

**Pleasant Grove City  
City Council Meeting Minutes  
June 23, 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  
David Larson, Assistant to the City Administrator  
Deon Giles, Parks and Recreation Director  
Dave Thomas, Fire Chief  
Mike Smith, Police Chief  
Kathy Kresser, City Recorder  
Dean Lundell, Finance Director  
Tina Petersen, City Attorney  
Ken Young, Community Development Director  
Marty Beaumont, Public Works Director

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 all Council Members were present.

**2) PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Jensen.

**3) OPENING REMARKS**

The opening remarks were given by Council Member Andersen.

**4) APPROVAL OF AGENDA**

City Administrator, Scott Darrington, noted that Item 9A will be continued to July 7, 2015. In response to a question from Council Member Boyd, he explained that this item was discussed a

1 couple of months ago. City Attorney, Tina Petersen, added that the salary ranges for statutory  
2 and appointed officers need to be adopted by the Council. No changes will be made with regard  
3 to salary ranges for elected officials.  
4

5 Mayor Daniels stated that the Council would like to have further discussion for Item 7A in an  
6 Executive Session. He suggested that Item 7A be moved to the Executive Session portion of the  
7 meeting (Item 17B). Once a consensus has been reached, the Council may either come out of  
8 Executive Session to take action, or wait to take action next week.  
9

10 **ACTION:** Council Member LeMone moved to approve the agenda, with the aforementioned  
11 changes. Council Member Jensen seconded the motion. The motion passed with the unanimous  
12 consent of the Council.  
13

#### 14 **5) OPEN SESSION**

15

16 Mayor Daniels opened the open session.  
17

18 Council Member LeMone briefly spoke about the Strawberry Days Challenge, which encourages  
19 participants to attend every Strawberry Days event. Those who completed the challenge were  
20 invited to be recognized at tonight's meeting.  
21

22 Wendy Osborn gave her address as 1212 East 440 North in Spanish Fork.  
23

24 Lillian Kump gave her address as 1519 South 2100 East in Spanish Fork.  
25

26 Ms. Osborn and Ms. Kump asked the Mayor and Council to consider a textile recycling program  
27 in Pleasant Grove to help further their feeding programs throughout Utah County. The program  
28 is called Tabitha's Way, and has been in operation since 2010. They provide food services to  
29 individuals in Utah County and currently serve 4,500 to 5,000 people. A significant portion of  
30 their funding comes from recycled textiles. Currently, the City's tipping fees are estimated at  
31 \$31.00 per ton, which in 2012 would have been a total of around \$15,357 that they could have  
32 saved in recycled materials.  
33

34 The proposed program has no cost to the City and is completely insured. Tabitha's Way has a  
35 responsive program that picks up the recycling bins and services them on a weekly basis. They  
36 also have a 24-hour pickup program. In addition to their five years of experience, they have a  
37 partnership with a recycling program that has been in business for 100 years. In addition to  
38 feeding thousands of people, the textile recycling portion of the program also reduces the overall  
39 carbon footprint, more than all other forms of recycling.  
40

41 It was reported that \$21 billion pounds of textiles are being put into landfills every year. Every  
42 1,000 pounds generates one day's work for two people and it is estimated that around 3,000 jobs  
43 are being generated in Utah alone through textile recycling. Only 15% of textiles in the United  
44 States are being recaptured for recycling purposes. Every 600 pounds of clothing that Tabitha's  
45 Way collects provides food for a family of four for one week. Additional information on the

1 organization was provided, and their current non-profit certificate rating is 99%. The feeding  
2 and funding initiative is an outreach to other food pantries that do not have sufficient funding.

3  
4 Currently, Tabitha's Way has five programs in Spanish Fork, three of which are outreach  
5 programs. One program distributes backpacks with clothing and school supplies. Last year over  
6 600 backpacks were distributed. Other programs include a coat giveaway and Christmas dinner.  
7 Clothing collection bins are 4' x 4' wide and six feet tall. They are heavy duty steel bins that are  
8 weather resistant. About 2,500 bins that have been placed, there has only been one adversely  
9 affected by weather, which happened to be a tornado. Bins are placed throughout the  
10 community, which provides easy access to the public. Education and outreach are conducted in  
11 an effort to encourage the public to donate. Tabitha's way can recycle single shoes, torn jeans,  
12 stained clothes, linens that have been worn out, etc. The City Council simply needs to approve  
13 placement of the bins on City-owned property, and Tabitha's Way takes care of the rest.

