

Pleasant Grove City Council Work Session Minutes
September 29, 2009
7 p.m.

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Mark K. Atwood

Cindy Boyd

Lee Jensen

Jeffrey D. Wilson

Excused:

Bruce Call, City Council Member

City Recorder:

Kathy T. Kresser, City Recorder

Colleen A. Mulvey, Deputy Recorder

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Tom Paul, Police Chief

Degen Lewis, City Engineer

Karen Bezzant, Treasurer

Libby Flegal, NAB Chair

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

1. Call to Order

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

2. Opening Remarks

Opening Remarks were given by Director Bradford.

3. Kevin Fayles to present Envision Utah's 3% Strategy

Mr. Fayles explained that the 3% Strategy is something that they are sharing throughout the region,

the idea is that we target land use changes, small portions of land that are close to major transportation corridors. Utah's population growth is expected to go from two point seven million to six point eight million by the year 2060; we are the fastest growing state in the country. Mr. Fayles pointed out that the trend in transportation as far as vehicle miles traveled is expected to double by the year 2040; we will be traveling farther distances to get where we want to go. This impacts the air quality and energy costs. With respect to land use there are over twelve hundred square miles of developed land statewide and at current density almost nine hundred square miles of additional land will be developed by the year 2030, and more than three hundred square miles of agricultural land will be lost to development. Mr. Fayles explained that these are the trends that we are facing, the 3% Strategy deals with these trends, it reflects consumer choices and preferences, and it maximizes our infrastructure and investments, protects the beauty and recreational opportunities in our region and protects existing neighborhoods.

Mr. Fayles reported that they had a study done in 2007 by Harris Interactive and they studied the preferences and attitudes of Utahans and found that the dominate value was having a safe and secure environment, next highest was personal and community enrichment, people want to have time to do what they want to do; their personal priorities. Mr. Fayles explained that they found from the analysis that was done that most people want to see a mix of housing types, a mix of neighbors, different ages and family stages and they want public transportation options nearby. Market analysis suggests that one third of Utahans will want to live in a walkable neighborhood, close to school, church, the grocery store and other services. Declining household size, increasing housing and energy costs and a growing desire to trade commute time for family, service, work and recreation time will drive this demand for walkable living. The 3% Strategy responds to this consumer demand while preserving traditional single family neighborhoods for the majority who prefer suburban living. It creates vibrant communities and gathering places and responds to market demand for more choices for living, working, commuting, shopping and playing.

Mr. Fayles stated that by using Envision Utah's 3% Strategy, it will accommodate thirty three percent of our future development on three percent of our land near key transit stops and corridors. This approach responds to market trends and creates significant regional benefits while leaving existing residential neighborhoods largely untouched. Mr. Fayles concluded by saying that this a tool to consider as you plan your community.

Mayor Daniels thanked Mr. Fayles for his presentation.

4. Department Report (Leisure Services)

Mayor Daniels turned the time over to Leisure Services Director Deon Giles for the Leisure Services Department report. Director Giles explained that one of the projects that they are currently working on is compiling a Facility and Grounds History; there are ten steps to this project and it will take approximately eight months to complete. Director Giles said that currently they are on step three which is the gathering of information process. On the Facility Data section it will detail for each location the structure and cost information, the building usage, the fire and security system information, the plumbing, mechanical and electrical data and the key inventory. This will cover the eighty seven facilities that the City currently owns. Director Giles then reviewed what the Grounds Data will detail; construction and cost information, ground usage, irrigation information, water features, wetland information, outdoor electrical data, fencing and parking information, trees, playgrounds, sports courts, key and signage inventory information. This covers eighty four City properties. Director Giles added that not all of the properties are City owned but we do maintain them, for example the State detention ponds associated with the freeway overpass.

Director Giles explained that from this information they will create a winterization and de-winterization form for both, Facilities and Grounds to prevent undue repairs and that they will also be videotaping this process as to go through it. The completed information will be placed in a master book and out of that, smaller binders will be placed in each of the Parks Department vehicles which will provide them with quick references. Director Giles pointed out that this will allow the information to be available to all Parks Department employees; it will provide proper procedures that will aide in preventing errors and incorrect information. These data binders will allow us to have the information on hand and be easily available to assist with requests from utility companies, contractors, insurance companies, etc. Director Giles stated that the biggest reason for the Facility and Grounds History is to reduce the overall cost to maintain the facilities and grounds with proper information that will prevent unneeded repairs due to accidents on maintenance and allow for labor savings due to current repetitive information gathering.

Mayor Daniels asked if they had considered if any of this information would be usable by the general public; would there be a benefit for them to be able to have access to it. Director Giles stated that some of the information could be beneficial but there are parts of this that he wouldn't want published such as the security information.

