

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
Tuesday, July 18, 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
Kathy Kresser, City Recorder
Denise Roy, Finance Director
Drew Engemann, Fire Chief
Neal Winterton, Public Works Director
Daniel Cardenas, Community Development Director
Tina Petersen, City Attorney
Keldon Brown, Police Chief
Megan Zollinger, Recreation Director
David Packard, Human Resources Manager

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 the Water Conservancy District has asked that Item 9A regarding the public hearing on Water Efficiency Standards be continued to August 1, 2023.

ACTION: Council Member Andersen moved to APPROVE the meeting agenda with the modification that Item 9A be continued to August 1, 2023. 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.

5) **OPEN SESSION**

Denise Trickler invited the City Council and the public to the next Historic Walking Tours scheduled for 5:00 p.m. on July 31, 2023. They will view the blacksmith's shop and another home. They were excited about what will be offered.

There were no further public comments. The Open Session was closed.

6) **CONSENT ITEMS**

a. **City Council Minutes:**

City Council Minutes for the June 20, 2023 Meeting.

City Council Minutes for the July 6, 2023 Special Meeting.

- b. **To Consider for Approval of Payment Request No. 1 for RB Construction & Concrete Inc. for the 300 East Waterline and Roadway Reconstruction Project.**
- c. **To Consider for Approval of Change Order No. 1 and Payment Request No. 1 for Pronghorn Construction for the Loader Avenue from 300 South to 500 South Safe Route to School Project.**
- d. **To Consider for Approval Change Order No. 1 and Payment Request No. 1 for Cody Ekker Construction, Inc. for the Boulevard Well Site Street Crossing Project.**
- e. **To Consider for Approval Pay Request for Staker Parson Companies dba Staker Parson Materials and Construction on the 2600 North Roadway Widening and Reconstruction Project.**
- f. **To Consider for Approval Payment Request No. 1 for Intermountain Slurry Seal, Inc. for the Micro Surfacing 2023 Project.**
- g. **To Consider for Approval Payment Request No. 5 for Newman Construction for the 1300 West Street and Utility Improvement Project.**
- h. **To Consider for Approval Payment Request No. 3 for BD Bush Excavation, Inc. for the 1300 East Street and Utility Improvement Project.**
- i. **To Consider Approval of Payment Reports for June 29, 2023.**

ACTION: Council Member Jensen moved to APPROVE the Consent Items as read. 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.

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

A. To Consider for Approval the Appointments of Emily Hammerstad, Mandi Lunt, Brian Fogelberg, and Emma Martineau as Arts Commission Members.

Mayor Fugal introduced proposed Arts Commission Members Emily Hammerstad, Mandi Lunt, Brian Fogelberg, and Emma Martineau. Mr. Fogelberg has been doing graphic art design since age 12 and for the past five years has been involved in painting. He loves the arts and wants to help Pleasant Grove become an Arts city. Mandi Lunt has lived in Pleasant Grove most of her life and looked forward to serving the community.

ACTION: Council Member Andersen moved to APPROVE the appointments of Emily Hammerstad, Mandi Lunt, Brian Fogelberg, and Emma Martineau as Arts Commission Members. 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.

B. To Consider for Approval the Appointment of Sandra Devlin and Nancy Webster as Historic Committee Members.

Mayor Fugal introduced prospective Historic Committee Members Sandra Devlin and Nancy Webster. Ms. Devlin, a 17-year resident, has a great deal of respect for the old City buildings and wants to see that history preserved for future generations. She looked forward to serving the community. Nancy Webster has lived for 38 years in a home that was built in 1890. She is extremely invested in protecting and restoring historical buildings and was excited to serve.

ACTION: Council Member Jensen moved to APPROVE the appointment of Sandra Devlin and Nancy Webster as Historic Committee Members. 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.

8) PRESENTATIONS

There were no presentations.

