

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
Tuesday, August 15, 2023
6:00 p.m.**

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

Staff Present: Scott Darrington, City Administrator
 Tina Petersen, City Attorney
 Drew Engemann, Fire Chief
 Neal Winterton, Public Works Director
 Keldon Brown, Police Chief
 David Packard, Human Resources Manager
 Kathy Kresser, City Recorder
 Kyler Brown, Assistant to the City Administrator

Excused: Mayor Guy L. Fugal

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

In the absence of Mayor Guy Fugal, Chair Pro Tempore, Cyd LeMone called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Williams.

3) OPENING REMARKS

The opening remarks were offered by City Administrator, Scott Darrington.

4) APPROVAL OF MEETING AGENDA

Administrator Darrington reported that Action Item 10K was to be heard at the beginning of the Action Items.

ACTION: Council Member Williams moved to APPROVE the meeting agenda with the changes noted by Administrator Darrington. 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

Donna Jolley, a resident, was unaware of the Election to be held in two weeks until she received the Election Ballot in the mail and wondered if there would be a meeting to hear from the candidates. She was advised of the Candidates Meeting scheduled for August 22, 2023, at 6:30 p.m. A Candidate Information Pamphlet was sent to all residents profiling each candidate. The information was also available on the State website. Ms. Jolley asked about the possibility of having in-person voting sites rather than mail-in ballots. City Recorder, Kathy Kresser, stated that Pleasant Grove City does not have a polling site but eligible voters can vote at polling locations in American Fork and Orem. She also stated that Notice of the Elections has been published in newsletters since early June. The Election date was set earlier but moved because of Representative Stewart's resignation. Council Member Andersen noted that this is a Primary Election that will reduce the number of local candidates from seven to six. The General Election remains set for November.

Denise Trickler, member of the Historic Preservation Commission, announced the details of the upcoming Walking Tour on Locust Avenue beginning at 6:30 p.m. on August 28. At the last Walking Tour, they prepared for approximately 60 people but had 140 people. She suggested that because the response is increasing, they should show up early. The actual meeting site will be posted on social media.

State Senator, Mike Kennedy reported that he has taken Mayor Fugal's invitation to casually drop in on the City Council. He did not have anything specific to report but commented that in relation to in-person voting, the State Legislature has no interest in pursuing in-person voting. Mail-in ballots will be the primary way to vote. He invited constituents to call him at (385) 268-9458 or his Assistant Ben Nichols at (801) 842-8680. He reported that the Legislature did a lot of difficult things last year including making major tax cuts. He worked diligently on a Transgender Health Bill as well. He congratulated Pleasant Grove on winning its lawsuit, for the Transportation Utility Fee (TUF) which was significant. He invited the Council to contact him to see if there are ways the State can help Pleasant Grove work better.

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

6) **CONSENT ITEMS**

- A. **City Council Minutes:
City Council Minutes for the August 1, 2023 Special Meeting.**
- B. **To Consider for Approval Payment Request No. 1 for Eagle Environmental, Inc. for the Asbestos and Hazardous Materials Removal Project.**
- C. **To Consider for Approval Change Order No.1 and Payment Request No. 2 for Staker Parson for the 2600 North Roadway Improvement Project.**
- D. **To Consider for Approval Change Order No. 2 and Payment Request No. 6 for Newman Construction, Inc., for the 1300 West Street and Utility Improvement Project.**
- E. **To Consider for Approval Change Order No. 1 and Payment Request No. 4 for BD Bush Excavation, Inc. for the 1300 East Street and Utility Improvement Project.**
- F. **To Consider for Approval Final Payment for Great Western Landscape for the Old Cemetery Irrigation Project.**
- G. **To Consider Approval of Payment Reports for August 10, 2023.**

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

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

There were no Board, Commission, or Committee appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A. **Continued Item. Public Hearing to Consider for Adoption (2023-15) to Create City Code Section 10-15-49, Water Efficiency Standards and to Amend the Landscape Requirements included in Title 10 Chapters 8-14. 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 for New Construction. (CITYWIDE) (Pleasant Grove City Application) *Presenter: Director Winterton.* Continued from the August 1, 2023 meeting.**

Public Works Director, Neal Winterton, reported that the City has already adopted a watering schedule that addresses watering times.

