

**Pleasant Grove City
City Council Meeting Minutes
October 6, 2015
6:00 p.m.**

PRESENT:

Council Members: Dianna Andersen
Cindy Boyd
Eric Jensen
Cyd LeMone
Ben Stanley

Excused: Mayor Michael W. Daniels

Staff Present: Degen Lewis, City Engineer
Scott Darrington, City Administrator
Mike Smith, Police Chief
Dave Thomas, Fire Chief
Ken Young, Community Development Director
Kathy Kresser, City Recorder
Deon Giles, Parks and Recreation Director
Sheri Britsch, Library and Arts Director
Marty Beaumont, Public Works Director
David Larson, Assistant to the City Administrator

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

1) **CALL TO ORDER**

In the absence of Mayor Mike Daniels, Mayor Pro-Tem, Cyd LeMone, called the meeting to order and noted that all Council Members were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by City Administrator, Scott Darrington.

3) **OPENING REMARKS**

The opening remarks were given by Parks and Recreation Director, Deon Giles.

4) **APPROVAL OF AGENDA**

ACTION: Council Member Jensen moved to approve the agenda. Council Member Boyd seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION**

Mayor Pro-Tem LeMone opened the open session. There were no public comments. The open session was closed.

6) **CONSENT ITEMS**

- a) **City Council Meeting Minutes:
City Council Minutes for the September 15, 2015 Meeting
City Council Minutes for the September 22, 2015 Joint City Council and Planning Commission Meeting.**
- b) **To consider for approval Change Order No. 2 and Payment Request No. 7 for S&L Inc. for the Shannon Fields Phase 2 Project.**
- c) **To consider for approval Payment Request No. 3 for Gerber Construction, Inc., for the Battle Creek Microhydro Power Generation Project.**

The consent items were reviewed and discussed. Administrator Darrington noted that with regard to item 6B, the Council will only be approving Payment Request #7 and will not be approving Change Order No. 2 for S&L Inc.

ACTION: Council Member Stanley moved to approve the consent items with the aforementioned change. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

7) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

There were no appointments.

8) **PRESENTATIONS**

A) BECCA MALLORY, VICTIM ADVOCATE, COUNCIL UPDATE.

Victim Advocate, Becca Mallory reported that October is Domestic Violence Awareness Month. She explained that domestic violence is a pattern of abusive behavior characterized by one partner's need to control the other by using a range of tactics. While the frequency and severity of physical or sexual violence may vary, coercion, intimidation, and emotional manipulation occur on a routine basis throughout the relationship. Ms. Mallory explained that many people make excuses for domestic violence indicating that it is a result of drugs, alcohol, mental illness, stress, lack of anger management, etc. On average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. On an annual basis, this equates to approximately 12 million men and women. The vast majority of domestic violence victims are women. One in four women and one in seven men have been the victim of severe physical violence by an intimate partner at some point in their lifetime. A woman is far more likely to be killed by her spouse, intimate acquaintance, or family member than by a stranger.

Ms. Mallory presented several ways to raise and prevent domestic violence including cultivating a respectful attitude toward women in families and in the workplace. Avoid behaviors that degrade or control women. When angry with a partner or children, one should respond without hurting or humiliating them. Model non-violent, respectful responses to resolving conflicts within the family. If violence persists, contact a domestic violence or child abuse prevention program to get help. Neighbors who witness domestic violence should contact the Police Department immediately.

Additional suggestions include writing letters to music producers, movie companies, internet businesses, video game producers, and TV stations to speak out against violence against women. Ms. Mallory mentioned one video game in particular that is especially violent toward women. Last, one should examine their own life for violence and identify oppressive behaviors that should be changed.

Ms. Mallory stated that at this point in the year, the Pleasant Grove Police Department has received around 180 domestic violence calls. She did not, however, have the exact statistics available. Some cases involve repeat victims and many cases go unreported. Victims or witnesses can contact Ms. Mallory directly or go through the Department's Facebook page. Police Chief, Mike Smith, added that their website has an anonymous tip-a-cop feature, which is hosted by a third-party agency. It is, however, difficult to follow up on an anonymous tip for a domestic violence incident. Ms. Mallory explained that most victims don't realize they are victims and it takes an average of seven attempts to leave before they are successful.

