

**Pleasant Grove City
City Council Meeting Minutes
Work Session
Tuesday, June 4, 2024
4:30 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers (arrived at 4:39 p.m.)
Todd Williams

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Keldon Brown, Police Chief
Wendy Thorpe, City Recorder
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Andrew Engemann, Fire Chief
Daniel Cardenas, Community Development Director
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director
Shawn Whitaker, Assistant Recreation Director
Kim Schroepfel, Victim Advocate Coordinator
Lauren Langston, Intern

Excused: Megan Zollinger, Recreation Director
Deon Giles, Parks Director

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

4:30 P.M. WORK SESSION

Mayor Guy Fugal called the meeting to order at 4:31 p.m. and welcomed those present.

a. Kim Schroepfel, Victim Advocate Report.

Victim Advocate, Kim Schroepfel, introduced Part-Time Victim Advocate, Latina Joiner. Ms. Joiner was originally from Pennsylvania and moved to Utah in 2016 during her time in the military. She served in the US Air Force for six years and then worked as a Police Officer for

Security Forces following her work with the Office of Special Investigations (“OSI”) where she conducted Sexual Assault investigations. She wanted to continue her work helping victims.

Ms. Schroepfel presented the Victim Advocate Report and various statistics. So far this year there have been 185 instances of domestic violence and 46 sexual offenses where there have been instances of multiple survivors. The number of Division of Child and Family Services (“DCFS”) cases remained similar to the previous at 136. Harassment cases also remained similar at 53.

Ms. Schroepfel reported that an important part of her job is going to trainings, many of which take place in the spring. The Crime Victim Conference sponsored by the Utah Office for Victims of Crime took place in Midway. The Children’s Symposium sponsored by the Children’s Justice Center took place in Snowbird. Ms. Schroepfel had lunch with their Director and she and Ms. Joiner were invited to attend for free. Both trainings were very valuable yet very different. In the Midway training, they learned about the new legislation. She noted that advocates must understand the rights of victims. They also learned about best practices, how to handle cases, and combine efforts. With victim advocacy investigations, their various partners cooperate and work together. Ms. Schroepfel reported that System Based Advocacy works under the law. They serve as law enforcement advocates and help guide people through the justice system process.

Ms. Schroepfel reported that they hear from people across the country and can hear case reviews and studies. Homicide and child neglect cases from Utah were also studied. They showed how advocacy and investigations work together. They received feedback from victims and updates on the types of crimes being committed. She loves prevention work and recalled an event where she discussed the top 20 most dangerous apps that children can access. She stated that there is a lot that parents do not know and they should be educated. Ms. Schroepfel reported that the internet is changing and parents need to be aware. She stressed the importance of training and expressed a willingness to help educate parents where possible. Recently, she was invited to educate the Fourth District Court on what advocates in police departments do. They were able to collaborate and talk about how they are part of a team.

b. Center Stage Agreement Discussion.

City Attorney, Tina Petersen, reported that this discussion was at the request of the City Council. She recalled a few days earlier that the City Council received an email answering the question of how many Pleasant Grove residents participate in the program. Currently, 42% of Pleasant Grove children are residents and 17% are from Orem, 11% from Lindon, 7% from Lehi, 7% from Provo, and 5% from Saratoga Springs. The last time the agreement was updated was in 2018. It was a five-year agreement and is due for renewal. It automatically renews unless action is taken and the organization gives notice of any change in status or terms. She noted that circumstances have changed over the past five years. Originally, when the agreement was entered into, the City was providing a practice facility at the Old Sportsmen's Club, which is no longer needed. The City also had an obligation to provide website support. That could be problematic moving forward because the City is redoing its website and may make it more difficult to sponsor them on that site. She reported that there is a rather long notice period of one year.

Ms. Petersen reported that the Agreement is up for renewal in July. After the termination date, the term will be one year. If the City wants to terminate during the contract term, they need to give one year's notice. For funding purposes, it is up for renewal now.

Council Member LeMone reported that the issue came up because a resident who is a local business owner and involved in the arts, reached out to her about why the City is providing that amount of funding to an organization that is not using City facilities. She suggested there be some sort of grant process in place for organizations that would like to be considered with the CARE tax monies. She did not think an automatic donation should be given. She recommended that criteria be put in place for this organization and others based on the number of participants from Pleasant Grove, the facilities used, and how they are invested in Pleasant Grove. If other cities are part of this organization they should participate in the funding. Because this is taxpayer money, there should be reasoning behind why they are contributing the amount of money they are.

Council Member LeMone noted that the money may not be a lot in the grand scheme of the budget, but it would be meaningful to smaller organizations in the City who could really use it. There is an obligation to those organizations and the taxpayers to make sure that the funds are being used based on clear criteria established with the CARE tax. Those interested in applying can do so, but there should be minimum criteria in order to receive funding. She reiterated that the criteria should include the number of participants from Pleasant Grove in the program. While she loves Center Stage, there are other residents, business owners, and organizations in the City that could also use the funds. She wants them to have an opportunity.