Central Utah Water Conservancy District (“CUWCD”) Water Conservation Program Manager, Savannah Peterson, was aware of confusion among the cities about what programs will be available through the CUWCD and highlighted the available programs regardless of whether the City adopts the standards. She identified two general programs as follows:

- The Smart Controller Rebate Program provides \$75 to install a smart controller for landscaping. It can be obtained every five years, based on technological advances.
- The Toilet Controller Rebate Program provides up to \$200 to replace old, inefficient toilets in homes built before 1994 with low-flow more efficient toilets. This can be obtained once.

Ms. Peterson reported that for the past 1 ½ years, they have had local programs such as the Flip the Strip and Local Scape. The programs were being updated. During this same period, the State, along with the CUWCD, has been in the process of developing water efficiency standards to address concerns about new construction. In 2022, the funding received by residents from applying for the programs was almost \$600. The projects applied for rebates under these programs will be funded, regardless of the outcome of the vote. Ms. Peterson provided examples of projects within these programs.

The New Residential Landscape Incentive Program will replace the Local Flip the Strip and Local Scape is more flexible and offers more options for people who need to phase out projects due to budgetary concerns. Specific details of the program included the following:

- The incentive is significantly increased from a range of \$0.40 to \$1.25 to a range of \$2.00 to \$3.00 per square foot of grass removal. It rarely covers the total cost of the project but gets them on par with similar activities in other states.
- An incentive of \$0.50 per square foot of water-efficient landscaping installed in new construction for homes under construction not fitting into the water efficiency standards, or for homes converting from overhead watering to drip systems.
- The goal of the incentive is not to eliminate all of the grass but rather to reduce it to a reasonable size that is usable and esthetic.
- Design standards are required to ensure that the outcome is esthetically pleasing, well maintained, and done correctly.
- The work is up to the homeowner.

Ms. Peterson reported that since May 1, 85 residents from Pleasant Grove have checked their web information and more have called the office seeking additional information about their programs. Multiple photographs were shown to document the work done.

Ms. Peterson indicated that CUWCD also offers a Landscape Leadership grant that is available to the City, a business, or commercial properties. An online grant calculator is available. The grant, which is the same amount as noted for the residential programs, will help cover costs. Photographs of a gas station and a median project in Cedar Hills were provided. They also offer a Commercial Smart Controller Rebate.

The Water Efficient Program is described to serve as a catch-all for anything that does not fall within any of the other programs. If someone wants to re-line a canal so that it leaks less, they can help. The program can also help with the cost of educational materials if there is a water savings purpose or a behavioral change.

The purpose of the water efficiency standards for new construction is to protect the finite water source. She reported that the Utah Lake Basin is expected to run out of water by 2040 if there is no significant conservation. With significant conservation, that estimate extends an additional 20 years. Many larger cities in Utah have already adopted the standards. The current total number of adoptions is 52 cities state-wide. Cities that have adopted the standards are willing to share their information on implementation and enforcement. It is important to remember that the standards apply only to new construction. For residential housing, the standards are only applicable to front and side yards.

The following is required for new construction to be adopted by the City to qualify for the program grants:

- Lawns are not to be installed on slopes greater than 25% grade (irrigation efficiency meaning water runs faster than what can be absorbed);
- Lawns are not to be installed in areas less than 8 feet wide (irrigation efficiency – reduce overspray; and
- Lawns shall not exceed 35% of the total landscaped area in the front and side yards.

Ms. Peterson reported that if a lot is so small that the restriction would result in an area of no usefulness, the owner would be allowed to put in all grass. Anything less than 250 square feet would be exempt from the requirement. For non-residential property, the maximum area would be 20% of the total landscaped area excluding any active recreational zone. Multi-family housing developments, communal areas with grass, parks, sports fields, or schools would be excluded.

Council Member Williams asked what would happen if the ordinance did not include the restriction for new construction. Ms. Peterson stated that the State and District requirements are for new construction. Council Member Williams was not in favor of telling new homeowners what they can or cannot do on their property and objected to the mandatory nature. City Attorney, Tina Petersen, stated that if the language for new construction is removed from the ordinance, the requirements would remain applicable for all in all zones and would be mandatory for everyone. If the City Council's direction is to have the ordinance provide an opportunity and not a requirement, the ordinance would need to be revised.

Council Member Jensen commented that the City already tells people what to do with their property as they are required to landscape. Attorney Petersen's understanding was that if the City does not have an ordinance with restrictions, CUWCD will not provide rebates other than the Smart Controller or Toilet Rebates.

