

Pleasant Grove City Council Minutes
June 5, 2007
7:00 p.m.

PRESENT:

Mayor:

Mike Daniels

City Council Members:

Cindy Boyd

Darold McDade

Lee G. Jensen

Mark Atwood

Bruce Call

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Tina Petersen, City Attorney

Gary Clay, Finance Director

Deon Giles, Leisure Services Director

Tom Paul, Police Chief

Richard Bradford, Economic Development Director

Marc Sanderson, Fire Chief

Ken Young, Supervisor of Community Development

Karen Bezzant, 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 given by Council Member Boyd.

2. OPENING REMARKS

The Opening Remarks were given by Council Member McDade.

3. APPROVAL OF MEETING'S AGENDA

Mayor Daniels asked if the meeting's agenda was correct. Supervisor Young said that the applicant for Item E, Ms. Hone, asked that it be taken off the agenda for this meeting. The item was regarding a Public Hearing to consider an Ordinance regarding Alene Hone's request to rezone a 1.8 acre tract of land from R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone to RM-7 (Multiple Medium Residential) zone, located at approx. 350 East 600 South.

ACTION: Council Member Jensen moved to remove Item E from the agenda (at the applicant's request), then to approve the agenda. Council Member Call seconded and the motion passed unanimously with Council Members Atwood, McDade, Jensen, Boyd and Call 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. Work Session Minutes for May 8, 2007
2. City Council Minutes for May 15, 2007
3. Joint City Council/Planning Commission Minutes for May 22, 2007
4. Work Session Minutes for May 29, 2007
5. To consider approval of Payment No. 1 to Dunn Construction, LC for the Pressure Irrigation System - Schedule 5B Project.
6. To consider approval of Payment No. 9 and Change Order No. 9 to Dunn Construction, LC for the Pressure Irrigation System - Schedule 4B Project.
7. To consider approval of Payment No. 9 to Absolute Constructors, LLC for the Pressure Irrigation System – Schedule 4A Project.
8. To consider approval of Change Order No. 3 to Absolute Constructors, LLC for the Pressure Irrigation System – Schedule 4A Project.
9. To consider approval of Payment No. 10 to Dunn Construction, L.C. for the Pressure Irrigation System – Schedule 4B Project.
10. To consider approval of Payment No. 2 to Dunn Construction, L.C. for the Pressure Irrigation System – Schedule 5B Project.
11. To consider appointment of new members to the Historical Preservation Commission (Jeannie Hales, Paul Hales, Joyce Huntsman and Les Nielsen.)
12. To consider approval of paid vouchers (May 25, 2007)

Mayor Daniels asked that once the Consent Agenda had been approved, if it would be okay with the Council if Item #11 was discussed separately. The Council agreed.

ACTION: Council Member Call moved to approve the consent items, as listed, with the exception of Item 11. Council Member Jensen seconded and the motion passed unanimously with Council Member Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

The Mayor then asked Historical Commission Chair Beth Olsen to come forward and introduce the new proposed members of the Commission.

Chair Olsen came forward and said she was pleased that the new members of the Commission were young. She noted that the Commission welcomed these new members. She then introduced Ms. Joyce Huntsman and Mr. Paul and Jeannie Hales. She said Mr. Les Nelson will also serve, but was unable to attend this meeting.

ACTION: Council Member Boyd moved to approve the new members of the Historical Commission, including Ms. Joyce Huntsman, Mr. Paul and Mrs. Jeannie Hales and Mr. Les Nelson. Council Member Jensen seconded and the motion passed unanimously with Council Members Atwood, McDade, Jensen, Boyd and Call 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.

Mrs. Louisa Gough from the Library Board came forward. She noted that there is a fun activity at the library that currently has over 1,100 children enrolled. This is a mystery-themed activity with a miniature (pretend) Crime Scene Investigation (CSI). She went on to say this was the first time that the sign-ups for the library activities were on line. She noted that the patrons said they loved signing up that way, instead of waiting in lines.

On July 30, there will be an ice cream social at 6:30 p.m in the Downtown Park. Mrs. Gough said that residents can come down and become informed with all that the library has to offer the community. She also said there is a new book on digital tape that patrons can check out. She said kids can go on vacation and be listening to different books with the digital audio storybooks.

In the Library Board meeting this week, a grant specialist will be coming and teaching how to apply for grants.

Mayor Daniels thanked Mrs. Gough for her report. He noted that a couple that had contacted him had been back east and wanted to share some of the ideas they saw in a library back there with the Pleasant Grove library staff. He said he recommended that they get in touch with Library Board Chair Erin Daniel to share those ideas.