Attorney Petersen clarified that it is a sponsorship contract and not necessarily a blanket donation. The City is obligated for a cash donation or a sponsorship of \$5,000. In return, Center Stage has obligations as well. One is that they will ensure that a majority of the participants are from Pleasant Grove but they have fallen 8% below that. The other obligation is that Pleasant Grove would be recognized as a sponsor, which is an advertisement for the City. Additionally, 25 tickets must be provided to the City. This is not just a handout as there was value that the City Council at the time determined was beneficial to the City. Council Member LeMone thanked Attorney Petersen for the clarification. She simply wanted to be able to explain to residents why the sponsorship exists. She reiterated the need for criteria across the board.

City Administrator, Scott Darrington, reported that this used to be a City program. The payment is not actually from the CARE tax but is out of the General Fund. Currently, there is no grant system set up in the City. He recommended that a grant program not be set up in the City. Council Member Jensen did not believe there needs to be a grant but felt there should be some processes and standards in place. It was reiterated that this used to be a City program, but it is no longer. Concerns were expressed that the City is giving money from the General Fund to a private organization. Council Member Jensen thought there needed to be more clarity about why the City is continuing to do this for Center Stage. Some clear criteria are important to establish.

Administrator Darrington pointed out that based on the contract criteria, Center Stage is falling out of the contract since there is not a majority of Pleasant Grove participants. Council Member LeMone was not sure how the City can sponsor a private organization but said no to other organizations in the City. Attorney Petersen noted that this is currently up for renewal. It is

possible to state that Center Stage has fallen out of the terms of the contract and there will not be a renewal. Alternatively, it is possible to have a discussion about this matter and enter into a new Sponsorship Agreement with different terms. Several Council Members were concerned about the failure to adhere to the terms of the previous agreement and felt it might be best to terminate.

Administrator Darrington noted that Center Stage was not aware of the previous Council discussions on this matter. The City Council Meeting agendas are noticed to the public, but the City did not specifically reach out to Center Stage about the discussions. However, when he asked Center Stage for their numbers, he let them know that the City is looking at the agreement and is discussing whether there is a desire to continue. Council Member LeMone understands that some Council Members feel it is appropriate to terminate the agreement, but she pointed out that this is an arts program and there are children involved. She believes Center Stage is a wonderful organization, but does not feel comfortable funding one program and turning down others, especially when Center Stage is not a City-run program at this point. Council Member Andersen did not believe the money should be coming out of the General Fund and should be from CARE.

Administrator Darrington reported that the City gives the arts \$25,000 per year. That is a standing amount to the Arts Commission and the Commission determines how the money is spent. Council Member Andersen asked whether it is possible to tell the Commission that there is a desire to set certain criteria. Administrator Darrington stated that if it is a City-sponsored program, CARE tax can be used for it. Council Member Jensen suggested that the City Council have a yearly review of the CARE tax fund distribution. The Arts Commission can come and share an annual report. Administrator Darrington pointed out that if the agreement with Center Stage is ultimately discontinued, there will be no one else that the City is funding that is not a City-run program.

Council Member Rogers did not believe the City wants to renew the contract. It makes sense to let Center Stage know that they are not in compliance with the terms of the agreement and there will not be a renewal. The \$5,000 can then be reallocated into the budget. Administrator Darrington asked for confirmation that City Staff is being given direction to discontinue the agreement. This was confirmed. Administrator Darrington stated that he and Attorney Petersen will handle this matter. It will be made clear that it has to do with failure to comply with the terms of the agreement. Moving forward, if there is something that the Council wants to do differently than what is normally done with the CARE tax, that direction can be given. He recommended that the process remain intact. That being said, the Arts Commission can share an annual report.

c. Staff Business.

Public Works Director, Neal Winterton, reported that some of the roads are being resurfaced. There are a lot of steps involved and the final steps are currently being done on a number of roads. Discussions were had about the process. It was stated that there is an oil base put down first, then rock, then micro surface asphalt on top. Director Winterton explained that this is an effective method. The slurry will adhere to vehicles within the first hour of application, which is why there are workers out there directing traffic accordingly. He stressed the importance of the communication effort. There is a lot taking place and this can make it difficult to communicate all of the locations. He noted that attempts were made to accommodate garbage trucks and other scheduling needs. Director Winterton understands that construction can be inconvenient.

Council Member Williams asked when 1300 West will have the slurry work done. Director Winterton explained that the scrub seal people are gone, as they were on a tight schedule. The micro surface crew will be in the City through the end of the month. The crew will get everyone done around the Strawberry Days event and then will move to 1300 West and some other areas.