9) PUBLIC HEARING ITEMS

- A. Public Hearing to Consider for Adoption of an Ordinance (2023-15) to Create City Code Section 10-15- 49, Water Efficiency Standards and to Amend the Landscape Requirements included in Chapters 6,9,10,11,12 and 14. The City is proposing to include New Landscaping Requirements with the Intent to Conserve the Public's Water Resources by Establishing Water Conservation Standards for the Installation of Grass and Turf as Outdoor Landscaping in all Residential, Commercial, and Industrial Zones within the City. (City Wide) (Pleasant Grove City Applicant) Presenter: Director Cardenas.**

City Attorney, Tina Petersen, requested that the City Council formally continue the above item to date certain, August 1, 2023.

ACTION: Council Member Andersen moved to CONTINUE the public hearing to consider for adoption of Ordinance (2023-15) to create City Code Section 10-15-49, Water Efficiency Standards and to amend the landscape requirements included in Chapters 6, 9, 10, 11, 12 and 14. The City is proposing to include new landscaping requirements with the intent to conserve the public's water resources by establishing Water Conservation Standards for the installation of grass and turf as outdoor landscaping in all residential, commercial, and industrial zones within the City to August 1, 2023. 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.

10) ACTION ITEMS READY FOR VOTE

- A. To Consider for Approval a Three-Lot Final Subdivision Plat, called Gateway Pines Sub Plat 'A' on 7.09 Acres, approximately located at 2436 West 700 South in The Grove Mixed Housing Subdistrict. (Sam White's Lane Neighborhood) (Dan Ford Applicant) *Presenter: Director Cardenas.***

- B. To Consider for Approval a Commercial Site Plan for Two Flex Space Commercial Buildings, located Public at approximately 2436 West 700 South in The Grove Mixed Housing Subdistrict. (Sam White's Lane Neighborhood) (Dan Ford Applicant) *Presenter: Director Cardenas.***

Items 10A and 10B were presented at the same time but voted upon separately.

Community Development Director, Daniel Cardenas, presented the Staff Report and stated that the request is for approval of a three-lot final subdivision plat, called Gateway Pines Sub Plat 'A', and the related commercial site plan for two flex space commercial buildings. The zoning is mixed housing, which allows for commercial projects. The subject property is in an area known as Mayfield Development, which began development in 2006. The entire acreage is approximately seven acres with 1 ½ acres already built with residential units and one commercial building. One of the lots in the three-lot subdivision plat contains the already existing commercial building. The other two lots will each contain a commercial building for retail and office space. The site plan was displayed and the lots and surrounding buildings were identified. There will be a landscape buffer and fencing placed to the east because of the nearby residential property. Prospective tenants have not yet been identified, however, any issues will be addressed at the time Business Licenses are issued. Parking will be controlled. Currently, the plans indicate that the buildings will house 22 units but that number could change. The Subdivision Plat and Commercial Site Plan were presented to the Planning Commission and the Design Review Board ("DRB") and received approval from both. A question was raised regarding whether there is adequate space for trucks. It was reported that the project has been cleared by both the Fire and Police Departments for adequacy.

ACTION: Council Member Andersen moved to APPROVE a three-lot final subdivision plat, called Gateway Pines Sub Plat 'A' on 7.09 acres, approximately located at 2436 West 700 South in The Grove Mixed Housing Subdistrict. (Sam White's Lane Neighborhood). 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.

ACTION: Council Member Bullock moved to APPROVE a commercial site plan for two flex space commercial buildings, located at approximately 2436 West 700 South in The Grove Mixed Housing Subdistrict. (Sam White's Lane Neighborhood). 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.

C. To Consider for Approval a Six-Lot Final Amended Subdivision Plat, called Blackham Farms Plat 'A' on 3.7 Acres, approximately located at 527 West 2000 North in the Rural Residential ("RR") Zone. (North Field Neighborhood) (Scott Dent Applicant) Presenter: Director Cardenas.

