

**Pleasant Grove City Council Minutes**  
**July 21, 2009**  
**7:00 p.m.**

**PRESENT:**

Mayor Pro Tem

Bruce Call

Council Members:

Mark K. Atwood

Cindy Boyd

Lee Jensen

Jeffrey D. Wilson

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy City Recorder

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Degen Lewis, City Engineer

Libby Flegal, NAB Chair

Excused:

Michael W. Daniels, Mayor

Tom Paul, Police Chief

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

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**1. CALL TO ORDER**

Mayor Pro Tem Call called roll for the Council and noted that Council Members Atwood, Boyd, and Wilson were present, and stated that Council Member Jensen will be late in joining tonight's meeting.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was lead by Engineer Lewis.

**3. OPENING REMARKS**

Opening Remarks were given by Administrator Mills.

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

Mayor Pro Tem Call asked if there were any changes or additions to the meeting's agenda there were none. The Mayor Pro Tem then asked for a motion to approve.

**ACTION:** Council Member Wilson moved to approve the agenda. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting, "Aye."

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

**MINUTE REVIEW AND APPROVAL:**

- a. City Council and Planning Commission Joint Meeting Minutes for June 23, 2009
- b. City Council Minutes for June 30, 2009
- c. To consider approval of Change Order No. Three and Partial Payment No. Two to Geneva Rock Products, Inc. for the Street Rehabilitation Project 2009
- d. To consider approval of paid vouchers (July 9, 2009)

Mayor Pro Tem Call asked if there were any questions on the consent agenda items. Deputy City Recorder Mulvey pointed out that on the minutes for the combined City Council and Planning Commission meeting that the City Council portion of those minutes are what is being presented for approval tonight. Mayor Pro Tem Call stated that the motion to approve should specify as such. The Mayor Pro Tem then asked for a motion to approve.

**ACTION:** Council Member Wilson moved to approve the consent agenda items, approving the City Council portion of the minutes for the June 23, 2009 combined City Council and Planning Commission meeting. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd, and Wilson voting "Aye."

**6. OPEN SESSION**

Mayor Pro Tem Call explained to those present that if an item was not a public hearing or not on the agenda, they were welcome to come forward and address the Council.

No one came forward, the Mayor Pro Tem then closed the meeting to the public.

**7. NEIGHBORHOOD ADVISORY BOARD REPORT**

Chairperson Libby Flegal stated that there was nothing to report at this time.

**8. BUSINESS:**

**A. TO CONSIDER A PROCLAMATION DECLARING THE MONTH OF AUGUST "PLEASANT GROVE CITY FIREFIGHTERS APPRECIATION MONTH"**

Administrator Mills stated that the Fire Department over the last several years has been involved with the Muscular Dystrophy Association (MDA) program. This past year the Pleasant Grove City Fire Fighters have raised two thousand two hundred dollars, so this proclamation is to honor them for their efforts.

Fire Chief Sanderson stated that they have scheduled the week of August 24 – 29, to give each shift of Fire Fighters the opportunity to participate in this event.

Mayor Pro Tem then read the Proclamation, which recognized the dedicated efforts of the International Association of Fire Fighters (IAFF) in raising funds for MDA and concluded with declaring the month of August as Pleasant Grove Fire Fighter Appreciation Month.

Mayor Pro Tem Call asked for a motion to approve the proclamation.

**ACTION:** Council Member Boyd moved to approve declaring the month of August “Pleasant Grove City Fire Fighters Appreciation Month.” Council Member Wilson seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting “Aye.”

**B. TO CONSIDER ADOPTION OF A RESOLUTION (2009-025) OF THE GOVERNING BODY OF PLEASANT GROVE CITY AUTHORIZING THE MAYOR TO SIGN A QUIT CLAIM DEED IN FAVOR OF THE COYOTE CLUB, L.C., ALSO KNOWN AS GREAT WESTERN SUPPLY, DEEDING APPROXIMATELY 0.17 ACRES OF SURPLUS PROPERTY TO THEM, WHICH WAS A REMAINDER PARCEL NOT CAPABLE OF BEING USED BY PLEASANT GROVE CITY. SAID PROPERTY IS LOCATED AT APPROXIMATELY 363 INDUSTRIAL DRIVE, PLEASANT GROVE, UTAH COUNTY, UTAH 84062 (OLD FORT NEIGHBORHOOD)**

Attorney Petersen stated that when the Great Western Supply Plumbing Company took over the old skateboard park building on 200 South, they were told that there was a remainder parcel on the property that would be deeded over to them once they had met the development criteria. They have finally met this criteria and this resolution is to hold up our end of the bargain.