6. NEIGHBORHOOD ADVISORY BOARD REPORT

NAB Chair Libby Flegal said the NAB board would not be meeting for the next two weeks due to Strawberry Days. Also, she said the Board determined that so many of their number would be gone for the July 3, 2007 meeting, that it was cancelled, also.

Mayor Daniels then told Chair Flegal that in response to the report from Chair Randy Kummer regarding the alleged lot line discrepancies, the developer of the Falcon View subdivision has said that he is willing to go 50-50 with the home owners on the expense of putting in fairly mature trees between the development and the existing homes. He also said the trees will not block the second floor of the homes.

7. BUSINESS

a. INTRODUCTION OF STRAWBERRY DAYS ROYALTY.

Mayor Daniels read this item. He then asked the royalty to come forward. Miss Pleasant Grove for 2007, Whitney Merryfield, said she and her court had already been visiting several cities. She said they were really enjoying the experience of representing Pleasant Grove. She then introduced the fourth runner-up, Celia Gubler. Both girls gave the Council strawberry cheesecakes and welcomed them to come to the many activities during the week of June 17 through 23.

Next, The Strawberry Days Rodeo Royalty came forward and introduced themselves to the Mayor and Council. As each came forward, they each read portions of the upcoming Strawberry Days schedule.

The Jr. Rodeo queen is Ashlee Christiansen, with her first attendant, Elisa Lewis and second attendant, Lacey Ann Godfrey. The Sr. Rodeo queen, Micki Musick was accompanied by first attendant, Brittany Murray and second attendant Lacelle Lewis. All of the girls encouraged everyone to come out and enjoy all of the fun!

Mayor Daniels then commented that he knew most of what the candidates for Miss Pleasant Grove had to do for the contest, but he asked the Rodeo Queens what was required of them. The girls said that they had varying contests for the Jr. and Sr. courts, but they had to be able to have good horsemanship and know about the animals. They also had to answer questions from the judges.

B. PUBLIC HEARING TO CONSIDER AN ORDINANCE RE-DISTRICTING THE ZONING OF THE GROVE ZONE (FORMERLY THE GATEWAY ZONE) MAP TO THREE SUBDISTRICTS: THE GROVE INTERCHANGE, THE GROVE COMMERCIAL MIXED USE AND THE GROVE COMMERCIAL SALES. SAM WHITE'S LANE NEIGHBORHOOD

After Mayor Daniels read this item, Supervisor Young explained that his staff had been working on this item for quite awhile. He said that on March 6, 2007, the City Council approved amendments to Chapter 14 of the City Code, known as The Grove (formerly the Gateway) Zoning Ordinance, which set up the requirements for three new subdistricts to replace the existing five subdistricts. The purpose of item on this agenda is to apply the new approved zone subdistricts on the Pleasant Grove City Zoning Map, officially rezoning the properties in The Grove Zone area.

The Planning Commission reviewed this request at a public hearing held May 24, 2007. No major objections to the re-districting proposal were heard. The proposed changes meet the intent of the General Plan goals and objectives.

Supervisor Young next showed a chart on the screen with the overall plan for the redistricting. The proposal presented was:

Districts: The zone will be re-districted from 5 to 3 subdistricts, including:

a. **The Grove Interchange** (formerly the Interchange, with greatly expanded borders)

Purpose: To promote the development of a regional center for retail, hotel/convention, and professional office uses.

b. **The Grove Mixed Use** (formerly the Blues)

Purpose: To create a compact, pedestrian friendly environment of mixed land uses, including multi-family dwellings, civic land uses, neighborhood serving retail establishments, offices, public space and paths. -

- c. **The Grove Commercial Sales** (a combination of the Pleasant Grove Boulevard, 2000 West, and State Street subdistricts)
Purpose: To create community commercial areas, allowing for a mix of land uses including office, retail and civic.

Zone Change Overview:

- a. The new subdistricts will maintain a commercial zoning on all properties in the zone. All new subdistricts permit commercial uses.
- b. The new district boundaries have been configured to follow property lines and roadway alignments in most instances.
- c. Increased acreage is available for large-scale commercial developments in the expanded Interchange subdistrict.
- d. Decreased acreage is available for multi-family residential developments in three separate areas of the Grove Mixed Use subdistrict.
- e. Similar commercial uses are consolidated in two separate areas of the Commercial Sales subdistrict, combining areas of the former Pleasant Grove Boulevard, 2000 West and State Street subdistricts.

