

**Pleasant Grove City  
City Council Regular Meeting Minutes  
January 19, 2016  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Eric Jensen  
Cyd LeMone  
Ben Stanley  
Lynn Walker

Staff Present: Scott Darrington, City Administrator  
Denise Roy, Finance Director  
Deon Giles, Parks and Recreation Director  
Dave Thomas, Fire Chief  
Mike Smith, Police Chief  
Kathy Kresser, City Recorder  
Ken Young, Community Development Director  
Marty Beaumont, Public Works Director  
Tina Petersen, City Attorney  
Sheri Britsch, Library and Arts Director  
Degen Lewis, City Engineer

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

---

1) **CALL TO ORDER**

Mayor Daniels called the meeting to order and noted that Council Members Andersen, Jensen, LeMone, Stanley and Walker were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Roger Green.

3) **OPENING REMARKS**

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

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

**ACTION:** Council Member Stanley moved to approve the agenda as written. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION**

Mayor Daniels opened the open session.

Donna Jolley gave her address as 1380 East 150 North and thanked the City personnel who snow plow her road. She also thanked the Police and Fire personnel who protect the citizens every day. She spoke about the economy and shared insights on what it was like for her to grow up during the Great Depression. Ms. Jolley remarked that it is not wise for the City to get into a lot of debt. While the citizens and elected officials may have the same agenda, everyone's preferred strategies for achieving a nice community may differ. It is important to base financial decisions upon whether or not the amenities or services in question are affordable.

Lisa Coombs gave her address as 1742 East Cherokee Drive and reported that the Heritage Jubilee meetings will begin next month. She invited those in attendance to relay any questions regarding the event.

There were no further public comments. Mayor Daniels closed the open session.

6) **CONSENT ITEMS**

- a) **City Council Meeting Minutes:  
City Council Minutes for the December 15, 2015 meeting.**
- b) **To consider for approval of payment vouchers for January 8, 2016.**

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

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

*There were no appointments.*

Mayor Daniels announced that the City currently has openings on the Planning Commission, Board of Adjustment, Beautification Commission, Downtown Advisory Board, and Neighborhood Chairs. Interviews are underway and several volunteers have already come forward. Individuals interested in any of these opportunities should contact City Recorder, Kathy Kresser. At the request of Council Member LeMone, staff agreed to add a slider to the City's webpage with information relevant to the open positions.

Director Young noted that even though this is not an item on the agenda he would like to present a plaque for Frank Johnson and Sterling Wadley for their service on the Board of Adjustment and Dallin Nelson for his service on the Planning Commission. He reported that Frank Johnson has

been a member of the Board of Adjustment from April 2006 to January 2016 and Sterling Wadley has been a member of the Board from March 2007 to January 2016. He also noted that Dallin Nelson has been a member of the Planning Commission from August 2007 to January 2016. Director Young presented the plaques and thanked them for their many years of service to the City.

**8) PRESENTATIONS**

**A) UTAH COUNTY HEALTH DEPARTMENT TO DO A PRESENTATION ON E-CIGARETTES.**

Mayor Daniels introduced Justice Albertson and Christian Nielson from the OUTRAGE Program, as well as Linnea Fletcher from Utah County. Ms. Fletcher serves as the Tobacco Prevention and Control Program Manager for the Utah County Health Department. Messrs. Albertson and Nielson identified themselves as Youth Leaders for OUTRAGE, which is a group against tobacco. They requested that the City update the current policy prohibiting the use of tobacco in City Parks to include electronic cigarettes.

Mr. Albertson explained that from surveys taken by the Utah County Health Department at the County Fair, the Corn Maze, and other public events, it was discovered that 15.2% of all youth that took the survey use e-cigarettes at parks or other outdoor recreational areas. 2,564 surveys were collected, and the percentage of use at parks was even greater in adults at 29%. The Prevention Needs Assessment (PNA) data reported that use rates of e-cigarettes among youth has almost doubled in the State of Utah. Specifically, in Utah County, youth use rates grossed 1.7% in 2013 and increased to 7.6% in 2015. The percentage of youth who have experimented with e-cigarettes in the State was 12% in 2013 and 22.9% in 2015.

