

Pleasant Grove City Council Meeting Minutes
August 20, 2013
6:00 p.m.

PRESENT:

Mayor:

Bruce W. Call

Council Members:

Cindy Boyd
Cyd LeMone
Jay Meacham
Kim Robinson

Staff Present:

Scott Darrington, City Administrator
Dean Lundell, Finance Director
Degen Lewis, City Engineer
Tina Petersen, City Attorney
April Harrison, Arts and Culture Director
David Larson, Assistant to the City Administrator
Deon Giles, Parks and Recreation Director
Kathy Kresser, City Recorder
Mike Smith, Police Chief
Marc Sanderson, Fire Chief
Ken Young, Community Development Director
Lynn Walker, Public Works Director

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

1) **CALL TO ORDER**

Mayor Call called the meeting to order and noted that Council Members Boyd, LeMone, Meacham and Robinson were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Steven Hall.

3) **OPENING REMARKS**

The Opening Remarks were given by Mark Bezzant.

4) **APPROVAL OF MEETING'S AGENDA**

City Administrator, Scott Darrington, stated items "b" and "g" will be continued to the September 3, 2013, Meeting.

ACTION: Council Member Meacham moved to approve the agenda with the proposed changes. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

5) **CONSENT ITEMS**

- a) **To Consider for Approval Final Payment Request and Change Order for the FY 2013-2013 Sewer Rehabilitation Project for Planned and Engineered Construction LLC.**
- b) **To Consider Approval of Change Order No. 1 for the 2013-2015 Street Preservation Surface Project for Geneva Rock Products.**
- c) **To Consider Approval of Final Payment Request and Change Order No. 1 for 2012-On-Call General Services Project for E.S.P. Excavation, Inc.**
- d) **To Consider Approval of Final Payment Request for the City Hall Entrance Concrete Project for E.S.P. Excavation, Inc.**
- e) **To Consider Approval of Final Payment Request for the Discovery Park Concrete Project for E.S.P. Excavation, Inc.**
- f) **To Consider Approval of Final Payment Request for the Jacobs Senior Center Project for E.S.P. Excavation, Inc.**
- g) **To Consider for Approval Paid Vouchers for August 9, 2013.**

ACTION: Council Member LeMone moved to approve the consent agenda items. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

6) **OPEN SESSION**

Mark Bezzant thanked the Council for being forward thinking as they develop positive improvements for the community. He also thanked the Council for giving people the choice to vote for the proposals regarding the Public Safety Facility. He reported that when he visited Oxford, England, there were comments regarding how a building was only 200 years old. He thought it was interesting that the City was commenting on how old the buildings in question were and that they needed to be rebuilt. He stated that the public safety building was built the same time as the high school, and the high school just had a major renovation. He added that the LDS church was renovating the tabernacle and the Mayor of Salt Lake chose to renovate their City and County building rather than rebuild it. He felt the City should be careful in differentiating between old buildings and historic buildings. He stressed the importance of people not getting concerned when opinions differ.

Mr. Bezzant commented that when he worked at UVU they underwent an extensive 18-month planning process. When the new President came on board he did not like the conclusion of the planning process and wanted to start over. When they began to reform the committees they wanted to make sure people with divergent views and incomes were included in order to have a well rounded and better thought out institution. He stated that Pleasant Grove was full of people who are concerned about this proposal and who could offer a lot of helpful input. He requested that the Council use the community. He felt that the Council may be moving too quickly to hear the voice of the people. He understood that the cost of this type of building was higher than a typical building, but felt it was very important to reach out to the community for their help and input. He stated that the community wanted this building to be completed, but in the right way and that there are many volunteers for the City that do not get recognition or pay for their time and energy but who serve the City because they love Pleasant Grove.

Mayor Call stated that all present recognize the tremendous sacrifices made by many of Pleasant Grove's citizens.

Mr. Lee agreed with Mr. Bezzant's comments. He looked at contracts for a living and said that the details are always very important. He was concerned with the wording in the public notice because they seemed very loose. He felt the Council should be very specific in what the citizens will be voting on and for. He considered it irresponsible to not be specific.

Mayor Call stated that the language in the bond is strictly regulated by law and they would be certain that people know exactly what they are voting for.

There were no further public comments. Mayor Call closed the public hearing.

Mayor Call reported that he works for an international company and with people in Germany. A friend of his commented that his furniture was older than the United States. Mayor Call understood the comments from Mr. Bezzant regarding old buildings being a relative thing.