Upon completing his presentation, Supervisor Young asked the Mayor and Council if there were any questions. Council Member Jensen asked how much acreage this involved. Supervisor Young said about 800 acres. He said the Interchange subdistrict was about one half of the acreage, with the other two subdistricts with about 200 acres each.

Mayor Daniels then opened the meeting to a public hearing. No one came forward. He then closed the public hearing and brought the discussion up to the Council table. There were no comments. He then asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2007-25, re-districting the zoning of The Grove Zone (formerly The Gateway Zone) map to three subdistricts: The Grove Interchange, The Grove Commercial Mixed Use and The Grove Commercial Sales, with the following findings; 1. The proposed changes meet the intent of the General Plan goals and objectives. 2. The proposed amendments are in the interest of the public. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with Council Members Call, Boyd, Atwood, Jensen and McDade voted “Aye.”

C. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTION 10-14-27-3 “THE GROVE INTERCHANGE SUBDISTRICT” BY REMOVING LAND USE CODE #6110, “BANKING & BANK RELATED FUNCTIONS,” AS A CONDITIONAL USE AND ADDING LAND USE CODE #6110 AS A PERMITTED USE. SAM WHITE’S LANE NEIGHBORHOOD

After Mayor Daniels read this item, Supervisor Young explained that this was a request being made by Pleasant Grove City Staff to have the Council consider changing classification of a specific use in a zone within The Grove. He said they would like to change the use classification of banking and bank related functions from a Conditional Use to a Permitted Use in the Interchange Sub-District, of the Grove.

Supervisor Young explained that the City has recently received applications for bank related functions, specifically Central Bank. He indicated that Staff had met with the bank's representatives that same day. He said this ordinance is an effort to prepare for such requests from banks. He added that The Council had instructed him and his Staff to add this and other uses to the code.

He said that Staff is proposing to change use classification #6110/Banking and bank related functions from a Conditional Use to a Permitted use in the Interchange Zoning subdistrict. The City's General Plan would be unaffected by the proposed change.

The proposal to change use classification #6110 from a Conditional Use to a Permitted Use allows Staff to streamline the approval process for these types of applications. He said there is no significant reason to make this use be a Conditional One; therefore, Staff views this proposal as a house-keeping item that will allow the City to be a little more flexible in the approval process for banking type functions.

On May 10, 2007, Staff presented the ordinance proposal to the Planning Commission, and they recommended approval to the Council, with no additional conditions. He noted that Staff recommends the Council approve the proposed text amendment to change use classification #6110/Banking and bank related functions, from a Conditional Use to a Permitted Use in the Interchange Zoning subdistrict.

Mayor Daniels then explained that when people come in to develop, they look at the City Code to see if their specific business is a permitted use. If their business isn't in the code as a permitted use, he said it is often a red flag to businesses, and they won't attempt to bring their business into the area. He said the City has to be proactive with this issue.

The Mayor then said he would open the meeting to a public hearing. No one came forward. He then brought it up to the Council. There were no comments from the Council. He then asked the Council for a motion.

ACTION: Council Member Jensen moved to approve Ordinance No. 2007-26, amending Section 10-14-27-3 "The Grove Interchange Subdistrict" by removing Land Use Code #6110, "Banking and bank related functions," as a conditional Use and adding Land Use Code #6110 as a permitted use with the following findings; 1. Bank related functions are desired for the area; 2. Any changes or additions made to the municipal code are to be in the spirit of making the code more clear and concise regarding uses and matters pertaining to the City. A public hearing was held. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

D. TO CONSIDER KRISER HOMES' REQUEST TO RECONSIDER AND CLARIFY THE PRD TEXT AMENDMENT; RE: ALLOWING UP TO 50% REDUCED LOT SIZES, INSTEAD OF THE 40% WHICH WAS IN THE WRITTEN TEXT OF ORDINANCE NO. 2007-23 APPROVED ON MAY 1, 2007.

Following Mayor Daniels' reading of this item, Supervisor Young explained that the applicant, Mr. Matt Kriser, is requesting the Council to follow up on a specific item the applicant requested to adopt as part of the new text for a Planned Residential Development (PRD). He said the

applicant would like the Council to include lot reductions up to 50%, instead of the prior approved 40%, for Planned Residential Developments (PRD's).

