

**Pleasant Grove City Council Minutes**  
**January 8, 2008**  
**7:00 p.m.**

PRESENT:

Mayor:

Mike W. Daniels

City Council Members:

Cindy Boyd

Jeffrey D. Wilson

Bruce Call

Mark K. Atwood

Lee G. Jensen

City Recorder:

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Deon Giles, Leisure Services Director

Lynn Walker, Public Works Director

Tom Paul, Police Chief

Marc Sanderson, Fire Chief

Sean Allen, City Planner

Degen Lewis, City Engineer

Richard Bradford, Economic Development Director

Karen Bezzant, City Treasurer

Libby Flegal, Neighborhood Chair

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

Mayor Daniels called the meeting to order at 7 p.m. and welcomed everyone to the meeting.

**1. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Scott Call.

**2. OPENING REMARKS**

The Opening Remarks were given by Council Member Call.

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

Mayor Daniels asked if there were any changes or additions to the agenda. There were none. Mayor Daniels then asked for a motion.

**ACTION:** Council Member Jensen moved to approve the meeting’s agenda. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood and Jensen voting “Aye.”

4. **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:**

1. City Council Minutes for December 4, 2007
2. To consider re-appointment of:
  - a. Dallin Nelson re-appointed to serve as a regular member of the Planning Commission:  
(Term – January 15, 2008 – January 15, 2012)
  - b. James Butterfield re-appointed to serve as a second alternate of the Board of Adjustment:  
(Term – January 15, 2008 to January 15, 2013)
3. To consider appointment of current alternate member Derrick Wade to serve as a regular member of the Planning Commission:  
(Term – January 15, 2008 – January 15, 2010)
4. To consider appointment of new committee members to the Fox Hollow Golf Course:  
Dee Miller  
Ray Dee Pollmann
5. To consider approval of Partial Payment No. Six to HDX, LC, a Dunn Company, for the Pressure Irrigation System – Schedule 6 Project.
6. To consider approval of paid vouchers (December 10 and December 25, 2007)

Mayor Daniels read the Consent Agenda. He welcomed those that were on the agenda that had agreed to their appointments to the various City boards, and were in attendance at the meeting.

**ACTION:** Council Member Call moved to approve the consent items as written. Council Member Jensen seconded and the motion passed unanimously with Council Member Boyd, Call, Atwood and Jensen voting, “Aye.”

5. **OPEN SESSION**

Mayor Daniels asked if there was anyone who wanted to come forward in an open session format. He asked if they would state their name and address and noted that they needed to limit their comments to two minutes or less.

Mr. Gary Zabriske (1740 W. 700 S.) told the Mayor and Council that plans had been made approximately a year before for the purchase of land in The Grove area by the City for a storm drain retention pond, park and a possible recreation facility. However, he said that now that the new recreation center was by the high school, he and the other land owners of that property had not heard anymore from the City as to whether their land was still wanted. He said that land values were going up, so he felt the City needed to proceed with the purchase of his land; or the City should adopt a new master plan for storm run-off control.

Mayor Daniels told Mr. Zabriske that the matter would be looked into by staff and that they would get back with him.

Mr. Duane Day (1578 W. 110 N.) stated that he is the president of the Homeowner's Association (HOA) for the Pemberly complex on 1300 West. He said that several residents of his complex, as well as The Gables, etc, were in attendance at the meeting. Their concern was the recent bill they had received from the City for what he termed "incorrect billing" that had taken place for the past four years with their City water bill. He said the City had under billed the residents \$170,000 for the past four years, and the cost to each household was now approximately \$1,000.

Mr. Day said he and the other residents of the complexes felt that this billing was unfair due to the fact that most of the residents had only been living there for about two or three years. He said he explained to Director Mills that the residents were being docked for the City's incorrect billing. He asked that the bills be waived. Also, he said he was standing before the Council so that they could now intervene in behalf of the homeowners, if necessary. He said he had also talked with Council Member Call.

Another resident spoke up and said this had happened to other neighborhoods with HOA's, and he would like to see the City get to the root of the problem with their utility billing. He said he would like to let the Council know that he didn't feel obliged to pay for incorrect billing.

Mayor Daniels said that he would look into the issues that had been brought forward by the HOA's regarding the water billing from the City.