Ms. Peterson, when asked about other cities' concerns about the requirements, stated that the question was raised but upon review of the pros and cons, most cities adopted the requirements. She noted that this was particularly true when the cities had already experienced most of their growth since the application of the restriction was small and the benefit of the rebates was greater.

She further commented that the rebates are funded by property taxes, and paid for by residents, and is a good way to get some of that money back to the community. She also commented that it is difficult to justify turf removal projects where cities allow endless seas of grass to be placed in new construction. Where limits can be placed on the amount of turf put in and turf removal can be incentivized, they will be further along.

Chair Pro Tempore opened the public hearing.

Sheila Bills asked if there was a way to opt out of gray or secondary water and wanted to know when the meters would be installed. She uses about 30% of what she could claim and is conservative with her watering but is faced with continuing increases in her water bill, which is currently \$145 per month. She was informed that the majority of the cost she is paying is for the infrastructure to get the water to her home. She was directed to discuss the matter with Director Winterton. She also stated that she needs assistance in dealing with a sinking driveway based on work done improperly by UTOPIA Fiber. Administrator Darrington offered to meet with her privately. Ms. Bills stated that loves the Police and Fire Departments and stated that they need a pay increase.

There were no further public comments. The public hearing was closed.

Council Member Andersen stated that she would love to see the data showing water reduction savings. She has no information about agricultural conservation measures and reported that it uses 70% of the water. She did not know what percentage Pleasant Grove uses. She also did not know how effective the restrictions would be in reducing water consumption. She did not like anything to be required and was having a difficult time.

Council Member Williams did not have a problem with commercial where they have a landscape design but he did have a problem telling new residents that they can only put in a certain amount of grass. He did not know how it could be enforced. To him, a limitation on new residents so that old residents can get rebates did not seem right.

Ms. Peterson stated that they have statistics on efficiency. There is also a program for agricultural water efficiency through the State and other programs that are being developed. Currently, agricultural optimization programs fall under the umbrella of catchall water efficiency programs. Although this area is not her area of expertise, she had data on it. Council Member Andersen asked if the restrictions make a difference. There was discussion regarding the adoption or non-adoption of the restrictions and rationales. It was unclear why Orem did not adopt the restrictions. Ms. Peterson reported that Provo City's main concern pertained to mature tree health. They were currently in discussions with an Arborist. Provo had other ideas and adopted its own reductions for water use. Ms. Peterson pointed out that Provo residents will still be required to pay the property tax that funds the rebates. In essence, they are paying for two programs but can only access one.

Director Winterton stated that the Planning Commission unanimously approved the three restrictions so residents would be eligible for the rebates. His recommendation was to proceed with the three specific items, which he did not believe were overreaching.

Council Member LeMone thought the restrictions should be put in place to preserve water. Council Member Jensen stated that water is the biggest commodity and although he was resistant to the requirements, the limitations are satisfactory because of the growing concern over water. By not doing this, residents are at a disadvantage. He commented that it would be better to have conversations with other city officials and gather more information before voting. There was further discussion on the restrictions and water efficiency as well as the issue of requirements versus options. Attorney Petersen stated that the City Council could continue the matter to gather further information.

ACTION: Council Member Andersen moved to CONTINUE the Public Hearing to consider adoption of Ordinance (2023-15) to create City Code Section 10-15-49, Water Efficiency Standards, and amend the landscape requirements included in Title 10 Chapters 8-14. 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 for new construction. Council Member Williams 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. Public Hearing to Consider for Adoption of an Ordinance (2023-17) to Adjust the Common Boundary between Pleasant Grove City and American Fork City. The Proposed Area to be Adjusted is Owned by Bruce C. Black and Monica R. Black or Their Successors as Trustees of the Black Family Trust dated April 21, 2021. Parcel Number: 14-018-0087 and contains 31,759 square feet or 0.73 acres; located at approximately 1600 West 2000 North Pleasant Grove, Utah, and Providing an Effective Date. Presenter Attorney Petersen.

Attorney Petersen presented the above item and stated that the request is for a boundary adjustment put forward by the property owners, the Blacks. A map of the area was referenced. The property at issue is in the northwest portion of the City at 1600 West 2000 North. The parcel is currently part of American Fork City and is adjacent to the Black's property located in Pleasant Grove. The boundary change would join the two parcels, which would then be within Pleasant Grove City boundaries. American Fork City had no objection to the boundary change.

Mayor Pro-Tem LeMone opened the public hearing. There was no public comment. The public hearing was closed.