14  
15 Currently, there are 100 bins throughout Utah County. While there aren't any in Pleasant Grove  
16 at this point, they have already received consent to place a bin in front of the Water Gardens  
17 Theater, Stone Gate, and Stepping Stones Preschool. Several others are considering participation  
18 as well. It was noted that materials in the collection bins stay local and Tabitha's Way has a  
19 contract with a National recycling company. As the program grows, the materials may be  
20 shipped to other states.

21  
22 In response to a question from Council Member Andersen, Ms. Osborn and Ms. Kump explained  
23 that they are requesting permission to place bins on City-owned properties. A different process  
24 for private properties is followed, including a signed agreement with the property owner. It was  
25 noted that there are 78,000 individuals in Utah County who struggle with food insecurity outside  
26 of the LDS Bishop's Storehouse Program. It is critical to establish local programs so that  
27 individuals do not have to spend resources to find food and other supplies.

28  
29 Council Member Jensen asked if there are other cities who help promote Tabitha's Way's  
30 initiative. Ms. Osborn responded that some cities include information in their newsletters.  
31 Furthermore, there are various rotary clubs and church organizations that participate in the  
32 initiative as well. Council Member Stanley asked how overflowing and vandalized bins are  
33 maintained. Ms. Osborn explained that every bin has a servicing number on it as well as a  
34 detailed description of the purpose the bins serve. Additionally, there is a GPS program that  
35 tracks all of the bin locations and the last date of service on each one. There is a 24-hour pickup  
36 policy for all phone calls made for a particular bin.

37  
38 Ms. Kump stated that they have scouted locations in Pleasant Grove including the Community  
39 Center, Discovery Park, Manila Creek Park, beside the glass recycling bin near the Pleasant  
40 Grove Library, Mahogany Park, Hill Park, and Veterans Memorial. Additionally, Tabitha's Way  
41 has approached various charter schools. There was additional discussion regarding the direction  
42 of the initiative. Mayor Daniels concluded that the Council supports Tabitha's Way's programs,  
43 and directed Ms. Kump and Ms. Osborn to work with staff on the matter. It was noted that it  
44 will take two to three weeks to get the bins once approval is granted.

1 Molly Andrew announced that she has a project that needs to be done for any Boy Scouts who  
2 approach the Council needing information on potential Eagle Projects.

3  
4 Mayor Daniels closed the open session.

5  
6 **6) CONSENT ITEMS**

- 7  
8 a) **City Council Meeting Minutes:**  
9 **City Council Minutes for the May 26, 2015 Meeting.**  
10 **City Council Minutes for the June 2, 2015 Meeting.**  
11 b) **To consider approval of paid vouchers for June 10, 2015.**

12  
13 **ACTION:** Council Member Boyd moved to approve the consent items. Council Member  
14 Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

15  
16 **7) BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- 17  
18 **A) TO CONSIDER FOR APPROVAL THE APPOINTMENT OF THE PUBLIC**  
19 **SAFETY BUILDING COMMITTEE. *Presenter: Mayor Daniels***

20  
21 *Note: This item was moved to Item 17B.*

22  
23 **8) PRESENTATIONS**

- 24  
25 **A) MELISSA CARBAJAL TO UPDATE THE COUNCIL ON THE PROMENADE.**

26  
27 Ms. Carbajal stated that the Promenade opens in a week and two days. The Promenade is every  
28 Thursday starting July 2, and runs through September 3. The season will be 10 days this year  
29 and each week will be themed. This year the area has been redesigned in an effort to maximize  
30 space, which allows more of an urban feeling. This year they will be able to accommodate about  
31 65 vendors, 15 of who are food vendors. Another change this year will be the addition of a Kid  
32 Zone where there will be ongoing children's activities on the north side of the pavilion. The Kid  
33 Zone will be sponsored by non-profit and other organizations, which will sponsor various events  
34 throughout the Promenade. Non-profit organization sponsors include the Red Cross, Tabitha's  
35 Way, Hope for Utah, Balloon Art, Lego Art and the Heritage Jubilee. Ms. Carbajal also asked  
36 Mayor Daniels to provide another Q&A booth this year.

37  
38 In response to a question from Council Member LeMone, Ms. Carbajal stated that the  
39 Promenade nights will take place from 5:00 p.m. until dark. She reviewed some of the activities  
40 and themes that will be incorporated this year and mentioned that some of the more popular ideas  
41 from last year will also be incorporated this year. Every day there will be two to three bands that  
42 will play, including a singing competition, classic car show, and a night at the circus.

