

Pleasant Grove City Council Minutes
February 6, 2007
7:00 p.m.

ATTENDING:

Mayor:

Mike Daniels

City Council Members:

Cindy Boyd

Darold McDade

Mark Atwood

Lee Jensen

Bruce Call

City Recorder:

Amanda Fraughton

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Tina Petersen, City Attorney

Marc Sanderson, Fire/EMS Chief

Lynn Walker, Public Works Director

Deon Giles, Leisure Services Director

Ken Young, Supervisor, Community Development

Tom Paul, Police Chief

Richard Bradford, Economic Development Director

Sean Allen, City Planner

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

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given by Scout Jonathon Belnap.

2. OPENING REMARKS

The Opening Remarks were given by Director Giles.

3. APPROVAL OF MEETING'S AGENDA

ACTION: Council Member Call moved to approve the evening's agenda. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, Call, McDade, Jensen and Atwood voting, "Aye."

4. CONSENT AGENDA (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):

- a. Minute Review and Approval:
City Council Minutes for January. 16, 2007
- b. Work Session Minutes for January 30, 2007
- c. To consider approval of Final Payment and Change Order No. 2 to Noland & Son Construction Co., Inc. for the Pleasant Grove 700 South Sewer Improvements Project.
- d. To consider approval of paid vouchers (January 25, 2007)

ACTION: Council Member Jensen moved to approve the Consent Agenda items as listed. Council Member Boyd seconded and the motion passed unanimously with Council Members Boyd, McDade, Atwood, Jensen and Call voting, "Aye."

5. OPEN SESSION

Mayor Daniels invited anyone to come forward. Mrs. Louisa Gough from the Library Board came forward. She told the Council and Mayor that the library had received a "Tech" grant so they could create their website. She said the website is enabling them to put their catalog on-line. It will also allow patrons to check for books on-line as well as to see if they have any outstanding fines, etc. There will be an open house at the library in March so the public can see how the system works. To get ready for the open house, she said the library will be closed from February 16 to 21, 2007. She also reported that 37,000 books were checked out in January. She said that averages 1,100 a day. The library is going along great, and she thanked the Mayor and Council for their continuing support.

Mayor Daniels then asked Mr. Pat Ellington to come forward. He said Mr. Ellington had been serving on the Board of Adjustment since 1998, and had currently retired. He thanked him for faithfully serving the community. Mayor Daniels said that he had observed that Mr. Ellington consistently served with maturity, wisdom and balance. He also assisted in helping with the General Plan. The Mayor also noted that Mr. Ellington always looked at decisions on the board with fairness and an equitable perspective. The Council and those attending applauded Mr. Ellington as Mayor Daniels presented him with a plaque.

6. NEIGHBORHOOD ADVISORY BOARD REPORT

Neighborhood Chair Libby Flegal was out of town.

7. BUSINESS

ITEM A: TO CONSIDER ADOPTION OF A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED. THE SUBJECT PROPERTY, TO BE KNOWN AS THE WARNICK DAIRY ANNEXATION FOR PROPERTY

LOCATED AT APPROXIMATELY 1500 WEST 3300 NORTH WITH ZONING OF PROPERTY TO R1-20 (SINGLE FAMILY RESIDENTIAL, 20,000 SQ. FT. LOT AREA) ZONE. PROPERTY OWNERS INCLUDE CHARLES TERRY WARNICK AND VAL D. WARNICK. PARCEL CONTAINS APPROX. 9.92 ACRES.

Mayor Daniels read this item. Supervisor Young then explained that the request before the Mayor and Council was currently within the boundaries of unincorporated Utah County. He said the property is owned by the Warnick family and is undeveloped agricultural land. A couple of annexation plat corrections were recommended by the County's Surveyor Office prior to the City acceptance of the petition, which have been completed.

The property has been identified within the City's annexation policy as property that the City is willing to annex into its boundaries. It complies with the current recommendations presented by the combined effort of John Schiess, Pleasant Grove City Utilities Engineer and Howard Denning, American Fork City Engineer. The city engineers have determined that the City can provide full utility services to the property.

The requested zone for the property is R1-20, which is single family residential with a 20,000 sq. ft. minimum lot size.

Supervisor Young said that although it is not to be considered a part of the annexation approval, a conceptual development plan has been presented for review. This plan will require a code amendment to allow for such development either through a performance development zoning or through a conditional use permit and associated development agreement. This concept proposes an overall density which would meet the requirements of the R1-20 zone, but would allow for smaller lots with the provision of open space. A code amendment to allow for this proposal will soon be presented for official consideration.

The Planning Commission and staff recommends that the Council adopt the Petition for Annexation of 10.05 acres known as the Warnick Dairy, located at approximately 1500 West 3300 North, based on the findings; 1. The proposed ground to be annexed has been identified on the City annexation policy as land that the City anticipates annexing into the city. 2. The proposed land to be annexed will be subject to all development requirements of the zone to which it is zoned as part of the annexation process. 3. The City is able to provide utility service to the subject property. 4. Plat corrections as recommended by the Utah County Surveyor's Office will be submitted prior to official review and acceptance of the annexation petition by the Council.

Mayor Daniels asked if there were any comments or questions. Council Member Boyd asked if the land would come in as A-1 zone. Supervisor Young said no, it would come as R1-20, as requested. He explained that the A-1 zone would be a default zone, if another wasn't specified. She then commented that the lots in that area are half acre lots.

Supervisor Young said that the R1-20 zone is considered half acre lots. Council Member Boyd said that 20,000 sq. ft. lots are actually a little under half-acre lots.

Mr. Carl Hansen from Kriser Homes then asked if he could answer the question. He said that the R1-20 would work better with the concept his company was attempting to do in that area. He said lots just less than one half acre would be a better size for the development. Council Member Boyd asked what the lot size was with the adjacent developments. Mr. Hansen said they were R1-15 or 15,000 sq. ft. lots.

Attorney Petersen noted that the annexation was to be completed prior to a site plan. She explained that this action was to determine whether the Council accepted the petition or not. She said a 30-day period would need to go by before the annexation was actually accepted. In this time, she said that staff can look at the R1-20 zoning to see if it is appropriate for that area. She also explained that the zone wasn't actually being accepted, but that the developer was requesting that zone; and it would be considered along with the annexation ordinance prior to final approval in 30 days.

The Mayor then asked for a motion.

ACTION: Council Member Call moved to approve the adoption of Resolution No. 2007-012, accepting a Petition for Annexation of certain real property under the provisions of Sections 10-2-403 and 10-2-405, Utah Code Annotated, 1953, as amended. The subject property, to be known as the Warnick Dairy Annexation for property located at approximately 1500 West 3300 North with zoning of property to R1-20 (Single Family Residential, 20,000 sq. ft. lot area) zone. Property owners include Charles Terry Warnick and Val D. Warnick. Parcel contains approx. 9.92 acres. Acceptance is with the findings that; 1. The proposed ground to be annexed has been identified on the City's annexation policy as land that the City anticipates annexing in the City; 2. The proposed land to be annexed will be subject to all of the annexation process; 3. The City is able to provide utility service to the subject property; Plat corrections, as recommended by the Utah County Surveyor's Office will be submitted prior to official review and acceptance of the annexation petition by the City Council. Council Member Boyd seconded and the motion passed unanimously by voice votes with Council Members Boyd, Call, McDade, Atwood and Jensen voting, "Aye."

ITEM B: PUBLIC HEARING TO CONSIDER THE REQUEST OF CHARLES GREEN TO AMEND LOT 1 OF THE MATTINSON SUBDIVISION, PLAT "A," AND TO CREATE A 2-LOT SUBDIVISION KNOWN AS GREEN SUBDIVISION, PLAT "A," LOCATED AT APPROX. 257 NORTH 850 EAST IN THE R1-9 (SINGLE FAMILY RESIDENTIAL, 9,000 SQ. FT. LOT AREA) ZONE. MONKEY TOWN NEIGHBORHOOD

Mayor Daniels read this item. Supervisor Young then explained that Mr. Charles Green was requesting the approval of a three-lot subdivision final plat. He went on to say that the Mattinson subdivision, which is going in west of the subject property, has the applicant looking to extend 350 North the remaining distance to the Murdock Canal and subdivide their parcel, which is currently being used as horse property. In order to get the

required frontage and allow for an adequate dead-end turnaround, lot one of the Mattinson subdivision will be vacated and will become lot one of the Green Subdivision. The current zoning is R1-9. The proposed subdivision complies with all of the requirements of the R1-9 zone. The square footage for the lot exceeds the minimum requirements for the zone with lot one being 15,791 sq. ft, lot two being 14,644 sq. ft. and lot three being 16,605 sq. ft. The proposed subdivision is a three-lot subdivision located between the Mattinson subdivision to the west and the Murdock canal to the west, also. All the lots will have frontage and access off 350 North.

All engineering requirements are to be met and satisfied prior to the recoding of the final plat. The Planning Commission forwarded a positive recommendation for approval at a public hearing held on December 14, 2006. He added that staff recommends that the Council approves the final plat proposal for the Green subdivision based on the condition that all Engineering requirements are met. Also, with the findings that the proposed subdivision complies with the development requirements of the R1-9 zone and it has been given a recommendation of approval from City Engineering.

