

Pleasant Grove City Council Minutes
November 20, 2007
7:00 p.m.

PRESENT:

Mayor:

Mike W. Daniels

City Council Members: Excused:

Jay F. Meacham Cindy Boyd

Bruce Call

Mark K. Atwood

Lee G. Jensen

City Recorder:

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Director of Finances

Tina Petersen, City Attorney

Deon Giles, Leisure Services Director

Lynn Walker, Public Works Director

Tom Paul, Police Chief

Marc Sanderson, Fire Chief

Sean Allen, City Planner

Greg Stockhoff, Assist. Planner

April Harrison, Head Librarian

Richard Bradford, Economic Development Director

Libby Flegal, Neighborhood Chair

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

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

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Libby Flegal.

2. OPENING REMARKS

The Opening Remarks were given by Council Member Call.

3. APPROVAL OF MEETING'S AGENDA

Mayor Daniels asked if there were any changes or additions to the agenda. Administrator Mills indicated that Item C would need to be continued to date certain. The Mayor and Council agreed. Mayor Daniels then asked for a motion.

ACTION: Council Member Call moved to approve the meeting's agenda, as written. Council Member Atwood seconded and the motion passed unanimously with Council Members Call, Atwood, Jensen and Meacham 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. Joint City Council/Planning Commission Minutes for October 23, 2007
2. City Council Minutes for November 7, 2007
3. Work Session Minutes for November 13, 2007
4. To consider approval of paid vouchers (Nov. 10, 2007)

ACTION: Council Member Call moved to approve the consent items as written. Council Member Meacham seconded and the motion passed unanimously with Council Member Call, Atwood, Jensen and Meacham 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. No one came forward

6. **NEIGHBORHOOD ADVISORY BOARD REPORT**

Chair Libby Flegal indicated that there was nothing to report to the Mayor and Council.

7. **LIBRARY BOARD REPORT**

There was no report from the Library Board.

8. **BUSINESS**

A. TO PROCLAIM NOVEMBER 21, 2007 AS "AMY SMITHSON DAY IN PLEASANT GROVE CITY."

Mayor Daniels recognized Assistant Pleasant Grove High School Principal Jeannette Anderson and Mr. Sam Jarman, who is the Alpine School District's Administrator over high schools. He then asked them to come forward and address the Council. Ms. Andersen said she was really pleased that the City had named a day after her friend, Amy Smithson. She noted that Ms. Smithson is friends with the faculty, administration, staff and students at the school. Ms. Smithson is best known for touching the lives of her students.

Mr. Jarman then came forward. He thanked Pleasant Grove City for honoring one of the District's best teachers. He also thanked the Mayor and Council for the partnership between the City and Alpine School District. He then went on to say that Ms. Smithson always goes above and beyond to reach and teach her students in math. He said the district is honored to have her, and he said he hoped that her example will touch many others.

At this point, Mayor Daniels read the Proclamation for, "Amy Smithson Day," November 21, 2007. The Proclamation noted that Ms. Smithson had been teaching mathematics for the past 10 years. She teaches all levels of math, including Algebra I to AP Calculus, and has received numerous awards at Pleasant Grove prior to being named, "Outstanding High School Teacher of the Year" for 2007 by Alpine School District. Additionally, in September 2007, she was a State Level Finalist for the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST) by the Utah Council for Teachers in Mathematics.

Mayor Daniels then asked for a motion.

ACTION: Council Member Call moved to accept and approve the Proclamation setting November 21, 2007 as Amy Smithson Day in Pleasant Grove. Council Member Meacham seconded and the motion passed unanimously with Council Members Call, Jensen, Atwood and Meacham voting, "Aye."

Following the motion, Ms. Smithson came forward and said she was incredibly honored. She also said that she loves her profession of teaching as well as the people she works with. She also said she has always loved the City of Pleasant Grove since she was a little girl and is honored to teach at P.G. High. It might be noted that family, friends and students were in attendance at this meeting to honor Ms. Smithson. At the end of her brief statement, Ms. Smithson received a standing ovation from all present.