Council Member Robinson stated that a few years ago she met with Boyd Fugal to have a conversation about Pleasant Grove. Mr. Fugal made immeasurable contributions to the City. Years ago there were no sewer lines, but only septic tanks. Mr. Fugal dug lines on his own time and energy for the Manila Community. During her conversation years ago Mr. Fugal commented that he was sad he had not served civically more than he had. She stated that every Director in the City depends on volunteers. She remarked that the foundation of the City is built on volunteerism and the Council recognized that.

7) **BUSINESS**

- A) **TO CONSIDER FOR ADOPTION A RESOLUTION (2013-031) CALLING A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 5, 2013, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF PLEASANT GROVE CITY, UTAH, A PROPOSITION REGARDING THE ISSUANCE OF NOT TO EXCEED \$19,000,000 GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF CONSTRUCTING AND FURNISHING A NEW FIRE STATION, POLICE STATION AND JUSTICE COURT FACILITY AND ALL RELATED IMPROVEMENTS; AND RELATED MATTERS; AND PROVIDING FOR AN**

EFFECTIVE DATE. (CITY WIDE) PRESENTER: ADMINISTRATOR DARRINGTON.

Mayor Call stated that it had been six days since the City Council decided to move forward with the General Obligation bond. The public desired that more than just the Council and staff be involved. A citizens committee would be formed, however, in order to make the November election deadlines staff had to move forward with language for the election. The Council reached out to citizens with specific expertise to help them write the language for the bond which would be placed on the ballot. These citizens put in many hours over the past six days along with staff and Council. Originally the proposed bond amount was going to be 19 million and that is what had been advertised, however, since the staff had been asked to put the GO Bond on the agenda, a cost savings proposal was made. The new requested bond amount is 16, 960 million.

Mayor Call stated that Dan Fugal was one of the residents who assisted the Council. Mr. Fugal served for many years as a CEO of Niels Fugal Sons, served on the City Council, and was a life-long Pleasant Grove citizen. Steve Shrader also worked with the Council on the proposal. Mr. Shrader recently resigned from the Planning Commission after serving several years. By trade he was in the businesses of constructing large buildings and had worked for both Oakland Construction and Jacobson Construction. Mayor Call stated that the assistance of both men was invaluable in helping the Council ensure that what they were getting was what the City needed for the best value.

Mr. Fugal felt it was important that the community move forward. His family settled in Pleasant Grove in the 1800s and many have remained. When he was born there were approximately 2,000 residents of Pleasant Grove and when he returned after college in the 1970s there were 5,500 people. When he served on the City Council in 1988 the population of Pleasant Grove was 11,000. Today the population is approximately 35,000. The City had the same City and public safety facilities today as it did 25 years ago. The facilities were inadequate 25 years ago and he wished they had built structures that could last 200 years, but they did not. He remarked that the facilities are worn out.

Mr. Fugal stated that the elected officials and staff have done an amazing job keeping up with the huge growth population with the limited facilities and funds the City operates on. He remarked that when he graduated from high school there were only a few police officers and an all volunteer fire department. Pleasant Grove is a large City now and there is room for a lot of change. Mr. Fugal stated that every Mayor he had ever worked with or known, along with the City Council Members, had always made decisions with the best interest of the residents at heart. Mr. Fugal felt it was important to push forward for the November ballot and that there would be time to educate the citizens. He commented that this topic had been discussed in great detail over the last 25 years.

Mr. Fugal reported that he served for several years on the Alpine School Board and one of the most difficult aspects was dealing with the citizenry. Everyone had an opinion and wanted to be heard. It was always a challenge to serve in a public office and that Pleasant Grove had remarkable public servants. He stated that Chiefs Sanderson and Smith worked more off the clock than on, as do many staff members.

Mr. Fugal was happy to work with the Council and staff on the issue and hoped to bring people together. He felt that time was of the essence. He thanked the Council for having the courage to

take on this difficult issue and said that at the very least it got people talking about the needs of the public safety departments. If someone had knocked on his door with a petition and informed him that the City would be raising his taxes to build a building that the City did not need he would have likely signed it. He felt it was extremely important for the City to be frugal and make wise decisions and at the same time educate citizens. He explained that when the facilities were built they were created for a City with a population of 11,000 not 35,000. He hoped the City could educate the public enough to help them make a rational decision. Residents commented on Pleasant Grove being one of the highest taxed cities. Mr. Fugal stated that that was inaccurate and noted that even with a tax increase they would not be the highest. He felt Pleasant Grove was a first class City and the facilities should be adequate to take care of the safety of the residents.

