

**Pleasant Grove City Council Minutes**  
**March 20, 2007**  
**7:00 p.m.**

ATTENDING:

Mayor:

Mike Daniels

City Council Members:

Cindy Boyd

Darold McDade

Mark Atwood

Lee Jensen

Bruce Call

City Recorder:

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Marc Sanderson, Fire/EMS Chief

Lynn Walker, Public Works Director

Deon Giles, Leisure Services Director

Ken Young, Supervisor of Community Development

Richard Bradford, Economic Development Director

Karen Bezzant, City Treasurer

The City Council and staff met at the City Council Chambers (south entrance), 86 East 100 South, Pleasant Grove, Utah

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Mayor Daniels welcomed everyone to the meeting.

**1. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given by Scout Scott Prior.

**2. OPENING REMARKS**

The Opening Remarks were given by Council Member Atwood.

**3. APPROVAL OF MEETING'S AGENDA**

Mayor Daniels noted that Utah County Commissioner Gary Anderson was in attendance at the meeting and wanted to briefly address the Council during the open session. He also said Item K had been continued; and would not be discussed in this meeting.

**ACTION:** Council Member McDade moved to approve the evening's agenda. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, McDade, Call, Jensen and Atwood voting, "Aye."

**4. CONSENT AGENDA** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):

- a. Minute Review and Approval:  
City Council Minutes for March 6, 2007
- b. Work Session Minutes for March 13, 2007
- c. To consider appointment of new Old Fort Neighborhood Chair: Jenny Faires)
- d. To consider appointment of new Historical Preservation Commission Chair (Beth Olsen)
- e. To consider approval of paid vouchers (March 10, 2007)

Mayor Daniels asked Ms. Faires and Mrs. Olsen to please stand. He welcomed them to their new positions with the City.

**ACTION:** Council Member Atwood moved to approve the Consent Agenda items as listed. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, McDade, Call, Atwood and Jensen voting, "Aye."

#### **5. OPEN SESSION**

Mayor Daniels welcomed Commissioner Anderson to the meeting. Commissioner Anderson then came forward and addressed the Council and Mayor. He said he wanted to tell the Mayor and Council that the County Commission is back. By this he said he meant that he wants to be a friend and partner as well as a listening ear for the City. "We are here to help," he noted. He also said that he is aware that there have sometimes been difficulties between the cities, but they can also work well together. He noted that the recent agreement between the cities in Northern Utah County in relation to the proposed combined library system is a good example. He indicated that the south part of the county will be using the agreement as an example to create the same kind of agreement.

Commissioner Anderson said he was extending the hand of fellowship—and if anyone calls him, he will quickly return the call.

Mayor Daniels responded by telling Commissioner Anderson that the City and County have had a good working relationship.

Mayor Daniels invited anyone else to please come forward. No one responded.

#### **6. NEIGHBORHOOD ADVISORY BOARD REPORT**

Neighborhood Chair Libby Flegal said she was grateful for the new Chair for Old Fort.

## **7. BUSINESS**

### **ITEM A: PRESENTATION OF CERTIFICATE OF RECOGNITION TO SANDY WHITEHEAD FOR HER PTA GOLDEN APPLE OUTSTANDING VOLUNTEER AWARD FOR THE STATE OF UTAH (WHICH WILL ALSO BE PRESENTED TO HER ON MAY 22, 2007 BY GOVERNOR HUNTSMAN).**

Mayor Daniels read this item. He then said that he would like to read a letter written about Mrs. Sandy Whitehead and her extensive service to the PTA in Pleasant Grove. He read that she was currently serving as the Council President of the PTA. She has also served as the PTA President at Grovecrest Elementary and Pleasant Grove Junior High. She reads to children at the schools, helps with the magazine drive, writes the PTSA newsletter, does vision screening, helps with the parent/teacher conferences, and attends city meetings and more. She has vastly increased the PTA memberships in the PTSA

One particular issue Mrs. Whitehead took on was having a paid crossing guard at the Jr. High on 100 East. When funding was not available two years ago, she volunteered her time by becoming the crossing guard at that location. This past year, funding became available, but the person hired only stayed two weeks, so she was again the crossing guard. Another personal passion of Mrs. Whitehead is to know the names of the students at the Jr. High. There are 1,400 students, and she attempts to call all of the students by name.