Council Member Boyd asked if this was a data program that we bought, is it a standard thing that cities use or had he created it. Director Giles replied that he created it. Council Member Boyd said that he has done an excellent job.

Administrator Mills added that in regards to information to the public, our insurance company requires that some of this information is kept private for security and vandalism reasons.

Mayor Daniels asked if there were any other questions, there were none. The Mayor thanked Director Giles for his presentation.

5. Discussion of items for the upcoming October 6, 2009 City Council meeting

The Mayor then read the items of business from the agenda.

- a. **Continued Public Hearing to consider an Ordinance (2009-16) amending text in Title 10-9B-2 for the purpose of rewording item E, regarding accessory structures to generally be permitted if smaller than the dwelling, but to also allow an accessory structure to be on a lot or parcel by itself if approved with a Conditional Use Permit; Title 10-9B-7 "Yard Requirements" by adding language that provides reduced setbacks for lots within the R1-7 (Single Family Residential) zone, including new language defining permanent and temporary structures along with design regulations for these structures; Title 10-9B-10 by adding text to include a distance requirement between multiple accessory buildings; Pleasant Grove City applicant (CITY WIDE IMPACT)**

Director Young stated that this a continuation from last week's meeting and it was asked of us to go back and make a couple of corrections, which we have done. The change with the rear yard in the R1-7 zone will be changed to twenty feet. On the suggestion of the wording being consistent, all of the language in the text now refers to buildings. In Title 10-9B-7 section F, 4, d, more clarification is

given to the types of deviations that would be permitted through conditional use permits for accessory buildings larger than five hundred square feet.

Mayor Daniels asked if there were any questions. Council Member Wilson commented that the changes look good.

b. To consider Robert Schow's request for final plat approval of a two (2) lot subdivision known as Quail Run Subdivision, located at approximately 3400 North 700 West in the A-1 (Agricultural) and R-R (Rural Residential) zones (MANILA NEIGHBORHOOD)

Director Young explained that although Robert Show's name is on here and he is the property owner on record, this is being driven by a request of the Quail Run Charter School. They are looking to purchase Mr. Show's property and construct a school. Director Young said that this will take two lots; it is a fairly simple subdivision.

Mayor Daniels pointed out that when we had discussed this parcel of land prior; some of the concerns were with the access. Having multiple points of access, one to the north across the bridge and that the bridge was not designed for the type of traffic that we had anticipated, and asked if that was being looked at with this particular development. Director Young replied that it was, there is a section written up in the staff report and the access will be an issue with the site plan and we have addressed this with the school, that there will need to be two accesses to the property. Mayor Daniels asked what has been their response so far. Director Young said that the main access is the public roadway that connects to 3300 North and then a temporary twenty foot wide access shall be following the water easement to 900 West, it will be a paved secondary emergency access at this point. In the future the arrangement would be the canal roadway crossing and connection to Valley View Drive. Mayor Daniels wanted to clarify that that was a future requirement and that is not part of the requirement for this particular plan. Director Young stated that so far it is not a feasible request at this time, it was determined with the emergency services that they at least add a secondary access for emergency use that would be sufficient at this time. Director Young explained that we will address this more when we get to the site plan. Mayor Daniels said that his point in bringing this up now is that since this has been a major stumbling block in previous discussions about developing this area, along the eastern part of the canal and that addressing this up front and letting them know that these are the concerns that will come up. Director Young stated that in discussions with the school they have talked about the daily trips and where the threshold would be for requiring additional access and such; they have told us that they are going to be very strict in requiring parents and students to be in a carpool situation. The school will monitor this and they are willing to put in the Development Agreement that when their enrollment triggers a higher requirement, that they would provide that secondary access.

Council Member Atwood added that we had already met with this school about this and that was the big concern that they could not financially afford to do the second access. Council Member Atwood asked if they had changed their mind on this. Director Young stated that they are willing to up front dedicate the first half of the width of that future roadway and then bond for the completion of it.

Mayor Daniels stated that we will get into the details of that when we look at the site plans. The Mayor asked if there were any other questions, there were none.

c. To consider appointment of volunteers who will serve as poll workers for the November 3, 2009 General Election (CITY WIDE IMPACT)

Mayor Daniels said that on this item we will be approving the list of the individuals who will serve as poll workers for the General Election.

