



NOTICE OF MEETING OF THE PLEASANT GROVE CITY COUNCIL

Notice is hereby given that the Pleasant Grove City Council will hold a **Work Session meeting at 4:30 p.m.** prior to the regular **meeting on Tuesday, September 17, 2024**, in the Community Room 108 S 100 E, **at 6:00 p.m.** This is a public meeting and anyone interested is invited to attend. Work Sessions are not designed to hear public comment or take official action.

AGENDA

4:30 P.M. WORK SESSION

- a. PG Cares Spotlighting Youth in Pleasant Grove – Nicole Khountham
- b. Update on Cook Family Park – Presenter Neal Winterton
- c. Staff Business

6:00 P.M. REGULAR CITY COUNCIL

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. OPENING REMARKS

4. APPROVAL OF MEETING AGENDA

5. OPEN SESSION

- 6. CONSENT ITEMS:** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion)
 - a. City Council Minutes:
 - City Council Minutes for the August 20, 2024 meeting.
 - City Council Minutes for the September 3, 2024 meeting.
 - b. To consider for approval Payment No. 02 to CEM Aquatics for the 2024 Pool Work Project.
 - c. To consider for approval Contract Change Order No. 02 for Got Dirt? Construction, LLC for the 1160 North Utilities and Roadway Improvements Project.
 - d. To consider for approval Payment No. 03 to Got Dirt? Construction, LLC for the 1160 North Utilities and Roadway Improvements Project.
 - e. To consider approval of Payment Reports for September 5, 2024.

PLEASE NOTE: THE ORDER OF THE FOLLOWING ITEMS MAY BE SUBJECT TO CHANGE.

7. BOARD, COMMISSION, COMMITTEE APPOINTMENTS: None Scheduled

8. PRESENTATIONS: None Scheduled

9. PUBLIC HEARING ITEMS:

A. Public Hearing to consider for adoption an Ordinance (2024-022) amending City Code Section 10-15-14: Flag Lots. The proposed changes establish additional guidelines that give more order to the development of Flag Lots, thereby avoiding future problems and challenges for utility and safety services to the residents; and providing an effective date. *Presenter: Director Cardenas*

10. ACTION ITEMS READY FOR VOTE:

A. To consider for adoption a Resolution (2024-040) Authorizing the Mayor to sign a Consulting Agreement with DLS Consulting, Inc. for Consulting Services specific to obtaining funding for a Road Transportation Project.
Presenter: Attorney Petersen

B. To consider for adoption a Resolution (2024-041) Authorizing the Mayor to sign a Postal Easement in favor of the United States Postal Service, for the placement of a postal box serving the Makin Dreams Subdivision on across or under property owned by Pleasant Grove City located approximately at 1645 North and 600 West, Pleasant Grove, Utah County, Utah. *Presenter: Attorney Petersen*

11. ITEMS FOR DISCUSSION:

A. Continued Items from the Work Session if needed.

12. REVIEW AND DISCUSSION OF THE OCTOBER 1, 2024, CITY COUNCIL MEETING AGENDA.

13. MAYOR AND COUNCIL BUSINESS.

14. SIGNING OF PLATS.

15. REVIEW CALENDAR.

16. ADJOURN.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda were posted in three public places within Pleasant Grove City limits and on the State (<http://pmn.utah.gov>) and City (www.plgrove.org) websites.

Posted by: /s/ Wendy Thorpe, City Recorder

Date: September 13, 2024

Time: 1:00 p.m.

Place: City Hall, Library and Community Room 108 S 100 E.

*Note: In accordance with the Americans with Disabilities Act, Pleasant Grove City will make reasonable accommodation for participation in the meeting. Request assistance by contacting Pleasant Grove City at (801) 785-5045, at least 48 hours prior to the meeting.

**Pleasant Grove City
City Council Meeting Minutes
Work Session
Tuesday, August 20, 2024
4:30 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone (arrived at 4:34 p.m.)
Steve Rogers (arrived at 4:33 p.m.)
Todd Williams

Staff Present: Scott Darrington, City Administrator
Deon Giles, Parks Director
Tina Petersen, City Attorney
Wendy Thorpe, City Recorder
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Britt Smith, Police Department
Megan Zollinger, Recreation Director
Daniel Cardenas, Community Development Director
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director
Keldon Brown, Police Chief
Andrew Engemann, Fire Chief

Excused: Lauren Langston, Intern

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

4:30 P.M. WORK SESSION

Mayor Guy Fugal called the meeting to order at 4:30 p.m. and welcomed those present.

a. UTOPIA Update Presentation – Presenters Nicole Cottle and Roger Timmerman.

City Administrator, Scott Darrington, introduced Roger Timmerman, Executive Director of UTOPIA Fiber. He indicated that the groundbreaking was approximately two years ago and his interactions with the City Council began the year before. Pleasant Grove was the fifth City

partnership outside of the founding member cities. Since that time, they have added Syracuse, Boreman, Santa Clara, Cedar Hills, West Haven, and Bountiful. He provided an overview of the company's timeline, indicating that the first few years were hard, but in recent years partnerships have allowed them to pay off debt incurred at startup.

UTOPIA is the largest open-access network in the United States, as well as the largest municipal network. It has the fastest speeds in the country, with 10 Gbps for residential and 100 Gbps for businesses, and the first 400 Gbps connection will soon be installed at the University of Utah. It is the most competitive open-access system in the country. Mr. Timmerman noted that a local provider, Miles Broadband, was able to upgrade and grow its customer base through its partnership with UTOPIA Fiber. They are enabling Utah-based providers to compete with larger companies. UTOPIA was the top awardee from the Utah Education Network from 2021 through 2024. They provide over 100 active air quality sensors, as well as Smart City Solutions for wildfire detection and public Wi-Fi. Mr. Timmerman indicated that they should schedule a meeting with the Pleasant Grove Fire Department to cover how to use the optical and thermal feeds to differentiate between actual fires and false alarms, as well as how to look for hot spots with the thermal cameras.

UTOPIA's net promoter score is 63, which is the top score for any broadband in Utah, and its Google rating is 4.6 stars. Mr. Timmerman stated that its fiber network is superior to others because the other networks are XGS-PON, where neighborhoods share a fiber connection. With UTOPIA, each address has a dedicated connection, and the system is built to a higher standard. The company has recently introduced 2.5 Gbps and 5 Gbps service tiers and lowered the cost of its 10 Gbps tier. They are also developing an app for customers to use for payment and troubleshooting.

Utopia currently has approximately 68,000 subscribers across its systems and continues to add customers as fiber becomes better, faster, and more necessary than any other technology. Specific to Pleasant Grove, the fiber buildout began in the summer of 2022 and was completed in 2023. Incremental growth will continue as redevelopment and new construction areas are added. There are approximately 9,000 available connections and 2,700 current customers. They are adding approximately 40 new customers per month in the City.

Mr. Timmerman indicated that Pleasant Grove's pledge for UIA financing was estimated at \$1,181,040 in bond debt service, with a monthly pledge of approximately \$98,000. The estimated number of required residential subscribers to cover the cost was 3,281. The actual debt service is \$1,066,500 and the monthly pledge is \$88,875, resulting in 2,963 subscribers needed to cover the pledge. There are currently 2,651 subscribers. Approximately 240 of those are businesses, which average three times the revenue of residential subscribers, resulting in an adjusted equivalent of 3,131 subscribers. UTOPIA considers the pledge fully covered through voluntary subscriptions. The first bond payment is due in October of 2024 and there is currently approximately \$1 million in accumulated revenue.

Mr. Timmerman stated that they will likely increase the infrastructure fee for new cities, but the increase will not apply to existing partners like Pleasant Grove. There are occasional rate increases for service providers, including an upcoming \$4 increase in October. That increase could be

passed on to the retail customers, but they believe the service providers will absorb the cost. Utopia does not set retail rates.

Mr. Timmerman noted that they were careful to clean up any issues caused by installation, and the green UTOPIA boxes and occasional fiber hubs should be the only indication that the lines were installed. He asked for the Council's feedback on the process and service.

Council Member Williams stated that he works from home and is very happy with the service. He is on the 1 Gbps plan. His internet cost dropped by 50% from his previous provider, and the speed is 10 times faster. He thanked Mr. Timmerman for being a good partner to the City.

Mayor Fugal stated that he is having buffering issues. He has 1 Gbps service, and the buffering is continually getting worse. Mr. Timmerman indicated that they needed to check the wiring in his home because the connection should be 900 Mbps or more at all times. Council Member Jensen stated that he had a similar issue that was the result of his router. Replacing it corrected the issue. Mr. Timmerman stated that they want the service providers to take care of those types of issues. However, Utopia can send a technician to diagnose and correct the problem if necessary. The issue may be with the fiber, but such issues are very rare because normally fiber is either running at optimal efficiency or not working at all. If it is buffering, the problem is likely either the router or the Cat-5 wiring in the home, which is the responsibility of the service provider. If the service provider does not resolve the issue, Utopia can send a technician. They test the service providers, and there are consequences if they do not deliver the required level of service. Mayor Fugal noted that he had not done a speed test recently, but the service never tested at a full 1 Gbps. Mr. Timmerman stated that 1 Gbps is the size of the pipe, and the actual speed should be 90% or more of the stated speed on a wired connection. There is more variation in wireless connections, depending on the router and specific device. The latest equipment is built to multi-gigabyte standards.

Council Member Anderson reported that she has experienced great service and speed and she has been recommending the service. Mayor Fugal expressed his satisfaction that the pledge has been met and he believed it is a great option for all residents of Pleasant Grove. Council Member Anderson stated that previously there were too many dead spots in town, and that is no longer an issue. Residents on the east side by the canyon could not get service, but now they can. Mr. Timmerman stated that the take-rate percentage is approximately 30%, so there is a lot of value in promoting the service.

b. Presentation by Stronger Together.

Keith Wilson from Stronger Together thanked the City Council for allowing them to present the results of the poll. He provided background on Prop 2 in Orem, which proposed that Orem separate from Alpine School District and become its own district. He stated that it was pushed on the ballot by a few loud voices, and in the end, 72% of people voted against it. Wise leaders will solicit broad input and gather as much data as they can before making recommendations of this magnitude, in this case affecting tens of thousands of students and affected communities for generations to come. Stronger Together believes that if Orem leaders had been open to that kind

of input, it would have led to a more productive dialog and saved over \$400,000 spent on the campaigns.

In 2022, Alpine School District hired MGT Consultants to conduct a formal study on reconfiguration. MGT's directive was to engage all of the stakeholders to understand their perspectives more fully, which was accomplished through a series of meetings and surveys. There was broad participation from a variety of groups including teachers, city officials, parents, school community councils, and the general public. This information was shared in March and April. Some groups, including city officials, felt that the research needed to go further to include city-specific analysis based on scientific sampling. Without such, it was not possible for cities to know what their particular residents were thinking. A number of cities expressed a desire to gather this kind of information but were unable to coordinate the efforts needed to pursue it.

Stronger Together believed the data was crucial to good public discussion and decided to hire an independent group to conduct the study. They began by setting parameters for what they wanted to achieve, which included city-by-city results, a high confidence level with a margin of error of plus/minus 5%, and that it not be a push poll. They contracted with Aljafor, LLC to conduct the study, which was funded by donors and through a partnership with Blueprint Public Affairs, a Salt Lake City policy consulting group. The poll participants were randomly selected from voter lists across all cities, and the findings represent likely outcomes, not necessarily the attitudes of the community as a whole. The polling company made certain that residents were balanced by age, gender, home ownership, etc. The results were further weighted proportionately by city to accurately reflect each city's population.

Mr. Wilson expected criticism for both Stronger Together and the poll results from people who dislike or are afraid of the findings but they believe the poll stands on its own and will hold up to scrutiny. He noted that the three smallest cities—Cedar Fort, Fairfield, and the Suncrest area of Draper—were included in the polling but did not have a sufficient number of responses to meet the threshold for inclusion in the results. Regarding terminology, the terms West, North, and South were used in the poll, but the study used the terms West, Central, and East.

The first question was how closely the voter was following the District's split discussions, from not at all to extremely. Voters in the West and South were very engaged. With the exception of American Fork, voters in the North were much less engaged.

Recognizing that a large number of participants had not followed the matter closely, the pollster provided this statement of fact, "This November, there may be two ballot proposals related to the configuration of Alpine School District." Depending on the participant's location, they added an appropriate secondary statement.

- For participants in the South, that read, "Registered voters in Pleasant Grove, Orem, Lindon, and Vineyard will not be able to vote on any school district configuration proposal."
- For participants in the North and West, the question was similar to what will likely be on the ballot, "As a registered voter in (city), based on what you currently know about the

Alpine School District configuration, if you were voting today, would you vote to remain one district as currently configured, create a new district in the North, undecided, or none of the above."

- In the South, the question was, "As a registered voter in (city), you will not be able to vote for any ballot proposals. However, based on what you currently know, what is your preferred school district configuration? Remain as one district, create districts, create three districts, or undecided." They discovered that many people were not aware that the legislature passed a law in June that prevented Alpine School District from placing a recommended configuration on the ballot and allowed only cities within the local agreements to vote in the upcoming election.

Mr. Wilson noted that the results varied by area but were consistent within each respective area.

- In the South, 45% would prefer to remain one district, and 39% favored a two-way split. They did not want three districts.
- In the North, 30% also preferred one district, 28% chose "none of the above," and 19% were undecided.
- In the West, only 20% preferred to remain one district, 22% chose "none of the above," and 42% preferred the creation of a new West district.

In order to clarify what "none of the above" might mean to voters, those respondents were asked, "The current ballot options could divide Alpine School District into three districts. Other options have been considered. Regardless of ballot options in your city, what is your preferred school district configuration? Remain as one district, create two districts, create three districts, undecided, or none of the above."

- In the West, only 20% prefer remaining together, 36% prefer a three-way split, and 25% prefer a two-way split.
- The North and South had varying opinions on remaining together or a two-way split, but they agreed that they did not want a three-way split. Among those who want a split, five to seven times more people want to see a two-way split than a three-way split.

Next, voters were asked to rank factors to consider with a district split by order of importance. The factors included impact on students, impact on teachers, increase in taxes, changes in school board representation, changes to school boundaries, access to specialty school programs, and overhead costs or economies of scale. The list was randomized for respondents to prevent order bias.

- In the North and South, most respondents said that cost was the biggest factor and School Board representation ranked lowest.
- In the West, the biggest factor was the impact on students.

When asked how much in additional yearly taxes they were willing to pay for their preferred configuration, from no increase to \$500 per year, Saratoga Springs and Eagle Mountain were the least willing to spend money on schools. Surprisingly, the cities whose citizens stated that cost was their biggest concern expressed a greater willingness to pay more.

The final question was, "While voters will have the final say, in your opinion, who should be most responsible for recommending school district configurations?" They were asked to rank the following from most to least responsible: The Utah State School Board, the Alpine School Board, local city councils, or the Utah State Legislature. All cities except the West felt that the recommendation should come from their local school board. Voters in the West thought the recommendations should come from their City Council. The state legislature was ranked last by almost all respondents, except Eagle Mountain which ranked Alpine School District last. Pleasant Grove ranked the City Council last.

Key findings of the poll include:

- There are distinct views among the three areas. Voters in the West lean heavily toward forming their own district. Voters in the North are evenly divided but also have the highest rate of undecided voters. The South, if they could vote, would likely choose to keep the district as-is.
- On other matters, voter opinions in the West sharply contrast with those in the North and South, where views on cost and how the issue should be addressed are similar and over 90% of voters oppose a three-way split.

Stronger Together noted that a "yes/no" question is not what many people are expecting, likely because a series of options had been discussed. People expect to be asked to choose which option they want from a list, and this may create confusion in the minds of voters. They hope to sufficiently educate voters to avoid that confusion, and their position is that it needs to go on the ballot. They believe everyone should be able to vote, and the legislature was wrong to disenfranchise more than 81,000 voters who represent one-third of the district's tax base.

They will continue to share information and advocate that, at this time, remaining as a single district is best for taxpayers, students, teachers, and communities overall. However, with the West's rapid growth, they feel it would be wise to prepare to create a new district in the West, and that it should be directed by the Alpine School Board and administration. They would like to see the board make this a stated priority and commit to working aggressively and unitedly toward building new schools as needed in the West and consolidating or replacing schools that are past their useful life in the East. They believe the District should continue to make adjustments to use resources equitably and address the greatest needs, and that they need to demonstrate trust in teachers and educators by respecting their experience and recommendations.

Council Member LeMone asked why the polling was conducted over the phone instead of online or in person. Mr. Wilson stated that the primary goal was to ensure that they reached voters. An online survey was recently made available with the poll questions and other open-ended questions.

They will share those results after the survey closes, but the statistical analysis will not include those results. A link to the survey is available on their webpage. He noted that the phone interviews were conducted across all cities. For Pleasant Grove, they needed approximately 260 interviews to ensure that the sample size meets the 95% confidence threshold.

Council Member Williams thanked Mr. Wilson for the presentation and asked about his background. Mr. Wilson stated that he is a librarian. He created an automated system for libraries in Hawaii and then formed a company called Dynix, which automates libraries around the world. Council Member Williams stated that the data was exactly what they needed. He has always felt that most people do not want a three-district split. He pledged his support for what they are doing.

Council Member Anderson stated that the 81,000 disenfranchised voters is the saddest number in the presentation, and asked what could be done. Mr. Wilson stated that they would share the data with all city councils and reach out to ask people to share their voices.

Council Member Williams stated that he hopes it is a wake-up call to people who want to force this on residents because people do not want higher taxes or small districts. In his opinion, it should be a two-district split. Mr. Wilson stated that that was what happened in Orem. If city leaders had engaged with the community and listened to them, Prop 2 might not have failed. The legislature has ensured that this measure cannot be removed from the ballot, but the results might help them understand that a few loud voices do not represent the communities.

Council Member Jensen asked about how the public can access the poll results. Mr. Wilson confirmed that all information is available on the Stronger Together Website. Council Member Jensen noted that voters in the South were presented with an option that they do not get a say in, and he has had to field questions from residents on that issue. They want a two-district split and are wondering why the City Council is not acting to ensure that, but the Council has no say because they were not invited to the contract. He asked if Stronger Together planned a second poll with an actual yes or no question like will be on the ballot and stated that people need to understand the consequences for the North and West with the yes or no vote. The West wants to split, but over 50% of those respondents are not willing to pay more for it, which Council Member Jensen sees as an education problem because they need to understand that a vote to split the district is a vote for higher taxes. He asked what Stronger Together is doing to educate voters on what the actual ballot question will be and the consequence of their vote. Mr. Wilson stated that they first need to know the specific ballot language, which should be available within the next two weeks.

Council Member Rogers asked if Stronger Together or another organization would be able to write an opposition statement or educational statement because he felt the cities that sign interlocal agreements would be favored. Mr. Wilson stated they have formed two political issue committees ("PIC"), one for each ballot measure, and hope to be able to include statements. Council Member Rogers expressed his disappointment that with House Bill 3003, some state representatives took authority away from the Alpine School District, and interlocals are putting out statements in favor of the split. Mr. Wilson reiterated that they are preparing to put out an opposing statement.

Council Member Jensen indicated that 42% of voters in the West indicated that they want their own district, but the next question offered a two-district split, and the percentage dropped by 6%. Someone who said that they preferred a two-district split when presented with an alternative option, realized that they wanted to change their vote. His concern was people understanding the effect of their vote. Mr. Wilson stated that Stronger Together sees that as an issue as well; voters need to understand the ramifications of their vote.

Council Member Rogers stated that the measure was pushed through by certain representatives. Council Member Andersen stated that Brady Brammer deliberately pushed it through, and 81,000 people cannot vote because he thought that the legislature could do better than the individual voters. She believes someone needs to speak for the disenfranchised voters. Council Member Jensen noted that that was the opinion of some Council Members, but not an official position of the City Council. Mr. Wilson stated that Stronger Together was there when HB 3003 was voted in. John Hawkins put forward a proposed amendment that would have allowed voters in all affected areas to vote, and representatives for the affected areas voted down the amendment. Council Member Jensen stated that he appreciated Mr. Hawkin's efforts on behalf of Pleasant Grove citizens.

Mayor Fugal stated that a lot of work was necessary to educate voters before the November election and hoped they could all individually help do that. He thanked Mr. Wilson for his time.

c. Staff Business.

There was no staff business.