When asked why she is so involved in the work, she expressed her concern and love for the children. She also stated that, "it gives me purpose and makes me happy." Mrs. Whitehead will be presented the PTA Golden Apple Outstanding Volunteer Award for the State of Utah by Governor Huntsman on May 22, 2007. The Mayor congratulated her for her hard work and presented her with a certificate. Mrs. Whitehead thanked the Mayor and Council for taking the time to present her with such an honor. She said she enjoys working with the kids at the Jr. High.

### **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 explained to the Mayor and Council that Mr. Aguayo had recently purchased the restaurant on State Street next to Maxi Mart and the car dealership. She said that the beer license is non-transferable; the reason being that the new owner needs to have their own background check, etc. She said the City's business license clerk, Mrs. Carol Emery, indicated that Mr. Aguayo has submitted all of the paperwork and paid all of the fees for the license. She also said he was in attendance at the meeting.

Mayor Daniels asked if the Council had any questions. There were none. He then asked for a motion.

**ACTION:** Council Member Call moved to approve Puerto Escondido, LLC's request for an on-premise beer license (restaurant) at 670 West State Street. Owner of restaurant is Jesus R. Aguayo. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, McDade, Call, Atwood and Jensen voting, "Aye."

**ITEM 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, Supervisor Young explained to the Mayor and Council that the property is currently within the boundaries of unincorporated Utah County and is owned by the Charles T. Warnick and Val D. Warnick. The property is adjacent to property within Pleasant Grove is also owned by the Warnick family, and is currently undeveloped agricultural land.

The property has been identified within the City's annexation policy as property that the City is willing to annex into the City boundaries. It complies with current recommendations presented by the combined efforts of John Schiess, Pleasant Grove City Utilities Engineer, and Howard Denning, American Fork's City Engineer. Currently, the area falls within the Agricultural Area land use designation, which provides for the A-1 and RR zones. Although the new General Plan draft proposes the area to be re-designated to a Very Low Density Residential land use, it provides for the R1-20 zone.

The requested zoning for the property is R1-20, Single Family Residential which is 20,000 sq. ft. minimum lot size. Although the R1-20 zone could be considered compatible with properties in the area and would be consistent with the type of development that is anticipated in the area, it is not currently in compliance with the General Plan land use designation.

The City Engineers have determined that the City can provide for utility services to the property.

Although it is not to be considered a part of the annexation approval, Supervisor Young presented a conceptual development plan in his power point on the screen. He said this plan will require a code amendment to allow for such development either through a performance development zoning or through a conditional use permit and associated development agreement. This concept, he said, proposes an overall density which would comply with the maximum density permitted under the R1-20 zone, but would allow for smaller lots with the provision of open space. A code amendment for a Planned Residential Development to allow for this proposal will be present for official consideration by the Council on April 3, 2007.

He then told the Mayor and Council that Staff recommends that the Council approve the annexation of 9.92 acres known as the Warnick Dairy.

Mayor Daniels opened the discussion up to a Public Hearing. No one had questions. He then asked if the Council had any questions for Staff. Council Member Jensen asked what the RR zoning consisted of. Supervisor Young they are half-acre lots with animal rights. Mayor Daniels asked if there were any more comments or questions. There were none. He then asked for a motion.

**ACTION:** Council Member Jensen moved to approve Ordinance No. 2007-12, regarding the approval of the proposed Warnick Dairy Annexation located at approximately 1500 West 3300 North with the findings that; 1. The ground to be annexed has been identified on the City's annexation policy as land that the City anticipates annexing into the City. 2. The proposed land to be annexed will be subject to all development requirements of the RR (Rural Residential, 21,780 sq. ft. lot area) zone until further land use and zoning changes area possibly granted. 3. The land use designation (Very Low Density Residential) that would be appropriate for the applicant's zoning request is not currently in place in this area. 4. The type of zoning (PRD) that the applicant seeks has yet to be approved by the City. 5. The City is able to provide utility service to the subject property. The Council considered and assigned the zone designation of RR. Owners include Charles Terry Warnick and Val D. Warnick. The property contains 9.92 acres of land. A public hearing was held. Council Member Call seconded and the motion passed unanimously by voice votes with Council Members Boyd, Call, McDade, Atwood and Jensen voting, "Aye."