Director Young then came forward. He said he wanted to make a very brief presentation to one of his employees. He explained that his department had a brand new program to recognize good service from their employees called The Great Employee Award. That same day, Secretary Kathy Kresser had been recognized by her fellow employees for her hard work. He said she had been an excellent employee of the department for the past 13 years, and was the first recipient of the award. She was given a nice plaque and a gift certificate to Los Hermanos Restaurant. Mayor and Council congratulated her and applauded her for her achievement.

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

Chair Libby Flegal indicated that she was working on getting replacement Chairs for several of the neighborhoods.

## **7. LIBRARY BOARD REPORT**

There was no report from the library.

## **8. BUSINESS**

### **A. OATH OF OFFICE ADMINISTERED TO COUNCIL ELECT:**

**\*CINDY BOYD, COUNCIL MEMBER (FOUR-YEAR TERM)**

**\*BRUCE CALL, COUNCIL MEMBER (FOUR-YEAR TERM)**

**\*JEFFREY D. WILSON, COUNCIL MEMBER (FOUR-YEAR TERM)**

Mayor Daniels congratulated all of those to be administered the Oath of Office. City Recorder Fraughton then came forward and asked Council Member Call and his wife, Patty, Council Member Boyd and her husband Gerald and Mr. Jeff Wilson and his wife Annette to come forward. She then administered the Oath of Office to each of them. There was then a round of applause. Mayor Daniels said it was nice that all of those that were elected had served previously. He said this would allow the Council to hit the ground running this year!

**B. PUBLIC HEARING TO CONSIDER AN ORDINANCE ADOPTING THE PLEASANT GROVE CITY CAPITAL FACILITIES PLAN FOR 2000 WEST. THE PLAN ADDRESSES GROWTH AND DEVELOPMENT ALONG 2000 WEST FROM 1300 WEST TO STATE STREET, AND SUMMARIZES THE DEMAND PLACED ON THE ROADWAY ALONG WITH THE ASSOCIATED COSTS TO PURCHASE RIGHT-OF-WAY AND CONSTRUCT THE IMPROVEMENTS. COSTS TO INSTALL UTILITIES ARE NOT INCLUDED IN THIS PLAN AS THEY ARE PART OF A SEPARATE CFP AND IMPACT FEE STUDY. POTENTIAL IMPACT FEES ASSOCIATED WITH DEVELOPMENT ALONG THE CORRIDOR WILL BE INCLUDED IN A SEPARATE STUDY.**

Administrator Mills came forward and explained to the Mayor and Council that the Capital Facilities Plan for 2000 West was a prelude to the determination of impact fees in the area of 2000 West. He said that the Plan addresses growth and development along 2000 West from 1300 West to State Street, and summarizes the demand placed on the roadway along with the associated costs due to the purchase of right-of-ways and construction improvements. Also, the Plan will not include the costs to install utilities. He said the potential impact fees associated with development along the corridor will be included in a separate study.

He next noted that since that area has experienced significant growth through the construction of homes, parks, commercial area and other amenities, it has increased the demand on the City's street system. As development continues, additional demands will be placed on the street system. As a part of the overall Transportation Master Plan, Pleasant Grove City has identified the need for a new roadway corridor along 2000 West. He went on to say that the purpose of the Capital Facility Plan (CFP) is to identify demands placed on existing facilities by new development and to propose means by which the City will meet these demands.

The roadway has been classified as a principal urban arterial and is a facility of both local and regional importance. The corridor has been divided into four segments. These include; 1. 1300 West to Pleasant Grove Blvd; 2. Pleasant Grove Boulevard to Grove Parkway; 3. Grove Parkway to 300 North, and; 4. 300 North to State Street. He said that once this CFP is approved, then a full impact fee study can be done.

Mayor Daniels then said that this was a public hearing, and opened the discussion. Mr. Pete Blake (29 S. 2000 West) then came forward. He said he had a few thoughts to share regarding the impact fees on 2000 West. In looking at that area, he said there are a total of eight families living there. He said when the road is constructed; there will be at least 14,000 trips on that road per day. He asked if there was a basis from which to additional impact fees with new developments and additional projects. He said he thought that the fees should be spread out to other property owners in the area and not just those 8 families that directly front on the new road.

Administrator Mills replied that after the impact fee study is completed, there will be impact fees assessed to new development in that area; according to the segments formally mentioned.