1    **9)    ACTION ITEMS WITH PUBLIC DISCUSSION**

- 2  
3       **A) PUBLIC HEARING TO CONSIDER AN ORDINANCE (2015-22) AMENDING**  
4       **THE COMPENSATION SCHEDULE FOR ELECTED OFFICERS, STATUTORY**  
5       **OFFICERS, AND APPOINTED OFFICERS OF PLEASANT GROVE CITY; AND**  
6       **PROVIDING FOR AN EFFECTIVE DATE. (CITY WIDE)    Presenter:**  
7       *Administrator Darrington \*Note: This item will be continued to the July 7, 2015*  
8       *Meeting.*

9  
10   **10)   ACTION ITEMS READY FOR VOTE**

- 11  
12       **A) CONTINUED ITEM. TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-**  
13       **14) AUTHORIZING THE MAYOR TO SIGN A FRANCHISE AGREEMENT**  
14       **WITH SYRINGA NETWORK FOR A NON-EXCLUSIVE FRANCHISE TO USE**  
15       **THE CITY RIGHTS-OF-WAY TO PROVIDE TELECOMMUNICATION**  
16       **SERVICES TO OTHER SERVICE PROVIDERS; AND PROVIDING FOR AN**  
17       **EFFECTIVE DATE. (Continued from the April 14, 2015 Meeting)   Presenter:**  
18       *Attorney Petersen.*

19  
20   City Attorney, Tina Petersen, reported that this item was on the agenda about a month ago. At  
21   that point, staff had not received executed copies of the Franchise Agreement from Syringa  
22   Network. Therefore, the decision was made to continue the matter. Executed copies of the  
23   agreement have since been received. Attorney Petersen commented that the request being made  
24   is pretty straight-forward. Syringa Network is not a direct service provider and would like to use  
25   the City's rights-of-way to install a trunk line that will provide services to other providers in the  
26   area.

27  
28   **ACTION:** Council Member Stanley moved that the Council adopt an Ordinance (2015-14)  
29   authorizing the Mayor to sign a Franchise Agreement with Syringa Network for a non-exclusive  
30   franchise to use the City rights-of-way to provide telecommunication services to other service  
31   providers; and providing for an effective date. Council Member Jensen seconded the motion. A  
32   voice vote was taken, with Council Members Andersen, LeMone, Boyd, Jensen and Stanley  
33   voting "Aye". The motion carried unanimously.

- 34  
35       **B) TO CONSIDER FOR ADOPTION A RESOLUTION (2015-023) AUTHORIZING**  
36       **THE MAYOR TO DECLARE A 2002 FORD EXPLORER AS SURPLUS AND**  
37       **DIRECT THAT THEY BE DISPOSED OF ACCORDING TO THE CITY'S**  
38       **POLICY FOR DISPOSING OF SURPLUS PROPERTY.   Presenter: Superintendent**  
39       **Goodman.**

40  
41   City Administrator, Scott Darrington, stated that the 2002 Ford Explorer is no longer functional.  
42   Once vehicles are declared surplus, they are taken to an automobile auction, and the City  
43   receives the proceeds of the sale.

44  
45   Council Member Stanley asked if surplus vehicles are replaced in the fleet, or if a savings  
46   account is accumulated as a result of the vehicle sales. Administrator Darrington explained that

1 fleet vehicles are ultimately rotated and replaced. The Police and Fire Departments have specific  
2 fleet plans, however, the Public Works fleet plan is still a work in progress.

3  
4 **ACTION:** Council Member Stanley moved that the Council adopt a Resolution (2015-023)  
5 authorizing the Mayor to declare a 2002 Ford Explorer as surplus and direct that it be disposed of  
6 according to the City's policy for disposing of surplus property. Council Member Andersen  
7 seconded the motion. A voice vote was taken, with Council Member Andersen, Boyd, LeMone,  
8 Jensen and Stanley voting "Aye". The motion carried unanimously.

9  
10 **11) ITEMS FOR DISCUSSION - NO ACTION**

11  
12 **A) DISCUSSION AND POSSIBLE ACTION REGARDING MANILA SEWER**  
13 **ISSUES. *Presenter: Administrator Darrington.***

14  
15 Council Member Boyd recused herself from the discussion and possible action regarding the  
16 Manila sewer issues. She requested that the Council provide her with a review with any actions  
17 taken.

