

Pleasant Grove City Council Work Session Minutes
March 13, 2007
7:00 p.m.

PRESENT:

Mayor:

Mike Daniels

City Council Members:

Cindy Boyd

Lee G. Jensen

Mark Atwood

EXCUSED:

Bruce Call

Darold McDade

City Recorder,

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Lynn Walker, Public Works Director

Richard Bradford, Economic Development Director

Ken Young, Supervisor of Community Development

Deon Giles, Leisure Services Director

Tom Paul, Police Chief

Marc Sanderson, Fire Chief

Sean Allen, City Planner

Libby Flegal, NAB Chair

The City Council members met in the City Council Chambers at 86 East 100 South in Pleasant Grove, Utah 84062 at 7 p.m.

Mayor Daniels welcomed everyone to the meeting. He excused Council Members McDade and Call from the meeting.

1. Opening Remarks

The Opening Remarks were given by Council Member Jensen.

2. Department Report (Leisure Services Department)

Mayor Daniels read this item and invited Director Giles to come up and give his department's presentation. Director Giles then gave the Mayor and Council a handout. He then asked the Mayor and Council to please refer to the first page titled, "2007 Projects and Goals."

Director Giles said that the city is working on several projects, including the completion of the Boulevard Trail, the Battle Creek Trailhead and the 2000 West Trail. He said the new Mahogany Park needs a gas main upsized. He added that he will be working with

UDOT on the existing Shannon Ball Fields on State Street and their upcoming upgrade. He indicated that a Eagle Scout has shown interest in working on the Pioneer log cabin for his project.

On July 9, 2007, the Beautification Commission is heading up a field day for the eradication of the Yellow Star Thistle in the foothills. He said between 100 and 200 people will be needed for this project. He said the hope is that two Eagle Scouts will use this project for credit. He said they are also heading up the welcome sign design for the City.

Holidays that are coming up are Arbor Day and Strawberry Days as well as Memorial Day. Additionally, there is a need for the Arts Commission seats to be filled with volunteers.

Director Giles next told the Mayor and Council that the next three pages of the handout were concerning the cemetery. He said he has been working on the current policy that governs the cemetery. The current policy only allows for only one cremains to be put on per plot. However, he said the Sexton has recommended that eight cremains be allowed. Next, he said the flowers and display at the cemetery has been addressed. He said between having a new proposed Resolution in place and having new owners of cemetery plots read and sign an agreement, he felt that the current policies could be improved. He explained that the current policy allows such things as balloons and night lights, which would be abandoned in the future, due to safety issues. He then explained several other new policies that will be proposed.

Next, he told the Mayor and Council that the water system in the cemetery should all be on the secondary system this year. He said the water taps will be purple and will have signs that they should not be used for drinking water.

Council Member Atwood asked how people will be warned as to the new decoration rules in the cemetery. Director Giles said the information will go out in the city newsletter. Also, he said that notes will be attached to shepherd crooks, etc, to forewarn people that they will not be allowed. He added that shepherd crooks will only be allowed during Memorial Day and Christmas.

Mayor Daniels then welcomed the troops of Boy Scouts that were attending the meeting. He asked them if they knew what a Cemetery Sexton was. None of them could answer. He then asked Director Giles to explain. Director Giles said the sexton is over the many aspects of the cemetery, including keeping straight who owns what plot, as well as all of the paperwork that goes to the state and county concerning internments.

3. Discussion of items for the upcoming March 20, 2007 City Council meeting

- a. **Presentation of Certificate of Recognition to Sandy Whitehead for her PTA Golden Apple Outstanding Volunteer Award for the State of Utah, which will be presented to her on May 22, 2007 by Governor Huntsman.**

Mayor Daniels read this item.

- b. **To consider approval of Puerto Escondido, LLC's request for an on-premise beer license (restaurant) at 670 West State Street. Owner of restaurant is Jesus R. Aguayo.**

Attorney Petersen said that there has been a transfer of ownership in this restaurant. She added that the new owners have to obtain their own beer license, as the license does not transfer with ownership of the business.

- c. **Public Hearing to consider an Ordinance regarding the approval of the proposed Warnick Dairy Annexation located at approx. 1500 West 3300 North. The Council will also consider assigning a zone designation. Owners include Charles Terry Warnick and Val D. Warnick. Contains 9.92 acres of land.**

After Mayor Daniels read this item, Planner Allen explained that this area was still agricultural, and that current RR land use zone designation needed to be followed until an R1-20 zone is considered. After further discussion, Council Member Boyd mentioned that this was the last working dairy in Pleasant Grove.

- d. **To consider approval of a Resolution amending the City's Articles of Incorporation in regards to the Warnick Dairy Annexation**

Attorney Petersen explained that this item is basically a housekeeping item. She went on to say that when the City's boundaries change, that amended Articles of Incorporation have to be filed with the State.