Supervisor Young explained that at the May 1, 2007 Council meeting, The City Council made the motion to approve the proposed Planned Residential Development Ordinance, or PRD's to allow for high quality private communities to be developed in Pleasant Grove City. At the meeting referenced above, the applicant requested to change the proposed reduced lot size allowance from 40% to 50%. The Council's motion to approve the PRD Ordinance included a lot size reduction in the amount of 40%, as shown in the Staff report, but the applicant believes that the requested changes mentioned was forgotten in the motion, and would like these items revisited, and a final motion given. He said that the discussion was not part of the written minutes of the meeting, but was on the recorded portion of the meeting.

City Staff reviewed the recording of the previous meeting, and found that the applicant did make mention of desiring the 50% instead of the approved 40%, but there does not appear that there was ever any discussion about this issue amongst the Council. He said the following is what was said by Mr. Matt Kriser:

“Working with Staff, we felt like we have resolved the main concerns. There is one item in the ordinance that mathematically doesn't work out for us; it is to have 40% smaller lots and 60% larger lots of the underlying zone, plus having 12% Open Space. We can make it work, but we feel that it is not in the best interest of the City. To get 60% larger lots, we have to make the 40% almost 12,000 square foot lots. Right now, we have a good mix of 17,000 square foot, 15,000 square foot, 13,000 square foot and some 12,000 square foot lots. 50% works good. Having 50% of the lots in that zone 50% larger is good.”

Supervisor Young noted that Staff does not have a concern with the applicant's request to be allowed a 50% reduction in lot size, as opposed to the 40% already approved by the Council. The applicant indicates that the development he is intending to bring forward will not work without this change.

He next showed an illustration of a pie chart on the screen. He said this was to explain the proposed 50% by using a pie chart. In a block of 20 acres, for instance, he said that 12% of that block would be open space. The right-of-way would be (on average) about 15%. The lots would be about 50% (for reduced lot size). He said the Ordinance requires two units per acre. He said it is nearly impossible to get to that maximum density—and the reality would be closer to 1.75 units per acre.

Supervisor Young then recommended that the applicant come forward and explain further. Mr. Carl Hansen, Mr. Kriser's project manager, then came forward. He first said he appreciated the Council and Mayor giving him the time to explain Mr. Kriser's position.

Mr. Hansen said that a PRD is an overlay, and does not change the zone. He said that as they planned and designed this PRD, they found that when they pulled out acreage for open space, etc, it was impossible to design the subdivision, and they could not make it work. He said the extra space in the lots was in the open space.

Next, Mr. Kriser passed out what Mr. Hansen characterized as some examples of a subdivision if it was designed with the 40%; and on the second page, at 50%. He said that when they pulled out the acreage for the open space, they couldn't make it work. The first page shows, with 10 acres how the 40% would work. He said it would be unattractive once the 56 ft right-of-way and setbacks, etc, had gone through the 10 acre parcel with 36 lots. All of the lots in this first scenario would be 9000 sq. ft. lots. On the second page, he said that 1.6 acres out of 10 acres would be open space. That leaves them with 31 lots. In explaining the math of the proposal, Mr. Hansen noted that the lots in the 50% scenario can be as small as 8000 sq. ft. 50% would be 25 lots with 8000 sq. ft. and 12 lots with 9000 sq. ft or more. 19 lots that are 8000 sq. ft. with 80 ft. frontage would add up to 31 lots. He said this would be pretty close to 40%. Depending on the piece of property, it's not something we can put in a box and put a number to. He said that the advantage to the conditional use clause, if allows the Council to control what they get. He noted that they have the right to say they don't like what has been brought before them. He stated that with the parcel they are currently working with, they have to have 50% to make the project fly. On the last page of their handouts, he said there is a drawing of a home with 80' frontage down sized lots. In their current PRD development called Savoy Gardens, he said they need 50%, which he feels are still big lots. Also, he said this will allow them to keep open space together, with a 10 acre parcel. He added that if they are allowed only 40%, they would have to fragment the open space. With the 50% scenario, he said the City would end up with more open space and a nice community feel.

Council Member Boyd then asked how small the smallest lot would be. Mr. Hansen said they would vary. She asked if there would be lot averaging with the biggest lots as it sounds like the lots could go as high as $\frac{3}{4}$ of an acre. However, she said she was specifically thinking of $\frac{1}{2}$ acre lots.

