

**Joint Meeting of the Pleasant Grove
City Council and Planning Commission
June 23, 2009
7:00 p.m.**

PRESENT:

Mayor:

Michael W. Daniels

Council Members:

Cindy Boyd

Bruce Call

Lee Jensen

Jeffrey D. Wilson

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy Recorder

Others:

Frank Mills, City Administrator

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Degen Lewis, City Engineer

Sean Allen, City Planner

Libby Flegal, NAB Chair

Excused:

Mark K. Atwood, City Council Member

Gary Clay, Finance Director

Richard Bradford, Economic Dev. Director

Lynn Walker, Public Works Director

Deon Giles, Leis. Services Director

Tom Paul, Police Chief

Marc Sanderson, Fire Chief

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

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Planning Commissioner Gail Christiansen.

3. OPENING REMARKS

Opening Remarks were given by Planning Commissioner Jeff Cardon.

4. APPROVAL OF MEETING'S AGENDA

Mayor Daniels stated that in the interest of time he would postpone presenting item AA, the "Liquid Assets" video.

Mayor Daniels asked if there were any other changes to the agenda, there were none. The Mayor then asked for a motion to approve the City Council portion of the agenda.

ACTION: Council Member Wilson moved to approve the City Council portion of the agenda. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting, "Aye."

5. PLANNING COMMISSION MEETING BUSINESS

A. A PUBLIC HEARING REGARDING APPROVAL OF A RESOLUTION (2009-016) AMENDING THE PLEASANT GROVE CITY TRANSPORTATION MASTER PLAN. THE TRANSPORTATION MASTER PLAN, WHICH INCLUDES A MAP(S) ENTITLED "PLEASANT GROVE 2040 ROADWAY MASTER PLAN," IS AN APPENDIX OF THE PLEASANT GROVE GENERAL PLAN. A TRANSPORTATION MASTER PLAN HAS BEEN COMPLETED BY HORROCKS ENGINEERS; THE PLANNING COMMISSION AND CITY COUNCIL WILL BE CONSIDERING THE OPTIONS AND RECOMMENDATIONS RESULTING FROM THAT STUDY. THE AMENDMENT WILL CONSIDER TRANSPORTATION THROUGHOUT THE CITY (CITY WIDE IMPACT)

B. DISCUSSION ON ACCESSORY APARTMENT ORDINANCE. (THIS IS A DISCUSSION ITEM ONLY BETWEEN THE CITY COUNCIL AND PLANNING COMMISSION, NO PUBLIC COMMENT WILL BE TAKEN)

For information on the above items, please refer to the Planning Commission portion of the minutes.

6. CITY COUNCIL MEETING BUSINESS

7. 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:

- a. City Council Special Budget Meeting Minutes for May 16, 2009
- b. City Council Special Meeting Minutes for May 28, 2009
- c. City Council Meeting Minutes for June 2, 2009
- d. To consider appointing Kori Thomas as a Fox Hollow Golf Course Board Member
- e. To consider approval for Change Order No. 2 and Application for Payment No. 1 for the 2009 Street Rehabilitation Project to Geneva Rock Products, Inc.
- f. To consider approval of paid vouchers (June 10, 2009)

Mayor Daniels stated that he, Council Member Jensen and Administrator Mills interviewed Ms. Thomas. Council Member Jensen commented that he felt that she is an excellent recommendation to the Board.

Mayor Daniels asked if there were any questions on the Consent Agenda items, there were none. The Mayor then asked for a motion to approve.

ACTION: Council Member Boyd moved to approve the consent items. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting “Aye.”

8. OPEN SESSION

Mayor Daniels explained to those present that if an item was not a public hearing or not on the agenda, they were welcome to come forward and address the Council. No one came forward, the Mayor then closed the meeting to the public.

9. NEIGHBORHOOD ADVISORY BOARD REPORT

Chairperson Libby Flegal stated that there is nothing to report at this time.