6. Mayor, City Council and Staff Business

- Engineer Lewis stated that the work progresses on State Street; they have pushed back the grand opening of the bridge to October 22nd.
- Director Young said that they are still waiting to hear something from the contractor for Hammons.
- Director Bradford gave a summary on the Promenade/Farmer's Market, reporting that it started out with twenty two booths and the season ended with sixty one and that most of the booth operators were repeats. Director Bradford mentioned that a soccer team attended and was trying to raise money for new uniforms and that one of the jewelry vendors offered to donate one half of their sales for that night for the uniforms. They raised enough money in one night to buy summer and winter uniforms for the team. Director Bradford reported that food and jewelry vendors did the best in terms of sales and that they would like to recruit more farmers for next year. There was an issue with the Fire Marshall in regards to the food vendors, that they are not supposed to have a canopy within twenty feet of where they are cooking and that will be worked out by next season. Director Bradford also reported that they had spent a lot of the City's money on electricity so they are going to work with Leisure Services and figure it out to where the vendors will be the ones paying for the electricity. Director Bradford concluded that all in all it was a good event and many of the vendors are anxious to continue with us next year and it was suggested to us that we should extend the event through the month of October, of the forty farmers markets around the state a lot of them run through a least the middle of October.
- Director Walker stated that the sewer bursting job is completed and they are just cleaning up at this point.

There will be a bid opening on the Booster Station Secondary Tank this Thursday.

- Chief Sanderson reported that there will be an employee from the Pierce Plant here this week doing some specialized training with all of the crews on the new ladder truck.
- Chief Paul stated that they've had word that we have received our two hundred twenty thousand dollar Technology Grant and will be completing the paperwork when it comes in.

- City Recorder Kresser mentioned that the General Election will be held on November 3rd and that early voting will begin October 20th through October 30th.
- Attorney Petersen stated that she needs some direction on an issue that has come up with the recycling program. The private communities, the Planned Unit Developments (PUD) and the multi-family communities that are governed by their Home Owners Associations (HOA), because they contract privately for their garbage, they are expressing concern about automatically being included in our City recycling program. Attorney Petersen said that she has done an informal survey and called four or five different cities to see how they handle their HOA communities and they all handle them differently. Attorney Petersen said that we have had one HOA who would like us to consider that because they contract their garbage privately, to just leave them out of the City's recycling program and if they want to as a community vote to participate in the recycling program they can, but that they will make arrangements with whoever they have their garbage contract with rather than automatically being included in ours. Attorney Petersen said that she spoke to Scott Wells and he said that if we tried to include them and they do not get their garbage bill from us, then billing them will be very difficult.

Administrator Mills stated that this is the way that we handle the regular waste collection, the HOA's have a private contract and a lot of them do not use Allied Waste so it would be difficult. The cleanest way to do it is the way we handle the commercial, if they want to go ahead with recycling then they can contract it themselves. Council Members Atwood, Jensen and Wilson all commented that that was good, it makes sense.

Mayor Daniels asked about the purpose of the ordinance for the City's recycling program, he said that it seems like it is broader than just to establish an organized method of recycling, it's to establish recycling as a priority as a community. The Mayor asked what the Council felt about including in the ordinance that these HOA's are still required to have a recycling program.

Administrator Mills remarked that in talking with the HOA's, it was discussed that they should have a vote within their associations. The HOA boards have come back and told us that they want to opt-out; they are asking if the board would be able to sign the opt-out form for their community, or do they have to have each person come in to sign an opt-out with the City. Administrator Mills added that the City is not under contract with these HOA individuals.

Mayor Daniels stated that he is not proposing that the City provide a contract for them, in the case that we've set up it was an opt-out of participating with the City, we decided as a City that we were going to have recycling and so the question with the HOA's is valid. It still goes back to the question about if we are establishing recycling as a priority for the City of Pleasant Grove. We have spent all this effort to educate and we are going on with an informative campaign to get the information out about recycling, so what do we do with respect to the ordinance.

Council Member Wilson asked that if we have the boards of the HOA's do the opt-out is that

going to be a problem. Administrator Mills stated that it is not problem for us because we do not have contracts with these HOA's, they do it privately. Council Member Wilson then stated that as a City we are trying to go with all recycling, to go green, so the burden then will be on them to move in the same direction with the City.

Council Member Boyd added that in the future with any planned HOA's we should make it a requirement that they have to provide recycling.

Administrator Mills stated that he agrees, but that we need to decide if we need to make a provision in the ordinance that addresses the HOA's and PUD's. Administrator Mills also pointed out that the commercial waste pick up does not require recycling.

Attorney Petersen said that the decision about exempting the commercial was made during the bidding process. If we want to put something in the ordinance that says that the HOA's have to take a vote of whether they want to recycle or not, or put some kind of burden on them to make a decision in their community, that can be done. We cannot actually force them to be involved in the recycling program but we could say that they need to consider the matter as part of our City policy of being a recycling City and make a decision one way or the other.

