

Pleasant Grove City Council Work Session Minutes
August 26, 2008
7 p.m.

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Cindy Boyd

Lee Jensen

Bruce Call

Jeffrey D. Wilson

Mark K. Atwood

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Tina Petersen, City Attorney

Gary Clay, Finance Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Ken Young, Comm. Dev. Director

Tom Paul, Police Chief

Degen Lewis, City Engineer

Marc Sanderson, Fire Chief

Libby Flegal, NAB Chair

The City Council Members met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah 84062 at 7 p.m.

Mayor Daniels welcomed everyone to the meeting.

1. Call to Order

Mayor Daniels called roll for the Council and noted that Council Members Boyd, Call, Wilson, Atwood and Jensen were present.

2. Opening Remarks

Opening Remarks were given by Council Member Call.

3. To Proclaim September 13, 2008 as, "Sister City Day with Ribe, Denmark" (Pia Jensen)

Mrs. Pia Jensen indicated to the Mayor and Council that the Heritage Festival Committee had some up with the idea this year to focus on the early settlers of Pleasant Grove. She said a large contingent of Danish pioneers came to and helped settle Pleasant Grove back in the early 1850's. Little Denmark neighborhood was named due to these early settlers.

A native of Denmark, Mrs. Jensen said that when they bought their home in Pleasant Grove, she was

excited to learn of the Danish Heritage.

She said that she was asked to head up the Danish Heritage portion of the Heritage Festival this year. When recently visiting Denmark, she said she was able to talk to leaders in the city of Ribe, Denmark. Their Friendship City Board was very excited about becoming a Sister City or Friendship City with Pleasant Grove. It is common for historic cities like Ribe to have numerous sister cities. She said they were delighted to add an American city like Pleasant Grove.

Mrs. Jensen then explained that Ribe is the home of a large Viking Museum and yearly Viking celebration. She noted that this Viking collection goes along with the Viking mascots at the local Jr. High and High Schools in Pleasant Grove.

There will be an exchange of ideas between Ribe and Pleasant Grove. This will extend to sports, literature, the library, etc. She said they are very interested in their children becoming pen pals with local school children. This helps the Danish children with their English skills, she said.

Ribe was founded in about 700 A.D, and is one of the oldest cities in Europe. A cathedral in the city that was built in 1200 A.D, is still in use today.

Mrs. Jensen also told the Council that the agreement to become Sister Cities will not involve any exchange of money. She said it will purely be for the exchange of ideas, etc.

Council Member Boyd commented that she is very supportive of the Sister City concept with Ribe. She said that this year's Heritage Festival has really taken on a life of its own. She said it involves numerous committees in the City, as well as a 5k race, etc.

Council Member Jensen asked Mrs. Jensen to tell about the Danish flag. She then said that it was the first flag that was known of. She said the story goes that the Huguenots were invading Denmark, and a flag appeared from Heaven that was red with a white cross. When the Danes saw the flag, they held their ground and were not overtaken by the invaders.

Mayor Daniels then read the proclamation. It included the citizens of Ribe, Jylland, Denmark and Pleasant Grove, Utah, United States of America, will be establishing a Sister City relationship between the two cities. It will be proclaimed for the Heritage Festival on September 13, 2008.

ACTION: Council Member Boyd moved to proclaim September 13, 2008 as Pleasant Grove Sister City Day with Ribe, Denmark. Council Member Jensen seconded and the motion passed unanimously with Council Members Jensen, Boyd, Atwood, Wilson and Call voting, "Aye."

4. Department Report (Administrative Services Department)

Administrator Mills introduced Mr. Gordon Raymond from Allied Waste. He also introduced Mr. Reese Spencer from the same company. He said they would do a presentation to the Council regarding the various options for recycling. He also noted that he had sent Mr. Raymond some questions from himself and the Council on recycling.

Mr. Raymond then came forward. He explained that in his company's experience with recycling

programs involve three different plans.

