feature near the Library that documented the history of the City being imprinted into the pavement. She suggested that a similar sidewalk be part of the new proposed Pipe Plant Park. The Commission will provide the content to be imprinted. The only additional cost would be the imprinting. She was researching the specifics. She also reported that their annual Home Tours will begin on May 15, 2023, at 7:00 p.m. and start behind BJs.

6) **CONSENT ITEMS**

- A. **City Council Minutes:
City Council Minutes for the March 7, 2023, Meeting.**
- B. **To Consider Approval of Change Order No. 2 and Payment Request No. 6 to Hydro Resources – Rocky Mountain, Inc. for the Boulevard Well Project.**
- C. **To Consider for Approval Payment Request No. 2 for Newman Construction for the 1300 West Street and Utility Project.**
- D. **To Consider for Approval Change Order No. 1 for Fuller Excavation for the 2022 Battle Creek Park Sewer Project.**
- E. **To Consider for Approval Payment Request No. 2 for Great Western Landscape for the Old Cemetery Irrigation Project.**
- F. **To Consider Approval of Payment Reports for March 13, 2023.**

ACTION: Council Member Andersen moved to APPROVE the Consent Items. Council Member LeMone seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

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

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

There were no public hearing items.

10) **ACTION ITEMS READY FOR VOTE**

- A. **To Consider for Adoption a Resolution (2023-012) Authorizing the Mayor to Declare a 2016 Ford Transit Van as Surplus and Direct that it be Disposed of According to the City's Policy for Disposing of Surplus Property. *Presenter: Chief Brown.***

Chief Brown reported that since COVID the court primarily relies on video appearances for prisoners who are in custody and has contracted with outside agencies to provide prisoner transport. The changes have resulted in decreased use of the police van that was purchased in 2016, to once or twice a year. As the van is no longer being used as intended, it should be approved as surplus and sold. The funds obtained could then be used more productively.

ACTION: Council Member Williams moved to APPROVE Resolution 2023-012 authorizing the Mayor to declare a 2016 Ford Transit Van as surplus and direct that it be disposed of according to the City's policy for disposing of surplus property. Council Member Andersen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

- B. **To Consider for Approval a Permit to Exceed the Noise Ordinance for the Purpose of Constructing a Water Line Across North County Boulevard between the Hours of 10:00 p.m. and 7:00 a.m. April 15, 2023 and June 16, 2023. *Presenter: Director Winterton.***

Public Works Director, Neal Winterton, reported that a new water line needs to be placed across North County Boulevard to service the new well. To avoid adversely affecting the busy daytime traffic, the work needs to be done at night. As the project will involve a noise level beyond what would normally be allowed at night, a permit to exceed the noise ordinance requirements was being requested. Present road surface issues will be corrected during this work. He reported that

the pipe will be placed under the highway and connect to the east side of North County Boulevard to meet the existing line.

ACTION: Council Member Jensen moved to APPROVE a Permit to exceed the Noise Ordinance for the purpose of constructing a water line across North County Boulevard between the hours of 10:00 p.m. and 7:00 a.m. on April 15, 2023 and June 16, 2023. Council Member Bullock seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

C. To Consider Approving a Permit to Exceed the Noise Ordinance for Staker Parson Companies to Widen the Existing Roadways Along the Existing Corridors of Pleasant Grove Boulevard and North County Boulevard between the hours of 10:00 p.m. and 8:00 a.m. April through November 2023. Presenter: Director Winterton.

Director Winterton reported that the above project involves widening the existing roadways from North County Boulevard to the freeway thereby alleviating congestion on Pleasant Grove Boulevard. As the work to be done must be performed at night to not interfere with busy daytime traffic and because it will involve an increased noise level beyond what is normally allowed at night, a permit to exceed the noise ordinance was being requested.

ACTION: Council Member Andersen moved to APPROVE a Permit to exceed the Noise Ordinance for Staker Parson Companies to widen the existing roadways along the existing corridors of Pleasant Grove Boulevard and North County Boulevard between the hours of 10:00 p.m. and 8:00 a.m. April through November 2023. Council Member LeMone seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

D. To Consider for Adoption a Resolution (2023-013) Authorizing the Mayor to Sign Property Acquisition and Easement Agreements with Property Owners along 2600 North in Pleasant Grove, Utah for the Construction of Roadway and Utility Improvements; and Providing an Effective Date. Presenter: Director Winterton.

Director Winterton presented the above item and stated that the proposed Resolution covers another group of owner signatures for the property acquisition and easement agreements along 2600 North. 70 signatures are required with two signatures still outstanding. Negotiations were ongoing along with plans involving pending construction in the area.