Director Cardenas presented the Staff Report and stated that the request is for approval of an existing six-lot final amended subdivision Plat called Blackham Farms Plat 'A', consisting of six lots on 3.7 acres in the Rural Residential ("RR") Zone. That zone requires a specific square footage for each lot. The owner wants to move the property line on Lot 4 to make one adjacent lot smaller and the other adjacent lot larger so that the lot lines match the fence lines already constructed. A total of 536 feet is involved, however, because the lot size has already been recorded a new plat and presentation to the City Council are required. It was noted that the practice is acceptable as lot averaging is allowed.

ACTION: Council Member Williams moved to APPROVE a six-lot final amended subdivision plat, called Blackham Farms Plat 'A' on 3.7 acres, approximately located at 527 West 2000 North in the Rural Residential ("RR") Zone. (North Field Neighborhood). 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 a Six-Lot Final Flag Lot Subdivision Plat, called Walnut Grove Plat 'B' on 2.11 Acres, approximately located at 333 East 1100 North in the R1-8 (Single Family Residential) Zone. (Big Spring Neighborhood) (Forrest Call Real Estate LLC Applicant) Presenter: Director Cardenas.

Director Cardenas presented the Staff Report and stated that the request is for a six-lot final flag lot subdivision plat. The location of the subject property was identified on an aerial map displayed. He reported that a lot of subdivisions include flag lots. He noted that two of the lots already have existing structures and the subdivision plat is being used to add additional lots and bring the property lines into conformance with the zoning requirements. He identified the plat and noted that two of the new lots are currently in the R1-10 Zone and will be in the R1-8 Zone. The access area was identified. He commented that Lots 4, 5, and 6 will be beautiful new homes.

ACTION: Council Member Jensen moved to APPROVE a six-lot final flag lot Subdivision plat, called Walnut Grove Plat 'B' on 2.11 acres, approximately located at 333 East 1100 North in the R1-8 (Single Family Residential) Zone. (Big Spring Neighborhood). 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.

- E. **To Consider for Adoption a Resolution (2023-038) Authorizing the Mayor to Sign a Right-of-Way Partial Assignment of Easement in Favor of PacifiCorp, dba Rocky Mountain Power for a Portion of Assignor's Rights, Title, and Interest Under the Certain Easements that have been Granted to Pleasant Grove City Under Utah County Entry Numbers and Associated Utah County Parcel Numbers along Various Properties on 2600 North; and Providing an Effective Date. *Presenter: Director Winterton.***

Public Works Director, Neal Winterton, presented the Staff Report and stated that the request is for the adoption of Resolution 2023-038, which involves the partial assignment of City easements along 2600 North to Rocky Mountain Power to locate power poles in the area.

ACTION: Council Member LeMone moved to ADOPT Resolution 2023-038 authorizing the Mayor to sign a Right-of-Way Partial Assignment of Easement in favor of PacifiCorp, dba Rocky Mountain Power for a portion of assignor's rights, title, and interest under the certain easements that have been granted to Pleasant Grove City under Utah County entry numbers and associated Utah County parcel numbers along various properties on 2600 North; and providing an effective date. 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.

- F. **To Consider Authorizing the Mayor to Sign Evermore Park's Local Consent Request to Apply for Four (4) Separate Single Event Liquor License as Required for a State Liquor License for Oktoberfest on August 18-19, August 25 -26, September 1-2, and September 8-9, 2023 from the hours of 5:00 p.m. to 11:00 p.m. at Evermore Park, LLC located at 382 South Evermore Lane, Pleasant Grove, Utah. *Presenter: Attorney Petersen.***

City Attorney, Tina Petersen, presented the request for Evermore Park's Local Consent Request for four separate Single Event Liquor Licenses to serve beer and wine only for Oktoberfest celebrations on the dates and times noted in the request. For this type of Liquor License, the State requires local consent of the City Council. It was noted that Evermore Park previously requested similar licenses and prior events have taken place without incident.