8. BUSINESS:

AA. MAYOR DANIELS TO PRESENT A VIDEO “LIQUID ASSETS”

Mayor Daniels stated that in the interest of time that he would postpone presenting this video.

BB. A PUBLIC HEARING REGARDING APPROVAL OF A RESOLUTION (2009-016) AMENDING THE PLEASANT GROVE CITY TRANSPORTATION MASTER PLAN. THE TRANSPORTATION MASTER PLAN, WHICH INCLUDES MAP(S) ENTITLED “PLEASANT GROVE 2040 ROADWAY MASTER PLAN,” IS AN APPENDIX OF THE PLEASANT GROVE GENERAL PLAN. A TRANSPORTATION MASTER PLAN STUDY HAS BEEN COMPLETED BY HORROCKS ENGINEERS; THE PLANNING COMMISSION AND CITY COUNCIL WILL BE CONSIDERING THE OPTIONS AND RECOMMENDATIONS RESULTING FROM THAT STUDY. THE AMENDMENT WILL CONSIDER TRANSPORTATION THROUGHOUT THE CITY (CITY WIDE IMPACT)

Mayor Daniels stated that we have had a great discussion this evening on the Transportation Master Plan, it was recommended to us by the Planning Commission with a couple of changes. The Mayor asked the Council Members if there was any further discussion on this item.

Council Member Jensen commented on the 4000 North alternatives, he would like to see it developed so that there is no access on to Canyon Road (100 East), make it a cul-de-sac or a dead end street to totally eliminate that dangerous intersection.

Council Member Boyd expressed her concern on the Center Street realignment and the whole emphasis on revitalizing our Down Town area. It seems that we have done away with making this more of an historic connectivity of the Grove to the Down Town. The roundabout and the

whole realignment are taking away from what we are trying to accomplish in bringing more interest to these two areas which are of great economic importance to us. Council Member Boyd stated that she is opposed to this item and cannot see where we can justify it.

Administrator Mills pointed out that on the 4000 North requests to be made into a cul-de-sac or dead end; part of the issues are the utilities that run through it also down the road people may want to develop this area and if every possible outlet has been made into a cul-de-sac it would result in not having a way to deal with the future traffic needs this would also violate the four hundred foot dead end ordinance established in the City Code. Administrator Mills stated that on the Center Street alignment, they have had traffic studies done and most of the traffic that we get at the intersection of 600 West and Pleasant Grove Boulevard does not come down Center Street, it comes down 600 West. The traffic that comes down Center Street to get out to the Boulevard goes down 200 South to get there, the reason for this is the long railroad crossing and that will only be getting worse in the future when the Light Rail starts development. The studies done show an increase in traffic down Center Street to the Boulevard with the realignment compared to what we have right now. Council Member Wilson added that his understanding was that this realignment was also designed to have traffic cross the railroad tracks one time instead of two. Administrator Mills stated that that was correct.

Council Member Jensen asked what the projected cost was for realigning Center Street. Engineer Lewis stated that in general it will cost several millions of dollars; the plan has not been looked at on a project level basis so at this point it would be hard to determine what those costs would be, the Transportation Master Plan is a long range planning document.

Mayor Daniels noted that from a planning perspective which is the purpose of the Transportation Master Plan, it is not a document that addresses the costs; it's a document that looks at where the transportation routes should be in order to be effective both for moving traffic and for safety. The engineers have developed these models indicating which types of traffic patterns would be best based upon our growth in the 2040 timeframe. The Mayor added that in taking on any of these projects there would need to be the next steps such as environmental documents, the impact and the cost analysis, so to throw out numbers at this stage would be premature.

Engineer Lewis added that with the planning document, we really need to identify as a goal of the City that this is something that we would like to see happen. It is difficult to pursue funding if there is nothing that the City has identified as a goal. The Transportation Master Plan does not bind us into any timeframe or any exactness; it just says that we see this as being a better arrangement in the long run.

