

Pleasant Grove City Council Work Session Minutes
April 8, 2008
7 p.m.

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Cindy Boyd

Lee G. Jensen

Jeffrey D. Wilson

Mark K. Atwood

EXCUSED:

Bruce Call

City Recorder:

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Tina Petersen, City Attorney

Deon Giles, Leisure Services Director

Lynn Walker, Public Works Director

Degan Lewis, City Engineer

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Richard Bradford, Economic Dev. Director

Ken Young, Comm. Dev. Director

Libby Flegal, Neighborhood Board Chair

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

Mayor Daniels welcomed everyone to the meeting.

1. Opening Remarks

The Opening Remarks were given by Council Member Atwood.

2. Roll Call

Mayor Daniels called roll for the Council. Those present included Council Members Jeff Wilson, Bruce Call, Cindy Boyd and Lee Jensen. Council Member Atwood was excused.

3. Department Report (Fire Department)

Mayor Daniels addressed Chief Sanderson and his personnel in attendance, telling them that he had just received a letter from Lindon's Mayor Dain. He then read the letter, which said that Lindon's Council had voted at their Council meeting on April 1, 2008, to now go with Orem City for their dispatch, fire and EMT coverage. Mayor Dain said this was effective as of July 1, 2008. Mayor

Dain expressed his City's "profound appreciation" for the long relationship and excellent coverage that had been given his community by Pleasant Grove. He added that the change in no way reflected dissatisfaction with Pleasant Grove emergency services.

Mayor Daniels said that Lindon had been moving toward a change for a time. He said Pleasant Grove is a little disappointed in their decision. He said that the needs of the community will continue to be well-served by Pleasant Grove emergency services.

Mayor Daniels then invited Chief Sanderson forward to present a report from his department. Surrounded by personnel in attendance at the meeting, Chief Sanderson said he had some announcements to make in regard to the department becoming the recipient of two large grant awards from the Federal Government.

The first award was a 2007-AFG award in the amount of \$199,155.00. The grant has a match with the city of 10% or \$19,915.00. The second award was a 2008 SAFER Grant that will be used for full time staffing in the amount of \$1,054,250.00. The City will participate with a de-escalating match over the years of 90%, 80%, 50% and 30%. He said the total grant award to Pleasant Grove City, minus the City's match, will be \$1,233,490.00.

Next, Chief Sanderson asked Operations (Op.) Chief Dave Thomas to come forward. He explained that Op. Chief Thomas had spent many hours in preparing the applications for the grants that had been received. He then said that he had requested a check to be issued to Op. Chief Thomas from the Fire Department's Employee Incentive Program in gratitude for his hard work and dedication and financial contributions to the City in the amount of \$1,000. Op. Chief Thomas then received a standing ovation.

Chief Sanderson next explained to the Council that by July 1, 2008, every member of the fire crew will have the advanced certifications that will qualify them to apply for the four full-time positions that will be coming open. He added that those positions will be offered in-house only. He said that some of the grant money will be used for an OSHA required ventilation system for the fire house. Also, his crew will receive new turn-outs. He said that these turn-outs will represent the "new look" for the department.

Mayor Daniels thanked Chief Sanderson for his efforts. He said that every good team has a good leader. He also said that in a short amount of time, Chief Sanderson and his staff had brought the department forward in many ways. He also asked that everyone remain courteous to Pleasant Grove's friends and neighbors in Lindon. He said their decisions were made in the best interest of their citizens; in much the same way Pleasant Grove's legislative body makes their decisions.

4. Downtown Advisory Board Report:

Mayor Daniels welcomed Mrs. Riddle to the meeting. He invited her to come to the podium and address the Council with her report regarding the progress of the Downtown Advisory Board (DAB).

a. Accomplishments to date:

Mrs. Riddle then told the Council that during the first meeting of the Board, much of the time was

taken with elections of officers and committee chairs. She said she was elected the Chair. In the second meeting, she said she didn't feel that what they set out to accomplish was achieved. The board had a discussion-type forum. She said she was unhappy with certain Board members as they had not yet read the 2020 plan for the downtown.

In the meeting of the Board on April 3, 2008, she said she felt that those items that were to be discussed were covered.

She said the members of the Board all expressed their desire for the downtown businesses to thrive. She noted that she hopes that as the board does their work, it will put any fears to rest from the Council. She said the board really believes that there is a way to meet everyone's needs in a win-win scenario.

b. Current activities

Mrs. Riddle then quoted the vision and mission statements that had been adopted by the Board. The vision statement was as follows:

Downtown Pleasant Grove will be the community focal point, reflecting and honoring our historic past while looking toward our growing future. It will be exceptionally livable and beautiful, a truly special downtown that connects our community, respects our heritage, encourages quality growth and includes everyone.