ACTION: Council Member Andersen moved to AUTHORIZE the Mayor to sign the Evermore Park's Local Consent Request to apply for four (4) separate single-event liquor license as required for a State liquor license for Oktoberfest on August 18-19, August 25-26, September 1-2, and September 8-9, 2023 from the hours of 5:00 p.m. to 11:00 p.m. at Evermore Park, LLC located at 382 South Evermore Lane, Pleasant Grove, Utah. 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.

11) **ITEMS FOR DISCUSSION**

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

Recreation Director Megan Zollinger reported on the following:

- The swimming pool has been open for four weeks, and the operation is going well.
- The pool issues continued with long-term strategies being considered.
- Infield activities including pickleball continued through the hot weather.
- In August, the department will be shut down for a few days to clean.
- Department goals will be set at all levels in the hope of creating a stronger connection between full-time and part-time staff to increase involvement in decision-making.
- She was amazed and pleased with the teamwork in her department.

Human Resources Manager, David Packard, reported on the following:

- As the new fiscal year has begun, Open Enrollment Benefits are in effect and employees will see a difference in their paychecks.
- Performance evaluations were conducted over the past few weeks and will be going out this next month. On the next payday, all employees will receive a 3% Cost-of-Living Allowance (“COLA”) increase. Some employees will receive up to an additional 3% merit increase.
- A Supervisor Training Series was completed last Friday with 24 employees participating over nine sessions. A variety of topics were covered. They are fine-tuning the process and seeing good results.
- The City’s Payroll Clerk left employment with the City this past week.
- Mr. Packard acknowledged that employees have willingly covered extra work on holidays and during emergencies, which was appreciated. Employment opportunities are available in the City.

Parks Director, Deon Giles, reported on the following:

- The department went from months of shoveling snow to a crazy spring.
- Director Giles and his staff have been working with the Recreation Department on the soccer fields, removing artificial turf, removing goals, and installing landscaping around the pool.
- Staff is working on the final details of the restroom.
- Staff is working on the Cemetery renovations.
- The G Mountain Project was moving slowly. The work there involves concrete pours and electrical work. He noted that the project may be ready in the fall.
- Staff has been working with Public Works on the Beck Property and the basin.
- Sound barriers are being installed at Discovery Park and staff is involved in irrigation projects.
- The resurfacing company will be at Discovery Park by the end of the month to do warranty work. The park will be shut down during that time. Notice will be provided.
- Crews are also working on lighting for the pickleball courts and hydroseeding near the Library.

Fire Chief, Drew Engemann, reported on the following:

- The Fire Department's average response time is under five minutes for fires and six minutes for medical conditions, which is faster than national averages.
- They have had about 2,000 people come through the station for tours and signing up for CPR classes. The classes are free to the public unless the person is being certified.
- There are three employees taking classes in Missouri for Advanced Training.
- One employee resigned but they have received four internal applications to fill the vacant position.
- Fire Safety Day is scheduled for October 18.
- During the transport of a patient to the hospital, it was discovered that his electric wheelchair was inoperable. The crew took additional time to get the wheelchair functioning so that the person could use it when released from the hospital. He recognized staff for going above and beyond the call of duty.

Police Chief, Keldon Brown, reported on the following:

- Over the past six months, his goal has been to develop something that can be reviewed regularly with respect to meeting their mission and values goals. He noted that every meeting addresses the mission and values.
- Overall, Chief Brown was pleased with his team. He gave them a B+ grade and stated that there is room for improvement. There are young officers who need to be monitored and mentored. He wants his team to be better and aim higher.
- Chief Brown reported that Pleasant Grove City has a relatively low crime rate when compared with other cities.
- The department is working on interactions and has had challenging activities. Some issues have been resolved. He wants his officers to show respect to the citizens.
- The department is starting the accreditation process.

Council Member Williams was grateful for the honest assessment report and thanked Chief Brown.

Community Development Director, Daniel Cardenas, reported on the following:

- Code Enforcement work with the Police Department has been a team effort with 95% of the cases having been resolved. The remaining 5% of cases are challenging.
- He noted that that space is filling up quickly. He identified the types of businesses coming to the area including a car wash, baseball school, credit union, multiple restaurants, and retail space. He further identified where some are in the development process.
- It was reported that Building Permits take about three weeks. They have exceptional staff offering good services but are aiming to increase the speed of issuing Business Licenses and coordination with the Police and Fire Departments.

