

**Pleasant Grove City
City Council Work Session Meeting Minutes
January 10, 2017
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Ben Stanley
Lynn Walker

Staff Present: Scott Darrington, City Administrator
David Larson, Assistant to the City Administrator
Denise Roy, Finance Director
Deon Giles, Parks and Recreation Director
Mike Smith, Police Chief
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Dave Thomas, Fire Chief
Marty Beaumont, Public Works Director
Ken Young, Community Development Director
Sheri Britsch, Library and Arts Director

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

1) **Call to Order.**

Mayor Daniels called the meeting to order and noted that all Council Members were present.

2) **Pledge of Allegiance.**

The Pledge of Allegiance was led by Finance Director, Denise Roy.

3) **Opening Remarks.**

The opening remarks were given by Council Member LeMone.

4) **Approval of Meeting's Agenda.**

ACTION: Council Member Stanley moved to approve the agenda. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

5) **Discussion on secondary water storage tank.**

Public Works Director, Marty Beaumont, stated the secondary water storage tank is different from other water tanks in the City because it is surrounded by residential on all four sides. Staff assessed the grading of the property and other related matters. When the first project layout was created, staff was shocked to discover that there was approximately 38 feet of fall across the property, which is significant. This drop makes determining how to properly situate the tank very challenging.

Initially, staff deliberated on whether to situate the tank closer to the top end of the property and install retaining structures on the bottom end. Director Beaumont presented images showing grading on the site. They discovered that if they built the tank at the top of the property, a 10-foot retaining wall and a 20-foot concrete wall would have been visible to the surrounding residential communities. They instead looked at dropping the tank by 10 feet. This also creates elevation issues with regard to neighboring residential properties. The properties to the east and north are currently going to be significantly higher than the tank, which could cause maintenance issues with youngsters playing near the tank. Therefore, the need to cover the tank was discussed. A couple of options that were explored included a concrete cover or another non-structural cover that would not be able to sustain traffic of any kind. Staff recommended setting the tank down to create less visibility on the front end of the subject property, as well as some sort of safety cover. Materials for the cover included either aluminum or durable polyethylene with structural beams across the tank.

Director Beaumont presented images of the pump station, which is approximately 20 feet by 30 feet in size. From the residential view, the concrete wall would be about 13 feet high. Staff recommended putting colored stucco on the wall, with a landscape buffer of smaller shrubs. Overall, the site could be surrounded by a vinyl fence. When the item was discussed with the Planning Commission, they also considered the possibility of installing a wrought iron fence around the perimeter of the subject property.

With regard to interior landscaping, Director Beaumont and Director Giles decided on sod or grass. This would be maintained by standard lawn equipment and could be taken care of on a weekly basis. Additionally, sod or grass would also be visually appealing for the residents.

The original plat had an access road coming down off of 1300 East. However, because of the elevation needed, the access road was eliminated. Staff did not believe there will be a lot of material in the tank at this location. Sources to the tank are distant, so any sediment in the water will largely fall out elsewhere. In order to accommodate the minimal amount of sediment that will accumulate at this location, they decided to put a more significant slope on the floor of the tank. Rather than laying the tank at half percent on the concrete, they will be laying it at 3%, which will allow staff to access the tank in order to flush out all of the sediment and address other maintenance needs. Staff felt that having the ability to access the area with a track hoe would be acceptable. The only requirement would be an easement through an adjacent property. Director Beaumont

stated that the tank will be accessed from the end of the cul-de-sac, rather than via 1300 East as previously discussed.

Director Beaumont mentioned that utilities would run through the area, and as such there would be easements in place. There would also be a lot that could be sold if the City determined that they would like to divest themselves of the property in question. In response to a question from Council Member LeMone, Director Beaumont stated that a concrete covering would cost approximately \$400,000. He opined that they can get a durable cover that is not concrete for closer to \$100,000. An alternative covering material would still look nice and be significantly cheaper. Council Member LeMone asked if the area around the tank is all sloped. Director Beaumont confirmed that it was. Council Member LeMone asked if it would be possible to do xeriscaping to help crews by eliminating mowing and the use of sprinkler systems. Director Beaumont stated that staff discussed this option; however, the problem is that after a while, the xeriscaping will become a weed patch. If they want it to look nice for a longer duration, sod would look better than weeds in between rocks. Rocks also tend to get in the water and cause additional sediment buildup.

Parks and Recreation Director, Deon Giles, stated that either way staff will spend time spraying weeds or mowing grass. He explained that it is better for staff to mow grass on stable ground than try to spray weeds on unstable rocks. That said, he noted that grass was his preference. Furthermore, he agreed that grass will also look better for adjacent neighborhoods.

