

**Pleasant Grove City  
City Council Regular Meeting Minutes  
December 09, 2014  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen  
Cyd LeMone  
Ben Stanley  
Jay Meacham  
Cindy Boyd

Staff Present: Scott Darrington, City Administrator  
David Larson, Assistant to the City Administrator  
Dean Lundell, Finance Director  
Degen Lewis, City Engineer  
Deon Giles, Parks and Recreation Director  
Tina Petersen, City Attorney  
Mike Smith, Police Chief  
Marc Sanderson, Fire Chief  
Ken Young, Community Development Director  
John Goodman, Streets Superintendent  
Kathy Kresser, City Recorder  
Sheri Britsch, Library and Arts Director

Other: Cory Christiansen, Project Engineer, Blue Energy Project  
Eric Jurgens, Grove Creek Neighborhood Chair

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

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1) **CALL TO ORDER**

Mayor Daniels called the meeting to order and noted that Council Members Andersen, LeMone, Stanley, Boyd, and Meacham were present. Mayor Daniels apologized that tonight's agenda was not posted on the City's website. He noted that City Recorder, Kathy Kresser, posted the agenda on the State's website, which is required by law.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Roger Green.

3) **OPENING REMARKS**

The opening remarks were given by Council Member Andersen.

**4) APPROVAL OF AGENDA**

Mayor Daniels reported that Mr. Richard Guernsey will not be able to attend tonight's meeting and will present his item at a future date. In addition Community Development Director, Ken Young, will present an award to John Stevens after the agenda is approved.

**ACTION:** Council Member Stanley moved to approve the agenda as presented, with the elimination of Item 7A, as well as the inclusion of a presentation to Mr. Stevens. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

Director Young recognized Mr. Stevens for having served on the Pleasant Grove Planning Commission for nearly four years. He noted that Mr. Stevens served as the Chair for one year and he has been a great asset to the City's planning process. He then presented Mr. Stevens with a plaque thanking him for his service.

**5) OPEN SESSION**

Mayor Daniels opened the open session.

Lisa Coombs announced that Food Truck Tuesday is back in Pleasant Grove and currently vendors are parked on the southwest side of Water Gardens. There are five food trucks, heaters, and movies running. The event will run for the first two weeks of December after which time there will be a break for the holidays. Food Truck Tuesdays will pick back up in January with theme nights, contests, and other fun activities. Ms. Coombs clarified that this is a privately operated event and is not affiliated with the Pleasant Grove Chamber of Commerce. Council Member LeMone remarked that the Water Gardens is a perfect location for Food Truck Tuesdays.

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

**6) CONSENT ITEMS**

- a) **City Council and Work Session Minutes:  
City Council Minutes for the November 5, 2014 meeting  
City Council Work Session Minutes for the November 12, 2014 meeting**
- b) **To consider for approval Lisa Coombs and Gary Yeates as Planning Commission Alternate Members.**
- c) **To consider for approval Eric Jurgens as the Grove Creek Neighborhood Chair.**

The consent items were reviewed and discussed. Recorder Kresser noted that the minutes will need to be continued, because they still need to be reviewed by City Attorney, Tina Petersen.

**ACTION:** Council Member Stanley moved to approve consent items B and C, and to continue consent item A. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

7) **PRESENTATIONS**

a) **RICHARD GUERNSEY PRESENTATION ON GLASS RECYCLING.**

*Note: Mr. Guernsey's presentation was continued to a future date.*

At the request of Council Member LeMone, Ms. Coombs introduced herself to those in attendance.

Lisa Coombs gave her address as 1742 East Cherokee Drive and noted that she has been a citizen of Pleasant Grove for 23 years. She has served on the Beautification Commission for four years and on the PTA. Ms. Coombs informed the Council that she is a real estate agent and stated that for her the next logical step in getting involved in the City was joining the Planning Commission.