Mr. Shrader reported that he resigned three weeks ago from the Planning Commission and stated that the Mayor, staff, and City Council listened to the community. He was not passionate one way or the other regarding new facilities and was comfortable working on the issue. Mr. Shrader was in charge of building the Springville Library and involved in the development of the Park City police facility. He researched cost histories and cost per square footage and felt that based on the buildings his companies were involved with in American Fork there were some prices per square foot that can be improved on the Pleasant Grove proposal. After working with Administrator Darrington they refined some numbers that would still allow the building to be efficient and a success moving forward. Mr. Shrader stated that there was a lot of collaboration on the project and he felt that they could deliver it in a positive way.

Mayor Call stated that Mr. Shrader was extremely helpful in the process. It was particularly helpful to work with someone who had experience developing public safety facilities. Mayor Call remarked that Mr. Shrader was particularly helpful in the design/build process. Mr. Shrader stated that the design/bid/build process was usually a successful way to get the best possible price by asking for bids from multiple contractors. The State uses this concept regularly. This was a good way to get architects and contractors to compete for the project for the best design and price.

City Administrator, Scott Darrington, stated that when the City initially began working with their Architect, Brent Tippetts, he helped them determine space needs. Mr. Tippetts worked with VCBO who developed numerous public safety and other public buildings throughout the State. Mr. Tippetts said that the building could be constructed for \$200 to \$250 per square foot. The City used the high end of that estimate to come up with the total cost for the building. The building was still a general concept but would likely be 58,000 square feet.

Administrator Darrington stated that the City may not be able to spend \$250 per square foot. The committee was formed to determine what the actual cost per square foot could be. Mr. Tippetts provided information based on public safety buildings that have been completed in the last few years. Those buildings generally cost between \$210 and \$260 per square foot. Administrator Darrington called another architect, Jim Child, to get a second opinion on the data Mr. Tippetts provided. Mr. Child confirmed that the numbers were consistent with what was being built today around the State. He felt that \$210 to \$225 was a good price range but felt that a 10% owners' contingency should be built in if the City opted to try and spend \$210 per square foot. This would bring the square footage cost to \$231.

Administrator Darrington stated that the number staff is recommending to the Council was \$225 per square foot. He felt this would be a tight number that would force the City to be efficient. The

Council must decide on a number to put on the ballot which cannot be changed once it is set. If the City spends more they will be responsible to come up with the additional money, which could be problematic. Administrator Darrington felt that a tight budget would keep them focused. The construction cost of the building at \$225 per square foot would equate to a total of \$13.22 million. The soft cost would be \$2.64 million and cover furnishings, fixtures, and equipment.

Mayor Call said the City would use every piece of equipment possible from the old building in the new building. Administrator Darrington stated that design and engineering will be 6% and tests and permits will be 2%. The land acquisition for the four properties would be \$1 million. He said there were some properties that may not need to be acquired but they would not know that until the site plan is finalized. He reported that the red brick house in the area had been a concern for the community and he felt the City could likely meet their parking needs without taking that house down. If the home owners were willing to sell the north portion of the .66 acre property, it would likely be sufficient for the City's needs.

Administrator Darrington stated that the bond issuance would be close to \$100,000. The total cost of the building would be \$16,960,000. On a general obligation bond over 20 years, it would equate to an \$8.04 tax increase. This would be an average cost over 20 years. When the building was first constructed residents could pay slightly more than \$8.04 but as the City continued to grow the amount would be reduced as more people were able to cover the debt burden.

Administrator Darrington explained that this was the recommendation of staff and the committee. If the Council opted to have that total cost go up or down, staff could continue to work on the numbers.

Council Member LeMone asked if the ballot amount would change from the original language of \$19 million. City Attorney, Tina Petersen, stated that the verbiage on the ballot will reflect the new amounts. Council Member LeMone asked Police Chief, Mike Smith, and Fire Chief, Marc Sanderson, if they were comfortable with the new numbers. Chief Sanderson felt the numbers were manageable and appropriate. Chief Smith was grateful for the help from Mr. Fugal and Mr. Shrader. He indicated that space needs are most important and those needs will still be met with the updated plan. Administrator Darrington stated that the building will remain at 58,000 square feet but will not exceed that size. He felt they would be able to meet the needs of public safety and still keep the price down.