ADJOURNMENT

MOTION: At 5:37 p.m. 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, Rogers, and Williams 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, August 20, 2024
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers
Todd Williams

Staff Present: Scott Darrington, City Administrator
Deon Giles, Parks Director
Tina Petersen, City Attorney
Wendy Thorpe, City Recorder
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Britt Smith, Police Department
Megan Zollinger, Recreation Director
Daniel Cardenas, Community Development Director
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director

Excused: Lauren Langston, Intern

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

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Guy Fugal called the meeting to order at 6:02 p.m. and welcomed those present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Fire Chief, Andrew Engemann.

3) **OPENING REMARKS**

The Opening Remarks were offered by Council Member Williams.

4) **APPROVAL OF MEETING AGENDA**

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

5) **OPEN SESSION**

Mayor Fugal opened the Open Session.

Roger Green expressed his concern with e-bike traffic at the high school. He saw two riders the previous night on 20 South, one doing a wheelie and the other standing on the seat while a pickup truck passed them. He is concerned that there will be a serious accident and asked if law enforcement can do anything if it is not already being addressed.

John Johannesmeyer stated that he attended the work meeting and was concerned with the City’s involvement with Stronger Together because the Lieutenant Governor's Office shut them down for doing illegal things, yet the City Council invited them to speak. He stated that they came back as another group called Stronger Together Community but they are the same people. He could not understand how people could donate and invite them into the City to share propaganda. He asked them to speak to the Lieutenant Governor to find out who they are. He expressed his opinion that Pleasant Grove does not have a vote not because of the Legislature but because the City Council did nothing to join an Interlocal Agreement. His understanding was that they were asked on multiple occasions to join the agreement, and it was scary to think that the vote was taken from them, either by the legislature or other means. He indicated a desire to speak with the Council after the meeting to learn more and asked that they worry about what Pleasant Grove needs. He is concerned about the community's children having a good place to go to school. The Alpine School District raised taxes for the last six years and recently passed another tax increase the county had a meeting about raising taxes by 15%, and he feels that citizens are being hammered by tax increases.

Eileen Johannesmeyer was present to represent a number of other residents and read the following statement, “There are important points that need to be made about the group that presented at the meeting. They have been and continue to be opposed to any kind of division of Alpine School District at any cost, and any survey or polling results that they present should not be taken at face value. We have concerns about the methodology. The leaders of the two PICs formed by Stronger Together all reside in Orem, and many of them are linked to the Alpine School District and have a strong interest in preserving the status quo. They do not live in Pleasant Grove or any of the cities that will be voting on the reconfiguration of the Alpine School District. Not one of the officers of these PICs will be able to vote on the matter, yet they are working to accomplish their agenda.

There are many benefits to the community by allowing some division of Alpine School District, be it into two or three. Pleasant Grove High School needs to be rebuilt, and partnering with other cities on this side of the lake would be welcomed. Pleasant Grove recently had the difficult school closure of Valley View Elementary, and there could be more school closures in the area in the future. If we want to make sure our voices are being heard, then a smaller district could give Pleasant Grove more representation in the future. Staying with Lindon can also ensure that the many Lindon students who attend Pleasant Grove High School and the Pleasant Grove students who attend Oak Canyon Junior High School can continue to do so. Also, we can ensure that our tax dollars go toward local classrooms and services that we need and want instead of raising our taxes to pay for buildings on the other side of the lake. Alpine School District has become a bit large and cumbersome, and division is inevitable. Failure to divide now will have the following consequences down the road: more overcrowded schools, more school closures and consolidations on the east side, more taxes being raised by the school board rather than having less costly general obligation bonds, and more division and distrust between school board members on various sides of the district. We suggest that the best way forward is to allow Alpine School District to be divided into at least two if not three districts.”

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

6) CONSENT ITEMS

- A. City Council Minutes:
City Council Minutes for the July 23, 2024, Meeting.
City Council Minutes for the August 6, 2024, Meeting.**
- B. To Consider for Approval Payment No. 1 to Acme Construction, Inc. for the Pleasant Grove Storm Drain Outfall Project.**
- C. To Consider for Approval Payment No. 2 to Got Dirt Construction, LLC for the 1160 North Utilities and Roadway Improvements Project.**
- D. To Consider for Approval Payment No. 11 to Staker Parson Materials and Constructions, a CRH Company for the 2600 North Roadway Improvements Project.**
- E. To Consider Payment Reports for August 8, 2024.**

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

7) BOARD, COMMISSION, COMMITTEE APPOINTMENTS

There were no appointments.

8) PRESENTATIONS

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A. **Public Hearing to Consider for Adoption of an Ordinance (2024-020) to Apply the Grove Business Park Overlay to approximately 4.86 acres on property currently zoned The Grove–Commercial Sales Subdistrict, located at approximately 29 South 2000 West. Applicant: J.C. Smoot. Presenter: Director Cardenas.**

Community Development Director, Daniel Cardenas, presented the Staff Report and identified the parcel's location. The applicant, J.C. Smooth, requested to rezone the 4.86-acre parcel from Commercial Sales to the Grove Business Park ("GBP") Overlay. Director Cardenas noted that each zone is approved for different uses and has different requirements, design, and architectural standards, and the rules that apply to this parcel also apply to most parcels along North County Boulevard. When an overlay is applied, new regulations are also applied, which is why it is considered a rezone.

In early 2024, the applicant approached Staff with a proposal to develop the property as flex space, which allows for mixed uses such as storage and manufacturing. Flex space is not permitted in the Commercial Sales Subdistrict, so the mechanism by which flex space can be allowed is rezoning to GBP. The current district requires the highest quality architectural and site designs, and permitted uses are office, professional, retail, hotel, and civic. The most prominent use must be retail, but some warehousing is allowed. The GBP Overlay Zone allows for a majority of the space to be used for warehousing or manufacturing, but some retail is also allowed. Because light manufacturing is allowed, the maximum building height is 100 feet as opposed to the 65-foot maximum in the current zone. An example of the Commercial Sales Zone is the doTERRA main office. The GBP zone allows buildings like the one on the south corner of the doTERRA campus.

Director Cardenas stated that the ultimate decision will be whether Pleasant Grove wants primarily office and retail sites or if it is open to allowing multi-tenant flex space buildings, and indicated that Staff recommended the application be denied. They understand the need for flex space, but certain parts of the City are already zoned Business Manufacturing Park ("BMP") to allow for this use. The Grove has limited available space. Director Cardenas stated that the easiest parcels to develop in Pleasant Grove City have already been developed and the remaining parcels are more difficult to develop, but the General Plan's goal is to preserve the few remaining open parcels in The Grove for retail and office uses. The GBP was put in place for use as a tool to incentivize retail. For example, doTERRA approached the City and indicated that they needed light manufacturing as well as retail, and the GBP Overlay was applied to the area of their campus that was needed for manufacturing.

Referencing the zoning map, Director Cardenas noted that the area adjacent to the parcel is an existing residential subdivision and there would be no buffer between it and the new development. He then indicated that the property to the north is a similar parcel that has no frontage and can only be accessed through an easement to State Street. Staff is working with a developer on a plan to build a hotel in that area. He noted that it may be difficult to develop the remaining parcels for an approved use, but it is possible. When considering rezoning, it is important to consider all potential uses. Usually, when an applicant has a specific use in mind, they will request a Code text

amendment to add their requested use to the zone. When they are unsure of the future use, they request rezoning to keep their options open for different types of tenants.

The application was presented to the Planning Commission, which recommended denial by a vote of 4-2. They considered the fact that the current zoning allows for the development of the parcel. They understand that it is a difficult parcel to develop, but it is possible, and they want to preserve the current zoning.

Council Member Williams asked if the proposed road is in the Roads Master Plan. Director Cardenas stated that the applicant attended a pre-application meeting with the Development Review Committee where the Public Works and Engineering Departments informed him that they will require completion of the road as part of the Site Plan. It is the position of Staff that the road needs to be completed. Council Member Williams asked if the City Council had the authority to require the road. Director Cardenas stated that it is an administrative decision that would be made during the Site Plan approval process. The current owner's intention is to subdivide the property to retain the existing residential area to the north and add the commercial parcel to the south, so it would be a requirement prior to plat recordation. Regardless of the zone, they need to ensure that the roads can handle the traffic.

Council Member Jensen asked what specific uses the developer is considering. He expressed concern that, if the rezoning were approved, the property could be sold and then developed to any of the uses allowed by the new zone. Director Cardenas stated that the owner wants to be able to allow multiple light manufacturing uses. If they had a specific use in mind, the application would be for a Code text amendment, not rezoning.

In response to a question from Council Member Rogers, Director Cardenas stated that a lot of interest has been shown in the lot. He recognized the real estate agent's efforts and noted that multiple uses had been considered. Previously, there was interest in a hockey arena. To his recollection, there have been no residential requests. Once the road is in place, the parcel will have direct access from a public street. The road will be required based on traffic needs and is an administrative decision. The City Council cannot waive that requirement. In response to a question from the Council, it was clarified that access to Walmart is via a private easement.

The applicant's representative, Matthew Smoot thanked Director Cardenas for his presentation. He stated that their partner, Sam Steele, is interested in moving his nutritional supplement business to the development. He does not manufacture the supplements, but he does package and sell them. It would be a flex space for his online business. The parcel is 4.86 acres, but that includes the wetlands area and a 90-foot right-of-way, so the actual useable land is 3.2 acres, and they need a multi-tenant building to make development practical.

In regard to the buffer between the parcel and neighboring residences, he stated that it is 110 feet from the front doors of the apartments and townhomes to the east of the property to the wetlands or year-round slough. The wetlands area is not removable because it has year-round water and mitigation is not possible. There is also a setback from the wetlands to the potential building, so they have a large buffer. He noted that the flex space building near Tesla, which is in an approved GBP zone, is only 110 feet from the building to the front doors of neighboring residences.

Mr. Smoot presented a photograph of the border between the parcel and neighboring apartments and noted that the wetlands are heavily wooded. He believes it is a better buffer than a streetscape. He then presented a comparison to other existing business parks. The business park on Sam White Lane is almost 11 acres, and Tesla, Bish's RV, and BMW all have frontage on I-15. He noted that the subject parcel does not have frontage. They considered purchasing the frontage in front of the property, but the price was too high. The usable portion of the property is 3.2 acres, and it was his position that potential multi-use on 3.2 acres is very different than on 11 acres. Traffic counts are low and will remain low when 100 South is completed, which is estimated at 5,000 to 7,000 cars per day.

Mr. Smoot stated that the Alexis Retail Plaza rents for approximately \$40 per square foot and flex space rents for approximately \$12 per square foot, but they cannot attract retail tenants as the property is 325 feet off the main road and all visibility can be taken at any time. He pointed out that parts of the Hidden Springs subdivision are closer to State Street than their property, and he believes the City has been more flexible on other parcels that are a certain distance from arterial roads. He indicated that Darwin Fielding's seven-acre property to the north is also a difficult piece to develop, and they are also requesting flex space with a hotel.

Mayor Fugal opened the public hearing.

Dallin Nelson stated that he is the real estate agent who has been working with this property for six years. The issue has been access and accepted uses, not price. Most interested parties have asked about multi-family residential, which Staff has indicated is not possible. He stated that the north parcel was foreclosed on approximately five years previously, but the easement was still in place. He stated that the buyers are very diligent and want to do everything necessary to make it work, and he believes their plan would be a good fit for the area.

Mr. Smoot realized there could be some concern with the light manufacturing uses. The use would be pharmaceutical and nutritional supplements, as well as possibly printing machinery, equipment, and supplies. He expressed their willingness to make that a conditional use as part of the approval. It was clarified that that would be a Code text amendment, not a zoning change. In response to a question from Mayor Fugal, Mr. Smoot clarified that it would be one multi-tenant building. Mayor Fugal stated that the Council's concern was that they would not know what the other businesses would be, and the zone change would allow multiple other uses.

City Attorney, Tina Petersen, stated that if the applicant were willing to consider a restriction on the uses to only printing and pharmaceutical, a Code text amendment could be requested to add those conditional uses to the current zone. The City Council could not approve that with the rezoning request, but it could be put forward to add those specific uses as conditional in the zone. If the parcel is rezoned, all uses are currently listed in the GBP zone.

Pete Blake stated that he is the owner of the subject property and indicated that the original annexation agreement gives him permission to build houses for his children on the property, which he may consider doing if he is unable to sell it.

Attorney Petersen restated that the application in front of the Council was to apply the GBP zone to the parcel. That is what was noticed during the public hearing. If the applicant would like to consider adding those specific uses as conditional uses in the zone, that is a different Land Use application that would require another public hearing so the public has the opportunity to speak on the topic.

Sam Steele indicated that he is a partner with the nutrition business. He is excited about the move and hopes they have a positive outcome. He stated that he observed both the Planning Commission and City Council having concerns that applying the GBP overlay would open the parcel to many different uses. He read the definition of the GBP overlay and stated that he did not believe the Council would have a problem with any of the potential uses. He stated that their intended uses are limited, and they did not feel someone could come in in 10 years with a use the Council would not approve of. Director Cardenas clarified that the GBP overlay allows for 10 to 15 different uses, and similar uses can also be approved by the Planning Commission. The Planning Commission usually sides with applicants. He gave the example that the current zoning allows for a maximum height of 65 feet, but the GBP zone allows 100 feet. It also allows 95% of the space to be used for warehousing.

The applicant, J.C. Smoot, reiterated that commercial sales at the location would lack visibility. They first went to the City with the idea of a townhome community, but Director Cardenas told them that was not possible. He stated that the market is saturated with office space, and location is everything for retail. They want it to be a business park, not a manufacturing plant, consisting of a single-story building with possible buildouts. There is the potential for commercial sales tenants who do not require visibility. The property has existing wetlands buffers. He stated that he understood why Director Cardenas might want commercial sales, but he did not believe the property was viable for commercial sales. He also noted that they do not own the adjacent property, so they do not know if the road will go all the way through.

There were no additional comments. The public hearing was closed.

Mayor Fugal asked Staff to clarify their recommendation. Director Cardenas stated that he was not expressing an opinion on what he would like to see. Rather, he was presenting the objectives stated in the General Plan. Mayor Fugal stated that he would like to see something built on the parcel, but they need to make sure the City is protected. Council Member Williams stated that the Council is very pro-business, but he was concerned with both the ambiguity in the permitted uses and the 100-foot height allowance. He asked if there was a way to allow them specific uses in the zone without changing the zone. Attorney Petersen clarified that it could be done through a Code text amendment.

The Council discussed the building height and setback requirements. Attorney Petersen stated that the applicant has an idea of what they want to do with the property. They do not intend to build a 100-foot building, and they intend to use the wetlands as a setback. One possible tenant is a nutritional supplement business. They do not know who the other tenants will be. If the rezone is applied, they can change their plan or sell the property to an owner who comes in with a completely different plan. Once it is rezoned, the City loses control over what can be built on the property. The Council already established its vision for that area by adopting a General Plan and applying a

zone to that property. This is a difficult property to develop. Her understanding was that the Code text amendment option was presented and declined by the applicant because they did not want to be restricted. If the applicant is willing to accept restrictions on allowed uses, a Code text amendment to add specific uses as conditional in the zone would be an appropriate way to accomplish both goals. The parcel would then not be open to future unanticipated uses. The other option would be to record a development agreement against the property, which also requires public notice and a public hearing. Her preferred option would be the Code text amendment as it is a cleaner and easier option.

Council Member Rogers stated that if the rezoning is approved, the City loses the ability to deny any use listed for the zone. He stated that the full Council would like to see something built on the parcel, but rezoning is an extreme measure. Council Member Andersen knew they had been trying to sell the property for many years, but the lack of access is an issue. She believes the business park is a great idea. Mayor Fugal stated that the Council had nothing against the developer, but other developers had made promises, and the City made changes based on those promises, and then nothing happened. They need to make sure they protect the residents of Pleasant Grove, but they look forward to a good relationship with the Smoots and he believes they can work out a solution.

City Administrator, Scott Darrington, recommended sending the issue back to Staff and involving Ms. Peterson to discuss options with the developer. He understood why the developer wants flexibility because they need tenants, and he hoped they could find a solution. Attorney Petersen recommended that if they were inclined to ask Staff to explore the Code text amendment, the Council should deny the application. The other option was to continue the issue to a date certain, but they would be considering the same request.

ACTION: Council Member Williams moved to DENY Ordinance (2024-020) to Apply the Grove Business Park Overlay to approximately 4.86 acres on property currently zoned The Grove—Commercial Sales Subdistrict, located at approximately 29 South 2000 West. Council Member Anderson seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

The Council directed Staff to work with the applicant to develop a Code text amendment for their expected uses. Council Member LeMone stated that she understood the applicant's frustration, as well as that of Mr. Blake. Council Member Rogers agreed and encouraged Staff to be flexible in working with the developer's desires as well as limiting it to appropriate facilities for the area.

10) ACTION ITEMS READY FOR VOTE

- A. To Consider for Adoption a Resolution (2024-036) Authorizing the Mayor to Enter into a Lease-Purchase Agreement with Zions Bank Corp, for the Purpose of Acquiring Public Safety Vehicles, Computers, and Fitness Equipment; and Authorizing the Execution and Delivery Thereof; and Providing an Effective Date. *Presenter: Finance Director Roy.***

Finance Director, Denise Roy stated that the resolution is for the yearly lease of nine public safety

vehicles, as well as cardio and computer equipment. She requested bids from four or five vendors, and bids were received from Zions Bank and Bancorp. Zions Bank offered the best interest rate. She requested that the Council authorize the Mayor to enter into the lease with Zions Bank.

ACTION: Council Member LeMone moved to ADOPT Resolution 2024-036, Authorizing the Mayor to enter into a Lease-Purchase Agreement with Zions Bank Corp. for the purpose of acquiring Public Safety Vehicles, Computers, and Fitness Equipment; and authorizing the execution and delivery of thereof; and providing an effective date. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, LeMone, Rogers, Jensen, and Williams voting "Yes".

B. To Consider for Adoption a Resolution (2024-037) of the Governing Body of Pleasant Grove City Authorizing the Mayor to Sign an Easement Granting Rocky Mountain Power a Pole, Guy, and Anchor Easement for Infrastructure on Parcel No. 14:025:0016 for the Cook Family Park Project located at approximately 420 North and 600 West, Pleasant Grove, Utah; and Providing an Effective Date. Presenter: Director Winterton.

Public Works Director, Neal Winterton indicated that the request involves the Hansen property, and the easement could not be finalized until that process was complete. The easement is required to relocate power poles and finish the concrete and sidewalk in the area.

ACTION: Council Member Anderson moved to ADOPT Resolution 2024-037 of the Governing Body of Pleasant Grove City, Authorizing the Mayor to Sign an Easement granting Rocky Mountain Power a Pole, Guy, and Anchor Easement for Infrastructure on Parcel No. 14:025:0016 for the Cook Family Park Project located at approximately 420 North and 600 West, Pleasant Grove, Utah; and providing an effective date. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting "Yes".

C. To Consider Awarding the Pleasant Grove Swimming Pool Deck Project to S&L Inc. and Authorize the Mayor to sign the Notice of Award. Presenter: Director Winterton.

Director Winterton stated that there are various steps for the pool project in addition to the pool deck, including piping, border leveling, shade structures, and water features. Work on the pool deck will begin after all work along the edges and in the equipment room is complete. There will also be fencing around the slide, shade structures, and drainpipe. They requested bids for the pool deck and associated drain work, and six proposals were received. The proposal submitted by S&L Inc. meets the schedule, and the company can coordinate with the other disciplines working on the project. The first pieces of the deck will be installed in early September so all other disciplines can then work together on the leveling.

Regarding the process, it was a proposal-based process instead of a bid due to the schedule and required qualifications. They wanted to use a companion that had the capabilities and contacts with subcontractors to perform the work in the required timeframe and to the appropriate quality

standards. S&L Inc. has done a lot of work on pool decks, splash pads, and other, similar types of concrete. It is not something that can be repaired or added to later, so they wanted to select based on qualifications rather than the lowest price.

Council Member Williams thanked Director Winterton for the information he included in the packet as he found it very helpful.

ACTION: Council Member Jensen moved to AWARD the Pleasant Grove Swimming Pool Deck Project to S&L, Inc. and authorize the Mayor to sign the Notice of Award. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, LeMone, Rogers, Jensen, and Williams voting "Yes".

11) ITEMS FOR DISCUSSION

A. Staff Business.

Police Chief, Keldon Brown, reported on the following:

- Interviews were scheduled the next day for 14 applications, and a job offer was extended to a three-year county employee who works in the courts. They are working on filling all vacancies.

