

**Pleasant Grove City  
City Council Meeting Minutes  
August 18, 2015  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

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

Staff Present: Scott Darrington, City Administrator  
Degen Lewis, City Engineer  
Deon Giles, Parks and Recreation Director  
Mike Smith, Police Chief  
Dave Thomas, Fire Chief  
Kathy Kresser, City Recorder  
Ken Young, Community Development Director  
Marty Beaumont, Public Works Director  
Sheri Britsch, Library and Arts Director  
Dean Lundell, Finance 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 Daniels called the meeting to order and noted that Council Members Andersen, Boyd, LeMone, Stanley and Jensen were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Lee Edwards.

3) **OPENING REMARKS**

The opening remarks were given by Sarah Hunter.

4) **APPROVAL OF AGENDA**

**ACTION:** Council Member Stanley moved to approve the agenda. 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.

Eileen Billing gave her address as 1245 North 380 East and asked if a recent event at the Police Station (*a sewer backup that caused flooding in the evidence room*) has changed the hearts of the citizens regarding its building capacity. She also asked if the Health Department has been able to assess the situation.

Mayor Daniels explained that the Council is also concerned with the condition of the building and would like to see repairs done as soon as possible. Police Chief, Mike Smith, stated that ServPRO Cleanup Service assisted with the cleanup and sprayed chemicals that are supposed to kill all of the dangerous bacteria. There was brief discussion about whether it is safe for staff to spend a significant amount of time in the evidence room. In response to a question from Mayor Daniels, Chief Smith explained that evidence is being stored in a room that is susceptible to this problem, and the future of the Police Station is in the hands of the City.

Lee Edwards added that he personally installed the camera in the sewer line in question. He stated that there is a problem with the sewer where it exits the building, thereby causing clogging to occur. He explained that they could put a check valve in the floor drain, but this would cause the sewer to raise and could potentially cause a bigger flood. Mr. Edwards described an alternative, more expensive process. However, when he installed the camera about four years ago, there weren't sufficient funds for this alternative process to take place. Mayor Daniels directed staff to look at ways to resolve the problem.

Mr. Edwards discussed additional items that were unrelated to the sewer problems at the Police Station. Last November, Mr. Edwards expressed concerns to former Public Works Director, Lynn Walker, with the lack of a crosswalk on 300 East for children walking to school. Upon exiting the junior high onto 300 East, there isn't a sidewalk to go down the south side of the road. Therefore, students have to cross that road to get to a sidewalk. Mr. Edwards noted that his daughter has almost been hit by oncoming traffic multiple times. He explained that he also called City Engineer, Degen Lewis, to discuss this problem and received approval to have a crosswalk installed. Mr. Edwards stated that after two additional phone calls the crosswalk still has not been installed. He requested that the Council take immediate action. Staff agreed to address the issue.

Mr. Edwards explained that in researching election candidates, he has come across YouTube videos that he found concerning. He provided the Council with copies of graphs that indicate that there have been huge increases to department funds over the past five years. Mr. Edwards stated that despite these increases, an insufficient amount of money has been allocated towards roads. He asked if there is a plan in place to address roads in the future.

Mayor Daniels explained that the City does not have an identified source for all of the money to repair the roads. The City has, however, been working with JUB Engineers to put together a plan that will identify which roads to prioritize overall project costs and the level of service that will be provided. It was clarified that the City runs a balanced budget. It was noted that one of the aforementioned online videos indicated that there is \$1.7 million in administrative fees and costs that could be used for roads. This alluded to the possibility of the City padding money. Mr. Edwards asked staff and the elected officials to help him understand the information as it was presented in the video.