B. TO CONSIDER A RESOLUTION OF THE MAYOR AND MUNICIPAL COUNCIL SITTING AS THE BOARD OF CANVASSERS ACCEPTING ELECTION RETURNS AND DECLARING AND CERTIFYING THE RESULTS OF THE VOTE FOR THE MUNICIPAL GENERAL ELECTION HELD ON NOVEMBER 6, 2007.

After Mayor Daniels read this item, City Recorder Fraughton came forward. She explained that this was the audit from the November 6, 2007 General Election. Each member of the Council were given a packet. She said these were the official reports from Utah County Elections, as they were the entity that presided over that election.

In a condensed report that Director Clay put together, Recorder Fraughton said the votes were tabulated for the Council to look over. The totals include absentee voting, early voting, in-office voting and provisional votes. She said that this procedure was different from when the Council sits as Canvassers when they have Tally sheets to read off. There were 198 provisional votes that counted. The totals were as follows:

Richard W. Ables,	1,450 votes
Cindy Boyd,	3,287 votes
Bruce Call	2,839 votes
George Church	2,368 votes
Erin Daniel	2,581 votes
Jeffrey D. Wilson	2,766 votes

Recorder Fraughton reported that there was a large turnout to the election with 47.69% of registered voters in Pleasant Grove. She thanked everyone for running for office, and said she knew it was a lot of work. She also noted that this was a very "clean" election.

In regards to the School Referendum, she said the vote was one of the closest in the county. She said Pleasant Grove voters voted it down, 3,173 (53.12%) to 2,800 (46.88%).

She next asked that in the motion, the Board of Canvassers please certify that Cindy Boyd, Bruce Call and Jeffrey D. Wilson are declared the winners of the November 6, 2007 election for four-year terms on the Pleasant Grove City Council. The Board certified that Cindy Boyd They will be sworn in on January 8, 2007 at the City Council Meeting. She asked that the Affidavit of election results certification be signed, also. After this meeting, Recorder Fraughton explained that she would be publishing the results in the newspaper. She will also send the results to the Lt. Governor's office, and has prepared certificates for the three winners.

Mayor Daniels asked if there were any comments from the Council or Staff. There were none. He then asked for a motion.

ACTION: Council Member Atwood moved to approve Resolution No. 2007-046, with the Mayor and Municipal Council sitting as the Board of Canvassers, accepting election returns and declaring and certifying the results of the vote for the Municipal General Election held on November 6, 2007 with the highest number of votes going to Cindy Boyd, Bruce Call and Jeffrey D. Wilson, who were declared the winners for 4-year terms as City Council Members, commencing on January 8, 2007. Council Member Jensen seconded and the motion passed unanimously by voice with Council Members Meacham, Call, Jensen and Atwood voted "Aye."

C. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING ROCKY MOUNTAIN WELDING HOLDING'S REQUEST TO AMEND SECTION 10-12B-2/ITEM E BY ADDING LAND USE CLASSIFICATION #4858 (SOLID WASTE TRANSFER STATION) AND #4859 (OTHER SOLID WASTE DISPOSAL, NEC) AS A CONDITIONAL USE IN THE MD (MANUFACTURING DISTRIBUTION) ZONE. (CITY WIDE IMPACT)

Mayor Daniels said this item would be continued to the December 4, 2007 City Council Meeting, as noted early in the meeting. There were no questions or comments from the Council. He then asked for a motion.

ACTION: Council Member Atwood moved to continue the consideration of an Ordinance regarding Rocky Mountain Welding Holding's request to amend Section 10-12B-2/Item E by adding Land Use Classification #4858 (SOLID Waste Transfer Station)and#4859 (Other solid waste disposal, NEC) as a conditional use in the MD (Manufacturing Distribution) zone until the City Council meeting on December 4, 2007. Council Member Call seconded and the motion passed unanimously with Council Members Meacham, Call, Jensen and Atwood voted "Aye."

9. STAFF BUSINESS

- NAB Chair Libby Flegal said she is short a few Neighborhood Chairs right now, and is working with the Mayor to replace them.
- Planner Allen congratulated all those that won the recent election.