In response to a question from Council Member Stanley, Director Beaumont stated that there would be a ladder down into the tank. They will install hydrants so that they can take a hose down into the area. Removing sediment will require spraying and subsequently vacuuming them out with a vac truck rather than sending them into the storm drain system. Tank covers are easily removed to gain sufficient access for the equipment.

Mayor Daniels asked if the small existing building will be the pump house. Director Beaumont explained that there are three zones that will benefit from the tank. These included the aqueduct zone, the upper main zone, and the filter zone. He described where each zone is located in proximity to the tank. He noted that all piping is available on the subject property and they will be able to pump directly into any of the zones to meet any and all necessary demands. Water from the aqueducts flows directly into the tank. Mayor Daniels asked if the tank will be able to handle the upper areas. Director Beaumont confirmed that it would.

Director Beaumont stated that the property owners to the north attended the Planning Commission meeting where the matter was discussed. Staff, however, had not had a conversation with them since the most recent design proposal. Director Beaumont wanted to complete the grading plan prior to meeting with them again. The neighbor has a large retaining wall on the back of their property that does not follow the property line. This will cause issues that will need to be addressed. The neighbors expressed concerns with regard to grading. Staff, however, was confident that they can resolve their concerns by grading up to where the retaining wall is built, which will be a benefit. Staff was more concerned with the look of the tank and its covering and believe they have addressed all concerns voiced to this point. As staff gets further into the design process they will finalize details such as the color of the fencing and tank covering.

Council Member Andersen mentioned having spoken with the neighbors to the north three years ago when the property was purchased. She opined that staff had addressed all of their concerns. Her preference was to see a grass landscape.

Director Beaumont shifted the conversation to meandering sidewalks and stated that some developers have asked about this issue. City Attorney, Tina Petersen, stated that the discussion will go through the normal process. The Council cannot make a decision until the matter is formally noticed with both the Planning Commission and City Council. Director Beaumont explained that a few years earlier there was discussion about allowing meandering sidewalks on all developed streets north of 2600 North. He presented images of examples and asked for the Council's feedback. He stated that meandering sidewalks are sometimes a nuisance, depending on how often they meander and how they are used. The risk imposed by allowing meandering sidewalks everywhere is the potential for increased weed patches where there isn't any landscaping.

Staff recommended the Council consider prohibiting meandering sidewalks along collector streets where there is a side or back yard, thus straightening fences and eliminating poorly maintained landscapes. Director Beaumont mentioned a developer who was proposing meandering sidewalks throughout his development. He felt that while they would possibly work for the interior of the development in question, they would be problematic if allowed along 900 West. The City could possibly require additional landscaping between the sidewalk and fencing but this would mean higher property taxes for the property owner.

Administrator Darrington reported that a developer, Reid Dickson is here to talk with the Council. Mr. Dickson was told that there would be an open session tonight where he could address the Council regarding his development, which we are not because it is a work session. Mr. Dickson is meeting with the Planning Commission next Thursday on his project and he wanted to revisit his project with the Council before going to Planning Commission.

Administrator Darrington then gave a brief history of Mr. Dickson's development. He explained that Mr. Dickson's property is just off of Pleasant Grove Blvd. and he would like to request that a road be removed off of the Master Transportation Plan and to rezone property. The road that is on the Master Transportation Plan as shown will cut Mr. Dickson's property in half and he would like to have the road removed so he can maximize his property. The rezone that he is requesting is to rezone the property from Commercial Sales to Mixed Housing.

Mr. Dickson came and presented a couple months ago to the Council and at the time they gave him feedback that for the most part he was okay to proceed, however, the Council could not give a commitment to Mr. Dickson because a rezone requires a public hearing and an ordinance amendment. Removing a master plan road requires a public hearing and an ordinance amendment. In essence the Council said that Mr. Dickson could proceed.

About a month later staff wanted to get some clarification from Council regarding the project and the discussion was centered upon on whether or not the City was going to get retail as part of the project or not. If retail is not part of the project then the inclination was that maybe the Council didn't want to have the master plan road go away and feel differently about the rezone to mixed

housing. Administrator Darrington said that at that point his responsibility was to talk to Mr. Dickson and tell him where the City Council was at, that meeting never happened, so Mr. Dickson has not heard back from him about the change of feelings from the City Council.

