

**Pleasant Grove City
City Council Meeting Minutes
Work Session
Tuesday, March 19, 2024
4:30 p.m.**

Mayor Pro Tem: Todd Williams

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers

Excused: Mayor Guy L. Fugal
Neal Winterton, Public Works Director

Staff Present: Scott Darrington, City Administrator
Deon Giles, Parks Director
Tina Petersen, City Attorney
Wendy Thorpe, City Recorder
Denise Roy, Finance Director
David Packard, HR Manager
Drew Engemann, Fire Chief
Sheri Britsch, Library and Arts Director
Britton Tveten, Staff Engineer
Kyler Brower, Assistant to the City Administrator
Keldon Brown, Police Chief
Megan Zollinger, Recreation Director
Daniel Cardenas, Community Development Director

The City Council and staff met in the Community Room, 108 South 100 East, Pleasant Grove, Utah.

4:30 P.M. WORK SESSION

In the absence of Mayor Fugal, Mayor Pro Tempore Todd Williams called the meeting to order at 4:30 PM and welcomed those present.

a. Open and Public Meetings Act (“OPMA”) Training.

City Attorney, Tina Petersen, reported that Open and Public Meeting Act (“OPMA”) Training is required annually. OPMA applies to most city boards and commissions and not just the City Council. The Act requires compliance regarding when, where, and what the meeting is about to ensure that the public has notice of what the governing body is going to discuss at a meeting so

they can decide about attending either to speak or become informed. The following points were discussed:

- A public body that holds regular meetings must post notice of the meetings annually, stating its regular meeting dates, times, and location. If necessary, the dates can be changed but attempts to stay on the schedule is preferred. Pleasant Grove City Council Meetings are usually held on the first and third Tuesdays of each month at 6:00 PM.
- Each meeting also requires a posted notice 24 hours prior to the meeting to include the agenda, date, time, and place of the meeting. Posting is to occur on the designated website and at public places within the City. Additional posting sites or methods of notifying the public are encouraged.
- If an emergency meeting is necessary, regular notification requirements may be suspended and notice provided in the best practicable way. It, however, cannot be held unless an attempt is made to notify all public body members and a majority of the members agree to call the meeting. This requirement prevents a few members from holding an emergency meeting to conduct business without telling the others.
- The agenda must contain enough detail to notify the public of the topics to be discussed and decisions that may be made. No final action can be taken on an item not listed on the agenda. An item raised by the public can be discussed, but no vote can occur; rather, the item would be put on a future agenda for consideration and vote.
- Closed meetings or executive sessions can occur, however, only under exceptions, which are narrow and identified in the Act.
- All meetings, even if a closed meeting is anticipated, must convene first as a public meeting before making the motion to close the meeting, or a portion thereof, to the public. If a workshop or closed meeting is to be held on the same day as a regularly scheduled meeting, the Act requires that they both be held in the same location as the regularly scheduled meeting with certain limited exceptions. The purpose is to discourage officials from having secret pre-meetings outside the view of the public prior to the regular meeting.
- Minutes must be kept of all open and closed meetings except for personnel discussions and security. Minutes must include, at a minimum, the time, date, and place of the meeting, who was present or absent, the substance of what was discussed or decided on including a summary of the comments made by the body or the public, a record of the individual vote taken and the names of any person who commented at the public meeting, and any material that a member of the public body has requested be entered. The minutes of an open meeting, which includes any portion of a closed meeting, must state the reasons for the closed meeting, where it was held, and the vote by any members to close the meeting.
- Closed meeting minutes must include the date, time, and place of the meeting, names of the members present and absent, and the names of other persons present except where disclosure would infringe on the confidence necessary to fulfill the purpose of closing the meeting.
- There are limited exceptions to the requirement that a closed meeting be recorded, which includes when the discussion involves the competence of or physical or mental health of an individual or the deployment of security devices. Those two are the only exceptions for not recording a closed meeting.