In response to a question from Council Member Stanley, Ms. Mallory provided a phone number for a domestic violence hotline as 1-800-799-SAFE. She added that there are also many online resources for domestic violence. Chief Smith commented that they are in the process of including more of these resources directly on their Department website, so that victims don't have to search the web. Council Member Andersen asked if any programs against domestic violence are being implemented at the high school. Ms. Mallory replied that currently there are no programs, but agreed that it would be a great idea. In addition to domestic violence, there is a great deal of dating violence and cybercrimes that occur. Debbie Hong commented that citizens should call DCFS to report child abuse.

9) **ACTION ITEMS WITH PUBLIC DISCUSSION**

- A) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-40) AMENDING SECTIONS 10-6-2: DEFINITIONS, 10-9B-6-1: LOT AREA PER DWELLING, AND 10-15-32: TWIN HOME DEVELOPMENT STANDARDS, MODIFYING REQUIREMENTS FOR TWIN HOMES IN THE PLEASANT GROVE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (PLEASANT GROVE CITY, APPLICANT) *Presenter: Director Young *Continued to the October 20, 2015 Meeting.***

ACTION: Council Member Stanley moved to continue Ordinance (2015-40) until October 20, 2015. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-41) AMENDING SECTION 10-11E-1: PERMITTED, CONDITIONAL AND ACCESSORY USES, ADDING USE 5511 TO ALLOW FOR NEW AND USED AUTO SALES IN THE DOWNTOWN VILLAGE ZONE CHAPTER OF THE PLEASANT GROVE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (Steve Tholl, Applicant) *Presenter: Director Young.*

Community Development Director, Ken Young, stated that the applicant informed him earlier in the day that he would not be able to attend tonight's meeting. He requested that the matter be moved to the October 20, 2015 meeting.

ACTION: Council Member Andersen moved that the Council continue adoption of Ordinance (2015-41) until October 20, 2015. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

10) ACTION ITEMS WITH READY FOR VOTE

A) TO CONSIDER FOR APPROVAL FOR FINAL PLAT FOR A TWO LOT SUBDIVISION CALLED HONEYSUCKLE ESTATES BEING APPROXIMATELY 0.66 ACRES COMPRISING TWO LOTS LOCATED AT APPROXIMATELY 975 SOUTH LOCUST AVENUE IN THE R1-9 (SINGLE FAMILY RESIDENTIAL) ZONE. *Presenter: Director Young.*

Director Young reported that staff has been reviewing the property in conjunction with a Transportation Master Plan Amendment. The property is large enough to be subdivided into two lots within the R1-9 Zone. He displayed an aerial photo and referenced the amendment recently passed regarding corner lots. The preliminary plat for the subdivision was recently approved by the Planning Commission and staff recommended approval of the final plat.

ACTION: Council Member Andersen moved that the Council approve a final plat for a two-lot subdivision called Honeysuckle Estates being approximately 0.66 acres and comprising two lots located at approximately 975 South Locust Avenue in the R1-9 (Single-Family Residential) Zone. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

B) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-033) AMENDING THE FEE SCHEDULE FOR RENTAL OF LIONS/SPORTSMEN CENTER, ADOPTING THE POLICY AND PROCEDURE MANUAL; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington.*

Administrator Darrington explained that different groups use the building for various purposes including Sportsmen, Lions, and Center Stage. The City has first priority because they own the building. Staff has worked with each of the groups to establish an agreement, which they recommend for approval by the Council. Sportsmen and Lions will be the other signees on the agreement and along with Center Stage they will meet every three months to review scheduling and identify potential conflicts. There will be a slight increase in fees and deposits.

ACTION: Council Member Stanley moved that the Council adopt a Resolution (2015-033) amending the fee schedule for rental of Lions/Sportsmen Center, adopting the Policy and Procedure Manual; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken with Council Members Andersen, Boyd, Jensen, LeMone and Stanley voting "Aye". The motion carried unanimously.