18  
19 Administrator Darrington explained that staff has begun the design process of installing a sewer  
20 line at the Council's request. The last time the matter was discussed, the primary issue that was  
21 not decided was whether the City or the residents would pay for the line. In the meantime, there  
22 has been a septic tank that has failed on 900 West. The discussion was extended to include the  
23 entire area. The cost of the entire project was estimated at around \$2.2 million.

24  
25 Two meetings with the residents had taken place in an effort to gauge the residents' interest level  
26 in the project. Staff determined that doing the Manila sewer all at the same time is likely not a  
27 feasible plan, considering that the City would have to come up with \$2.2 million to front the cost,  
28 regardless of how it is paid back. Therefore, they considered the option of taking on individual  
29 streets.

30  
31 Administrator Darrington presented cost estimates for the 4000 North sewer line. The engineer's  
32 capital cost estimate of putting in the main line was \$382,934. The estimated cost of each  
33 individual lateral was \$10,000 per home. If the line went in and the costs were shared within an  
34 assessment area, the cost of the laterals would be rolled into the overall expense, allowing  
35 residents to pay for the project over time. The sewer line cost estimate document also showed  
36 how much residents would pay per month for 20 years, based on the percentage of the City's  
37 contribution. Administrator Darrington noted that the monthly payments assume a 3% interest  
38 rate. Currently, there are 10 to 14 connections, depending on whether property owners  
39 subdivide. Furthermore, the TSSD impact fee would be \$2,475 and the Pleasant Grove City  
40 impact fee would \$1,034 per connection.

41  
42 Administrator Darrington stated that according to the minutes from 1998, the intent of the City  
43 was to put a line in and then charge a front foot fee to help offset costs. However, the notes did  
44 not specify how much of the front foot fee would go toward putting in the whole line. Several  
45 years ago, there were some residents on 180 West who wanted sewer. In this case, the City  
46 created an assessment area and fronted the money that citizens have been paying back for the

1 past 10 years. Administrator Darrington explained that the process for creating the assessment  
2 area is to determine how much the City will pay as well as how much the citizens are willing to  
3 pay. If at least 60% of the residents are in favor of the proposal, the assessment area will be  
4 created.

5  
6 There was continued discussion on ways to create the assessment area. Once the assessment area  
7 is set up, residents will have a deadline with which to protest. By the time the deadline  
8 approaches, if more than 40% of the residents have protested the assessment area is not created.  
9 Otherwise, it goes into effect, and 100% of the residents in the assessment area are required to  
10 participate. An overview of communications between Cedar Hills City and Pleasant Grove City  
11 were reviewed.

12  
13 Mayor Daniels opened the discussion to the affected residents.

14  
15 Dennis Hullinger, gave his address as 637 West 4000 North, and stated that he will be  
16 representing the neighborhood in their proposal. Mr. Hullinger read a letter from the residents  
17 who live on 4000 North, which was addressed to the Mayor and Council and dated June 23,  
18 2015. The letter included seven findings and requested that the Mayor and Council review the  
19 City's 18-year commitment to the 4000 North residents. Attached to the June 23, 2015 letter,  
20 was a letter from Mayor Sanderson to the 4000 North residents dated March 13, 1998. The  
21 minutes from November 4, 1998, were included for review.

22  
23 The letter included the following request:

24  
25 *"As neighbors on 4000 North, we would like to propose that we pay 10% of the current cost of*  
26 *\$382,934. As neighbors we would together for 20 years with 3% interest pay back the City of*  
27 *\$50,974, which is approximately \$12,000 less than the cost would have been in 1998. At the*  
28 *time of installation of the sewer on 2600 North, 900 West, and Wedgwood the residents at that*  
29 *time were only required to pay for their laterals and impact fees. The City of Pleasant Grove*  
30 *paid for the sewer 100%."*

31  
32 It was clarified that all residents were in favor of paying 10% of the cost. Mayor Daniels  
33 inquired as to whether the policy declaration made a commitment to install sewer. Attorney  
34 Petersen explained that over the last couple of months she researched all of the old documents.  
35 In the annexation declaration policy plan for the first and second Manila annexation, one of the  
36 criteria included a statement from the City about whether they could provide municipal services.  
37 At that point, the City indicated that they were willing to provide sewer service to that area,  
38 which was currently not available. The City also indicated that the services would be provided  
39 upon development.