Library and Arts Director, Sheri Britsch, reported on the following:

- The Heritage Festival will be Monday, September 9, 2024.
- The PG Players are rehearsing for "Harvey."

Parks Director, Deon Giles, reported on the following:

- There were several large service projects over the last three weeks, including:
 - Anderson Park cleanup
 - A school cleaned up Manila Creek
 - Trail work at Battle Creek and on the G Trail
- The cemetery has been very busy, with an average of five to eight per week and ten the current week.
- Surface America began work at Discovery Park that morning to remove and patch all bad spots. Resurfacing was scheduled for the following day. He believed the park would reopen the afternoon of August 22, 2024.
- They tested the new irrigation controllers. They did a manual rain delay on the majority of them but left some on to operate during the rainstorm. This was done to see if the weather app was working correctly, and it seemed to work. They were pleased with the results. They will let them all run in the next rainstorm. He noted that the parks are watered three times each week. Bigger parks like Manila Park run every day because they cannot water all zones in a single day. The controllers provide adequate water in the allowed time periods. They program the soil, slope, head type, and gallons per minute into each individual valve.

Council Member LeMone suggested that the testing information be posted on social media. The City Council gets a lot of feedback when the sprinklers run during storms, and it would be helpful for residents to know when the system is being tested so they are aware of what is happening. Director Giles stated that he would like to perform additional testing to ensure that the weather app is functioning correctly. However, there are approximately 50 to 60 battery-operated controllers, and they do sometimes miss those. He will ensure that the information is posted.

Public Works Director, Neal Winterton, reported on the following:

- There are two employees assigned to stormwater maintenance to maintain over 70 miles of pipe plus inlets, grates, and manholes. During storms, Streets and Water employees help. During the recent storm Parks and Fire employees also provided assistance. The stormwater maintenance employees are also pulled to help with paving jobs because there are only four employees assigned to concrete and asphalt. There are approximately 2,000 inlets in the City. Council Member LeMone suggested posting steps for residents to clean the inlets in front of their homes on social media. It was also recommended that they post things residents should not do.
- Tuesday's storm was not the best indicator of how the storm drains are functioning. During such a storm, some flooding is expected because it exceeds general capacities. They first ensure that no lives are in jeopardy, then protect property, the environment, and City infrastructure. The storm was very intense over the entire City. Normally cells are more localized. At its peak, it rained at a rate of three inches per hour for a 15-minute duration, and the City received just under one inch of rain in an hour. He felt like they responded well, but there are always things to learn.
- They try to remind residents to keep the grates in front of their homes clean. If the homes do not have a 2% grade, that is an issue. Some homes have yards that drain to the window wells. Also, people sometimes place curb hoppers in their driveways, which prevents the gutters from moving the water correctly. Construction projects also present drainage challenges.
- They held an after-action review and created a list of action items. He also met with a number of residents to assess what could be done differently in the future.
- Saturday night's storm was also intense, but more localized.
- They are working with the contractor regarding the open trenches.
- Regarding 1100 North, they missed the original deadline to be completed prior to the start of the school year. They could not close 600 West during the Strawberry Days Parade, which caused a delay in the start date. The contractor opened up east-west traffic that day. The temporary signal is operational. It was also delayed by a leaking storm drain. They intend to have the intersection completely open the second week of September, at which point they will focus their efforts on 1160, which should be completed by early November.
- Regarding Battle Creek, they have implemented preventative measures with a turbidity meter, but during each storm, they do turn the water out into the culinary system. There are significant preventative measures, including monitoring and automatic valving.

- He is still looking at the numbers to determine if the Tuesday storm was a 50- or 100-year storm, but most weather stations showed the Tuesday storm as an intense 620 to 720, and in some areas, rainfall was three to four inches per hour.

Mayor Fugal noted that he lives near the intersection of 600 West and 1100 North, and he has nicknamed it the "intersection from hell." A lot of money and effort was put into the pre-investigation, including ground-penetrating radar, moving gas lines and cable lines, old irrigation, and manholes.

Recreations Director, Megan Zollinger, reported on the following:

- The mother of a seven-year-old autistic boy recently emailed asking about adaptive sports for her son. She lives in Cedar Hills, and she also emailed American Fork and Lehi. She met with other recreation directors, and all of northern Utah County has now banded together to have adaptive programming, beginning with Junior Jazz in Pleasant Grove. Each entity will take on a different sport, but they will all promote each event. Parents of children with disabilities can take advantage of the available opportunities regardless of where they reside. It will be fun, and she is pleased to be part of it. They plan to get the season up and running, and then share videos and pictures on social media.
- Silver Sneakers is available for residents aged 65 and older.

Fire Chief, Drew Engemann, reported on the following:

- He interviewed a few people to fill the open positions and planned to make offers that week.
- The firefighters are back from California, where they spent almost six weeks. Once the analysis is completed, he will present it to the Council and go over the number of fires, the costs, what the City gets out of it, and how they represented Pleasant Grove. The two seasonal firefighters were there for the entire time, and the full-time employees took turns so they did not have to stay for the full six weeks. There were no equipment failures with the exception of one flat tire.
- He was at a conference in Dallas during the storm, but the department helped out. All the departments work together really well.

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

- He scheduled a meeting with J.C. Smoot for the following day. He hopes to find a solution that benefits Mr. Smoot, residents, and the City.
- Sip-N Drinks and Treats opened the previous week.
- Panera's grand opening is scheduled for August 26, 2024.
- The American Planning Association Conference will be held in Provo from October 10 through October 11, 2024. Three members of the Planning Commission will attend. It is a two-day conference with classes for planners, City Council members, and Planning Commissioners, and he encouraged the Council Members to consider attending for at least one day.

Finance Director, Denise Roy, reported on the following:

- She planned to submit the GFOA budget that week.

12) REVIEW AND DISCUSSION OF THE SEPTEMBER 3, 2024, CITY COUNCIL MEETING AGENDA.

13) MAYOR AND COUNCIL BUSINESS.

Council Member Jensen reported that he and Council Member LeMone would attend the Panera Ribbon Cutting the following day at 11:30 a.m. There will be a luncheon at Oliver's Place on September 13, 2024, where Brandon Fugal will discuss Skinwalker Ranch. He thanked the Public Works Department for their great work during the storm. He also thanked the Parks Department, as well as the Library, Recreation, and Community Development Departments for their efforts.

Council Member Anderson reported that Coach Darrin Henry's son, Brooks, passed away. His funeral was the previous Tuesday, and the community came together to show their love and support. She offered the Council's condolences to the Henry family.

Council Member Rogers thanked the Parks Department for taking care of the issue at the cemetery. The resident who brought it up was very grateful for their response. Regarding the comments made about the district split, he stated that the Council and Mayor are well-versed in both the options that have been presented and the legal reality of what is available to the Council and Pleasant Grove residents. They make decisions based on the information they receive from multiple sources, and they have recognized that they are not the administrative body that should be making those types of decisions. It was not inaction, but rather a decision to take a course of action that they felt was in the best interests of the citizens. Regarding the e-bikes, there are e-bike riders near his house as well, and he agrees that it can be very dangerous. A young lady who was riding one without a helmet ended up in the hospital with severe injuries. He asked Staff to look into options either to increase enforcement or enact an ordinance to protect the riders, as well as pedestrians and people riding non-electric bikes. Administrator Darrington stated that they will review the current City Code.

Council Member Rogers thanked the Public Works Department and all the City employees who assisted during the storm. A neighboring business' window well filled up with water, the window burst inside, and the basement filled with over 18 inches of water. He stated that the City's response was as good as you could hope for.

Mayor Fugal thanked the Council for their input during the public hearing and stated that he believes they will work out a way for the developer to move forward.

14) SIGNING OF PLATS

15) REVIEW CALENDAR

Administrator Darrington stated that nothing is scheduled for the Mayor for the next two weeks,

but he has an appointment to discuss Heritage Days on September 9, 2024. They have invited Stacy Martineau to the next City Council Meeting to update the Council on upcoming library events. Renewal of the Head Start lease will also be on the agenda. Additionally, Staff has been working with the Trust for Public Lands, which is hoping to purchase the Niemer property. They are asking the City for an easement to ensure access, and staff hopes to include the public hearing on the September 3, 2024, agenda.

Administrator Darrington thanked the Council for supporting the staff. Events like Tuesday's storm are very stressful. Staff does its best to take care of the citizens and community, and having the Council's support is very important. When they discuss the staff's mission, vision, and values, their vision is to ensure that they are contributing to the community and making it better, and he believes that is what happened on Tuesday night.

16) CLOSED MEETING TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY (UCA 52-4-205(1)(d)).

ACTION: At 8:20 p.m., Council Member Andersen moved to ADJOURN the City Council Meeting and opened the Closed Session Meeting. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting "Yes".

The City Council was in Closed Session from 8:27 p.m. to 8:53 p.m.

ACTION: At 8:53 p.m., Council Member Williams moved to ADJOURN the Closed Session Meeting and reconvene as the City Council Meeting. Council Member Rogers seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting "Yes".

17) ADJOURN

ACTION: At 8:53 p.m. Council Member Anderson moved to ADJOURN the City Council Meeting. Council Member Anderson seconded the motion. The motion carried unanimously with Council Members Andersen, LeMone, Jensen, Rogers, and Williams voting "Yes".

The City Council minutes of August 20, 2024, were approved by the City Council on _____, 2024.

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
Work Session
Tuesday, September 3, 2024
4:30 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers
Todd Williams (arrived at 4:31 p.m.)

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Keldon Brown, Police Chief
Wendy Thorpe, City Recorder
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Andrew Engemann, Fire Chief
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director
Megan Zollinger, Recreation Director
Deon Giles, Parks Director
Daniel Cardenas, Community Development Director

Excused: Lauren Langston, Intern

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

4:30 P.M. WORK SESSION

Mayor Guy Fugal called the meeting to order at 4:30 p.m. and welcomed those present.

a. Introduction of New Employees.

Public Works Director, Neal Winterton, introduced Tristan, who previously worked part-time for the City and is now a full-time employee for the Water and Sewer Division. He is originally from Vernal and Price and had a role as a sales manager before starting work with Pleasant Grove.

b. Presentation of Upcoming Library Events – Stacy Martineau.

Following the Staff Business portion of the Work Session, Stacy Martineau shared information about upcoming library events. She noted that several of the programs shown are continuing programs that were in place previously and several are new. Most of the programs that happen in the morning are focused on early literacy for children under the age of six years old. Work is being done to prepare those children with the skills needed to be successful in kindergarten. While the main focus is basic literacy skills, such as recognizing letters, socialization with others is another focus. Ms. Martineau pointed out that the COVID-19 pandemic impacted socialization skills.

This year, a lot of the after-school activity programs have been split into different groups. There is now After School Adventures Junior, which is for kindergarten, first, and second-grade students on the second and fourth Wednesdays. It will provide more opportunities for learning and creativity. The other two Wednesdays will be Lego days. It is wonderful to watch these children be creative. Ms. Martineau explained that the children are given a challenge and are then able to explain what it is they have made and what it does. This tells children that their opinions matter and that what they create has value. Tuesdays are tween days, where children from 8 to 12 can attend. On the first Tuesday, there is a craft done. On the second Tuesday, a new game is taught to attendees. This gives them an opportunity to do something new and get to know one another. The third Tuesday is called Try Everything. This month, the Fire Department will come with the ladder truck and children will see what happens when items are thrown off of it as part of scientific discovery. On the fourth Tuesday of the month is Livestream, which is for science, technology, reading, engineering, art, and math. The activities for the first event will be based on a book.

Ms. Martineau noted that there are a lot of activities for younger children and families, but 20 to 30-year-olds were not being reached with the programming previously. That is the reason programming has been created specifically for this age group. There will be service projects and a lecture series. The first lecture series has to do with interior decorating for small spaces. For example, how to make an apartment feel like your own without losing the security deposit. There is a desire to teach attendees that it is possible to feel good in their homes and make them feel like their own. Ms. Martineau reported that there will also be an anime club. She asked the City Council to share information about these programs on social media to create more awareness.

It was noticed that fathers tend to bring their children to the library on Saturdays. As a result, some programs have been created on Saturdays that will appeal to fathers and their children. Council Member Todd Williams thanked Ms. Martineau for making a difference in the lives of young people. Ms. Martineau explained that the goal is to let children know there is a safe place for them and that they are loved. It is important for them to know the library is available to them.

Ms. Martineau reported that the Senior Center closes early. To address this, the library has an open craft day for senior citizens on Fridays. The intention is to create another space for them to socialize. She explained that there are many new programs happening this fall. Anything on the calendar that is not shown in brown is a new program. Discussions were had about how to best share this information. Ms. Martineau noted that the library has tried to share as much as possible.

Council Member Williams pointed out that the calendar includes activities six days a week for four weeks. Ms. Martineau informed those present that during the summer, there is a program that is run specifically for special needs senior citizens. The goal is to be as inclusive as possible with the programs and activities offered. Council Member Cyd LeMone noted that it is clear Ms. Martineau loves what she does. She thanked her for all of the hard work and stated that the City Council would do anything necessary to get the word out. Ms. Martineau expressed gratitude for the Library and Arts Director, who is supportive of the staff efforts as well as the City departments.

Ms. Martineau shared information about the Heritage Festival on Monday. She is grateful to the Parks Director and the team responsible for the preparations. This year, the focus is on Canada and Scotland. Casey Jackson and a bagpipe band will represent the Scotland area of focus. As for Canada, there will be dreamcatchers and lacrosse. She reported that the U.S. Forest Service will share information about how fires were fought in the 1850s. Additionally, there will be one vendor for food. This is not a money-centric event, so everything outside of the food is free. There will be a lot of entertainment, including the high school marching band and a washboard band with cowbells. There will also be log branding and Miss Rodeo will be doing some roping. There is a lot for members of the community to come and see during the Heritage Festival this year.

c. Staff Business.

Staff Business was discussed ahead of the presentation by Ms. Martineau.

Police Chief, Keldon Brown, reported that three probable replacements have been identified for the Police Department. One or two officers will be from the Sheriff's Department, with one joining in September and one in October. The third individual will likely be sponsored by the Police Academy. The intention is to have that individual enrolled in October. He stated that there is another retirement coming up in early October. It was noted that the Police Department did well in the City versus City Golf Tournament against American Fork and Lehi, as Pleasant Grove won the City Cup. A traveling trophy will be received in the near future and sit in the Mayor's Office.

Library and Arts Director, Sheri Britsch, clarified the reason she asked Ms. Martineau to share updates about the library. During a recent staff meeting, Ms. Martineau discussed why certain programs were chosen. Not only does she have excellent ideas, but there is also reason and passion behind the choices made. Director Britsch felt it was important for the Council to hear about that.

Recreation Director, Megan Zollinger, reported that the Parks and Recreation Department is busy. There are nine interviews scheduled tomorrow to fill the vacant position. Additionally, Kate Vest has started as a fitness coordinator. Winter sports will start shortly. Junior Jazz is just around the corner and Adaptive Junior Jazz registration is underway. Director Zollinger noted that the pickleball tournament is coming up as is the Monster Mash event. Those dates will be sent out.

Mayor Fugal asked Parks Director, Deon Giles, about changing the lights at Discovery Park on the fields. Director Giles reported that work began on Thursday and the plan is to be out there the next few days to install the diamond lights. The work may not be completed before flag football starts, but the goal is to have that work done shortly. The shade structure installation will begin tomorrow. Mayor Fugal asked about the Head Start program. Director Giles reported that there

were two diamonds, a score tower, and the old Jaycee building. Head Start owned that building. When the diamonds were redesigned to four instead of two, they approached the City to ask about replacing the Jaycee building with a modular. The older modular building is owned by Mountainland Head Start and the newer modular building is owned by the City and is leased.

Director Winterton shared information about a road project. He noted that the road was scheduled to be open east-west with a temporary signal, but the City felt it was in the best interest to add a large diameter storm drain pipe. Water will come all the way from 2600 North down to the new Kindness Park detention basins. With the intersection torn up, it made sense to put a large crossing in there. Everything was lined up to make that happen. However, though Dominion Energy had verified that their pipe was out of the way, it was not. The intersection is currently closed, but Dominion Energy is committed to having its work completed on Friday. It will then be possible for the City to complete the construction shortly after. Paving is scheduled to take place in September. Construction is approximately one month behind schedule. Director Winterton stressed the importance of safety and reminded those present that this is an investment in infrastructure. There are many infrastructure projects that are taking place in Pleasant Grove.

Director Winterton offered to answer any outstanding Council Member questions. When asked about Nathaniel Drive, he reported that the work is supposed to be completed in the first week of October. A water main is being replaced there. He explained that when a water main is installed, it needs to be chlorinated, there is a wait, and then it is tested. When crews are not seen in that location, it does not mean that work has paused, but that work is being done in a different section. He complimented the work done so far on Nathaniel Drive, as the excavation contractor has done very well. The contractor has gone above and beyond to make sure the project runs smoothly.

Council Member Steve Rogers asked for an update on the 4000 North and 900 West intersection project. Director Winterton reported that the early design phase is in process. The four-way stop option was brought back. The survey crew is going to survey and put stakes in the ground at the intersection so residents can see what the proposed alignment could actually look like. From there, it will be possible to start the negotiation process for right-of-way and other agreements that are needed along the corridor. The hope is to have that project bid out around January 2025.

Council Member Rogers wondered if there is an update on the pipe plant project. Director Winterton explained that every single discipline is out there working right now. There is a lot of installation work being done, including the playground and the pump track. The first pours for the skate park portion will be done this week. The drain lines are also being installed for the splash pad. The main feature for the splash pad is set to be delivered in the next week or so. It is an impressive piece shaped like a Viking ship that will be delivered in four sections and set into place. Council Member Rogers asked if the City Council can have a tour of the work that is being done. This was confirmed. Director Winterton reported that the home has been removed and the concrete is being placed in the cemetery portion this week. Starting next week, the irrigation for the cemetery portion will start to be installed. He noted that a lot of work is taking place.

Council Member Rogers asked if there is a final updated design for the entry arch that was presented previously. Director Winterton clarified that the design presented was a concept drawing and there are no construction drawings prepared at this time. The arch will likely not be

installed until next spring. There is a negotiated price that is within the budget last presented. Council Member Rogers reiterated the desire to have a tour of the area for members of the Council. Director Winterton reported that there is a lot of coordination being done for various City projects.

Fire Chief, Andrew Engemann, reported that there are some openings and a few job offers have been made. One accepted and a switch was made from a part-time position to a full-time position. There is still one position open and the hope is to fill that soon. Laurel Harness has picked up a full-time job elsewhere, so there will be a vacancy in the department until that position is filled.

Community Development Director, Daniel Cardenas reported that two weeks ago, an application was received for Fat Cats, which is being reviewed. It proposes eight movie theater rooms, 22 bowling lanes, and an arcade. This is similar to the location in Bluffdale. City Staff is working on the first round of comments regarding the design standards. He reiterated that a formal application has been submitted for the project. The main office for Fat Cats is in Pleasant Grove.

Human Resources Director, David Packard, noted that there have been a lot of interviews lately to fill open positions in the City. He reported that the summer steps challenge recently ended. There were a lot of participants and many impressive employees. The City-wide goal is 75 million steps. Director Packard explained that there was a new program this past quarter, the wellness bingo challenge. There have been a lot of activities in order to encourage wellness in the City. He is excited to see the bingo cards come in. On September 18, 2024, there will be a lunch where certificates for the steps challenge will be given out as well as prizes for the bingo challenge.

Finance Director, Denise Roy, informed those present that the budget was recently submitted to the Government Finance Officers Association ("GFOA"). Work is now being done on the audit.

Assistant to the City Administrator, Kyler Brower, reported that tomorrow the Utah League of Cities and Towns ("ULCT") convention starts. He encouraged those attending to use the time to create relationships with other elected officials. Now is the ideal time to start planning for the next Legislative Session. The intention is to be ready for the session and the bills. On October 11, 2024, the new Pleasant Grove website will roll out with a .gov domain. There will be an automatic redirect from the previous website address. The new website will be available next week or early the following week. Assistant Administrator Brower reported that next week is Patriot Day.

City Administrator, Scott Darrington, reported that the Panera Bread ribbon cutting will take place on Thursday at 11:00 a.m. An appointment was sent out to Council Members. Administrator Darrington informed those present that Heritage Days is on September 9, 2024, from 5:00 p.m. to dusk. For the City Council Meeting in two weeks, there is one agenda item currently, which is part of the Work Session. It is the PG Cares student spotlight, which is something that is planned to take place on a regular basis moving forward. There will likely be more agenda items added.