8) **ACTION ITEMS READY FOR VOTE:**

A) **TO CONSIDER FOR ADOPTION A RESOLUTION (2014-051) AUTHORIZING THE MAYOR TO SIGN AN INTERCONNECTION AND NET METERING SERVICE AGREEMENT WITH PACIFICORP, DBA ROCKY MOUNTAIN POWER FOR A NET METERING FACILITY LEVEL 3; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Lundell.**

Finance Director, Dean Lundell, noted that the above item relates to the Blue Energy Project. Director Lundell recognized that Cory Christiansen was present at the meeting to answer questions from the Council. It was noted that Mr. Christiansen is the contracted Project Engineer for the project. Director Lundell explained that the City needs to have an agreement in place with Rocky Mountain Power for the new power that will be generated.

Council Member Meacham mentioned that the contract lists studies that need to be conducted by Rocky Mountain Power. He asked if the studies have been completed. Director Lundell replied that those studies are currently in progress. He stated that the City must submit an application and pay a fee in order to have Rocky Mountain Power conduct the studies. Council Member Meacham asked if the metering facility would be owned by the City. Mr. Christiansen explained that net metering implies that Rocky Mountain Power will take all of the City's meters and treat them as one. This will create a better return on the power generated. In other words, if Rocky Mountain Power were to buy the power back, they would pay the City \$.02 to \$.03 per kilowatt hour instead with the net metering we will get credit towards our power bill for anything that we generate. The credit will be more than \$.02 to \$.03 cents per kilowatt hour. Therefore, a meter will be installed at the City's facility.

Council Member Boyd suggested that an overview of the project be provided. Mayor Daniels recalled that Mr. Christiansen made a project presentation at a Council Meeting a few months earlier. Council Member Boyd felt that another presentation would be helpful to better understand the advantages. Mr. Christiansen explained that the Blue Energy Project is a relatively small project

on the water source coming out of Battle Creek Canyon. As the water comes down there is a break pressure with a valve, which wastes energy. By adding a turbine, additional power will be generated that will go back into the system. Typically the power would be used for a facility on site, however, there isn't a need for the power at this location. Therefore, the power will be put back onto the utility grid, which will then offset the power used at other facilities.

In response to a question raised by Council Member Stanley, Mr. Christiansen explained that the facility will be built primarily with federal money. Director Lundell clarified that 50% of the project is being covered by a federal grant.

**ACTION:** Council Member Stanley moved that the Council adopt a Resolution (2014-051) authorizing the Mayor to sign an Interconnection and Net Metering Service Agreement with PacifiCorp, DBA Rocky Mountain Power for a Net Metering Facility Level 3; and providing for an effective date. Council Member Andersen seconded the motion. A voice vote was taken. Council Members Andersen, Boyd, LeMone, Meacham, and Stanley voted "Aye". The motion carried.

9) **ACTION ITEMS WITH PUBLIC DISCUSSION**

There were no action items with public discussion.

10) **DISCUSSION ITEMS FOR THE DECEMBER 16, 2014 MEETING**

Mayor Daniels noted that the minutes for November 5 and 12, will be reviewed for approval at the December 16 Council Meeting.

- a) **Public Hearing to consider for adoption an Ordinance (1024-44) to rezone approximately two acres from R1-20 to R1-9 on property located at approximately 900 East 100 North. Applicant Kim Sprague and Pleasant Grove City. MONKEY TOWN NEIGHBORHOOD. Presenter: Director Young.**

Director Young presented the staff report and displayed an aerial map of the subject property. He explained that the property is located between 100 North and the Murdock Canal. All of the property falls within the medium density residential area and currently the proposed rezone would be permitted under this designation. Director Young explained that R1-9 zoning is located to the east, R1-9 is located to the west, and R1-10 is located to the south of the subject property. A plat is also underway for this property and conceptually staff and the applicant have discussed the possibility of a cul-de-sac.

Mayor Daniels asked what affect a rezone would have on the Murdock Canal and right-of-way. In response to an inquiry from Council Member Meacham, Director Young noted that the Murdock Canal property is zoned R1-20. Council Member Stanley remarked that this application seems straight forward. Director Young mentioned that this item will go before the Planning Commission on December 11, 2014.