Council Member Andersen asked about the vehicles that were not moved. Director Winterton explained that those areas will eventually need to be patched. Council Member Andersen wanted to know why the vehicles that did not move were not towed. Director Winterton explained that when the oil shows up, the work needs to be done right away, so some patching will be done later.

Council Member Rogers wanted to know what can be done better next time, as he received some complaints. Director Winterton reported that the only other thing that can be done in the future is to dedicate more time to the information and outreach component. However, he is not certain that additional outreach would make a difference as there are always variables. Based on the amount of work done, he does not believe there is much the City could do better in a future scenario.

Director Winterton reported that the citizens have done well during this process. There has been some frustration, but overall, everything has gone well. He appreciates everything the contractor has done. They have gone above and beyond what the contract required of them. Council Members have also done an excellent job of educating others. Director Winterton reported that there have been a lot of potholes and leveling patches done. Everyone is working hard on this.

Council Member Williams referenced 1300 West south of 1100 North. Director Winterton noted that this is an area that was discussed earlier that morning. It is something that will be addressed. He offered to find out what happened in that area before the next City Council Meeting. Council Member Rogers referenced issues on Canyon Road. There is a strip with a 2-inch deep gash. He wondered what happened there. Director Winterton stated that he looked at this area earlier in the day. The County is looking into doing some work to address that. There is a rehabilitation planned at the County level because there are some challenges on that road. Director Winterton offered to share an update with the City Council once more information becomes available.

Fire Chief, Andrew Engemann, reported that things are going well. Over the last few months, there has been a lot of training conducted. There were 68 certifications in the last three months or so. A lot of the new employees have dedicated time and effort to focus on their training. Chief Engemann shared information about an explosion that occurred. He explained that there was a scooter being charged in a garage and the battery exploded. This has happened a few times in the last few years. The family was home at the time and there was little damage. It could've been a lot worse. He recommends only charging items like that when family members are home.

Police Chief, Keldon Brown, reported that three officers have announced their retirements in the next six months. As a result, there will be some changes in the Police Department in terms of responsibilities and assignments. The first retirement comes on August 1 and the others will be a few months after that. Chief Brown discussed trail enforcement. There has been a lot of positive response so far and a good reception. The intention is to provide a visual presence and educate.

Chief Brown reported that the speed trailer has been placed in several locations. The idea is to remind drivers to slow down and drive responsibly. Council Member Andersen noted that north of Maverik, there is a double yellow line. The Maverick customer that is coming out on the north side always crosses traffic and then pulls into that turning lane. Multiple times, she has seen near misses in that area, so safety is a serious problem. Attorney Petersen stated that it is supposed to be a right-in-right-out only. There used to be a sign, but it is no longer there. Chief Brown appreciated the information that was shared. Administrator Darrington reported that City Staff will follow up on that and look into replacing the sign if that is determined to be necessary.

ADJOURNMENT

MOTION: At 5:31 p.m. Council Member Williams moved to ADJOURN the Work Session. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Williams, LeMone, and Rogers voting “Yes”.

A handwritten signature in cursive script that reads "Wendy Thorpe". The signature is written in black ink and is positioned above a horizontal line.

Wendy Thorpe, CMC
City Recorder

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

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
Tuesday, June 4, 2024
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers
Todd Williams

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Keldon Brown, Police Chief
Wendy Thorpe, City Recorder
Drew Engemann, Fire Chief
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Daniel Cardenas, Community Development Director
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director
Shawn Whitaker, Assistant Recreation Director
Lauren Langston, Intern

Excused: Megan Zollinger, Recreation Director
Deon Giles, Parks Director

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 6:03 p.m. and welcomed those 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 Andersen.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Jensen moved to APPROVE the Meeting Agenda. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Williams, LeMone, and Rogers voting “Yes”.

5) **PRESENTATIONS**

There were no presentations.

6) **OPEN SESSION**

Mayor Fugal opened the Open Session.

Bob Scott gave his address as 813 East 820 South. He shared comments about the budget. He commented that sometimes it is difficult to determine how the bonds are being paid for. For the 40-acre park, he knows that some of that comes from a donation from the Cook Family, but requested that additional details about the money be shared during the City Council Meeting. Mr. Scott stated that he has difficulty understanding exactly where the money is coming from and how it is being spent because sometimes the money is spread out within the budget documents. He asked for more clarity.