- The minutes of public meetings are public records and accessible to the public after a reasonable time. Cities are required to have an adopted policy of what they think is a reasonable timeframe to make drafts and final minutes available to the public.
- It is important to keep the Act’s public policy in mind, which states that the people’s business should be conducted in public, and elected officials’ actions should be taken openly and their deliberations are to be conducted openly. The Act also requires that elected officials be trained at least annually on how to comply with the act. Comments made by David Church from the Utah League of Cities and Towns (“ULCT”) about complying with the Act were read.
- The term “meeting” was defined, as sometimes a question arises in that regard. It is defined as “a convening of a public body when a quorum is present.” For this City Council, the quorum is three members. The Mayor and two Council members do not make a quorum because the Mayor does not vote except in the event of a tie. Meetings include workshops, executive sessions, and electronic communications.
- Attorney Petersen’s standard warning and statement includes no group texts, no phone trees, no group e-mail to discuss an item of public business or anything on the agenda of a City Council Meeting should be done outside the public view.
- The definition of “meeting” is further qualified as follows:
 - The term “convene” is identified to mean the calling of a meeting of the public body by a person authorized to do so for the purpose of discussing or acting on a matter over which the public body has either jurisdiction or advisory power. These all are very broad definitions that are intended to include almost all gatherings of the City Council. Exceptions to the definition are very specific and narrow and include a chance meeting, a convening of a public body that has both legislative power and executive responsibilities where no public funds are appropriated, and where the meeting is convened just to implement administrative matters or social meetings. Those exceptions are not covered by the Act.
- The City Council is advised that it is a criminal offense to violate the OPMA knowingly and intentionally and the State Attorney General is charged with enforcing that Code. Private individuals can enforce the Act by bringing a private lawsuit. Also, any information discussed in a closed session is confidential and not to be discussed outside the meeting. Violation of this confidentiality is also a criminal offense.
- The Council was reminded that it is not appropriate for members of public bodies such as City Councils to conduct deliberations privately outside a public meeting and then in the public meeting perfunctorily hold a vote on any item.

b. Budget Discussion.

City Administrator, Scott Darrington described the budget development process and stated that the budget framework began in January. He and Finance Director, Denise Roy, have worked on the upcoming fiscal year budget which runs from July 1, 2024, to June 30, 2025. Director Roy called for supplemental (budget requests from department heads for operational items and capital expenditures). Once the requests are returned, they meet with each department head to review the priority-ranked requests. Recommendations are then developed. The department heads were shown the recommendations at a meeting held earlier in the day.

The administration's budget recommendations were provided to the City Council for feedback and discussion prior to adopting the Tentative Budget, which is required to be adopted at the first City Council Meeting in May. The Final Budget is adopted at the end of June. Between the two City Council Meetings there will be a public hearing to allow the public to comment. At this meeting, Director Roy will discuss the operational and capital requests. Because the figures have not been seen before, no decisions will be made and staff will review any recommendations. Although staff is happy to answer any questions, the information will be the subject of the City Council Work Session Meeting to be held on April 9, 2024. If, after reviewing the provided documents, anyone has questions or concerns, they are free to contact Director Roy during the three-week period or brought up at the next meeting.

The City Council was provided with paperwork on the staff recommendations. Director Roy led the discussion which started with the "one-pager." She made the following points regarding revenues:

- New money is identified on the left side of the page and consists of money to be collected that exceeds last year's adopted budget. Currently, they will collect more sales tax than was adopted.
- Property tax was calculated for new growth. Assessed value from last year was being used and is based only on information that is currently available. That figure could change as new information is received.
- With regard to Charges for Services, the budget remains flat for building inspections. Franchise fees increase as the City grows with the largest ones coming from Rocky Mountain Power and Dominion Energy. With growth, more is generated.
- The Administrative Allocation pertains to the Enterprise Funds that use City services. This amount is based on the time spent by the Finance Director, City Attorney, and City Administrator providing services for business-type activities such as water and sewer, which will be returned to the General Fund. The stated amount is an increase based on changes made and is considered new revenue.
- The Expense review involves Director Roy going through the budget each year and finding items with excess money or that were overstated. This is how this amount was determined. She works with Administrator Darrington on this category when looking at new numbers.