The first plan is called the Mandatory Plan. He said that this plan captures the largest volumes of recyclables. It also provides the lowest possible rates and has easy tracking and billing.

He then explained that the second plan is the Opt-Out program. This plan makes a comprehensive curbside program available to all residents of the City. He also said it captures the middle ground in that a large percentage of the constituents are neither passionate about recycling; nor against it. The Opt-Out program will capture a significantly larger portion of this majority of residents than an Opt-In program.

Regarding the Opt-In program, Mr. Raymond said this plan is the least desirable for Allied Waste and the City. This program is set up so that residents can come in or sign up for recycling on line. He said this is usually the lowest number of participants of the three programs.

As far as Allied's operation, he explained that they are what is called a "single stream" recycling facility. They accept plastic, cardboard, newspaper, metal, etc. He said they don't accept glass because there is no where close by to send the glass; despite the fact that it is one of the easiest things to recycle. The material is dumped out of the truck, then goes along conveyors and is sorted. Allied does the recycling for Salt Lake, and said that they have estimated that approximately 70% is actually recycled. 20% is residual, he said. He said these residuals are recycled in various ways, and are generally little shreds of certain items. Some of it is bundled and shipped to China, etc. 10% is what is called "contaminated." By this, he said he met that sometimes recyclables are covered with grass clippings, etc, and actually does end up in the landfill as it is impossible to sort. The actual amount of recycling really rises with education, he added. He said that the more people are educated and know what can be recycled, the more they send through the process; instead of sending it to the landfill.

Council Member Atwood asked if Mr. Raymond had any figures on a cost-per-resident basis. Mr. Raymond said that the cost would be about \$4.50 plus a fuel surcharge per month, per household. He said that the internal cost to the City would be for the billing part. Mr. Spencer said that the City could buy containers for each resident at \$65 a can, if they wanted.

Council Member Jensen asked where members of the Council could go to see the recycling. Mr. Raymond said it is at 900 West and 3700 South in Salt Lake City.

Mayor Daniels asked how often the recycling pick up would be. Mr. Raymond said it is usually every other week.

Council Member Jensen asked if the residents are given a break on the raising of garbage fees if the recycling is helping to keep their garbage content at a lower level. Mr. Raymond said yes, that if enough people are recycling in a city, it significantly helps to lower the amount of trash that is picked up by his company.

Council Member Jensen then observed that at his meetings with the North Point board each month, recycling was very popular in Lehi, etc. He said that several of the recycling cans are actually overflowing by the time they are picked up.

Mayor Daniels then said that he feels recycling is becoming quite popular. He said when he and his children delivered newspapers; they recycled left over papers in the bins provided.

Council Member Jensen then asked if the local businesses could become involved. Mr. Raymond said yes, that every business has the ability to participate in recycling. He explained that his company directly bills each business for their trash and recycling pickup. He said they do a large amount of commercial recycling in Salt Lake City.

Council Member Atwood asked if they could put more bins out in parking lots for recycling newspaper, etc. Mr. Raymond said that the bins can become a collecting point for garbage, including mattresses, etc, so they have to keep them to a minimum in most communities.

Mayor Daniels then said that the question to the Council would be which program would they feel would best serve the residents of Pleasant Grove. He noted that there would need to be a public hearing so residents could express their support and concerns about a recycling program in the City. He also said that there would need to be a decision soon as to whether it would be put on the ballot or not. Mr. Raymond invited City staff and the Council to come and tour their facility in Salt lake.

After further discussion, the Mayor asked the Council Members what they thought about the three programs presented. The Council Members each expressed their support for the Opt-Out program. Council Member Wilson said he wanted to study the options a little more before he expressed an opinion.

Mayor Daniels then said that he would like to have Mr. Bill Peperone from the Mayfield development address the Council. He said that no formal action would be taken in the current meeting; but that Mr. Peperone would be giving information to the Council regarding some possible changes in the development.