ACTION: Council Member Jensen moved to ADOPT Ordinance 2023-17 to adjust the common boundary between Pleasant Grove City and American Fork City. The proposed area to be adjusted is owned by Bruce C. Black and Monica R. Black or their Successors as Trustees of the Black Family Trust dated April 21, 2021, Parcel Number: 14-018-0087 and contains 31,759 square feet or 0.73 acres; located at approximately 1600 West 2000 North Pleasant Grove, Utah, and providing an effective date. 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.

10) **ACTION ITEMS READY FOR VOTE**

- A. **To Consider for Adoption a Resolution (2023-040) Authorizing the Mayor to Sign a Donation Agreement with Greg and Julie Cook and the Cook Family Irrevocable Trust for Five Million Dollars (\$5,000,000) to be used for the Development of a Park located at Approximately 600 West and 600 North, Pleasant Grove, Utah County, Utah and Providing an Effective Date. *Presenter: Administrator Darrington.***

Administrator Darrington reported that the above item was covered during the Work Session and invited further questions.

ACTION: Council Member Bullock moved to ADOPT Resolution 2023-040 Authorizing the Mayor to sign a Donation Agreement with Greg and Julie Cook and the Cook Family Irrevocable Trust for Five Million Dollars (\$5,000,000) to be used for the development of a Park located at approximately 600 West and 600 North, Pleasant Grove, Utah County, Utah 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.

- B. **To Consider for Adoption a Resolution (2023-041) of the Pleasant Grove Council Consenting to the Reorganization of the Timpanogos Special Service District (“TSSD”) as a Special Independent District and Providing an Effective Date. *Presenter: Director Winterton.***

Director Winterton presented the above item which was discussed during the Work Session. It was additionally reported that the Timpanogos Special Service District (“TSSD”) is under the overall authority of the Utah County Commission. The proposed Resolution transfers the overall authority to the City members of the TSSD. When Special Service Districts are created, they do not have a legislative body in place and are under the control of the County. With the proposed change, each City member with full membership will have a seat at the table. Cities that do not have full members, will have non-voting, ex-officio rights.

ACTION: Council Member Jensen moved to ADOPT Resolution 2023-041 of the Pleasant Grove City Council consenting to the reorganization of the Timpanogos Special Service District (“TSSD”) as a special independent district 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.

- C. **To Consider for Adoption a Resolution (2023-042) Authorizing the Mayor to Sign an Interlocal Cooperative Agreement between Cedar Hills City and Pleasant Grove City for the Harvey Boulevard Widening Project (4000 North in Pleasant Grove) and Providing an Effective Date. *Presenter: Director Winterton.***

Director Winterton presented the above Resolution, which was covered during the Work Session. The proposed agreement will guide the two cities in the cost-sharing associated with the project at

4000 North in Pleasant Grove.

ACTION: Council Member Jensen moved to ADOPT Resolution 2023-042 Authorizing the Mayor to sign an Interlocal Cooperative Agreement between Cedar Hills City and Pleasant Grove City for the Harvey Boulevard Widening Project (4000 North in Pleasant Grove) 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.

- D. To Consider for Adoption a Resolution (2023-043) Authorizing the Mayor to Execute a Master Agreement for Professional Services with RB&G Engineering, Inc. for Engineering Services on a Project by Project Basis, and Providing an Effective Date. Presenter: Director Winterton.**

Director Winterton presented the above item, which was discussed during the Work Session. He commented that it is a General Service Agreement that will allow the City to seek competitive prices.

ACTION: Council Member Bullock moved to ADOPT Resolution 2023-043 Authorizing the Mayor to execute a Master Agreement for professional services with RB&G Engineering, Inc. for engineering services on a project-by-project basis 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 (2023-044) Authorizing the Mayor to Declare 2-2007 Chevrolet Colorado Pickup Trucks, 1-2000 Chevrolet 2500 Pickup Truck, 1-2015 Honda Pioneer SXS500, and 1-2016 Honda Pioneer SXS500 as Surplus and Direct that they be Disposed of According to the City's Policy for Disposing of Surplus Property. Presenter: Director Winterton.**

Director Winterton presented the item, which was discussed during the Work Session.