Director Roy described the following regarding expenses that are found on the right side of the page:

- For full-time wages, management recommended a 3% Cost-of-Living-Adjustment ("COLA") and a 2.35% merit increase for a total increase of 5.35 percent. Last year, the Police Department moved to a step-in range and this year, the same was being done for the Fire Department. Each step increase is 2.35% and is given as a merit increase for satisfactory performance. Originally, management recommended a 4.7% wage increase. Administrator Darrington sent an inquiry to other city managers to see how their raises compared. They learned that most other cities are offering a 5% raise. They then increased their recommendation to remain competitive.
- Director Roy reported that part of the wage considerations included the impact of a change to Utah Retirement Systems ("URS") which affects Tier 2 employees. Administrator

Darrington explained that the City has two different tiers of retirement. Tier 1 retirement is not affected by the change. Individuals employed after 2011 are considered to have a Tier 2 retirement and the contribution from the City into retirement is 10% of their wage, which goes into either a 401k or a pension system. When the retirement service crunched their numbers, they found that the fund was short and that the payment into the Retirement Fund is now to be 10.7%. The State declared that cities are not allowed to pick up the extra .7% and that the shortfall must come from the employee. Some cities are considering rolling that into the wage increase so that the employees come out whole. Other cities are not. Pleasant Grove has concluded that by raising the wage by 5.35%, a .7% addition will be covered. Administrator Darrington reported that this is the first time in 13 years that such a shortage has been claimed. The Tier 2 employees will be required to pay out of their check the additional .7%. With regard to Public Safety, two years ago for both Police and Fire retirement programs, Tier 2 was put on the same level as Tier 1. The cities have picked up that contribution as retirement money. Staff's recommendation was to continue to be competitive in terms of wages.

- Part-time wages will also include a 3% COLA and will be eligible for the 2.35% merit increase. Council Member Williams asked if the City is increasing the starting wage for part-time employees. Director Roy stated that starting salaries have been raised for new employees on an individual basis. The starting wage is determined at the time the person is hired and depends on multiple factors. Currently, they are preparing a spreadsheet for part-time employees and seasonal workers to develop a position-based budgeting system.
- Two operational increases were identified. An evaluation software will be purchased and the Applicant Pro software will be updated. It will allow applicants to do their onboarding digitally. The other items, for the most part, are small and will be discussed later.
- The Ruth contribution will begin when it becomes operational. As previously noted, the City, during development discussions, agreed to give the Ruth \$300,000 yearly (\$100,000 from the General Fund and \$200,000 from the CARE Tax).
- The City will need two additional full-time Park Operators when the Cook Family Park is open. More veteran employees will be assigned to the Cook Family Park to establish the maintenance work schedules and the new employees will be assigned to one of the other more established parks.
- Fire Department wages will be modified to include the wage in-step range, which took a lot of time and effort to get operational. Salaries will now be more competitive.
- The Public Employees Health Program ("PEHP") did not increase the cost of medical benefits and the City will remain with them this next year. Beam Dental made a small increase, which will be passed on to the employees as they have not had to pay dental for the past. Family coverage costs around \$4.61 per month.

The City Council was provided with a one-page supplementary document that reflects the departments' requests for one-time money along with the narratives for review. A \$3.2 million figure was provided with an ask of \$5 million. They can do everything on the list except the LED light replacements at the Shannon Field diamonds. Funding for Discovery Park, if approved, is available this year with the hope that Shannon Field will be completed the following year. Several large items are on the list including the new park. The pool is also taking a large portion this year.

Administrator Darrington was asked about the Battlecreek Trailhead and reported that the federal government is attempting to purchase that privately owned property next to Kiwanis Park for federal land/open space. If the federal government can purchase it, they have asked the City if it is interested in purchasing a portion. The City is supportive of the federal land purchase and would be interested in the property discussed if the federal sale goes through as the property could be used for a paid parking lot for Kiwanis Park. The cost of the property would be approximately \$75,000. Questions were raised about the pavilion that is already owned by the City and parking issues.