Mr. Kriser indicated that his company can meet the letter of the law, but it wouldn't create a pretty subdivision. He also said they couldn't get the 40% scenario to work with the current property they are attempting to develop into this particular PRD. Mr. Hansen speculated that in higher density zones, 40% may work. It puts the burden on Kriser homes, he noted. Mr. Kriser said that mathematically, 50% works with every subdivision. Mr. Hansen added that what controls this whole idea is the open space

Council Member Call asked about frontage amounts. Supervisor Young said that there are various sizes of lots. He also said that there is different potential with varying sizes of lots.

Mr. Kriser said that he needs flexibility in being able to design the lots and take the most he can and put that toward the open space. He then went on to say that he felt it was just common sense to know that putting added open space throughout the City can be better accomplished with the 50% in this particular development.

Council Member Call then said that as he looked at the pie chart, he could see there were 18 reduced lots—and it could have been 20. Supervisor Young said that this was just one example of how this could work. Council Member Call then asked how many reduced lots would be involved with their PRD? Mr. Hansen said that 34 of the 68 would be reduced lots.

Council Member Jensen then asked how many acres were involved in the PRD. Mr. Kriser said there were 38.

Council Member Call said that in the second example that Mr. Kriser handed out, they would mathematically be actually closer to 40% than 50%. He said that the 40% figure would be 30 lots. Mr. Hansen explained that density is determined on the gross acreage. It is impossible to get that many lots on a piece of ground, and get open space.

Mayor Daniels then said that he would like to correct a misnomer in that the PRD Ordinance request came from the Kriser organization. The Mayor said he would hate to have the Kriser organization come back and say that by having the 40%, you were penalized since this was an ordinance that you recommended.

Mr. Kriser said that when they met with Planner Allen, he was told by Mr. Hansen that the 40% would not work in this particular PRD. He said he asked that it be changed to 50%. He said Planner Allen told them that they would, "have to fight for something." He said he and Mr. Hansen explained that it would make it hard to develop. We want to do a better job—with 40%, not as good looking as 50%. Mayor Daniels explained that he and the Council were against the concept of PRD's in the beginning, but it was approved because of the concerns that had been expressed seemed to be taken care of. The Mayor also explained that the Council did not approve the PRD concept to penalize anyone, but to show that they favored their project.

Supervisor Young next said that he would like to clarify what Planner Allen had meant by his statement. He said that in going back to a conversation he had with Planner Allen, they were not convinced the 40 to 50% was the right way to go. He said with the information they had at the time, it was not a good feel. He said that with this handout Mr. Kriser and Mr. Hansen had just handed him, he could say that in his personal opinion, the first page would not be a good design, but the second page would be much better. He noted that he can see that developers would have to have incentive to do that with no more density and more open space. Overall, you have pockets of open space. However, he said that whatever the percentage is, it will still be governed under the maximum density.

The Mayor and Supervisor Young then discussed the possibility of taking the percentage out completely. Attorney Petersen reminded them that the current meeting had been noticed to consider changing the 40% to 50%. She said that no percentage as an option had not been part of the noticing, so would have to be noticed for a meeting at a later date. She then said it would have to go back to the Planning Commission.

Council Member McDade then commented that if Mr. Kriser brought the issue up of 50%, then it was discussed, with recommendations, so as far as he was concerned. Attorney Petersen said that she felt that since there was no discussion back to Mr. Kriser, as the tape revealed, then there was no firm evidence that the Council, as a whole, considered his request and rejected it. Council Member McDade said that when Mr. Kriser made his presentation, it was the discussion that should take place.

Attorney Petersen reminded the Council that they had asked that she go back and listen to the recording of the meeting, then determine if the 50% was proposed and discussed. She said she determined that it was presented by Mr. Kriser, but was not discussed.

Mayor Daniels then asked what kind of noticing time frame they were looking at. Attorney Petersen said that it would take at least until the end of July before the Council would be able to see it.

Mayor Daniels asked if Mr. Kriser was in a time crunch of some kind. Mr. Kriser said he was under the gun in that he had asked the landowners for an extension until after July 3, 2007 and his possible preliminary approval.

Mayor Daniels then instructed Staff to go back and carefully research as to whether any set percentage made a difference in this matter.

Council Member Atwood said he felt that the Council had already approved the PRD Ordinance, and he objected to Mr. Kriser coming right back so the Council could amend this brand new ordinance. Mayor Daniels said the Council can deny Mr. Kriser's request.