**ITEM D. TO CONSIDER APPROVAL OF A RESOLUTION AMENDING THE CITY'S ARTICLES OF INCORPORATION IN REGARDS TO THE WARNICK DAIRY ANNEXATION.**

After Mayor Daniels read this item, Recorder Fraughton came forward and indicated that within a couple of days after this meeting, she would take the plat to the County to get it recorded. She will now mail the Lt. Governor office a copy of the approved Resolution of Articles of Incorporation. They will, in turn, send the City a copy of the Amended Articles of Incorporation.

Mayor Daniels asked if there were any questions. There were none. Mayor Daniels then asked for a motion.

**ACTION:** Council Member Boyd moved to approve Resolution No. 2007-015, amending the City's Articles of Incorporation in regards to the Feb. 6, 2007 Pleasant Grove/Lindon 2007 Common Boundary Adjustment No. 1 approval. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Jensen, Atwood and McDade voting, "Aye."

**ITEM 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.**

Recorder Fraughton explained that this boundary adjustment was approved by the Council on February 6, 2007. She will now mail the Lt. Governor office a copy of the approved Resolution of Articles of Incorporation. They will, in turn, send the City a copy of the Amended Articles of Incorporation.

Mayor Daniels asked if there were any more comments or questions from the Council. There were none. He then asked for a motion.

**ACTION:** Council Member Jensen moved to approve Resolution No. 2007-016 amending the City's Articles of Incorporation in regards to the Feb. 6, 2007 Pleasant Grove/Lindon 2007 Common Boundary Adjustment No. 1 approval. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

**ITEM F: TO CONSIDER AN ORDINANCE REPEALING TITLE 3, CHAPTER 15, OF THE PLEASANT GROVE MUNICIPAL CODE AND ENACTING A NEW TITLE 3, CHAPTER 15, (DOOR-TO-DOOR SALES); REGULATING RESIDENTIAL SOLICITATION AND ESTABLISHING AN EFFECTIVE DATE.**

Mayor Daniels read this item. Attorney Petersen then noted that this item was a proposed repealing of the current door-to-door ordinance and enacting of a new ordinance. She went on to say that due to lawsuits by a door-to-door company against 27 cities in the State of Utah, the Utah League of Cities and Towns (ULCT) had drafted a new model ordinance for the cities.

Attorney Petersen said the salesmen will be issued a temporary identification card while a background check is being done. She said if residents request it, the salesmen must show this I.D. If the salesmen don't show the I.D, the resident is asked to call the police. Also, residents may display "No Soliciting" signs on their homes. If the salesman approaches the resident in spite of the sign, the resident can call the police.

The City has 25 days to do a background check on the salesmen. She said the city has, in the past, required a cash bond. She said this bond will no longer be required.

Council Member Atwood asked what would happen if there was a complaint about the salesmen. Attorney Petersen said there is a process that the salesmen would have to go through with the City, if there were any complaints.

Council Member Jensen asked if handbills were included in this Ordinance. Attorney Petersen said no, handbills were part of another City Ordinance. Council Member Jensen then asked if church missionaries or non-profit organizations such as the Girl Scouts are included in this ordinance. Attorney Petersen responded that the ordinance grants exceptions to all political, religious and charitable organizations. Council Member Boyd

asked about salesman going business to business. Attorney Petersen said they had to have a permit from the City, also.

Mayor Daniels then explained that this new, proposed Ordinance had grown out of the fact that a door-to-door company had come into Pleasant Grove and proceeded to not adhere to the City's Ordinance. He said the City took action against the company, and the company, in turn, sued the City.

Business License Specialist for the City, Carol Emery, said that when the door-to-door salesmen come into city hall, she does issue a temporary permit. She indicated that residents need to call the police as there have been companies that come in and canvas the City in a day; and they need to be reported.

Mayor Daniels asked if there were any more questions or comments. There were none. He then asked for a motion.