Mr. Nielson stated that e-cigarettes have been proven to affect the brain, as well as act as a gateway drug to other harmful substances. People who are exposed to e-cigarettes are also negatively affected by the secondhand smoke, as they are with traditional cigarettes. Mr. Albertson added that City Councils have the choice to take the initiative to make parks a safer environment for everyone. Mr. Nielson concluded that the Utah County Health Department can supply the City with all of the necessary signage.

Council Member Stanley expressed appreciation for the OUTRAGE program and was impressed by the youth who have volunteered with the program. Mayor Daniels thanked Ms. Fletcher and Messrs. Albertson and Nielson for their presentation.

**9) ACTION ITEMS WITH PUBLIC DISCUSSION**

*There were no public discussion items.*

**10) ACTION ITEMS READY FOR VOTE**

**A) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-03) AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH THINK ARCHITECTURE FOR THE ARCHITECTURE SERVICES**

**REGARDING THE PUBLIC SAFETY BUILDING. *Presenter: Administrator Darrington.***

City Administrator, Scott Darrington gave an overview of the item and reported that after interviewing three firms from a total of six proposals, the Public Safety Building Committee unanimously recommended Think Architecture to render the services needed. The Public Safety Building Committee does not have the authority to spend funds; therefore, it must be authorized by the City Council. The agreement outlines the cost of services, which is \$7,500, as well as the timeline for which the services will be rendered.

Council Member Stanley recommended that moving forward agenda items of this nature clarify that the Public Safety Building may or may not involve more than one building. He noted that there are several possible options being explored and the Public Safety Building may not house all of the related departments under one roof. He references Ms. Jolley's comments from the Open Session and commented that the funds being spent for Think Architecture are justified to properly vet all possible options.

**ACTION:** Council Member Stanley moved to adopt a Resolution (2016-03) authorizing the Mayor to enter into a Professional Service Agreement with Think Architecture for the Architectural Services rendered for the Public Safety Building. Council Member Jensen seconded the motion. A voice vote was taken, with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion passed unanimously.

**B) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-04) APPROVING THE FORM OF THE EQUIPMENT LEASE AND PURCHASE AGREEMENT WITH JP MORGAN CHASE BANK N.A. AND AUTHORIZING THE MAYOR TO SIGN SAID LEASE-PURCHASE AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Director Roy.***

Administrator Darrington presented the above item. He reported that the issue was previously discussed last year with regard to a new vehicle that is needed in the Public Works Department. The vehicle would be used for snowplowing and maintenance. While the department has several other trucks that perform similar functions, they are getting old and the fleet should gradually be updated. The subject agreement is lease-to-own which means that the City will own the vehicle once all of the payments have been made. The principle amount is \$205,105 and the interest rate is 2.15%, for a total of \$16,580 to be paid over a 14-year period.

Public Works Director, Marty Beaumont, reiterated Administrator Darrington's previous statement that most of the equipment in the Public Works Department is getting old and will soon need to be retired. The new vehicle is fitted for snowplowing and also has a salt spreader. Mayor Daniels commented that the vehicle is very expensive. Staff gave an overview of how the bidding process took place.

Council Member Stanley asked how thoroughly some of the larger City expenses have been broken down. Furthermore, he inquired about how accessible the City's budgets are for the average citizen to review. Administrator Darrington explained that the budget was published in line items. The City is required to publish every transaction to the State's government transparency website. Furthermore, citizens may contact the Finance Director for additional information. Additional comments from staff and the Council were made regarding the State's efforts to promote more transparent local governments.

**ACTION:** Council Member Andersen moved to adopt a Resolution (2016-04) approving the form of the Equipment Lease-Purchase Agreement with JP Morgan Chase Bank, N.A. and authorizing the Mayor to sign said Lease-Purchase Agreement and authorizing the execution and delivery thereof; and providing for an effective date. Council Member Walker seconded the motion. A voice vote was taken, with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion passed unanimously.