11) ITEMS FOR DISCUSSION - NO ACTION

A) DISCUSSION AND POSSIBLE ACTION REGARDING THE POLICE DEPARTMENT SEWER LINE. *Presenter: Director Beaumont.*

Public Works Director, Marty Beaumont, explained that the Police Department sewer line comes out of the south side of the building. The line makes a 90-degree turn and ties into a main line that runs from 100 South up to Center Street. It services City Hall, the Library, and a number of other buildings on Main Street. At the manhole there is an exterior drop in the line. This means that the line was constructed so that it raises in one area and drops down by about 3 ½ feet at the manhole. While it is not uncommon to construct a sewer line in this manner, in the case of the Police Station this has been the cause of the problem. Staff estimated that the line is placed at approximately a 1.7% slope.

Director Beaumont explained that there are three options for the Council to consider. First, they could extend the sewer main line to eight inches and install another lateral and manhole 140 feet to the east. He felt this would be the best option, especially if they eventually do something different with the Fire Station and Community Development building. The manhole will cost around \$4,000. If the City opted for this first option, the slope would be increased up to 6%. In response to a question from Council Member Boyd, Director Beaumont explained that blockage is occurring in the lateral as it connects to the main line. Staff took video footage and confirmed that there is no blockage in the main line. The location where the lateral connects to the main is also very clean.

Director Beaumont presented financial estimates and noted that if the project was bid out to a contractor it would cost around \$55,000. The time of the year is a contributing factor in terms of cost because contractors are under deadlines with other projects before snow falls. It would be difficult for the City to find companies who would be willing to get the project done by the end of the season.

Alternatively, the Public Works Department has newer personnel who are willing to take on the project as additional training experience, which would save the City money. Director Beaumont expressed confidence that his team would do a great job. The City does not own all of the necessary equipment, however, they are qualified to run track hoes and other similar machinery. They would need to acquire trench boxes to reach the depth of the trench. Total costs were broken down as follows: man hours (\$4,600); City equipment (\$13,000); leased equipment (\$6,000); materials cost (\$8,000). The total sum of these figures is \$31,600. The estimated out of budget cost is \$15,000. Director Beaumont stated that staff was happy to take this route, however, time for making a decision is of the essence.

Administrator Darrington explained that the project would be paid for through the Sewer Fund. Council Member Stanley asked what the long term implication of the costs will be if and when a new Public Safety Building is constructed. Director Beaumont explained that the sewer line is 12' deep, and the improvement should be able to be utilized for a new building. Furthermore, the building that currently houses the Police Station will still continue to be used for other City purposes. The Council commended Director Beaumont on his efforts in presenting the plan.

Administrator Darrington stressed the importance of resolving the sewer problem soon because they cannot afford an additional leak. Director Beaumont indicated that his team would begin work on the project next week should the Council direct them to move forward. Administrator Darrington stated that if the project can fit within the current budget the item will not come back to the Council again. If, however, a budget amendment is needed, the Council will review the item again.

ACTION: Council Member Boyd moved that the Council authorize staff to proceed with the installation of the Police Department sewer line at an estimated cost of \$15,000 and possible budget amendment. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

12) DISCUSSION ITEMS FOR THE OCTOBER 20, 2015 MEETING.

Mayor Pro-Tem LeMone announced that the Council will be appointing a new Finance Director, Denise Roy. There will also be a presentation to Jay Meacham for his service as a Council Member. Item 9A will be a public hearing to consider adoption of ordinance text amendments pertaining to twin homes. Director Young explained that the proposed amendments will provide clarification on the differences between twin homes and duplexes and provided a brief overview of those changes.

Item 10A will be approval of a North Field Estates Plat C, which is a two lot preliminary subdivision consisting of approximately 1.49 acres. Director Young explained that the property received a variance and zone change, both of which took place in 2012. The Planning Commission approved the preliminary plat at the time the variance and zone change took place. Director Young presented an aerial map of the subject property as well as a copy of the preliminary plat.