**ACTION:** Council Member McDade moved to approve Ordinance No. 2007-13, repealing Title 3, Chapter 15, of the Pleasant Grove Municipal Code and enacting a new Title 3, Chapter 15, (Door-to-Door sales); regulating residential solicitation and establishing an effective date. Council Member Atwood seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

**ITEM 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**

Mayor Daniels read this item. Supervisor Young explained that the applicant is requesting the Council to re-approve the modified subdivision proposal to a 4-lot, instead of a 5-lot development in the r1-7 zone. The applicant has now removed lot #5 from the original proposal, which has an existing home already located there. The home is owned by the Richards. The Richards have decided they wanted to opt out of the subdivision, because their mortgage company would not approve of the small reduction in square footage to the lot, even through they were gaining more street frontage on the original proposal. The mortgage company would require payment in full if there was any loss of square footage on the lot. The new proposal does not include the Richards' lot. It still provides them with the increased frontage, and also gives them an additional 75 square feet. A boundary adjustment has been submitted to the City regarding this change. There are no other changes, he said, to the original subdivision proposal, which was approved by the Council on December 5, 2006.

Supervisor Young told the Mayor and Council that losing lot #5 from the subdivision does not affect access to the remaining proposed lots. He said all engineering requirements have been met. The property falls within the Medium Density Residential

Zoning District. The proposal does comply with the intended land use for this area, he noted.

He went on to say that the proposal does meet the conditions and restriction of the R1-7 Single Family Residential Zone for a flag lot development. The current regulation, he explained, requires lot #2 to be a minimum 14,000 square feet for the duplex. However, he said Staff has found that when the duplex was constructed, the zoning rule was different and the duplex (at that time) would be in compliance, if the structure remains. Once the duplex is torn down, then the property owner must comply with current zoning standards. The changes to the original proposal have not created any zoning issues. He added that Staff recommends approval of the modified final plat for Bastian Estates Subdivision Plat A.

Mayor Daniels, when looking at the map, asked about the odd L-shaped area on the map. Supervisor Young said that area was part of Lot #1. Council Member Jensen asked if the other lots were the same as the original plat. Supervisor Young said yes, lots 2, 3 and 4 were the same.

Mayor Daniels asked if there were any other questions or comments. There were none. He then called for a motion.

**ACTION:** Council Member Atwood moved to approve 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. Council Member Boyd seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

**ITEM 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**

After Mayor Daniels read this item, Supervisor Young came forward. He reported that the applicant was requesting the Council to approve a 4-lot subdivision development, in the R1-9 Zone. The applicant currently owns a parcel that is approximately 117 feet wide and 512 feet deep; with the property fronting three different roads. This gives the applicant the opportunity for options to subdivide the property. The Planning Commission forwarded a favorable recommendation to approve the subdivision on August 10, 2006.

Supervisor Young indicated that the applicant will remain on proposed lot #5, where access will continue to be from Locust Avenue. Proposed lots two through four shall have access from Stubbs and Spruce Drives. The sidewalk, along lot #5 will meander around the back of the large existing trees in an effort to preserve the long-time existing trees, which has been a long-time goal of the City's. This will not have a negative impact on the right-of-way improvements here.



All Engineering requirements have been met. He said the applicant has expressed a desire to keep the large trees, along Locust Avenue, in front. The subject property falls within the *Medium Density Residential Zoning District*. The proposal does comply with the density and intended land use for this area. The proposal does meet the conditions and restrictions of the R1-9/Single-Family Residential Zone for a standard subdivision development. All existing structures will remain and are still in compliance with the zone. He said Staff recommends approval of the request from the applicant.

**ACTION:** Council Member Call moved to approve 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 with the conditions that; 1. All final Engineering requirements are met, and completed prior to recording. 2. If the applicant ever decides to have the existing home be demolished, a demolition permit must be obtained through the Community Development Department. Also, with the finding that; 1. The proposal meets all the standard requirements for a final plat submittal. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

Mayor Daniels thanked Mr. Adams for keeping the large trees. He said it enhances Pleasant Grove, the "City of Trees!"

**ITEM 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**

After Mayor Daniels read this item, Supervisor Young explained that the request by City Staff would be for the Council to approve and amendment to the existing text of the A-1, R-R, and R1 zones R1-8 through R1-20 to add a new conditional use classification (8229); and also to add text to Title 5-1C-13-A/*Number of Animals*, and to the *Major Home Occupation* ordinance 10-21-6 as supporting text of the initial change.