Heidi Blackwelder reported that she previously emailed the City Council with an idea. She proposed the installation of a sculpture in the Downtown Park. The purpose of the sculpture would be to symbolically draw the creek back into the City to recognize and honor indigenous residents. The idea of water flowing symbolically through the community would be a beautiful image in the park. Although a monument currently exists in memory of the altercation, it feels timely that there be a powerful gesture of peacemaking as the community continues to move forward. She stressed feelings of safety, compassion, and collaboration. The title of the proposed sculpture would be “Peace Like a River” and it would contain a series of oversized stones ranging in size and shape and ground to a smooth finish, like a river rock. It could be strategically scattered across the downtown park to mimic the natural course of a riverbed. The title will invoke meaning to people from many faiths and traditions and will honor indigenous peoples. Additionally, the title will encourage togetherness and cooperation. It will honor the life that flows from the mountains and the people. Ms. Blackwelder asked whether there is permission for her to pursue this project further. Mayor Fugal asked Ms. Blackwelder to meet with the City Administrator to discuss this matter.

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

7) **CONSENT ITEMS**

- A. **City Council Minutes:
City Council Minutes for the May 7, 2024, Meeting.**
- B. **To Consider for Approval Payment No. 2 to Pronghorn Construction, Inc. for the Orchard Drive and Locust Avenue Safe Sidewalks Project.**
- C. **To Consider for Approval Contract Change Order No. 2 for Geneva Rock Products, Inc. for the Pavement Preservation Project.**
- D. **To Consider for Approval Payment No. 2 to Geneva Rock Products, Inc. for the 2024 Pavement Preservation Project.**
- E. **To Consider for Approval Payment No. 3 to J. Lyne Roberts and Sons, Inc. for the BLVD Well Facilities Project.**
- F. **To Consider Approval of Payment Reports for May 30, 2024.**

ACTION: Council Member Williams moved to APPROVE the Consent Items. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

8) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

None were scheduled.

9) **PRESENTATIONS**

There were no presentations.

10) **PUBLIC HEARING ITEMS**

- A. **Public Hearing to Consider Public Comment Regarding the Pleasant Grove Budget for the Fiscal Year Beginning July 1, 2024, and Ending June 30, 2025.
*Presenter: Director Roy.***

Finance Director, Denise Roy, shared a summary of the Fiscal Year 2024-2025 Tentative Budget document. She noted that the Council has had the document for a few weeks. There is a summary of the Governmental Funds and Enterprise Funds on the third page of the document. The following page has an Executive Budget Summary. For revenues, it is forecasted that there will be a 5% increase in property and sales tax. The property tax increase is a result of the growth. In the Enterprise Funds, all of the funds are asking for a rate increase of 3% except for the sewer increase, which is higher due to the costs passed on by the Timpanogos Special Service District.

As for the Operational Expenses, full-time and part-time employees will be receiving a 5.35% increase, which includes a 3% Cost-of-Living Adjustment (“COLA”) and 2.35% based on merit. In the General Fund, the budget proposes two Park Operator positions to assist with the new park and other needs. It also includes a fire wage study, operational line item increases, and The Ruth contribution. In Capital Projects, there is \$3.8 million in the General Fund allocated for capital

projects in various departments. Road Funds are listed as \$5,625,000 and Enterprise Funds are listed as \$6,130,000. Director Roy explained that this was simply a summary of the information.

Council Member Rogers noted that he previously spoke to Director Roy about Page 12 and the breakdown of the Utah County Option Tax and Public Transit Tax. Director Roy clarified that the numbers stand. With the Public Transit Tax, between \$33,000 and \$34,000 is received per month.

Mayor Fugal opened the public hearing.

Bob Scott reiterated his earlier comment about accounting for the bond payment. He wanted to better understand where this is located in the budget. City Administrator, Scott Darrington, offered to schedule a meeting with Mr. Scott to discuss the budget in more detail at a later date.

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

B. Public Hearing to Consider Adoption of Ordinance (2024-013) Amending the Compensation Schedule for the Elected Officers, Statutory Officers, and Appointed Officers of Pleasant Grove City and Providing for an Effective Date. Presenter: Administrator Darrington.

Administrator Darrington reported that compensation studies are conducted for the pay ranges for all of the employees. All of those can be changed administratively, with the exception of appointed officials. If the pay ranges for appointed officials are proposed to be changed, there needs to be a public hearing and a vote from the City Council. Generally speaking, this is done every four or five years. The old ranges were adjusted to take account of the latest market trends. Administrator Darrington reported that the positions include the Department Heads, City Administrator, City Treasurer, City Recorder, and Chief Building Official. The minimum, mid, and maximum ranges were shown. There were no questions about the amendments proposed.

Mayor Fugal opened the public hearing. There were no comments. The public hearing was closed.

ACTION: Council Member Jensen moved to ADOPT Ordinance (2024-13) amending the Compensation Schedule for the elected officers, statutory officers, and appointed officers of Pleasant Grove City and providing for an effective date. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

C. Public Hearing to Consider Adoption of Ordinance (2024-014) Enacting Compensation Increases for Specific Statutory and Appointed Officers of Pleasant Grove City and Providing for an Effective Date. Presenter: Administrator Darrington.