- e. **To consider approval of a Resolution amending the City's Articles of Incorporation in regards to the Feb. 6, 2007 Pleasant Grove/Lindon 2007 Common Boundary Adjustment No. 1 approval.**

Mayor Daniels read this item.

- f. **To consider an Ordinance regarding Residential Solicitation (the door-to-door sales).**

Attorney Petersen handed out information concerning this proposed ordinance. She said that the model ordinance came from the Utah League of Cities and Towns (ULCT). It requires a background check, but a temporary permit is issued fairly quickly after the solicitor applies. Currently, it take a few days for the solicitor to receive a permit, but with this ordinance, the background check would be conducted during the time they had already been given a temporary permit. She also said that there would be a \$15 registration fee charged per person. People with "no soliciting" signs would not be bothered by such people, she said.

There is an exception provision, Attorney Petersen explained, for religious and scout groups in going door to door. She said they would not be required a permit, as the salespeople would be required to do.

- g. **To consider Raymond Bastian’s request for final plat approval of a 4-lot subdivision known as Bastian Subdivision, Plat “A,” located at approx. 597 East Center, in the R1-7 (Single Family Residential, 7,000 sq. ft. lot area) zone. MONKEY TOWN NEIGHBORHOOD**

Planner Allen observed that the plat with this item is already approved, but has not yet been recorded. He said that Lot 5 is being removed for personal reasons. Attorney Petersen asked if any accesses to the property will be changed. Planner Allen said no, the flag lot accesses will be unchanged.

- h. **To consider Benny Adams’ request for preliminary plat approval for a 4-lot subdivision known as Adam’s Cove, Plat “B,” located at approx. 751 South Locust Ave., in the R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone. SCRATCH GRAVEL NEIGHBORHOOD**

Planner Allen explained that Mr. Adams’ lot is quite long and can connect with two different streets. He said Mr. Adams will be dedicating the roadway for a stub street. He also noted that Mr. Adams is requesting that some large trees that are part of that dedicated area be preserved---and that the City takes over care for those trees. He said Mr. John Goodman suggested the City not take over care of the trees.

Director Giles asked what kind of trees they are. Council Member Boyd said they are Elm trees. Planner Allen said that the only kind of trees the City maintains, by ordinance, are ones on a boulevard.

- i. **To consider an Ordinance in regards to amending the “Conditional Uses” Section for the following zones: A-1/Agricultural (10-8-2/G), RR/Rural Residential (10-9A-2/G), and R1/Single-Family Residential (10-9B-2/F), to allow for animal husbandry of unique & exotic animals as a new use classification #8229. The request is to add land use code #8229 to the conditional uses list under the zones given above, and modify it to read, “Other Animal Husbandry services (Exotic), excluding animals which pose a threat to human life under normal circumstances, limited to one animal of one species as a pet, and a business shall be subject to Section 10-21-4 of this title. All animal husbandry in this category shall be subject to recognized national standards and best management practices, where they exist, or similar to standards as modeled by the National Reptile Improvement Plan (NRIP)/*Best Management Practices for Reptile Trade and Hobby*”. Also adding text to Tile 5-1C-13-A/ *Number of Animals* stating that “Any other animals, defined as exotic, and their number allowed shall be determined by the Planning Commission through the conditional use permit process.” CITY WIDE IMPACT**

Mayor Daniels asked if this was the rewrite for the exotic animal ordinance that he and the Council had looked at several months before. Attorney Petersen said yes, it was. She said there were things in the language that she felt needed to be changed to add clarification to the document.

j. **To consider an Ordinance amending Title 3 by adopting Chapter 3D of the Pleasant Grove Municipal Code to levy a per room per day Transient Room Tax.**

Attorney Petersen explained that this proposed ordinance would allow the City to levy taxes with the new hotel that is going in the Grove. Council Member Jensen asked if this tax could be levied on condos. Attorney Petersen said that if a condo was rented out for less than 30 days, it would be subject to the tax. She also added that this proposed ordinance mirrors the State Code.

Mayor Daniels reminded the Council that if they had any questions about the items for the upcoming City Council meeting, for Council Members to take advantage of referring those questions to Staff.

4. Mayor, City Council and Staff business

- NAB Chair Libby Flegal said that there would be a meeting held on April 4, 2007 in the Council Chambers for the Battle Creek neighborhood to discuss Manila Tank Park and secondary water hook-up.
- Director Bradford reported that the Hammons' visit last week went very well. He said the real estate agent, Mr. Brandon Fugal, said that Mr. Hammons and his staff appreciated how well all of their questions were answered by City Staff. Additionally, he said that the ground breaking for the convention center and hotel will probably take place around the end of August or the first of September of this year due to geo-tech testing, etc, that needs to take place.
- Director Giles thanked everyone that was able to attend the library open house. He said that the new system is up and running. Additionally, Director Giles told the Mayor and Council that Mr. Robert Schow had contacted him and said that a large corporation would like to come into the City and volunteer about 300 of their employees with a project similar to the Discovery Park project.
- Chief Paul said the Pan-tilt camera was now up and running at the BMW dealership.
- Attorney Petersen said her and Director Clay had met with the independent contractor that has been putting together the new policies and procedure manual.