## 11) ITEMS FOR DISCUSSION

### A) **DISCUSSION ON THE ROAD FEE STUDY. *Presenter: Lewis, Young, Robertson and Burningham.***

Administrator Darrington provided brief updates on the audio and video equipment being used to record the meeting. He introduced the discussion item by explaining that it has been under review since last year as a means of increasing road funding. Council Member LeMone noted that no decisions will be adopted tonight. Administrator Darrington explained that a similar road funding model was adopted in Provo. Other cities in the area have followed suit. Staff wanted to have an analysis done to determine if it would be a possible solution for Pleasant Grove.

Mr. Philpot from Lewis, Young, Robertson & Burningham (LYRB) was tasked with finding an equitable and transparent way of maintaining existing roadways, in addition to the existing funding mechanisms. As part of their research they looked at the demand on the existing roadways in terms of trip counts. With regard to the studies, Mr. Philpot noted that there are industry standards for assessing the trips. They used the parcel database for the County, as well as the City's business license database to evaluate the types of land uses that exist in the City and the roadway demands. The land uses were divided into three categories; residential, non-residential, and public use. The road studies assessed peak day adjusted trips, total square footage, address counts, and units. Fees were calculated per address on an annual basis and then broken down into smaller monthly payments.

Mr. Philpot explained that the Road Fee Study was tasked with calculating what it would take to generate \$1 million in new revenues each year. Single-family and multi-family fees are to be assessed per unit and non-residential fees are to be assessed per address. A chart was presented to illustrate monthly fees for residential, commercial, and public uses. Administrator Darrington explained that they could also determine a specific amount of revenue to generate each year and set the rates accordingly based on that figure.

Mr. Philpot added that they could also average the costs across the board, which would be approximately \$60 per month for commercial properties, rather than breaking the expenses down by trip demands. Mr. Philpot reviewed the sources of information used in conducting the study. There was further deliberation regarding the methods by which Provo City developed a Road Fee specific to their demographics and roadway needs. Administrator Darrington stated the information would be made available on the City's website, and discussed at the Retreat.

**B) DISCUSSION ON DESIGN GUIDELINES FOR ZONING DISTRICTS IN THE GROVE AREA. *Presenter: Administrator Darrington.***

Administrator Darrington reported that the above item was brought forward based on feedback was received from a developer. He provided a historical overview of the Grove Area, specifically discussions the Council had in 2007 regarding potential economic development. At that time, they created a vision by way of design standards and districts. Occasionally a developer will approach the City with a project idea that does not align with the vision set forth for the Grove Area. When this occurs, staff assesses whether to accommodate the developer's request, or hold firmly to the design standards in place. Administrator Darrington made mention of the interchange between I-15 and North County Boulevard as a location where development could be slowed if the City decides to firmly adhere to the design standards in place. While the City wants development to occur in the Grove Area, they do not want it to become an interchange that is entirely comprised of fast food restaurants and convenience stores.

Administrator Darrington reviewed what the City can control in terms of economic development. First, they control zoning, permitted uses, and design standards within each zone. The City does not control who owns the land and how it is developed. They are unable to control particular brands; for example, if a zone permits restaurants, the City does not have the prerogative to allow an Olive Garden over a Little Caesar's Pizza. The only exception is if an incentive deal is involved, because in these cases the City becomes a financial partner in the project.

The vision for the area was determined in 2007, and it may be time to reassess design guidelines and districts. Once a code is established, it is staff's job to interpret the guidelines when reviewing development proposals. While some aspects of the code are very specific, others are broad, at which point the Council determines whether the proposal is in line with the vision of an area within the City. The Council may also waive design standards, which has taken place a few times. doTERRA and Aroma Tools, for example, presented a concept plan showing how their building was going to look and the Council opted to waive the design standards because it was a quality building and design.