Finance Director, Denise Roy, reported on the following:

- Staffing changes were described. A 15-year employee recently left the Utility Billing position. Jody Walker was promoted. More work is being done with the Public Works

Department and they will be part of the Secondary Water Meter Project. Additional duties have been assumed by Megan and Cindy Bean.

- Once the budget is adopted, Director Roy will review the Mission, Vision, and Value Statement and the Director Goals for inclusion in the Government Finance Officers Association (“GFOA”) documents.
- Director Roy will be providing Property and Sales Tax information via Dropbox.
- She was also trying to complete Communication and Customer Service Training bi-annually and is working on the Document Management System.
- The Auditor will be in the City in October.

City Attorney, Tina Petersen, reported on the following:

- The St. John Properties (“SJP”) development has been a major time issue in her office.
- Ms. Petersen commented that when the other departments have problems they become hers. She appreciated the police work and involvement with Code Enforcement.
- Staff is working on court cases and setting goals for the Legal Department that align with the City’s mission statement. She was looking to increase the efficiency and effectiveness of what is done by the Legal Assistant, Prosecutor, and Legal Counsel so that they provide exceptional services to the City each day.
- Ms. Petersen wants to increase efficiency by cooperating and providing training in each of the departments to increase interdepartmental communication.
- This past year there was an increase in resolution of infractions and decrease in first appearances, which freed up the court calendar. She was aiming for total preparation at pre-trial hearings by identifying specific guidance for resolving cases. This will reduce issues and determine how cases can be resolved before trial. In the past, the Prosecutor asked to keep restitution open. She was aiming to ask for a specific award, which would better serve crime victims.
- Staff will continue to review old files and continue to train.
- She was actively seeking better contact routes and communication channels. It is difficult to know what is going on with the Prosecutor as that person is in a different area. She also wants to review old civil files for shredding.

Library and Arts Director, Sheri Britsch, would provide a report at the next meeting.

Administrator Darrington thanked Attorney Petersen for her work and stated that the City has outstanding employees. There is always room for improvement, however, and the focus should be on increasing services. He stated that the City is lucky to have the support that it does with all working together.

12) REVIEW AND DISCUSSION OF THE AUGUST 1, 2023, CITY COUNCIL MEETING AGENDA

Administrator Darrington reported that he is trying to keep the agenda light because of the upcoming Truth in Taxation Hearing. There was one continued public hearing on the water efficiency item.

13) MAYOR AND COUNCIL BUSINESS.

Council Member Jensen thanked the residents for being willing to step up and help the City. He also thanked the Directors for all they do and stated that their dedication shows. He thanked the Mayor and City Council for the wonderful Park that will be coming to the City. A ribbon cutting for Mountain Mike's was scheduled for next Tuesday. On August 4 there will be a Concert in the Park. Food trucks will be present at 6:00 p.m. and the concert will begin at 7:00 p.m.

Council Member Andersen was grateful for the time the Directors spend. She was excited about both the SJP Project and the Park, which will be a showcase attraction.

Council Member LeMone acknowledged the extra effort put in by City employees and thanked them for their efforts.

Council Member Williams expressed his thanks.

Council Member Bullock expressed his appreciation and stated that the citizens need to understand the sacrifices City employees make on a regular basis.

Mayor Fugal announced that Joe Hilton, aged 99, passed away recently. Heartfelt wishes were sent to his family as he will be missed. He also gave special thanks to Administrator Darrington for a job well done.


14) **SIGNING OF PLATS.**

15) **REVIEW CALENDAR.**

16) **ADJOURN.**

ACTION: At 7:30 p.m. Council Member Andersen moved to ADJOURN. 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.

The City Council minutes of July 18, 2023, were approved by the City Council on August 1, 2023


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