The mission statement was:

As the Downtown Advisory Board, we will promote a vibrant growing business district while preserving our city's friendly, historic hometown atmosphere. We will achieve our vision through community involvement and quality development to ensure a strong and growing downtown.

She next told the Council that the Board had adopted bylaws. She characterized the bylaws as "aggressive." Mayor Daniels suggested that she get a copy of the bylaws to Attorney Petersen.

c. Future plans with completion date (timeline)

Mrs. Riddle said that the current timeline will be for the board to come before the Council at the June 5, 2008 Council meeting to present their formal recommendations. She said this would include their recommendations for modifications of the 2020 plan.

In going through the 2020 plan, she said the Board likes the overall ideas within the document. She said, however, that the board is concerned about the City continuing to accept site plans, etc, which might not fit in with the standards the Board is currently reviewing. She gave the example of one of the downtown businesses that recently put a new roof on their building. She said it was nice that they wanted to improve the downtown area, but she felt it wouldn't fit a turn-of-the-century theme.

Mrs. Riddle also said that certain set back requirements are not adequate in the single family dwelling areas of the downtown. She said that the board wants to make sure that whatever development that comes into the downtown area is what they want. She added that she feels that the current ordinances for the downtown need to be "revisited."

Mrs. Riddle presented a resolution approved by the DAB requesting a moratorium on new building and zone changes. The resolution was as follows:

We, the members of the Downtown Advisory Board request that the City Council not authorize any zoning changes, nor issue any new building permits for commercial development in the 18 block downtown district and in those blocks likely to be incorporated into the downtown business district, for 120 days or until the Board has an opportunity to review and make recommendations to the city regarding the Downtown 2020 Plan and ordinances relating thereto and the city adopts the revised Downtown 2020 Plan, which ever occurs first.

At this point, Mayor Daniels explained that Mrs. Riddle will probably need to meet with Attorney Petersen regarding appropriate procedures that need to be followed based on LUDMA laws, etc. She said this didn't surprise her as Planner Allen had mentioned in a recent board meeting that there was already a General Plan in place for the City.

Attorney Petersen explained to Mrs. Riddle that there was a distinction between building permits and zoning ordinances. She said they would have to meet so she could explain the temporary zoning statute to Mrs. Riddle.

Mayor Daniels then indicated that with respect to the future of the Board, he said that they were their own entity.

Mrs. Riddle said that as she has checked the website for the Main Street National Trust, it is a very vital part of their philosophy for revitalization to go forward.

Mayor Daniels then explained that the Council has not reviewed or taken action on or approved any plans with the proposed 2020 plan. He said the Board needs to review the City's General Plan, The Master Plan, R/UDAT's report and the Downtown 2020 Plan. He thanked Mrs. Riddle for her report. Mayor Daniels recommended that she work with Director Young and Attorney Petersen so that anything of a legal nature can be covered.

Mrs. Riddle then explained that the Board had created a survey that they had passed out to one another. She said that they were looking for public input, also. She said that the public needs to feel they are a part of the recommendations that will be presented.

Mayor Daniels said he would like to invite Mrs. Riddle to a work session to see how the Board is tracking toward the June 5th date. He suggested the May 27, 2008 work session. Council Member Jensen said he wondered if that would be a bit close to the June 5, 2008 Council meeting. Mayor Daniels said that he would not be looking for finalization at the May 27th meeting, but instead just the status of how the board was coming along.

5. Discussion of items for the upcoming April 15, 2008 City Council meeting

Mayor Daniels started by saying that the consent agenda for the upcoming meeting will include some new appointments to the NAB Board. Additionally, there will be a new member of the Library Board introduced to the Council.

a. To consider Frank Parry's request for Final Plat approval for a 2-lot subdivision known as Frank Parry Subdivision, located at approximately 720 South Loader, in the R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone. SCRATCH GRAVEL NEIGHBORHOOD

Mayor Daniels read this item. Director Young explained that this was a fairly straightforward request from the applicant. Mayor Daniels said that given the fact this is only a 2-lot subdivision, he wondered if the Council had to deal with such a small development. Attorney Petersen said that the Council doesn't actually have to, but can weigh in on such decisions. After further discussion, it was decided that unless Community Development staff really needed direction from the Council, it was no longer necessary to bring such small developments before the Council in the future. Council Member Boyd said that unless, of course, there is a specific issue.

b. Continued Public Hearing to consider an Ordinance amending the Pleasant Grove City Code for, "Urban Design Standards," in the Grove, found in Title 10, Chapter 14/Section 23. The purpose is to establish new architecture design theme areas within the Grove Zoning District. CITY WIDE IMPACT (Continued from April 1, 2008 City Council meeting).

