

**Pleasant Grove City
City Council Regular Meeting Minutes
January 3, 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

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 Council Member Andersen.

3) **OPENING REMARKS**

The opening remarks were given by Council Member Jensen.

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

Mayor Daniels noted that an Executive Session was added. City Attorney, Tina Petersen, explained that the City is not required to advertise the Executive Session. City Administrator, Scott Darrington, mentioned that Items 9B through 9F were moved to the January 17 meeting.

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

5) **OPEN SESSION**

Mayor Daniels opened the open session.

Allison Lawrence, Miss Pleasant Grove, said she is competing in the Miss Utah Pageant this June and her platform is to collect shoes to be donated to Power 2 Become, Shoes for Africa. She requested permission to place donation boxes in the City buildings. Mayor Daniels said they could accommodate the request and asked that she work with Director Giles on the matter.

Blaine Thatcher asked what efforts were being made to reduce the cost of the bond. He noted that the City is moving ahead to borrow the full amount of the bond, which he feels is premature due to comments made in prior meetings. There is a lot of work to be done to reduce the cost and the need to borrow the full amount. He commented that it appears that effort has been abandoned. The City would save \$1 million in interest if they only borrowed \$7 million. He mentioned that \$1.5 million in impact fees is available to begin the architectural process now. Though rates might increase, working with the money they have now, the City would still save on interest.

Mayor Daniels said there is an explanation for the timing of certain funds that would be described by Administrator Darrington later in the meeting. He met with donors over the holidays who can help the City meet those commitments and reduce costs.

Mayor Daniels closed the open session.

6) **CONSENT ITEMS**

- a) **City Council Minutes:
City Council Minutes for the November 29, 2016 meeting.
City Council Minutes for the December 13, 2016 meeting.**
- b) **To consider approval of payment vouchers for (December 21, 2016).**

ACTION: Council Member Jensen moved to approve the consent items. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

7) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

A) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-29) TO RELEASE A CERTAIN PORTION OF EXISTING 40-FOOT AND 20-FOOT DRAINAGE EASEMENTS, FOR THE PALISADES PLAT D LOT 23 SUBDIVISION LOCATED AT 813 EAST 767 SOUTH. RELEASE OF EASEMENTS WILL BE CONDITIONAL UPON APPROVED MODIFICATIONS OF EXISTING INFRASTRUCTURE. *Presenter: Director Beaumont (Continued from the December 6, 2016 Meeting).*

Public Works Director, Marty Beaumont, explained that the applicant is requesting approval of a vacation of a portion of a drainage easement that exists on Lot 23 of the Palisades Plat D subdivision located at 813 East 760 South. With the development of the Palisades Plat D Subdivision, the Gardner Ditch was required to be piped with a 24-inch pipe. An easement was required for the future maintenance, repair, and replacement of the pipeline. This pipeline is a joint pipeline that conveys both storm drain and irrigation water. Due to its location, the pipeline and easement became very restrictive to the buildable area on Lot 23. In order to reduce the restrictions, the developer approached the City and requested that the easement be partially vacated. To accomplish this, the developer relocated an existing concrete box and the pipeline so that infrastructure would be closer to the property line. This work was completed as requested by staff.

The applicant was permitted to modify the storm drain pipe alignment to reduce or remove the easement and allow for a better footprint of a proposed home on Lot 23. The relocation of the pipe was approved and supervised by the City earlier in the year, which will allow the drainage easement to be released. The storm drain pipe will be within a 20-foot public utility easement which allows for future maintenance. Due to the modification of the storm drain pipe alignment, it is also necessary for the applicant to obtain a 20-foot drainage and access easement on the property north of Lot 23 and a 10-foot drainage easement along the entire west boundary of Lot 24 to have access for future inspection, repair, maintenance and replacement.

In answer to a question from Council Member Andersen, Director Beaumont explained that the box in the street is a curb inlet. The two boxes in the back are four square feet in size and have a grate over them. Staff recommended that the City Council approve the drainage easement vacation as described including the condition involving the dedication of a ten (10') foot wide drainage easement along the entire west boundary of Lot 24 for inspection, repair, maintenance and replacement of the storm drain/irrigation pipe.

The applicant, Jared Bishop, stated that he originally approached Director Beaumont about working out the easement. He also spoke to Terry Carson a neighbor, who indicated that he was subdividing and wanted to deal directly with the City.