Finance Director, Dean Lundell, explained that the City has governmental activities that are paid largely with taxes, as well as activities that have fees that cover the full cost of those services. The latter consists of utilities such as sewer, water, storm drain, sanitation, etc. Each of these departments has a budget and the charges associated with each are withdrawn from their respective budgets. A third category of City expenses is that of overhead, which includes administration, finance, custodial, engineering, legal, liability insurance, IT, etc. Director Lundell explained that he tries to accurately identify whether costs should be paid for by governmental or enterprise funds. He further elaborated on the subject. Mayor Daniels explained that the overhead costs represent employees, and the funds need to be divided among all of the departments and shared according to Director Lundell's estimate of how much each department uses.

Mr. Edwards mentioned that according to the online video, the City has increased in revenue by \$1.7 million; however, none of it has gone toward roads. He asked how it would be possible to allocate some of the increased revenue to roads. Director Lundell explained that in 2014, \$195,000 of that revenue was allocated toward roads. He noted that over the past few years there have also been 2 to 3 percent pay increases for all employees, as well as the creation of a few new positions, all of which constitute overhead expenses. Mr. Edwards asked where Pleasant Grove stands in terms of employee pay compared to other cities. Mayor Daniels stated that a study containing this information was completed a few weeks ago. Generally, the City's employees are paid the mid to low end of the ranges averaged from 11 other cities. Council Member Boyd asked Director Lundell to create a graph that breaks down the \$1.7 million and have it posted to the City's website.

Mr. Edwards asked if the Council approved the installation of sewer infrastructure at 4000 North. Mayor Daniels explained that by vote, the current Council authorized the City Administrator to speak to the residents who are affected by this issue and determine if they would like to move forward in forming a Special Assessment Area (SAA). In order for the SAA to be put into effect, more than 50% of the property owners have to vote favorably on the action. If this doesn't occur, there is no reason for the Council to approve a project, because no one will connect to the sewer line. Administrator Darrington provided a brief overview of the status of the SAA and discussions that have taken place up to this point.

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

6) **CONSENT ITEMS**

- a) **To consider for approval Payment No. 2 for Gerber Construction Inc. for the Battle Creek Microhydro Power Generation Project.**
- b) **To consider for approval payment of paid vouchers for August 10, 2015.**

**ACTION:** Council Member Jensen moved to approve the consent items. 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**

There were no presentations.

9) **ACTION ITEMS WITH PUBLIC DISCUSSION**

- A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-29) AMENDING PLEASANT GROVE CITY CODE SECTION 10-9A-8: YARD REQUIREMENTS AND 10-9A-10: BUILDING HEIGHT, AND 10-9A-11: DISTANCE BETWEEN BUILDINGS IN THE R-R (RURAL RESIDENTIAL) ZONE, MODIFYING REQUIREMENTS FOR ACCESSORY STRUCTURES. (DAVID AND VICKI MACDONALD, APPLICANTS) *Presenter: Director Young.***

Community Development Director, Ken Young, presented the staff report and explained that in May, 2015, the MacDonalds approached the City requesting that they be allowed to build an accessory structure to the north of an existing accessory structure. Their intent was to build in line with the existing structure which is approximately five feet from the property line. They were informed that City Code requires a 10-foot side yard setback for accessory structures. On July 9, 2015, a request was made to reduce the required side yard for accessory buildings before the Planning Commission and continued with the condition that the proposed ordinance be revised to overhaul the Rural Residential (R-R) Accessory Building Code to be more similar to the existing R-1 Accessory Building Code. The MacDonalds are now requesting that the City Code be modified to accommodate accessory structures with a five-foot side yard setback and modify other requirements to be more similar to R-1 zone requirements, in the R-R Zone.

Director Young presented the proposed amendments for accessory structures in the R-R zone. Currently, the requirements for accessory structures in the RR zone are largely centered on the housing of animals. There aren't a lot of restrictions on height, other setbacks, or design requirements. Staff felt that additional requirements should be included in the R-R zone. When the Planning Commission reviewed the MacDonalds' proposal, they requested that a complete overhaul be done on the zone.