Mayor Daniels cited an example of taking a look into the past, when the City Council said no to allowing a freeway exit when they were presented with the plan, the consequences are what we are facing here today; that we are ten to fifteen years behind the times as far as where we need to be in the future. The Mayor explained that right now there are some real time considerations for property owners in the area of the Center Street realignment that need to be addressed; how quickly can this move forward so that their concerns can be addressed.

Council Member Jensen stated that his question about cost is relevant here because we are talking about something that needs to be done within the next couple of years. Mayor Daniels referred back to the Transportation Master Plan where it shows that the Center Street realignment is proposed to be completed in the next zero to five years which is within the window of addressing the concerns of the property owners but does place a question mark on our action and ability to perform on that based upon our finances. The Mayor stated that the reality of us being able to move forward with this in zero to five years based on what we know today with where the money is; the answer is zero.

Administrator Mills pointed out that whatever plan is adopted, it gives our Engineer the opportunity to go to the Mountainland Technical Committee and request Federal funding to do some of these projects and Center Street would fall under that because of the significance of the road. This would mean that we pay seven percent of the cost instead of the full amount. We are also working with the UPRR (Union Pacific Railroad) and UTA (Utah Transit Authority) on the relocation of the Center Street and 600 West crossings.

Director Young added that the importance here also is that there is a possibility for that property to be zoned commercial which would create additional commercial development that would increase the City's tax base. Council Member Boyd stated that that is what we are also trying to do for all West Center Street to make our Down Town viable.

Mayor Daniels mentioned the discussion of the potential realignment of Geneva Road with 100 East and the reconstruction on State Street and the installation of the railroad bridge. Geneva Road and 100 East are both owned by the State and they have done studies on realigning to bring these two roads together, something that should have been done a long time ago. At the base of this we have a traffic signal on Main Street and the concern and complaints that we currently receive from the property owners on Main Street are that ninety percent of the traffic is not destined for Main Street and this does create problems for them.

Mayor Daniels pointed out that on the access to Main Street, one of the things that this plan does for us, is instead of funneling everything down through it, it gets aimed around Main Street which allows Main Street to become more of a destination and more of a pedestrian friendly road rather than being a thoroughfare for traffic that is not destined for the area.

The Mayor stated that we do have property owners that are affected by two separate items in this Transportation Master Plan and we need to be sensitive to that and at the point in time when either one of these projects starts to move forward, we need to be having discussions with these property owners so that they can adequately plan and move forward with their own businesses.

Mayor Daniels expressed that from a planning document perspective this looks really good for a long range plan and the concerns are well founded and well addressed by the way they have been handled in this document. The Mayor then opened the meeting to the public for questions and comments.

David Told, 501 S. Main Street stepped up and stated that he applauds the City for planning. It is positive when you plan to move forward, it just needs to be done in a timely manner so that we

can move forward as business owners. He stated that in the area of Main Street and Geneva Road that he would be open as a land owner to relocate. Mr. Told said that his main concern is with Center Street; that it moves forward so that they can develop and know what direction to go.

Mayor Daniels said to Mr. Told that depending upon what decision is made then we would be getting in touch with him to look at what those plans can be.

At this point Mayor Daniels asked if there was anyone else from the public who wished to make a comment, no one came forward. The Mayor closed the meeting to the public.

Mayor Daniels asked if the Council was in agreement on the 4000 North item; to leave it with the alignment the way it was originally drawn. Also the Center Street and the 100 East and Geneva Road items, is there any further discussion needed. In that there were no comments, the Mayor then asked for a motion.

Council Member Wilson moved to approve Resolution 2009-016, a resolution amending the Pleasant Grove City Transportation Master Plan as provided in Chapter 5 of the Pleasant Grove General Plan and providing an effective date, which was seconded by Council Member Call.

Council Member Boyd expressed her concern again with connecting the Grove area with the Down Town and would that still remain a priority to us, how we design it and what we allow so that we do not lose the vision of what we have envisioned for the area. Mayor Daniels asked how she would feel about asking our Down Town Committee with helping us to come up with methods for connectivity. Council Member Boyd indicated that she would be in favor of that.