Mr. Peperone then came forward and explained that originally there was an LDS Church planned as part of the Mayfield development. Then the church decided not to build in that area. He said that recently, the church has again approached him about building in the northern part of the development. The church is now planned just to the south of the Liahona School on 2500 West (just south of 450 South). He said that by not being able to sell the commercial, as was planned, the church will now go in place of two of the commercial pads. The church will provide for infrastructure along both 2500 West and 450 South. He said that he is trying to keep the project going in spite of the current rough market.

Mayor Daniels then asked Mr. Peperone what would happen to the future of the Mayfield development if the church wasn't able to come in. Mr. Peperone answered that Mayfield is struggling. He said that a Canadian bank had provided funding for the project, but with the current market conditions, they have pulled their support. However, he said that there are negotiations currently going on with other banks, and he said he feels that with the sale of the residential units, etc, they will be able to get the funds needed to continue with the project.

In further discussion, Mayor Daniels asked about the road work being completed on 700 South, etc. Mr. Peperone explained that the church, as well as the Liahona School would be completing the infrastructure in front of their properties. Administrator Mills asked if it was still planned that the

Liahona School would be doing improvements on 2500 West as well as 450 South. Mr. Peperone said yes, that was still the plan.

Council Member Jensen asked about the entrance to the church parking lot and the neighboring 12-plex sharing the same ingress and egress. Mr. Peperone explained that there was to be an agreement to be signed between the two entities for the parking lot to be shared.

Attorney Petersen said that she remembered that the two adjoining buildings to the church would be commercial. She asked if they were now to be residential. Mr. Peperone said yes, they were now going to be residential.

The Mayor then asked if the Council was generally for Mr. Peperone reconfiguring his plat. He said that Mr. Peperone would be investing in the project further with the church now coming in. The Mayor said he was concerned about the current state of the housing market. He said he really liked the idea of the road infrastructure being put in by the church and the other entities being planned for that area.

Council Members Boyd, Call, Jensen and Atwood said they were for the changes, if Mr. Peperone could better afford continuing to finish the project. Mayor Daniels asked what Council Member Wilson thought of the project. Council Member Wilson said he would be for the church coming in, etc, but would be concerned about more density with more residential multi-family housing coming in. Mayor Daniels told Mr. Peperone that more residential is a red flag for most of the members of the Council.

Council Member Atwood said he would actually like to see more than one option in that area. Director Young explained that there is a possibility of a second church being put in that area, so the design might in fact have some other options.

Mayor Daniels then said that he thought what the Council was saying was that they would like to have the issue brought forward at a future Council meeting so they can address Mr. Peperone's development ideas for Mayfield.

5. Discussion of items for the upcoming September 2, 2008 City Council meeting

a. Public Hearing to consider John Ogden's request to vacate The Villa's at Maplewood Grove, Plat "D" condominium plat, and to create condominium plats "E-S" for property located at approx. 750 West 220 South, in the Grove (Grove Mixed Use Subdistrict) zone. (SAM WHITE'S LANE NEIGHBORHOOD)

Director Young explained that this request to vacate in The Villas at Maplewood Grove is located on the Eastern side of the project. He said that Mr. Ogden wants to divide this plat into two separate plats to create condominium plats "E-S" in each building plat. He said that this is because of the slower housing market rate right now.

Director Young explained that this item will be discussing property on the east side of Pleasant Grove Boulevard in the vicinity of the Dana Point development. He said the owners want to

subdivide and develop this particular piece of property. With the plat never being recorded, he said this would take care of the recordation of the plat.

b. Public Hearing to consider Norm Crosby's request to vacate lots 21, 22, 23, 29 and 30 of the Wade Springs, Plat "B," Subdivision and to create a 4-lot subdivision known as Norm Crosby Subdivision, located at approx. 985 North 900 East in the R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone. (BIG SPRINGS NEIGHBORHOOD)

This property is in the Wade Springs area, and Director Young noted that the applicant wants to make a 5-lot subdivision into a 4-lot subdivision. Engineer Lewis explained that this is a housekeeping item. He said that as they looked into it, the lots were never properly recorded in the 1980's. He said that the approval of this will resolve that problem.