Mayor Daniels asked if Mr. Carson is developing his property himself. Director Beaumont did not know but indicated that he would be meeting with him the following day. He explained that Mr. Carson was aware of what was being done. Mayor Daniels clarified with Director Beaumont which sections will be vacated and which will remain. He noted that it may be vacated in the future.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Andersen moved to adopt Ordinance (2016-29) to release a certain portion of the existing 40-foot and 20-foot drainage easements for the Palisades Plat D Lot 23 Subdivision Located at 813 East 767 South. The release of easements will be conditioned upon approved modifications of existing infrastructure. Council Member Stanley seconded the motion. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley, and Walker voting "Aye". The motion passed unanimously.

- B) Public Hearing to Consider Approval of a Two-Lot Final Subdivision Plat Called Palisades Plat G, Located at Approximately 731 East 760 South in the R1-9 (Single-Family Residential) Zone. Presenter: Director Young (The item was continued to the January 17, 2017 City Council Meeting).**
- C) Public Hearing to Consider for Adoption an Ordinance (2017-1) Amending City Code Section 10-11E-2-1 Downtown Commercial Sub District, Permitted Uses, to Include Land Use #5512 "Retail-Trade of Used Motor Vehicles-Automobiles Only" on Properties with Frontage on 600 West, North of Center Street. (Applicant Jim Wilson) Presenter: Director Young (The item was continued to the January 17, 2017 City Council Meeting).**
- D) Public Hearing to Consider for Adoption an Ordinance (2017-2) Amending City Code Section 10-15-47, Accessory Apartments, Adding a Provision that Properties with Accessory Apartments Shall be in Compliance with all Other Provisions of the Zoning Ordinance. Presenter: Director Young (The item was continued to the January 17, 2017 City Council Meeting).**
- E) Public Hearing to Consider for Adoption an Ordinance (2017-3) Amending City Code Section 10-15-30, One-Family and Two-Family Dwellings, Adding a Provision that Garages may not be Converted into Livable Space unless a New Attached or Detached Garage is Built Prior to Occupancy of the Converted Garage Space. Presenter: Director Young (The item was continued to the January 17, 2017 City Council Meeting).**
- F) Public Hearing to Consider for Adoption (2017-4) Amending City Code Section 10-19- 12 and 10-19-17, Signs and Outdoor Advertising, in Order to Change the Design and Architectural Standards for Signs in the Downtown Area. Presenter: Director Young (The item was continued to the January 17, 2017 City Council Meeting).**

10) ACTION ITEMS READY FOR A VOTE

- A) TO CONSIDER FOR APPROVAL A FOUR-LOT FINAL SUBDIVISION PLAT CALLED VALLEY GARDEN PLAT A, LOCATED AT APPROXIMATELY 569 NORTH CANYON VIEW LANE IN THE R1-12 (SINGLE-FAMILY RESIDENTIAL) ZONE. Presenter: Director Young.**

Community Development Director, Ken Young, explained that the applicant is requesting approval of a four-lot final subdivision named Valley Garden Plat "A" on property located at 569 North Canyon View Lane in the R1-10 and R1-12 zones. The applicant is proposing to create the final plat by combining parcels from existing platted lots in the Walker Grove Plat "A" and the Aspen Cove Plat "B". This consists of vacating and amending the Walker Grove Plat "A" Lots 4 through 6 and Aspen Cove Plat "B" Lots 2 and 3. The aforementioned lots will be combined and rearranged to create a new four-lot final subdivision called Valley Garden Plat "A". An application for the plat was received on October, 28, 2016.

The proposed subdivision is to be located on approximately 3.015 acres. The final plat consists of four subdivided lots designated for new single-family dwellings. All the proposed lots meet the minimum area requirements and the proposed layout of the subdivision meets the minimum requirements set forth in the Pleasant Grove City Code.

The Planning Commission reviewed this proposal on December 8, 2016 and recommended approval to the City Council for the proposed final plat.

Mayor Daniels asked about a drainage easement on the subject property. Director Beaumont noted that it has all been piped and is underground. The area will remain open space and an existing home on Lot 2 will be removed. Director Beaumont explained that a driveway can cross over the pipes but no structures can be built on top.

ACTION: Council Member Andersen moved to approve a four-lot final subdivision plat called Valley Garden Plat A, located at approximately 569 North Canyon View Lane in the R1-12 (Single-Family Residential) Zone. Council Member Stanley seconded the motion. The motion passed with unanimous consent of the Council.