Administrator Darrington was asked about the property between the Library toward 100 East that used to contain the Beck home. Although the area has now been fully landscaped and the monument LED sign placed, there was further discussion about how to best utilize the property. Meetings with Art & Library Director Sheri Britsch, Parks Director Deon Giles, and Administrator Darrington, took place regarding the use of the property. A Landscape Architect was engaged to prepare concept drawings. The concept settled on involves a makeshift amphitheater since the cost of a full-blown amphitheater would be too expensive. They now are looking at strategically placing a pavilion, similar to the one at Downtown Park, in the area that could be used for summer programs and possible sound equipment storage. The amount included in the budget for the project was deemed to be adequate.

Administrator Darrington reported that the Lobby renovation at the Recreation Center is in the budget this year. Recreation Director, Megan Zollinger presented a visual of the Lobby area and reported the following:

- The current desk location is to be moved to face the entrance. A partial wall near the entry was described that will potentially be constructed of glass. The exit doors are to remain unchanged.
- This year, turnstiles are not part of the plan. The space will be used to control how people enter the building, which will improve customer service as staff will face guests as they enter.
- They are proposing to extend the second floor to provide 1,300 square feet of additional space. This will make the weight room on the second floor larger and provide space for offices and additional storage. Director Zollinger showed a proposed rendering of the second floor. She commented that it is a concept Plan that is subject to change.

The following questions were raised:

- Concern was raised regarding privacy issues as computer screens and other information may be visible to the public. Director Zollinger explained that there will be two walls behind the desk for screening purposes. The desk area will not be open.
- The reasoning behind the change was primarily to improve operations as she wants to have more direct contact for customer service purposes and additional workspace for staff.
- When asked if the budgeted amount was acceptable, she stated that they included the quoted amount, which was believed to be high.
- Council Member Williams suggested that looking at specific floor plans would help him better understand the concept. Council Member LeMone agreed and stated that a walk-

through would also be helpful. Both were interested in seeing the area in person. Council Member Andersen stated that most of the congestion occurs during ball games.

c. Staff Business.

Fire Chief, Drew Engemann, reported on the following:

- Administrator Darrington has been provided with dates for Fire Department activities to circulate.
- Three or four men are participating in multi-city rescue training demonstrations that can be observed by the City Council if desired.
- A Bike Safety event will take place in April at the Recreation Center in conjunction with the high school.
- For the past few weeks, Captain Welsh from the Sandy Fire Department has been conducting volunteer training on cancer risks for firefighters and reducing exposure to toxic elements. He reported that the department has already taken 8 of the 10 suggested steps to reduce exposure.

Human Resource Manager, David Packard, reported on the following:

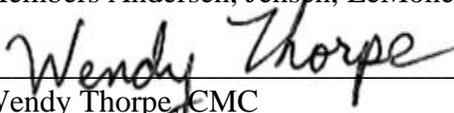
- The Annual Employee Recognition Event is scheduled for April 30, 2024, at 11:30 AM at the Recreation Center. Nominations will be open until April 3, 2024. He would be sending out Employee of the Year nomination ballots and include the names of past winners who also are eligible to win again.

Community Development Director, Daniel Cardenas, reported on the following:

- Staff is are working on the final approval for Chick-fil-A, which has now been before the Planning Commission.
- Staff is working on the Boulevard Apartments. McKay Christensen is the applicant. The apartment buildings also include 4,000 square feet of retail space.
- Director Cardenas stated that no public hearings are scheduled for the next City Council Meeting but there are three Code Text Amendments coming forward and one rezone that has already been reviewed by the Planning Commission.
- The Mayor is in the process of interviewing for New Planning Commission Members.

ADJOURNMENT

MOTION: At 5:30 PM Council Member Jensen moved to ADJOURN the Work Session. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone voting “Yes”.