40  
41 Attorney Petersen also reviewed the Boundary Commission Minutes. According to those  
42 records, Cedar Hills was trying to annex the same area; however, Pleasant Grove protested their  
43 annexation and won. At the Boundary Commission hearing, Pleasant Grove representatives  
44 indicated that they could and would provide sewer service for the annexation area.

1 Mayor Daniels remarked that normally when land is developed, the developer puts in these types  
2 of services. If the declaration of annexation specifies that services would be provided with  
3 development, Mayor Daniels wanted to know why there is a rush to install sewer now, rather  
4 than when development occurs. Mr. Hullinger indicated that the biggest reason to install the line  
5 now relates to cost, and pointed out how much the expenses have increased from 1998 to now.  
6 Mayor Daniels asked why the discussion has been limited to residents on 4000 North.  
7 Administrator Darrington replied that they have not been approached by the residents of any  
8 other streets.

10 Mayor Daniels pointed out that policy annexation documents refer to the entire area, as opposed  
11 to just one neighborhood. Mr. Hullinger replied that the project was to be done in phases and  
12 4000 North was the second phase. Mayor Daniels was concerned about leaving other Councils  
13 to deal with subsequent phases. Administrator Darrington stated that staff can try to create an  
14 assessment area that includes all residents in the entire area; however, the residents on 4000  
15 North are the only households that have come forward indicating that they want sewer. He was  
16 concerned that expanding the assessment area to all of the residents, rather than just the 4000  
17 North neighborhood, would run the risk of losing the support and momentum needed for the  
18 project. There was further deliberation on the matter.

20 Council Member Jensen asked staff to address the seventh finding as outlined in the June 23,  
21 2015 letter. The finding reads:

23 *"We made the decision as a large area of this great City we call home (north of 2600 North) to*  
24 *annex into Pleasant Grove, anticipating that Pleasant Grove would provide the sewer, which has*  
25 *been done along 2600 North, 900 West and Wedgwood at no cost to the citizens. However, there*  
26 *is still 4000 North and other areas without those services."*

28 Administrator Darrington explained that when the aforementioned sewer lines went in, the City  
29 paid 100% of the cost. According to the minutes, the intent was that the City would charge a  
30 front foot fee to residents who benefit from that sewer line. That money would then be used to  
31 pay for Phases II and III of the project. However, to staff's knowledge, this money was never  
32 collected. Mayor Daniels asked if the bullet points in the letter were fact-checked. Attorney  
33 Petersen answered in the affirmative. Administrator Darrington added that while additional  
34 follow-up can be done, most of the information in the letter was provided to the citizens directly  
35 by the City. Attorney Petersen made reference to the letter Mayor Sanderson sent to the  
36 residents in the area, dated March 13, 1998.

38 Mayor Daniels commented that there are laws in the State of Utah that state that future Councils  
39 cannot be bound to certain decisions. However, in this case there is an annexation declaration  
40 that is beyond the City of Pleasant Grove; the declaration went to the County and State. Mayor  
41 Daniels stated that tonight is the first time he has been made aware of commitments made at the  
42 time of annexation. Attorney Petersen explained that this is one of the criteria that was examined  
43 when considering annexing a piece of property.

45 Mayor Daniels commented that this is no longer an issue to discuss, but rather a matter of how  
46 much the residents are going to pay, and when to get started. This was a commitment made to



1 the people, the State, and the County as part of the declaration and it is important for the City to  
2 live up to the agreement. Administrator Darrington stated that the initial intent was for the  
3 residents to have some buy-in with the front foot fee. However, that fee was never collected.  
4 Council Member Andersen noted that the residents paid the hook-on fee, which was the  
5 recommended commitment at that point. Administrator Darrington explained that residents were  
6 told that if they paid the hookup fee upfront, even if the fee increased and the sewer wasn't  
7 installed for 10 years, they have committed by paying the \$265.00 hook on fee. Council Member  
8 Andersen noted that the residents were asked to pay the \$265 hook on fee and a \$24 front foot  
9 fee. Administrator Darrington replied yes, but it wasn't the intent of the City to pay 100% of the  
10 cost of the sewer. Mayor Daniels commented that it doesn't sound like the residents are  
11 expecting the City to pay 100% of the cost.

12  
13 Mayor Daniels stated that there are documents and history that created a pattern for how the  
14 negotiation was to work. Staff should take this information and turn it into a formula and with  
15 the residents can come up with a number they can buy into based on what is fair and reasonable  
16 and let's move forward.

