

**Pleasant Grove City  
City Council Meeting Minutes  
Work Session  
Tuesday, August 15, 2023  
4:30 p.m.**

Council Members: 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 Brower, Assistant to the City Administrator  
Megan Zollinger, Recreation Director

Excused: Mayor Guy L. Fugal  
Council Member Cyd LeMone

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

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**4:30 P.M. WORK SESSION**

In the absence of Mayor Fugal and Mayor Pro Tempore, Cyd LeMone, City Recorder, Kathy Kresser, opened the meeting and asked the City Council to nominate a Temporary Mayor Pro Tempore.

**ACTION:** Council Member Andersen moved to NOMINATE Council Member Jensen. Council Member Bullock seconded the motion. City Council Member vote: Dianna Andersen, Yes; Brent Bullock, Yes; Eric Jensen, Yes; and Todd Williams, Yes. Motion carried unanimously.

Mayor Pro Tempore Jensen assumed the Chair and called the meeting to order at 4:30 p.m.

**a. Introduce New Employees.**

Public Works Director, Neal Winterton introduced New Water and Sewer Division Employee, Holden Gossler.

**b. Fire Department Badge Ceremony.**

Fire Department Chief, Drew Engemann, acknowledged the exceptional work of Colbi Draney, Boston Brower, and Kage Hall, who were hired last year and have completed their one-year probation period. Ms. Draney was in Paramedic School when she was hired and passed her test the first time. Messrs. Brower and Hall have completed the Apparatus Driver Operator (“ADO”) classes and are certified in direct pump and aerial. Each has accepted their assignments and are valuable members of the team. The parents of the employees were invited to affix their official badges. A group photo was taken.

Chief Engemann reported that Eric Nish has been promoted to Captain and Curtis Hutchinson and Jack Pixler are now Lieutenants. All were congratulated.

**c. Staff Business.**

Public Works Director, Neal Winterton, reported on the following:

- The City is experiencing a lot of road construction that has resulted in road closures, detours, dust, and disruptions. Many have been required to adjust their daily activities.
- 1300 East was being asphalted, which is a major milestone.
- 300 East in front of the school has been paved. Some side treatments remain to be completed.
- The 2600 North Project encompasses one mile of roadway and requires each utility to be redone with extensions on major irrigation lines and culverts, detention basin work, and installation of gutters, sidewalks, and retaining walls. The property requirements differ and he was pleased with the contractor who made accommodations for the various residences, businesses, schools, and the Reception Center.
- Loader was nearing completion. It has taken some time to get the property and retaining walls in place and they are now working on curb, gutter, sidewalk, and asphalt.
- Multiple design meetings have taken place regarding the Park grading.
- Staff is working on next year’s projects including 4000 North and Cedar Hills.

Council Member Andersen reported that she has recently been reminded how much she uses 1300 East and 2600 North. She expressed appreciation for the road projects being done.

Police Chief, Keldon Brown, reported on the following:

- The Police Department has been busy with routine business such as crashes and thefts.
- With school underway, they are increasing patrols during school hours and identifying new pathways and crossings that require extra attention, which helps students find the safest route to school.

- Other school issues included school bus activity, parking patterns, and impacts on neighborhoods.
- School Resource Officers (“SRO”) have been assigned to the high school and junior high school, which should help the school year get off to a good start.
- The Police Department is steady and they continue to identify areas needing improvement.

Council Member Bullock reported that an individual comes to Discovery Park every night around 1:00 a.m. and 2:00 a.m. He requested that the police could check into that. Chief Brown stated that they try to be in the parks to limit unwelcome activity.

Fire Department, Drew Engemann, reported on the following:

- Additional information was sought regarding a possible human interest story regarding Colbi Draney being saved from drowning as a child by the Fire Department and then becoming a firefighter.
- The department is in the process of hiring and has a lot of good applicants.

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

- He acknowledged sending the City Council an eight-page update, which mostly addresses recruitment being done by the City.
- He reported that Marnie Reynolds, an Accountant, was hired to serve as the Payroll Clerk.
- Mr. Packard was working on strengthening the training and will be starting a New Hire Orientation Program in a couple of weeks that will be offered twice each year. It will last about one hour and cover the following:
  - City’s Mission Vision, and values;
  - Policies and procedures;
  - The retirement system;
  - The Employee-Assistance Program; and
  - A tour of some City facilities.

The first orientation will include all employees hired over the past seven to eight months.