Council Member LeMone reported that she went to the new strip mall in The Grove. There are a lot of excellent restaurant options there. It is wonderful to have multiple options in Pleasant Grove. Council Member Todd Williams pointed out that the economic development happening is exciting to see. He appreciates everything that has been done to facilitate that development in the City.

Administrator Darrington suggested that the Regular Meeting agenda be reviewed. He noted that Item 10A is not a public hearing and relates to the agreement with Mountainland Head Start, Inc. City Attorney, Tina Petersen, reported that it is a renewal of a lease that was entered into in 2017. That lease expired and so a new lease has been created. The lease payments have increased to \$5,500 per year. The other difference is that Mountainland Head Start, Inc. would like permission to sublease one of the classrooms for an extended daycare/preschool. A lot of the patrons need extended care due to work hours. She explained that a non-profit is proposing to lease part of their classroom and be there until either 6:00 p.m. or 6:30 p.m. The City has required that proof of insurance be listed on their property insurance.

Administrator Darrington reported that Item 9A is a public hearing and asked that information be shared with the Council. Attorney Petersen explained that the item is somewhat complicated. She apologized that the wrong copy with the exhibits was put into the electronic Meeting Materials Packet, but it was amended earlier in the day and the correct copy is in the Meeting Materials Packet for the Mayor to sign. This is a land swap deal between the Trust for Public Land and Pleasant Grove City. The Trust for Public Land will be purchasing a large portion of the property that is up at the top of 200 South, near the secondary water tank and the entrance to Kiwanis Park. The U.S. Forest Service will purchase a portion of that after the Trust for Public Land acquires it. The City will also be purchasing a small portion of the property after the acquisition.

The U.S. Forest Service wants a guarantee before the deal closes that the City will grant them access to the 200 South property outside the bounds of where the pavement is. Attorney Petersen explained that this is essentially a preemptive easement in favor of the Trust for Public Land for access over Parcel 14:044:0094 and over the parcel where the water tank is located. Nothing will be recorded until the deal has been finalized with the Trust for Public Land.

Director Cardenas shared information about Item 9B. He explained that a few months ago, there was a rezone for 0.23 acres from the R-R (Rural Residential) Zone to the R1-10 (Single-Family Residential) Zone. There was a plat application and a rezone. Both applications were received at the same time and the rezone was approved. However, there are some issues with the plat, because the County will not allow the applicant to have frontage to a new lot. As a result, the plat is not moving forward. Staff has now applied to revert the zone back to what it was before the rezone.

MOTION: At 5:15 p.m. Council Member Williams moved to take a brief recess. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

The meeting reconvened at 5:16 p.m.

ADJOURNMENT

MOTION: At 5:34 p.m. Council Member Williams moved to ADJOURN the Work Session. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams 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, September 3, 2024
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
Cyd LeMone
Steve Rogers
Todd Williams

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Keldon Brown, Police Chief
Wendy Thorpe, City Recorder
Sheri Britsch, Library and Arts Director
Kyler Brower, Assistant to the City Administrator
Andrew Engemann, Fire Chief
Neal Winterton, Public Works Director
David Packard, Human Resources Director
Denise Roy, Finance Director
Lauren Langston, Intern
Megan Zollinger, Recreation Director
Deon Giles, Parks 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 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Guy Fugal called the meeting to order at 6:00 p.m. and welcomed those present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Eric Jensen.

3) **OPENING REMARKS**

The Opening Remarks were offered by Council Member Steve Rogers.

4) **APPROVAL OF MEETING AGENDA**

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

5) **OPEN SESSION**

Mayor Fugal opened the Open Session.

Aaron Alder stated that he lives on Mahogany Lane. He is grateful that the City Council has allowed him to share comments during the Regular Meeting. Mr. Alder expressed his concern regarding the increased presence of electric motorcycles in the community, specifically on the trail behind his home going north from the Grove Creek Canyon parking lot. Pedestrians and pets are frequently present in that area. While the convenience of electric vehicles on trails is recognized, electric motorcycles have become a significant nuisance and pose a safety risk to residents and animals. Mr. Alder explained that he is seeking clarification about whether electric motorcycles are currently permitted in these areas, as the sign at the Grove Creek Canyon parking lot says no motorized vehicles. There have been a few riders state that they are permitted to ride on the trail, meaning that they believe they are not using motorized vehicles. Regardless of the current regulations, he believes it is crucial to address this issue. The speed and potential danger these electric motorcycles present needs to be managed in order to maintain safety in the community.

Mr. Alder is willing to discuss his concerns further with City Staff and explore potential solutions, such as updating the motorized vehicle sign that is in place and/or existing regulations. According to Council Member Dianna Andersen, there are regulations, but the sign is not clear in that area. Some do not believe that their electric vehicles are considered motorized. Updating the sign, regulations, or laws to include restrictions on electric motorcycles on this path would be worthwhile. He looks forward to working with the City to ensure the community remains safe.

Mayor Fugal asked Police Chief, Keldon Brown, and Parks Director, Deon Giles, to work with Mr. Alder and clarify what the current laws are. It was requested that the current rules be reviewed during the meeting. City Administrator, Scott Darrington, explained that if a sign needs to be changed for additional clarity, that can be discussed further, but there is also a desire to define how this applies to the rest of the City. Enforcement is something to look into as well. Administrator Darrington reminded those present that electric motorcycles are not currently allowed on trails.

Council Member Rogers asked about the regulations in other cities. Administrator Darrington reported that City Staff is looking into this further. It was noted that there have been discussions about both electronic bicycles and electronic motorcycles. City Attorney, Tina Petersen explained that electronic or motorized vehicles have been problematic in all cities. It is something that has been discussed during the Municipal Attorney’s Association meetings. Some cities have adopted

ordinances, but there isn't anything uniform at this time. Electronic bicycles have different classes, where some are not classified as motorized vehicles and others are. This is a widespread issue that many cities are trying to figure out. Attorney Petersen feels confident that there will be new regulations in the future. The Police Department posted earlier about the Surron motorcycles and that was useful public information. More education about what is permitted is essential.

Discussions were had about the comment shared by Mr. Alder and the trail behind his home. Council Members appreciate that the City is looking into this matter so safety is prioritized. Administrator Darrington acknowledged that there are several issues associated with the use. The intention is to educate residents before tickets are issued. The Council stressed the importance of focusing on this matter moving forward, as there are safety concerns. Attorney Petersen stated that some coordination is needed since there is a desire to be uniform with other cities. She believes that a public education effort is needed to inform residents about the regulations in place.

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

6) CONSENT ITEMS

- A. To Consider for Approval Payment No. 3 to Awolf Construction, LLC for the 200 West; 400 North to Center Street Waterline and Roadway Construction Project.**
- B. To Consider for Approval Payment No. 9 to Hydrovac Excavation for the Pressurized Water Meters Installation Project.**
- C. To Consider for Approval Payment No. 2 to Cody Ekker Construction, Inc. for the BLVD Well Site Street Crossing Project.**
- D. To Consider for Approval Payment No. 4 to Kilgore Contracting for the Nathaniel Drive Waterline and Roadway Improvement Project.**
- E. To Consider for Approval Payment No. 4 to Kilgore Contracting for the Nathaniel Drive Waterline and Roadway Improvement Project.**
- F. To Consider for Approval Change Order No. 2 for J. Lyne Roberts and Sons, Inc. for the BLVD Well Facilities Project.**
- G. To Consider for Approval Payment No. 5 to J. Lyne Roberts and Sons, Inc. for the BLVD Well Facilities Project.**
- H. To Consider for Approval Payment No. 2 to Eagle Environmental, Inc. for the Asbestos and Hazardous Materials Removal Project.**
- I. To Consider for Approval Payment No. 5 to J. Lyne Roberts and Sons, Inc. for the Chlorination System Installation Atwood Well and Gibson Well, Anderson Well, and Adams Well Project.**
- J. To Consider for Approval Payment No. 9 to Big D Construction for the Cook Family Park Project.**
- K. To Consider Approval of Payment Reports for August 22, 2024, and August 27, 2024.**

Mayor Fugal reviewed the Consent Items with the City Council. Council Member LeMone recused herself from voting on Item A because she is related to the owner of Awolf Construction.

ACTION: Council Member Jensen moved to APPROVE the Consent Items. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, LeMone, Jensen, Rogers, and Williams voting “Yes”. Council Member LeMone recused herself from the vote for Item A on the list of Consent Items.

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

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A. **Public Hearing to Consider a Resolution (2024-038) Authorizing the Mayor to Sign an Access Easement for Ingress and Egress in Favor of the Trust for Public Land for Property Located at Approximately 200 South and 1750 East, Parcel #14:044:0094, Pleasant Grove, Utah County, Utah and Providing for an Effective Date. *Presenter: Attorney Petersen***

Attorney Petersen presented the Staff Report and explained that the Trust for Public Land is acquiring a large acreage on the south side of 200 South. She shared a map of the area and explained that the shaded area has been used as 200 South, but that piece of property was never actually deeded to the City or dedicated through a subdivision plat. The Trust for Public Land and the U.S. Forest Service want to make sure that it is considered a public road, which it is. Pursuant to the State Statute, if it has been used for over 10 years by the public, it automatically becomes public. She pointed out another area on the map that is outside the borderline of where the road is located. When the deal is complete, there will be a revised parcel number. The access easement will allow the U.S. Forest Service access to the areas that were indicated by Attorney Petersen.

The easement will not be recorded until the acquisition is complete. Attorney Petersen reported that the City will purchase a portion of the property and the U.S. Forest Service will purchase a portion of the property. The intention of the current process is to make sure the U.S. Forest Service feels comfortable and knows they will have access once the property acquisition is complete.

Mayor Fugal opened the public hearing. There were no public comments. The hearing was closed.

ACTION: Council Member Andersen moved to ADOPT Resolution 2024-038 - Authorizing the Mayor to sign an Access Easement for Ingress and Egress in favor of the Trust for Public Land for property located at approximately 200 South and 1750 East, Parcel # 14:044:0094, Pleasant Grove, Utah County, Utah, and providing for an effective date. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

- B. Public Hearing to Consider an Ordinance (2024-021) Amending the Official Zoning Map of Pleasant Grove City, Rezoning approximately 0.28 acres of property located at approximately 1330 North 100 East from the R1-10 (Single-Family Residential) Zone to the R-R (Rural Residential) Zone, Pleasant Grove City is the Applicant. Presenter: Director Cardenas.**

Community Development Director, Daniel Cardenas, presented the Staff Report and shared an aerial view of the property located at 1330 North 100 East. On May 21, 2024, the City Council approved a rezone from R-R (Rural Residential) to R1-10 (Single-Family Residential). At the time, work was being done with the applicant for a subdivision. The proposal was to have a new lot that would front 100 East. The applicant was working with the County to have access to two lots from 100 East, but that is unable to occur. Since having split zoning without lot boundaries is not best planning principles, Staff submitted an application to revert back to the R-R Zone. The item was presented to the Planning Commission and a unanimous recommendation of approval was forwarded to the City Council for the rezone from the R1-10 Zone to the R-R Zone.

Mayor Fugal opened the public hearing. There were no public comments. The public was closed.

ACTION: Council Member Jensen moved to ADOPT Ordinance 2024-021 - Amending the Official Zoning Map of Pleasant Grove City, rezoning approximately 0.28 acres of property located at approximately 1330 North 100 East from the R1-10 (Single-Family Residential) Zone to the R-R (Rural Residential) Zone, Pleasant Grove City is the Applicant. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

10) ACTION ITEMS READY FOR VOTE

- A. To Consider for Adoption a Resolution (2024-039) of the Governing Body of Pleasant Grove City Authorizing the Mayor to Sign a Lease Agreement with Mountainland Head Start, Inc. for Real Property located at 485 West 220 South, Suite 100, Pleasant Grove, Utah. Presenter: Attorney Petersen.**

Attorney Petersen reported that the item relates to the Head Start building that is located near the rodeo grounds. There has been a lease agreement with Mountainland Head Start, Inc. since 2017. It has since expired. The term of this lease commences on the current date and runs through September 2029. The rent will be \$5,500 annually, which is an increase of \$1,000 from the prior period. The lease amount under the old fees has already been paid for this year, so the next payment is not due until 2025. The use of the premises is for the Head Start program, a preschool, and an early education program, and also a sublease of a portion of one of the classrooms in order for an early childhood development daycare and preschool to offer extended hours to patrons of the Head Start program. The City is in charge of the maintenance for the building that the City owns and Mountainland Head Start, Inc. is in charge of the maintenance for the building that they own. Attorney Petersen stated that the City is to be listed as additional insureds on their property policies. There is also a \$600 per month utility fee that is included in the rental amount listed.

ACTION: Council Member Andersen moved to ADOPT Resolution 2024-039 of the Governing Body of Pleasant Grove City - Authorizing the Mayor to sign a Lease Agreement with Mountainland Head Start, Inc. for Real Property located at 485 West 220 South, Suite 100, Pleasant Grove. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

11) ITEMS FOR DISCUSSION

A. Staff Business.

There were no additional discussion items.

12) REVIEW AND DISCUSSION OF THE SEPTEMBER 17, 2024, CITY COUNCIL MEETING AGENDA.

There was no additional review of the September 17, 2024, City Council Meeting agenda.

13) MAYOR AND COUNCIL BUSINESS.

Council Member Rogers took time to acknowledge the many services available in Pleasant Grove.

14) SIGNING OF PLATS

The Blackham Farms Subdivision Plat was signed.

15) REVIEW CALENDAR

16) ADJOURN

ACTION: At 6:33 p.m. Council Member Jensen moved to ADJOURN the meeting. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

The City Council Minutes of September 3, 2024, were approved by the City Council on _____, 2024.

Wendy Thorpe, CMC

City Recorder

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

**PARTIAL PAYMENT ESTIMATE
NO. 2**

Name of Contractor:	CEM Aquatics		
Name of Owner:	Pleasant Grove City		
Date of Completion:	Amount of Contract:		Dates of Estimate:
Original: May 9, 2025	Original:	\$860,154.00	From: November 1, 2023
Revised: na	Revised:	na	To: August 30, 2024
Description of Job:	2024 Pool Work		
Amount	This Period		Total To Date
Amount Earned	\$110,000.00		\$191,500.00
Retainage Held	\$0.00		\$0.00
Retainage Being Released	\$0.00		\$0.00
Previous Payments	-		\$81,500.00
Amount Due	\$110,000.00		\$110,000.00

This project is on schedule

I hereby certify that I have carefully inspected the work and as a result of my inspection and to the best of my knowledge and belief, the quantities shown in this estimate are correct and have not been shown on previous estimates and the work has been performed in accordance with the Contract Documents.

Recommended by: Pleasant Grove Pool Staff

Date: 9/11/2024



Accepted by: CEM Aquatics

Date: 9-11-2024



Digitally signed
by Tim Garner

Date: 2024.09.11
12:25:37-07'00'



Approved by: Pleasant Grove City Mayor

Date: _____

APPLICATION AND CERTIFICATE FOR PAYMENT

Page 1

To (OWNER): Pleasant Grove Pool
Shawn 801-372-3148
582 East 300 South
Pleasant Grove, UT 84062

From: CEM Aquatics
3154 S Washington St
Salt Lake City, UT 84115

Project: Pleasant Grove Pool Work
582 E 300 S
Pleasant Grove, UT 84062

Via (Architect):

Application No: 2
Invoice No: 19396
Period To: 8/30/2024

Architect's
Project No:

Contract Date:

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Approved previous months	0.00	0.00
Approved this month	0.00	0.00
TOTALS	0.00	0.00
Net change by change orders	0.00	

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1.	ORIGINAL CONTRACT SUM	\$	860,154.00
2.	Net change by Change Orders	\$	0.00
3.	CONTRACT SUM TO DATE (LINE 1+/-2)	\$	860,154.00
4.	TOTAL COMPLETED & STORED TO DATE (Column G on Continuation Sheet)	\$	191,500.00
5.	RETAINAGE	\$	0.00
6.	TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5)	\$	191,500.00
7.	LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	81,500.00
8.	SALES TAX	\$	0.00
9.	CURRENT PAYMENT DUE	\$	110,000.00
10.	BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$	668,654.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payment received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: CEM Aquatics

By: _____ Date: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....\$

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

By _____ Date _____
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Page 2

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application Number: 2
 Application Date: 8/30/2024
 Period To: 8/30/2024
 Architect's Project No:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK BILLED FROM PREV APPLICATION (D+E+F)	WORK BILLED THIS PERIOD	MATERIALS STORED THIS PERIOD	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE
1	10% Mobilization & Procurement Deposit	81,500.00	81,500.00	0.00	0.00	81,500.00	100	0.00	0.00
2	Gutter Demo & Concrete Cutting Work	30,000.00	0.00	30,000.00	0.00	30,000.00	100	0.00	0.00
3	Gutter Remedy & Repair Work	150,000.00	0.00	50,000.00	0.00	50,000.00	33	100,000.00	0.00
4	Pool Coping & Concrete Curb	200,000.00	0.00	0.00	0.00	0.00	0	200,000.00	0.00
5	PVC Membrane Liner Repair Work @ Gutter Beach Entry	88,447.00	0.00	0.00	0.00	0.00	0	88,447.00	0.00
6	Pool Gutter Piping Addition	75,000.00	0.00	0.00	0.00	0.00	0	75,000.00	0.00
7	New Deck Anchors & Deck Equipment	60,000.00	0.00	0.00	0.00	0.00	0	60,000.00	0.00
8	Site Labor	130,000.00	0.00	30,000.00	0.00	30,000.00	23	100,000.00	0.00
9	Taxes	45,207.00	0.00	0.00	0.00	0.00	0	45,207.00	0.00
		860,154.00	81,500.00	110,000.00	0.00	191,500.00	22	668,654.00	0.00

CONTRACT CHANGE ORDER

Date: 9/11/2024

Project: 1160 North Utilities and Roadway Improvements Project

Location: Pleasant Grove City

Change Order No.: Two


Contractor: Got Dirt? Construction, LLC

Item No.	Description of Changes, Quantities, Units, Unit Prices, Change in Completion Schedule, etc.	Decrease In Contract Price	Increase In Contract Price
1100 North Future SD Installation			
201	Mobilization and Demobilization as Lump Sump		\$ 9,978.17
202	Storm Drain Boxes Time and Materials Lump Sump		\$ 35,590.16
203	Install city furnished pipe and backfill at 40 FT at \$434.79/ft		\$ 17,391.60
204	Misc Materials 1,000 tons at \$15.57 /ton		\$ 15,570.00
Change in Contract Price Due To This Change Order			
	Total Increase	-	\$ 78,529.93
	Total Decrease	\$ -	-
	Net	\$	78,529.93

The sum of \$78,529.93 is hereby added to the total contract price and the total adjusted contract price to date thereby is \$ 2,012,456.01 .

The number of construction days in the contract has not been extended. The final completion day will remain unchanged.

This Document shall become an amendment to the contract & all provisions of the contract will apply hereto.

Accepted BY:  **Bradley Fagg** 9/11/2024
Contractor Date

Recommended BY: _____
Engineer Date

Approved BY: _____
Owner Date

Quote for PG STORM Drain

07/22/2024 10:55PM Page 1

Got Girt Construction
277 N 950 W
Springville, UT 84663
Brad@gotdirtconstruction.com

Contact: Bradley Fagg
Phone: (801) 860-6834

Bond: Not Included
Sales Tax: Not Included
Bid Date: 07/23/2024

Quote To:

Phone:
Fax:
Email:

Quote is valid for 30 days.

Item	Description	Quantity	Unit	Unit Price	Extension
100	Mobilization and Demobilization	1.000	LS	9,978.170	9,978.17
200	Storm Drain Boxes Time and Materials	1.000	LS	35,590.160	35,590.16
300	PIPE MATERIALS AND LABOR	40.000	LF	434.790	17,391.60
6457	Materials	1,000.000	TONS	15.570	15,570.00
				Total Quote: \$	78,529.93

**PARTIAL PAYMENT ESTIMATE
NO. 3**

Name of Contractor:	<i>Got Dirt? Construction, LLC</i>		
Name of Owner:	<i>Pleasant Grove City</i>		
Date of Completion:	Amount of Contract:	Dates of Estimate:	
Original: June 15, 2025	Original:	\$1,922,116.72	From: August 14, 2024
Revised: na	Revised:	\$1,933,926.08	To: September 11, 2024
Description of Job:	<i>1160 North Utilities and Roadway Improvements Project</i>		
Amount	This Period	Total To Date	
Amount Earned	\$274,814.00	\$896,206.06	
Retainage Held	\$13,740.70	\$44,810.31	
Retainage Being Released	\$0.00	\$0.00	
Previous Payments	-	\$590,322.45	
Amount Due	\$261,073.30	\$261,073.30	

This project is on schedule

I hereby certify that I have carefully inspected the work and as a result of my inspection and to the best of my knowledge and belief, the quantities shown in this estimate are correct and have not been shown on previous estimates and the work has been performed in accordance with the Contract Documents.