Mayor Daniels said this was a public hearing. He opened the hearing to those present. No one came forward. He closed the public hearing and brought the discussion up to the Council. Council Member McDade asked why they are amending the one lot. Supervisor Young said that it will actually be three lots.

Mayor Daniels asked if there were anymore comments. There were none. He then asked for a motion.

ACTION: Council Member McDade moved to approve the request of Charles Green to amend lot 1 of the Mattinson Subdivision, Plat "A," and to create a 2-lot subdivision known as Green Subdivision, Plat "A," located at approx. 257 North 850 East in the R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone with the condition that all Engineering requirements are met. Also, with the findings that the subdivision complies with the development requirements of the R1-9 zone and it ahs been given a recommendation of approval form City Engineering. A Public Hearing was held. Council Member Jensen seconded and the motion passed unanimously by voice votes with Council Members Boyd, Call, McDade, Atwood and Jensen voting, "Aye."

ITEM C: PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING MARK RYAN'S REQUEST TO REZONE A 1.66 ACRE TRACT OF LAND LOCATED AT APPROX. 300 EAST 1100 NORTH FROM RR (RURAL RESIDENTIAL, 21,780 SQ. FT. LOT AREA) ZONE TO R1-10 (SINGLE FAMILY RESIDENTIAL, 10,000 SQ. FT. LOT AREA) ZONE. BIG SPRINGS NEIGHBORHOOD.

After Mayor Daniels read this item, Supervisor Young explained to the Council that the request being made by Mr. Mark Ryan was for an approval for a rezone of 1.66 acres from RR zone to the R1-10 zone.

He went on to say that the property is undeveloped land located on the northeast corner of 1100 North and 300 East. The land is currently being used as a garden and horse pasture.

The 1.66 acre parcel will be an addition to the Larsen Acres Subdivision which is directly west of the subject property. In order to subdivide the parcel, the property needs to be rezoned. It is anticipated that property will be rezoned from the RR to the R1-10 zone to match Plat A of the Larsen Acres Subdivision.

The General Plan calls for Low Density Residential on the property. Anticipated zones, he said, within this land use designation are the R1-12 and the R1-10 zones. The requested zone of R1-10 is in compliance with the General Plan. The property is currently zoned RR. The new zoning designation of R1-10 will tie plat B of Larsen Acres in with Plat A of the same development. He said under the new zoning designation, no lots will be smaller than 10,000 sq. ft, which will create building lots more consistent with the surrounding properties. All the properties adjacent to the property are either R1-10 or R1-8. The subject property is one of the last parcels in the immediate vicinity that is not a smaller zoning designation. Additionally, the Planning Commission forwarded a positive recommendation for approval at a public hearing held on January 11, 2007.

Staff recommends that the Council approves the Larsen Acres, Plat B rezone, located at approximately 300 East 1100 North with the following findings: 1. The proposed zone change complies with the goals, policies and objective of the General Plan. 2. The proposed zone change is in the interest of the public and 3. The proposed zone change was given a positive recommendation for approval by the Planning Commission.

Mayor Daniels opened the discussion to a Public Hearing. Mr. Gary Larsen, from the adjoining property at 330 East and 1100 North remarked that he thought that his property was zoned RR and not R1-9. Mayor Daniels asked Supervisor Young what was correct. Supervisor Young said that RR is Rural Residential and is usually categorized that in agricultural area. Mr. Larsen said he had always had animals on his property, and wondered if he would be able to retain his animal rights by having them “grandfathered” in. Attorney Petersen asked Mr. Larsen if he could please come in the next day to Community Development so his current zoning could be researched by staff, as well as his animal rights. Mr. Larsen said he would also like to find out if the rezoning of this property in question would affect his tax status. Supervisor Young said that he was not part of the annexation, and it should not affect his tax status. It may be noted that Mr. Larsen submitted a letter of protest to the Council, which is attached as Exhibit “A.”

Mayor Daniels then closed the Public Hearing and brought the discussion up to the City Council. Council Member Jensen commented that if the property was rezoned, it would allow more houses to be built in that area.

Mayor Daniels asked if there were any comments or questions. There were none. He then asked for a motion.

ACTION: Council Member Boyd moved to approve Ordinance No. 2007-2, regarding Mark Ryan's request to rezone a 1.66 acre tract of land located at approximately 300 East 1100 North from RR (Rural Residential, 21,780 sq. ft. lot area) zone to R1-10 (Single Family Residential, 10,000 sq. ft. lot area) zone with the findings that 1. The zone change complies with the goals, policies and objective of the General Plan; 2. The zone change is in the interest of the public and, 3. The zone change was given a positive recommendation for approval by the Planning Commission. A Public Hearing was held. Council Member Call seconded and the motion passed unanimously by voice votes with Council Members Boyd, Call, McDade, Atwood and Jensen voting, "Aye."

ITEM D. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING PAUL SOUTHAM'S REQUEST TO REZONE A 1.28 ACRE TRACT OF LAND LOCATED AT APPROX. 575 EAST 700 NORTH FROM R1-9 (SINGLE FAMILY RESIDENTIAL, 9,000 SQ. FT. LOT AREA) ZONE TO R1-8 (SINGLE FAMILY RESIDENTIAL, 8,000 SQ. FT. LOT AREA) ZONE. MONKEY TOWN NEIGHBORHOOD

Mayor Daniels read this item. Supervisor Young then indicated that Mr. Paul Southam was requesting approval to rezone approximately 1.386 acres of property, at the location listed, from R1-9 to R1-8, for the purpose of a future subdivision development. The applicant received a favorable recommendation from the Planning Commission on January 11, 2007.

He went on to say that the properties are a combination of vacant lots and older parcels which are deep, but not very wide, with existing homes located there. Also, 780 North stubs to an end on both the east and west sides of these properties, which the applicant desire to connect as part of his concept proposal. He said that if the applicant is allowed to rezone the subject properties to R1-8, he will be able to install all the road improvements that are intended to complete the 780 North roadway, and still maintain compliance, with the square footage requirement, for lots in that zone. Even though this property is on the border of R1-9 zoned area, the overall area is predominately R1-8; he said that staff does not see a problem with making the change in zoning. Additionally, the City's General Plan would be unaffected by the proposed change, because both the R1-8 and R1-9 zones are considered a Medium Density land use for that area.

The staff recommends Mr. Southam's request, based on the following condition; That the applicant continues to adhere to the general concept proposed for development, working with staff to meet all Engineering, Planning and Zoning as well as Fire Department requirements. Also, the recommendation is based on the findings that; 1. The proposed zone change complies with the goals, policies and objectives of the General Plan; 2. the Planning Commission forwarded a unanimous recommendation to approve the rezone proposal on January 11, 2007; 3. the applicant has agreed to meet all requirements of the R1-8 zone; 4. The proposed zone change would further the opportunities for improvements to the area and 5. The proposed zone change is in the interest of the public.

Mayor Daniels opened the discussion to a Public Hearing. No-one came forward. He closed the Public Hearing and asked the Council if they had any comments or questions. There were none. Because there were none, the Mayor asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2007-3 regarding Paul Southam's request to rezone a 1.28 acre tract of land located at approx. 575 East 700 North from R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone to R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone, with the following condition; 1. That the applicant continues to adhere to the general concept proposed for development, working with staff to meet all Engineering, Planning and Zoning as well as fire department requirements. Findings would include; 1. The zone change complies with the goals, policies and objectives of the General Plan; 2. The Planning Commission forwarded a unanimous recommendation to approve the rezone proposal on January 11, 2007; 3. The applicant has agreed to meet all requirements of the R1-8 zone; 4. The zone change would further the opportunities for improvements to the area; and 5. The zone change is in the interest of the public. A Public Hearing was held. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Jensen, Atwood and McDade voting, "Aye."

ITEM E. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING JERRY SMITH'S REQUEST TO AMEND SECTION 10-12B-12 OF THE PLEASANT GROVE CITY MUNICIPAL CODE TO ADD TEXT TO ALLOW AN EXCEPTION TO THE MD (MANUFACTURING DISTRIBUTION) ZONE FOR ON-SITE PARKING AND TRAFFIC WAY IMPROVEMENTS. SAM WHITE'S LANE NEIGHBORHOOD

After Mayor Daniels read this item, Planner Allen noted that Mr. Jerry Smith would like to Council to approve additional text to Section 10-12B-12/Item B, allowing the Engineering department to waive improvement requirements based on meeting certain qualifications.

Planner Allen then went on to say that the property is located at approximately 555 West 220 South, in the MD/Manufacturing Distribution zone. The applicant has submitted a concept plan to convert the south portion of this property into a lot for parking recreational vehicles and trailers. This classified as a Conditional Use in the MD zone, and for all intent and purposes, would be a good use for the property. However, the zone requires all parking spaces, loading area and traffic ways be improved with asphalt or cement, in section 10-12B-12/item B. He has been using his property for the storage of heavy slabs of concrete, associated with the business located there, and believes there should be an exception to the ordinance requirement for parking and storage of vehicles, because it is parking over a long term; and not a come-and-go day-to-day movement of the vehicles.