Mayor Call remarked that he asked a lot of questions during preliminary planning regarding the actual space needs. He said it was important to keep the square footage cost down, but also to ensure that they do not build a facility that was bigger than necessary. He stated that it was clear that if the City wants to build a facility that will last 50 years, this size building was necessary. He was pleased with the work that went into bringing the cost per square footage down.

Council Member Meacham asked if the cost per square foot was an average. Administrator Darrington stated that it was an average, and parts of the building such as a fire bay would not cost \$225 per square foot, but an evidence room would cost more. Council Member Meacham asked if there was a required reimbursement for the design/build process. Mr. Shrader said the design/build system is fairly expensive for the contractor and architect because they get together and develop a schematic design and proposal at their own cost. He stated that very large projects sometimes

assign a stipend to those involved, but would not be necessary in a project of this size. The competitors would front the bill for creating their own proposals.

Council Member Meacham asked if the tax amount remain the same if property values rose. Administrator Darrington stated that generally when property values go up the tax rate goes down. It is revenue neutral to the City so that the City does not make more money than originally planned. When property values go down, the rate automatically increases in order to keep the City revenue neutral.

Council Member Robinson asked for clarification regarding the median home price that helped determine the tax rate increase amount. Administrator Darrington stated that they originally estimated that the average home value in Pleasant Grove is \$217,000 and later found that it was closer to \$198,000. They opted to keep the number at \$217,000 to remain consistent with what they told the public from the beginning. Keeping the median home at \$198,000 would reduce the tax amount by roughly \$1.00 per month. He did not want the public to think they were manipulating numbers. Mayor Call agreed.

Council Member Boyd thanked the committee for putting so much time and effort into the updated proposal. She felt the new numbers were refreshing and was happy to see that there were experts in their own community that could be utilized.

Chief Smith stated that it was important to remember that this building would also be a court facility and not just for police and fire. Mayor Call stated that four critical functions would be met in this building. Those functions were police, fire, courts, and dispatch. Community Development Director, Ken Young, stated that the court room will also be used as an overflow for City meetings. The City did not currently have a facility that could accommodate large crowds for public hearings and other meetings.

Council Member Meacham was excited about the drop in cost and felt more comfortable about the new numbers. Council Member Robinson asked if there was a strategic education plan that had been put together. Mayor Call said they had not addressed that yet, but would after the ballot language is complete. He said they would add additional members to the existing committee.

ACTION: Council Member Boyd moved to approve Resolution 2013-031 calling a special bond election to be held on November 5, 2013, for the purpose of submitting to the qualified electors of Pleasant Grove City, Utah, a proposition regarding the issuance of not to exceed \$16,960,000 general obligation bonds to finance the costs of constructing and furnishing a new fire station, police station, and justice court facility and all related improvements; providing for the publication of a notice of public hearing, approving the form of and directing the publication of a notice of election and the ballot proposition and related matters. Council Member LeMone seconded the motion. A voice vote was taken and the motion passed unanimously with Council Members Boyd, LeMone, Meacham and Robinson voting “Aye.”

**B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-26)
PERMANENTLY ABANDONING A ROAD RIGHT-OF-WAY LOCATED AT
APPROXIMATELY 600 EAST 100 SOUTH. (STRING TOWN NEIGHBORHOOD)
PRESENTER: ENGINEER LEWIS.**

ACTION: Council Member Meacham moved to continue item “b” to September 3, 2013. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

C) PUBLIC HEARING TO CONSIDER AN ORDINANCE (2013-27) TO AMEND THE SIGN ORDINANCE CHAPTER 10-9-7-G-4 OF THE PLEASANT GROVE CITY CODE BY CHANGING THE VERBIAGE FROM “TEMPORARY BANNER SIGNS” TO “TEMPORARY SIGN” TO ALLOW FOR OTHER TYPES OF SIGN MATERIALS AND PROVIDING FOR AN EFFECTIVE DATE. (CITY WIDE) (DENNIS SMITH APPLICANT) PRESENTER: DIRECTOR YOUNG.