Administrator Darrington reported that this item relates to a new State Law. When there are increases for the general employees, it is adopted in the budget and then distributed administratively. However, now increases for specific statutory and appointed officers require a public hearing and approvals. Exhibit A shows the title, COLA, and merit increase numbers.

Administrator Darrington clarified that the COLA is for everyone, but the merit is at the discretion of the supervisors. Not every employee is guaranteed the 2.35% merit as it is based on evaluation. The same is true for the titles shown in this exhibit. He explained that this process will be done each year moving forward. The last time the City looked at these salaries was four years ago.

There was discussion about the merit increase. Council Members wanted to understand who determines the merit-based increase for the positions listed in Exhibit A. Administrator Darrington reported that for the Department Heads, he determines the merit-based increases. For the Deputy Fire Chief, the Fire Chief would make that determination. Director Roy would make the determination for the City Treasurer. Administrator Darrington makes the determination for the City Recorder. Community Development Director, Daniel Cardenas, would make the decision for the Chief Building Official and the Mayor would make the decision for the City Administrator.

Mayor Fugal opened the public hearing. There were no comments. The public hearing was closed.

ACTION: Council Member Williams moved to ADOPT Ordinance (2024-14) enacting compensation increases for specific statutory and appointed officers of Pleasant Grove City and providing for an effective date. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

11) **ACTION ITEMS READY FOR VOTE**

- A. To Consider Awarding the Mill Ditch Project Bid to Lyndon Jones Construction with a Total Base Bid Price of \$1,198,108.03 Contingent Upon Final NRCS Funding Approval and Authorize the Mayor to Sign the Notice of Award, Notice to Proceed, and the Contract Agreement Upon Staff Confirmation of NRCS Funding Approval. *Presenter: Director Winterton.***

Public Works Director, Neal Winterton, reported that the National Resources Conservation Services (“NRCS”) application was created in 2018 for the Mill Ditch, which runs from the mouth of American Fork Canyon to the Manila Creek Pond. Phase 1 was completed and it is now possible to eliminate losses due to evaporation and seepage. During that process, NRCS stated that there was additional funding for projects. As a result, Phase 2 is currently before the City Council. The process of obtaining funding from NRCS is fluid. The project must be bid in order to make the application for the funding. Director Winterton stated that Lyndon Jones Construction is a good contractor that has done a lot of work. This would be a beneficial project for the City and he recommends approval of the action item.

Mayor Fugal referenced the project narrative language and asked if it covers everything legally. Director Winterton stated that the City Attorney wrote the language that is before the Council. Discussions were had about the bid amounts. Council Members wanted to know more about the percentage of the bid that comes from the City. Director Winterton clarified that the irrigation company is a separate entity and the irrigation company sets the assessment. Each shareholder pays for their assessment. The City pays for their own assessments, which is about 65% of those

assessments. Through the Secondary Water Fund, the Irrigation Assessments are paid for. Director Winterton stated that this was a competitive bid and several bids were close together.

ACTION: Council Member Andersen moved to AWARD the Mill Ditch Project bid to Lyndon Jones Construction with a total base bid price of \$1,198,108.03 contingent upon final NRCS funding approval and authorize the Mayor to sign the Notice of Award, Notice to Proceed, and the Contract Agreement upon Staff confirmation of NRCS funding approval. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

- B. To Consider Awarding the American Fork River Diversion Reconstruction Project to FX Construction with a Total Bid Price of \$9,911,900.00 Contingent Upon Final NRCS Funding Approval and Funding from American Fork Irrigation Company, Lehi Irrigation Company, and Pleasant Grove Irrigation Company as outlined in the “American Fork Canyon Weir Structure Agreement” and Authorize the Mayor to Sign the Notice of Award, Notice to Proceed, and the Contract Agreement upon Staff Confirmation of Funding Approval and Receipt. *Presenter Director Winterton.***

Director Winterton reported that similar to the Mill Ditch funding, this is a 75/25 split on the funding for a replacement of the 100-year-old structure at the mouth of American Fork Canyon. The project had to be bid out in order to make the request for funding. The funding approval may come, but there was word received on Friday that the funding could be delayed at the Federal level. It could ultimately take more time for this to be funded, but the bid is only good for 60 days. In this scenario, the intention is to award the project, contingent upon confirmation from NRCS.

The second half of this item is that Pleasant Grove has entered into an agreement as the sponsor because NRCS does not work with irrigation companies. As the sponsor of the project, Pleasant Gove City has entered into an agreement with three entities: Pleasant Grove Irrigation Company, Lehi Irrigation Company, and American Fork Irrigation Company. Those three companies agreed that they would pay the remaining 75% based on their share of the river. There are several contingencies that must occur prior to the City awarding the project to FX Construction. The contribution as a City will come through Irrigation Share Assessments through the irrigation company. Several different irrigation companies are paid assessments on a yearly basis.