Mayor Pro Tem Call asked if there were any questions, there were none. The Mayor Pro Tem asked for a motion.

**ACTION:** Council Member Wilson moved to Resolution 2009-025, authorizing the Mayor to sign a Quit Claim Deed in favor of the Coyote Club, L.C., also known as Great Western Supply. Deeding approximately 0.17 acres of surplus property to them which was a remainder parcel not capable of being used by Pleasant Grove City. Said property is at located approximately 363 Industrial Drive, Pleasant Grove, Utah, Utah County 84062. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting “Aye.”

**C. TO CONSIDER A RESOLUTION (2009-026) OF THE GOVERNING BODY OF PLEASANT GROVE CITY AUTHORIZING THE MAYOR TO SIGN A PURCHASE AGREEMENT WITH MICHAEL AND KRISTY TYMON FOR A PARCEL OF PROPERTY LOCATED AT 429 S LOCUST AVE. PLEASANT GROVE, UTAH (SCRATCH GRAVEL NEIGHBORHOOD)**

Director Clay explained that this item was presented to City Council a couple of weeks ago and it was agreed to go ahead on this purchase of property. Director Clay stated that this is just the official authorization to complete this transaction.

Mayor Pro Tem Call explained to the public that this is property that adjoins with the Recreation Center and the City is acquiring properties to further develop the area into a park/recreation area for the residents.

Mayor Pro Tem Call asked if there were any questions on this item, there were none. The Mayor Pro Tem asked for a motion.

**ACTION:** Council Member Wilson moved to approve Resolution 2009-026, authorizing the Mayor to sign a purchase agreement with Michael and Kristy Tymon for a parcel of property located at 429 S Locust Ave., Pleasant Grove, Utah. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting “Aye.”

**D. TO CONSIDER ADOPTION OF A RESOLUTION (2009-027) OF THE GOVERNING BODY OF PLEASANT GROVE CITY AUTHORIZING THE MAYOR TO SIGN A LEASE-PURCHASE AGREEMENT WITH OSHKOSH CAPITAL FOR THE LEASE-PURCHASE OF LOOSE EQUIPMENT FOR THE AERIAL TRUCK**

Attorney Petersen stated that this is the lease-purchase for the loose equipment that goes on the new aerial fire truck, the total purchase price is one hundred five thousand six hundred forty nine dollars and ninety four cents. Attached with this lease is an itemized list of all the various equipment that it includes.

Director Clay added that this lease-purchase agreement was included in the budget.

Council Member Atwood asked if the equipment we are leasing would be turned back at the end of the lease. Director Clay stated that we own the equipment at the end; the equipment can be taken off the truck to exchange it on to another.

Council Member Wilson asked how many years was the lease on the aerial fire truck. Fire Chief Sanderson stated that the lease on the truck is for seven years.

Mayor Pro Tem Call asked if there were any other questions or discussion, there were none. The Mayor Pro Tem then asked for a motion.

**ACTION:** Council Member Wilson moved to approve Resolution 2009-027, authorizing the Mayor to sign a lease-purchase agreement in the amount of \$105,649.94, with OshKosh Capital for the lease-purchase of loose equipment for the Aerial Truck. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting “Aye.”

**E. TO CONSIDER ADOPTION OF A RESOLUTION (2009-028) APPROVING THE FORM OF THE EQUIPMENT LEASE AGREEMENT WITH ZIONS FIRST NATIONAL BANK, SALT LAKE CITY, UTAH FOR AN ASPHALT ZIPPER AZ-550B FOR THE AMOUNT OF \$125,945.00. FINDING THAT IT IS IN THE BEST INTERESTS OF PLEASANT GROVE CITY, UTAH TO ENTER INTO SAID AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF**

Director Clay stated that this is a big piece of equipment that City Council had authorized the purchase of. Director Clay stated that Zions First National Bank offered the best financing on this item

Council Member Boyd asked what exactly this piece of equipment was. Director Walker explained that an asphalt zipper machine basically pulverizes the asphalt materials on the spot and these materials can then be reused for repairs. Director Walker added that this is a good machine and will improve the cost of repairs to the roads.