Attorney Petersen suggested that in the motion it should be amended to state that the plan is being approved based upon the recommendations of the Planning Commission including keeping 4000 North as it currently is. Engineer Lewis added that it should also state removing the words “proposed” and “recommended” from the language.

Council Member Jensen stated that he was still not comfortable with the Center Street item, so he will be abstaining from the vote.

ACTION: Council Member Wilson amended the motion and moved to approve Resolution 2009-016, a resolution amending the Pleasant Grove City Transportation Master Plan as provided in Chapter 5 of the Pleasant Grove General Plan and proving an effective date based upon the recommendations of the Planning Commission including keeping 4000 North as it currently is and removing the words “proposed” and “recommended” from the language. A public hearing was held. Council Member Call seconded and the motion passed with Council Members Boyd, Call and Wilson voting, “Aye.” Council Member Jensen abstained from the vote.

Mayor Daniels thanked Horrocks Engineering and Engineer Lewis for their work on this project.

CC. TO CONSIDER AWARDING THE PRESSURE IRRIGATION SYSTEM SCHEDULE 7A BID TO VANCON, INC.

Administrator Mills stated that we had a bid opening for the Pressure Irrigation System, the secondary tank at the Monson tank farm. The engineer's estimate of the construction cost for this project was one point two million dollars. The low bid came in from Vancon, Inc. at six hundred twenty three thousand eight hundred thirty six dollars. Administrator Mills stated that a lot of the bidders are big name, quality contractors; Vancon has done a lot of work for us and is an excellent contractor so we feel very comfortable with recommending them to City Council.

Council Member Jensen inquired as to who came up with the one point two million dollar bidding price and how the amount could be off by six hundred thousand dollars. Administrator Mills stated that JUB Engineers came up with the amount, what they do is review other bids for the same type of work that has been done over the last year and go with the unit cost that they have. Administrator Mills stated that right now because of the economy contractors are bidding low.

Mayor Daniels asked if there was any other discussion, there was none at this time. The Mayor then asked for a motion.

ACTION: Council Member Wilson moved to approve awarding the bid of Vancon, Inc. for six hundred twenty three thousand eight hundred thirty six dollars and twenty cents. Council Member Jensen seconded the motion. The motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting "Aye."

DD. TO CONSIDER A RESOLUTION (2009-017) AUTHORIZING THE MAYOR TO SIGN A BOUNDARY LINE AGREEMENT WITH JAMES AND ESCHÉ MCGEE FOR PROPERTY GENERALLY LOCATED AT APPROXIMATELY 399 SOUTH LOCUST AVE, PLEASANT GROVE (SCRATCH GRAVEL NEIGHBORHOOD)

Attorney Petersen explained that this Resolution is at the request of the new property owners, the McGee's. In doing the title search on this property they discovered that there were some boundary lines that need to be adjusted. Engineer Lewis has reviewed this and confirmed that it is accurate, so there is no reason why we would not comply with their request.

Council Member Call asked if this would involve any cost to the City. Attorney Petersen replied "no."

Mayor Daniels asked if there was any further discussion on this item, there was none. The Mayor asked for a motion.

ACTION: Council Member Call moved to approve Resolution 2009-017, a resolution authorizing the Mayor to sign a boundary line agreement with James and Esche McGee for property generally located at approximately 399 South Locust Avenue, Pleasant Grove, Utah. Council Member Wilson seconded the motion. The motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting "Aye."

EE. TO CONSIDER AN ORDINANCE (2009-13) OF THE CITY COUNCIL OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH ANNEXING CERTAIN REAL PROPERTY KNOWN AS THE “700 SOUTH ANNEXATION” INTO PLEASANT GROVE CITY; UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED 1953, AMENDING THE OFFICIAL ZONING MAP AND PROVIDING AN EFFECTIVE DATE (SAM WHITE’S LANE NEIGHBORHOOD)

Attorney Petersen stated that this item has been before the City Council when we adopted the Resolution declaring our intent to annex this piece of 700 South that was not annexed when the surrounding property was annexed in by petition. This is a housekeeping item that the County is requesting us to perform. Apparently the legal description submitted with that annexation petition left out that portion of the street. The County does not want to own one of our City roads.