c. To consider Matt Evans' request for Final Plat approval of the Varliano "Phase 1" commercial subdivision located at approx. 1000 West 700 South, in the Grove Mixed Use zone. SAM WHITE'S NEIGHBORHOOD

Following Mayor Daniels reading this item, Director Young indicated that Mr. Evans would like to move forward with commercial development. He said Mr. Evans has created two lots plus the back parcel.

d. To consider The Church of Jesus Christ of Latter-Day Saints' request for Final Plat approval of a standard four (4) lot subdivision proposal; to be called Sorenson Subdivision, Plat A, located between 600 West and 550 West at approx. 900 North, in the R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone. (LITTLE DENMARK NEIGHBORHOOD)

Director Young explained that this would normally be just a site approval for a new LDS Church, but they need additional ground, so the church has purchased three lots.

e. Public Hearing to consider an Ordinance amending the Pleasant Grove City Code for TITLE 10 Chapter 11 known as the Central Business District (CBD) Zone. The purpose for the amendment is to change the zone title to the "Downtown Village Zone," and make various amendments to overall building height, setbacks, and uses allowed, and other zoning requirements. OLD FORT, LITTLE DENMARK AND STRING TOWN NEIGHBORHOODS

This particular item, Director Young explained, has been worked on by many people and committees for a long time. He said that it was actually painful, initially, but with the careful review of the Downtown Advisory Board, and the additional review of the Planning Commission, it was refined and ready to come before the Council. He added that most of the revisions were minor.

f. Public Hearing to consider an Ordinance adopting Chapter 10-11G, "Downtown Mixed Use Overlay," to the Pleasant Grove City Code, for possible application on properties within the Central Business District Zone, providing zoning requirements for mixed commercial and residential developments. OLD FORT, LITTLE DENMARK AND STRING TOWN NEIGHBORHOODS

Director Young indicated that this proposed Ordinance primarily adds a high-density residential

element that may be attached to commercial/retail and office developments. The Downtown Village Zone (CBD) does not allow for multi-family residential developments. Adding this use is a key component to the success in revitalizing the Downtown area, because it will 1) increase Downtown living, 2) create a greater demand for new commercial development in the Downtown, and 3) help sustain the existing downtown businesses. The two elements mentioned above, "Downtown living," and "Commercial development," need to be balanced, and the Overlay can be a useful tool for achieving that balance, while providing added flexibility to developers.

g. Public Hearing to consider an Ordinance amending Section 10-15-38, "Fencing Standards," for the purpose of clarifying the maximum height allowed for side and rear yard fencing; and to add provisions for fencing along boundaries with significant differences in grade; and for fencing around new developments that are adjacent to properties with large animals, for the applicant, Pleasant Grove City Staff. CITY-WIDE IMPACT

City Staff is requesting to amend the Fencing Standards chapter of the City Code, due to discovering gaps, which do not address particular situations where fencing would be involved, and to add a couple of new sub-sections for greater clarity. On July 15, 2008 the Council continued the item indefinitely, for the purpose of having the City Staff review the double frontage section of the ordinance. A question was asked if chain link fencing was allowed. Engineer Lewis said it had not been allowed for a number of years in the City.

h. To consider adoption of a Resolution approving and authorizing the execution of an amended Interlocal Agreement for the Utah Valley Special Victims Task Force

Attorney Petersen came forward and explained that the City has been a member of the task force for many years. However, she said it has been called the Utah County Sex Crimes Task Force, and will now serve a broader base of victims, changing the focus of the task force. She also explained that grants are easier to obtain if such a task force has a broader focus.

i. To discuss the 1-15 Interchange Interlocal Cooperation Agreement between Pleasant Grove City and Lindon City. The Agreement is regarding revenue sharing within The Gateway Development District.