Mayor Pro Tem Call if there were any other questions, there were none. The Mayor Pro Tem then asked for a motion.

**ACTION:** Council Member Wilson moved to approve Resolution 2009-028, approving the form of the equipment lease agreement for an Asphalt Zipper AZ-550B for the amount of \$125,945.00. Finding that it is in the best interests of Pleasant Grove City, Utah to enter into said agreement and authorizing the execution and delivery thereof. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting “Aye.”

Council Member Jensen joined the meeting at 7:15 p.m.

## **9. STAFF BUSINESS**

- Engineer Lewis reported the status on the following road projects; the State Street project is still moving forward steadily and slowly. The 2000 West project is almost complete, the contractor is putting the final asphalt layer on, then they will be raising the manholes and there will be a ribbon cutting ceremony next Friday morning, July 31<sup>st</sup> at 9:00 a.m.
- Director Young stated that he has met with the Neighborhood Advisory Board (NAB) and there is an area of concern about particular spots throughout the City that some residents feel that there is a decline in the overall appearance, value and beautification of these areas. In discussing what could be done, the idea was presented to create a neighborhood improvement plan which would involve not only the neighborhood chairs, but also the people in those neighborhoods. Director Young stated that it was suggested to hold public workshops where they would individually invite each neighborhood to talk about the issues, concerns, ideas and needed improvements and then come up with some ways to resolve some of these issues. Director Young explained that this is an effort to try to raise the level of awareness and pride in the areas as well as set some goals to work towards. Director Young stated that the NAB's reaction to this program is positive and it was suggested that we go forward with a “media blitz” where we let the City residents know that we are promoting a program for improvement and beautification of the City and promote this through the newspapers, City website and newsletter. Director Young said that they want the residents to know that this idea is supported by the Mayor and City Council and that we are all working towards the betterment of the community. Director Young stated that with City Council's approval that he would like to put forward some concepts for the media blitz and proceed to start meeting with the neighborhood groups.

Council Member Atwood asked what were some of the concerns that were mentioned. Director Young stated that the idea is not just for beautification, we also want to look at crime-watch, needed improvements with utilities or the streets or possibly a park that needs a new playground. Director Young added that the idea is to find out what are the concerns and ideas of the people in these particular areas.

Council Member Atwood stated that he is concerned that the budget is tight and if we are to go out and make these lists for improvements, that the residents are not expecting them to get done tomorrow because if the money is not there then they get angry with us.

Mayor Pro Tem Call added that he got the impression that this is more of a community/neighborhood involvement project.

Director Young stated that there might be some things where we target what the City can help with, but the answer is more in what can the neighborhoods accomplish.

Mayor Pro Tem Call asked the Council if there were any other questions or discussion, there was none. Mayor Pro Tem Call asked if the City Council was comfortable with letting them move forward on this plan, the consensus of the Council was that they are in favor of allowing them to move forward.

- Director Bradford distributed a flyer promoting the Street Dance event this Saturday night, July 25th at 8:30 p.m. on Main Street, there will be a live band and it is being advertised for people of all ages, admission is free.

Director Bradford stated that there are now forty three vendors participating in the Promenade/Farmer's Market. Council Member Wilson complimented Director Bradford and his committee for the good work that they have been doing promoting and staging this event.

- Director Walker reported that the sewer-bursting job on State Street will start on August 18<sup>th</sup>, the pressurized irrigation tank job is well underway and micro surfacing will be complete by next week.
- City Recorder Kresser stated that we will be holding a Primary Election on September 15, 2009, and then read the list of the following individuals who qualified as candidates; for Mayor there are two candidates, Bruce Call and Jeffrey D. Wilson and for City Council there are eight candidates, Laurel Backman-Riddle, Milton Fugal, Lee G. Jensen, Kabe Little, John Morris, Kimberly Robinson, Edward T. Sanderson and Brent Skipper.

City Recorder Kresser announced that she and Deputy City Recorder Mulvey will be coordinating a *New Candidate Meet and Greet* that will be held on August 12<sup>th</sup> at 6:00 p.m. to introduce the candidates to the current City Council and executive staff.