ACTION: Council Member Andersen moved to ADOPT Resolution 2023-044 Authorizing the Mayor to declare 2-2007 Chevrolet Colorado pickup trucks, 1-2000 Chevrolet 2500 pickup truck, 1-2015 Honda Pioneer SXS500, and 1-2016 Honda Pioneer SXS500 as surplus, and direct that they be disposed of according to the City's Policy for Disposing of Surplus Property. 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 for Approval a One-Lot Final Subdivision Plat, called Triple Play Baseball Plat 'A' on 1.623 acres, approximately located at 220 South Garden Grove Lane in The Grove Zone-Commercial Sales Subdistrict. (SAM WHITE'S LANE NEIGHBORHOOD) (Adam Lambert, Applicant) Presenter: City Engineer Wilson.**

- G. To Consider for Approval a Commercial Site Plan for an Indoor Baseball Facility, located at approximately 220 South Garden Grove Lane in The Grove Zone – Commercial Sales Subdistrict. (SAM WHITE’S LANE NEIGHBORHOOD) (Adam Lambert, Applicant) Presenter: City Engineer Wilson.**

Agenda Items F and G were presented together but voted on separately.

City Engineer, Aaron Wilson, presented Agenda Items F and G, which include a request for approval of a one-lot Final Subdivision Plat and a Commercial Site Plan for an indoor baseball facility to be located at approximately 220 South Garden Grove Lane in the Grove Zone – Commercial Sales Subdistrict. The plat contains a remnant parcel from a previously approved subdivision plat called Oliver’s Place. The owners of the parcel chose not to subdivide the property but instead construct an indoor baseball facility in that location. He identified the property on plat and aerial maps and noted that the property is directly north of Evermore and east of Pleasant Grove Boulevard. Existing buildings in the area were identified. The Commercial Site Plan was displayed. It was noted that the Planning Commission recommended approval.

The applicant, Adam Lambert, was present representing the property owners. He reported that the other two gentlemen with him were former baseball players for the Angels. They have an indoor baseball facility in Orem that has been in operation for six years and offers hourly lessons. Currently, 150 students attend weekly, which is the maximum number they can accommodate. Mr. Lambert described the sizing details of the proposed facility including a full indoor infield capacity that can accommodate small fields as well as high school fields, a full-size pitching mound, and adequate outfield space. Practices can take place year-round, which is something teams are seeking. Council Member Andersen noted that such a facility increases sports opportunities in Pleasant Grove. Mr. Lambert stated that they are ready to pull the permits and begin construction as soon as possible.

ACTION: Council Member Jensen moved to APPROVE a one-lot Final Subdivision Plat called Triple Play Baseball Plat ‘A’ on 1.623 acres, approximately located at 220 South Garden Grove Lane in The Grove Zone–Commercial Sales Subdistrict. (SAM WHITE’S LANE NEIGHBORHOOD). 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.

ACTION: Council Member Andersen moved to APPROVE a commercial site plan for an indoor baseball facility, located at approximately 220 South Garden Grove Lane in The Grove Zone – Commercial Sales Subdistrict. 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.

H. To Consider for Approval a Commercial Site Plan for a Credit Union, located at approximately 1554 West Pleasant Grove Boulevard in The Grove Zone – Commercial Sales Subdistrict. (SAM WHITE’S LANE NEIGHBORHOOD) (Eric Malmberg, Applicant) Presenter: City Engineer Wilson.

Engineer Wilson presented the Staff Report and stated that the project is part of an existing subdivided lot on Pleasant Grove Boulevard that is owned by Golden West Credit Union. The proposed credit union was identified on a Commercial Site Plan and aerial photo. The pad also contains an additional building site to be used later. Renderings of the proposed building were presented. The additional windows and other features added to the building were described and will face Pleasant Grove Boulevard per the recommendation of the Design Review Board (“DRB”) because of the views and aesthetics.

The applicant, Eric Malmberg, Project Manager with Anderson Wahlen & Associates was present representing the credit union. He commented that City Planner, Jacob Hawkins, and Engineer Wilson have been very helpful. They hoped to submit the plans for permit review and hope to break ground in September.

ACTION: Council Member Bullock moved to APPROVE a Commercial Site Plan for a credit union located at approximately 1554 West Pleasant Grove Boulevard in The Grove Zone – Commercial Sales Subdistrict. 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.

I. To Consider for Approval a Six-Lot Final Flag Lot Subdivision Plat, called Gordon Grove Subdivision Plat ‘B’ on 2.22 Acres, approximately located at 1309 North 380 East in the R1-8 (Single-Family Residential) Zone. (Jason Fox, Applicant) Presenter: City Engineer.