Engineer Lewis pointed out that in a lot of the condo type communities, they are tightly planned and there is no extra storage place for additional dumpsters or cans. Mayor Daniels stated that then makes it inconvenient for them to recycle. Engineer Lewis stated that it is much more inconvenient than for the average citizen.

Mayor Daniels referred back to his question of the fact that we have decided as a City to be a recycling City and for the purposes of our ordinance, what does that mean, what is the attitude towards recycling that we've taken as a City? The Mayor asked the Council if we have decided to go down the path of recycling because we believe that our community should be a recycling community.

Council Member Jensen stated that he thinks that everybody should recycle.

Council Member Atwood said that we are offering it and we are letting the people decide if they want to recycle and if we wanted to make sure that we wanted to be a community of recycling then we would have made it mandatory.

Mayor Daniels then asked what the direction to Attorney Petersen would be with respect to the HOA's and are they exempt.

Council Member Atwood asked how many there were and could we have Community Development send out a letter and ask the individuals their feelings on recycling.

Council Member Jensen commented that to the extent that we think it is fair, we want to be a recycling City and we decided as a Council to give them the option now, but to make it mandatory for all newcomers. The feeling all along from the Council has been that we are

committed to this being a recycling City and now what is happening is that we are getting examples of exceptional situations and this is important enough for us to spend more time on it.

Mayor Daniels stated that we do owe Attorney Petersen some kind of direction so that she does not write an ordinance that we are just going to turn around and revise next week.

Administrator Mills stated that the way we deal with HOA's and PUD's in utilities with the City, is we handle them as one unit, we send one bill out to each one of them. The group that has the vote in these communities is the board, if any of their residents have a concern about the opt-out decision, its back on to the HOA's and not Pleasant Grove City. Administrator Mills said to make it easiest for the City we look at them as a single user and the individual who is authorized to sign for the HOA will have to come in and sign to opt out and this can be added to the ordinance. Mayor Daniels stated that from a practical perspective with the way that we are handling the opt-out with this particular program, that that makes sense.

Mayor Daniels asked the Council that in the direction for Attorney Petersen would we be dealing with the HOA's as one unit. The consensus of the Council is that we would.

- Administrator Mills mentioned an Eagle Scout project that Director Giles was involved with where they built a food shelter on 500 North and 200 East where fruits and vegetables are dropped off and picked up and it has been surprising the amount that goes through this station each week.

Administrator Mills said that the City's website now has a page on the recycling program and that an individual mailer is being put together and will be sent to every customer. Administrator Mills explained that we will be using Amfax, a system that will call every home that we have a utility bill with and it will announce information on the recycling program. Also, we will be sending emails to all customers that we have an email address for, explaining the recycling program and where they can get more information, such as our website. Council Member Jensen added that the recycling information on our website has an extensive question and answer section that addresses many of the questions that we have been asked.

Administrator Mills announced that we have reserved the date of Tuesday, December 15th at UVU for the City's Holiday Party; it will start at 6:00 p.m.

Administrator Mills mentioned that Water Superintendent Robert Kresser is retiring and his last day will be tomorrow and that we want to wish him well after all of his years of service with the City.

- Council Member Jensen mentioned and welcomed the students who were attending the meeting as part of an assignment of their US Government Citizenship class at Pleasant Grove High School, taught by Mr. Kurtz. These students will also be involved in a voter registration drive to help encourage more people to register to vote.

Council Member Jensen next mentioned that there has been some campaign sign vandalism this week. A few of the banner signs have been spray painted with very derogatory remarks. Council Member Jensen said that he had not yet reported this to Police Chief Paul, but that he wanted to make the Council aware of this.

- Council Member Boyd reported that she attended the Manila Water meeting on the 23rd and that they have organized a board. Council Member Boyd stated that a lot was discussed and that she feels good about getting a lot of the issues resolved and it seems very positive as far as the future of the Manila Water Board and the direction they are going.
- Deputy Recorder Mulvey wanted to make the candidates aware that for people who are not yet registered to vote and wish to vote in the November General Election, they will need to register to vote thirty days before the election in order to be eligible. They need to register with the Utah County Elections Office by October 4th.

Administrator Mills added that we will also be using the Amfax, telephone message system to call our residents with a message encouraging them to get out and vote.

Mayor Daniels asked if there was anything else that needed to be discussed, in that nothing else was brought up, the Mayor asked for a motion to adjourn.

ACTION: At 8:14 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd, Jensen and Wilson voting, "Aye."

ADJOURN

Meeting adjourned at 8:14 p.m.

This certifies that the Work Session
Minutes of September 29, 2009 are a true,
full and correct copy as approved
by the City Council on October 20, 2009.

Colleen A Mulvey, Deputy City Recorder