- b) **To consider for adoption a Resolution (2014-052) setting the parameters for refinancing the 2006 Water Bonds, and providing for an effective date.**  
*Presenter: Director Lundell.*

Director Lundell explained that the City has two large secondary water bonds from 2006 and 2008. The bonds are approaching 10 years and staff would like to take advantage of the current lower interest rates by refinancing. Essentially, the City will take out two more bonds to pay off the existing bond and thereby benefit from lower interest rates. It has been estimated that refinancing will save the City around \$60,000 per year. The proposed resolution for this action will set limits on the amount of bonds that can be issued, set limits on interest rates, and establish a bond committee. It was noted that there will be a public hearing on the above item. Council Member Meacham asked why staff is looking to refinance this early. Director Lundell explained that the decision comes down to the interest rates and how much the City can save.

- c) **Discussion and Resolution on the four block Civic Center Plan.**

Mayor Daniels remarked that he asked that this item be placed on next week's agenda. He provided an overview of what discussions have previously taken place on the matter and explained that his intention was to publicly notice the item so that the issue can be resolved. Staff and Mayor Daniels conversed about whether or not a formal plan for the Civic Center was ever adopted. Director Young indicated that while there was never a formal motion, semi-action was taken. Attorney Peterson added that any previously made motion can also be un-done, if necessary.

- d) **RDA Meeting: To consider for adoption a Resolution (2014-04 RDA) of the governing body of Pleasant Grove Redevelopment Agency authorizing the Chair of the RDA to sign a fifth amended and restated agreement with the John Q. Hammons Trust regarding a Hotel and Convention Center project and providing an effective date.**

Attorney Petersen reported that she sent out the proposed draft agreement to both of the City's financial advisors and has not heard back from them yet. She does not want to send the amended agreement to the Hammons Trust until it has been reviewed by the advisors. If the financial advisors reply within the next couple of days, Attorney Petersen will email the agreement to the Hammons. Otherwise, the item will be moved to a different agenda. Either way, the payment for December has already been made. The primary difference in the amended agreement will be with the date it is proposed that a 3 year extension be given. Attorney Petersen briefly mentioned that there are other items in the agreement that need to be reviewed.

Last, Mayor Daniels stated that there will be an Executive Session after next week's regularly scheduled meeting.

11) **ITEMS FOR DISCUSSION – NO ACTION TAKEN:**

- A) **DISCUSSION WITH KEVIN PETERSON REGARDING A PROPOSED FLAG LOT SUBDIVISION.**

**ACTION:** Council Member Stanley moved that the Council continue the above item to the

December 16 meeting. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

**B) DISCUSSION ON 4000 NORTH SEWER. *Presenter: Administrator Darrington.***

Administrator Darrington stated that six weeks ago, the City Council approved sending a letter to Cedar Hills regarding the 4000 North residents connecting to the sewer line. He explained that there is a long history of negotiations between Pleasant Grove City and Cedar Hills City over this matter. Previously, Pleasant Grove City suggested half ownership of the 4000 North Sewer between the two cities, so that Pleasant Grove residents could connect into the line. Administrator Darrington reported that the City has not yet received a formal response from Cedar Hills regarding the letter recently sent; however, staff and the elected officials from both cities met recently and discussed potential resolutions.

Administrator Darrington explained that staff simply wants Pleasant Grove citizens to be able to connect to the sewer line. He was under the impression that the Cedar Hills Mayor's top priority is public safety. The Manager of Cedar Hills City is interested in boundary movement, which will ensure clarity of the boundary line between the two cities. Cedar Hills City has also proposed that Pleasant Grove citizens connect to the line with the stipulation that if a resident in the area moves, passes away, or develops the property, the property must be annexed into Cedar Hills. It was noted that Pleasant Grove City is not interested in that proposal.