Recommended by: Pleasant Grove City Engineering

Date: 9/11/2024 _____

Accepted by: Got Dirt? Construction, LLC

Date: 9/11/2024 _____


Approved by: Pleasant Grove City Mayor

Date: _____

Schedule of Values

PROJECT: Pleasant Grove City – 1160 North Utilities and Roadway Improvements Project

PAY PERIOD:

1 PAY PERIOD:

2 PAY PERIOD:

3

9/11/2024

ITEM NO.	NATURE OF WORK	CONTRACT ITEMS				QUANTITY		QUANTITY		QUANTITY		EARNINGS	
		Qty	Units	Unit Price	Bid Amt.	This Month	To Date	This Month	To Date	This Month	To Date	This Month	To Date
BASE BID SCHEDULE A - 1160 NORTH BASE BID													
1	Mobilization and Demobilization	1	LS	\$24,145.37	\$24,145.37	0.50	0.50		0.50		0.50	\$0.00	\$12,072.69
2	Install 8" PVC C900 Water Main & Fittings	990	LF	\$145.21	\$143,757.90		0.00	195.00	195.00	213.00	408.00	\$30,929.73	\$59,245.68
3	Install 1" Water Service Line	640	LF	\$94.43	\$60,435.20		0.00		0.00		0.00	\$0.00	\$0.00
4	Install Water Meter and Setter (City Furnished) Includes Demo of Existing	19	EA	\$736.26	\$13,988.94		0.00		0.00		0.00	\$0.00	\$0.00
5	Demo Fire Hydrant	2	EA	\$2,725.09	\$5,450.18		0.00		0.00		0.00	\$0.00	\$0.00
6	Install Fire Hydrants and Gate Valve Assembly	2	EA	\$8,896.61	\$17,793.22		0.00		0.00		0.00	\$0.00	\$0.00
7	Install 8" Water Gate Valve	3	EA	\$3,157.89	\$9,473.67		0.00	3.00	3.00		3.00	\$0.00	\$9,473.67
8	Install 8" Sewer Line and Demo Existing	850	LF	\$174.46	\$148,291.00		0.00		0.00		0.00	\$0.00	\$0.00
9	Install Sewer Manhole	3	EA	\$8,503.21	\$25,509.63		0.00		0.00		0.00	\$0.00	\$0.00
10	Install 4" Sewer Service Lateral	580	LF	\$62.75	\$36,395.00		0.00		0.00		0.00	\$0.00	\$0.00
11	Install 4" Pressure Irrigation PVC Distribution	1,050	LF	\$54.53	\$57,256.50		0.00	1050.00	1050.00		1050.00	\$0.00	\$57,256.50
12	Install 1" Pressure Irrigation Service	580	LF	\$32.16	\$18,652.80		0.00		0.00	580.00	580.00	\$18,652.80	\$18,652.80
13	Install 4" Pressure Irrigation Gate Valve	2	EA	\$3,466.16	\$6,932.32		0.00	2.00	2.00		2.00	\$0.00	\$6,932.32
14	Install Pressure Irrigation Meter	19	EA	\$1,156.28	\$21,969.32		0.00	19.00	19.00		19.00	\$0.00	\$21,969.32
15	Removal and Disposal of the Existing Irrigation Main	1,050	LF	\$16.54	\$17,367.00		0.00	1050.00	1050.00		1050.00	\$0.00	\$17,367.00
16	Removal and Disposal of Existing Manholes	4	EA	\$2,725.09	\$10,900.36		0.00		0.00	1.00	1.00	\$2,725.09	\$2,725.09
17	Removal and Disposal of the Existing Stormwater Pipe and Culverts at STA 6+50	1	LS	\$25,885.91	\$25,885.91		0.00	1.00	1.00		1.00	\$0.00	\$25,885.91
18	Roadway Excavation (Plan Quantity)	1,330	CY	\$36.00	\$47,880.00		0.00		0.00	362.73	362.73	\$13,058.18	\$13,058.18
19	Demo Curb, Gutter, and Sidewalk	15,500	SF	\$3.74	\$57,970.00		0.00		0.00		0.00	\$0.00	\$0.00
20	Install Road Base (Plan Quantity)	930	CY	\$71.27	\$66,281.10		0.00		0.00		0.00	\$0.00	\$0.00
21	Asphalt Resurfacing Roadway, 3" HMA Class II	680	Tons	\$146.01	\$99,286.80		0.00		0.00		0.00	\$0.00	\$0.00
22	Install Sidewalk	10,511	SF	\$9.63	\$101,220.93		0.00		0.00		0.00	\$0.00	\$0.00
23	Install 24" Curb and Gutter	2,102	LF	\$27.13	\$57,027.26		0.00		0.00		0.00	\$0.00	\$0.00
24	Install ADA Ramp	4	EA	\$2,779.55	\$11,118.20		0.00		0.00		0.00	\$0.00	\$0.00
25	Install 5' Cross Gutter Replacement	500	SF	\$17.69	\$8,845.00		0.00		0.00		0.00	\$0.00	\$0.00
26	Traffic Control	1	LS	\$11,623.55	\$11,623.55	0.50	0.50	0.25	0.75		0.75	\$0.00	\$8,717.66
27	Install Driveway Approaches	1,260	SF	\$11.37	\$14,326.20		0.00		0.00		0.00	\$0.00	\$0.00
BASE BID SCHEDULE B - 600 WEST BASE BID													
28	Mobilization and Demobilization	1	LS	\$2,241.39	\$2,241.39	0.50	0.50	0.25	0.75		0.75	\$0.00	\$1,681.04
29	1420 North Water Main Connection and Abandonment	1	EA	\$6,362.17	\$6,362.17		0.00	1.00	1.00		1.00	\$0.00	\$6,362.17
30	Install 10" PVC C900 Water Main & Fittings	560	LF	\$185.63	\$103,952.80	420.00	420.00	140.00	560.00		560.00	\$0.00	\$103,952.80
31	Install 1" Water Service Line	180	LF	\$33.73	\$6,071.40		0.00	180.00	180.00		180.00	\$0.00	\$6,071.40
32	Demo Fire Hydrant	1	EA	\$5,450.18	\$5,450.18		0.00	1.00	1.00		1.00	\$0.00	\$5,450.18
33	Install Fire Hydrants and Gate Valve Assembly	1	EA	\$8,190.30	\$8,190.30	1.00	1.00		1.00		1.00	\$0.00	\$8,190.30
34	Install 8" Water Gate Valve	8	EA	\$3,647.66	\$29,181.28	3.00	3.00		3.00		3.00	\$0.00	\$10,942.98
35	Install 8" PVC Gravity Sewer Line	300	LF	\$200.34	\$60,102.00		0.00		0.00		0.00	\$0.00	\$0.00
36	Install 18" PVC Gravity Sewer Line	280	LF	\$529.69	\$148,313.20		0.00	280.00	280.00		280.00	\$0.00	\$148,313.20
37	Install Sewer Manhole (5' Diameter)	2	EA	\$7,819.04	\$15,638.08		0.00	2.00	2.00		2.00	\$0.00	\$15,638.08
38	Reconnect 4" Sewer Service Lateral	4	EA	\$600.60	\$2,402.40		0.00	4.00	4.00		4.00	\$0.00	\$2,402.40
39	Removal and Disposal of Existing Manholes	3	EA	\$1,816.73	\$5,450.19		0.00	3.00	3.00		3.00	\$0.00	\$5,450.19
40	Remove Asphalt	9,265	SF	\$0.59	\$5,466.35		0.00	9265.00	9265.00	4274.00	13539.00	\$2,521.66	\$7,988.01
41	Asphalt Resurfacing Roadway, 3" HMA	220	Tons	\$214.35	\$47,157.00		0.00		0.00	457.40	457.40	\$98,043.69	\$98,043.69
42	Traffic Control	1	LS	\$11,623.55	\$11,623.55	0.50	0.50	0.25	0.75		0.75	\$0.00	\$8,717.66
BASE BID SCHEDULE C - 1100 North BASE BID													
43	Mobilization and Demobilization	1	LS	\$1,793.11	\$1,793.11	0.50	0.50	0.25	0.75		0.75	\$0.00	\$1,344.83
44	Install 8" Sewer Line	480	LF	\$251.45	\$120,696.00		0.00		0.00		0.00	\$0.00	\$0.00
45	Install Sewer Manhole	2	EA	\$8,738.19	\$17,476.38		0.00		0.00	2.00	2.00	\$17,476.38	\$17,476.38
46	Reconnect 4" Sewer Service Lateral	8	EA	\$668.42	\$5,347.36		0.00		0.00	8.00	8.00	\$5,347.36	\$5,347.36
47	Install 8" PVC C900 Water Main & Fittings	480	LF	\$70.26	\$33,724.80		0.00	480.00	480.00		480.00	\$0.00	\$33,724.80
48	Install 8" Water Gate Valve	4	EA	\$1,249.80	\$4,999.20		0.00	2.00	2.00		2.00	\$0.00	\$2,499.60
49	Install 1" Water Service Line	350	LF	\$22.60	\$7,910.00		0.00	200.00	200.00		200.00	\$0.00	\$4,520.00
50	Demo Fire Hydrant	1	EA	\$5,450.18	\$5,450.18		0.00	1.00	1.00		1.00	\$0.00	\$5,450.18
51	Remove Asphalt	8,800	SF	\$1.54	\$13,552.00		0.00	8800.00	8800.00	1350.00	10150.00	\$2,079.00	\$15,631.00
52	Asphalt Resurfacing Roadway, 3" HMA	190	Tons	\$201.01	\$38,191.90		0.00		0.00		0.00	\$0.00	\$0.00
53	Removal and Disposal of Existing Manholes	2	EA	\$2,725.09	\$5,450.18		0.00		0.00	2.00	2.00	\$5,450.18	\$5,450.18
54	Traffic Control	1	LS	\$15,161.16	\$15,161.16	0.50	0.50	0.25	0.75		0.75	\$0.00	\$11,370.87
BASE BID SCHEDULE - ADDITIVE/ALTERNATIVE BID ITEMS													
55	Homeowner's Sewer Service on 1160N	535	LF	\$35.12	\$18,789.20		0.00		0.00		0.00	\$0.00	\$0.00
56	Homeowner's Sewer Service Cleanout on 1160N	10	EA	\$310.11	\$3,101.10		0.00		0.00		0.00	\$0.00	\$0.00
57	Flowable Fill (5 CY Minimum Load)	10	CY	\$308.85	\$3,088.50		0.00		0.00		0.00	\$0.00	\$0.00
BASE BID SCHEDULE - Incentives													
58	Early Completion Bonus	1	LS	\$50,000.00	\$50,000.00		0.00		0.00		0.00	\$0.00	\$0.00
Subtotal		\$1,922,116.72										\$196,284.07	\$785,376.13

Change Order # 1													
34*	Install 8" Water Gate Valve	-4	EA	\$3,647.66	\$ (14,590.64)	-	-		-		-	-	-
101	Strawberry Parade Preparation	1	LS	\$2,000.00	\$ 2,000.00	1.00	1.00		1.00		1.00	\$0.00	\$2,000.00
102	Install 10" Water Gate Valve	4	EA	\$5,900.00	\$ 23,600.00	4.00	4.00	1.00	5.00		5.00	\$0.00	\$29,500.00
103	Furnish and install 8" x 6" reducers on 1000 N	2	EA	\$400.00	\$ 800.00	2.00	2.00		2.00		2.00	\$0.00	\$800.00
Subtotal		\$11,809.36								\$0.00		\$32,300.00	

Change Order # 2													
201	1100 N future SD Crossing	1	LS	\$78,529.93	\$78,529.93		0.0		0.00	1.00	1.00	\$78,529.93	\$78,529.93
Subtotal		\$78,529.93								\$78,529.93		\$78,529.93	

Total \$2,012,456.01

TOTAL		\$274,814.00	\$896,206.06
AMOUNT RETAINED	\$13,740.70	\$44,810.31	
RETAINAGE RELEASED		\$0.00	
PREVIOUS RETAINAGE	-	\$31,069.61	
PREVIOUS PAYMENTS	-	\$590,322.45	
AMOUNT DUE	\$261,073.30	\$261,073.30	

The Spreadsheet you provided is hard to follow as the unit price column sometimes has unit prices and sometimes has quantities. I tried to interpret what I could and filled out the city form as to the best of my knowledge. Below are some items that I need before payment is made on specific items and some comments on other items. In order to get you paid for something I have included what I am comfortable paying at this time on the pay request with what information I have available to me on such short notice. We can do another payment after we finalize change orders if you like.

Bid Item #2

Shawn measured 544 ft total on 1160 N installed but not tested. This was added to the pay request at 75% .

Bid Item #3

There is not any section of this main line live yet. No payment made on this request

Bid Item #16

Manhole added for the one in 1160 N and 600 W

Bid Item #18

Only the asphalt has been removed so 3" was included in the pay request.

Bid Item #34

These valves were accounted for in the change order section on the last pay request.

Bid Item #39

The manholes along this section have already been paid for in PR#2.

Bid Item #40

Added 4274 SF as a total of 23,689 SF was measured by Shawn for 600 W (13,945 SF) and 1100 N (9,744 SF).

Bid Item #48

These valves were accounted for in the change order section on the last pay request.

Bid Item #57

Can you include the flow able fill ticket for when then SD was encased

Change order #2

The SD crossing was added as requested over the phone.

BID SCHEDULES**PLEASANT GROVE CITY**

1160 North Utilities and Roadway Improvements Project Bids

All applicable sales taxes, State, and/or Federal, and any other special taxes, patent rights, or royalties are included in the price quoted in this Proposal.

Figures to be typewritten or clearly and legibly printed in ink. LF is equal to linear-feet, LS is lump sum, SF is equal to square-feet and CY is equal to cubic-yards.

Pleasant Grove BID SCHEDULES - 1160 NORTH UTILITIES AND ROADWAY IMPROVEMENTS PROJECT BIDS Refer to Measurement and Payment Plan (M&P) for the scope of work of each line item. <i>prepared by Epic Engineering as of 05/8/2024</i>					
#	DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
Schedule A - 1160 North					
1	Mobilization and Demobilization	1	LS		
2	Install 8" PVC C900 Water Main & Fittings	600	LF	145.21	\$ 87,126.00
3	Install 1" Water Service Line	300	LF	94.43	\$ 28,329.00
4	Install Water Meter and Setter (City Furnished) Includes Demo of Existing		EA		
5	Demo Fire Hydrant	2	EA		
6	Install Fire Hydrants and Gate Valve Assembly	2	EA		
7	Install 8" Water Gate Valve	3	EA		
8	Install 8" Sewer Line and Demo Existing	850	LF		
9	Install Sewer Manhole	3	EA		
10	Install 4" Sewer Service Lateral	580	LF		
11	Install 4" Pressure Irrigation PVC Distribution	1050	LF		
12	Install 1" Pressure Irrigation Service	580	LF	32.16	\$ 18,652.80
13	Install 4" Pressure Irrigation Gate Valve		EA		
14	Install Pressure Irrigation Meter		EA		
15	Removal and Disposal of the Existing Irrigation Main	1050	LF		
16	Removal and Disposal of Existing Manholes	4	EA		
17	Removal and Disposal of the Existing Stormwater Pipe and Culverts at STA 6+50	1	LS		
18	Roadway Excavation (Plan Quantity)	1,330	CY	1,330	\$ 47,880.00
19	Demo Curb, Gutter, and Sidewalk	15,500	SF		
20	Install Road Base (Plan Quantity)	930	CY		
21	Asphalt Resurfacing Roadway, 3" HMA Class II	680	Tons		
22	Install Sidewalk	10,511	SF		

23	Install 24" Curb and Gutter	2,102	LF		
24	Install ADA Ramp	4	EA		
25	Install 5' Cross Gutter Replacement	500	SF		
26	Traffic Control	1	LS		
27	Install Driveway Approaches	1260	SF		
SUBTOTAL BID (ITEMS # 1 – 27)					\$ 181,987.80

Schedule B - 600 West

28	Mobilization and Demobilization	1	LS		
29	1420 North Water Main Connection and Abandonment		EA		
30	Install 10" PVC C900 Water Main & Fittings		LF		
31	Install 1" Water Service Line		LF		
32	Demo Fire Hydrant	1	EA		
33	Install Fire Hydrants and Gate Valve Assembly	1	EA		
34	Install 8" Water Gate Valve	2	EA	3,647.66	\$ 7,295.32
35	Install 8" PVC Gravity Sewer Line	300	LF		
36	Install 18" PVC Gravity Sewer Line	280	LF		
37	Install Sewer Manhole (5' Diameter)	2	EA		
38	Reconnect 4" Sewer Service Lateral	4	EA		
39	Removal and Disposal of Existing Manholes	2	EA	1,816.73	\$ 3,633.46
40	Remove Asphalt		SF		
41	Asphalt Resurfacing Roadway, 3" HMA	458	Tons	214.35	\$ 98,172.30
42	Traffic Control	1	LS		
SUBTOTAL BID (ITEMS # 28 – 42)					\$ 109,101.08

Schedule C - 1100 North

43	Mobilization and Demobilization	1	LS		
44	Install 8" Sewer Line	480	LF		
45	Install Sewer Manhole	2	EA	2	\$ 17,476.98
46	Reconnect 4" Sewer Service Lateral	8	EA	8	\$ 5,347.36
47	Install 8" PVC C900 Water Main & Fittings	480	LF		
48	Install 8" Water Gate Valve	4	EA	2.00	\$ 2,499.60
49	Install 1" Water Service Line		LF		

50	Demo Fire Hydrant		EA		
51	Remove Asphalt	1,350	SF	1.54	\$ 2,079.00
52	Asphalt Resurfacing Roadway, 3" HMA	190	Tons		
53	Removal and Disposal of Existing Manholes	2	EA	2	\$ 5,450.18
54	Traffic Control	1	LS		
SUBTOTAL BID (ITEMS # 43- 54)					\$ 32,853.12
TOTAL BASE BIDS (ITEMS # 1 -54)					
ADDITIVE/ALTERNATIVE BID ITEMS					
55	Homeowner's Sewer Service on 1160N	535	LF		
56	Homeowner's Sewer Service Cleanout on 1160N	10	EA		
57	Flowable Fill (5 CY Minimum Load)	10	CY		
SUBTOTAL BID (ITEMS # 55-57)					
Total for this Pay request					\$ 323,942.00

Bidder is cautioned to read carefully the INFORMATION FOR BIDDERS Section of these Contract Documents and the INSTRUCTIONS FOR PREPARING PROPOSAL relating to what is to be furnished under each item of the PROPOSAL and to submittal of bid.

Bidder understands and agrees that the Owner reserves the right to reject any or all bids and to waive any informalities in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of 90 calendar days after the scheduled closing time for receiving bids. Bidder acknowledges receipt of the following addenda:

The undersigned bidder shall acknowledge receipt of the following addenda, if any.

Addenda No(s).

Respectfully submitted,

Bidder

(Corporate Seal)

If bid is by corporation

By Leon Van Sickle

Witness: if bidder is an individual Owner of Got Dirt Constuction LLC

Title

Bidder's post office address:

1641 Alvey Drive Suite 2B Mapleton, UT 84664

Name and address of all members of the firm or names and titles of all

officers of the corporation:

Bidder's Street address:

1641 Alvey Drive Suite 2B Mapleton, UT 84664

Bidder's phone number:

(801) 592-8910

Report Criteria:

Invoices with totals above \$0 included.