Mayor Daniels asked if that answered Mr. Blake's question. Mr. Blake said he will watch how the fees will be assessed, and then will probably be able to see how it will be done at that time. Mayor Daniels then explained that he and Administrator Mills had wrestled with the question of the impact fees for over a year. He said they had not taken the question of how those fees would be assessed lightly, and tried to be comprehensive as this was a road of regional significance.

Mayor Daniels then closed the public hearing and brought the discussion up to the Council table. Council Member Boyd asked if there had been any impact fees on this segment of 2000 West before. Attorney Petersen said no, this was brand new. Director Clay said this was the beginning of the eventual impact fees with this Capital Facilities Plan.

Mayor Daniels then asked for a motion.

**ACTION:** Council Member Call moved to approve Ordinance No. 2008-1, adopting the Pleasant Grove City Capital Facilities Plan for 2000 West. The Plan addresses growth and development along 2000 West from 1300 West to State Street, and summarizes the demand placed on the roadway along with the associated costs to purchase right-of-way and construct the improvements. Costs to install utilities are not included in this Plan as they are part of a separate CFP and impact fee study. Potential impact fees associated with development along the corridor will be included in a separate study. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously by voice vote with Council Members Boyd, Call, Atwood, Jensen and Wilson voting, "Aye."

At this point Council Member Jensen then asked if there was a projected cost of improvements, and if there was a certain date those improvements were to be completed by. Attorney Petersen said she had just met with County Attorney Rob Moore. She said she was to be getting a new legal description from the engineer. She also noted that the road is being realigned because of wetland issues. She said the information should be back tomorrow.

Administrator Mills said that the anticipation of the completion of the road looks like it will be on a very aggressive schedule. He said the City's portion is complete, with the asphalt going in around the end of April of this year. Mayor Daniels said, then, it looked like 2000 West should be completed by mid summer. Administrator Mills said yes, it should.

**C. TO CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN PLEASANT GROVE CITY AND THE ALPINE SCHOOL DISTRICT (ASD) FOR THE PURPOSE OF ESTABLISHING THE TERMS UNDER WHICH A RECREATION CENTER ("THE CENTER") WILL BE CONSTRUCTED AND MAINTAINED IN ORDER TO MORE EFFICIENTLY PROVIDE RECREATIONAL FACILITIES, SERVICES AND IMPROVEMENTS FOR THEIR CITIZENRY.**

Mayor Daniels read this item. Attorney Petersen then came forward and explained that this resolution would authorize the mayor to enter into an interlocal agreement with the Alpine School District (ASD) regarding the construction, maintenance and use of the new recreation

center project. She said the ASD approved the agreement at their meeting in November, 2007. She said the agreement involves the trading of land between the District and the City as well as the granting of easements and a rough outline of use agreement. She said a more detailed use agreement might be needed in the future. Mayor Daniels then indicated that the land and the use agreement had been discussed at length with the District prior to construction even beginning.

Council Member Atwood asked what had been discussed, in particular, regarding the use agreement. Director Giles said the use agreement had been discussed about a year ago. Council Member Jensen asked if that included fees. Administrator Mills said that before entering the agreement, discussions have taken place with the District regarding the on-going use the City will need to continue to run their programs. Also discussed was the school's daytime need for the use of the dance room and one of the gyms. He said that with time, the City and the district will refine the agreement. Council Member Atwood said his main concern is the use of the indoor track in the recreation center. He said he would like to see residents able to use it all during the day as well as the evening. Administrator Mills said that the high school will not be using the track. Council Member Atwood said that that was good. He said he would hate to see the public turned away when trying to utilize that indoor track.

Mayor Daniels asked for a motion.

**ACTION:** Council Member Atwood moved to approve Resolution No. 2008-01, authorizing the Mayor to sign an Interlocal Cooperative Agreement between Pleasant Grove City and the Alpine School District (ASD) for the purpose of establishing the terms under which a recreation center ("the Center") will be constructed and maintained in order to more efficiently provide recreational facilities, services and improvements for their citizenry. Council Member Jensen seconded and the motion passed unanimously by voice vote with Council Members Boyd, Call, Atwood, Jensen and Wilson voting, "Aye."