Item 10B will be for a resolution to recertify the Pleasant Grove City Justice Court. Administrator Darrington noted that this is standard operating procedure. Item 10C will be approval and acceptance of a gift of 10 acres for which Mayor Daniels will sign a Letter of Acknowledgement and valuation of the property and a with three-year sale restriction. City Engineer, Degen Lewis, stated that the property in question is located at approximately 1600 East and 100 South, which is outside City boundaries. The property owners will get a tax write-off by donating the land. Parks and Recreation Director, Deon Giles, explained several benefits and uses this land would provide the City, especially with regard to trails. The value of the land is estimated at around \$1.8 million; however, as pointed out by Administrator Darrington, it might not be developable. Therefore, it will be best used for trails.

Administrator Darrington stated that in addition to the aforementioned items, the Council will also review site plan approval for the St. John Properties at their next meeting. The project was reviewed and approved by the Planning Commission and Design Review Committee. However, staff still had issues with the building design, which will be discussed in the next Council Meeting. Additionally, the City received three boundary line adjustment requests from property owners on 4000 North. There was continued discussion relating to the circumstances of these requests.

13) NEIGHBORHOOD AND STAFF BUSINESS

Director Young reiterated that staff has serious concerns with the design of the St. John Properties project. He explained that City Code has guiding statements pertaining to the Interchange Subdistrict. For example, developments should set a signature image into the gateway of the community. Director Young was of the opinion that the proposal does not meet this requirement.

Council Member Andersen commented that in speaking with a member of the Design Review Board, they generally are not in favor of the proposal. However, no formal motion was taken and the meeting was not recorded. Administrator Darrington clarified that the Design Review Committee is not a public body; therefore, they are not required to post an agenda, minutes or audio recording. Director Young stated that the Design Review Committee deliberated for several hours and made suggestions on how to improve the design.

Planning Commission Member, Jennifer Baptista, explained that the Planning Commission determined that the language was too ambiguous and each Member had a different interpretation of what certain descriptive terms meant. They ultimately decided to pass the item on to the Council to review the Code and make a determination.

Planning Commission Member, Lisa Coombs, agreed with Commissioner Baptista's remarks.

There was continued discussion on the matter. Director Young noted that the applicant is requesting that the City waive the architectural design requirements. In particular, the Code requires glass and steel curvature. Council Member Boyd commented that while some language in the Code may be subjective, there are already plenty of examples within the City of what is meant by some of terms.

Members of staff shared various updates relevant to their respective departments. Director Beaumont announced that the 1300 West pipe line project in the Garden Grove development is underway. Construction began last week and will be ongoing for the next few weeks. Fire Chief, Dave Thomas, informed those present that their routine PT testing will take place tonight. He invited the Council to run the test themselves tomorrow at 9:00 a.m.

Library and Arts Director, Sheri Britsch, announced that she will be attending a State of Utah Directors Retreat, where she has been invited to give a presentation. She also made additional announcements for the PG Players. Engineer Lewis reported that the disturbance on South State Street is Questar. Director Beaumont made additional updates on the Questar project and Mayor Pro-Tem LeMone requested that the updates be posted on the City's website.

14) MAYOR AND COUNCIL BUSINESS

Council Member Jensen informed the Council that he will be having knee surgery next week, but will be back for the meeting on October 20. Council Member Andersen announced that the North County Chamber Summit is on Friday at doTERRA. Council Member Stanley added that the summit will be a great networking opportunity, and that there will be many great speakers at the event. Additionally, tomorrow one of the County Commissioners will be doing a presentation on sales tax at the Pleasant Grove Junior High.

15) SIGNING OF PLATS

The Parkside at Pleasant Grove Plat "D" was signed.

16) REVIEW CALENDAR

17) ADJOURN

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

The City Council Meeting adjourned at 7:42 pm.

Minutes of October 6, 2015 were approved by the City Council on October 27, 2015.

Kathy T. Kresser, City Recorder

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