Only unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
10-13100 ACCTS REC.- CITY EMPLOYEES							
7505	SKAGGS COMPANIES, IN	450A2340972	PD/PERSONAL SUPPLIES	08/06/2024	151.48	.00	
7505	SKAGGS COMPANIES, IN	450A2400553	PD/PERSONAL SUPPLIES	08/08/2024	40.80	.00	
7505	SKAGGS COMPANIES, IN	450A2441631	PD/PERSONAL SUPPLIES	08/06/2024	82.98	.00	
10-24350 SENIOR CITIZEN CLEARING							
5478	MOUNTAINLAND ASSOCI	08312024	SR. CNTR/CONTRIBUTION	08/31/2024	1,598.00	.00	
Total :					1,873.26	.00	
JUDICIAL							
10-42-240 OFFICE EXPENSE							
2122	CULLIGAN BOTTLED WA	465X25490204	JUDICIAL/DRINKING WATER	08/31/2024	34.60	.00	
10-42-330 PROFESSIONAL SERVICES							
2970	FLORES, ALFONSO	08212024	JUDICIAL/INTERPRETER	08/21/2024	171.00	.00	
Total JUDICIAL:					205.60	.00	
NON-DEPARTMENTAL							
10-43-310 LEGAL SERVICES							
4376	JOHN H. JACOBS P.C.	08312024	LEGAL SERVICES	08/31/2024	7,718.58	.00	
7983	STEVENS & GAILEY	12973	LEGAL SERVICES	09/03/2024	624.00	.00	
10-43-330 PROFESSIONAL SERVICES							
2949	FLINDERS, LISA	0824	CONTRACTED SERVICES	08/03/2024	2,610.00	.00	
10-43-760 TECHNOLOGY							
9040	UTOPIA FIBER	CIV202409-03	INTERNET SERVICE	09/01/2024	915.00	.00	
10-43-770 Public Safety Trust Fund							
815	BATTLE CREEK BEHAVIO	17135	PD/PROFESSIONAL SERVICES	07/11/2024	150.00	.00	
815	BATTLE CREEK BEHAVIO	17181	PD/PROFESSIONAL SERVICES	07/18/2024	150.00	.00	
815	BATTLE CREEK BEHAVIO	17260	PD/PROFESSIONAL SERVICES	08/02/2024	150.00	.00	
815	BATTLE CREEK BEHAVIO	17302	PD/PROFESSIONAL SERVICES	08/12/2024	150.00	.00	
815	BATTLE CREEK BEHAVIO	17369	PD/PROFESSIONAL SERVICES	08/23/2024	150.00	.00	
3792	HEALTHIER YOU COUNS	09032024	FIRST RESPONDERS COUNSELING	09/03/2024	1,048.97	.00	
Total NON-DEPARTMENTAL:					13,666.55	.00	
LEGAL SERVICES							
10-44-220 PUBLICATION EXPENSE							
5091	MATTHEW BENDER & CO	42145023	LEGAL/UT CODE 2024 SUP & INDEX	07/30/2024	1,335.66	.00	
5091	MATTHEW BENDER & CO	42325595	LEGAL/UT CODE ANNO 24 SUP	08/22/2024	45.24	.00	
10-44-760 TECHNOLOGY							
6845	RELX INC.	3095321617	LEGAL/SUBSCRIPTION ONLINE INF	08/31/2024	251.00	.00	
Total LEGAL SERVICES:					1,631.90	.00	
ADMINISTRATIVE SERVICES							
10-46-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	39.47	.00	
10-46-930 COMMUNITIES THAT CARE GRANT							
4136	IN FOCUS EDUCATION G	09042024	CTC/EDUCATORS	09/04/2024	795.00	.00	
4136	IN FOCUS EDUCATION G	09052024	CTC/EDUCATORS	09/05/2024	4,770.00	.00	
5033	MACEYS	361105	CTC/SUPPLIES	07/18/2024	50.02	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5033	MACEYS	361254	CTC/SUPPLIES	08/22/2024	125.12	.00	
Total ADMINISTRATIVE SERVICES:					5,779.61	.00	
FACILITIES							
10-47-250 VEHICLE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	104.14	.00	
10-47-530 CITY HALL - BLDG MAINTENANCE							
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	112.72	.00	
10-47-560 PARKS - BUILDING MAINTENANCE							
1521	CERTIFIED FIRE PROTE	28451	BUILDING MAINTENANCE	06/30/2024	1,037.92	.00	
1870	CODALE ELECTRIC SUP	S008633146.0	BUILDING MAINTENANCE	08/22/2024	71.14	.00	
1870	CODALE ELECTRIC SUP	S008633174.0	BUILDING MAINTENANCE	08/29/2024	96.08	.00	
10-47-620 POLICE - BLDG MAINT							
4210	INTERMOUNTAIN DOORS	8471	BUILDING MAINTENANCE	08/19/2024	1,085.00	.00	
10-47-660 FIRE/AMBULANCE - BLDG MAINT							
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	510.53	.00	
10-47-670 FIRE/AMBULANCE - BLDG IMPROVE							
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	171.00	.00	
10-47-700 CEMETERY BLDG - BLDG MAINT							
1870	CODALE ELECTRIC SUP	S008641172.00	BUILDING MAINTENANCE	08/28/2024	414.53	.00	
1870	CODALE ELECTRIC SUP	S008643912.0	BUILDING MAINTENANCE	08/29/2024	79.99	.00	
1870	CODALE ELECTRIC SUP	S008646061.0	BUILDING MAINTENANCE	09/03/2024	101.55	.00	
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	92.32	.00	
10-47-730 LIBRARY/SENIOR - BLDG MAINT							
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	82.24	.00	
10-47-780 PUBLIC WORKS - BLDG MAINT							
5482	MOUNTAINLAND SUPPLY	S106433076.0	BUILDING MAINTENANCE	08/29/2024	15.08	.00	
10-47-830 SR CENTER - BLDG MAINT							
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	72.60	.00	
Total FACILITIES:					4,046.84	.00	
ENGINEERING							
10-51-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	705.49	.00	
10-51-332 PROFESSIONAL SERVICES							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	1,750.73	.00	
Total ENGINEERING:					2,456.22	.00	
COMMUNITY DEVELOPMENT							
10-52-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	233.96	.00	
10-52-480 DEPARTMENTAL SUPPLIES							
8219	TEXTILE TEAM OUTLET	7714	COM DEV/SHIRTS	08/06/2024	1,126.69	.00	
Total COMMUNITY DEVELOPMENT:					1,360.65	.00	
POLICE DEPARTMENT							
10-54-240 OFFICE EXPENSE							
990	BLUEFIN OFFICE GROUP	020373.00	PD/OFFICE SUPPLIES	08/22/2024	106.56	.00	
990	BLUEFIN OFFICE GROUP	020401.00	PD/OFFICE SUPPLIES	08/26/2024	40.75	.00	
10-54-250 VEHICLE EXPENSE							
2441	DISCOUNT TIRE CO.	8163750	PD/NEW TIRE	08/15/2024	179.50	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	8,363.59	.00	
3166	FUELMAN	67054512	VOLUME DISCOUNT	09/02/2024	320.50-	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3468	GREASE MONKEY #790	305424	PD/VEHICLE MAINTENANCE	08/20/2024	95.39	.00	
3468	GREASE MONKEY #790	305638	PD/VEHICLE MAINTENANCE	08/26/2024	95.39	.00	
10-54-280 TELEPHONE EXPENSE							
1518	CENTURY LINK	08282024	PD/ALARM PHONE LINE	08/28/2024	88.24	.00	
1518	CENTURY LINK	08282024	PD/ALARM PHONE LINE	08/28/2024	88.24	.00	
1518	CENTURY LINK	08282024	PD/ELEVATOR PHONE LINE	08/28/2024	75.66	.00	
10-54-450 RADIO SERVICE							
4022	HUNT ELECTRIC, INC.	81208	PD/RADIO EXPENSE	08/16/2024	357.50	.00	
10-54-480 DEPARTMENTAL SUPPLIES							
1339	FENTON, CORY M	1	PD/PISTOL BOX	08/21/2024	550.00	.00	
3012	FORENSIC NURSING SE	1768	PD/SPECIMEN COLLECTION	08/14/2024	170.00	.00	
7220	SALT LAKE WHOLESALE	99766	PD/DEPARTMENTAL SUPPLIES	08/19/2024	335.41	.00	
8117	TARGET SOLUTIONS LEA	102994	PD/ANNUALLY MAINTENANCE FEE	08/27/2024	329.50	.00	
Total POLICE DEPARTMENT:					10,555.23	.00	
FIRE DEPARTMENT							
10-55-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	3,801.26	.00	
4019	HUMPHRIES, INC.	0002033794	FIRE/VEHICLE EXPENSE	08/06/2024	336.56	.00	
4674	LARRY H MILLER SUPER	697831	FIRE/VEHICLE REPAIR	08/09/2024	668.95	.00	
4674	LARRY H MILLER SUPER	700715	FIRE/VEHICLE REPAIR	08/21/2024	1,165.00	.00	
8112	TANNER'S RADIATOR & A	34160-2	FIRE/VEHICLE REPAIR	10/03/2023	1,498.95	.00	
10-55-300 UNIFORM EXPENSE							
7505	SKAGGS COMPANIES, IN	450A2435661	FIRE/BOOTS	08/27/2024	469.99	.00	
10-55-480 DEPARTMENTAL SUPPLIES							
1060	BOUNDTREE MEDICAL, L	85464329	FIRE/DEPARTMENTAL SUPPLIES	08/26/2024	447.53	.00	
9831	ZOLL MEDICAL CORPOR	4037205	FIRE/MEDICAL EQUIPMENT	08/27/2024	847.00	.00	
10-55-740 EQUIPMENT							
4614	L.N. CURTIS & SONS	857248	FIRE/EQUIPMENT EXPENSE	08/21/2024	568.86	.00	
Total FIRE DEPARTMENT:					9,804.10	.00	
ANIMAL CONTROL							
10-57-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	98.97	.00	
Total ANIMAL CONTROL:					98.97	.00	
STREETS							
10-60-210 MEETINGS & MEMBERSHIPS							
5033	MACEYS	372113	STR/MEETING EXPENSE	07/16/2024	435.12	.00	
10-60-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	999.33	.00	
5482	MOUNTAINLAND SUPPLY	S106413182.0	STR/VEHICLE REPAIR PARTS	08/21/2024	76.14	.00	
5482	MOUNTAINLAND SUPPLY	S106413182.0	STR/VEHICLE REPAIR PARTS	08/23/2024	697.61	.00	
5833	O'REILLY AUTOMOTIVE I	3623*-139490	STR/VEHICLE EXPENSE	07/11/2024	67.96	.00	
5833	O'REILLY AUTOMOTIVE I	3623-139596	STR/DEPARTMENTAL SUPPLIES	07/10/2024	19.99	.00	
5833	O'REILLY AUTOMOTIVE I	3623-143856	STR/DEPARTMENTAL SUPPLIES	08/06/2024	8.49	.00	
10-60-278 STREET LIGHT MAINTENANCE							
972	BLACK & McDONALD	76-1655272	STREET LIGHT MAINTENANCE	06/26/2024	808.81	.00	
972	BLACK & McDONALD	76-1655281	STREET LIGHT MAINTENANCE	06/26/2024	384.12	.00	
972	BLACK & McDONALD	76-1676230	STREET LIGHT MAINTENANCE	08/21/2024	3,761.63	.00	
972	BLACK & McDONALD	76-1676231	STREET LIGHT MAINTENANCE	08/21/2024	3,847.29	.00	
972	BLACK & McDONALD	76-1676235	STREET LIGHT MAINTENANCE	08/21/2024	1,635.29	.00	
10-60-480 DEPARTMENTAL SUPPLIES							
974	BISCO	1692740	STR/DEPARTMENTAL SUPPLIES	08/21/2024	374.71	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1368	C-A-L RANCH STORES	14732/8	STR/DEPARTMENTAL SUPPLIES	08/21/2024	239.92	.00	
1368	C-A-L RANCH STORES	14733/8	STR/DEPARTMENTAL SUPPLIES	08/21/2024	97.48	.00	
1368	C-A-L RANCH STORES	14734/8	STR/CREDIT	08/21/2024	59.98-	.00	
1760	CINTAS CORP	5225410833	PUBLIC WORKS/FIRST AID SUPPLI	08/15/2024	17.72	.00	
1760	CINTAS CORP	9286269567	PUBLIC WORKS/FIRST AID SUPPLI	08/31/2024	47.88	.00	
4019	HUMPHRIES, INC.	2038804	MULTI DEPT/CYLINDER RENTAL	08/31/2024	47.12	.00	
7398	SHERWIN-WILLIAMS CO.	1946-2	STR/PAINT	08/27/2024	172.85	.00	
7398	SHERWIN-WILLIAMS CO.	9242800	STR/DEPARTMENTAL SUPPLIES	06/13/2024	25.75	.00	
Total STREETS:					13,705.23	.00	
LIBRARY							
10-65-280 TELEPHONE EXPENSE							
1518	CENTURY LINK	08282024	LIB/ELEVATOR LINE	08/28/2024	94.20	.00	
10-65-480 BOOKS							
4159	INGRAM LIBRARY SERVI	83294685	LIB/BOOKS	08/20/2024	657.86	.00	
4159	INGRAM LIBRARY SERVI	83315719	LIB/BOOKS	08/21/2024	425.76	.00	
4159	INGRAM LIBRARY SERVI	83362185	LIB/BOOKS	08/23/2024	265.93	.00	
4159	INGRAM LIBRARY SERVI	83362186	LIB/BOOKS	08/23/2024	184.22	.00	
4159	INGRAM LIBRARY SERVI	83422622	LIB/BOOKS	08/27/2024	242.74	.00	
4159	INGRAM LIBRARY SERVI	83422623	LIB/BOOKS	08/27/2024	243.19	.00	
10-65-485 AUDIO/VISUAL MATERIALS							
6270	PLAYAWAY PRODUCTS L	472604	LIB/AUDIO MATERIALS	08/27/2024	460.47	.00	
6270	PLAYAWAY PRODUCTS L	472636	LIB/AUDIO MATERIALS	08/27/2024	48.74	.00	
10-65-610 MISCELLANEOUS EXP.							
3571	GURR'S COPYTEC	68163	LIB/POSTER	08/01/2024	6.72	.00	
Total LIBRARY:					2,629.83	.00	
PARKS							
10-70-200 MOWER EXPENSE							
2178	CUTLERS, INC.	682743	PARKS/MOWER MAINTENANCE	08/27/2024	281.25	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	743.54	.00	
10-70-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	2,264.64	.00	
10-70-320 SPRINKLER & LANDSCAPE							
970	BJ PLUMBING SUPPLY	001042926	PARKS/DEPARTMENTAL SUPPLIES	08/22/2024	78.08	.00	
970	BJ PLUMBING SUPPLY	001042972	PARKS/DEPARTMENTAL SUPPLIES	08/23/2024	75.33	.00	
970	BJ PLUMBING SUPPLY	001043497	PARKS/DEPARTMENTAL SUPPLIES	08/28/2024	69.95	.00	
970	BJ PLUMBING SUPPLY	1042017	PARKS/DEPARTMENTAL SUPPLIES	08/13/2024	121.58	.00	
2766	EWING IRRIGATION PRO	23255624	PARKS/DEPARTMENTAL SUPPLIES	08/27/2024	56.96	.00	
10-70-330 PLAYGROUND SUPPLIES							
6450	PREVENTIVE PEST CON	500062	PARK/PEST CONTROL-MAHOGANY	08/15/2024	82.32	.00	
10-70-480 DEPARTMENTAL SUPPLIES							
2766	EWING IRRIGATION PRO	23255668	PARKS/DEPARTMENTAL SUPPLIES	06/27/2024	65.06	.00	
4019	HUMPHRIES, INC.	2038804	MULTI DEPT/CYLINDER RENTAL	08/31/2024	47.12	.00	
10-70-670 SAFETY EQUIP. & SUPPLIES							
1760	CINTAS CORP	5225410858	PARK/FIRST AID SUPPLIES	08/15/2024	84.09	.00	
Total PARKS:					3,969.92	.00	
RECREATION							
10-71-240 OFFICE EXPENSE							
5729	ODP BUSINESS SOLUTIO	383717915001	REC/OFFICE SUPPLIES	08/30/2024	59.99	.00	
5729	ODP BUSINESS SOLUTIO	383718668001	REC/OFFICE SUPPLIES	08/30/2024	204.86	.00	
5729	ODP BUSINESS SOLUTIO	384811660001	REC/OFFICE SUPPLIES	08/29/2024	57.88	.00	
5729	ODP BUSINESS SOLUTIO	384811965001	REC/OFFICE SUPPLIES	08/29/2024	296.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
17-90-866 SEWER MASTER PLAN							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	2,274.20	.00	
Total :					2,274.20	.00	
Total SEWER IMPACT FEES:					2,274.20	.00	
CLASS C ROAD FUND							
EXPENDITURES							
20-40-480 DEPARTMENTAL SUPPLIES							
4212	INTERMOUNTAIN TRAFFI	55686	CLASS C ROADS/DEPARTMENTAL	06/26/2024	6,911.04	.00	
Total EXPENDITURES:					6,911.04	.00	
Total CLASS C ROAD FUND:					6,911.04	.00	
CEMETERY							
22-70-200 MOWER EXPENSE							
2178	CUTLERS, INC.	682826	CEM/REPAIR PARTS	08/27/2024	15.47	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	470.61	.00	
22-70-250 VEHICLE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	410.68	.00	
22-70-320 SPRINKLER & LANDSCAPE							
970	BJ PLUMBING SUPPLY	1043344	CEM/DEPARTMENTAL SUPPLIES	08/27/2024	31.93	.00	
5715	NORTH POINTE SOLID W	116522-8/31/20	CEM/GARBAGE DISPOSAL FEE	08/31/2024	12.00	.00	
5715	NORTH POINTE SOLID W	116525-083120	CEM/GARBAGE DISPOSAL FEE	08/31/2024	24.00	.00	
Total :					964.69	.00	
Total CEMETERY:					964.69	.00	
STORM DRAIN UTILITY FUND							
GENERAL GOVERNMENT							
48-41-250 VEHICLE EXPENSE							
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	1,332.11	.00	
3974	HOSE & RUBBER SUPPL	01966467	STRM DRN/DEPARTMENTAL REPAI	08/26/2024	507.39	.00	
48-41-330 ENGINEERING SERVICES							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	227.42	.00	
48-41-370 DUMP FEE							
5715	NORTH POINTE SOLID W	116525-083120	STRM DRN/SWEEPING DISPOSAL F	08/31/2024	212.85	.00	
48-41-610 MISCELLANEOUS EXPENSE							
320	AMFAX CORPORATION	24085650	UTILITY BILLING/TEXT MESSAGES	08/31/2024	77.80	.00	
Total GENERAL GOVERNMENT:					2,357.57	.00	
STORM DRAIN PROJECTS							
48-70-930 I-15 TO UTAH LAKE OUTFALL							
3970	HORROCKS, LLC.	87701	MULTI DEPT ENGINEERING	08/01/2024	4,088.97	.00	
Total STORM DRAIN PROJECTS:					4,088.97	.00	
Total STORM DRAIN UTILITY FUND:					6,446.54	.00	
CAPITAL PROJECTS FUND							
EXPENDITURES							