He went on to say that the Council denied the recommendation from Staff and the Planning Commission on November 8, 2006, stating that they liked the idea of having a provision in the code for animal husbandry of exotic animals, but believed that there needed to be a set of standards, from a national source, to supplement the Planning Commission in any future decisions regarding an animal defined as “Exotic.”

Staff then obtained a copy of the National Reptile Care Improvement Plan (NRCIP) called, “Best Management Practices for Reptile Trade and Hobby,” which was adopted by the Pet Industry Joint Advisory Council on June 16, 2003. He indicated that this plan gives definitions of procedures, operators, and animals addressed by the plan, and provides a guide to how persons can submit application for their operation to be accepted or accredited by the National Reptile Improvement Plan (NRIP); and meeting “Standard Operating Procedures” (SOP’s), which include the best management practices (BMP’s) applicable to the species and the facility the animal is housed in.

The Council revisited this proposed ordinance on February 6, 2007 with a copy of this new NRIP plan. The overall proposal seemed to be accepted by the Council; however, there was some concern with the wording in Staff’s recommendation. As a result the item was continued with the request that the City Attorney and Staff work together to resolve the exact wording for the ordinance before a motion is given.

Staff recommends that the City Council approve the proposed text amendment to the A-1, R-R, & R-1 zones, adding conditional use classification (8229), with the amended wording as follows, “Other Animal Husbandry services (Exotic), limited to one animal of one category of the following: non-poisonous snakes, amphibians, or turtles, as a pet, and subject to the *National Reptile Improvement Plan (NRIP)/Best Management Practices for Reptile Trade & Hobby.*” For the breeding, raising, buying & selling of such an animal as a business, these persons are to be subject to the NRIP, and also the restrictions of a Major Home Occupation found in 10-21-6 of this title.

As a result of the proposal above, Staff is recommending to add text to two areas of the City code as follows:

First, to Title 5-1C-13-A/*Number of Animals* stating that, “Any other animals, defined as exotic, shall be limited to one (1) animal for one category of non-poisonous snakes, amphibians, & turtles, per household, per the applicable zone, unless authorized by the Planning Commission for a home based business. This small amendment is to ensure that the number of animals allowed cannot be open for argument outside of the public hearing forum.

Second, under the direction of Attorney Petersen, add text to the *Major Home Occupations* section stating, “For review of Exotic Animal home based businesses, a local Veterinarian is to inspect the place of business, and provide a letter of certification that is to be turned in with the business license, and repeated each year upon renewal.” This text would be listed under item “E” in Section 10-21-6.

Additionally, he indicated that this recommendation is based on the following conditions:

1. The *National Reptile Improvement Plan (NRIP)/Best Management Practices for Reptile Trade & Hobby* be adopted as a standard requirement with the new use classification.
2. That with the adoption of the use classification, the other two proposed text amendments to Title 5-1C-13/Item A & Title 10-21-6/Item E, also be adopted.

Attorney Petersen then stated that she had received a phone call from a representative of the National Humane Society. She said that the representative said that in consideration of the proposed Ordinance, the City might be “opening the door too wide.” Attorney Petersen said the representative explained that in regard to certain types of reptiles, the City needed to be careful that there were some species that should not be recommended to be allowed in the City at all. The concern expressed was due to the possibility of ticks and salmonella and the health and safety of neighbors. She also noted that the representative said the Humane Society didn’t really have any concerns about ball pythons, however, as long as the facility and snakes were checked every year by the City and a licensed Veterinarian. She said she had just barely heard from the representative the evening before, and she apologized for the late notice to the Council.

Council Member Calls asked if the Humane Society gave Attorney Petersen a comprehensive list. She said they were to get a list to her. She added that the representative noted that there have been deaths attributed to certain reptiles getting out and killing people in the vicinity.

Attorney Petersen said she would like to see the information the Humane Society could provide her prior to making a recommendation to the Council.

After further discussion, Mayor Daniels said that perhaps this item could be continued to a date certain so the City Attorney could review the new information. He added that in light of the concerns, and in the best interest of the public, a decision might best be delayed a week or two.