Wendy Thorpe, CMC
City Recorder

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

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
Tuesday, March 19, 2024
6:00 p.m.**

Mayor Pro Tem: Todd Williams

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers

Excused: Mayor Guy L. Fugal
Neal Winterton, Public Works Director

Staff Present: Scott Darrington, City Administrator
Deon Giles, Parks Director
Tina Petersen, City Attorney
Wendy Thorpe, City Recorder
Denise Roy, Finance Director
David Packard, HR Manager
Drew Engemann, Fire Chief
Sheri Britsch, Library and Arts Director
Britton Tveten, Staff Engineer
Kyler Brower, Assistant to the City Administrator
Keldon Brown, Police Chief
Megan Zollinger, Recreation Director
Daniel Cardenas, Community Development Director

The City Council and staff met in the Community Room, 108 South 100 East, Pleasant Grove, Utah.

6:00 PM REGULAR CITY COUNCIL MEETING

1) **CALL TO ORDER**

In the absence of Mayor Guy Fugal, Mayor Pro Tempore Todd Williams called the meeting to order at 6:00 PM

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Andersen.

3) **OPENING REMARKS**

The opening remarks were offered by Council Member Jensen.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Jensen moved to APPROVE the meeting agenda. Council Member Cyd LeMone seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Williams, LeMone, and Rogers voting “Yes”.

5) **OPEN SESSION**

Craig Riley resides in Pleasant Grove and stated that two years ago, the roads were in deplorable condition. When citizens asked that they be repaired, a Council Member stated that the funding would need to come from the citizens. As a result, the Road Tax was instituted. During a recent candidate event, he heard the City Council take credit for the initiation of the roads project as if it was their idea. During the recent tax referendum, the public learned that most of the tax increase pertains to the construction of the new Park and that the City Council tried to mask that the money was being used for the park by using the word “infrastructure”. They hoped that the public would think that some of the money would be used for roads. The tax increase was almost all for the Park except for the 10% that was promised to the developer near the freeway. Mr. Riley took exception to the City Council’s statement that the citizens’ vote to defeat the referendum was not valid because only 3,500 people voted against it. He further believed that on January 17, 2024, the City Council nullified the tax increase by voting to instead use money from the Road Fund.

Mr. Riley stated that once the information is made public, citizens will be very angry as this appears to be taxation without representation. The City Council members took an oath to represent the wishes of the citizens. Mr. Riley expressed his love for the City and believes that most citizens do not want Pleasant Grove to become like Provo or Lehi. They would prefer to live in a safe, quaint, comfortable part of Utah County that has good roads. Mayor Pro Tempore Williams commented that some information is not accurate and asked Administrator Darrington to speak with Mr. Riley privately about some of his claims.

Lon Lewis asked for clarification of the portion outlined in red around the Pipe Plant. It is part of the plan that has been provided by the City with regard to road rehabilitation. Mr. Lewis understands that this “tough” plan is for road improvements and not rehabilitation. He did not understand what is going to take place. Specifically, he asked if the area is for Pipe Plant improvements and where the money will come from. He hoped there would be a differentiation between the \$30 million bond and the \$11 million Road Fund. He understood that there is typically no dialogue during this portion of the meeting but he would appreciate someone approaching him to answer his questions.

Mayor Pro Tem Williams asked Administrator Darrington to review the figures with Mr. Lewis. He stated that there is a definitive plan.

There were no further public comments. The Open Session was closed.

6) **CONSENT ITEMS**

- A. **To Consider for Approval Payment Request No. 3 for Rivendell Tree Experts, LLC for the 2024 Pavement Preservation Tree Trimming Project.**
- B. **To Consider for Approval Contract Change Order No. 1 for Geneva Rock Products, Inc. for the 2024 Pavement Preservation Project.**
- C. **To Consider for Approval Payment No. 4 to HydroVak Excavation for the Pressurized Irrigation Meters Installation Project.**
- D. **To Consider for Approval Payment Request No. 1 to Lyne Roberts & Sons, Inc. for the Blvd. Well Facilities Project.**
- E. **To Consider for Approval Payment Request No. 5 to Big-D Construction for the Cook Family Park Project.**

ACTION: Council Member Jensen moved to APPROVE the Consent Items as listed. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

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

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

There were no public hearing items.