Mr. MacDonald has existing structures that were either built under previous ordinances or under different property lines. He wanted to continue what has already taken place on his property, and have the same setback for all of his accessory structures. Staff assessed having a minimum setback of three feet for up to 12 feet in height, because it relates to the setback requirement in the R1 zones. For every additional foot in height, another foot will be added to the setback requirement, up to 18 feet. Once a structure exceeds 18 feet, approval of a Conditional Use Permit will be needed from the Planning Commission.

Other changes include that the materials and color of an accessory building exterior must match the main dwelling, which has not been previously required in the R-R zone. The only exception to this requirement is buildings for animals which are not required to match the home. An accessory building footprint cannot exceed the main dwelling footprint, not measuring garage space. Director Young briefly reviewed differences in the requirements of the R-R and R1 zones and presented an aerial map.

Mayor Daniels opened the public hearing. There were no public comments. Mayor Daniels closed the public hearing.

Council Member Andersen expressed concerns with neighbors and future zoning. It was noted that the proposed setback is a tight space in between property lines. Council Member Boyd commented that in previous discussions regarding the R-R zone, most accessory structures have been barns. Director Young explained that one of the sections in the current Code provides for a setback from structures housing animals. These particular requirements will not be changed. In response to a question from Council Member LeMone, Director Young explained that if this item is not approved, the applicant will have to build his accessory building with the current requirement of a 10-foot setback.

Mayor Daniels asked the Council if the proposed changes to the ordinance address the concerns raised by the public. In reviewing the aerial map of the MacDonalds' property. Engineer Lewis pointed out that there are two new homes on the west side of the property. At this point, the neighbors on the west side haven't been notified. Director Young stressed that this item needs to be reviewed in a more general sense. There was continued discussion on various points that were previously made, including how ordinance amendments will affect other areas of the City.

Council Member Stanley remarked that there is value in uniformity within the Codes. Council Member Andersen added that as Pleasant Grove continues to develop, there will be more R1-20 over R-R zones. She was uncomfortable having structures three feet from a property line. Council Member Boyd asked if residents are more concerned with setback requirements or building height, and was of the opinion that height would be of more concern. In response to a question from Council Member LeMone, Administrator Darrington noted that the MacDonalds are the first applicants to make this type of request.

**ACTION:** Council Member Jensen moved that the Council approve an Ordinance (2015-29) amending Pleasant Grove City Code Section 10-9A-8: Yard Requirements and 10-9A-10: Building Height, and 10-9A-11: Distance Between Buildings in the R-R (Rural Residential) Zone, modifying requirements for accessory structures. Council Member Boyd seconded the motion. A

public hearing was held. A voice vote was taken, with Council Members Andersen, Boyd, Jensen, LeMone and Stanley voting "Aye". The motion carried unanimously.

**B) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-30) PERMANENTLY CLOSING AND ABANDONING A ROAD RIGHT-OF-WAY STRIP ALONG THE WESTERN SIDE OF 1350 EAST (1,510.54 SQUARE FEET/0.035 ACRES) IN THE CRYSTAL VIEW SUBDIVISION. (GROVE CREEK SUBDIVISION) \*Continued from the August 4, 2015 Meeting. Presenter: Engineer Lewis.**

Engineer Lewis explained that as the Walker Ridge Plat B subdivision was prepared, there was a slight shift made in the roadway, which lead to it not aligning with an existing piece of City right-of-way located to the north. The right-of-way is no longer needed by the City, and the Allreds have requested that it be vacated. As State Code indicates, when a dedicated public right-of-way is vacated it is to go the adjacent property owner. The Allreds will then be able to include this right-of-way as they re-plat their lot.

Mayor Daniels opened the public hearing.

Nate Holmes asked staff to identify the right-of-way using an aerial map of the subject property.

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

**ACTION:** Council Member Stanley moved that the Council adopt an Ordinance (2015-30) permanently closing and abandoning a road right-of-way strip along the western side of 1350 East (1,510.54 square feet/0.035 acres) in the Crystal View Subdivision. Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken, with Council Members Andersen, Boyd, Jensen, LeMone and Stanley voting "Aye". The motion carried unanimously.