Dr. Pam Cantrell from 1143 East 740 South said that she would first like to tell the Mayor and Council that she was raised in Pleasant Grove and her and her husband wanted to be good citizens of the City. She said that she agreed that there was time for Attorney Petersen to look at the National Humane Society’s recommendations. Additionally, she said in her work at BYU, she has done research on reptiles with ticks and salmonella. Dr. Cantrell said that in looking at several reptile businesses, she has seen the, “good, bad and the ugly,” spectrum of operations. She then stated that her and her husband’s ball python business was on the good end of the spectrum in regard to the

care of the animals. She also noted that this is the first city she has been aware of in the area that has considered adopting the NRIP standards. She told the Mayor and Council that this step would keep the “bad and ugly” from coming to town! She then thanked the Council for their care in regard to this issue.

Mayor Daniels then recommended to the Council that they delay. The Council agreed. He then asked for a motion.

**ACTION:** Council Member Call moved to delay to the date certain of April 3, 2007 City Council Meeting the request of Staff 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.” Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

**ITEM 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 said this Ordinance was being brought before the Mayor and Council prior to the anticipated construction of large hotels in the City. She said the Utah State Code allows municipalities to impose transient room revenue taxes so that the City can equalize the tax burden. She added that the revenue tax will allow the City to receive revenues necessary to provide City services to promote the public’s health, safety, morals and well-being. Basically, she said the tax provides the City funds to build infrastructure and provide services. She then asked if there were any questions. There were none. Mayor Daniels then asked for a motion.

**ACTION:** Council Member Boyd moved to approve Ordinance No. 2007-14, amending Title 3 by adopting Chapter 3D of the Pleasant Grove Municipal Code to levy a per room per day Transient Room Tax. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

**ITEM K: TO CONSIDER AWARDING FOR THE 1100 NORTH SID UTILITIES PROJECT BID.**

Mayor Daniels said this item was continued.

**8. STAFF BUSINESS**

- Supervisor Young reminded the Mayor and Council that an Open House regarding the General Plan would be held on Thursday, April 26, 2007. He also said that it would be presented at the April 12, 2007 Planning Commission meeting for final adjustments. He said the meeting is open and the public is encouraged to attend.
- Director Giles said he had received a Recreation Grant he had applied for. He said the city received the grant in the amount of \$19,000. He and his staff discussed different projects the monies could be used on, including the Battle Creek Trail Head, the replacement of the banners on Main Street, and new play equipment at Battle Creek Park. He said the playground equipment seemed to be at the top of the list. Administrator Mills then told Director Giles that there is currently another grant available offering matching funds. He suggested that Director Giles look into the availability of that grant, which would turn the \$19,000 in to \$38,000.
- Director Walker said concern had been expressed about the 1000 South roadway Lindon is building. An elected official needs to work with Lindon's City Engineer on that project. Mayor Daniels assigned Council Member Call to work with the Engineer.
- Administrator Mills reported that there was one thing that needed to be completed before awarding a bid on the 2000 West Road Project. He said that would be to receive the \$2.3 million from the State for the project.

Next, he noted that there would be a Neighborhood Meeting on April 4, 2007 at 6 p.m, regarding specific densities in the Grove area. He said the meeting will be directed to nail down numbers and uses in that area. It will be in the Council Chambers.

On Saturday, April 28, 2007, a short Arbor Day ceremony will be held in the Downtown Park at 8 a.m. Five or six new trees will be planted.

At 9 a.m. on Saturday, April 28, 2007, a budget workshop will be held with Directors. He said these meetings will assist the Directors in finalizing their proposed budgets for 2007-2008. He said the meetings should be completed around noon.

Council Member McDade asked if there would be discussion on employee wages and possible raises. Director Clay said he has all of the information on cost-of-living raises. He invited any of the Council Members or Directors to come to his office and he would be glad to discuss any budget information they needed; as well as wages. Mayor Daniels asked if there would be a preliminary budget that would be ready prior to the approval of the final budget that himself and the Council could look over. Director Clay said there would be. Mayor Daniels asked that Director Clay email a copy of that preliminary budget to himself and the Council.

Council Member McDade commented that he liked the method in the past when Administrator Mills listed items on a white board. He also asked if the Mayor makes the ultimate decision on raises. Attorney Petersen said that there was time for questions and work on the budget prior to approval for all involved. She invited anyone to raise questions, if they had them. Council Member McDade said that he feels the basic needs required of all of the departments are a given. However, he said he was hoping to see staff receive adequate raises this year.