ACTION: Council Member Andersen moved to AWARD the American Fork River Diversion Reconstruction Project to FX Construction with a total bid price of \$9,911,900.00 contingent upon final NRCS funding approval and funding from American Fork Irrigation Company, Lehi Irrigation Company, and Pleasant Grove Irrigation Company as outlined in the “American Fork Canyon Weir Structure Agreement” and authorize the Mayor to sign the Notice of Award, Notice to Proceed and the Contract Agreement upon Staff confirmation of funding approval and receipt Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

- C. To Consider a Resolution (2024-025) Authorizing the Mayor to declare a 2019 Ford F350 Super Cab Truck and a 2019 Ford F150 Crew Cab Truck as Surplus and Direct that they be Disposed of According to the City’s Policy for Disposing of Surplus Property; and Providing an Effective Date. *Presenter: Director Winterton.***

Director Winterton reported that when there is an item over \$5,000, it is taken to the City Council for approval to surplus. The 2019 Ford F350 Super Cab Truck and 2019 Ford F150 Crew Cab Truck both fall within that. He explained that this process normally takes place before the warranty is up so all of the expenses are covered. This is a cost-effective way to manage the fleet. Council Member Rogers asked for additional details about the process. Director Winterton explained that the most effective way to do this is through KSL Classifieds. Sealed bids are accepted. Some bids are from people in the community and some are from dealerships looking for inventory. A minimum amount is set. If the minimum amount is not received, there is a reassessment and the vehicle can be readvertised. The vehicles have previously garnered more than the minimum.

ACTION: Council Member LeMone moved to AUTHORIZE a Resolution (2024-025) authorizing the Mayor to declare a 2019 Ford F350 Super Cab Truck and a 2019 Ford F150 Crew Cab Truck as Surplus and direct that they be disposed of according to the City's Policy for disposing of surplus property, and providing an effective date. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

- D. To Consider the Request of St. John Properties for a Site Plan for a Commercial Building, located at approximately 2067 West Pleasant Grove Boulevard, in The Grove Zone–Interchange Subdistrict. *Presenter: Director Cardenas.***
- E. To Consider the Request of St. John Properties for a Site Plan for a Commercial Building, located at approximately 2093 West Pleasant Grove Boulevard, in The Grove Zone–Interchange Subdistrict. *Presenter: Director Cardenas.***

Items D and E were presented together. Director Cardenas shared an aerial image and explained that the Site Plans are for two commercial buildings located at approximately 2067 and 2093 West Pleasant Grove Boulevard in The Grove Zone – Interchange Subdistrict. At the last City Council Meeting, a new plat was approved with four lots and two large parcels. The two items currently before the Council are Site Plans for the two lots, as indicated on the aerial map. Director Cardenas explained that the two sites will be referred to as Retail O and Retail N. He clarified that Lot 33 is Retail O and Lot 32 is Retail N. The aerial image was further reviewed.

Director Cardenas reported that the site sizes are similar, with Retail O at 7,815 square feet and Retail N at 7,342 square feet. Each lot has its own parking stalls. For the two buildings, 76 parking stalls are required, but St. John Properties has a tendency to provide extra. In this case, 86 stalls will be provided. Retail O does not have a drive-thru, but Retail N does, so the drive-thru must meet the requirements of the zone. The Grove Zone has the most flexibility because there is a

desire to ensure that developers can accommodate the necessary parking. Walkability is also important and is part of the design standards. The Landscaping Plan was reviewed. Since one Site Plan has a drive-thru and one does not, the developer has been thoughtful with landscaping.

There is an area outside of the two lots that is along Valley Grove Way. Director Cardenas pointed out this area on a map and explained that it is not part of the project. The Legal Department and Community Development Department are working on reviewing an agreement for that area. It is necessary to determine who will take care of that area. At the next meeting, this will likely come forward to the City Council. Currently, what is inside the two lots is the focus of the discussion.

The two items went to the Planning Commission and the Design Review Board. A unanimous recommendation of approval was forwarded. Director Cardenas next reviewed the materials and elevations of the buildings. It was important that even from the back and sides of the buildings that the materials be consistent. Work has been done with the applicant and Design Review Board to make sure that there are differences in the depth and height. The architectural elements are beneficial to the overall aesthetics of the design. At the Design Review Board level, there were discussions about the location of trees. Once those details were worked through, a unanimous recommendation of approval was received. He next asked the applicant to speak to the Council.

Marty Beaumont from St. John Properties reported that a lot of time was spent working on the Development Agreement. It included a lot of different design requirements that would ensure something a little bit different was built. Months were spent with architects trying to create those concepts with different types of materials. It has been a fun process to work through so far. He believes this will be a great site. As far as the businesses coming in, the tenants cannot be disclosed yet. However, it is exciting to see this work continue to move forward. He has worked a lot with City Staff and everyone has been really wonderful.