10) **ACTION ITEMS READY FOR VOTE**

- A. **To Consider for Adoption of a Resolution (2024-15) Authorizing the Mayor to Execute a Contract for Fleet Management Services with Gauge Automotive.**
Presenter: Attorney Petersen

City Attorney, Tina Petersen, reported that the above Resolution pertains to authorizing a contract with Gauge Automotive to perform fleet management services for the City. The intent is to use the services only for the Police Department’s vehicle rotation. A local car dealership, which has performed this function in the past, has found it increasingly difficult to meet the type and number of vehicles necessary for the three-year rotation schedule. Gauge Automotive’s services were brought to the attention of the Police Chief and after subsequent research and negotiations, the Service Agreement agreed upon contains the following points:

- Gauge Automotive will be responsible for locating and bidding on the type and number of vehicles identified by the Police Department with a charge of \$595 for each vehicle acquired.
- Gauge Automotive, if the City chooses, will also be able to sell those vehicles when it is time to rotate them out with a charge of \$600 for each vehicle sold which is to be paid by the purchaser and not the City.
- The term of the contract is two years with an automatic renewal unless either party decides not to renew and provides a written 30-day notice to the other.

Brittany Long from Gauge Automotive was present to answer questions. To date, according to discussions with Chief Brown, the representative has been able to identify and locate all of the vehicles desired by the Police Department, some of which could not be obtained through the original car dealership.

Ms. Long reported that the company's main headquarters are in Salt Lake City with other offices in Idaho, Arizona, and Delaware. The contract is cancelable at any time. If Gauge Automotive does not fulfill its obligations or if the City is not pleased with the services they are not obligated to use them the full term. Ms. Long reported that the two-year portion of the contract is where they do a complete overhaul of the management system of the vehicles. Currently, they are doing a procurement and sale of vehicles. Gauge Automotive has been in business for three years and Ms. Long has worked with municipal fleets for the past five years.

ACTION: Council Member Jensen moved to ADOPT Resolution 2024-15 Authorizing the Mayor Pro Tem to Execute a Contract for Fleet Management Services with Gauge Automotive. Council Member Rogers seconded the motion. Vote on motion: Dianna Andersen-Yes, Eric Jensen-Yes, Cyd LeMone-Yes, Steve Rogers-Yes, Todd Williams-Yes. The motion carried unanimously.

B. To Consider for Adoption an Ordinance (2024-6) Permanently Abandoning a Perpetual Easement of 396 Square Feet for Construction and Maintenance of Water Lines over Property located in the Blossom Hill Subdivision at approximately 1099 East and 200 South, Pleasant Grove City, Utah, and providing for an effective date. *Presenter: Attorney Petersen.*

Attorney Petersen reported that the above Ordinance is to vacate and abandon a 396-square-foot Perpetual Easement located in a new subdivision called Blossom Hill, which is located on the east side of the City on 200 South and 1099 East. When the subdivision was being developed, a water line easement was discovered that was granted around 1937. The City Engineer determined that the property has no existing water line. The developer will establish the modern water line placement for the subdivision and the easement dedications in the platting process. There is no need for the City to maintain the old easement for water lines. Because easements affect property the request is to adopt the ordinance to permanently abandon the easement.

ACTION: Council Member Andersen moved to ADOPT Ordinance 2024-6 Permanently Abandoning a Perpetual Easement of 396 square feet for Construction and Maintenance of water lines over property located in the Blossom Hill Subdivision at approximately 1099 East and 200 South, Pleasant Grove City, Utah and providing for an effective date. Council Member LeMone

seconded the motion. The motion carried unanimously. Vote on motion: Dianna Andersen-Yes, Eric Jensen-Yes, Cyd LeMone-Yes, Steve Rogers-Yes, Todd Williams-Yes. The motion carried unanimously.

- C. To Consider Awarding A Wolf Construction, LLC the 200 West; 400 North to Center Street Waterline and Roadway Reconstruction Project Bid in the Amount of \$802,203.42 and Authorize the Mayor to Sign the Notice of Award. Presenter: Staff Engineer Tveten.**

Council Member LeMone recused herself from this item as she is related to the applicant.