Continuing on, Planner Allen explained that after further review of the ordinance by staff, and consulting with Attorney Petersen, the argument that the ordinance is meant to apply to parking and traffic ways that are frequently used by vehicles coming and going on a

daily basis, is a reasonable one. He said that the question then arose as to whether there should be a different requirement, or a waiver for vehicles types that have seasonal use, or that come and go only a few times of the year. Attorney Petersen, as well as Planning and Engineering, all believed the applicant's request could fall under a review separate from what is currently stated in the code. The review could entail the applicant meeting one of two requirements, as determined by the City Engineer. The two requirements would include; 1. Submittal of a soils report, showing evidence of capable load capacity, and; 2. Installing the property amount of fill material, as determined by the City Engineer.

If the applicant is able to meet the requirements for a certain load capacity, which is capable of handling large recreational vehicles, or as a alternative option, engineer the installation of fill material under the direction of the City Engineer, then the requirement for the said improvements can be waived; but the approval is to be issued on a case by case basis, only.

He said that staff recommends approval of the proposed text amendment based on the following condition; 1. That the applicant and all future applicants meet all other requirements found in the title. Additionally, with the findings that; 1. The ordinance does not give consideration for parking of different types (long term vs. short term); 2. The applicant has proven willing to cooperate with meeting additional requirements established by the City Engineer; 3. Staff has received a favorable recommendation from the City Attorney; 4. Staff received a recommendation to approve from the Planning Commission on January 11, 2007; 5. Any changes or additions made to the municipal code are to be in the spirit of making the code more clear and concise regarding uses, and matters pertaining to the City.

Council Member McDade asked if the current ordinance has an exception to it. Supervisor Young said no, it didn't. He said this is why the exception was being requested with this text amendment.

Council Member Atwood observed that maybe parking and loading would be okay, but a traffic way might be pushing the capacity of a dirt parking lot. He said he felt asphalt needed to be laid in the loading area.

Planner Allen responded that the engineers have looked at the area and said it should be okay—pending a soils test. He said it will probably require fill in that area. That fill would include gravel, etc. Council Member Atwood then commented that water has to go somewhere, and he could see potential problems with heavy vehicles coming and going on soil. He also noted that a soils test was done on soil in an area of the city where the fire trucks were to turn around. During the first big rain, the soil that was to support the fire trucks was quickly washed away.

Council Member Jensen then asked if this passed for Mr. Smith, if others in the same zone could store their vehicles, etc. on soil. Mayor Daniels said a waiver would need to be provided by the City Council. Planner Allen said that process would be on a case-by-case basis. He also said that Council Member Atwood had made a very good point.

Council Member Boyd asked if this applicant, amongst others, would just be able to continue parking on such a lot. Planner Allen said that not necessarily. He said they would each have to go through a site plan approval. He said an approval of this Ordinance would only be opening the door.

Administrator Mills then commented that there were issues on this property with utility lines and a main sewer outfall line that passes under Mr. Smith's property. Mr. Smith has been told that he can't construct anything permanent over those lines. He went on to say that that part of the property is used without improvements. Mayor Daniels said it sounded like a mutual benefit to the City and Mr. Smith.

Mayor Daniels then opened the discussion to the public. Battle Creek Neighborhood Chair Randy Kummer asked how many vehicles would be parked in the area in question. Mayor Daniels said he didn't know for sure. However, the Mayor explained that the applicant would have to meet certain requirements prior to being permitted to use the area for parking. Mr. Kummer added that he would also be concerned about the environmental effects from having vehicles parked directly over dirt.

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

ACTION: Council Member Call moved to approve Ordinance No. 2007-4 regarding Jerry Smith's request to amend Section 10-12B-12 of the Pleasant Grove City Municipal Code to add text to allow an exception to the MD (Manufacturing Distribution) zone for on-site parking and traffic way improvements with the condition that; 1. The applicant and all future applicants meet all other requirements found in this title; and with the findings; 1. The ordinance does not give consideration for parking of different types (long term vs. short term); 2. The applicant has proven willing to cooperate with meeting additional requirements established by the City Engineer; 3. Staff has received a favorable recommendation from the City Attorney; 4. Staff received a recommendation to approve from the Planning Commission on January 11, 2007; 5. Any changes or additions made to the municipal code are to be in the spirit of making the code more clear and concise regarding uses and matters pertaining to the City. A Public Hearing was held. Council Member Jensen seconded and the motion passed with voice votes from Council Members Boyd, Call and Jensen voting, "Aye," and Council Member Atwood and McDade voting, "Nay."

ITEM F: PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING THE SIDING GUYS INC.'S REQUEST TO AMEND SECTION 10-11C-13 OF THE PLEASANT GROVE CITY MUNICIPAL CODE, TO ADD TEXT TO ALLOW AN EXCEPTION TO THE C-S (COMMERCIAL SALES ZONE) FOR ON-SITE PARKING AND TRAFFIC WAY IMPROVEMENTS.

Mayor Daniels read this item. Planner Allen then presented information to the public and Council. He said that the applicants, Mr. Steve Griggs and Mr. Clint Baum, would like a recommendation to approve additional text to Section 10-11C-13/Item B, allowing

engineering to waive improvement requirements if certain conditions are met. The property is located at approximately 116 East 700 South, in the C-S/Commercial Sales zone.

The applicant has purchased the property with the intention to remodel and beautify the existing home; as well as construct a new storage building for the housing of their siding materials for their business called The Siding Guys. They are going to submit a site plan which will include significant landscaping improvements as well. The applicant's met with Staff on December 19, 2006 at a DRC meeting to go over their proposal. At that meeting, it was made known to the applicant's that the zone requires improvements installed for all parking and loading areas and traffic-ways as part of the overall Site Plan approval. The applicants are now requesting text be added to the existing ordinance that would allow for a possible waiver of these required improvements.

Planner Allen next explained that the applicants are requesting a waiver be added to the text in the C-S zone, because installing the improvements for the entire property is more than they can afford. They are already planning to provide all required landscaping, drive, parking and utility improvements to the front half of the property. However, they do not wish to provide the improvements at the rear of the property where they propose to have their employee parking. This area is to be enclosed with a sight-obscuring fence. Engineering has determined that the area requesting the exception is also a collection point for storm water. The applicant consulted with JUB Engineering and proposed to install compactable gravel for the entire area south of the interior fence, which is in the rear yard. This would also allow storm water to percolate down into the ground of the subject property, he noted.

The City Attorney, Planning and Engineering all believed the applicant's request could fall under an alternate review separate from what is currently stated in the code. This review would entail the applicant meeting one of two requirements, as determined by the City Engineer. These include; 1. Submittal of a soils report, showing evidence of capable load capacity; and 2. Installing the property amount of fill material, as determined by the City Engineer. If the applicant is able to meet the requirements for a certain load capacity, which is capable of handling vehicles, and would engineer the installation of fill material under the direction the City Engineer to resolve storm water concerns; then the requirement for the improvements could be waived.

Also, the recommendation from staff would be to approve the proposed text amendment with the following condition; 1. That the applicant, and all future applicants, meet all other requirements found in this title. Additionally, with the following findings; 1. The ordinance does not allow for any flexibility to business owners that are required to provide improvements to all parking, traffic-ways and storage areas, etc. Some flexibility would be helpful, to small business owners, or start-up companies. 2. the added flexibility will allow for small business owners to get established, and provide an upgrade to rundown properties, with older homes, that would otherwise continue deteriorating; 3. The City Engineer has indicated that exceptions can be given upon the applicants meeting certain conditions; 4. Staff has received favorable recommendation from the City

Attorney; 5. On January 11, 2007, the Planning Commission forwarded a positive recommendation to approve the applicant's proposal, including Staff conditions, and the following additional condition would be to make sure that the Staff report is re-written to ensure that the City Engineer is responsible to review and approve the exception to the improvement requirements; 6. Any changes or additions made to the municipal code are to be in the spirit of making the code more clear and concise regarding uses, and matters pertaining to the City.

Mayor Daniels asked if this was in the area of the current RDA. Administrator Mills said yes, it was in the RDA area that was formed a few years ago.

Council Member Jensen asked if this text amendment would only be on a temporary basis. Planner Allen said the property would still need to go through a site plan, and he didn't know for sure how long they would be able to not pave the area. Council Member Atwood simply suggested that the parking area only be allowed to be used as such for a year; at which time the Community Development staff and City Engineer would check the area and make sure it is still able to handle the use. Planner Allen said that would be a good idea. Attorney Petersen also said that keeping a yearly eye on the lot would be a good idea. She said this could be handled through a Conditional Use Permit. Depending on the condition of the parking area, the city could suspend, revoke or continue the permit.

Mayor Daniels then opened the discussion to a Public Hearing. Mr. Steve Gregg came forward. He said he is the owner of the company that is applying. He noted that this parking area will be fenced and not visible to the public. He also said he will be hauling in rocks to cover the area, and having a grate as vehicles leave the lot (so the dirt can fall off the wheels prior to entering the street) as was recommended by the engineers. He noted that the cost for him is prohibitive at this time to try to raise the level of the parking lot as well as covering it with asphalt. Also, he said about 10 employees would be parking in the area, and would be exiting on an existing concrete driveway and customer parking area. Mr. Gregg added that his business also has 100 feet of concrete (that is already in) between the graded area and the street.