Administrator Mills said there the annual spring clean up would be coming up. He said he would appreciate it if the Council would choose a time within the County's open burn from April 14 to May 14, 2007. He suggested they perhaps go towards the later part of the burn period so that rain, etc, didn't interfere. After a short discussion, it was determined the City would hold it's clean up at the Rodeo Grounds from April 28 to May 6, 2007. He said it would be held seven days a week, from 8 a.m. to 9 p.m, and several dumpsters would be provided.

He next asked the Council to get their information to Recorder Fraughton concerning the annual ULCT Spring Conference that was coming up in April. Also, he explained that he had handed information to the Mayor and Council regarding "hot bills" in the legislature that the ULCT had been looking at.

## **9. MAYOR AND COUNCIL BUSINESS**

- Council Member Jensen reported that 45 to 50 people in his neighborhood came and watched how to hook up the new secondary water system to his irrigation system at his home. He thanked Mike Green from the Water Department for his time. He also said that he had received an anonymous email complaining that he used his home as an example as to how to hook the system up.
- Council Member McDade said that he had attended a meeting with Cedar Hills concerning the dissolution of the Manila Water Company. He noted that there are continuing discussions on how much the water shares are worth. Additionally, he said in a recent meeting with the North Point Waste Board, he learned that the bailer is finally completely gone. He said it's departure will free up badly needed funds for the district.

## **10. SIGNING OF PLATS**

The Warnick Dairy annexation plat was signed by the Mayor and Council

## **11. REVIEW OF CALENDAR**

Mayor Daniels said the Calendar item had been discussed during Council Business.

## **12. APPROVE PAID PURCHASE ORDERS**

**ACTION:** Council Member Jensen moved to approve the Purchase Orders. Council Member Call seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call, McDade and Jensen voting, "Aye."

## **13. CONVENE INTO THE RDA MEETING; THEN RECONVENE INTO CITY COUNCIL REGULAR SESSION**

**ACTION:** At 8:38 p.m, Council Member Boyd moved to Convene into the RDA Meeting; and then reconvene into City Council regular session. Council Member Jensen seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call, McDade and Jensen voting, "Aye."

**ACTION:** At 8:41 p.m, Council Member Jensen moved to reconvene into the regular City Council Meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call, McDade and Jensen voting, "Aye."

Mayor Daniels said that Mr. Hillman had studied what would be the best for Pleasant Grove and Lindon cities when it came to Emergency Services. In particular, the police coverage of both cities was studied. He said Mr. Hillman had determined that if a Public Safety District was created by the two cities, Pleasant Grove would not benefit from such a move and Lindon would benefit greatly.

The Mayor said himself; Chiefs Paul and Sanderson had reviewed the report. He noted that he would like to have the Council also review the report and a discussion take place in a future Council meeting.

Mayor Daniels said the bottom line of the report was that the City of Pleasant Grove had invested years of time and monies to the building up of their emergency services. He said Mr. Hillman observed that it would be a difficult move to put decisions about those services in the hands of those that didn't have the same long-term vested interest.

The Mayor next said that after he read the report, he recommended that Pleasant Grove not move forward to create a district. However, he said he wanted to hear opinions from the Council after they had also studied the report. He said he would like to see the issue discussed in a future work session.

Next, Mayor Daniels observed that perhaps it would be to Lindon's advantage to create their own police department. He said the two cities had enjoyed an excellent working relationship over the years, and after discussions with Mayor Acerson and Administrator Ott Dameron, it became apparent to the Mayor that there is a good chance Lindon might be looking to create their own public safety department by June 30, 2008. He said he offered the help of Pleasant Grove in anyway Lindon could use the help. He went on to say that he wanted to introduce the Council to this concept at this point. He suggested that the Council also speak with Chief Paul and Chief Sanderson and get their take on the potential changes.

Mayor Daniels then told the Council that he would be out of town the next week, and Mayor Pro Tem McDade would be in charge of the work session on March 27, 2007.

#### **14. ADJOURN**

**ACTION:** At 8:52 p.m, Council Member Jensen moved to adjourn the City Council meeting. Council Member Atwood seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

This certifies that the City Council  
Minutes of March 20, 2007 are a  
true, full and correct copy as approved  
by the City Council on April 3, 2007.  
Signed \_\_\_\_\_  
Mary Burgin, Deputy Recorder