City Attorney, Tina Petersen, reported on the following:

- The Legal Department has been busy and involved in a variety of issues.
- She was thanked for a question raised by a concerned citizen.

Assistant to the City Administrator, Kyler Brower, had no report and was thanked for providing photographs of the Old City Hall work being done.

Denise Trickler, on behalf of the Historic Preservation Commission, announced that Heritage Days will be held in the Downtown Park beginning at 5:00 p.m. on September 11, 2023. Unfortunately, the Old Town Hall will not be completed in time. The event is free of charge with the exception of food.

Recreation Director, Megan Zollinger, reported on the following:

- They are at the end of the pool season.
- Last week the Recreation Center was closed and the Department held its first Recreation Department Retreat for all City Staff. There was a Customer Service Training to improve the level of service. A Strategic Planning and Evaluation was also conducted of the services offered to identify areas of improvement. The Retreat was a success with a positive response from staff. The Retreat will become a yearly event going forward.
- Birthday Week took place a few weeks ago. Director Zollinger acknowledged that Andy, who is a member of the Recreation Staff, serves as their Social Media Expert and helped put the event together. She showed a video that captured the activities involving various age groups during the week and highlighted the many units that make up the Recreation Department. Other activities included Bingo for Seniors, a Pickleball Tournament, a painting activity with local artists, and a potluck night.

City Administrator, Scott Darrington, reported on the following:

- What has been established as the City's Mission/Vision Statement involves enhancing the City through services or events in an effort to make residents proud to be part of the community. Birthday Week embodies that principle.
- There is a need for another City Council Meeting, if possible, on Monday, August 28 at noon, and requires a minimum of three Council Members to be present. The meeting is necessary because the Primary Election scheduled for September 5, 2023, preempts the regular meeting with the next City Council Meeting scheduled for September 19. This creates a five-week gap, which is too long to go without a meeting. No public hearings will be involved and the meeting was expected to last less than one hour. Department updates will be provided in the interim.
- They will be reviewing tonight's Agenda items. Although both the public hearing and action items will be reviewed during the Work Session, the public hearing items will be addressed during the City Council Meeting. Discussion on the action items during the meeting can be used to address outstanding questions.

#### **Item 9A - Water Conservancy Public Hearing.**

Director Winterton reported on Item 9A – the Water Conservancy Public Hearing. The proposed ordinance is intended to guide future landscaping in the City. The Central Utah Water Conservancy District (“CUWCD”) serves this area and is charged with solidifying and fortifying the water supply, in part, by increasing water efficiency usage. Part of that mission is met through property tax-funded grants awarded to residents within the CUWCD for water-saving activities.

Currently, to qualify residents for the grants, cities are required to adopt certain limitations on turf. The proposed ordinance sets forth restrictive requirements to limit turf grass as follows:

- Limit turf grass on slopes greater than 25%;
- Restrict turf grass from landscape strips smaller than eight feet; and
- Limit the percentage of grass in new residential (front and side yards), commercial, or industrial areas excluding active recreation fields.

The proposed ordinance will control future development. The City can also apply for grants including water-efficient gardens for the City. It will be the City's responsibility to enforce the restrictions.

In response to a question raised, Director Winterton stated that the proposed legislation is not necessarily based on laws passed by the State regarding conservation and indicated that most large districts have implemented these types of measures, some of which were recommendations. Pleasant Grove chose to go with the minimum standards. The ordinance is not enforced retroactively and applies to turf grass only. Administrator Darrington added that for residents to be eligible for the majority of grants offered, the City must legislate the restrictions. There was discussion regarding how the proposed ordinance will be implemented.

Council Member Williams stated that the ordinance is extremely authoritarian in nature. Council Member Bullock remarked that the CUWCD presented this issue and described the restrictions. At the time, they thought it was a good thing. Administrator Darrington commented that it is a trade-off in that limitations are placed on new construction installation of turf and residents are eligible to apply for grant money to reduce the amount of grass they have. It was noted that not all cities in Utah County are adopting these rules. Council Member Andersen reported that 70% of water in the State is for agriculture. The question of responsibility for enforcement was raised.

City Attorney, Tina Petersen, reported that she spoke with Community Development Director, Daniel Cardenas, and the requirement is based on State legislation that encourages the adoption of water conservation plans. The City is required to have such a plan, which includes water scheduling requirements and a secondary water system. Ideally, the district wants the standards to be adopted followed by a policy and procedure to enforce the standards. Director Cardenas recommended including the requirement in the Site Plan Development Process for commercial areas at a minimum to ensure that the requirement is met before development takes place. The residential measures are more complicated and would require an approval process that will impact the plats and final building inspections. Currently, vegetation must be planted within one planting season.