She said he will be making a presentation to the Council at the April 17, 2007 Council meeting.

- Administrator Mills reported that the proposed secondary pond in the north part of the city (part of the park property Mr. Schow is trading), has had engineers advise against the pond being used for recreational use. So Mr. Schow is proposing another parcel of property to be used for the proposed secondary pond. Administrator Mills said that there is again a proposal by Mr. Schow that the land be exchanged for other property.

In regards to the 2000 West project, Administrator Mills said there had been a bump in the road in that the Federal Government (the Fed) requires that an engineer to be classified as an Engineer of Record. He said that the City uses engineers from both Horrocks and JUB Engineers, but the City hadn't specified any of them as the Engineer of Record. He said that Director Clay discovered that the Fed will not be financially helping with 2000 West after all due to this glitch. However, he said the State is continuing to work with the City. He said the City will now have to pay Horrock's engineers through the Capital Projects Fund. He went on to say that the current plan would be for the lower end of 2000 West to be completed by the end of May and the upper end of the road completed by July of this year.

Administrator Mills said that in talking with Supervisor Young regarding the recent zone changes in The Grove area, there now needs to be a meeting to discuss specific densities down there.

The spring clean up is coming, and Administrator Mills said he will have specific dates once he hears from the County. He said it is normally a 10 day period during the County burn period.

He next asked the Council to please get in touch with Recorder Fraughton about the ULCT Spring Conference in St. George that was coming up.

In talking to Director Giles, Administrator Mills noted that the Beautification Commission now had drawings for a proposed welcome sign for the city. He said the sign could be small or large. He suggested that the members of the City Staff that participates in their volunteer day help with the installation and plantings around one of those signs on the interchange this year.

- Council Member Boyd stated that in holding a recent meeting with the Heritage Festival committee, they were not in favor of combining the celebration with Strawberry Days. She said they would like to continue in September, but holding the celebration for two or three hours in the afternoon. She said the Kiwanis would like to continue with their successful BBQ cook-off. She noted that the Mountain Men, etc, could still be involved, also, as well as the quilt show.

- Council Member Jensen said that in reference to Fox Hollow, Chair Kent Wells' chairmanship will end in January of 2008. However, he said that Lehi City Council would like to include some different members to represent them on the board. Attorney Petersen said the three city's attorneys would be meeting on March 20, 2007 in American Fork and going over the language of the agreement of the governing board. She said once it is drafted, it will go to all three Councils for them to look over. She said it would need to be completed by April 10, 2007; which would be according to Mr. Jason Burningham's time table.

Council Member Jensen said it is his recommendation to leave Pleasant Grove's representation on the board the same as it has been. Also, he is recommending that anyone that serves on the board be a resident of one of the three cities.

Attorney Petersen reminded the Council that Mr. Burningham has reminded them that the governing body over the course has to be an independent body from the cities.

Administrator Mills observed that the \$5 million fund will go pretty quickly for the irrigation system and the clubhouse. Council Member Jensen added that the monies won't be available as yet, and the architect needed to be paid \$20,000 for his services as soon as possible.

- Mayor Daniels reminded the Council that there was a meeting regarding 2000 West on Thursday, March 25, 2007 at noon. Also, he said there would be a meeting with MAG with Council Members Boyd and Atwood on March 22, 2007 regarding two new bills that were recently passed by the State Legislature that would affect Pleasant Grove. He went on to say that another meeting with Cedar Hills would be held on Wednesday, March 14, 2007 at 7 a.m. in his office.

The Mayor said he would be gone on March 23 and return on March 30, 2007. He reminded the Council that Council Member McDade would be the Mayor Pro Tem. He said that there will be a nice dinner in St. George for the Council on April 11, 2007 at Director Walker's son's restaurant at 6:30 p.m.

Mayor Daniels said that he had met with Mayor Acerson concerning a possible public safety district.

The Mayor asked if there was any other business. There was none, so he asked for a motion to adjourn.

6. Adjourn.

ACTION: At 8:12 p.m. Council Member Jensen moved to adjourn the work session. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Jensen and Atwood voting, "Aye."

This certifies that the Work Session Minutes for March 13, 2007 are true, full and correct copy as approved by The City Council on March 20, 2007.

Signed _____
Mary Burgin, Deputy Recorder