Council Member Atwood said that the Council had just spent an hour with their request. He said that the Council needs to have, "targets," that they can clearly see are met by the developers. Otherwise, he said they will spend hours listening to developers plead their case. He said they should be required to hit the target, and move on. He added that he has watched the sad history of these kind of developments in the City, and was reluctant to approve the new PRD Ordinance. He also said that he doesn't want the Council to be bothered every time it doesn't "pencil," for a developer. He also said that Supervisor Young was "making it pencil" for the developers.

Council Member Boyd said that mathematically, Mr. Kriser's proposal would keep the City within the limits they have to stay in—with 6 less lots. He said it is the same acreage, with lots more open space. She said she feels this kind of development will avoid possible urban sprawl.

Supervisor Young explained that it was important to keep in mind that the City already has maximum density in place, which regulates how many lots are allowed to go in. He said they have to use up your acreage. 50% is only achieved in the RR Zone, and no other zone, he said. He added that it will regulate itself.

Council Member Call agreed. He noted that the maximum lot size could only go up to 50%. He then asked Supervisor Young what he called a pure math question. He asked that if the developers can go up to 50%, if they can reduce the number of lots, not the acreage. Supervisor Young said that it is figured at 50% of the gross acreage. Council Member Call said, then, that the gross acreage number of reduced lots can go up to 50% of the project's gross density. Supervisor Young said that the lot would have to be cut in half, with the right-of-way and open space figured in as a required minimum lot size for that zone. He said that would be the maximum ability for that scenario.

Council Member Boyd said she would like to run through another scenario. In the rural area that she lives in at the north end of the City, she said her neighbors are beginning to sell of some of their acreage. This is a piece-meal way of developing. However, she said she views Mr. Kriser's proposed development an asset to the community. She said that it is much better than continuing to just approve one-offs with flag lots.

Council Member Call said he would also like to see more information from Supervisor Young regarding percentages on various sizes of property. He said he didn't want to act on the proposal until he had more information.

Council Member McDade then said he felt he had made a bad decision when pulling back on insisting on the "targets" that Council Member Atwood had spoken of by keeping the percentages in the text of the ordinance. He stated that he would not do that again.

Mayor Daniels then asked the Council to consider if the text of Ordinance No. 2007-23 is to be revised, or should they let it stand. He then asked for a motion.

ACTION: Council Member McDade moved to deny a request of Kriser Homes to reconsider and clarify the PRD text amendment; RE: allowing up to 50% reduced lot sizes, instead of the 40% which was in the written text of Ordinance No. 2007-23 approved on May 1, 2007. Council Member Atwood seconded and the motion passed with voice votes from Council Members Atwood, McDade, Jensen and Call voting, "Aye," and Council Member Boyd voting, "Nay."

Mayor Daniels indicated that the text amendment had been denied by the Council. He then directed staff to go back and review the information that had been given, along with a statement about math being irrelevant at the work session and what it means. Council Member Atwood added that he wants to see what the percentages would mean as well as the ramifications with road size, frontage, etc. He said the Council needs to understand the whole picture of this proposal. He also said that they have a bad taste, and he is open to this particular development being a good experience.

Council Member Jensen said he was not opposed to the applicant's request, he said he just needed more information to support the proposal. He also said he is open to further clarification to make sure of his decision.

After further discussion, it was determined that the Council would hold a Special Work Session on the following Tuesday, June 12, 2007. Council Member Atwood asked if it could be held at 6 p.m. 6 p.m was agreed to by the Council.

Supervisor Young said he would like to clarify something of his own. He said it might appear that he and his staff are championing applicant's causes. However, he said he feels he and his staff are as objective as possible. He observed that he and his staff do champion their own analysis and what they have reviewed in helping to go forward with the applicant's project. Mayor Daniels said he felt that Supervisor Young had shown that point very clearly in his presentation.

E. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING ALENE HONE'S REQUEST TO REZONE A 1.8 ACRE TRACT OF LAND FROM R1-8 (SINGLE FAMILY RESIDENTIAL, 8,000 SQ. FT. LOT AREA) ZONE TO RM-7 (MULTIPLE MEDIUM RESIDENTIAL) ZONE, LOCATED AT APPROX. 350 EAST 600 SOUTH. STRING TOWN NEIGHBORHOOD

This item was taken off the agenda at the applicant's request.