City Recorder Kresser mentioned that she and Deputy Recorder Mulvey will be attending the Utah Municipal Clerks Association's Institute and Academy classes next week, July

27 – 31 at the University of Utah. Mayor Pro Tem Call asked if that was part of the clerk's certification process. City Recorder Kresser stated that it was.

- Attorney Petersen stated that in conjunction with the *New Candidate Meet and Greet* on August 12<sup>th</sup>, that she will be presenting information to the candidates regarding conducting political activities during business hours and referred the current Council Members who are candidates for this upcoming election to the policy and procedures manual, the employee conduct section that explains the policy on political activity.
- Administrator Mills reported that yesterday, July 20<sup>th</sup> was the closing date for submission of proposals for the curbside recycling program. The two proposals received were from Allied Waste and Waste Management. Administrator Mills stated that he will be reviewing these proposals with Council Member Jensen and then will report back with a presentation to Council at the next City Council meeting.

## **10. MAYOR AND COUNCIL BUSINESS**

- Council Member Jensen reported that at the Fox Hollow Golf Course, they are getting ready to purchase a fifth pole for the lights and will be measuring for the wiring needed and that American Fork City and Lehi City will be helping with the installation. They are also compiling the figures for the Point of Sale computer system that they anticipate purchasing and will be presenting this information to the Cities in the near future. Council Member Jensen said that their promotions are going well and that they are very optimistic about their income, stating that they took in one hundred and twenty thousand dollars in June.
- Council Member Boyd stated that she gets requests from residents about information on the progress of the Manila Creek pond. Director Giles stated that the hydro seeding is about completed and does not anticipate it being open to the public until the end of August, possibly September.
- Council Member Wilson wanted to clarify how Council wanted to define the process on weighing the experience of the applicants for the City Administrator's position. Council Member Jensen added that it needs to be distinguished between full-time employment, volunteer employment, employment in city government, employment in the private sector, experience as a City Council member or elected office that these factors need to be weighed in order to determine which of these count in terms of experience. Council Member Wilson asked if this could be done using the rubric and rating system that the Application Review Committee (ARC) has established for this process. Council Member Boyd added that there were two portions in that process where we weighed experience versus management, we rated management experience in the private sector against management of a City and how we would define the difference and rate an applicant higher who had experience in managing a City.

Mayor Pro Tem Call asked the Council if they would be in favor of asking the ARC to come to the meeting next week and discuss this item. Council Members Atwood, Boyd, Jensen and Wilson all indicated that they were in favor of this.

- Mayor Pro Tem Call requested to hold an executive session to discuss a personnel matter and asked Attorney Petersen to be present at this session.

### **11. SIGNING OF PLATS**

No Plats were signed.

### **12. REVIEW CALENDAR**

Nothing was reviewed on the calendar at this time.

### **13. APPROVE PURCHASE ORDERS**

Mayor Pro Tem Call asked if the Council had reviewed the purchase orders and in that there was no further discussion, the Mayor Pro Tem asked for a motion to approve.

**ACTION:** Council Member Wilson moved to approve the purchase orders for July 21, 2009. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd, Jensen and Wilson voting “Aye.”

**ACTION:** At 7:47 p.m. Council Member Wilson moved to go into executive session, a strategy session to discuss the character, professional competence, or physical or mental health of an individual (UCA 52-4-205(1)(a)). Council Member Jensen seconded and the motion passed unanimously with Council Members Atwood, Boyd, Jensen and Wilson voting, “Aye.”

#### **PRESENT:**

Mayor Pro Tem:

Bruce Call

City Council Members:

Mark K. Atwood

Cindy Boyd

Lee Jensen

Jeffrey D. Wilson

Others:

Tina Petersen, City Attorney

**ACTION:** At 8:07 p.m. Council Member Wilson moved to close the executive session and return to regular session. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd, Jensen and Wilson voting “Aye.”

### **14. ADJOURN**

**ACTION:** At 8:08 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd, Jensen and Wilson voting “Aye.”



This certifies that the City Council  
Minutes of July 21, 2009 are a true,  
Full and correct copy as approved by  
The City Council on August 11, 2009

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Colleen A. Mulvey, Deputy City Recorder