Mayor Daniels said he would like to preface his remarks by saying that Lindon officials had been asked to go through the current agreement and make revisions. However, he said they did go through the document, and then during a Council meeting they approved the document without a Resolution. He said this was problematic, as the document had conflicting language, etc. He then said that he and other members of staff had met with Attorney Petersen and asked that she revise the document and give him two different copies: an amended version, then a clean copy without comments, etc.

Attorney Petersen then indicated that by State statute, there are certain provisions required to be in interlocal agreements. Those provisions are missing from the copy Lindon approved. Also, she said that in the section regarding committee makeup and the section about whether land could be added or removed, there was some conflicting language that needed to be clarified.

Mayor Daniels then explained to the Council that in the electronic copies that had been sent to them

they would need to know that the black copy with underlines was what was sent to Pleasant Grove from Lindon. He said the red lettering was what Attorney Petersen had proposed as revisions. He said these revisions were from Pleasant Grove City Staff.

Council Member Atwood asked if the two cities are in conflict over the agreement. Attorney Petersen said there does seem to be differences in the overall agreement between the cities.

Council Member Jensen asked if the agreement could be terminated. Attorney Petersen said yes, it could. She added that if one reads the document, the formula that Mr. Jason Burningham came up with for the sales tax increments addresses that very issue. She said if one of the cities is growing toward build-out in that area, and the other city is not developing at all, the revenue sharing will be diminished. She added that it was never intended that one city get a windfall with the agreement.

6. Mayor, City Council and Staff business

- Mayor Daniels reminded everyone that there will be a planned “walk” to Grovecrest Elementary School on Friday, August 29, 2008 from 8:30 to 9 a.m. down 1100 North. Participating will be City officials, school officials, parents and students. He said the parents will have suggestions ready for officials in regard to the paths that the students take on the way to the school and any safety concerns.

The Mayor then asked Director Walker regarding the Federal monies, etc. that has been available for the improvements. Director Walker said that the Federal monies include education funds to help the children to take the safest routes to school.

Council Member Atwood next indicated that he has had residents of that area complain to him about the safety of the routes that the children take to Grovecrest Elementary. Ms. Jennifer Batista then came forward and said she is the currently the safety commissioner for the Grovecrest PTA. She said that residents are asking that a crosswalk be put in across 1100 North right at the canal (Murdock Dr.). She said residents are also asking that the canal be covered. She said the other open ditches have pretty much been taken care of along the street. She also noted that she has been interviewed for newspaper articles regarding some of the parent’s concerns for safety. She said she felt a mutual walk with City officials, the kids and parents might mitigate some of the current hard feelings on the part of some parents.

Mayor Daniels then observed that a lot of the problem also lies with drivers that are speeding. Council Member Boyd agreed. She said that she has seen several parents speed when the children are late for school.

- Director Walker announced that he had received a phone call from a mother in the Cherry Hill subdivision off 200 South that had just had their streets in that area resurfaced. She asked where she sent her cleaning bill. She said that her children had been out on the street with the still-warm asphalt, and gotten it all over their clothes.

He then said that looking through some of the lists provided by Grovecrest Elementary patrons, he found that it was the responsibility of the parents to educate and watch over

the kids on the way to school. Also, he said much of the danger would be gone if motorists would obey the speed limits.

- Director Young said that there were questions that had arisen with the new hotel plans. He said they would be going back to correct some areas, and the process of going back and reviewing takes time.
- Chief Paul recounted the arrest of individuals that lead police to numerous items that have been reported stolen over the last several months. Additionally, an individual that was in the process of making a drug deal with the thieves stopped by and was also arrested. He said there were forgeries; check washing, etc, involved with the ring.
- Administrator Mills told the Council that he needed some direction. He indicated that the engineer from T-Mobile had been talking to both himself and staff in Community Development about placing a cellular tower on City property. The company was particularly interested in the eastern part of the City as well as the Manila area. After looking through the ordinances, he said that he found that the company could perhaps place a tower in an area in Battle Creek Park with a conditional use permit. He said they are proposing that they place their equipment on an existing light pole in the park. Their antenna would be located above the lights on the pole.