ACTION: Council Member LeMone moved to APPROVE Resolution 2023-013 authorizing the Mayor to sign Property Acquisition and Easement Agreements with property owners along 2600 North in Pleasant Grove, Utah for the construction of roadway and utility improvements; and providing an effective date. Council Member Jensen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

- E. To Consider for Adoption a Resolution (2023-014) Authorizing the Mayor to Execute an Interlocal Cooperative Agreement between Utah County and Pleasant Grove City for the Administration of the 2023 Vote By Mail Municipal Elections; and Providing an Effective Date. Presenter: *Attorney Petersen.***

City Attorney, Tina Petersen, reported that several years ago the City contracted with Utah County to administer its municipal elections. For the past couple of years, the County has switched to using vote-by-mail. The proposed Resolution memorializes the respective duties of the City and County including the City payments for the work performed by the County.

ACTION: Council Member Andersen moved to APPROVE Resolution 2023-014 authorizing the Mayor to execute an Interlocal Cooperative Agreement between Utah County and Pleasant Grove City for the administration of the 2023 Vote-by-Mail Municipal Elections; and providing an effective date. Council Member LeMone seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

- F. To Consider Authorizing the Mayor to Sign WCFS DB Pleasant Grove Local Consent Request to Apply for a Limited Service Restaurant Liquor License for Dirty Bird Fried Chxx PG, LLC as Required for a State Liquor License. Property located at 678 South Pleasant Grove Boulevard, Suite 100, Pleasant Grove, UT. Presenter: *Attorney Petersen.***

Discussion of the above item was postponed.

11) ITEMS FOR DISCUSSION

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

- The Budget

Administrator Darrington provided updated copies of material distributed a few weeks earlier. He explained that the target date for adopting the budget is May 2, 2023, with the understanding that changes can still occur prior to final approval in August. The Enterprise Funds and utility rates will be discussed at the April 11, 2023, meeting. He reported that there were only a few changes to the "one-pager" (Pleasant Grove City Revenue/Uses 2024). The budget is now balanced contingent upon approval of the \$5 rate increase.

New Money includes Sales and Property Taxes (including new growth). Reduced expenses being added to revenue include streetlights being paid off, changes to personnel benefits, and operating line revenues. Expenses include 6% pay raises, the funding of full-time positions for Streets, and Cemetery Operations and Bond Funding for the Pipe Plant Project. Under the Property Tax Discussion, the \$734,000 revenue to be generated from the rate increase will pay for the Police market increases, a New Firefighter position, and a full-time Library position that was requested by a few Council Members. The monetary amount for that position is listed at \$65,000 rather than

\$90,000 since there is already a part-time person serving in that position, which makes a portion of the money already available. The remainder of the funding will be used for the Pipe Plant Project.

Council Member Williams asked what the impact would be if property taxes are decreased. Administrator Darrington stated that in that case the property tax rate would be automatically increased.

Administrator Darrington stated that under capital requests, the Lobby Project for the Recreation Center and the Pool Leveling Project require further discussion. Originally, the Lobby Project was budgeted at \$30,000. An automatic gate system to control customer use of the center was added and increased the cost to \$180,000. That increase was questioned at the last City Council Meeting. The additional cost was re-verified by the contractor and staff concluded that the gate system would be nice to have but not critical. Administrator Darrington stated that it is up to the Council to determine whether to spent the money in that way.

Additional work needs to be done to the pool area to resolve the settlement issues. The Council discussed the cost of the gate system and the pool repairs and why the gate system was considered. It was noted that people attempt to use the facilities without paying the fee. It was suggested that the New Recreation Director be asked to provide input on the project. The pool settlement repair issue was currently set at \$500,000 but the engineering estimate is currently underway and thought to ultimately be in excess of \$1,000,000. A general contingency amount was set aside of more than \$300,000.

After reviewing the list, Council Member Williams stated that when looking at all of the priorities they trust that staff has set the priorities reasonably. Administrator Darrington stated that they have spent a lot of time working to determine the priorities. The narratives from the Department Heads were available for review. The Council may also pursue a different path regarding how the money is to be spent with completion of the projects to be postponed. Council Member Bullock suggested that they hold off on completing the Lobby. Administrator Darrington added that staff wants to do more research. He commented that it would be beneficial to see the system in operation. It was noted that five items totaling \$1.5 million pertain to the Recreation Department. The Recreation Director's input will be sought regarding these items.

Administrator Darrington provided the Operational recommendations for staff funding and operational needs. The budget materials will be brought back at the next City Council Meeting with recommendations as discussed today.

- Staff Reports.