Mayor Daniels asked if there were any more comments from the public. There were none. He then brought the discussion up to the Council.

Council Member McDade thanked Mr. Gregg for attending and telling the Council his plans for the site.

Mayor Daniels asked if there were any more questions or comments. There were none. He then asked for a motion.

ACTION: Council Member Jensen moved to approve Ordinance No. 2007-5, regarding The Siding Guys Inc.'s request to amend Section 10-11C-13 of the Pleasant Grove City Municipal code, to add text to allow an exception to the C-S (Commercial Sales Zone) for on-site parking and traffic way improvements with the following condition; 1. That

the applicant and all future applicants meet all other requirements found in this title. Additionally, with the following findings; 1.The ordinance does not allow for any flexibility to business owners that are required to provide improvements to all parking, traffic-ways and storage areas, etc. Some flexibility would be helpful, to small business owners, or start-up companies. 2. The added flexibility will allow for small business owners to get established, and provide an upgrade to rundown properties, with older homes, that would otherwise continue deteriorating; 3. The City Engineer has indicated that exceptions can be given upon the applicants meeting certain conditions; 4. Staff has received favorable recommendation from the City Attorney; 5. On January 11, 2007, the Planning Commission forwarded a positive recommendation to approve the applicant's proposal, including Staff conditions, and the following additional condition would be to make sure that the Staff report is re-written to ensure that the City Engineer is responsible to review and approve the exception to the improvement requirements; 6. Any changes or additions made to the municipal code are to be in the spirit of making the code more clear and concise regarding uses, and matters pertaining to the City. A public hearing was held. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM G: PUBLIC HEARING TO CONSIDER AN ORDINANCE IN REGARDS TO AMENDING THE "CONDITIONAL USES" SECTION FOR THE FOLLOWING ZONES: A-1/AGRICULTURAL (10-8-2/G), RR/RURAL RESIDENTIAL (10-9A-2/G), AND R1/SINGLE-FAMILY RESIDENTIAL (10-9B-2/F), TO ALLOW FOR ANIMAL HUSBANDRY OF UNIQUE & EXOTIC ANIMALS AS A NEW USE CLASSIFICATION #8229. THE REQUEST IS TO ADD LAND USE CODE #8229 TO THE CONDITIONAL USES LIST UNDER THE ZONES GIVEN ABOVE, AND MODIFY IT TO READ, "OTHER ANIMAL HUSBANDRY SERVICES (EXOTIC), EXCLUDING ANIMALS WHICH POSE A THREAT TO HUMAN LIFE UNDER NORMAL CIRCUMSTANCES, LIMITED TO ONE ANIMAL OF ONE SPECIES AS A PET, AND A BUSINESS SHALL BE SUBJECT TO SECTION 10-21-4 OF THIS TITLE. ALL ANIMAL HUSBANDRY IN THIS CATEGORY SHALL BE SUBJECT TO RECOGNIZED NATIONAL STANDARDS AND BEST MANAGEMENT PRACTICES, WHERE THEY EXIST, OR SIMILAR TO STANDARDS AS MODELED BY THE NATIONAL REPTILE IMPROVEMENT PLAN (NRIP)/BEST MANAGEMENT PRACTICES FOR REPTILE TRADE AND HOBBY". ALSO ADDING TEXT TO TILE 5-1C-13-A/ NUMBER OF ANIMALS STATING THAT "ANY OTHER ANIMALS, DEFINED AS EXOTIC, AND THEIR NUMBER ALLOWED SHALL BE DETERMINED BY THE PLANNING COMMISSION THROUGH THE CONDITIONAL USE PERMIT PROCESS." CITY WIDE IMPACT

Mayor Daniels read this item. Planner Allen then explained that this item is a public hearing for a text amendment request to include a classification for Exotic Animal Husbandry as a conditional use to the A-1/Agricultural, R-R/Rural Residential and R-1/Single Family Residential zones 20-8; also adding text to Title 5-1C-13-A regarding Number of Animals.

Historically, Planner Allen said that the Council denied the recommendation from staff and the Planning Commission on November 8, 2006 stating that they liked the idea of having a provision in the code for animal husbandry of exotic animals, but believed that there needed to be a set of standards from a national source to supplement the Planning Commission in any future decisions regarding an animal defined as “Exotic.”

He went on to say that Staff obtained a copy of a national reptile care improvement plan called, “Best Management Practices for Reptile Trade and Hobby,” which was adopted by the Pet Industry Joint Advisory Council on June 16, 2003. This plan gives definitions of procedures, operators and animals addressed by the plan. It also provides a guide to how persons can submit application for their operation to be accepted or accredited by the National Reptile Improvement Plan (NRIP) meeting “Standard Operating Procedures” (SOP’s), which include the best management practices (BMP’s) applicable to the species and the facility the animal is housed in.

The scope of the plan covers five areas of concern, with the first being categorizing the animal. They are; 1. Reptiles/Amphibians; 2. Facility Management; 3. Disease Prevention; 4. Handling and Husbandry; 5. Compliance Monitoring and Quality Assurance. He said the city’s code has a provision that regulates all animals listed under the Exotic animal definition, except for non-poisonous snakes, amphibians and sea mammals (turtles/tortoises). All other animals fall under the cross definition of “Wild Animal,” which are prohibited in the City. There is also a general provision which states, “Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property,” which is found in each of the subject zoning ordinance under Household Pets.

Next, Planner Allen explained that there are significant standards relating to the health and welfare of not just the animal, but those persons that come in contact with the animal. With this plan, and the standards it imposes both with the national and local standards, Staff has increased in confidence that this is the proper vehicle to address such applications. If a person or business wishes to meet these standards, they have to have proof of registration and accreditation with the NRIP, evidence that the applicant’s facility and activities are consistent with the Best Management Practices (BMP’s) and other requirements of the NRIP, Veterinarian inspection, General Facility Standards and Husbandry, BMP’s for Tick Control, BMP’s for Display and Sale at Public Events, BMP’s for preventing Reptile Associated Salmonella and Compliance Monitoring and Quality Assurance.

Any person providing husbandry for these types of animals will be required to meet the conditions listed above—and shall be required to submit the approval certification they obtain with the NRIP. This shall also be required with each City business license application, which is to be renewed each year. Applicants shall be required to go through the Conditional Use Permit process by submitting an application that is to include evidence of approval from NRIP as well as the requirements of Section 10-21-6 if it is a Home Occupation. If the animal husbandry is for the purpose of having a pet, then the applicant should be limited to one animal of one category (non-poisonous snake,

amphibian or turtle), and still provide the documentation of accreditation. If the request is associated with a home-based business, then the Planning Commission has the right to determine the number of animals allowed, based on their findings on a case-by-case basis. Planner Allen then said that Staff recommends the text amendment, based on the conditions and findings of both themselves and the Planning Commission.

Council Member Call said that reading through the NRIP standards gave him the exact information he was looking for when the Council last met on this subject. He said the standards addresses many of the concerns that were expressed before. Also, he noted that the way he understood the text amendment, owners would be limited to one pet per category. Attorney Petersen said that it actually doesn't read that way. She expressed some concerns about the text amendment as it was currently written. She said that if the City is to handle a problem or complaint, there needs to be more information on the books.

After further discussion, Mayor Daniels then opened it to a Public Hearing. Battle Creek NAB Chair Randy Kummer said that he would think that if the police or fire department was to respond to a call, which they would need to know is there was a snake in the home

Mr. Terry Hunter said the Council needs to be careful not to "over-govern." He said if someone wanted to have a snake, it would be their business.

Mayor Daniels asked if there were any other comments from the public. There were none. He then brought the discussion up to the Council.

Council Member Jensen commented that if some of the creatures were released, it could be of major concern to the neighbors.

Council Member Call recommended that Attorney Petersen look at the proposed ordinance. He said that this item could be continued. Attorney Petersen agreed.

ACTION: Council Member Jensen moved to continue the Public Hearing to consider an Ordinance in regards to amending the "Conditional Uses" Section for the following zones: A-1/Agricultural (10-8-2/G), RR/Rural Residential (10-9A-2/G), and R1/Single-Family Residential (10-9B-2/F), to allow for animal husbandry of unique & exotic animals as a new use classification #8229. The request is to add land use code #8229 to the conditional uses list under the zones given above, and modify it to read, "Other Animal Husbandry services (Exotic), excluding animals which pose a threat to human life under normal circumstances, limited to one animal of one species as a pet, and a business shall be subject to Section 10-21-4 of this title. All animal husbandry in this category shall be subject to recognized national standards and best management practices, where they exist, or similar to standards as modeled by the National Reptile Improvement Plan (NRIP)/*Best Management Practices for Reptile Trade and Hobby*". Also adding text to Tile 5-1C-13-A/ *Number of Animals* stating that "Any other animals, defined as exotic, and their number allowed shall be determined by the Planning Commission through the conditional use permit process." A public hearing was held. Council Member Call

seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM H: PUBLIC HEARING TO CONSIDER AN ORDINANCE ADJUSTING THE COMMON BOUNDARIES BETWEEN PLEASANT GROVE CITY AND LINDON CITY IN THREE AREAS: (1) FIRST AREA IS BETWEEN 1200 WEST AND GENEVA ROAD IN PLEASANT GROVE, AND 1700 WEST AND GENEVA ROAD IN LINDON; (2) SECOND AREA IS BETWEEN 1100 EAST AND 1200 EAST IN PLEASANT GROVE, AND MAIN STREET AND 200 EAST IN LINDON; AND (3) THIRD AREA IS BETWEEN 1450 EAST AND 1720 EAST IN PLEASANT GROVE, AND 400 EAST AND 650 EAST IN LINDON. PROPERTY OWNERS AFFECTED BY THE LINDON CITY ADJUSTMENT INCLUDE: RAI CORP.; WARREN B. & LE ORA BRADSHAW, IVORY DEV., KENNETH L. & LAURA G. FRYER AND DANIEL H & LA NAE MUHLSTEIN. PROPERTY OWNERS AFFECTED BY PLEASANT GROVE ADJUSTMENT INCLUDE: CARMA C. MILLAR, LOUIS J. & DONNA J. FRANK, KEN D. GORDON AND LINDON CITY. CONTAINS APPROX. 2.88 ACRES.