Continuing on Administrator Darrington said that Mr. Dickson is on the schedule for Planning Commission on the 12th however he came tonight to present to the City Council because he didn't want to get too far down the road before he gets in front of the Planning Commission. What Mr. Dickson wanted to tell the Planning Commission is that he has been to the City Council and here is their temperature on the issue that is why he is here tonight. He then reiterated that it was his fault that he did not get back with Mr. Dickson about the further information from the City Council. It was his job to sit down with Mr. Dickson and staff to see if there was a potential of other solutions for a way to do this.

Council Member LeMone stated that legally the Council cannot tell him really anything tonight. Administrator Darrington agreed, and Mr. Dickson understands that. Mayor Daniels said that the process that Mr. Dickson needs to follow is to go to Planning Commission, what he is asking for tonight is a reaction from the Council. Administrator Darrington commented that if the Council has a feeling that they don't want to do this then that is what Mr. Dickson is looking for.

In response to Council Members LeMone's question, Director Young said that staff was seeking clarification as to what the Council's position was based on the information that was received from the developer. Administrator Darrington interjected that the feedback from the Council from the meeting in December was that this project doesn't excite us as much because of the retail is not part of it. That was the feedback that he was supposed to give to Mr. Dickson which he never received. Mr. Dickson just received that information 10 minutes ago in the hall but he needs the opportunity to represent his project. Administrator Darrington then turned the time over to Attorney Petersen to explain how far this can go because Mr. Dickson was not on the agenda.

Attorney Petersen explained that what Mr. Dickson wants is to open the meeting to the public for comment so that he can present his plan, it is up to the Council if they want to do that. She said that what she is uncomfortable with is the idea that Mr. Dickson is somehow going to take the temperature of the Council on something that wasn't advertised and then represent to the Planning Commission that he has been to the City Council and they like it. She is not comfortable with that process because the two items on the Planning Commission agenda are two public hearing items, it is not appropriate for the Council to give him a temperature and then he takes it to the Planning Commission and influence their decision.

Director Young asked if it would be appropriate for the Council to review the minutes as to what occurred at the December meeting and where the Council was at with the clarification questions that staff provided. Attorney Petersen said that it would be fine to reiterate what the minutes stated.

ACTION: Council Member Stanley moved to open up the meeting for public comment. Council Member Andersen seconded.

Council Member Jensen interjected that the Council has gotten upset before when something was discussed without proper noticing, that is why he is hesitant to open the meeting. Council Member Stanley stated that there won't be any action taken.

Council Member LeMone commented that the Council is still having a discussion without having the proper noticing, as well as knowing that the Planning Commission meeting is coming up in two days, whatever the Council says could influence the Planning Commission's decision. She felt that it wouldn't be transparent if this was discussed, it has been discussed in two other meetings. She said that Mr. Dickson can get a copy of the minutes and take that to the Planning Commission. She also said that this is not the way that a work session should be handled.

Council Member Stanley asked who gave out the information that there would be an open session tonight. Administrator Darrington replied that it was the City Planner.

Mayor Daniels then read the minutes from the December 13, 2016 meeting regarding Mr. Dickson's request. "Director Beaumont stated that last week during the Development Review Committee (DRC) Meeting, Reed Dickson discussed plans for a project he is looking at on Pleasant Grove Boulevard at the intersection of 220 South. Director Beaumont's recommendation to Mr. Dickson was to get the Council's feeling on removing the road from the Transportation Master Plan prior to doing the site plan. As such, staff wanted to have a better understanding on the Council's direction regarding the site in question.

Director Beaumont presented an aerial map and site plan of the subject property. He identified Ray Proctor's home and the Garden Grove Development that is currently in progress. He also identified where 100 South was dedicated on the back of the Cambria subdivision. While there was a portion of 100 South that was dedicated previously to the City, they are missing the middle portion of the road.

Mr. Dickson presented a concept plan for the site during the DRC Meeting. One item they discussed was the importance of a trail system and making a connection through the area. There is a plan to put a trail from Pleasant Grove Boulevard that would connect to 1300 West through the subject property. Director Beaumont identified which land areas are owned by the developer, as well as those owned by the City.