- Director Giles said the City lights will be lighted the next evening on the City buildings. Also, he said that on Monday, November 26, 2007 at 6 p.m, the City Christmas Tree will be lighted and Santa will come to visit with the children.
- Chief Paul reported that 70 employees, including 2 city council members, participated in the recent Turkey Shoot in his department. He said that the new laser guns and computer program were used for the contest. Turkeys and other gifts were won.
- Attorney Petersen indicated that the petition for Certiori to the U.S. Supreme Court on the Summum case has been filed. She explained that if it is not heard, the 10th Circuit Court ruling that the City must allow the Summons to put their monument in by the 10 Commandments monument will stand. She said this should be of concern to communities all over the United States.
- Administrator Mills indicated that the City had received some petitions for Boundary Adjustments from residents on the East side of Canyon Road in the vicinity of Cedar Hills. He said that when there have been discussions between officials from Cedar Hills and Pleasant Grove regarding residents in that area, it was agreed upon by both cities that it would be a reasonable request. He said that it is now becoming imperative for some of these residents now for a variety of reasons, including failed septic systems. He also indicated that in talking to the Mayor, City Administrator and Engineer from Cedar Hills, they recommended that the process be expedited due to the fact that there will be an increase in their rates as of the first of the year for new sign-ups. He said he was asking the Council if there were any problems or questions on their part with the issue.

Mayor Daniels said he remembered the process just as Administrator Mills had explained it. He asked Attorney Petersen if there would be anyway for the process to be expedited. She said no, that there is a 60 day period the process has to go through by state law. She said the residents have to submit a plat, pay their fee and wait for both cities to advertise the action.

Administrator Mills then reminded the Mayor and Council of an upcoming open house on Wednesday, November 28, 2007 from 6 to 8 p.m. at Vineyard Elementary regarding the widening by UDOT of Geneva Road from Highway 89 in Pleasant Grove to Center St. in Provo. He said Pleasant Grove doesn't have a huge impact, but it would be good for City officials to be apprised of the future plans for that area.

10. MAYOR AND COUNCIL BUSINESS

- Council Member Call asked if the drop box that he had set up for the Council's information for the agenda had worked. He received good feedback from the Council on the drop box. He reminded them that this makes it possible for them to access staff reports, etc, at home so they can study the issues
- Council Member Jensen asked Council Member Call if the email problems were getting solved. He said he wondered if email was getting through to recipients better, now. Mayor Daniels and Council Member Call explained that most email could now get

through. The Mayor suggested if Council Member Jensen was still having problems, that he get in touch with Mr. Roos.

- Council Member Atwood reported that he had attended a meeting the previous evening at the North Point Waste Center. He said there wasn't a lot to report from the meeting.

Next, he said he had received a phone call from a resident at the Indian Springs development. He said that this person's opinion was very much the opposite from Dr. Martin's opinion expressed at the recent Joint City Council/Planning Commission meeting. He said that the person noted that the HOA had not raised their rates in years, and they were not bringing in enough monies to provide the services that were needed. The person said that most people in Indian Springs do not want the City to step in and take the roads, etc. over from them.

Mayor Daniels said this seemed to be a legal question. Attorney Petersen said she would study their by-laws and then get back with the Mayor as to how the decisions were supposed to be made by their HOA. Council Member Atwood said that he doesn't believe that a problem within their HOA was appropriate to come before the Council.

11. SIGNING OF PLATS

There were no plats to be signed.

12. REVIEW CALENDAR

- Mayor Daniels reminded staff and the council that the annual Christmas party would be held December 6, 2007 at 6:30 p.m. at the UVSC Grand Ballroom. He said the same entertainment would be performing this year as did last year. Additionally, he explained that there would not be a few large gifts drawn for; but those funds would instead go towards giving something nicer to all of those present. He also reminded the Council and Senior Staff of their party on December 14, 2007 at the Jacobs Senior Center.

The Mayor informed the Council and staff that there was a possibility of another Council meeting in December, due to the fast track system that the Hammon's group was participating in. He said there was also another development that would need approval in December.

13. APPROVE PURCHASE ORDERS

There were no purchase orders.

14. ADJOURN: At 7:43 p.m. Council Member Jensen moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Jensen, Call and Meacham voting, “Aye.”

This certifies that the City Council Minutes of November 20, 2007 are a true, full and correct copy as approved by the City Council on December 4 , 2007

Signed _____
Mary Burgin, Deputy Recorder