17  
18 Council Member Stanley reiterated that the City of Pleasant Grove has made a commitment to  
19 the citizens in the Manila area. He felt they should abide by that commitment, which is to  
20 provide services and make sure that every citizen is treated the same. However, never has there  
21 been a promise that those services would be made available for free. Council Member Stanley  
22 commented that the only fair number is that the sewer line be paid in full by the residents who  
23 will benefit from the service; however, this is not realistic for the people who live there. He has  
24 alternatively proposed that rather than paying a monthly amount for 20 years, the residents cover  
25 the cost of installation by paying a certain amount against a lien on a property at the time of sale.  
26 Council Member Stanley spoke about the importance of doing the right thing when it comes to  
27 the needs of the citizens.

28  
29 Mr. Hullinger commented that all of the residents in the area paid 100% for their sewer, in the  
30 form of septic tanks.

31  
32 The Davies Family, represented by Mr. Davies, gave their address as 4583 North 900 West.  
33 Mr. Davies noted that the top of his road is owned by Cedar Hills, and he asked if his area would  
34 be considered a separate issue. Administrator Darrington stated that if the residents on 900 West  
35 would like to be considered, staff and the elected officials will need to hear a proposal from those  
36 residents. He explained that the neighborhood where the Davies family resides has some added  
37 complication due to the road being partially owned by Cedar Hills.

38  
39 Attorney Petersen explained that it is routine for cities to obtain excavation permits in other cities  
40 in order to install utilities. Cedar Hills and Pleasant Grove have done this in the past. However,  
41 the particular problem with 900 West at the time that Pleasant Grove was installing the road, was  
42 that Cedar Hills did not grant them access. There are other legal remedies Pleasant Grove can  
43 consider in order to install their utilities in someone else's road.

44  
45 Mr. Davies was concerned with the possibility of his parents, who also live in the neighborhood,  
46 getting lumped into an assessment area for a service that they cannot afford.

1  
2 Mayor Daniels stated that there are 18 years of delay in this process. If the price was \$67,000 in  
3 1998, the price today will be around \$300,000, then by the time the residents mobilize in another  
4 area, there is another exponential rise in the cost of installing the line. Administrator Darrington  
5 reiterated that the residents on 4000 North are the only households who have approached the  
6 City about installing sewer on their road. Therefore, staff is approaching 4000 North and 900  
7 West as two separate projects. The formula that will be created for the residents on 4000 North  
8 can also be used for the residents on 900 West.  
9

10 Dan Stewart, who resides at 4611 North 900 West, informed the Council that there is currently  
11 an active effort to get as many residents on 900 West to annex into Cedar Hills as soon as  
12 possible. Mr. Stewart stated that he has approached Frank Mills several times when his septic  
13 tank has failed, and Mr. Mills has indicated that there is nothing that the City can do for them.  
14 Therefore, Mr. Stewart went ahead and spent \$15,000 to put in a new septic system.  
15

16 Mr. Stewart explained that he has championed his neighborhood remaining a part of Pleasant  
17 Grove, and noted that he has lived in the City for 35 years. Many of the other residents have also  
18 participated in meetings and committees. They elected Council Member Boyd, who is also a  
19 Manila resident, to represent their community on this and a number of issues. Mr. Stewart  
20 commented that he has neighbors on fixed incomes who are facing emotional turmoil over this  
21 issue. He applauded the Council for their courage in moving forward on this item.  
22

23 Administrator Darrington noted that staff has received two boundary adjustment petitions from  
24 Gina Day and her adjoining neighbor. Mr. Stewart added that Ms. Day has been actively  
25 advocating that other residents also boundary adjust into Cedar Hills, so that they too might be  
26 able to hook onto sewer at a significantly lower cost.  
27

28 Mayor Daniels explained that when a sewer goes in, and it is within a certain number of feet of  
29 one's home, if a septic tanks fails the resident is required by State law to connect to the sewer  
30 line. Therefore, whether Pleasant Grove or another city puts the sewer in, if a septic tank fails  
31 the resident is still mandated by law to hook onto the sewer line. Attorney Petersen noted that the  
32 Davies' property is within 300 feet of a Pleasant Grove sewer line. Mayor Daniels stated that the  
33 purpose of the project is not to try and buy residents into Pleasant Grove; rather, it goes back to  
34 the declaration of annexation, when a commitment was made to provide sewer for those  
35 residents. At that point, Pleasant Grove City has a responsibility to take care of this matter.  
36