Administrator Darrington noted that staff is currently reviewing a proposal from St. John Properties and reviewed some of the discussions staff has had recently with Daniel Thomas. Additionally, The Void submitted a proposal for a building that does not meet the design standards of the area, for which they will be seeking a waiver to the design standards. Administrator Darrington stressed that staff and the elected officials need to discuss what will be acceptable for the vision of the City. He suggested that the Council discuss this at greater length during the upcoming retreat.

Council Member Jensen asked staff to elaborate on the roles of the Planning Commission and Design Review Board in determining whether a proposal meets the code and/or vision of an area. Administrator Darrington explained that the Design Review Board specifically reviews design standards and they are a recommending body. The Planning Commission is also advisory in nature. By the time a proposal makes it to the City Council, there could be recommendations from staff, the Design Review Board, and the Planning Commission and not all recommendations may come back unanimous. The final decision is always made by the City Council, at which time the developer, or applicant, also has an opportunity to present their interpretation of the code. Administrator Darrington pointed out that the Planning Commission is appointed, whereas the City Council is elected, and is therefore accountable to the public.

There was continued discussion pertaining to the development approval process. Council Member Stanley commented that the Council makes a two-tiered decision when reviewing proposals. First, they assess whether the proposal meets code requirements. Second, if the proposal doesn't meet the code requirements, they decide whether a waiver should be granted. Administrator Darrington agreed that project approval is more than just a one step process. Mayor Daniels commented that the more the City changes the vision of the Grove area, the more difficult it becomes for an investor to decide whether to bring their business in Pleasant Grove. Council Member Stanley added that unclear language in the City code also removes predictability from a development standpoint.

#### **12) DISCUSSION ITEMS FOR THE FEBRUARY 2, 2016 CITY COUNCIL MEETING**

It was noted that an agenda for the February 2, 2016 City Council Meeting has not been drafted yet. Administrator Darrington explained that so far there are three discussion items. First is the 4000 North sewer. The second discussion will involve a master planned road that crosses through Ray Proctor's farm. Third, the accessory apartment ordinance will be discussed. It was noted that there would be no meeting the following week.

#### **13) NEIGHBORHOOD AND STAFF BUSINESS**

Members of staff shared updates relevant to their respective departments. NAB Chair, Libby Flegal, suggested that the open Neighborhood Chair positions be advertised in the newspaper and online. Assistant to the City Administrator, David Larson, reported that he will be emailing staff and the elected officials regarding the nomination process for the Team Member of the Year Award. Public Works Director, Marty Beaumont, announced that the City Games will be starting next Wednesday at 10:00 a.m. He invited all to participate. Police Chief, Mike Smith, reported that the following day *Good Things Utah* will be doing a spotlight on the Youth Citizens' Academy. Library and Arts Director, Sheri Britsch, reported that the Library just finished a Food for Fines drive and they have several overflowing bins of food to donate.

#### **14) MAYOR AND COUNCIL BUSINESS**

Council Member Andersen announced that Andrew Engemann was selected as Fireman of the Year. She expressed several sentiments regarding the sacrifices of public safety personnel. Council Member Andersen noted that Utah has the lowest unemployment rate in the Nation, and Citywide they are competing with the private sector when it comes to employees. She suggested

that at some point they discuss how to become more competitive in retaining skilled employees. Council Member LeMone suggested that this discussion take place at the retreat. Council Member Jensen echoed Council Member Andersen's remarks.

**15) SIGNING OF PLATS**

The Majestic Meadows Subdivision Plat C was signed.

**16) REVIEW CALENDAR**

Council Member Stanley announced that the County Commission Vice Chair, Bill Lee, will be addressing the Pleasant Grove Rotary Club this Thursday, January 21.

**17) ADJOURN**

**ACTION:** Council Member Jensen moved to adjourn. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 7:53 p.m.

Minutes of January 19, 2016 City Council meeting were approved by the City Council on \_\_\_\_\_.

---

Kathy T. Kresser, City Recorder, MMC

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