Engineer Wilson presented the above item and identified the location of the property on an aerial map displayed. The plat requires six lots to adjust boundaries and meet all frontage requirements. It was noted that the conditions of the flag lot ordinance have been met. The Planning Commission unanimously recommended approval.

ACTION: Council Member Andersen moved to APPROVE a six-lot Final Flag Lot Subdivision Plat called Gordon Grove Subdivision Plat ‘B’ on 2.22 acres, approximately located at 1309 North 380 East in the R1-8 (Single-Family Residential) Zone. 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.

J. To Consider for Adoption a Resolution (2023-045) Authorizing the Mayor to Execute a Web Services Sales Agreement for Professional Services with Revize, LLC, AKA Revize Software Systems for Website Design, Hosting, and Maintenance Services and Providing an Effective Date. Presenter: Assistant to City Administrator Brower.

Assistant to the City Administrator, Kyler Brower, presented the item and reviewed the general terms of the contract including costs of \$53,900 for the first year and \$8,900 per year for the next three years, early termination, security issues, and an extensive facelift towards the end of the term. Revize was selected because it is the government expert for municipality websites and has all the best features. He noted that their work is done in-house, and they provide great security and provide excellent training. The development process was expected to take four to six months but active participation in the design concept meetings can help move the project forward more quickly. He invited the City Council to participate and indicated that he would keep them apprised of the meetings.

ACTION: Council Member Andersen moved to ADOPT Resolution 2023-045 Authorizing the Mayor to execute a Web Services Sales Agreement for professional services with Revize, LLC, AKA Revize Software Systems for website design, hosting, and maintenance services 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.

Attorney Petersen identified a correction to information presented during the discussion on Item 10B. She indicated that Director Winterton erred in response to a question from Council Member Jensen and identifying who would be voting on the Board. She stated that members from Lindon, Vineyard, and Eagle Mountain are eligible to vote, even though they are not full members. There are two additional ex-officio members of the TSSD consisting of finance representatives from the Jordan Water Conservancy District and the South Valley Sewer District who do not vote.

K. To Consider for Adoption an Ordinance (2023-18) Granting Quest Corporation DBA CenturyLink QC (“Company”), a Nonexclusive Franchise to Operate a Telecommunications Network in the City of Pleasant Grove, Utah Pursuant to a Franchise Agreement Specifying the Company’s Rights and Duties and Providing an Effective Date. Presenter: Attorney Petersen.

Attorney Petersen reported that the above request is for a Franchise Agreement with Quest Corporation DBA CenturyLink QC. Because there is no Franchise Agreement in place, the applicant cannot apply for Building Permits. The ordinance contains an updated Franchise Agreement, which complies with a uniform Franchise Agreement developed by the City Attorneys in Utah County to be used County-wide. This use ensures that all cities receive the benefits of the bargain and can be individualized as needed. CenturyLink Representative, Max Backlund, was present to answer questions. The Franchise Agreement requirements include a standard \$2,000 Administrative Fee to enter into the Franchise Agreement and the 3.5% State statutorily required revenue split tax.

ACTION: Council Member Andersen moved to ADOPT Ordinance 2023-18 granting Quest Corporation DBA CenturyLink QC (“Company”), a non-exclusive franchise to operate a telecommunications network in the City of Pleasant Grove, Utah pursuant to a Franchise Agreement specifying the company’s rights and duties 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.

11) **ITEMS FOR DISCUSSION**

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

12) **REVIEW AND DISCUSSION OF THE AUGUST 28, 2023, CITY COUNCIL SPECIAL MEETING AGENDA**

Administrator Darrington reported that the agenda items for the noon meeting on August 28, 2023, will be provided in a memo to the City Council. There will be no public hearings.

13) **MAYOR AND COUNCIL BUSINESS.**

Mayor Pro Tempore LeMone described her son’s participation in a Pickleball Tournament at Discovery Park. She noted that it was a positive experience and thanked the Recreation Department for providing activities to the community. She also thanked Stacy Martineau and those who serve on the Arts Council for the Arts in the Park event, which was a huge success.

14) **SIGNING OF PLATS**

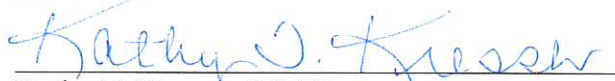
There was one plat needing to be signed.

15) **REVIEW CALENDAR**

16) **ADJOURN**

ACTION: At 7:28 p.m. Council Member Jensen 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 August 15, 2023, were approved by the City Council on September 19, 2023.


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