Mayor Daniels read this item. Supervisor Young noted that the request is to approve an ordinance adjusting the boundary between Pleasant Grove and Lindon Cities. He said approximately 2.88 acres in various locations are in the adjustment.

The three areas of adjustment are; 1. Approximately 1 ½ acres immediately south of the Pleasant Grove City Waste Water Treatment facility, at approximately 800 West, adjusted into Lindon, as well as two small slivers to be adjusted into Pleasant Grove; 2. Approximately ¾ acres below the bend of 1150 East and 1000 South, adjusted into Lindon, aligning the boundary with 1000 South St; 3. Approximately ½ acre below the proposed new alignment of 1000 South Street near 1600 East, adjusted to Pleasant Grove, as well as two small pieces to be adjusted to Lindon.

The City Council approved a resolution of intent to adjust the boundary as proposed herein on December 5, 2006. The approval of this proposed ordinance is the final step in adjusting the boundary, as proposed. The legal notification and public hearing requirements for both cities have been met, and all appears to be in order for the approval of the ordinance. He said Staff recommends approval.

Mayor Daniels then opened the Public Hearing. No-one came forward. He closed the Public Hearing and brought the discussion to the Council. There were no comments or questions from the City Council. He then asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2007-6, adjusting the common boundaries between Pleasant Grove City and Lindon City in three areas: (1) First area is between 1200 West and Geneva Road in Pleasant Grove, and 1700 West and Geneva Road in Lindon; (2) Second area is between 1100 East and 1200 East in Pleasant Grove, and Main Street and 200 East in Lindon; and (3) Third area is between 1450 East and 1720 East in Pleasant Grove, and 400 East and 650 East in Lindon. Property owners

affected by the Lindon City Adjustment include: Rai Corp.; Warren B. & Le Ora Bradshaw, Ivory Dev., Kenneth L. & Laura G. Fryer and Daniel H & La Nae Muhlstein. Property Owners affected by Pleasant Grove Adjustment include: Carma C. Millar, Louis J. & Donna J. Frank, Ken D. Gordon and Lindon City. Contains approx. 2.88 acres; with the following findings; 1. The proposed boundary adjustments will provide for more efficient development, servicing and maintenance of the identified properties; 2. The proposed boundary adjustments comply with the spirit of the objectives of the General Plan; 3. No significant negative impacts to either city or property owners have been identified. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM I: PUBLIC HEARING TO CONSIDER AN ORDINANCE IN REGARDS TO AMENDING SECTIONS 10-14-16, "LANDSCAPE AND BUFFER AREA LANDSCAPING REQUIREMENTS;" 10-14-17, "PARKING LOT LANDSCAPING" AND 10-14-18, "BUFFER LANDSCAPING MATERIALS," OF THE PLEASANT GROVE CITY MUNICIPAL CODE, IN THE GATEWAY (GW) ZONE. SAM WHITE'S LANE NEIGHBORHOOD

Mayor Daniels read this item. Planner Allen then explained that the city staff was seeking approval to amend the existing text of the Gateway Zone to abandon any text regarding the unit system intended for calculating landscaping. Also, to add text allowing for new criteria for the calculation of desire landscaping in this zone, specifically involving required trees.

He went on to say that the purpose of streamlining the review process for landscaping of sites in the Gateway Zone. The zone currently requires most of the landscaping or buffer areas to meet a minimum number of landscaping units, within a specified area of development, to ensure a certain aesthetic. These units are calculated from the number of trees, plants, shrubs and other landscaping materials, which have a given unit value. There have been complaints from the DRB, Engineers, Architects and Staff regarding how cumbersome and uncommon the system is; as well as its overall usefulness.

Planner Allen said that a provision that simply states, "all areas not used for parking, driveways, sidewalks or buildings are to be properly landscaped with plants, shrubs, sod, trees and perennials." This can accomplish the majority of the requirement, which the City's ordinance already has. The landscape architect, with some suggestions from Staff and the Design Review Board (DRB), may put these landscaping materials in an order and design that is pleasing and meets the City's desire for that site. A unit system, he said, is not necessary to accomplish that. As an added requirement, the City may choose to specify an exact number of trees to ensure a certain look. A provision for counting the number of trees is recommended to remain as part of the review process because of their size and significance to a landscape. For this reason, he explained, as well as the fact Pleasant Grove City uses "Utah's City of Trees" for the City logo, adopting a specific tree ratio and requirement seems to be prudent.

He went on to say that Staff is also recommending that the City adopt a ratio of one tree for every one thousand square feet of proposed landscaped area; with 30% of these required trees to be a minimum of seven-foot tall evergreens. He said this will provide the Gateway area year-around green. When presented to the DRB, he noted that the board found relief in the concept, giving the idea a favorable recommendation to pursue a change in the text. He added that Staff's recommendations also have conditions and findings that are attached.

Council Member Boyd asked how much of the current development in the Gateway was landscaping. Planner Allen said he wasn't sure. Supervisor Young said that the Gateway area has a 25% open space requirement. He said staff is currently reviewing how much acreage that actually is.

Council Member Jensen asked about trees along the roads in that area in planter strips (in the middle of roads). Planner Allen said that in all boulevard strips, trees must be 30 feet on center.

Attorney Petersen then asked about the evergreen requirements. Mayor Daniels asked if she had seen the proposed ordinance. She said she hadn't. The Mayor then instructed staff to make sure she looks ordinances and resolutions over before they submit them for the packets. Planner Allen said they would.

Council Member Atwood commented that even though he understands that Staff is trying to streamline the process, they need to make sure that they are careful to get exactly what the City expects with the landscaping in that area. Planner Allen said absolutely, they would be very careful to keep the current standards up.

Mayor Daniels then opened the discussion to a Public Hearing.

Mr. Terry Hunter commented that he was concerned that if there were a lot of evergreens along the roadways that it might cause long-term ice on the road. He felt this would be a public safety concern. Planner Allen said he understood, however, he said evergreens, in most of the plans he has seen, are actually away from the street and nearer the buildings.

The Mayor then closed the Public Hearing. He asked the Council if they had any comments or questions. They had none. The Mayor then asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2007-7, in regards to amending Sections 10-14-16, "Landscape and Buffer Area Landscaping Requirements;" 10-14-17, "Parking Lot Landscaping" and 10-14-18, "Buffer Landscaping Materials," of the Pleasant Grove City Municipal Code, in the Gateway (GW) zone, with the conditions that; 1. The required number of trees be required based on a ratio calculation of 1/1,000 square feet of landscaped area; 2. That 30% of the required number of trees be minimum seven foot tall evergreens; 3. That all landscaping plans submitted be stamped and signed by a licensed landscape architect; 4. Shade trees are provided in the landscaping of parking lots, as outlined in the ordinance. Also, with the findings; 1. All parties that are

involved with the review of landscaping plans, prior to a public hearing , are in favor of dissolving the unit value system, and adopting the new tree ratio requirement; 2. The DRB once proposed a similar request (May, 2004), and Staff has received their support to adopt the new text; 3. Abandoning the unit value system and adopting the tree ratio calculation will streamline the review process on both ends without sacrificing the overall needs of a landscaping plan, and meeting the City's goals of a landscape that bring variety, class and beauty; 4. On December 14, 2006, the Planning Commission gave a positive recommendation to approve this proposal, including all Staff conditions. The vote was unanimous; 5. Staff has found that his request is in the spirit of making the municipal code more clear and concise regarding issues with landscaping in the Gateway zoning district. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM J: PUBLIC HEARING TO CONSIDER AN ORDINANCE IN REGARDS TO AMENDING SECTION 10-18-2, "PARKING DESIGN STANDARDS," OF THE PLEASANT GROVE CITY MUNICIPAL CODE, TO INCLUDE AN ADDITIONAL LANDSCAPE REQUIREMENT. CITY WIDE IMPACT

Mayor Daniels read this item. Planner Allen then explained that this was related to the prior item in that it is a move by Staff to provide additional landscaping requirements for off-street parking. He added that Staff would like an approval to amend the test to Section 10-18-2 (Parking Design Standards), allowing for landscaping requirements for off-street parking, which are consistent goals and objectives.