**C) PUBLIC HEARING TO CONSIDER FOR ADOPTION A RESOLUTION (2015-029) AUTHORIZING THE MAYOR TO SIGN BOUNDARY AGREEMENTS WITH W. BRENT AND CONNIE BULLOCK, CRAIG H. AND CYNTHIA WELLESLEY AND JOSEPH MILTON AND JOAN V. FUGAL TO CLARIFY OR CORRECT MINOR DIFFERENCES IN THEIR LEGAL DESCRIPTIONS RELATIVE TO THE BOUNDARIES OF MANILA PARK (APPROXIMATELY 1400 NORTH) AND 50 WEST; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Engineer Lewis**

Engineer Lewis reported that this item will need to be continued for two weeks because of issues with noticing.

**ACTION:** Council Member Stanley moved that the Council continue a public hearing to consider adoption of a Resolution (2015-029) authorizing the Mayor to sign Boundary Agreements with W. Brent and Connie Bullock, Craig H. and Cynthia Wellesley and Joseph Milton and Joan V. Fugal to clarify or correct minor differences in their legal descriptions relative to the boundaries of Manila Park (approximately 1400 North) and 50 West; and provide for an effective date. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

**10) ACTION ITEMS READY FOR VOTE**

- A) TO CONSIDER APPROVAL OF A FINAL PLAT FOR A ONE-LOT SUBDIVISION CALLED CRYSTAL VIEW ESTATES ON PROPERTY LOCATED AT APPROXIMATELY 1268 CRYSTAL VIEW DRIVE IN THE R1-20 (SINGLE-FAMILY RESIDENTIAL) ZONE. (GROVE CREEK NEIGHBORHOOD)  
*\*Continued from August 4, 2015. Presenter: Director Young.***

Director Young noted that due to the vacation of a public right-of-way in Item 9B, the subject property now needs to be re-platted. He presented the staff report as well as an aerial photo of the property. The proposed subdivision is to be located on approximately 0.29 acres and is the result of a nuisance strip that was created during the construction of 1350 East. The City Ordinance does not allow nuisance strips, and therefore, the parcel is being added to 1268 Crystal View Drive. A new plat is required because 1268 Crystal View Drive is part of the existing Crystal View Subdivision. The matter was unanimously recommended for approval by the Planning Commission.

**ACTION:** Council Member Andersen moved that the Council approve a final plat for a one-lot subdivision called Crystal View Estates on property located at approximately 1268 Crystal View Drive in the R1-20 (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 (2015-031) AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN UTAH COUNTY, EVERBRIDGE AND PLEASANT GROVE CITY FOR EMERGENCY MASS COMMUNICATION SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Chief Smith.***

Chief Smith explained that last June, the Pleasant Grove Police Department entered into an agreement with Everbridge for an emergency mass communication system. The contract was for \$11,210 per year, and at the time Everbridge offered the option of entering into a contract held by the County which would be less costly for the cities involved. At this point, all but two cities in the County have entered into a County-wide agreement with Everbridge. Joining this contract will not modify any of the current services, but will rather lower costs. Council Member LeMone was very satisfied with the Everbridge system and Chief Smith encouraged everyone to spread the word about getting registered on the website.

**ACTION:** Council Member Stanley moved that the Council adopt a Resolution (2015-031) authorizing the Mayor to sign an Interlocal Agreement between Utah County, Everbridge and Pleasant Grove City for emergency mass communication services; and provide 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.

**C) DISCUSSION AND POSSIBLE ACTION ON DECIDING WHICH PROPERTIES IN THE GROVE ZONE ARE CANDIDATES FOR REZONE. *Presenter: Administrator Darrington.***

City Administrator, Scott Darrington, provided an overview of the discussions that took place regarding this item. He met with Ray Proctor a few weeks prior, at which time he mentioned a possible rezone on Mr. Proctor's property. There is another property owner that staff will need to approach prior to noticing the City's intent to rezone the area.