Director Young stated that last year a proposal was presented to amend the sign ordinance and allow for temporary banner signs at schools. Since that time an applicant came forward to request further amendments to allow the temporary signs to not only be banners but a rigid material as well. The request also asked that the provision in the ordinance that restricted the time frame to 12 months be deleted. The applicant felt that even though they are temporary signs there should be an opportunity to leave a sign in a certain place as long as they are paying for the space.

Director Young stated that staff and the Planning Commission reviewed the request and one concern that was raised was that if the Council approved the request to remove the time limit and the material type it would no longer technically be a temporary sign. He remarked that staff was concerned about having permanent signage at the school. The Planning Commission ultimately gave a positive recommendation for the applicant’s request including the removal of the time frame. Staff was still concerned about removing the time restriction and recommended that the rigidity of the sign was not nearly as important as the time frame. They would not remove the time frame piece, but would approve the rest of the request.

Mayor Call stated that the verbiage used the term “same location” implying that a sign could be shifted slightly and left there for an additional 12 months. Director Young stated that technically that was correct and that the Council could decide if they want to tighten the restriction to limit advertising in a school to 12 months total. Director Young said that the original applicant contacted him and liked the 12-month time frame.

Council Member LeMone asked about the purpose of the ordinance. Director Young stated that it allows schools to raise funds on an annual basis. The ordinance was put in place to create a level of regulation to allow for signage but not too much and impose regulations on size, location, materials, and time frame. Mayor Call stated that the ordinance fell under temporary signage and it seemed important to keep it temporary in some way whether through materials or time.

Council Member Boyd asked about the definition of a rigid sign. Director Young responded that they were not trying to define exactly what type of material could be used, but in this case it would be stronger than a banner and will not flap in the wind.

Mayor Call opened the public hearing.

Dennis Smith, 978 East Grove Drive, identified himself as the applicant and Director of Marketing for Wisdom Teeth Only. He stated that he had worked with several schools with their signage. There were over 10 high schools that currently have his signs on them. Schools like his signage

because they are not banners. Banners rip, tear and the color bleeds which is frustrating for the schools. Mr. Smith provided an aluminum sign that is sturdy and long lasting. He placed and paid for a sign to be posted at John Hancock School and a few months later received a notice that the sign had to be a 3x6 rather than 4x6. He removed the sign at his expense and created a new one. Shortly thereafter he received a call regarding the new ordinance stating that he had to have a banner and not an aluminum sign. Mr. Smith felt the intent of the ordinance was to make the signage look nice and represent the City and his company in a positive and professional way.

Mr. Smith met with Director Young to discuss the ordinance. Director Young informed him that the idea behind the time frame was that the banners would be replaced each year. Mr. Smith said his signs do not need to be replaced every year because they last much longer and look nice far longer than a banner. Marketing availability in high schools is very limited and if he was able to get some of that advertising space he would want his sign to be up for more than one year as he was trying to create brand recognition. He agreed to comply with any decision made by the Council, but felt that his proposal made the most sense. He felt that the free market would promote turnover with the signage.

Julie Gasman, 852 Apple Grove Lane, stated that one year ago they came before the Council to request initial changes to the ordinance. She thanked the Council for approving the request and said that last year they raised enough money to put supplies in their kindergarten room, restrung instruments, purchased a reading program for the first grade, purchased new library books, and put the excess into a savings for smart boards that were purchased just one week ago. They were grateful for the advertising opportunity.

Ms. Gasman stated that they were concerned with the new proposal because they thought it would require rigid signs. There was currently a parent of a student at their school who worked for a sign company and helped the school obtain affordable and nice banners. If they were required to use metal signs the cost to the school would increase from \$32 to \$372. This year they made \$4,800 from banners. If they had to go to a metal sign they would lose \$3,000. Ms. Gasman said that as long as the school can regulate the type of materials used at their school they will be happy. Mayor Call clarified that the applicant was requesting metal to be included as a permitted material but not a requirement.

There were no further public comments. Mayor Call closed the public hearing.

Mayor Call stated that the ordinance dealt with “temporary signage” which could be interpreted in a number of different ways. He felt the metal signs could still be considered temporary because of the way the sign was attached even if they were to stay in the same place for several years.

Council Member LeMone agreed with the Mayor and felt that the schools would regulate the signs to ensure that they look nice and appropriate. She felt this was a more customer service friendly approach and that monitoring the time the signs are up seemed a little silly especially because the signs could be moved three feet and hung back up.