After Attorney Petersen read this item, she noted that she had read the minutes of the meeting on April 1, 2008; as well as emails and the proposed modifications to the ordinance.

Mayor Daniels said there was a discussion regarding the terms "shall" vs. "may." He said the intent was that the Council wanted the ability to allow a development into the Grove area—even if it didn't exactly go along with the proposed themes in that area.

Director Young then explained that in the Council's packet, the sentence in question on page 2 of the ordinance had been changed to the Council having the authority to make an exception to the design standards. He said the sentence was added for flexibility.

c. Public Hearing to consider an Ordinance amending Section 10-2-7A "Modification or Revocation of Conditional Use Permit," of the Pleasant Grove City Municipal Code, regarding amending the hearing body for modification or revocation of a conditional use permit. The purpose is to require conditional use permits granted by the City Council to go back before the City Council for modification or revocation. CITY WIDE IMPACT

Director Young explained that if the Council grants a conditional use permit, and there are modifications, it should be done only by the Council. Currently, he said that the Council can grant the conditional use permit, our ordinance grants the power to revoke or modify to the Planning Commission. The purpose of the ordinance is to have whichever body granting the original conditional use permit, also, is in charge of reviewing and modifying it. Attorney Petersen said that prior to LUDMA, the ability to grant the permits was held by the Planning Commission.

d. Public Hearing to consider an Ordinance amending the Pleasant Grove City "Signs & Outdoor Advertising" Ordinance, found in Title 10 Chapter 19/Sections 2 through 15. The purpose of this amendment is to update the ordinance according to the City's current needs, including the addition of text for regulating Monument Signs within the City. CITY WIDE IMPACT

Director Young explained that this was a fairly lengthy ordinance. He said that it goes through all of the sign ordinances for the City. It is not, he said, controversial, but is detailed. He indicated that if the Council would like to go through the entire ordinance, it would probably take a couple of work sessions to do that.

Council Member Atwood asked if there had been problems with the ordinance. Director Young said that there have been questions. He said the current ordinance has not been comprehensive enough in the past.

e. Public Hearing regarding (i) the issuance and sale of not more than \$11,250,000 aggregate principal amount of Secondary Water Revenue Bonds, Series 2008 for the purpose of financing improvements and additions to the Issuer's secondary water system, (the "Project") and (ii) the potential economic impact that the project will have on the private sector.

Attorney Petersen said Director Clay will present this item. She also explained that this is showing the City's intent to issue the bonds.

f. Public Hearing regarding (i) the issuance and sale of not more than \$5,500,000 aggregate principal amount of Excise Tax Road Bonds, Series 2008 of Pleasant Grove City, Utah, for the purpose of financing the renovation and/or construction of Class C Roads and related improvements (the "Project"); and (ii) the potential economic impact that the project will have on the private sector.

Mayor Daniels read this item and noted it was also the next step in showing the City's intent to issue the bonds.

6. Mayor, City Council and Staff business

- Recorder Fraughton explained that there were technological problems with loading the Council's packet on the internet. She said she prepared paper packets instead. She also indicated that she and Deputy Burgin would be attending their spring conference in Orem the following week.
- Chief Sanderson thanked the Mayor for his comments earlier in the meeting to his crew regarding the split with Lindon.
- Director Bradford reminded those present that the next PGBA would be held on Friday, April 11, 2008 in the basement of the library at 12 noon. He invited the Council, department heads and the public to the meeting. The speaker would be Cynthia Gamble, the co-owner of Remedez Day and Hair Spa.
- Director Giles said that on Thursday, April 10, 2008, there would be a meeting at Pleasant Grove Jr. High from 4 to 10 p.m. to provide an update to residents regarding the covering of the Murdock Canal.
- Director Walker reported that his crews have started cleaning the Grove Creek detention basin in anticipation of the spring run-off. He also said that the pipes down 500 South from 300 East to Locust Ave. are in the process of being repaired.
- Chief Paul announced that representatives from the offices of legislators Cannon, Bennett and Hatch will be in Pleasant Grove on Thursday, April 10, 2008, to see a demonstration of his department's wireless system. He said his department needs \$250,000 in grants for the system.