The other property in question is owned by Shotgun Creek, which is located on State Street east of the new Walmart. The owner, Greg Perry, purchased the property about five years ago. His intent has been to have commercial on the frontage and housing on the rear side of the property. Mr. Perry indicated that housing is important to future development on his property. Mayor Daniels recalled that previous discussions have taken place regarding multi-family housing developments.

Administrator Darrington noted that Proctor Farm also extends into Stan Smith's property. Council Member Boyd inquired about the status of the Robinson property, located to the west of Walmart. Administrator Darrington explained that the property is zoned Commercial Sales. Council Member Stanley commented that the rights of the property owners need to be considered. He inquired as to the timeline property owners are working with for their various development projects. Administrator Darrington described the procedures for pending legislation, which includes review by the Planning Commission and City Council.

Council Member Andersen supported prioritizing commercial sales along State Street. Council Member Boyd expressed concern with the look that will be created by making all of the State Street frontage commercial sales. Council Member LeMone added that anytime a buyer purchases property along a main road such State Street, they should anticipate that at any time a rezone to commercial sales could occur. There was continued discussion on the matter.

**11) ITEMS FOR DISCUSSION - NO ACTION**

There were no additional items for discussion.

**12) DISCUSSION ITEMS FOR THE AUGUST 25, 2015 CITY COUNCIL MEETING**

Mayor Daniels read the agenda items for the August 25, 2015, City Council Meeting. Director Young presented a brief overview of the staff report. Item 9A is a public hearing to consider amendments to Pleasant Grove City Code Sections 11E, regarding the Downtown Village Zone, and 10-11E-2-1 regarding permitted, conditional, and accessory uses. The applicants were identified as Aric Jensen and Pleasant Grove City. Item 9B is tied to Item 9A, which is a public hearing to consider amendments to City Code 10-11G, regarding historic buildings and single-family lots in the Downtown Village Zone. Item 9C is a public hearing to consider amendments to City Code 10-9B-2E: Accessory Uses, 10-9B7F: Accessory Buildings, and 10-9B-11: Permissible lot coverage in all single-family residential zones. Last, Item 10C is a resolution authorizing the Mayor and Council sitting as the Board of Canvassers to report election returns and declaring and certifying the results of the Primary Election.

**13) NEIGHBORHOOD AND STAFF BUSINESS**

Members of staff shared various updates relative to their respective departments. Library and Arts Director, Sheri Britsch, reported that they have made some changes to their adult fiction section, and now have a section that is entirely LDS fiction.

Director Lundell announced that he will be leaving the employment of Pleasant Grove City and his last day will be September 3. Administrator Darrington announced that he will begin advertising for the vacant Finance Director position. Furthermore, staff was working to create a new meeting schedule that will eliminate one Council Meeting per month and determine a regular schedule for the Public Safety Committee.

**14) MAYOR AND COUNCIL BUSINESS**

It was reported that Council Member Jensen will be gone the following week. Council Member Stanley reminded the Council of the Pleasant Grove Ambassadors to Business group and their objective to promote development in the City. He mentioned that this group had their kickoff meeting last week and it was very successful. Council Member Stanley mentioned that there was failure to notice residents on certain items on tonight's agenda and he wanted to make sure this does not happen again. Council Member LeMone thanked City Recorder, Kathy Kresser, for her efforts during the Primary Election. She also mentioned that the election night gathering can be uncomfortable for others, and is an expense to the City. Now that results from the Primary Election are posted online, she suggested that this meeting no longer take place. Other Council Members agreed with this suggestion. In response to a question from Council Member LeMone, Director Young provided a brief update on accessory apartments.

**15) SIGNING OF PLATS**

There were no plats signed.

**16) REVIEW CALENDAR**

There were no additional calendar items to review.

17) **ADJOURN**

**ACTION:** Council Member Stanley 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 8:07 p.m.

Minutes of August 18, 2015 were approved by the City Council on September 1, 2015.

---

Kathy T. Kresser, City Recorder

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