Mr. Beaumont reported that the Site Plan utility work is currently underway. Materials will be delivered in two weeks and construction will start on the major utility trunk lines, drainage, and water lines that will serve the entire area. In the summer and fall, the hope is that the two buildings will be at least upright and can be finished through the winter before occupancy in the spring. There is a lot of momentum and he is excited to see this area start to move forward. He reiterated that Staff has been excellent to work with. Director Cardenas pointed out that normally when a building like this is designed, the focus is on the façade of the building and not on the back or the sides. In this case, the appearance of the rest of the building has been emphasized as well.

ACTION: Council Member Williams moved to APPROVE the request of St. John Properties for a Site Plan for a commercial building, located at approximately 2067 West Pleasant Grove Boulevard, in The Grove Zone – Interchange Subdistrict. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

ACTION: Council Member Williams moved to APPROVE the request of St. John Properties for a Site Plan for a commercial building, located at approximately 2093 West Pleasant Grove Boulevard, in The Grove Zone – Interchange Subdistrict. Council Member Rogers seconded the

motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

F. To Consider for Approval a Permit to Exceed the Noise Ordinance for Kyle Fox and Follow the Flag, on July 5th through July 7th During the Time Period of 10:00 p.m. to 11:00 p.m. Presenter: Attorney Petersen.

City Attorney, Tina Petersen, presented a permit to exceed the Noise Ordinance. She reported that Kyle Fox and the Follow the Flag organization have requested this permit for their celebration surrounding the Fourth of July at the Grove Creek Trailhead at approximately 1500 East 500 North. The dates are modified each year depending on their schedule of events. This year, it will be from July 5 through July 7. In the last couple of years, some musical performances have been added. It is anticipated that the performance itself will end around 10:30 p.m. but a request was made until 11:00 p.m. to be able to take down everything without any issues. The conditions are:

- The amplified noise will not exceed: 65 DBA during the daytime hours which are defined as between 7:00 a.m. to 10:00 p.m. and shall not exceed 55 DBA for the time period between 10:00 p.m. to 11:00 p.m. as measured from the property line of the nearest residential home.
- Said permit shall be in effect for a time period not to exceed: July 5th – July 7th, 2024.
- 24-hour advance notice must be given to residents immediately adjacent to the site.

ACTION: Council Member LeMone moved to APPROVE a Permit to Exceed the Noise Ordinance for Kyle Fox and Follow the Flag, on July 5th through July 7th during the time period of 10:00 p.m. to 11:00 p.m. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

12) ITEMS FOR DISCUSSION

A. Staff Business Continued.

Human Resources Director, David Packard, thanked Staff for getting through open enrollment. Those will take effect on July 1. Currently, employee evaluations are taking place and there has been a move to a different software. It will be done digitally this year, which he believes will be an improvement.

Assistant Recreation Director, Shawn Whitaker, reported that there are 1,804 children currently participating in the programs through the Rec Center. The annual day hike took place this last weekend at Battle Creek Trail. There were 308 participants in that event. Assistant Director Whitaker is excited to see the Mayor and Council at the Rec Center on Friday for the Bike the Hood event from 10:00 a.m. to 12:00 p.m. All the different departments are participating and members of the community will be able to ride around City Hall and the park. Some of the local businesses will be set up with games and swag. It is a free event and no sign-up is needed.

Council Member Rogers asked for an update on the pool. Assistant Director Whitaker reported that all of the decking has been removed at the pool and the hot tub has been completely removed. A lot of the demolition has taken place at this point. There is a meeting scheduled tomorrow with the contractor in charge of handling the settling portion of the perimeter of the pool. After that meeting, the hope is that there will be a clear timeline for that portion. With the pool structure itself, there will be several designs put together and those will be presented to the City Council.

Council Member LeMone wanted to see some designs from a few different companies in case the designs do not fit the vision that the City Council has. She thought this should happen sooner rather than later to ensure that this work can move ahead accordingly. Administrator Darrington clarified that the person the City is currently working with is on the State bid. That is why this is the preferential person, because then once the choice is made, it does not have to go out to bid. If there are going to be presentations from other companies, that might change the dynamic a bit. Council Member LeMone still wanted to see some items sooner rather than later. Administrator Darrington explained that the intention is for the individual on State bid to present items to the Council. If there is support from the Council, it can move forward. If not, there can be a bid process. Council Member Rogers emphasized the importance of being ready for next season.

Library and Arts Director, Sheri Britsch, reported that tomorrow is the opening party for Summer Reading. It will take place on the lawn. Several Yoto devices were purchased, where a card is put into a slot on the box and the box plays an audio story. Those have been very popular so far. Ms. Britsch next read a card that Linda Butler received at the Pleasant Grove Literary Center. The letter was from a parent who stated that their son has improved and has become more confident.