37 Dennis Thayne, who resides at 487 Canyon Road, explained that in the 1940s residents didn't  
38 pay for the sewer, which was paid for by the City. As development as taken place, developers  
39 have paid for utilities. Mr. Thayne stated that in the past 18 years, price has never been the  
40 problem. Instead, the same discussion point that has continually been brought up is the City has  
41 indicated that they will try and negotiate a deal with Cedar Hills. However, successful  
42 negotiations with Cedar Hills have never been accomplished.  
43

44 There were no further public comments. Mayor Daniels closed the meeting to public comment.  
45

1 The Mayor and Council agreed that at this point, the Manila Sewer is more of a financial issue.  
2 Attorney Petersen informed the Council that the average home on 4000 North has a 153 feet of  
3 frontage. Therefore, in considering Mr. Mills's estimate of \$24 of front foot, residents would be  
4 paying \$3,672 per lot for sewer. The residents on 4000 North are proposing to pay 10% of  
5 \$382,934, which is a bit more than what they would have paid 18 years ago. Mayor Daniels  
6 stressed the importance of staff meeting with residents to determine a number that makes sense.  
7 He did not believe that those numbers could be worked out at this meeting. Administrator  
8 Darrington agreed that staff should come up with three different proposals and justifications to  
9 present to the Council in a different meeting. Staff and the Council reviewed the discussions that  
10 took place during the neighborhood meetings.

11  
12 Council Member LeMone asked about the possibility of deducting the cost of the septic tank,  
13 because they didn't have a choice otherwise. Administrator Darrington agreed to create a  
14 mechanism for making this calculation. Another issue was whether to require people hook onto  
15 the new sewer line if it is installed, which will be a huge expense.

16  
17 Council Member Andersen asked who initiated the discussions of annexing Manila into Pleasant  
18 Grove. Attorney Petersen answered that a year after the Manila Township had been formed, the  
19 State Legislature changed the law which put pressure on them to annex into either Cedar Hills or  
20 Pleasant Grove.

21  
22 **ACTION:** Council Member LeMone moved that the Council move forward in following  
23 through with the commitment as stated in the Annexation Agreement, inasmuch as the Council  
24 has asked staff to research details and determine a number that is fair for the people who are  
25 affected by this issue. Proposals will be presented at the end of July. Council Member Jensen  
26 seconded the motion. The motion passed with the unanimous consent of the Council.

27  
28 **12) DISCUSSION ITEMS FOR THE JUNE 30, 2015 CITY COUNCIL MEETING**

29  
30 Mayor Daniels announced that there is a vacancy on the Planning Commission. Planning  
31 Commissioner, Gary Yeates, accepted a position in Ohio and will be leaving soon. Next week,  
32 Matt Nydegger will be appointed in his place and Dustin Phillips will be appointed as a Board of  
33 Adjustment Member. Mayor Daniels stated that he interviewed both candidates.

34  
35 Item 8A will be a presentation from Matt Millis, Zions Public Finance, who will be presenting on  
36 the City's Storm Drain Impact Fee Study. Finance Director, Dean Lundell, added that a public  
37 hearing on the matter will be set for another meeting.

38  
39 Mayor Daniels read the Action Items with Public Discussion, as indicated on the June 30, 2015  
40 agenda. Item 9A will be a final plat for a four-lot subdivision called Jack Hill Plat B. Item 9B  
41 will be approval of a preliminary plat and final plat for a five-lot subdivision called Grove Creek  
42 Commercial Center Subdivision. Community Development Director, Ken Young, explained that  
43 a couple of years ago the Council approved this particular plat. However, it was never recorded  
44 or built. Both have expired and need to be reapproved, and there haven't been any substantial  
45 changes.

1 Item 9C is a rezone of one acre of land from The Grove Zone, Commercial Sales Subdistrict, to  
2 the Grove Zone, Mixed Housing Subdistrict. Director Young provided a brief overview of the  
3 staff report and displayed an aerial map of the subject property. Item 9D an ordinance  
4 amendment to remove the requirement for drive aisles dividing parking areas of 100 spaces,  
5 55,000 square feet or more, and to remove the requirement to install a six-foot sidewalk along  
6 the sides of internal drive lanes. Director Young explained that that Daniel Thomas, St. John's  
7 Properties, has been preparing site plans for submittal for his proposed project on Pleasant Grove  
8 Boulevard. Mr. Thomas has had difficulties trying to meet the aforementioned requirement. He  
9 further reviewed the staff report.