Chief Brown reported on the high school lockdown that occurred the previous Friday after a 911 call was received regarding a bomb threat. Police immediately responded and school went into lockdown. A Safe Evacuation Route was formed and students were removed from the area within 45 minutes. The Bomb Squad and search dogs were used but nothing was found. They determined that the call was a prank and from a nearby junior high school. The phone used was identified and the owner questioned. Chief Brown stated that both the school and the police responses were very

impressive. He reported that they will be holding Active Shooter Training for the doTERRA site within the next few weeks. He was cautiously optimistic about the status of the neighborhood complaint about an excessive number of dogs on 100 East all but two or three dogs are gone. They had a court order to take the dogs and will continue to watch the area. He noted that the Department remains busy.

Fire Chief, Drew Engemann, reported that they have been conducting Cardiopulmonary Resuscitation (“CPR”) training for the past couple of months.

Library and Art Director, Sherri Britsch, reported that there has been a lot of activity at the Library including the Ranger and Smoky the Bear appearance. Today’s After-School Activity involves martial arts. She thanked the City Council and staff for their support for a Library position.

Parks Director, Deon Giles, reported that he was on the G Mountain when the bomb threat occurred and saw the quick response by the police. The benches there still have a 1 to 1 ½ feet of snow. He described a lot of trail damage consisting of multiple mud slides and boulders on the trails from the water but noted that nothing can be done until the runoff is over. The trails remain closed for now as it is too wet. As possible, they have been out aerating and seeding. Tonight was the start of baseball trials, which are held indoors. Council Member Bullock asked about fabric for the Pickleball Court. Director Giles stated that has the fabric but resurfacing and repainting will be required before it can be placed.

Director Winterton reported that on Thursday there was a sewer line collapse that dropped the level by 14 feet. The Contractor responded and made the necessary repairs. No basements were flooded. He complimented staff for the excellent work at 600 West. Staff was actively discussing the water flow issues to come this Spring and information was being provided to the public to help them be prepared. The runoff is a seasonal issue that normally occurs in early May. Information regarding the dates for Spring Cleaning, scheduled for March 29 through April 6, will be put on social media. There was discussion about illegal dumping areas.

City Hall Customer Service Representative, Megan Crowley, was introduced and stated that she will be taking minutes at the next meeting while the City Recorder is on vacation. Ms. Crowley comes from American Fork where she worked in the Building Department.

Attorney Petersen commented that the dog issue has been a long, drawn out process. She commended both the Judge and the Prosecutor for finally being able to get Orders to allow the Police to resolve the issue.

Human Resources Manager, David Packard, announced the Annual Employee Appreciation Event scheduled for April 13, 2023. He received about 120 nominations from employees for the five different awards. He will also be sending out nominations for Team Member of the Year, which will be voted on by the Mayor, City Council, and staff. The votes need to be returned by March 30, 2023. Open enrollment for insurance is May 8 through 25, 2023. Related meetings will be held on May 9, 2023, in the afternoon and May 11, 2023, in the morning, with providers available to answer questions.

12) **REVIEW AND DISCUSSION OF THE APRIL 11, 2023, CITY COUNCIL MEETING AGENDA**

Administrator Darrington reported that the City Council will be meeting once in April on the 11th. The Work Session will include Open Meetings Training, a six-month Victim Advocate Report, and the Budget Discussion. They will also have an Arbor Day Proclamation, a couple of plat approvals, and an approval for Chipotle. They will introduce an ordinance regarding a prohibition on watering between 10:00 a.m. and 6:00 p.m. Administrator Darrington also announced that the Volunteer Recognition Dinner for Board Members and Commissioners is scheduled for April 25, 2023, at 6:00 p.m. at Stonegate.

13) **MAYOR AND COUNCIL BUSINESS.**

Council Member LeMone reported that a Community Recognition was held for Rick Washington who passed away unexpectedly at the age of 43. He was an Honorary Colonel who served in Vietnam and volunteered his service in the community, especially for veterans. He will be missed.

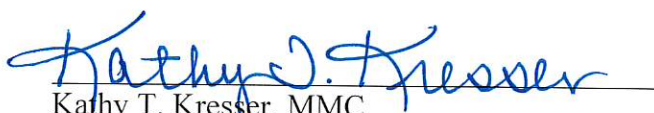
14) **SIGNING OF PLATS.**

15) **REVIEW CALENDAR.**

16) **ADJOURN.**

ACTION: At 7:12 p.m. Council Member LeMone moved to ADJOURN. Council Member Andersen seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; Cyd LeMone, Yes; and Todd Williams, Yes. Motion carried unanimously.

The City Council minutes of March 21, 2023, were approved by the City Council on May 2, 2023.


Kathy T. Kresser, MMC
City Recorder

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