Administrator Darrington reported that the City owed Cedar Hills money from the Manila Water Company and after researching the matter the total amount due was calculated. The Manila water at one point was its own water company and was servicing residents in the Manila area. Over time, Pleasant Grove City took over the Manila water system. About four years ago, the Manila Water Company was dissolved, and residents using the system became part of either Pleasant Grove's or Cedar Hills's water systems. Most of the residents in Pleasant Grove are on the City's water system, as a result of this action. Once these negotiations were finalized, the Manila Water Company had money they gave to Pleasant Grove, a portion of which belonged to Cedar Hills. All of the money given to Pleasant Grove was used to change pipes and separate the water systems between the two cities.

Furthermore, Administrator Darrington explained that a couple of years ago, the Harvey family worked out an arrangement with Cedar Hills to develop their property. However, something occurred during the negotiations, and the Harveys decided to pursue de-annexation of a portion of their property from Cedar Hills. In order for them to disconnect from Cedar Hills and continue to develop their property, the Harveys would need to annex into Pleasant Grove. Administrator Darrington reported that at this point, Pleasant Grove City has not received a formal request from the Harveys.

In light of this situation, another of Cedar Hills's stipulations for allowing Pleasant Grove citizens to connect to the 4000 North Sewer line, is to write a letter denying the Harveys the ability to annex into Pleasant Grove. Administrator Darrington concluded that the sewer line is tied to a number of issues on Cedar Hills's end. He suggested that Pleasant Grove staff and elected officials attend a Cedar Hills City Council Meeting to address them as a group.

Council Member Boyd remarked that she walked away from the recent meeting with Cedar Hills feeling optimistic. She explained that she has been a part of this conversation for many years, and believes that there is a solution to the issue. Council Member Boyd stated that this is a simple matter, and was under the impression that the situation has become convoluted. With regard to the Harveys, she felt that the City would be taking away a citizen's property rights by denying them the ability to annex into Pleasant Grove and develop their property. Administrator Darrington clarified that staff has not spoken with the Harveys on this matter.

Attorney Petersen added that when the Harveys pursued disconnecting from Cedar Hills, they approached staff about writing a letter stating that the City would allow them to annex into Pleasant Grove. Staff's response at the time was that the City would look at the situation in a legal context, and act appropriately if and when the Harveys decide to annex into Pleasant Grove.

There was additional discussion about how to approach Cedar Hills City as a group. Administrator Darrington explained that getting on their agenda for a formal presentation would be the most effective strategy. Mayor Daniels added that Pleasant Grove staff and elected officials should be prepared to address the other issues that have been discussed. Council Member Stanley suggested having a joint work session meeting with Cedar Hills. Administrator Darrington agreed that this could also be effective in getting the issue resolved.

## **12) NEIGHBORHOOD AND STAFF BUSINESS**

Mayor Daniels introduced Eric Jurgens as the new Grove Creek Neighborhood Chair. Mr. Jurgens stated that he grew up in Pleasant Grove and he works for a family company called Scenic Solutions.

Director Young provided a few basic results from the accessory apartment survey. There were 820 responses and the survey consisted of seven questions. Of the survey takers, 58% indicated that affordable housing is very important for Pleasant Grove, and 32% identified it as somewhat important. Furthermore, 77% of survey takers were in favor of accessory apartments in the City.

Assistant to the City Administrator, David Larson, reminded those in attendance that the Chamber is accepting award nominations for one more week. Police Chief, Mike Smith, spoke about a fundraiser that is benefitting a local family. Other members of staff spoke about personal family updates.

## **13) MAYOR AND COUNCIL BUSINESS**

Mayor Daniels asked Director Lundell if the aforementioned refinancing would lengthen the bond terms. Director Lundell explained that the length of the bond terms will remain the same. Last, it was announced that there will be one more Council Meeting in 2014.

## **14) SIGNING OF PLATS**

There were no plats signed.

## **15) REVIEW CALENDAR**

There were no calendar items to review.

**16) ADJOURN**

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

The City Council Meeting adjourned at 7:01 p.m.

Approved by the City Council on January 6, 2015.

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Kathy T. Kresser, City Recorder

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