He went on to say that the ordinance referenced above currently does not require landscaped islands at the end of parking rows, or shade trees for beautification and shade during the warmer seasons of the year. Landscaping is also not required in the design of double parking rows. The text amendment requests a minor amendment in comparison with the Gateway zone. The new text amendment would be effective in achieving a more widespread consistency with the landscaping required in a parking lot.

Planner Allen said that in looking at the current parking lots in the city, and found that the request to be sensible if the goal for the entire City is to incorporate the best possible standard of parking design along with landscaping. A parking lot without shade trees is a great deal of asphalt and concrete without even minimal amount of shade or greenery. He said the Staff agrees that the current ordinance lacks the proper requirements to achieve beautification and shade for parking lots that would be developed throughout the City.

On December 14, 2006, the Planning Commission gave a positive recommendation to approve the text amendment. They included the points that minimum tree diamond width is to be 5 feet high. They also recommended that the tree spacing on the landscape strips facing a public street are changed to 50 foot spaces. The tree spacing on landscape strips not facing public streets are changed to 25 feet.

The added requirement provides a 5 foot wide landscaped planter at the end of all parking rows. This includes a minimum 2" caliper shade tree. The planters are to be landscaped with the property landscaping materials. A tree diamond is requested with a minimum 2" caliper shade tree to be installed every six stalls in double parking rows. Additional shade trees are to be required along landscaped areas, adjacent to single parking rows, which are also to be a minimum 4 feet wide. These trees are to be no more than 6 feet distance from the stall, and be installed at intervals of every three parking stalls.

Director Giles asked who would be deciding as to the type of trees used. Planner Allen said a licensed landscape architect would be responsible for that decision. Administrator Mills then added that since Director Giles and his crews normally end up responsible for the upkeep of most of the trees in such areas, it would probably be prudent to include him in the decision. He added that there are also trained arborists on Director Giles' staff that would be capable of looking at the plans. Planner Allen also said that Director Walker was concerned that the DRB should also be consulted.

Mayor Daniels opened the discussion to a Public Hearing. No-one responded. He closed the Public Hearing and brought the discussion up to the City Council. There were no comments. He then asked for a motion.

ACTION: Council Member McDade moved to approve Ordinance No. 2007-8, in regards to amending Section 10-18-2, "Parking Design Standards," of the Pleasant Grove City Municipal Code, to include an additional landscape requirement with the following conditions; 1. That the landscape planters at the end of each parking row be a minimum 5' wide, and landscaped with the appropriate landscaping materials, including a minimum 2" caliper shade tree; 2. That a minimum 4' wide tree diamond be installed in double parking rows, with a minimum 2" caliper shade tree, at intervals of every six parking stalls; 3. That a minimum of 2" caliper shade trees are installed in landscaped areas, adjacent to single parking rows, at intervals of every three parking stalls at a distance of no more than six feet. Also, with the findings that; 1. The landscaping requirements for parking in Section 10-18-2 are insufficient in meeting the desired goals for appropriate beautification, and proper shading for parking lots; 2. the proposal closely relates with the minimum requirements for landscaping of a parking lot in the Gateway Zone; 3. On December 14, 2006 the Planning Commission gave a positive recommendation to approve the text amendment, with Staff's conditions, and additional conditions as discussed above; 4. Any changes or additions to the municipal code are to be in the spirit of making the code more clear and concise regarding uses and matters pertaining to the City. Additionally, the Council amended the motion by recommending that the Leisure Services Director (Deon Giles) and his crews should be able to check the plans prior to installation of the landscaping. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM K: TO CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT WITH TROPHY HOMES REGARDING THE MAYFIELD DEVELOPMENT.

Mayor Daniels read this item. Attorney Petersen then came forward. She said that in the recent Sager Annexation, Pleasant Grove City, Trophy Homes and Liahona Academy came together with Mr. and Mrs. Myler, Mr. Dennis Baker and Mr. Matt Smith in creating what would now be the Mayfield Development. She said that this Development Agreement would hone together a mixed-use development combining a proposed multi-family housing, commercial, church, school and park development.

She explained that originally, the school had obtained two acres of property in the BMP zone off 700 South. A school did not really fit well with the overall plan that the City had for economic development in that zone. That BMP zone, she explained, is very small (acreage wise), and the City wanted to preserve as much of it as possible for true business and light manufacturing uses. She went on to say that the school teamed up with Trophy Homes and moved to this new location within the proposed Mayfield development. This site works better for everyone in that it allows the BMP zone acreage to remain free for the kind of development that the City wants to see there and it allows the school to have more open space and park space, she noted. The green space, including the soccer field, will be used by the school during school hours; but will be open to the residents of Pleasant Grove for use at other times.

Council Member Boyd asked why the Development Agreement was the first to be approved. Attorney Petersen said that she didn't really know why it was first on the agenda, but that if the Council was concerned that agreeing to the Development Agreement meant that they had to approve the following agenda items; that isn't the case. The performance obligations contained in the Agreement do not become effective until the Mayfield Development has received its final approvals. The City cannot contract away its legislative functions. So, if the following items do not meet with the City's requirements, the Council is not obligated to approve them anyway, if they approve this Development Agreement.

Council Member Jensen commented that he wondered why the green space wasn't being called a soccer field. Attorney Petersen said that was because it would have other uses besides a soccer field. Supervisor Young agreed. He said that it was not in the planning of this park-like area to only use it for soccer. The Council Member also noted that he felt the park should be more within the development instead of a mutual road with American Fork. He said he thought this was an open invitation to American Fork residents to use the park. Mayor Daniels said American Fork residents were welcomed to use this park as well as Pleasant Grove's other parks, including the Discovery Park.

Attorney Petersen then went on to explain that the reasons that the multiple parties were entering into the agreement were; 1. To preserve for the benefit of the City the business, manufacturing and park zoning district (BMP) which adjoins Sam White's Lane on its north boundary for its designated purposes; 2. To facilitate the building of 450 South as a

collector road to provide for connectivity and increased traffic mobility as outlined on the City's Master Transportation Plan; 3. To facilitate commercial development of 10 acres of office/commercial use, which will benefit the City with an increase tax base; 4. To facilitate a land exchange that will enable Mylers to donate three acres of land to the Liahona Academy for the purpose of the construction and operation of a new private school facility and adjacent park; 5. To facilitate the development of a mixed use project consisting of 41.83 acres (Mayfield Development) including a combined townhouse/retail office park known a Mayfield, the Liahona Academy and park and other related commercial uses. She also said that Trophy Homes agreed to buy the necessary water rights in the event that their well rights have not been "proved up" and changed over to the City in time to complete 860 East along their frontage to American Fork City street standards and take care of the storm drain issues.

Council Member Jensen asked about the open ditch on the drawing of the development. He said he was concerned about safety issues. Attorney Petersen said the Army Corps of Engineers had said that a portion of the ditch needed to remain open at this time. She said it was designated a jurisdictional body of water.

Attorney Petersen next indicated that there would be a disposition of the Myler two acre parcel. She said that prior to closing; Trophy Homes must have a secured a third party purchaser for the Myler Two-Acre Parcel at a price of one hundred and seventy five thousand dollars (\$175,000) per acre—and on terms otherwise acceptable to Trophy Homes. In the event that Trophy Homes has not secured a third party purchaser by closing date, they shall continue best efforts to sell the property for an additional six months. If at the conclusion of six months from the date of closing, no third party purchaser has been secured, Pleasant Grove City agrees to purchase the Myler Two Acre Parcel from Trophy Homes as a price of \$165,000 per acre and on terms otherwise mutually acceptable to Trophy Homes and the City. She noted that the city is not normally a land broker, but she had been assured by city officials that this would be a good deal for the city due to the placement of the property and a potential use for the city.

Council Member Jensen said he was concerned that if we did this for Trophy Homes, if it would set a precedent for other developers. Attorney Petersen said that the purpose of the deal is to make sure that the City can keep that area within the use of the BMP zone. She said it isn't any different than acquiring property for an RDA use.

At this point, Mayor Daniels reminded the City Council that the City had negotiated a workable deal that helped all parties to not enter into litigation. He said this was a better way to approach the deal with all the parties concerned. Council Member McDade said that he was concerned about the city potentially having to buy property in such a deal. He said that litigation could still happen.

Council Member Jensen then observed he felt sorry for the fact the school has had to wait so long for approvals. He said they have been patient with the process, and he has really appreciated Mr. and Mrs. De Graff for their kindness. He then asked if the two acres didn't sell, if it would be a deal breaker for Trophy Homes. Mayor Daniels asked Mr.

Bill Peperone if the provision of the sale of the property could go away. Mr. Peperone said he would go along with striking that provision. Attorney Petersen then noted that number 2.7 on page 2 of the agreement as well as number 4.4 on page 5 was to be stricken from the agreement.

Mayor Daniels asked for a motion.

ACTION: Council Member Jensen moved to approve Resolution No. 2007-013, authorizing the Mayor to sign a Development Agreement with Trophy Homes regarding the Mayfield Development; amending the agreement by striking number 2.7 on page 2 and 4.4 on page 5 of the agreement. Council Member Call seconded and the motion passed unanimously with voice votes from Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

ITEM L: TO CONSIDER TROPHY HOMES’ REQUEST FOR THE APPROVAL OF THE MAYFIELD DEVELOPMENT OVERALL PROJECT PRELIMINARY SITE PLAN FOR PROPERTY LOCATED AT APPROXIMATELY 700 SOUTH 2500 WEST.