**B) TO CONSIDER FOR APPROVAL A THREE-LOT FINAL SUBDIVISION PLAT CALLED HULLINGER PLAT D, LOCATED AT APPROXIMATELY 1290 NORTH 860 WEST IN THE R1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE.
*Presenter: Director Young.***

Director Young explained that the above item may need to be continued as the applicant, Bruce Hoggard, was not present. The applicant is requesting approval of an amended three-lot final subdivision named Hullinger Plat "D" on property located at 1290 North 860 West in the R1-18 Zone. An application for the plat was received on October, 13, 2016.

The proposed subdivision is to be located on approximately 4.87 acres. The final plat consists of three subdivided lots designated for new single-family dwellings. All of the proposed lots meet the minimum area requirement of 8,000 square feet. The proposed layout of the subdivision was determined to meet the minimum requirements set forth in the Pleasant Grove City Code.

The applicant was also proposing the adoption of a new Vicinity Plan. They want to close off the road and create a cul-de-sac. According to engineering and planning staff, the proposed new Vicinity Plan meets the requirements pertaining to traffic, the number of access points, and the maximum block distance without an access. However, written consent is required from the

neighbors to the west agreeing to eliminating access to their properties from the road previously established in the existing Vicinity Plan.

The Planning Commission reviewed the proposal on December 8, 2016 and forwarded a unanimous recommendation of approval to the City Council for the proposed final plat with the following conditions:

1. Prior to final plat approval, written consent from the neighbors to the west is to be received by staff, agreeing to the amended the Vicinity Plan.
2. All Final Planning, Engineering, and Fire Department requirements are met.

Director Young noted that they have not yet received the written consent. Attorney Petersen explained that the Council can approve the item conditionally; however, she recommended they continue it for two weeks.

ACTION: Council Member Stanley moved to continue Item 10B to consider for approval a three-lot final subdivision plat called Hullinger Plat D, located at approximately 1290 North 860 West in the R1-8 (Single-Family Residential) Zone to January 17, 2017. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER FOR ADOPTION A RESOLUTION (2017-01) INDICATING THE CITY'S SUPPORT OF THE MURDOCK CONNECTOR ALIGNMENT. *Presenter: Administrator Darrington.*

Administrator Darrington explained that American Fork Council Member, Rob Shelton, emailed the Council regarding the Murdock Connector. It is a road that is master planned to go from the Alpine Highway in American Fork to Harvey Boulevard in Cedar Hills, which turns into 4000 North in Pleasant Grove. Currently, none of the road is in Pleasant Grove City; however, it will impact the east/west traffic. It was supposed to be constructed by now, but there were delays due to issues with the State. To revitalize the project, they are seeking a resolution of support from the affected cities and neighboring communities such as Pleasant Grove. This resolution only states that they are in support of the project.

Administrator Darrington pointed out that the road runs north of the Developmental Center and along the north part of Fox Hollow. He noted that it affects Pleasant Grove because it connects to Canyon Road (100 East) from 4000 North (Harvey Boulevard). In response to a question from Council Member Andersen, Director Beaumont estimated that the road would be a City-owned.

Council Member Stanley asked about funding. Mayor Daniels explained that MAG was partially involved and the land was previously purchased by Highland. Administrator Darrington was unsure of the City limits. Council Member Stanley asked if the land that came from the golf course has financial implications for the City. Council Member Andersen clarified that the land is not from the golf course and is owned by Highland City.

ACTION: Council Member Jensen moved to adopt a Resolution (2017-01) indicating the City's support of the Murdock Connector Alignment. Council Member LeMone seconded the motion.

A voice vote was taken with Council Members Walker, Stanley, LeMone, Jensen, and Andersen voting "Aye". The motion passed with the unanimous consent of the Council.

11) ITEMS FOR DISCUSSION

A) UPDATES ON ARCHITECTURAL SERVICES FROM OWNER'S COMMITTEE BY GUY FUGAL.

Mr. Fugal expressed his excitement for the project and presented a timeline. Next Wednesday there will be a pre-proposal conference on site for the architects. The proposals will be due January 25th, with the Owner's Committee narrowing down options the following week. On February 7th, there will be candidates for the Council to interview. Shortly thereafter, they will be searching for a Construction Manager to work with the Architect. The City will entertain bids for demolition of the Recreation Center in early March. Mr. Fugal commented that they feel the need to shorten the timeframe on the building process before construction costs escalate. He mentioned the prison in Draper, noting that the costs for that project increased as of this week.