A change would require another checkpoint policy. Currently, the District's only requirement is that the standards be adopted. Cities do not have to show an enforcement component. There was discussion regarding the restrictions and adoption. Director Winterton stated that studies have shown that irrigation heads are not efficient for spaces with widths of less than eight feet. Backyards are not included. The CUWCD could potentially provide additional guidance now that the ordinance language has been proposed.

**Item 10B – Reorganization of Timpanogos Special Service District (TSSD).**

Director Winterton reported on Item 10B and stated that the TSSD was created in 1976 to serve Pleasant Grove, American Fork, Highland, and Alpine. The Timpanogos Special Service District (“TSSD”) was formed under the authority of Utah County and the County Commission appointed a 13-member Board to administer the functions and make recommendations. It currently retains ultimate authority. TSSD now wants to drop the term “special” and become a Service District, that would transfer control to the communities it serves. To effect that change, each city with a sewer in the TSSD must pass a resolution expressing a desire to do so. Once completed, legislative and administrative authority will be with the cities the district serves and not with the County Commission.

**Item 10C – Interlocal Cooperative Agreement With Cedar Hills.**

Director Winterton reported that the proposed Interlocal Cooperative Agreement between Pleasant Grove and Cedar Hills, guides and sets forth the costs and responsibilities of each city for the Cedar Hills- Mountainland Association of Governments (MAG) Project on 4000 North. Each city will be responsible for its own property rights and negotiations. Pleasant Grove has about 75% of the property that faces the roadway. Once the Agreement is in place and the line work is established with the retained Consultant, the project can get underway. It was estimated that the design would take about one year to complete after which construction can begin. The project is funded by MAG with Pleasant Grove and Cedar Hills matching.

**Item 10E – Surplus Vehicles.**

Director Winterton reported that the surplus vehicles listed in the Resolution are no longer in use, and need to be declared surplus in order to be sold.

**Item 10D – General Services Agreement for RB &G Engineering.**

Director Winterton reported that the Public Works Department does not have any specific project in mind but seeks a General Services Agreement with RB&G Engineering to provide them with a pool of Engineers to work on various engineering projects. RB&G Engineering has performed services for the City in the past, and the City also uses the services of Horrocks Engineering and will continue to do so. They will be better able to solicit a scope and fee in a competitive manner that helps them get the best product.

**Item 10J – Web Services Sales Agreement.**

Assistant to the City Administrator, Kyler Brower, reported that the Agreement involves a Web Service Agreement with Revive, LLC. The up-front cost is \$52,900 with ongoing costs of \$8,900 per year for a total of four years. They will get a new website redesign and a refresh design at the end of the contract term. The agreement terms include termination provisions and expectations of each party.

**Item 9B – Boundary Adjustment (Public Hearing).**

Attorney Petersen reported that the request is for a Boundary Adjustment with American Fork and Pleasant Grove. The Black Family would like to have a small piece of land they own that is adjacent to their Pleasant Grove property but currently in American Fork boundaries designated as being within Pleasant Grove City boundaries. American Fork had no objection.

**Item 10K – Franchise Agreement with Century Link.**

Attorney Petersen reported that CenturyLink has projects it would like to install in the City but is unable to pull Building Permits as it does not have a current Franchise Agreement. The proposed Ordinance will grant them a New Franchise Agreement. There is a \$2,000 Administrative Fee to enter into the Franchise Agreement and payments will then be made by CenturyLink to the City based on revenue percentages pursuant to State Statute requirements (3.5% of the revenue) as a tax. Representative Max Backland will be present at the City Council Meeting to answer questions.

**Item 10A – Donation Agreement for the Cook Family.**

Administrator Darrington reported that the proposed Agreement covers the donation of \$5 million from the Cook Family to be paid over time. The annual payments, outlined in the agreement, will be \$326,871 per year. A 25-year bond is proposed. The donor would like the option of paying off its share of the bond early and there is language that would allow that to occur. The bond is re-financeable at any time. The Agreement also includes 25 cemetery plots to be deeded to the Cook Family. The City assumes maintenance of the Splash Park and Playground. The Agreement also contains additional language regarding signage.

**ADJOURNMENT**

**MOTION:** At 5:30 p.m. Council Member Bullock to ADJOURN the Work Session. 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 Work Session 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.)*