Council Member Boyd stated that it will be a City wide signage issue. She did not want the City signage to turn into a free for all. Council Member LeMone stated that the ordinance required a high quality sign. Mayor Call felt the ordinance had been successful thus far. Council Member

LeMone felt that the appropriate time for the City to assist in monitoring the signs would be if they were not being well taken care of or maintained.

Council Member Meacham asked if they would need to change the definition of temporary sign. Attorney Petersen stated that they would need to remove the word “temporary” from the ordinance because this change would make the signs permanent as far as the ordinance is concerned. Mayor Call requested that the verbiage include a definition of “temporary attachments”. He felt the Council was not in favor of people drilling posts into the ground that would make the signs permanent. Attorney Petersen said they could add a subsection describing the temporary attachment requirement. Another option would be to redefine the word “temporary”. The Council felt the latter would be the best option.

Mayor Call suggested the Council delay the ordinance to allow staff time to rewrite the ordinance to include the new definition of “temporary”. He clarified that Mr. Smith would be allowed to keep his signs in place until this ordinance is voted on and approved or denied.

Council Member LeMone did not see the purpose of keeping the 12-month time frame requirement. Mayor Call requested that staff strike any mention of time requirements.

ACTION: Council Member LeMone moved to continue Ordinance 2013-27 to September 3, 2013. Council Member Meacham seconded the motion. A voice vote was taken and the motion passed with the unanimous consent of the Council.

D) PUBLIC HEARING TO CONSIDER AN ORDINANCE (2013-28) TO AMEND CHAPTER 10-14-24-3, PERMITTED AND CONDITIONAL USES, THE GROVE ZONING DISTRICT, INTERCHANGE SUBDISTRICT, OF THE PLEASANT GROVE CITY CODE, RESTRICTING THE DEVELOPMENT OF PROFESSIONAL OFFICE USES IN A CERTAIN AREA OF THE INTERCHANGE SUBDISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE. (SAM WHITE’S LANE NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG.

Director Young stated that a few months ago the City Council passed a temporary zoning ordinance addressing the Interchange Subdistrict. There was interest expressed by developers that they would like to make that entire area an office complex, which was a concern for the Council because it did not meet the vision of the City. This area could be prime commercial retail space, which was provided for in the ordinance, but office space was also included in the ordinance. The Council hoped to make this ordinance slightly more restrictive in the area in order to reserve it mainly for retail space.

Director Young stated that land use number 6500 in the ordinance was a permitted use for professional services, which allowed for different types of office uses. Staff proposed to add to the verbiage “limited less than 50% of each individual project acreage within the identified area on Map 2 below.” The map would show the Interchange Subdistrict. He said this particular quadrant would be the only restricted area.

Mayor Call asked why they did not want to make the requirement for the entire Interchange Subdistrict. Director Young stated that there was already a large number of office development in the other areas and there was anticipated continued development in those areas. Council Member

Boyd felt that they should make the entire Interchange Subdistrict more presentable to a commercial base sales tax revenue.

Director Young stated that there was currently the Grove Creek Buildings, the University of Phoenix and three additional buildings that were planned. Mayor Call said this would not likely have a huge effect on the existing offices if the ordinance was applied to the entire Interchange Subdistrict because it would only be enforced in the currently vacant land.

Council Member Boyd felt this area was the City's prime economic property and they should not limit the amount of space that can be office to 50%. She hoped that all of the land would be used for retail. Administrator Darrington stated that 50% was the number discussed originally, but it would not be a problem to change that number because it only pertained to new projects.

Director Young was concerned that they would lose a substantial amount of mixed use projects that include both office and retail if the City did not allow a certain amount of office space. Mayor Call felt that 50% was a good starting point that would encourage plenty of sales tax revenue generating businesses. He also felt that the updated ordinance should be applied to the entire Interchange Subdistrict.

Council Member LeMone requested that staff provide numbers regarding how much of the existing development was office space and how much was projected to come in. Council Member Boyd felt it was important that the frontage in this area is commercial. Mayor Call said they had already set some limitations in that regard. He requested that Director Young make adjustments to the proposal and asked that Council Members send any and all feedback to Director Young.

Mayor Call opened the public hearing.

Orin Anderson, 105 South 300 East, thought there was too much flexibility in what could be developed in certain areas of the City. He remarked that Pleasant Grove needs businesses that will benefit the community. He noted that there is currently retail space being used as office space downtown because it was easy. He was concerned that this would continue to happen unless the City guards that undeveloped space.