Another parent reported that their 21-year-old son who has difficulty in public spaces came to the Library for the first time. He felt safe and wanted to return. Ms. Britsch loves that the library makes people feel safe and at ease. She shared information about the Best of Utah Valley. The library came in second. Additionally, there was a third-place achievement for customer service.

Director Cardenas reported that the new RAP sheet is posted online and was also sent out to Council Members. During his review, there were a few items he found that needed to be fixed. That will be done tomorrow morning. Council Member LeMone noticed some items were missing. She wanted to know who is in charge of making sure this is updated. Director Cardenas clarified that the RAP sheet is for projects and is not a list of businesses. Anything that is in an existing building would not be included on the sheet. Land use applications are on the sheet, but business licensing in an existing building is separate. Council Member LeMone asked if a Business License list could be provided to the public. It was noted that the City Council receives a weekly Business License update list. Discussions were had about potential issues with that approach. Attorney Petersen did not suggest posting that information on social media or sharing it with the public, because there are times when there is information there that might not be appropriate to share. That is an internal document and is for the information of the City Council rather than the public.

13) REVIEW AND DISCUSSION OF THE JUNE 24, 2024, CITY COUNCIL MEETING AGENDA.

Administrator Darrington reported that an additional meeting needs to be held. There was an item to award a bid that was unable to be added to the current meeting agenda. It is a time-sensitive item, so the intention is to have a Special Meeting on Thursday at 12:00 p.m. The meeting will only take a few minutes. He asked whether at least three Council Members can attend. It was noted that Council Member Jensen, Council Member LeMone, Council Member Williams, and Mayor Fugal are able to attend. The meeting will be officially noticed tomorrow.

An appointment will be sent out to Council Member calendars for the Bike the Hood event. Council Member Williams thought that Bike the Grove might be a better name than Bike the Hood. Other Council Members liked the Bike the Hood name and Administrator Darrington stated that it was already advertised. Administrator Darrington reported that on June 10, 2024, there will be the Main Street cleanup at 5:00 p.m. On June 12, 2024, the ribbon cutting at Golden West Credit Union will take place at 11:00 a.m. He noted that the Chamber will be involved in that event.

The next City Council Meeting will take place on June 24, 2024. The Work Session will take place at 4:30 p.m. and the Council Meeting will take place at 6:00 p.m. In the month of July, there are five Tuesdays. If the City Council meets on June 24, it might make sense to meet on the second and fourth Tuesdays in July, which would be the 9th and 23rd. Alternatively, it is possible to stick to the regular meeting schedule, which would be the 2nd and 16th. Administrator Darrington reported that during the City Council Meeting on June 24, 2024, the Work Session will include a formal presentation from an autism group. There will also be introductions of new employees and some findings about an animal shelter. During the Council Meeting, three different budgets will be adopted (City, RDA, and LBA) and there will be consideration of a Landscape Agreement with St. John Properties. A pay scale for public safety will also be considered at that time.

As for the remainder of the current City Council Meeting, following the Regular City Council Meeting, the RDA will convene for the public hearing and then the LBA will convene for the public hearing. After the LBA, Council Members will not need to return to the Council Meeting.

14) MAYOR AND COUNCIL BUSINESS.

Council Member Jensen reported that there is another Ribbon Cutting two days after the Golden West Credit Union ribbon cutting. The second ribbon cutting is Gameday Men's Health. Council Member Jensen noted that the Main Street concert will take place on June 15, 2024, at 7:30 p.m.

Council Member Rogers shared comments about the budget meeting he had with Staff. With regard to the pool, he would like an update, as it has been a few months since there were discussions about a larger feature. He does not want to miss the window to have that approved. Council Member Rogers stated that after adding up some numbers and looking at the Capital Projects, it looks like there is approximately \$3.1 million going to Parks and Recreation. Three of the large projects for parks are \$620,000 for the lights at Discovery Park, \$200,000 for the west playground replacement, and \$350,000 for shade covers. He believes some of these projects can be pushed

out over time and the funding can be used to address preferred projects. He noted that a few projects have come in over the anticipated bid. That should be considered during this process.

15) SIGNING OF PLATS.

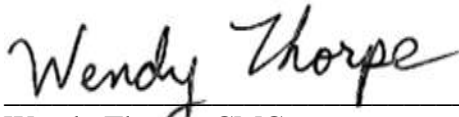
Valley Grove Business Park Plat 'P' & Valley Grove Business Park Plat 'M' Amended

16) REVIEW CALENDAR.

17) ADJOURN.

ACTION: At 7:25 p.m. Council Member Williams moved to ADJOURN the City Council Meeting. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting "Yes".

The City Council minutes of June 4, 2024, were approved by the City Council on June 24, 2024.



Wendy Thorpe, CMC
City Recorder

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