Mayor Daniels read this item. Planner Allen then came forward. He indicated that the applicant, Trophy Homes, would like the Council to approve the elements and general layout of the Mayfield Development preliminary site plan. He said the elements include the Commercial/Office space which is 10.71 acres; Civic space, which is 6.96 acres; Residential, 22.85 acres; Open Space; 10.31 acres and the 450 right-of-way (ROW) which is 1.31 acres.

The applicant received preliminary plat and site plan approval from the Planning Commission on November 16, 2006. This approval includes the elements of civic—which is the private school (Liahona Academy); a future LDS Church site; and a 300-unit multi-family residential community. In addition, the applicant proposed a construction phasing plan, which required Planning Commission approval. This was granted by the Planning Commission on January 25, 2007.

Planner Allen indicated that the applicant has included elements of commercial/officer (25%), a private school (9%), a future school site (8%), a residential community (55%) with a density of approximately 7.2 units per acre, or approximately 13.2 units per acres (if density is being calculated based on just the residential acreage only). Whichever perspective is chosen to calculate the density, it still well within the maximum allowed of 18 units per acre. Open space amounts to 25%. He said there is ample park areas, as well as an upgrade clubhouse and pool plus other recreational amenities. There is a trail system in the project.

He then said there has been some discussion between Staff and the Planning Commission regarding the east boundary and how it connects with the Belle Monet development and the ditch that runs along that boundary. On November 16, 2006, Commissioner Corry specifically requested that staff address issues with the open ditch along the east

boundary. There is a problem in that once the trail was completed by the Belle Monet development, Trophy Homes discovered that the trail had encroached 6 inches onto their property. Negotiations continue as to the outcome of this problem, he said.

JUB Engineering has recommended approval of the proposed Mayfield Preliminary site Plan, having met all preliminary engineering requirements and phasing plan. They are already underway reviewing the final improvement plans for half of the development, he noted.

Mayor Daniels asked if Trophy Homes wanted to have a fence along the water area. Planner Allen said that they would like to have an open fence i.e. railing, etc. He said the pool for the Mayfield Development will be fenced, however. Mr. Hansen from Kriser Homes noted that Trophy Homes has been very good to work with. He said that the trails between the developments will be coming together. He said if the solid fence was move far enough back, they can keep from having a hard barrier.

Mayor Daniels asked about the width of 450 South. Engineer Beaumont said it would be 66' wide. He said the interior, private roads will be 30' wide.

Planner Allen said in other developments in the area, residents have been unhappy with parking. He said that the design with the parking for this development gives cars enough room to park as well as back up and turn around. He said Trophy Homes' staff said they are working hard to provide additional parking. He added that City Staff is currently working on the ordinance concerning parking in such developments.

Mayor Daniels asked if turning radiuses for emergency vehicles are large enough. Engineer Beaumont said yes, it is. He also said the water pressure in the area is good for fire flows.

Director Giles asked about the trail tie-in through the project. Planner Allen said the trail in that area is mostly a 10' wide green are with sidewalk, crosswalk, open space trail and park benches. Council Member Boyd asked how wide the trail was along the roadway. Engineer Beaumont said it was 6' wide.

Planner Allen and Supervisor Young both explained that because there is so much open space in the development, the DRB gave the developers a density bonus.

Council Member Boyd said she noticed there were several amenities with the development. Mr. Adam Langford from Trophy Homes said there were. He said there were tot lots, a pavilion, open space, trails, a large clubhouse, pool and two theatre rooms. Mr. Pepperoni added that there will also be a weight room. He said the clubhouse will be able to handle gatherings of about 100 people.

Council Member Atwood asked why there is a deviation of the 50/50 commercial and residential with this project. He said he was uncomfortable that this project was adjusted

to 45/55. Council Member McDade said he was also concerned about the change for this project.

Supervisor Young said that the Council could grant a modification to the 50/50 rule. He added that the Council would need to decide if they felt the project was balanced in their mixed uses.

Council Member Atwood reminded the developers that the City required that they build the commercial portion of the business first.

Attorney Petersen said if the Council remembered, the 50/50 grew out of the fact that the area was being run over by multi-family housing. She said there was even a temporary period of time when no multi-family housing was approved or built in the Gateway/Blues area. The Planner at that time, Mr. Gary Fry, said that the proposed 50/50 was “not the end,” but just an idea to preserve having a representation of commercial in that area. Supervisor Young said he would recommend that the city actually do away with the 50/50% and just go towards “good planning.”

Council Member Atwood said he is concerned about the amount of water and sewer lines as well as police and fire protection that needs to be provided. He said he just wants to see that the city services not become overloaded.

Council Member Call said that as he looked at the plans for the Mayfield development, he felt was probably the best planned multi-use development the city had seen.

Mayor Daniels then indicated to those present that maybe a brief review of where the City had been and where they were now. He said that not too long ago, American Fork had filed a protesting the Sager annexation; which is where the Mayfield Development will go. He said that through negotiation and long talks with American Fork officials, the two cities are now cooperating in finalizing a permanent boundary, as well as a service agreement. He went on to explain that he personally feels this development will be of benefit to the city. He also said it will add a beautiful corner to that area. He said that Supervisor Young and Planner Allen have brought a fresh perspective to the planning in the city. He said they are in the process of being pro-active by revamping the look of these developments, as well as other areas of the community. He suggested that all involved look toward the future and move forward.

The Mayor also observed that the developing in that area had gone from 100% residential to 55/45. With this percentage, he said a beautiful school, park, church, walking paths, play areas and more would come to the community. He said he has seen everyone involved—from the developers to property owners to school management do nothing but concede and work closely with staff.

At this point, the Mayor said he noticed that the 11 p.m. hour was approaching. He said he would need a motion to continue the meeting past 11 p.m. He also suggested a 5 minute break.

ACTION: Council Member McDade moved to approve the extension of the City Council meeting past 11 p.m. as well as a motion to take a 5 minute break. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

Please Note: When everyone came back to the Council room, Mayor Daniels asked for a motion.

ACTION: Council Member Call moved to approve Trophy Homes’ request for the approval of the Mayfield Development Overall Project Preliminary Site Plan for property located at approximately 700 South 2500 West with the conditions; 1. That the applicant is not to deviate from the percentage of project elements provided (commercial, civic, open space and residential) when submitting for final plat and site plan approvals; 2. That any fence installed within 2’ of the waterway bank, along the east boundary, is to be supported by an engineered retaining wall, with shrubbery to help prevent erosion and provide some beautification; 3. All final engineering requirements are to be met, for each final plat or site plan, prior to Council approval; 4. That all zoning, supplementary and development requirements are to be met, for each final site plan, and final plat, prior to final approval; 5. That the Development Agreement and all Mayfield project CC&R’s are submitted to the City and reviewed by the City Attorney prior to Council approval. Also, with the findings; 1. The proposal complies with the goals and objective of the General Plan for this area; 2. The development would enhance the Gateway area, and have a significant fiscal impact; 3. The proposal offers more of a variety of uses than any previous development of its kind; 4. The proposal offer more “usable” open space than any previous development of its kind. Council Member Atwood seconded and the motion passed with Council Members Call, Atwood and McDade voting, “Aye,” and Jensen and Boyd voting, “Nay.”

ITEM M: TO CONSIDER TROPHY HOMES’ REQUEST FOR FINAL PLAT APPROVAL OF A 7-LOT MIXED USE DEVELOPMENT SUBDIVISION KNOWN AS MAYFIELD DEVELOPMENT, PLAT “A,” LOCATED APPROX. 700 SOUTH 2500 WEST.

The Mayor read this item. Planner Allen then explained that the seven lots proposed for the subdivision area all along the west side of the 42 acre area known as Mayfield. The applicant has defined these seven lots as property to be sold, at some future date, to other parties vested in the overall success of the Mayfield project. These parties are; Trophy Homes’ commercial (lots 1 – 4) to be sold to various office and retailers; The Liahona Academy private school (lots 5 – 6); the LDS Church (lot 7). The preliminary subdivision plat was approved by the Planning Commission on November 16, 2006.

The Mayfield, Plat A, subdivision proposal simply establishes boundaries for future sale of real property. In addition, it also provides the City with the required roadway dedications along 2500 West, 450 South and 280 South. The property to the south (lots 1 -4), is a parcel that will contribute toward the commercial retail/office element of the Mayfield Development. All the remaining parcel land to the east is to be the future

residential phases by Trophy Homes. Each phase shall be submitted for final plat approval before the Council.

Additionally, some of the lots include the necessary easements that are to be associated with the project layout. Proposed lots 1-4 share an easement that is to provide drainage, utility, water, sewer, parking and cross-access rights.

Mayor Daniels said it looked as though they were taking parts of the western portion of the development and creating plat A with 7 lots. Supervisor Young said that was correct. Mr. Peperone said this was because of Federal Housing Authority (FHA) requirements.