There were no further public comments. Mayor Call closed the public hearing.

ACTION: Council Member LeMone moved to deny Ordinance 2013-28. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

- E) **TO CONSIDER FOR APPROVAL A 4-LOT FINAL PLAT CALLED PINE MEADOWS PLAT B LOCATED AT APPROXIMATELY 4230 NORTH 1100 WEST IN THE R-R (RURAL RESIDENTIAL) ZONE. (NORTH FIELDS NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG.**

Director Young stated that the Council recently discussed this property because several years ago it was annexed out of Pleasant Grove and into Cedar Hills based on concerns for provision of service. The property owner determined they would like to come back into the City and that request was approved. The applicant would now like to create a four-lot subdivision on their property. Director

Young stated that the request meets zoning requirements regarding lot size and there were no other concerns that had not already been addressed by the Planning Commission.

Tracy Flinders, 9758 North 4100 North, Cedar Hills, identified himself as the applicant and explained that he went to Cedar Hills and back due to sewer issues. His sewage rates became so expensive in Cedar Hills that it was no longer worth staying there and they could not meet his needs. Once he was ready to develop his property Cedar Hills he was informed that they would not be able to provide sewer services to the entire property. Mr. Flinders was told that he would have to pay more money to reconnect to Pleasant Grove and reroute the current sewer from his home. He asked if the City could help reduce the cost to hook back up to the sewer.

Mayor Call asked Mr. Flinders if he was on a septic system in Cedar Hills. Mr. Flinders responded that he was not. Mayor Call explained that it cost the City money to connect Mr. Flinders' home to Pleasant Grove's system. Administrator Darrington stated that he would not have to pay the impact fee for TSSD because Cedar Hills and Pleasant Grove were in the same TSSD district. Mayor Call requested that Mr. Flinders meet with City Engineer, Degen Lewis, to review his original permit and work out the details of the transition.

Mr. Flinders stated that he was putting thousands of dollars into pipes for secondary water and he did not believe Pleasant Grove provided secondary water for his property. Engineer Lewis indicated that he was correct, but stated that they required the pipe system because the City planned to extend the secondary water system in the future. The City would like to work with Cedar Hills on this development.

Mr. Flinders hoped to have a single plat that also added a lot from the Meacham property. Mayor Call explained that that was not part of the proposal tonight and Mr. Flinders would have to go back and work with staff to get a revised plat. He stated that the updated plat would have to go back through the Planning Commission and then back to the City Council. Mr. Flinders asked that the proposal being presented be voted on. If the plat was approved he would not record it until the updated plat went through the entire approval process.

ACTION: Council Member LeMone moved to approve a four-lot final plat called Pine Meadows Plat B located at approximately 4230 North 1100 West in the Rural Residential Zone. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

- F) TO CONSIDER THE APPROVAL OF A 3-LOT FINAL PLAT CALLED LOADER ESTATES LOCATED AT APPROXIMATELY 1100 EAST 400 SOUTH IN THE R1-9 (SINGLE FAMILY RESIDENTIAL) ZONE. (BATTLE CREEK NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG.**

Council Member LeMone recused herself due a conflict of interest involving her living in close proximity to Loader Estates, she then left the room.

Director Young stated that the plat was approved in its preliminary form by the Planning Commission for a three-lot plat, which would be just off Loader Ave. He explained that it was in the R-1-9 Single Family Residential Zoning. The proposal would extend the roadway for future development. The plan was to divide the property into three lots with two lots on the east side of

1100 East and the third lot on the west side. There were some questions on animal rights that staff continued to work on, however, that did not affect the approval process for the plat. The applicant was Jackson Jones.

Council Member Boyd explained that the Council does not often see vicinity plans and she requested that they be included in the documentation provided to the Council. Council Member Robinson stated that after the public hearing she assumed that animal rights were desired. Director Young stated that at the public hearing there were no animal rights that could be passed on the property, but after that the applicants came back to staff asking if it was possible to extend their animal rights, if they ever existed in the zone. He explained that staff was still researching the issue and the matter would likely have to come before the Board of Adjustments if history of animal use can be shown and if other requirements were met.

ACTION: Council Member Boyd moved to approve a three-lot final plat called Loader Estates located at approximately 1100 East 400 South in the R-1-9 Zone. Council Member Robinson seconded the motion. The motion passed with the unanimous consent of the Council.