10  
11 *Note: Council Member Boyd returned to the meeting at 8:22 p.m.*  
12

13 Item 9E will be a public hearing to receive comments on the proposed Pleasant Grove City Fiscal  
14 Year 2014/2015 Budget Amendment. Director Lundell reviewed which budget amendments will  
15 be reviewed, including changes to Shannon Fields. Additionally, the amendments include the  
16 new State Auditing requirement which mandates that municipalities pay utility funds from the  
17 General Fund. The fourth amendment relates to the TSSD litigation. The remaining changes  
18 include various grant funds that have been awarded. Item 10A will be the Resolution, which  
19 passes the amendments.  
20

21 Item 10B pertained to a subdivision called Bella Grace. Director Young explained that Steve  
22 Allred is currently under contract to sell his project. The buyer is anxious to get started, and for  
23 financing purposes they would like to divide the property differently than previously proposed.  
24 The buyer would like to break ground in July on a mixed use development. Item 10C will be site  
25 plan approval for the Grove Creek 2 Professional Office Building. Item 10D will be adoption of  
26 an ordinance amending Title 5 Section 1D Subsection 7 "Restraint by Owner" requiring animals  
27 to be restrained at all times. Attorney Petersen explained that the request came forward by a  
28 resident who felt the animal ordinance was insufficient.  
29

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

31

32 Members of staff shared various department updates. Director Young announced that the City  
33 Employees summer party is scheduled for August 10, 2015. Assistant to the City Administrator,  
34 David Larson, reminded everyone of the ribbon cutting for Aroma Tools the following morning  
35 at 10:00 a.m. Additionally, Chamber of Commerce Community Resource Guide has been  
36 published. It was reported that Mr. Larson would be gone next week.  
37

38 Public Works Director, Monty Beaumont, stated that he has enjoyed his first week in the Public  
39 Works Department. He was impressed to see the commitment of other staff within his  
40 department. Director Beaumont also expressed concern with the secondary water system, noting  
41 that residents are watering heavily at night and less during the day. It was challenging to keep  
42 the system balanced and feed the demand during especially hot days.  
43

44 Administrator Darrington and Attorney Petersen noted that they will both be gone next week.  
45

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

Council Member Andersen stated that she will not be present next week. She also spoke about Protect and Preserve American Fork Canyon, which is a County issue. Council Member Andersen expressed interest in knowing what Pleasant Grove's role is throughout this process. Mayor Daniels advised staff to collect information and present to the Council. There was continued discussion on the issue, including ownership of the land and when a vote will take place.

Council Member LeMone thanked everyone for their participation on the Strawberry Days.

Mayor Daniels provided a recap of the discussion which took place on the Manila Sewer for Council Member Boyd. Mayor Daniels also stated that he will be working with staff to see if there is any way to cut down by one meeting per month.

#### 15) **SIGNING OF PLATS**

There were no plats to sign.

#### 16) **REVIEW CALENDAR**

There were no additional calendar items to review.

*Note: A break was taken at 8:54 p.m.*

#### 17) **EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY (UCA 52-4-205 (1)(d)) AND TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL (UCA 52-4-205 (1)(a)).**

**ACTION:** At 9:11p.m. Council Member Andersen moved to go into Executive Session to discuss the purchase, exchanges or lease of real property and the character, professional competence or physical or mental health of an individual. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

PRESENT:

Mayor: Michael W. Daniels

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

Staff Present: Scott Darrington, City Administrator  
Tina Petersen, City Attorney  
Kathy Kresser, City Recorder

1  
2 At 9:35 p.m. Mayor Daniels excused Recorder Kresser for the personnel portion of the executive  
3 session.

4  
5 Mayor Daniels asked if there were any further discussion, being none he called for a motion to  
6 come out of executive session and go back into regular session.

7  
8 **ACTION:** At 10:55 p.m. Council Member Jensen moved to come out of executive session and  
9 go back into regular session. Council Member Stanley seconded. The motion passed with the  
10 unanimous consent of the Council.

11  
12 **18) ADJOURN**

13  
14 **ACTION:** At 10:55 p.m. Council Member Jensen moved to adjourn. Council Member Stanley  
15 seconded. The motion passed with the unanimous consent of the Council.

16  
17 The City Council Meeting adjourned at 10:55 p.m.

18  
19  
20 Minutes of June 23, 2015 were approved by the City Council on July 21, 2015

21  
22  
23  
24 \_\_\_\_\_  
25 Kathy T. Kresser, City Recorder

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