F. TO CONSIDER ADOPTION OF A RESOLUTION AMENDING FEES CHARGED BY THE COMMUNITY DEVELOPMENT DEPARTMENT REGARDING FAST TRACK DEVELOPMENT REVIEW FOR PERMITTED USES IN THE GROVE ZONE; AND ESTABLISHING AN EFFECTIVE DATE

Supervisor Young said this item has been discussed at length in previous meetings. He said that the fast track fees will be at 150% of the normal, current fees. Council Member Call asked if these fees were fairly comparable to other cities that have gone to the fast track. Supervisor Young said that he and his staff are going into uncharted territory, and they feel they will have to review the fees, with time. He also said this fast track program is a top priority for his staff. Council Member Call then asked if the vendors will be charging rush fees to the City. Supervisor Young said yes, they will. He said the specific fees are contained in the body of the Resolution.

ACTION: Council Member Jensen moved to approve the adoption of Resolution No. 2007-026, amending fees charged by the Community Development Department regarding fast track development review for permitted uses in The Grove Zone; and establishing an effective date. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

G. TO CONSIDER APPROVAL OF PARTIAL PAYMENT NO. 4 AND CHANGE ORDER NO. 2 TO CHAD BRODERICK CONSTRUCTION FOR THE MAHOGANY PARK PROJECT.

Director Giles indicated that Partial Payment No. 4 to Chad Broderick Construction for the Mahogany Park Project was in the amount of \$45,684.79, with a retainage of \$2,404.46. He said this amount includes the \$5,447.37 for the change order No 2.

ACTION: Council Member Atwood moved to approve the partial payment No. 4 in the amount of \$45,684.79 (with a retainage of \$2,404.46) and Change Order No. 2 in the amount of \$5,447.37. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

H. TO CONSIDER APPROVAL FOR THE PLACEMENT OF LOG CABIN AND ICE HOUSE AT PIONEER PARK.

Director Giles explained that with the help of some Eagle Scout projects, the City will be going ahead with the construction and footings for the log cabin and ice house at Pioneer Park. Attorney Petersen asked the exact location in the park. Director Giles said both structures will be placed directly east of the log cabin that is in the park now. He also said the detail of placement of the structures and a diagram was contained in the packets that had been given to the Mayor, Council and Staff.

ACTION: Council Member Atwood moved to approve the placement of the Log Cabin and Ice House at Pioneer Park, with the structures being placed directly east of the existing log cabin that is in currently already in the park; meeting all the criteria of the current policy of adding structures to Pioneer Park. Council Member McDade seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

I. TO CONSIDER A RESOLUTION RATIFYING AND AUTHORIZING AN INCREASE IN GARBAGE COLLECTION RATES.

Director Clay explained that in a recent letter from the City's garbage collection agency, BFI, who provide solid waste collection and disposal for Pleasant Grove's residents, there is a rate increase that will go into effect due to the consumer index and cost of fuel. He said that this rate increase that came to the City will now be passed onto the residents.

He said the rate schedule for garbage collection fees will be increased by \$.31 for the first container and \$.85 for the second container. This will mean the rate for garbage collection will be raised from \$9.89 to \$10.20 per month for one container and from \$6.75 to \$7.60 for a second container. This rate change is scheduled to be effective beginning July 1, 2007. He explained that built into this fee is also a tipping fee that the City pays.

ACTION: Council Member Atwood moved to approve Resolution No. 2007-027, ratifying and authorizing an increase in garbage collection rates to \$10.20 per month for the first container and \$7.60 for a second container. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

J. PUBLIC HEARING TO CONSIDER A RESOLUTION ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2007/2008, INCLUDING THE ALLOCATION OF REVENUE FROM WATER, SEWER AND OTHER ENTERPRISE FUNDS TO THE GENERAL FUND. THE PLEASANT GROVE REDEVELOPMENT AGENCY BUDGET IS INCLUDE IN THE FINAL BUDGET (JULY 1, 2007 TO JUNE 30, 2008)

Director Clay indicated that the numbers in the tentative budget that were discussed in the previous Council meeting had not changed. He reported that meetings had been held, starting in February of 2007, regarding this budget. The budget has been posted on the City website, as well as copies in the library and at city hall. He said he has received no comments on this budget.

The largest expenditures, he said, have been with the Public Safety Departments. These include police, fire and ambulance. The police will be doing something different in leasing 15 of their vehicles this year. There will be a full time position added to the fire department.

He said Leisure Services was next, with the new Community Center going in. He said the Center is scheduled to start in July, and should be completed next March, 2008. The recreation department will be adding one full time employee.

Community Development will be adding a full-time engineer and full-time building official.

He said that full time and permanent part time employees will be receiving a 3.5% raise, along with a 2.5% merit raise.

A large part of the budget, he said, is the RDA bonds involving the Hammons' project in the Grove. A sewer line is slated for 1000 South, as well as the major project of completing 2000 West.