Mr. Fugal noted that David Holdaway the other Owners Rep is here to explain the process that they have been through. Mr. Holdaway reviewed the recent plan by Think Architecture. He explained that they made assumptions that their plan met the needs of the Fire and Police Departments, but dimensions had not been specified. He explained that if the building is placed along the sidewalk it will fit around the existing Fire Station. Therefore, both buildings could be built simultaneously and the existing buildings could continue to function. The advantage of moving the building north would reduce the construction timeline by one year. Once completed, the Community Development and Fire Department offices can be relocated and old buildings can be demolished to become a central parking lot. Mr. Holdaway stated that there will also be sufficient space to build a plaza next to the parking lot.

Administrator Darrington could not recall the exact cost of mobilization, but estimated the amount would be tens of thousands of dollars. Mr. Holdaway mentioned that the parking will be awkward during construction, but both buildings could be utilized until construction is completed. He explained that some utilities on 100 South will have to be relocated, but the cost of so doing would be far less than the savings from a shorter construction time.

Mr. Holdaway explained that while it is possible to save the Old Recreation Center, it would be tight for fire trucks. Mayor Daniels said they do not want to do something short-sighted, but would like to do whatever possible to preserve a building to which people have grown attached. Mr. Fugal said they could look at that option once they have hired an architect. Mr. Holdaway stated that they would not lose any parking space and may actually gain some. One proposal is to open exterior restrooms on one of the City buildings, which would open the current restrooms to become park space. Administrator Darrington mentioned that any space that is not park space will be used for parking.

Council Member Stanley liked the idea of reducing the need for temporary offices and cutting the timeline by one year. He recalled a Public Safety Building Committee Meeting where an Architect advised against putting a building over 100 East because of utilities. He mentioned a braced foundational reinforcement that would allow for such action. Director Beaumont said it would be

difficult to leave utilities in their current location and it would not be that much of a cost to move them as there is only water and pressure irrigation in that location. He commented that they would not want utilities under the building.

Mr. Holdaway mentioned that a lot of the parking is taken by a turn into the sally port. He suggested the port be placed on 100 South, which would save space for parking. The Council expressed appreciation for the creative thinking taking place during these preliminary stages.

Council Member Andersen asked if the Old Seminary Building was discussed. Mayor Daniels did not recall any mention of it as it is still usable. Council Member Andersen commented that if it is demolished, it should be demolished at the same time of the Recreation Center. Administrator Darrington commented that the Old Seminary Building was not discussed at the Public Safety Building Committee Meetings. He said there might be a need for that space for parking. He agreed that both buildings should be demolished at the same time should they choose to move forward with such a decision. He noted that the matter could be discussed at the retreat.

Administrator Darrington explained that if the City borrows the full \$9.5 million, the interest payments would be the same regardless of the timing. The interest rates, however, are unknown. He mentioned that Mr. Thatcher's suggestion of borrowing the \$7 million versus the full amount would, in fact, save the City money on interest. While the Council needs to make this decision, as of now they are preparing to borrow the full amount.

Council Member LeMone confirmed that staff recommended borrowing the full amount. Administrator Darrington answered in the affirmative and stated that so doing makes the most sense unless in the long term there is an inclination that the full amount would not be needed. The Council committed to no more than \$9.5 million in bond funds and no more than \$11 million in total construction costs. He stated that if the City borrows \$7 million now and ends up needing the additional \$2.5 million later, there will be an additional cost of issuance of \$40,000. However, if the City borrows the full \$9.5 million now and does not use all of the funds, any excess funds can be used toward the first bond payment. He noted that there may be higher interest rates in the future as well as the cost of issuance expense.

Mayor Daniels confirmed with Administrator Darrington that Mr. Thatcher is not incorrect in his calculation but there is a risk involved in not heeding staff's recommendation. Mayor Daniels explained that regardless of whether the funds are borrowed now or later, they will all be paid back.

Council Member Stanley stated that the concern the public may have is the lack of incentive to not spend all the money borrowed. If there are ideas for saving a year's construction time, it would be good to quantify the impact of those savings. Mayor Daniels mentioned that if the City only uses \$7 million, there are \$2.5 million in funds that do not need to be collected from the citizens. Council Member Stanley stated that the temptation is to use the money for nicer things. Mayor Daniels stated that the public voted on the \$9.5 million and explained that they can always refund whatever money is not spent.

Administrator Darrington explained that they needed to determine if and when the Old Recreation Center will be razed. He opined that there isn't a way for both buildings and the Old Recreation

Center to fit downtown. If an architect makes the same determination, the building should be razed before Strawberry Days. Foundations for the new buildings could be completed as early as June. He suggested the Historic Preservation Committee host an event to celebrate the Old Recreation Center and share memories. Council Member Andersen suggested a big band dance be part of the celebration.