In previous discussions regarding the vacation of 220 South, staff and the Council determined that while there was some value to the road, the transportation impact would be minor. Director Beaumont stated that ideally roads should operate at a service level of A or B. The capacities of 100 North, Pleasant Grove Boulevard and 1300 West are anticipated to get a service level D. Director Beaumont presented the following chart, detailing the impact on roads if the subject road was vacated:

Roadway	Functional Class	LOS D Capacity (vpd)	TMP Build-out Capacity (vpd)	Modified Build-out Volume (vpd)
100 North	Three-lane Arterial	14,000	9,700	N/A
Pleasant Grove Boulevard	Five-lane Arterial	32,900	15,400	17,100
1300 West	Three-lane Collector	12,400	3,400	7,000

Director Beaumont stated that while there would not be a significant impact on the roads, there would be a loss of connectivity through the area. Administrator Darrington summarized Director Beaumont’s remarks. Director Young added that the site plan does not include retail development. He asked the Council to consider whether the value of connectivity or lack thereof, was a good trade for getting an office building and additional multi-family housing.

In response to a question from Council Member Stanley, Director Beaumont explained that level of service was determined by delays and volumes. What they were trying to determine was whether someone driving down any particular road will be backed up at an intersection for a certain period of time. Service levels were not graded on a direct A through E scale. Director Beaumont stated that the City was not close to getting a service level D even by removing the road.

Council Member Stanley commented that there wasn’t much value in getting rid of the road because the City wants more retail and the proposed site plan does not have a retail component. He asked if there was something special about the proposed office building that the City was excited about, which might convince the City to vacate the road in order to accommodate it. Mayor Pro-Tem Andersen asked if the region was even developable for retail with the road. She questioned whether the City was dividing up the subject property to the extent that it was actually rendering the land undesirable for retail development.

Director Young stated that they surmised from the previous discussion that the City might get some retail out of the property. If they bisected the property they would be allowing more acreage to be used together as one development that could have a significant retail component. If, however, the developer was only suggesting office then it was a matter of determining what would be the value of vacating the road.

Administrator Darrington stated that in meeting with the developer, staff communicated that much of the Council’s discussion would be driven by whether they could provide retail. While the developer went with some of the matters discussed with staff, in the end he did not deliver any retail. As staff reviewed the proposal, they were not sure they were maximizing the revenue they could get from the property in question. The Council unanimously agreed with staff’s assessment.”

Mayor Daniels commented that he felt that the discussion was left in a less than favorable opinion on vacating the road and moving forward. He then thanked Director Young for the suggestion to read the minutes of the December 13, 2016 meeting. The Mayor then asked if that discussion had reached Mr. Dickson. Administrator Darrington replied that it had not that is why Mr. Dickson is here tonight.

The Mayor then asked Mr. Dickson if he had gotten the tone of the meeting regarding vacating the road from the minutes that were read. He then said that the Council is not in a position to change that opinion and they can't really have a discussion about it, all they can do is to listen to his presentation, they would have to come back and have another meeting where it was properly noticed for discussion.

Council Member Stanley commented that he would be happy to hear Mr. Dickson if he were willing to present.

ACTION: Council Member Stanley moved to open the meeting for public comment. The motion died for lack of a second.

Mayor Daniels then thanked Mr. Dickson for coming to the meeting.

6) **Review and discussion on the January 17, 2016 City Council Meeting Agenda.**

Staff and the elected officials briefly reviewed and discussed the items listed on the agenda.

7) **Neighborhood, Staff, Council and Mayor Business.**

Administrator Darrington reiterated the discussion he had with Mr. Dickson. His options were to go through the normal process with the Commission, or present directly to the Council. Administrator Darrington recommended that Mr. Dickson go through the process with the Commission, which is what he should have done from the start. Sometimes developers skip that step to get an idea of whether it is worth their time to submit an application. Administrator Darrington offered to refund Mr. Dickson's money if he wanted to back out of the process at this point. Mr. Dickson expressed a desire to continue through the process with the Commission. As such, once the Commission hears Mr. Dickson's proposal they will make a recommendation to the Council.

Mayor Daniels stated that he would be going on a bond rating trip with Administrator Darrington and Director Roy the following Friday morning. Library and Arts Director, Sheri Britsch, reported that the elevator bid reopened and would close on January 24. She also shared public feedback on the level of service provided by Library staff. Administrator Darrington provided updates on a recent luncheon with Representative Brian Green. He indicated that their discussion was primarily focused on roads and UTA. He planned to meet with Senator Hemmert the following week. Mayor Daniels reported that he would be meeting with UTA on Monday, January 16, at 3:00 p.m.

8) **Adjourn.**

ACTION: Council Member Stanley moved to adjourn. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 7:20 p.m.

The minutes of January 10, 2017 City Council Meeting were approved by the Council on February 7, 2017.

Kathy T. Kresser, City Recorder, MMC

(Exhibits are in the City Council Minutes binders in the Recorder's office.)