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
49-40-203 POLICE 2025							
7220	SALT LAKE WHOLESALE	99508	PD/EQUIPMENT	08/06/2024	4,714.71	.00	
Total EXPENDITURES:					4,714.71	.00	
49-60-405 FACILITIES 2025							
1870	CODALE ELECTRIC SUP	S008590856.0	BUILDING MAINTENANCE	08/28/2024	395.84	.00	
49-60-406 PARKS 2025							
2178	CUTLERS, INC.	682741	PARKS/MOWER	08/27/2024	9,830.98	.00	
2493	DUFF SHELLEY MOWER	12267	NEW POLARIS WITH PLOW	08/14/2024	9,819.00	.00	
5519	MUSCO CORPORATION	429467	DISCOVERY PARK LIGHTING	08/28/2024	437,341.00	.00	
49-60-824 POOL LEVELING PROJECT							
9300	WATER DESIGN, INC.	22-8361FS2-3	POOL/DESIGN ENGINEERING SER	08/31/2024	4,560.00	.00	
9300	WATER DESIGN, INC.	22-836FS2-4	POOL/DESIGN ENGINEERING SER	08/31/2024	4,250.00	.00	
49-60-920 COOK FAMILY PARK							
887	BIG D CONSTRUCTION	73722	KINDNESS PARK	06/30/2024	211,843.51	.00	
2570	EAGLE ENVIRONMENTAL	2-08282024	ASBESTOS AND HAZARDOUS MAT	08/28/2024	50,218.00	.00	
3970	HORROCKS, LLC.	87915	COOK PARK	08/09/2024	115,724.75	.00	
3970	HORROCKS, LLC.	88290	COOK PARK	08/21/2024	81,326.32	.00	
Total :					925,309.40	.00	
Total CAPITAL PROJECTS FUND:					930,024.11	.00	
WATER FUND							
EXPENDITURES							
51-40-240 OFFICE EXPENSE							
320	AMFAX CORPORATION	24085650	UTILITY BILLING/TEXT MESSAGES	08/31/2024	155.60	.00	
51-40-250 VEHICLE EXPENSE							
675	AUTO ZONE STORES, IN	06231480518	WATER/VEHICLE EXPENSE	08/26/2024	20.85	.00	
675	AUTO ZONE STORES, IN	6231476222	WATER/VEHICLE EXPENSE	08/20/2024	38.78	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	1,422.38	.00	
4523	KEN GARFF FORD	4FCS668029	WATER/VEHICLE EXPENSE	08/15/2024	149.95	.00	
51-40-300 PPE SAFETY & UNIFORM							
1368	C-A-L RANCH STORES	14759/8	WATER/CLOTHING	08/26/2024	172.49	.00	
1368	C-A-L RANCH STORES	14760/8	WATER/CLOTHING	08/26/2024	119.99	.00	
1368	C-A-L RANCH STORES	14764/8	WATER/CLOTHING	08/26/2024	371.18	.00	
1368	C-A-L RANCH STORES	14771/8	WATER/CLOTHING	08/28/2024	161.49	.00	
1368	C-A-L RANCH STORES	14782/8	WATER/CLOTHING	09/01/2024	98.95	.00	
1760	CINTAS CORP	5225410833	PUBLIC WORKS/FIRST AID SUPPLI	08/15/2024	17.73	.00	
1760	CINTAS CORP	9286269567	PUBLIC WORKS/FIRST AID SUPPLI	08/31/2024	47.88	.00	
51-40-330 ENGINEERING							
4292	J.U.B. ENGINEERS, INC.	0176428	GENERAL SERVICES	08/28/2024	3,936.70	.00	
51-40-335 PROFESSIONAL ENGINEERING							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	341.13	.00	
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	1,478.23	.00	
51-40-340 TESTING & ANALYSIS							
3772	HACH COMPANY	14167599	WATER/TESTING	08/28/2024	634.90	.00	
3772	HACH COMPANY	14170121	WATER/TESTING	08/30/2024	2,208.00	.00	
6938	RICHARDS LABORATORI	51502	WATER TESTING	08/22/2024	900.00	.00	
51-40-420 STREET REPAIRS							
3312	GENEVA ROCK PRODUC	136062	WATER/DEPARTMENTAL SUPPLIES	08/20/2024	543.60	.00	
51-40-760 TECHNOLOGY							
9040	UTOPIA FIBER	CIV202409-03	INTERNET SERVICE	09/01/2024	393.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total EXPENDITURES:					13,212.83	.00	
WATER CAPITAL PROJECTS							
51-70-960 GATEWAY WELL							
1880	CODY EKKER CONSTRU	2-08282024	BLVD WELL SITE STREET CROSSIN	08/24/2024	11,222.97	.00	
3970	HORROCKS, LLC.	87890	MULTI DEPT ENGINEERING	08/08/2024	8,084.08	.00	
4369	J. LYNE ROBERTS AND S	5-07312024	BLVD WELL PROJECT	07/31/2024	53,203.13	.00	
51-70-964 Gibson Chlorinator							
4369	J. LYNE ROBERTS AND S	5-08222024	WELL CHLORINATION SYSTEM	08/22/2024	6,368.29	.00	
8487	TOTAL POWER & CONTR	2816	WELL UPGRADE PROJECT	06/20/2024	19,096.51	.00	
51-70-965 Atwood Chlorinator							
4369	J. LYNE ROBERTS AND S	5-08222024	WELL CHLORINATION SYSTEM	08/22/2024	5,791.65	.00	
8487	TOTAL POWER & CONTR	2816	WELL UPGRADE PROJECT	06/20/2024	19,096.52	.00	
51-70-968 NATHANIEL CANAL TANK							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	138.87	.00	
5482	MOUNTAINLAND SUPPLY	S106409278.0	WATER/SUPPLIES	08/21/2024	4,038.91	.00	
5482	MOUNTAINLAND SUPPLY	S106429739.0	WATER/SUPPLIES	08/28/2024	2,072.93	.00	
51-70-969 ANDERSON CHLORINATOR							
4369	J. LYNE ROBERTS AND S	5-08222024	WELL CHLORINATION SYSTEM	08/22/2024	5,962.48	.00	
51-70-971 ADAMS CHLORINATOR							
4369	J. LYNE ROBERTS AND S	5-08222024	WELL CHLORINATION SYSTEM	08/22/2024	10,254.75	.00	
Total WATER CAPITAL PROJECTS:					145,331.09	.00	
Total WATER FUND:					158,543.92	.00	
SEWER FUND							
52-21320 ACCTS PAYABLE-TIMP SERV DIST.							
8422	TIMP. SPECIAL SERVICE	8302024	IMPACT FEES	08/30/2024	69,186.09	.00	
Total :					69,186.09	.00	
EXPENDITURES							
52-40-240 OFFICE EXPENSE							
320	AMFAX CORPORATION	24085650	UTILITY BILLING/TEXT MESSAGES	08/31/2024	155.60	.00	
52-40-250 VEHICLE EXPENSE							
675	AUTO ZONE STORES, IN	06231480532	SEWER/VEHICLE EXPENSE	08/26/2024	10.70	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	1,422.38	.00	
6278	PLEASANT GROVE BIG O	044250-73873	SEWER/NEW TIRES	09/04/2024	1,079.76	.00	
52-40-300 PPE SAFETY & UNIFORM							
1760	CINTAS CORP	5225410833	PUBLIC WORKS/FIRST AID SUPPLI	08/15/2024	17.73	.00	
1760	CINTAS CORP	9286269567	PUBLIC WORKS/FIRST AID SUPPLI	08/31/2024	47.88	.00	
52-40-330 ENGINEERING SERVICES							
4292	J.U.B. ENGINEERS, INC.	0176428	GENERAL SERVICES	08/28/2024	3,936.70	.00	
Total EXPENDITURES:					6,670.75	.00	
Total SEWER FUND:					75,856.84	.00	
SECONDARY WATER							
EXPENDITURES							
54-40-250 VEHICLE							
675	AUTO ZONE STORES, IN	06231480480	SEC WATER/VEHICLE MAINTENAN	08/26/2024	50.98	.00	
3166	FUELMAN	67054512	MULTI DEPT/VEHICLE FUEL EXPEN	09/02/2024	1,422.37	.00	
4523	KEN GARFF FORD	4FCS668036	SEC WATER/VEHICLE REPAIR	08/15/2024	149.95	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
54-40-270 POWER EXPENSE							
7062	ROCKY MOUNTAIN POW	08202024	WALKER BOOSTER PUMP	08/20/2024	521.72	.00	
54-40-300 PPE SAFETY & UNIFORM							
1368	C-A-L RANCH STORES	14758/8	SEC WATER/BOOTS	08/26/2024	229.99	.00	
1368	C-A-L RANCH STORES	14761/8	SEC WATER/BOOTS	08/26/2024	134.98	.00	
1368	C-A-L RANCH STORES	14762/8	SEC WATER/CREDIT	08/26/2024	229.99-	.00	
1760	CINTAS CORP	5225410833	PUBLIC WORKS/FIRST AID SUPPLI	08/15/2024	17.73	.00	
1760	CINTAS CORP	9286269567	PUBLIC WORKS/FIRST AID SUPPLI	08/31/2024	47.88	.00	
54-40-330 ENGINEERING							
3970	HORROCKS, LLC.	882778	MULTI DEPT ENGINEERING	08/20/2024	1,137.10	.00	
54-40-420 STREET REPAIRS							
3312	GENEVA ROCK PRODUC	138628	SEC WATER/595 e 300 n	08/29/2024	387.00	.00	
Total EXPENDITURES:					3,869.71	.00	
CAPITAL PROJECTS							
54-70-937 Mill Ditch Canal Piping							
3970	HORROCKS, LLC.	87700	GENERAL ENGINEERING	08/01/2024	3,654.50	.00	
54-70-945 SECONDARY METERING							
3970	HORROCKS, LLC.	87701	MULTI DEPT ENGINEERING	08/01/2024	9,689.94	.00	
4043	HYDRO VAC EXCAVATIO	1344 & 1343	PRESSURIZED IRRIGATION METER	08/15/2024	330,195.00	.00	
5482	MOUNTAINLAND SUPPLY	S106236903.0	SEC WATER/METERING	08/16/2024	7,750.00	.00	
5482	MOUNTAINLAND SUPPLY	S106433090.0	SEC WATER/DEPARTMENTAL SUPP	08/30/2024	119.33	.00	
54-70-946 1300 East Roadway							
4542	KILGORE COMPANIES LL	4-08272024	NATHANIEL DR IMPROVEMENTS	08/27/2024	42,199.00	.00	
Total CAPITAL PROJECTS:					393,607.77	.00	
54-90-977 200 W CENTER - 400 NORTH							
58	AWOLF CONSTRUCTION,	3-08282024	200 W 400 N RECONSTRUCTION	08/28/2024	57,338.58	.00	
Total :					57,338.58	.00	
Total SECONDARY WATER:					454,816.06	.00	
SANITATION FUND							
EXPENDITURES							
62-40-432 TIPPING FEES							
5715	NORTH POINTE SOLID W	116520-083120	RESIDENTIALGARBAGE DISPOSAL	08/31/2024	40,691.78	.00	
Total EXPENDITURES:					40,691.78	.00	
Total SANITATION FUND:					40,691.78	.00	
SWIMMING POOL							
SWIMMING POOL							
71-73-420 CONTRACTED SERVICES							
8156	TCI SECURITY OF UTAH	39766	POOL/SECURITY MONITORING	08/20/2024	45.00	.00	
Total SWIMMING POOL:					45.00	.00	
Total SWIMMING POOL:					45.00	.00	
COMMUNITY CENTER							

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
72-71-062 COMMUNITY CTR - BLDG MAINT							
1870	CODALE ELECTRIC SUP	S008630371.0	REC/BUILDING MAINTENANCE	08/27/2024	265.00	.00	
8678	UNIFIRST CORPORATIO	08262024	RUG CLEANING	08/26/2024	260.24	.00	
9347	WEATHER TIGHT ROOFI	5921	REC/ROOF REPAIR	08/18/2024	2,200.00	.00	
72-71-411 ADULT SPORTS							
8219	TEXTILE TEAM OUTLET	7633	REC/UNIFORMS	07/16/2024	1,552.00	.00	
8738	USA SOFTBALL OF UTAH	22	REC/ARBITER SERVICES	07/07/2024	329.00	.00	
8738	USA SOFTBALL OF UTAH	31	REC/ARBITER SERVICES	08/18/2024	369.10	.00	
72-71-412 YOUTH SPORTS							
8219	TEXTILE TEAM OUTLET	7687	REC/UNIFORMS	08/15/2024	247.69	.00	
8219	TEXTILE TEAM OUTLET	7688	REC/UNIFORMS	08/01/2024	274.00	.00	
8965	UTAH NSA SOFTBALL	PF2024-1005	REC/UMPIRING	08/24/2024	1,114.00	.00	
72-71-413 FUNSHINE							
5729	ODP BUSINESS Solutio	381861502001	REC/SUPPLIES	08/27/2024	218.05	.00	
5729	ODP BUSINESS Solutio	381861502002	REC/DEPARTMENTAL SUPPLIES	08/28/2024	12.94	.00	
72-71-420 CONTRACTED SERVICES							
1522	CERTIFIED ALARM SERVI	22945	MONITORING SERVICES	08/10/2024	38.00	.00	
1522	CERTIFIED ALARM SERVI	22953	MONITORING SERVICES	08/10/2024	33.00	.00	
6540	PRO TECH PEST MANAG	24856	REC/PEST CONTROL	08/21/2024	110.00	.00	
8156	TCI SECURITY OF UTAH	39766	REC/ALARM MONITORING	08/20/2024	75.00	.00	
Total :					7,098.02	.00	
Total COMMUNITY CENTER:					7,098.02	.00	
75-40-482 200 W - 400 N to CENTER ST							
58	AWOLF CONSTRUCTION,	3-08282024	200 W 400 N RECONSTRUCTION	08/28/2024	29,039.44	.00	
75-40-484 NATHANIEL - MURDOCK TO 1300 E							
4542	KILGORE COMPANIES LL	4-08272024	NATHANIEL DR IMPROVEMENTS	08/27/2024	37,216.25	.00	
Total :					66,255.69	.00	
Total :					66,255.69	.00	
Grand Totals:					2,196,867.47	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Finance Director: _____

Report Criteria:

Invoices with totals above \$0 included.

Only unpaid invoices included.

ORDINANCE NO. 2024-022

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, AMENDING SECTION 10-15-14: FLAG LOTS. THE PROPOSED CHANGES ESTABLISH ADDITIONAL GUIDELINES THAT GIVE MORE ORDER TO THE DEVELOPMENT OF FLAG LOTS, THEREBY AVOIDING FUTURE PROBLEMS AND CHALLENGES FOR UTILITY AND SAFETY SERVICES TO THE RESIDENTS. INCLUDING AN EFFECTIVE DATE (PLEASANT GROVE CITY, APPLICANT).

WHEREAS, City Code intends the development of flag lots to be restricted to the interior of narrow, deep parcels or other properties not otherwise accessible using residential street standards; and

WHEREAS, it was never the intension of providing for a flag ordinance to encourage the creation of odd-shaped lots or the development of the land into flag lot subdivision with the mere purpose to maximize the number of lots or for the developer to avoid the installation of a private road; and

WHEREAS, the city has encountered multiple negative impacts to the current residents stemming from the application of the current flag lot ordinance such as complications with the residents' common access, access of emergency vehicles, installation and maintenance of road improvements, maintenance of the fire hydrants, difficulty in the providing and maintaining public utilities, etc.; and

WHEREAS, the applicant, City Staff, proposes to amend the definitions, guidelines, and requirements for the development of flag lot subdivisions, to propose an opportunity for the development of interior lots in a more orderly manner while protecting the health, safety and welfare of the current residents; and

WHEREAS, Staff proposes that in order to protect the health, safety and welfare of the current residents, the number of permitted interior lots shall be reduced, the requirements regarding common access shall be revised, and the requirement for setbacks shall be clarified; and

WHEREAS, on Aug 22, 2024, the Pleasant Grove City Planning Commission held a public hearing to consider the proposed amendment to the definitions, guidelines and requirements for flag lots; and

WHEREAS, at its public hearing, the Planning Commission decided that the requested amendments to the definitions, regulations and requirements for flag lots is in the best interest of the public and is consistent with the goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendment to the Flag Lot Subdivision ordinance be approved; and

WHEREAS, on September 3, 2024, the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendment to the Pleasant Grove Municipal Code is in the best interest of the public and consistent with the goals and policies of the General Plan; and

WHEREAS, it is the legislative body's intent that the city code amendments shall be in the interest of the public.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah as follows:

SECTION 1. Section 10-15-14, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-15-14: FLAG LOTS:

- A. Purpose: ~~To facilitate the best use of interior areas of existing parcels which are no longer used for agriculture,~~ the city may ~~allow~~ **consider** the use of flag lots in all **single-family** residential zones **with the intent to allow reasonable utilization of property that has sufficient acreage for development, but lacks the required street frontage.** The use of flag lots is intended to be restricted to the interior of narrow, deep parcels or other properties not otherwise accessible using residential street standards, and/or where there exists unique topographical or geographical features on the property, such as waterways, steep slopes, etc., which are planned to be preserved by easement. It is not the intent or purpose of this section to encourage odd shaped lots or the inclusion of flag lots in proposed new residential subdivisions merely to maximize the number of lots within the subdivision. Flag lots may be ~~allowed~~ **considered** when it can be shown that **development using the adopted standard public streets outlined in the Vicinity Plan is not feasible and that** there will be no negative impacts to the health, safety and welfare of the community in regards to providing sufficient street connections and accessibility for emergency vehicles, and without creating landlocked situations for neighboring properties.
- B. Definitions (Applicable To This Section):

COMMON STEM: A stem which provides access for two (2) ~~or more~~ adjoining ~~flag~~ lots, ~~that do not have standard minimum frontage on a public street. A common stem is not to be included in the calculation of the area of a flag lot.~~

~~**COMMON STEM FLAG LOT:** A standard shaped lot that is separate, but adjacent to the common stem drive, and still meets the requirements for lot area and width for the zone.~~

CUL-DE-SAC LOT: A residential lot which: 1) meets or exceeds the minimum area and street frontage requirements of the zone; and 2) achieves the minimum lot width requirement of the zone at a point fifty feet (50') back from the public right-of-way.

FLAG: The generally wide portion of a flag lot comprising the buildable area of the lot.

GROSS AREA: The entire land area of a flag lot, including the area of the stem or common stem.

NET AREA: The gross area of a "flag lot" minus the area of the "stem" or "common stem".

PRIVATE STEM FLAG LOT: Also known as interior lot, is a A panhandle shaped lot which is comprised of a "flag" and a "stem" where the lot does not have standard minimum frontage on a public street, and where access to the public street is limited to a narrow, private right-of-way (stem).

STANDARD LOT: Also known as a base lot, is a A residential lot which: 1) meets or exceeds the minimum lot area and lot width requirements of the zone; 2) provides street frontage equal to eighty percent (80%) or more of the minimum lot width requirement of the zone; and 3) 2) achieves the minimum lot width requirement of the zone at the minimum required distance of fifty feet (50') from the public right-of-way.

STEM: The narrow, private right-of-way portion of a "private stem flag lot" providing access to the "flag". A stem provides access to a single flag lot that does not have standard minimum frontage to a public street. In the case of a new proposed subdivision fronting a collector road, the stem shall be used as access for the flag lot as well as for the standard lot.

- C. Approval Required: Flag lot developments may be permitted only after review and approval of the final plat, and vicinity plan by the City Council, along with the submission of the bond, and recording of the mylar.
- D. Vicinity Plan Required: A vicinity plan is required showing the location of all existing buildings, property lines, utility lines, watercourses, and existing and proposed public roads in the area. The vicinity plan must be complete, drawn to scale, and submitted with the preliminary plat application in advance of the Planning Commission meeting where the preliminary plat application is to be considered.
 - 1. Any changes to the approved City streets vicinity plan for the area of the proposed flag lot must show a reasonable level of street connectivity in the area, as determined and approved by the Planning Commission.
 - 2. The applicant shall provide written evidence of the effort to develop their property according to City street standards.
- E. Nonconforming Remnant Parcels Not Allowed: The creation of a flag lot may not result in a remnant parcel which does not satisfy the lot standards of the zone. Nonconforming remnant parcels (remaining after a flag lot is subdivided) must be added to the adjacent lots by means of a plat amendment which must be processed with the flag lot application. (Ord. 2016-9, 5-3-2016)
- F. Minimum lot size requirements:
 - 1. The minimum required gross area for the interior lot in a flag lot subdivision, including the area of the stem or common stem, shall be one and one-half (1.5) times the minimum lot size requirement for the R1-7, R1-8, R1-9, R1-10 and R1-12 zones.
 - 2. The minimum required net area for the interior lot in a flag lot subdivision in the R1-15, R1-20, and RR zones shall have the same minimum area requirement as

the underlying zone. For the purposes of this requirement, net area shall mean the total area of the “flag lot” minus the area of the “stem”.