Administrator Darrington stated that they also need to determine how to memorialize the building in the new facility, whether by implementing architectural designs or using brick from the building. Mayor Daniels commented that the Historical Preservation Committee is uniquely qualified to plan the correct methods to show respect for that facility. Council Member LeMone suggested using Strawberry Days as a time to hold an open house and highlight it as part of the celebration.

Council Member Andersen mentioned that it may cost more to raze the building later. Administrator Darrington stated that this expense can be determined when an architect is on board and a project timeline is finalized. Regular renters of the building will be notified of the plans by April 1.

In response to a question from Council Member Andersen, Mr. Holdaway stated that he does not believe the facilities can be built for less than \$200 per square foot. They hope to get a construction manager on board along with the architect to look at additional value engineering or construction methods. They will work together as a team to make the buildings as economical and functional as possible.

B) UPDATE ON DONOR STATUS BY MAYOR DANIELS.

Mayor Daniels said he met with a couple of the donors over the holidays, who updated their desires on how they would like the money to be used. Overall, they expressed a desire to see materials used which will adequately meet the City's needs. Mayor Daniels said he found their feedback to be liberating, as these private donations will help lessen the burden on taxpayers.

12) REVIEW AND DISCUSSION OF THE JANUARY 10, 2017 CITY COUNCIL MEETING AGENDA

The agenda for the aforementioned meeting was briefly reviewed and discussed. Administrator Darrington mentioned that Snowbird asked to give an update on their project.

13) NEIGHBORHOOD AND STAFF BUSINESS

Director Young stated that the General Plan survey will be online tomorrow through January 31 and an announcement on the matter was posted via social media and the newsletter. On January 18th a Vision Workshop will be held at the Recreation Center. The General Plan Committee will be meeting a few times a month for the next three months.

Director Beaumont mentioned that staff is going strong with the snowplows. He also reported that there were a couple of water line breaks last week. He also noted that the contract with the County regarding 100 East has not yet been signed. Administrator Darrington opined that the City was not responsible for plowing it until the road was completed.

Fire Chief Thomas stated that KSL interviewed Arson the fire dog earlier in the day. The interview was set to air either in the next week or two. Chief Smith stated that they received their Victims' Advocate grant. The Police Department was awarded just under \$21,000, which pays a portion of the Victims' Advocate position.

Director Britsch mentioned that Erin Summerill who serves on the Library Board, recently had her first novel published. It is doing well and a best seller on Amazon. She also commented that the elevator is going up for bid again. Last, Administrator Darrington reminded those present of the budget retreat on January 27 and 28 at Fox Hollow Golf Course.

14) MAYOR AND COUNCIL BUSINESS

Council Members Walker and Stanley expressed appreciation for the efforts of Mayor Daniels and the Owner's Representatives. Council assignments for the year were briefly discussed.

Council Member Stanley invited those present to his 40th birthday celebration.

Mayor Daniels said that a new Mayor Pro Tem will be appointed at the next meeting.

15) SIGNING OF PLATS

There were no plats signed.

16) REVIEW CALENDAR

There were no additional calendar items.

17) CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. (UCA 52-4-205 1 (c))

ACTION: Council Member LeMone moved to go into Closed Meeting to discuss pending or reasonably imminent litigation. Council Member Walker seconded the motion. Council Members Andersen, Jensen, LeMone, Stanley and Walker voted "Aye."

Mayor: Michael W. Daniels

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

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Kathy Kresser, City Recorder

Mayor Daniels called for a motion to come out of the closed meeting and go back into regular City Council meeting.

ACTION: Council Member Jensen moved to come out of the closed meeting and go back into regular City Council meeting. Council Members Andersen, Jensen, LeMone, Stanley and Walker voted “Aye.”

Mayor Daniels noted that there is not action to take regarding the closed meeting.

Council Member Stanley remarked that he had one request that in a future meeting with the public a discussion about what would be the best approach for Strawberry Days in the future, how it should be structured, what kind of an organization, what kind of a frame work. Administrator Darrington commented that that discussion can be held at the off-site meeting for the budget and planning retreat. Council Member Jensen commented that he would like to have the Strawberry Days Association present for that discussion.

The Mayor asked if there was any further discussion, being none he called for a motion to adjourn.

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

18) ADJOURN

The meeting adjourned at 8:08 p.m.

The Minutes of January 3, 2017 City Council meeting were approved by the City Council on February 7, 2017.

Kathy T. Kresser, City Recorder, MMC

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