Staff Engineer, Britton Tveten presented the request, which involves a project located at 200 West from 400 North to Center Street where the water lines in the road, including the cul-de-sac, are being replaced. The road will also be modified to be less steep and the curb and gutter will be brought more into alignment. A number of trees need to be removed to allow the work on the curb and gutter. Steps have been taken to remove some curb and gutter to correct drainage issues. The area residents were fully supportive of the project.

ACTION: Council Member Jensen moved to AWARD A Wolf Construction, LLC the 200 West 400 North to Center Street Waterline and Roadway Reconstruction Project Bid in the amount of \$802,203.42 and authorize the Mayor Pro Tempore to sign the Notice of Award. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting “Yes”. Council Member LeMone did not participate in the vote.

- D. To Consider Awarding Pronghorn Construction, Inc. the Orchard Drive and Locust Avenue Safe Sidewalks Project Bid in the amount of \$220,381.00 and Authorize the Mayor to Sign the Notice of Award. Presenter: Staff Engineer Tveten.**

Engineer Tveten presented the request and stated that the project is a Safe Route to School Project he has been working on since he came to work for the City. The application was made years ago, and the City was awarded \$60,000 of their \$115,000 request. The project was federalized, which made it impossible to complete because of utility locations and rights-of-way that made the cost prohibitive. By working with the Utah Department of Transportation (“UDOT”) they were able to obtain state funds to complete the project. The design was completed this past fall and bids were received that were 30% below the engineer’s estimates. Trees were removed in the area and the residents are happy to see the work getting done.

ACTION: Council Member Jensen moved to AWARD Pronghorn Construction, Inc. the Orchard Drive and Locust Avenue Safe Sidewalks Project Bid in the amount of \$220,381.00 and Authorize the Mayor Pro Tempore to sign the Notice of Award. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

- E. To Consider for Adoption Resolution (2024-16) Authorizing the Mayor to Declare one 2019 Ford F-150 Truck, two 2016 Ford F-150 Trucks, one 1986 Chevrolet Van, and one 2022 Honda Pioneer 500 4X4 as Surplus Property and Direct That They be Disposed of According to the City’s Policy for Disposing of Surplus Property; and Providing an Effective Date. *Presenter: Staff Engineer Tveten.***

Engineer Tveten presented the request and stated that all of the vehicles have been used by the Water Department and have provided good service. The two trucks and van are ready to move on to new owners. The Pioneer is out of warranty and the needed repairs are not cost effective. It has also been replaced with a new Polaris.

ACTION: Council Member Andersen moved to ADOPT Resolution 2024-16 Authorizing the Mayor Pro Tempore to Declare one 2019 Ford F-150 truck, two 2016 Ford F-150 trucks, one 1986 Chevrolet van, and one 2022 Honda Pioneer 500 4X4 as surplus property and direct that they be disposed of according to the City’s Policy for Disposing of Surplus Property, and providing an effective date. Council Member LeMone seconded the motion. Vote on motion: Dianna Andersen-Yes, Eric Jensen-Yes, Cyd LeMone-Yes, Steve Rogers-Yes, Todd Williams-Yes. The motion carried unanimously.

- F. To Consider a Proclamation Declaring April 25, 2024, as Arbor Day. *Presenter: Director Giles.***

Parks Director, Deon Giles, presented the above item and reported that this year the Arbor Day Celebration will take place at Manilla Creek Park at 8:00 AM on April 25, 2024, where a tree will be planted. The event is part of the Trees City USA requirements. Mayor Pro Tempore Williams read the Proclamation in its entirety. Director Giles stated that he would appreciate everyone’s attendance.

ACTION: Council Member LeMone moved to APPROVE the Proclamation Declaring April 25, 2024, as Arbor Day. Council Member Rogers seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, LeMone, and Williams voting “Yes”.

11) ITEMS FOR DISCUSSION

- A. Continued Items from the Work Session if needed.**

12) REVIEW AND DISCUSSION OF THE APRIL 9, 2024, CITY COUNCIL MEETING AGENDA.