- Director Young said he would like to brag a little on his department. He said that the department was awarded the grade of “A” for providing outstanding service to developers seeking to build office and industrial spaces in the City. The awards were given recently by the Utah Chapters of the National Association of Industrial and Office Properties (NAIOP) and the Society of Industrial and Office Realtors (SIOR). He said that in order to receive an “A” grade, as City had to demonstrate outstanding “friendliness, efficiency and knowledge” when assisting commercial developers. In addition, cities had to score highly on following “best practices.”
- Attorney Petersen said that she needed a clarification from the executive session that had been held on April 1, 2008. She said she was out of town for that session. Now in open meeting, she said she needed to ask a question to the Council. She asked if they understood that when the settlement amounts were presented to them in regard to the flooding cases, that these amounts were going to be paid by Pleasant Grove City itself, and not the insurance. The Council and Mayor said that they were under the impression that the payments were going to be made by the insurance. She said no, it wasn’t. She then asked if they were ok with the amounts that had been discussed in the executive session for the two cases. The Council and Mayor said they did understand now. The Council Members said that knowing it was coming out of the City budget did not change their mind.

Next, Attorney Petersen then said that at the Council meeting on March 4, 2008, with regard to Item B and the Canyon Creek Estates subdivision plat A. She said the item was presented with easements for the pressurized irrigation system on the pond, This was based upon the conditions of approval with the landowner, Mr. Flinders. She said Engineer Lewis said there were two temporary easements that would eventually be abandoned. The misunderstanding with Mr. Flinders, she said, was that he said he understood that the City should have to pay for the easement. Engineer Marty Beaumont has stated that it was his understanding that the easement was granted to the City, with Mr. Flinders as a condition of approval with the approval of the subdivision plan. Attorney Petersen said that she had been unable to reach Engineer Beaumont as he was out of town.

Mayor Daniels asked Attorney Petersen if Mr. Flinders remembered that the City waived the requirement of having the second access. Attorney Petersen said no, he had not been reminded of that fact. Mayor Daniels said he felt the entire agreement needed to be revisited.

Council Member Atwood agreed. He said he remembered the easements being talked about in the Council meeting.

Attorney Petersen said that the temporary easements were approved in the meeting minutes, but not the permanent easement. Council Member Atwood said he remembered Mr. Flinders bringing those easements up in the meeting.

Engineer Lewis then explained that the easements on the plat are permanent. He said the temporary easements will eventually go away.

Council Member Boyd asked if there was discussion regarding the value of the property. Council Member Atwood said no, he didn’t recall any discussion about the value of the property being discussed.

Attorney Petersen next indicated that Mr. Flinders said he approved the City to do a test hole on his property, and was willing to give an easement, but a value on the property was not discussed.

Mayor Daniels suggested that perhaps the Council needs to have Mr. Flinders come before them and reconsider the subdivision approval. He said that it appears Mr. Flinders request for \$25,000 is based upon a misunderstanding. He added that it might be good to remind Mr. Flinders of the concessions the Council has given him. He then asked Attorney Petersen to please go back to Mr. Flinders and again discuss the matter with him. Engineer Lewis added that the easement is illustrated on the plat

Attorney Petersen next addressed the proposed temporary zoning ordinance that Mrs. Riddle had brought up earlier in the meeting. She said that there is a way that the Council might be able to consider the rezone; and not make it effective until June 1, 2008. She said she thought the property owners would be okay with that. She explained that the Board's fear is that someone could come in and file a plat prior to them being able to present their ideas to the Council.

- Council Member Wilson expressed appreciation for those that showed their leadership skills by going through the process with Lindon splitting off. He thanked Chief Sanderson, Chief Paul, Administrator Mills and Director Clay for their hard work with the difficult issues involved with the split.
- Mayor Daniels next asked that if any of the Council was leaving town, to let himself, Recorder Fraughton and Deputy Burgin know.

The Mayor next asked Council Member Wilson to be the Council representative that works with the Youth Court. Council Member Wilson said he would be glad to fill that position.

Mayor Daniels asked if there was any other business. There was none. He then asked for a motion to adjourn.

7. Adjourn

ACTION: At 8:10 p.m, Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Wilson, Atwood, Jensen and Boyd voting "Aye."

This certifies that the Work Session Minutes For April 8, 2008 are a true, full and correct copy as approved by the City Council on April 15, 2008.

Mary Burgin, Deputy Recorder