He next indicated that he looked at one such pole in Highland and said that it didn't look any different than a flag pole. The company would stand the cost of putting the equipment on the pole. He noted that the company then will pay the City around \$1,000 to \$1,800 a month to use the pole. The other location, he said, could be in the new Manila Creek Park.

He said he was looking for a feeling from the Council so he could then allow Director Young go forward with the process.

Council Member Atwood asked if the police department would be able to put their various antennas on these poles, also. Administrator Mills said yes, they could. Council Member Atwood said he liked the antennas on the light pole idea. He said it was creative. Mayor Daniels said anything to help improve the communications for City staff was a good idea.

Administrator Mills announced that the sidewalk projects throughout the City funded by the Safe Sidewalk monies have pretty much come to an end this year. He then enumerated all of the many sidewalks in the City that are in existence because of grants that have been given to make sure there are safe sidewalks on UDOT streets in the City. However, due to funding cuts, he said the State has now let him know that there will no longer be monies available for such projects.

Next, Administrator Mills said that a representative with the Utah Valley Homebuilders Association would like to make a presentation to the Council at a future work session. He said this was just a heads up, and he will see to it that it would be on a future agenda.

After extensive negotiations with UDOT, he indicated that they will be starting soon on the work in and around Wil's Park (by the railroad crossing). He said that the State accepted the

City's offer, so the work can now go forward.

Administrator Mills said the next item was one he wanted entered by Deputy Burgin in the minutes. He explained that he had received an email letter from Mr. Barry Graff with the Alpine School District (ASD). The letter read:

Frank,

My name is Barry Graff, I work for Alpine School District. It has come to my attention that my name and Alpine's was used in your last city council meeting by a community member who asserted that he was told by me that your city needed to condemn some property in order to install a sidewalk near Valley View Elementary. If this is true that this statement was really made, I just need to let you know that it is a completely false assertion. Neither I nor anyone else associated with ASD said anything of the sort to this individual (Malcolm Allen). If you need to clarify this in anyway, please give me a call at the district office (756-8459). I really don't want my name or the name of ASD used in your council meeting minutes stating such a falsehood.

Thanks,

Barry Graff

Administrator Mills said he had spoken with ASD, and then received this email on Friday, August 22, 2008.

Mayor Daniels asked what would happen at this point. Attorney Petersen said that such statements made by residents would hurt the ASD, not the City.

- The Mayor then commented that the Heritage Festival sounded like it was going to have a lot of fun things going on throughout the day. He also added that the Annual Fox Hollow Golf Tourney would be on Friday, August 29, 2008. Council Member Call also mentioned that the City Summer Party the preceding week had been a lot of fun. He thanked Council Member Atwood for organizing the event.

7. Executive Session to discuss imminent or pending litigation (UCA54-4-205(1)(c)).

ACTION: At 9:17 p.m, Council Member Jensen moved to go into executive session to hold a strategy session to discuss imminent or pending litigation (UCA54-4-205(1)(c)). Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Wilson, Call, Jensen and Atwood voting, "Aye."

ATTENDING:

Mayor:

Mike W. Daniels

Council Members:

Cindy Boyd

Lee Jensen

Mark K. Atwood

Bruce Call

Jeffrey D. Wilson

Others:

Frank Mills, City Administrator
Tina Petersen, City Attorney
Gary Clay, Finance Director
Mary Burgin, Deputy Recorder

ACTION: At 9:31 p.m, Council Member Wilson moved to go back into regular session. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen, Wilson and Atwood voting, “Aye.”

8. Adjourn

ACTION: At 9:32 p.m, Council Member Wilson moved to adjourn the meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Wilson, Atwood and Jensen voting “Aye.”

This certifies that the Work Session Minutes
For August 26, 2008 are a true, full and correct
copy as approved by the City Council on
September 16, 2008.

Mary Burgin, Deputy Recorder