Administrator Mills said he wanted to give a vote of thanks to Director Giles and Manager Nielsen for their hard work on this project. He said that with the City and ASD working together, the recreation center is a very cost effective project. County Attorney Rob Moore even said that other cities will be looking to the agreement that Pleasant Grove and the district have worked out as a model.

## **9. STAFF BUSINESS**

- Planner Allen said Community Development had just received the site plan for the hotel and convention center. Mayor Daniels asked if they had requested to proceed on the fast track plan with Community Development. Planner Allen said no, that they hadn't, but that they will be moving quickly, anyway, with the project.
- Director Bradford reminded everyone of the meeting on the upcoming Friday, January 11, 2008 in the downstairs of the library with the Pleasant Grove Business Alliance. He said Council Member Call will be speaking on how to brand a business.
- Director Walker indicated that he needed the written approval of the Mayor to allow for an exemption to the noise ordinance for construction of the pond on 3300 North, 24 hours a day. The permit will allow the contractor to work 24 hours a day, 7 days a week for two

weeks and 24 hours a day for the next two weeks after that for a total of one month. Attorney Petersen said she had drafted a permit for the Mayor to sign. The permit explains that the exemption is being requested because of the special nature of the event. By allowing the project to work around the clock, there will be less traffic impact on the surrounding surface streets by allowing the fill to be moved at night. This will allow the project to work around the clock and it will shorten the time that the construction noise will be necessary overall. Additionally, this will allow the contractor to take advantage of the cooler temperatures existing in the next four weeks, creating frost in the ground in order to move the large trucks over the raw ground without sinking. Council Member Atwood said they had metered the sound with a decibel meter, and it was way below allowable levels. Relative to this, Administrator Mills added that he and the Mayor would be meeting with residents of Creekside subdivision at Fugal's business (on Geneva Road) on Thursday, January 10, 2008 to answer any concerns or questions about the project.

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

- Council Member Jensen reported that the new clubhouse being constructed at Fox Hollow Golf Course was really looking beautiful. The building is coming in under budget. He said that landscaping plans were going well, also. Additionally, the course will host the Utah Senior Open Tournaments as well as a State youth tournament this summer. Mayor Daniels asked that the Council be able to come and visit the new facility as soon as it is completed. He also noted that Mr. Jon Hensgen from the course is possibly slated to be named the course superintendent of the year.
- Council Member Call remarked on the beautiful new documents that had been added to the walls of the Council room. He said they were copies of such documents as the Preamble to the Constitution, etc. Mayor Daniels said he had felt it was very important to add them to the room.
- Council Member Atwood said he had attended the North Point Board meeting in December. He said the Board approved a \$31 tipping fee. He also said they looked at their costs, to make sure the tipping fee would help to meet the facility's expenses, which it would. Council Member Jensen then asked why the tipping fees in Utah County were higher than Salt Lake. He said he wondered if the lack of competition might be contributing to the higher fees. Mayor Daniels then said that since Pleasant Grove had approved transfer stations, two companies had approached the City. He said that the Board at North Point needed to know that private industry could very possibly be highly competitive when they are up and running.
- Council Member Wilson told the Council and Mayor that it was an honor to be with them again. Mayor Daniels said it was an honor to have him back on the Council.

## **11. SIGNING OF PLATS**

The Wiseacres subdivision, Chappell subdivision and The Diamond Rental road dedication plat were all signed by the Council and Mayor.

## 12. REVIEW CALENDAR

- Mayor Daniels noted that January 21, 2008 was a City holiday. He then asked who was signed up for the breakfast meeting with the League. Administrator Mills, Council Members Atwood and Wilson said they were going.

## 13. APPROVE PURCHASE ORDERS

Mayor asked if there were any questions in regard to the purchase orders. It was asked what the \$4,500 for wellness would be used for. Director Giles said it was for the wellness program that would be starting the next week. The Mayor then asked for a motion.

**ACTION:** Council Member Boyd moved to approve the purchase orders. Council Member Call seconded and the motion passed unanimously with Council Member Boyd, Call, Atwood, Jensen and Wilson voting, "Aye."

**14. ADJOURN:** At 7:48 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen, Call and Wilson voting, "Aye."

This certifies that the City Council  
Minutes of January 8, 2008 are a true,  
full and correct copy as approved  
by the City Council on January 22, 2008

Signed \_\_\_\_\_  
Mary Burgin, Deputy Recorder