ACTION: Council Member McDade moved to approve Trophy Homes' request for final plat approval of a 7-lot mixed use development subdivision known as Mayfield Development, Plat "A," located approx. 700 South 2500 West with the following conditions; 1. That 2500 West is dedicated to the City from lot #2 to the northwest corner of lot #7; 2. That 450 South is dedicated to the City as illustrated on the Plat; 3. That 280 South ROW is located within lot #7, and is dedicated to the City, from 2500 West to the East boundary of lot #7; 4. That all planning, fire and engineering requirements are satisfied; 5. That these lots, if sold, are bound by the same Development Agreement, and plan approvals that area part of the overall Mayfield project development; 6. If shared parking is request, a "Shared Parking Agreement" is to be submitted to City staff for review, if any of the owners of these lots wish to engage in such an agreement—this is to be approved and recorded with the plat prior to full occupancy of the buildings involved in the agreement. Also, with the following findings; 1. The lots meet the requirements of the Gateway Zone; 2. The lots are consistent with the development plan for the area; 3. Engineering has given a recommendation to approve the plat; 4. The Planning Commission approved the preliminary plat on November 16, 2006. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM N: TO CONSIDER TROPHY HOMES' REQUEST TO APPROVE THE LIAHONA ACADEMY SITE PLAN AND CONDITIONAL USE PERMIT FOR LOT 5 OF THE MAYFIELD DEVELOPMENT, PLAT "A," AND PART OF PHASE 1 OF THE CONSTRUCTION PHASING PLAN; LOCATED AT APPROX. 700 SOUTH 2500 WEST IN THE BLUES SUB-DISTRICT OF THE GATEWAY ZONE.

Mayor Daniels read this item. Planner Allen then came forward to explain that the Liahona Academy, LLC, were requesting of the Council to grant final site plan and a Conditional Use Permit approval to locate a private school called Liahona Academy, including a park within lot #5 of the Mayfield Development.

Planner Allen said the preliminary subdivision plat and site plans were approved by the Planning Commission on November 16, 2006. Liahona Academy has been working with Trophy Homes' personnel to become part of an overall project development called

Mayfield. The school is to be a major civic element to this project. The applicant is part of a Development Agreement, which ensures their participation in this project.

The proposed Liahona Academy Site Plan is located on lot 5 of the Mayfield Plat A. The site plan provided only the area that Liahona is responsible to install and construct. The remainder of the lot, which is the park area to the north, is to be installed by Trophy Homes through their development agreement, as well as a long term lease agreement provided with this report. Trophy Homes has agreed to install the park with the construction of the Academy. The school construction is proposed to be in two phases. The future addition is slated to be added as it is needed.

All zoning and development requirement have been addressed. The applicant has provided a landscaping plan, stamped and signed by a licensed landscape architect. They have provided eleven more trees than the required 30. There are no evergreens on the plan; therefore, staff recommends evergreens be provided on site. They further recommend that 30% of the total required number of trees be evergreens, with a minimum height of 7 feet.

Additionally, the applicant needs to provide lighting in the parking lot. They also need to make sure the flag pole is no higher than 35 feet in height. He went on to say that staff recommends the approval of the Liahona Academy final site plan as well as a Conditional Use Permit.

Council Member Atwood asked that if there were additional classrooms and a gym added, if there would be enough parking spaces. Planner Allen said there are plenty of parking spaces planned for the school.

Mayor Daniels asked if there was sufficient turn-around room in the parking lot. Planner Allen said there was.

Council Member Jensen asked the owners of the Academy, Mr. Brent and Mrs. Kolleen DeGraff, what percentage of the students are involved with their distance learning. He said the reason he was asking was because he wondered why a gym was needed. Mr. DeGraff said that he didn't have those statistics with him, but that the school does have basketball teams, etc, which will need the gym.

Mayor Daniels asked about the construction schedule. Mr. DeGraff said the school construction will start immediately, and is scheduled to be completed for the students in the fall of this year. The Mayor then asked for a motion.

ACTION: Council Member Jensen moved to approve Trophy Homes' request to approve the Liahona Academy Site Plan and Conditional Use Permit for lot 5 of the Mayfield Development, Plat "A," and part of Phase 1 of the construction Phasing Plan; located at approx. 700 South 2500 West in The Blues Sub-district of the Gateway Zone with the following conditions; 1. The applicant provides an updated site plan illustrating the park area, to the north, as part of the legal description give for lot #5; 2. That a

lighting plan be provided for the parking areas, with lamps shielded to prevent glare onto the residential properties to the east; 3. That the applicant provides a minimum of 7 ft. tall evergreens to the amount of 30% of the total of the required number of trees; 4. That the site flag pole does not exceed 35' in height; 5. That a minimum of two bicycle parking spaces (with a rack for locking) be provided near the entrance to the building. This is to be illustrated on the site plan; 6. That the applicant adheres to all agreements with Trophy Homes; 7. Subject to the approval of the Development Agreement; 8. Subject to Council's approval of the Mayfield Plat A; 9. That all remaining Planning, Fire and Engineering requirements are satisfied, prior to obtaining a building permit. Additionally, with the following findings; 1. The final site plan approval is consistent with the Planning Commission and DRB approvals; 2. The 2500 West right-of-way issues have to be resolved; 3. The concerns with the open waterway along 2500 West have been addressed; 4. The proposal has addressed its order in the overall construction of the Mayfield project; 5. Engineering has given a recommendation to approve the site plan; 6. The Planning Commission approved the preliminary plan on November 16, 2006. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM O: TO CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AMENDED DEVELOPMENT AGREEMENT BETWEEN PLEASANT GROVE CITY, LINDON CITY AND KEN GORDON REGARDING SHARING COSTS FOR THE RECONSTRUCTION OF 1000 SOUTH STREET AND MURDOCK DRIVE; MAKING TECHNICAL CORRECTIONS TO THE AGREEMENT PREVIOUSLY APPROVED ON DECEMBER 5, 2006.

Mayor Daniels read this item. Attorney Petersen then explained to the Council that this item is exactly the same as the resolution that Lindon passed, and would be considered a "housekeeping" item. She said the prior resolution the Council had passed in an earlier meeting this year, was lacking some of the same wording that the Lindon Council had passed. She said that the \$50,000 that Mr. Ken Gordon was included in sharing the costs with the 1000 South and Murdock Drive area. She said he is contributing that \$50,000 to landscaping and his portion of the road. The two cities, she explained, have to have matching resolutions.

ACTION: Council Member Boyd moved to approve Resolution No. 2007-014, authorizing the Mayor to sign an amended Development Agreement between Pleasant Grove City, Lindon City and Ken Gordon regarding sharing costs for the reconstruction of 1000 South Street and Murdock Drive; making technical corrections to the Agreement previously approved on December 5, 2006. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, "Aye."

ITEM P: To Proclaim February as, "White Ribbon Against Pornography," Month.

Mayor Daniels read this proclamation. Attorney Petersen said this was different than the community standards proclamation that was brought before the Council the previous year. There were no comments or questions from the Council.

ACTION: Council Member Boyd moved to approve “White Ribbon Against Pornography,” Month. Council Member Call seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

8. STAFF BUSINESS

- Supervisor Young noted that a final plat approval was granted about 18 months prior to a Mrs. Luchini in the area of the now-proposed Grove Park in the north part of the community. Attorney Petersen said she would have to check the code and see if Mrs. Luchini could still go ahead and build in the area now that a year had passed. Supervisor Young said he simply needed direction in this case. Attorney Petersen said she would research this and get back to him. Council Member Call suggested that the Council make a motion to have Attorney Petersen to go ahead and research this issue and get back to the Council with the legalities.

ACTION: Council Member Call moved to approve Attorney Petersen researching the issue with Mrs. Luchini and her desire to now build on land in the proposed Grove Park area of Pleasant Grove that was approved 18 month prior to this meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Call, Atwood, McDade and Jensen voting, “Aye.”

- Administrator Mills reminded the Council that he still needed them to respond to their State Legislators with HB 233, which addressed the sensitive lands issue. He said if the bill continues the way it has, it will pass through both houses. He went on to say that this would stop city officials from telling developers they cannot build in sensitive lands. He said it was “unbelievable” legislation. Additionally, he said that the eminent domain legislation went through to the house floor. He told the Council that they were needed to express their opinions to the legislators by email as soon as possible.

9. MAYOR AND COUNCIL BUSINESS

- Council Member Call reminded everyone to please drive down 100 East and check out the new sign (with the city logo) on the City Hall/Public Safety building.
- Council Member McDade said there had been a meeting of the North Point District the night before.
- Mayor Daniels asked that when the Council signed their emails; and to please use the city logo with that email.

10. SIGNING OF PLATS

The Rasmussen Final Plat was signed.

11. REVIEW OF CALENDAR

Mayor Daniels reminded those involved with the upcoming meetings with American Fork, etc. to please attend.

12. APPROVE PAID PURCHASE ORDERS

ACTION: Council Member Jensen moved to approve the Purchase Orders. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call, McDade and Jensen voting, "Aye."

13. ADJOURN

ACTION: At 11:35 p.m, Council Member Jensen moved to adjourn. Council Member Atwood seconded and the motion passed unanimously with Council Members Boyd, Atwood, Call, McDade and Jensen voting, "Aye."

This certifies that the City Council
Minutes of February 6, 2007 are a
true, full and correct copy as approved
by the City Council on February 20, 2007.

Signed _____
Mary Burgin, Deputy Recorder