Administrator Darrington reminded the City Council that they are meeting on the second and fourth Tuesdays in April due to Spring Break the first week of April and the ULCT Meetings the third week. The next meeting is scheduled for April 9, 2024. The Work Session will include the following:

- A continuation of budget discussions (will include materials received today);
- A discussion of utility rates (raised at the first meeting in April);
- An update on the Cook Family Park budget and the status of construction; and
- A presentation from the Utah Recreation and Parks Association (which is bringing good news).

Director Cardenas will present three Code Text Amendments and one rezone request.

It was reported that a City Council issue requires a City Council meeting on Thursday. The issue involves a Water-Reuse Agreement with the Timpanogos Special Service District (“TSSD”). Director Cardenas explained that Pleasant Grove’s sewer water is sent to TSSD for treatment and release into Utah Lake. The cities (including Pleasant Grove) that are part of the District would instead like to make use of some of the water in secondary water systems, rather than all of it being put into the lake. Administrator Darrington reported that there are two agreements. One will allow Pleasant Grove to use the reclaimed water through TSSD. The second will be the agreement between American Fork and Pleasant Grove.

The following points are made:

- The first agreement is complicated and requires all involved to work together to make sure that everyone is made whole. For the past month or so, the cities and their attorneys have been working on the agreement including water rights with TSSD and the State Engineer.
- To complicate the matter, state law has changed and the State has taken the position that if an agreement is not in place by next Monday, the entity loses its opportunity to use the reclaimed water. Pleasant Grove’s application was turned in timely but has not yet been returned and is considered to be in process.
- Attorney Petersen stated that currently, Pleasant Grove cannot reuse the water as the required infrastructure is not in place to get it into the City’s secondary system. American Fork does or will soon have that ability. Consequently, part of an agreement being worked on is that Pleasant Grove will allow American Fork to use its share of reclaimed water in exchange for American Fork water being given to Pleasant Grove. The details have not yet been fully worked out.
- One option being discussed was to recharge the aquifer in American Fork Canyon. Other options were also available.
- The agreement with American Fork will come later and specifically address how Pleasant Grove will be compensated for allowing it to use its water share.
- A recent modification was made to the Agreement that includes an option for Pleasant Grove City to be able to use the water if they develop the infrastructure to allow that to happen.

It was reported that the term of the contract has not yet been set but would be for as long as they have the water and are willing to provide it. The Agreement is cancelable at any time with notice. For noticing purposes, the meeting will commence at 8:30 AM on Thursday.

There was additional discussion about the timing of the Agreement with American Fork, which does not have a specific term but would be for as long as Pleasant Grove has water and is willing to provide it.

13) MAYOR AND COUNCIL BUSINESS.

The Chamber of Commerce is doing a service project at Discovery Park on April 22, 2024. It will begin at 11:45 AM. Lunch will be provided. The City was invited to participate.

An item was added to the April 9, 2024, meeting agenda consisting of a Resolution to Appoint a Temporary Judge.

Assistant to the Administrator, Kyler Brower, reported that they are doing the Utah Wellness Survey in April. It will be promoted on social media, in the newsletter, and on the City's website to obtain more information. Utah State University is hosting the survey.

Council Member Rogers asked for an update on the new website. Assistant Brower stated that the website is complete. Staff training will begin soon and the content that was moved but is no longer relevant will be cleaned out. Once complete, the site can go live. Assistant Brower will provide links to those desiring to review the site.

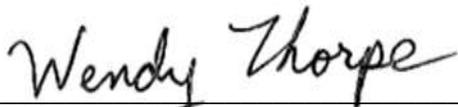
14) SIGNING OF PLATS.

15) REVIEW CALENDAR.

16) ADJOURN.

ACTION: At 6:39 PM Council Member Jensen moved to ADJOURN. Council Member Rogers seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting "Yes". Council Member LeMone was not present for the vote.

The City Council minutes of March 19, 2024, were approved by the City Council on April 23, 2024.



Wendy Thorpe, CMC
City Recorder

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