- G) TO CONSIDER THE APPROVAL OF A 4-LOT FINAL PLAT TO ADJUST BOUNDARY LINES CALLED WALKER LANDING PLAT B LOCATED AT APPROXIMATELY 140 SOUTH 600 EAST IN AN R1-7 (SINGLE FAMILY RESIDENTIAL) ZONE. (OLD FORT NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG.**

ACTION: Council Member Meacham moved to continue item “G” to September 3, 2013. Council Member Robinson seconded the motion. The motion passed with the unanimous consent of the Council.

- H) TO CONSIDER NIGHT TIME NOISE RESTRICTIONS FOR A ROADWAY CONSTRUCTION PROJECT KNOWN AS THE US 89/GENEVA ROAD PROJECT (STATE STREET PROJECT). SAID REQUEST IS TO ALLOW NIGHT TIME WORK TO DO ROTOMILLING AND PAVING WORK FOR SOFT PATCH REPAIR IN AN AREA IN PLEASANT GROVE CITY 1000 SOUTH TO 300 EAST ON STATE STREET FOR AUGUST 25, 2013 TO OCTOBER 4, 2013. PRESENTER: ATTORNEY PETERSEN.**

Attorney Petersen reported that this was the third request from Staker Parsons Paving Companies with regard to the UDOT project on State Street. This request pertained to rotomilling and paving activities that would be conducted between August 25 and October 4. The permit would not extend more than 10 nights during that time. The other restrictions would still be in place from previous requests.

Mayor Call stated that he had not received any complaints regarding noise or construction. Engineer Lewis stated that 300 East had been closed for two weeks and Staker Parsons was trying to be proactive on informing the public. He confirmed that the City had received no complaints.

ACTION: Council Member Boyd moved to approve night time noise restrictions for roadway construction project known as the US 89/Geneva Road Project. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

8) NEIGHBORHOOD AND STAFF BUSINESS

Assistant to the City Administrator, David Larson, reminded the Council and those invited by the Chamber to the ASEA ribbon cutting that it would be held the following day. He reported that the Promenade was going well and there were three weeks remaining.

Council Member Boyd asked if the City was trying to recruit more vendors. Administrator Larson stated that they were still recruiting and getting new requests each week. They had gone to farmers markets and other local events to distribute fliers. Council Member Boyd asked for some fliers to distribute as well.

Public Works Director, Lynn Walker, reported that the City was on track with water. Mayor Call was pleased to see that all of their efforts had paid off.

Fire Chief, Marc Sanderson, stated that the three deployed fire fighters returned safely. He hoped to have financial updates ready by the following week.

Arts and Culture Director, April Harrison, stated that the Jubilee was coming up and was run totally by volunteers. She reported that Katherine McIntyre from UVU would be conducting a scanning event at the library during the Jubilee. Ms. McIntyre requested that the only materials brought to be scanned be documents from 1842 to 1865. The project was to focus on this timeframe and she would come back to focus on another time frame at a later date.

Administrator Darrington stated that the City games will begin on September 4. The main kickoff would involve field events and include food and drinks for participants. The City Council was part of the administration team and he agreed to get signups to them as soon as possible.

9) MAYOR AND CITY COUNCIL BUSINESS

Council Member Meacham asked if firework signs were still up and if there was a time frame that they would be taken down. Chief Sanderson responded that there were still a few up and they would be removed shortly.

Council Member Robinson wanted the public to know that the open house for the Bicycle Pedestrian Master Plan was scheduled for September 11 from 6:00 to 8:00 p.m. at the Community Center. There was also a conceptual plan for the bike park. Director Young stated that the draft of the Parks Master Plan would also be available at the open house.

Mayor Call stated that on the next agenda there would be one agenda item where Fisher House recognized the local Maceys. Mayor Call requested that all Council Members sign the Plats before leaving.

10) SIGNING OF PLATS

ROI Solutions, Hardman Sub, and Country Lane B Plats were signed by the City Council.

11) ADJOURN

ACTION: Council Member LeMone moved to adjourn. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 8:28 p.m.

This certifies that the City Council Minutes of August 20, 2013 are a true, full and correct copy as approved by the City Council on October 15, 2013.

Kathy T. Kresser, CMC, City Recorder

(Exhibits are in the City Council Minutes binders in the Recorder's office.)