Mayor Daniels asked if there was any discussion needed, in that no one commented the Mayor asked for a motion.

ACTION: Council Member Jensen moved to approve Ordinance 2009-13, an ordinance of the City Council of Pleasant Grove, Utah County, Utah, annexing specific property to be known as the “700 South Street Annexation” to Pleasant Grove City; amending the official zoning map of the City; and providing for an effective date. Council Member Wilson seconded the motion. The motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting “Aye.”

FF. TO CONSIDER A RESOLUTION (2009-018) OF PLEASANT GROVE CITY TO AMEND ITS ARTICLES OF INCORPORATION FOR THE 700 SOUTH STREET ANNEXATION (SAM WHITE’S LANE NEIGHBORHOOD)

Attorney Petersen explained that this is a State statute that requires that anytime we annex property, that we file amended Articles of Incorporation so that they can keep the legal descriptions of the City accurate.

Mayor Daniels asked if there was any discussion needed, in that no one commented the Mayor then asked for a motion.

ACTION: Council Member Jensen moved to approve Resolution 2009-018, a resolution of Pleasant Grove City amending its Articles of Incorporation for the 700 South Street Annexation. Council Member Wilson seconded the motion. The motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting “Aye.”

11. STAFF BUSINESS

- City Engineer Lewis stated that 2000 West project is moving forward; the contractor doubts that they will complete the work by the July 17th deadline and has asked the

County for an extension until July 31st. They do plan on continuing paving on the remainder of the project starting next Thursday.

- City Recorder Kresser reminded everyone that the filing period to declare candidacy starts on July 1st and goes through to the 15th.
- City Planner Allen asked how soon the City Council would want to revisit the discussion on animal rights. Mayor Daniels said anytime after the first Tuesday in November.
- Mayor Daniels commended Director Young for the work their committee has done on the accessory apartment ordinance.
- Administrator Mills stated that at the first Council meeting in July the sewer rate increase will be presented for approval.

Regarding the cell tower at Manila Park, T-mobile is having financial problems; Verizon has talked to Community Development and will be coming back with a proposal to take over the contract with T-mobile.

Administrator Mills stated that on his requests for bids from insurance companies to handle our liability, the Utah Local Government Trust came back with a bid that was under what we had budgeted for. This will be presented for the Mayor's signature as a renewal for our policy.

At the present time until July 20th, we are accepting bids for the recycling program. After the proposals come in a presentation will be made to the Council at an upcoming Work Session so that a decision can be made by August 1st as to which company we will go with. There will be two prices proposed; one for the opt-out and the other is the mandatory program. There will be some interns from the Utah County Board of Health who will be involved in helping promote and educate the public and the schools about our recycling program. Council Member Jensen asked about the fees. Administrator Mills stated that we will have that discussion at the Work Session when the proposals will be presented. Council Member Jensen stated that he would like to be involved with this project and reviewing the information the interns have gathered.

Administrator Mills explained that on the subject that was brought up by Council Member Atwood regarding running out of land to place the excess dirt; Council Member Atwood offered the suggestion of using the Westroc property. So we are planning to meet with them and work out an equitable solution to pick up the land that we need for now and then in the future we could turn it into park property.

The appraisal for the property on Locust Avenue has come in and we will be meeting with the owners to see if they are willing to agree to the appraised price.

Administrator Mills mentioned that Solarc will be coming in to do a power audit on all of our facilities, the wells, the ballpark lights, etc. They will provide information on what

the savings would be from the proposed improvements. They have a grant that pays for them to conduct the audit, they also have grant money to help pay for the change out and Rocky Mountain Power also has money that they can put into this project. With what this will save the power company there is a good possibility that we could get all of this work done for nothing. Council Member Jensen asked if this was basically putting in new light bulbs. Administrator Mills stated that a lot of it will be changing the fixtures; they have already done the Recreation Center and have sent us a check for nine thousand dollars so it is well worth having them do this, this audit will be conducted during the first week in August.