Mayor Daniels then opened the discussion to a public hearing. No one came forward. He closed the public hearing and brought the discussion to the Council table. There were no comments. He then asked for a motion.

ACTION: Council Member Call moved to approve Resolution No. 2007-028, Public Hearing to consider a Resolution adopting the Final Budget for Fiscal Year 2007/2008, including the allocation of revenue from the water, sewer and other enterprise funds to the general fund. The Pleasant Grove Redevelopment Agency Budget is included in the Final Budget (July 1, 2007 to June 30, 2008). Council Member Boyd seconded and the motion passed unanimously with voice votes from Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

8. STAFF BUSINESS

- Treasurer Bezzant reported that she had held successful meetings with the City employees regarding their insurance, cafeteria funds, etc.
- Director Bradford invited everyone to attend the upcoming PGBA meeting in the downstairs of the library. He said the speaker specializes in how people's ideas can translate to become money making businesses.
- Attorney Petersen reported that she had followed up on the Council's request to investigate the possibility of putting the question of mandatory recycling on the ballot. She stated that she had contacted David Church at the League and he explained that there were two ways: The City could enact a mandatory recycling ordinance and then put it on the ballot as an initiative or the City could put language on the ballot as an opinion question, something like, "would you support mandatory recycling if it cost x number of dollars per month?" Mr. Church said that the opinion question is not really permitted by the statute, but it is done all the time and is the easiest way. She added that if the City goes the initiative route, they may get stuck having an ordinance on the books that they just have to repeal. Petersen stated that she and Amanda had checked with the county and they would need the language by July 9th.

Mayor Daniels said he would recommend that there be one fee for all residents. He added that this fee would be revisited annually by the Council.

She next reported that there was no longer a global boundary on the table with Cedar Hills, but instead, a service agreement.

Administrator Mills noted that Cedar Hills Manager Konrad Hildebrandt and his engineer have said that they have to go back and see what they felt residents and non-residents would pay for sewer service. He said that they want to go ahead and move forward with the rates. Attorney Petersen asked that if the Council or staff had any comments, they were welcome to forward those to her, and she will forward the comments to Cedar Hills' officials.

- Administrator Mills said there had been one bidder come forward on the 2000 West project. He said Sunroc came in a little bit about the engineer's estimate. He said that he is preparing the project numbers for the Council to see at a later meeting. He went on to

say that the project should be moved on in about 30 days, with 60 day to get started. In the 30 to 45 days, two lanes should be completed. In 185 days, there should be a total of five lanes completed in The Grove area, as well as the top part of the road. Mayor Daniels said that this news is good in that the project is making progress.

9. MAYOR AND COUNCIL BUSINESS

- Council Member Call reminded the Staff and Council to be training to run with him for the Strawberry Days 5 k fun run on Saturday morning, June 23, just prior to the parade!
- Council Member Jensen said he had historical documents regarding Pleasant Grove's involvement with Utah Lake. He said these were given to him at his last meeting with the Utah Lake Commission.

He next said that work was coming along well with the irrigation system at the Fox Hollow Golf Course. He said that prior to crews tearing up portions of the course; the revenues had been very high, due to the beautiful, early summer weather.

- Mayor Daniels reminded the Council that a contingent from China would be briefly visiting the City the following day. He said several residents had been invited. He said it would be held at 4 p.m in the Council chambers. He added that the meeting was very casual, and for fact-finding, only.

Regarding the trip to Arkansas and the Hammons' headquarters on June 13 and 14, the Mayor said 13 people would be going. The Mayor said that the reason for the trip was to really embrace the Hammons' organization in making them feel welcome to Pleasant Grove and inviting them to begin their development in the community as soon as possible.

9. SIGNING OF PLATS

The plat for Timp Cyclery was signed by the Mayor and Council.

10. REVIEW CALENDAR

The Mayor reminded that Strawberry Days and the many activities that go along with it will be starting on Sunday, June 17, 2007 with the Concert in the Park. He asked that everyone be sure to attend as many of the events as they can.

12. APPROVE 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, McDade, Jensen, Boyd, and Call voting "Aye."

13. ADJOURN: At 9:24 p.m. Council Member Boyd moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, McDade, Jensen, Boyd and Call voting, "Aye."

This certifies that the City Council
Minutes of June 5, 2007 are a
true, full and correct copy as approved
by the City Council on July 3, 2007

Signed _____
Mary Burgin, Deputy Recorder