Administrator Mills stated that in keeping with the Fair Labor Standards Act (FLSA) we will need to change the hours for the employees at City Hall and Community Development. Currently they are working four, nine hour days with either every other Friday or Monday off. To meet the requirement of the FLSA, we now have to go to a forty hour work week and not calculate the hours per pay period. In talking with staff, what they would like to do is adopt the same schedule that Public Works uses which would be four, nine hour days with a four hour day on Friday. The new hours for City Hall and Community Development will be 7:30 a.m. to 5:30 p.m., Monday through Thursday and 8:00 a.m. to 12:00 noon on Friday. We would like to experiment with this new schedule from now until the end of the year, if it does not work then we may have to go back to five, eight hour days. Council Member Wilson asked if there was a reason why they could not work ten hour days. Administrator Mills stated that a lot of cities who did change to the ten hour days are switching back mainly because the productivity of the employees goes down with the longer work days. There is also the concern that it takes away too much time from family.

Administrator Mills expressed his thanks and gratitude to everyone who helped with the Strawberry Days. The events were successful despite all of the rain. Administrator Mills also expressly thanked the City Council for allowing City employees to put in the time to get ready for Strawberry Days; there are a lot of volunteers but it would not happen without the assistance of the employees. Administrator Mills said that Leisure Services, the Police and Fire Departments, Public Works and the Arts Council did a fantastic job. Council Member Jensen commented that he thought that the parade route was a much better route this year.

12. MAYOR AND COUNCIL BUSINESS

- Mayor Daniels thanked Administrator Mills and his committee, stating that they did a great job on Strawberry Days.
- Council Member Jensen distributed a survey on the recycling program that contained detailed comments and feedback from residents.

Council Member Jensen provided the following update on Fox Hollow Golf Course; they have terminated the contract with Viking Catering and have hired someone for in house and the change has been a great improvement. Their year to date earnings are up about

forty thousand dollars. They have applied for a class B beer license and expect that to bring a major increase in revenue. Expenses are down about twenty nine percent from last year. American Fork City has donated steel power poles for the lights. They are in need of a data information system which will help with their marketing system/point of sale. This equipment could run as much as fifteen thousand dollars, but it will be money well spent. Mayor Daniels stated that the go ahead was given to them on the lighting project, but everything else was put on hold, so if they want to petition the City for additional funds they need to come before the City Council.

- Council Member Boyd stated that she wanted to convey that she has been hearing from individuals who live above the canal and they are wondering when their pressurized irrigation system will come in.
- Council Member Call stated that he will email to all the Council members the results from the meeting regarding the selection process for the new City Administrator.

There will also be a staff training session this Friday on Web Content.

- Council Member Wilson inquired as to the status of the vehicle use report. Administrator Mills stated that he would check into it.
- Mayor Daniels mentioned that the former Miss Pleasant Grove, Whitney Merrifield who was also the former Miss Utah County is now Miss Utah.

13. SIGNING OF PLATS

No plats were signed.

14. REVIEW CALENDAR

Mayor Daniels mentioned that the Pleasant Grove Promenade starts next Thursday, July 2nd, in the Down Town Park, the hours are from 4:00 to 8:00 p.m.

15. APPROVE PURCHASE ORDERS

Mayor Daniels asked if the Council had reviewed the purchase orders for June 23, 2009. The Mayor then asked for a motion to approve.

ACTION: Council Member Wilson moved to approve the purchase orders for June 23, 2009. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting, "Aye."

16. ADJOURN

ACTION: At 11:00 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Jensen and Wilson voting "Aye."

This certifies that the City Council minutes of June 23, 2009 are a true, full and correct copy as approved by the City Council on July 21, 2009.

Colleen A. Mulvey, Deputy City Recorder