- G. Minimum lot width requirements: The narrowest dimension across an interior flag lot shall meet the same width requirements as the underlying zone.
- H. Minimum required setbacks: The required setbacks for interior flag lots shall be a minimum of thirty feet (30') from the front property line, a minimum of twenty-five feet (25') from the rear property line, and a minimum of twenty feet (20') from both side property lines. The front yard setback shall be parallel with the orientation of the required lot width. The building envelope for an interior flag lot shall not encroach into the entire turnaround area required by the Fire Department. It is prohibited to use the required turnaround area for emergency vehicles as a driveway for the garage or carport.
- I. Stem And Common Stem Development Standards:
1. Minimum Width: Twenty five feet (25').
 2. Minimum Length: The minimum lot width ~~depth~~ for the Standard Lot zone.
 3. Maximum Length: Three hundred feet (300'). ~~An extension to four hundred feet (400') may be approved only for landlocked properties where there is no access available through planned roads as shown on the Pleasant Grove Streets Vicinity Plan, only within the R-R, Rural Residential and the A-1, Agriculture Zoning Districts. Also, the extended length and turn around must be approved by the City Fire Marshal.~~
 4. Minimum Curve Radius: One hundred feet (100').
 5. Maximum Flag Lots Served By A Stem: One (1).
 6. Maximum Flag Lots Served By A Common Stem:
 - i. ~~Three (3) for common stems that abut a local road;~~
 - ii. ~~Four (4) for common stems that abut a local road where the stem road has been approved for an extended length (see subsection F3 of this section); and~~
 - iii. ~~Five (5) for common stems that abut a collector or arterial street.~~
 - iv. Two (2) for common stems that abut a collector or arterial road. See Section 10-15-14-J: Stem and Common Stem Access Requirements and Details.
 7. Minimum Frontage On A Public Street: Twenty five feet (25').
 8. Minimum Pavement Width: Twenty feet (20').
 9. Surfacing Standard: Entire driveway shall be surfaced with either asphalt or concrete adequate to support the weight of a fire apparatus (H-20 standard). (Ord. 2017-18, 4-18-2017)
- J. Stem And Common Stem **Access** Requirements And Details:
1. ~~A common stem and a common driveway shall be used to serve adjoining flag lots. Up to five (5) flags may be served from a common stem, only in the event that a common stem abuts a City collector or arterial street, the first two (2) lots on either side of the stem, that also face the collector or arterial, must be designed to access the common stem. In the case where a new flag lot subdivision fronts a collector or an arterial road, the access to both lots, the standard lot and the~~

interior lot, shall be combined and provided for by the stem of the interior flag lot. Access to the standard lots may be granted from a common stem when they front a local road if approved by the Engineering Department.

2. Separate access to a standard lot may be provided from a collector or arterial street if all following conditions are met:
 - a. There is an existing curb cut that provides access to an existing garage or carport;
 - b. There is a minimum distance of sixty feet (60') between the existing curb cut and the edge of the proposed flag lot stem; and
 - c. If approval by the Engineering Department is given
 3. The entire stem and common stem shall be dedicated as a public utility, sewer and right-of-way easement, and shall slope towards the public right-of-way.
 4. A paved or all weather, hard surfaced area must be provided as determined by the Fire Chief on each flag for the turnaround accommodation of emergency vehicles. The stem or common stem may be included as part of the necessary turnaround area.
 5. A flag lot stem may not extend from a cul-de-sac bulb or from a temporary turnaround at the end of a temporary dead end street.
 6. No accessory building is allowed on any portion of a stem or common stem.
 7. The portion of a stem or common stem not hard surfaced shall be landscaped. Landscaping shall not hinder safe vehicular line of sight.
 8. If a turnaround is required, the turnaround area shall be considered as part of the stem.
- K. Off Street Parking Required: Each dwelling lot shall provide at least four (4) hard surfaced parking spaces, two (2) of which shall be covered with a garage or carport. No parking is permitted in the stem or common stem.
- L. Fire Protection Required: Every flag lot residence must be within two hundred twenty five feet (225') of a fire hydrant (measured along the stem/common stem and public street). All fire hydrants and supply lines must satisfy the International Fire Code.
- M. Utility Service Connections: Each flag lot requires individual utility lines and meters. The maintenance and service of utility lines outside of the public street is the responsibility of the flag lot owner.
- N. Garbage Collection: Garbage collection will be provided only at the street curb.
- O. Covenants, Conditions And Restrictions (CC&Rs) Required: Common stem flag lots require CC&Rs to be recorded with the Utah County Recorder prior to any building permit being issued. The document must establish CC&Rs for maintaining driveways and utility lines, and any other CC&Rs that will run with the land.
- ~~P. Setbacks: The required setbacks shall match the setback requirement for the zone, as is required for all standard subdivisions.~~
- P. Half Cul-De-Sac: In cases where the right-of-way needed for the full street width (right-of-way to right-of-way) of a cul-de-sac street cannot be obtained after a reasonable, good faith effort on the part of an applicant, the City Council may approve a half cul-de-sac that serves temporarily as a flag lot, subject to the following criteria:

1. The applicant shall provide evidence of the effort to obtain the right-of-way for a full cul-de-sac.
2. The subject property is identified on the Pleasant Grove City vicinity plans as a location for a future cul-de-sac that has development potential as a half cul-de-sac.
3. The half cul-de-sac shall be built to the street standards in section 11-3-4 of this Code, with the exception of partial street width. The maximum width possible shall be provided, however in no case shall the portion of roadway acting as a flag lot stem provide less than twenty eight feet (28') of street improvements.
4. The half cul-de-sac shall be built to provide sufficient turnaround for emergency vehicles.
5. Additional requirements may be made by the City Engineer and Public Works Director with regard to the pavement, parking, or other issues on any half cul-de-sac street related to safety issues and other City street standards.
6. A homeowners' association shall be established having covenants and restrictions that are recorded and filed with the City regarding the shared responsibility of property owners to maintain the half cul-de-sac street to City standards until such time that the full cul-de-sac is completed and dedicated to the City.

Q. All improvements, including paving for the flag lot stem and any required turnarounds, must be completed prior to any building permits being issued for the flag lot.

As a condition of approval, all property owners having access to the half cul-de-sac will be required to dedicate the right-of-way when the full cul-de-sac is completed. (Ord. 2016-9, 5-3-2016)

SECTION 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phases of this Ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 4. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 17th day of September 2024.

Guy L. Fugal, Mayor

ATTEST:

Wendy Thorpe, City Recorder

(SEAL)

Motion: Council Member _____

Second: Council Member _____

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Guy L. Fugal	_____	_____	_____	_____
Dianna Andersen	_____	_____	_____	_____
Steve Rogers	_____	_____	_____	_____
Eric Jensen	_____	_____	_____	_____
Cyd LeMone	_____	_____	_____	_____
Todd Williams	_____	_____	_____	_____

CERTIFICATE OF POSTING ORDINANCE
Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. _____ was posted on the State (<http://pmn.utah.gov>) website on this ____ day of _____, 2024.

Dated this _____ day of _____, 2024.

Wendy Thorpe, CMC, City Recorder

City Council Staff Report

September 17, 2024

TEXT AMENDMENT PROPOSAL

REQUEST	Request to amend City Code Section 10-15-14: Flag Lots
APPLICANT	City of Pleasant Grove
STAFF RECOMMENDATION	Approve the proposed Code Text Amendment
ATTACHMENTS	Proposed Ordinance Amendments

5

Background and Analysis

Residential lots come in all shapes and sizes. In some cases, large sections of unused space may be left over in the back of a property. Flag lots are a type of subdivision that allows for the development of leftover space behind a standard lot by providing access and service through its own point of access from a public right-of-way, also known as a private drive or a stem. (see Figure 1)

Individuals and developers may request a flag lot either as an opportunity to sell this leftover space, or to develop it with a residence that may have more privacy than a standard lot.

Flag lot development does increase the availability of homes, which helps toward maintaining a moderate income housing market, as well as providing an efficient means of developing areas of land that would normally not be able to be serviced as a typical lot would.

While flag lots may be an efficient way to develop land, sometimes the intent of flag lots is overlooked. It is not the intent of flag lots to simply maximize the amount of land an individual or developer can sell and develop. Instead, beyond servicing areas that would normally not be able to be serviced as a typical lot would, flag lots are meant to be a sort of “last resort” type of development, because flag lots often create a few issues of their own. For example, the Engineering Department needs to look at the drainage of a property and how it affects the neighbors.

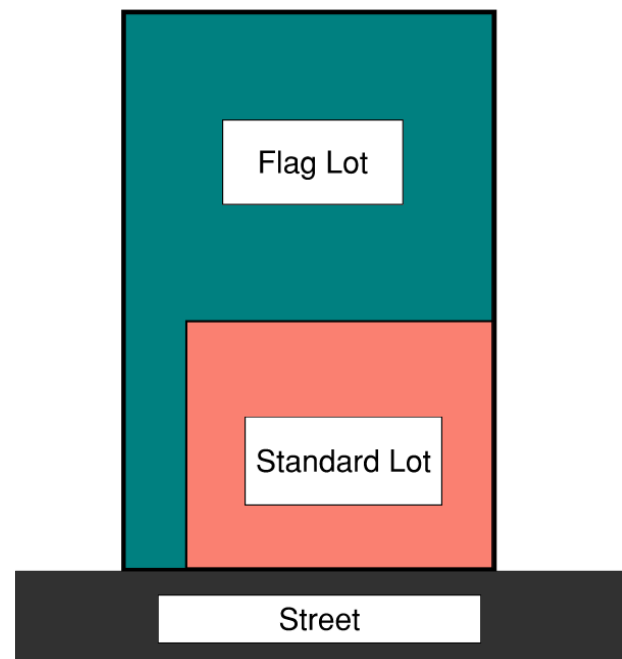


Figure 1

A standard lot could simply slope towards the right-of-way and then the City can take care of runoff from there; but a flag lot only has a narrow portion of land for access that makes it more difficult to maintain the drainage coming off of the rest of the flag portion of the lot.

Another example is that developers may sometimes intentionally create deep lots for the purpose of not having to construct new roads where the City would normally require, at which point those new deep lots would later have the opportunity to “fill in” with flag lots.

To combat this, on June 18, 2000, the City adopted a vicinity plan throughout the entire City that anticipated how larger, open properties might be developed, should they ever be subdivided. The main purpose of this study was to provide long range planning for local neighborhood streets in undeveloped areas of Pleasant Grove and to ensure that all property owners have an equal opportunity to develop their land by increasing connectivity.

This vicinity plan covers many areas where flag lots might be requested, but in smaller areas where there is no vicinity plan, some property owners and developers seek to further subdivide their property to maximize the amount of developed space through flag lots.

The City’s current flag lot ordinances provide a way for flag lots to be created, and several conditions are established for flag lot development; however some of these requirements may need additional clarification and some new requirements may be necessary to better align flag lot development with the City’s intent for flag lots.

Currently, up to three flag lots may be created on a property, with the same lot size, width, and setbacks as the zone it is located in. In zones where there is higher density, this leads to opportunities for individuals and developers to try to maximize their lots, and in some cases also makes it difficult to determine the orientation and setback locations of flag lots based on their proposed shape.

To maintain better planning principles when permitting flag lots and to better enforce the City’s intent, Staff proposes to amend the flag lot ordinances to limit the number of permitted flag lots to one flag lot per development, to require a greater size requirement for flag lots, to establish specific setbacks and minimum dimensions for flag lots, and to have flag lots slope towards the right-of-way.

While analyzing the City’s flag lot ordinances, Staff has also researched the requirements of some surrounding cities.

City	Highlighted Requirements
Lehi	<ul style="list-style-type: none">Flag lot stems shall have a stem width and frontage of at least 20 feet and a clearance of 13.5 feet. No maximum length is mentioned, however a single family dwelling unit shall be located within 250 feet of a fire hydrant, measured along the curb line.Only 1 flag lot is permitted through a conditional use permit, and only if it is the most appropriate development option.

	<ul style="list-style-type: none"> • The shape of a flag lot shall be approved by Planning Commission to eliminate irregular shaped lots. • The Planning Commission may impose additional conditions on the flag lot, including the location and height of the dwelling, the compatibility of the proposed project with existing conditions, and screening and landscaping.
American Fork	<ul style="list-style-type: none"> • Permitted, but the only requirements include a 20' frontage for the stem, and setbacks are measured at 25' from a line where the lot width is met.
Lindon	<ul style="list-style-type: none"> • Flag lot stems shall have a stem width and frontage of at least 25 feet. No maximum length is mentioned, however a single family dwelling unit shall be located within 200 feet of a fire hydrant. Possible adverse impacts of excessive driveway lengths shall be considered by the planning commission, city council, and emergency services. • Only 1 flag lot is permitted, unless Planning Commission and City Council determine that additional flag lots within a development provide for better compatibility with neighborhood. • Flag lots are only permitted only under specific circumstances that indicate that flag lot development is the most appropriate option and are only permitted in R1-12 and R1-20 zones. • Flag lots must be a minimum of 20,000 square feet. • Setbacks are 30' front, 30' rear, and 15' sides, noted on the plat; the front property line shall be the nearest line that is most parallel with the street from which the driveway accesses. Orientation of the dwelling is not regulated. • All flag lot driveway access points on a public road must have at least 2 legal parcels located between any other flag lot driveway on the same side of the street.
Orem	<ul style="list-style-type: none"> • Flag lot stems serving 1-2 flag lots shall have a stem width and frontage of at least 20 feet, and flag lot stems serving 3-4 flag lots shall have a stem width and frontage of at least 26 feet. Concrete curbs shall be installed on both sides of a private drive or right-of-way. No maximum length is mentioned. • Up to 4 flag lots may share a common stem. • The size of a flag lot in the R5 through R12 zones shall be 125% of the applicable zone. • At least two setbacks shall be 25', the other two setback measurements shall match the height of the primary structure, with a minimum of 12'. • The primary structure shall be set back at least 5' from the stem, and garage doors and carport entries shall be set back at least 18' from the stem.
Highland	<ul style="list-style-type: none"> • Flag lots not permitted

Provo	<ul style="list-style-type: none"> Flag lots are prohibited unless the flag lot is located in an A1, RA, or R1 zone and no other viable subdivision design alternatives exist. Flag lot stems shall have a stem width and frontage of at least 20 feet, and a maximum length of 200 feet. The Planning Commission may impose further requirements upon approval, such as fencing and screening requirements, the location and height of the dwelling, the installation of 1 or more fire hydrants, and additional off-street parking and/or backup space designed for turnarounds. All applicable zoning requirements must be met (setbacks, area, width, etc.)
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To better ensure that there is ample room for development, to better meet the intent statements of flag lots, and to better meet the purposes of the City’s vicinity plan, staff recommends changes be made to the flag lot ordinance, as seen in the proposed text amendment.

Planning Staff recommends the Planning Commission forward a recommendation of approval to Pleasant Grove City Council for the proposed amendments to City Code Section 10-15-14: Flag Lots.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on August 22, 2024.

4. Public Hearing: Code Text Amendment – Section 10-15-14: Flag Lots (City Wide)

Public Hearing to consider a request from Pleasant Grove City to amend City Code Section 10-15-14, Flag Lots. The City is proposing to make changes to the zoning requirements for the potential development of interior lots with the intent to facilitate the development of infill areas in an orderly and reasonable manner. (Legislative Item)

RECOMMEND APPROVAL

MOTION: Commissioner Fugal moved that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request of Pleasant Grove City for the proposed amendments to City Code Section 10-15-14: Flag Lots.

Commissioner Redding seconded the motion. The Commissioners unanimously voted “yes”. The motion carried.

Motion by: Commissioner Fugal

Seconded by: Commissioner Redding

AYE VOTES: Chair Patten and Commissioners Phillips, Fugal, Redding, Trickler

NAY VOTES:

Authors: Daniel Cárdenas - Community Development Director and Jacob Hawkins - City Planner

RESOLUTION NO. 2024-040

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONSULTING SERVICES AGREEMENT WITH DLS CONSULTING, INC. FOR CONSULTING SERVICES SPECIFIC TO OBTAINING FUNDING FOR A ROAD TRANSPORTATION PROJECT.

WHEREAS, Pleasant Grove City is a political subdivision of the State of Utah (the “State”) and is duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, DLS Consulting, Inc., David Stewart President, is a Utah corporation; and

WHEREAS, the City has established that there is a need to engage professional services to assist in obtaining transportation funding from the Utah State Legislature; and

WHEREAS, City is not able to provide these services in house to the level of expertise required; and

WHEREAS, DLS Consulting has the necessary level of expertise to assist City in this matter; and

WHEREAS, the City Council finds it to be in the best interests of the citizens of Pleasant Grove City to retain DLS Consulting, Inc. to provide consulting services; and

WHEREAS, on September 17, 2024, the Municipal Council held a duly noticed public meeting wherein they considered the facts regarding this matter; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds the Consulting Services Agreement attached hereto as Exhibit “A” reasonably furthers the health, safety, and general welfare of the citizens of Pleasant Grove City.

NOW, THEREFORE, be it resolved by the Pleasant Grove City Council as follows:

SECTION 1

The Mayor of Pleasant Grove City is hereby authorized to sign the Consulting Services Agreement attached hereto as Exhibit “A”

SECTION 2

This resolution is effective immediately.

THIS RESOLUTION APPROVED AND ADOPTED this 17th day of September, 2024 by the City Council of Pleasant Grove City, Utah.

Guy L. Fugal, Mayor

ATTEST: (SEAL)

Wendy Thorpe
City Recorder

Motion: Council Member _____

Second: Council Member _____

<u>ROLL CALL</u>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	_____	_____
Steve Rogers	_____	_____	_____
Eric Jensen	_____	_____	_____
Cyd LeMone	_____	_____	_____
Todd Williams	_____	_____	_____

CONSULTING AGREEMENT

This Consulting Agreement (this “*Agreement*”) is entered and effective this __28__ day of February, by and between Pleasant Grove City (“*Client*”) with principle offices located at 70 S. 100 E. Pleasant Grove, UT 84062, and DLS Consulting, Inc. with principle offices located at 11671 Granite Flats Rd., Highland, UT 84003 (“*Consultant*”).

(1) **SCOPE OF WORK.** Consultant is knowledgeable in work to be performed by Consultant. The Scope of Work to be performed by Consultant is set forth in *Exhibit A* to this Agreement incorporated herein by this reference. This Agreement may be amended only by written instrument signed by both the authorized representatives for Client and the Consultant. Consultant is an independent contractor with respect to the work provided to Client.

(2) **AUTHORIZATION TO PROCEED.** Execution of this Agreement by the authorized representatives of Client and Consultant will serve as authorization for the Consultant to proceed with the services called for in this Agreement.

(3) **PAYMENT OF FEES.** Consultant shall invoice Client for services performed for Client under this Consulting Agreement at the rates specified in *Exhibit A*. Each invoice shall be itemized and have an invoice number. Consultant will make all appropriate tax, social security, Medicare and other withholding deductions and payments; will provide worker’s compensation insurance coverage; and will make all appropriate unemployment tax payments. All payments due to Consultant are due 15 days from date of Client’s receipt of invoice. Consultant shall not invoice more frequently than once per month.

(4) **OWNERSHIP OF DOCUMENTS.** All documents including notes, drawings, and reports generated by the Consultant under this Agreement are the property of Client. Any reuse by Client without written authorization from the Consultant will be at Client’s sole risk and without legal or liability exposure to the Consultant. Consultant may not use the work product for any other client or purpose without the express written consent of Client.

(5) **CONFIDENTIALITY** Consultant acknowledges that it will have access to Client information that is confidential and proprietary including, without limitation, the existence and terms of this Agreement and any trade secrets, technology, information pertaining to business operations and strategies, customers, pricing, marketing, finances, sourcing, personnel, or operations of Client, its Affiliates, or their suppliers or customers, in each case whether spoken, printed, electronic, or in any other form or medium (collectively, the “***Confidential Information***”). Consultant agrees to treat all Confidential Information as strictly confidential, not to disclose Confidential Information or permit it to be disclosed, in whole or part, to any third party without the prior written consent of Client in each instance, and not to use any Confidential Information for any purpose except as required in the performance of the services Consultant is required to perform hereunder. Consultant shall notify Client immediately in the event it becomes aware of any loss or disclosure of any Confidential Information. If Consultant makes a disclosure contrary to the provisions of this Section, Client shall have the right, without prejudice to any other rights or remedies it may have hereunder or otherwise, to terminate this Agreement effective immediately upon notice to Consultant. This obligation shall be of a continuing nature and shall survive the expiration, suspension or termination of the Agreement. In the event Consultant is compelled by law or judicial or administrative process to disclose any such

Confidential Information, it shall give prior notice of such disclosure to Client and shall cooperate with Client's efforts to avoid or minimize the extent of the required disclosures. Client shall be entitled to seek injunctive relief for any violation of this Section. Confidential Information shall not include information that: is or becomes generally available to the public other than through Consultant's breach of this Agreement; or is communicated to Consultant by a third party that had no confidentiality obligations with respect to such information.

(6) CONFLICT OF INTEREST. Consultant agrees to advise Client prior to undertaking services for any other company whose interests are known, or could reasonably be believed to be, adverse to the interests of Client.

(7) INDEMNITY. Consultant will indemnify, defend and hold harmless Client and its agents, directors, officers and employees from and against all suits, losses, damages, causes of action or claims (including attorneys' fees and costs) arising from Consultant's breach of any obligation in this Agreement or any error, omission or negligent act of Consultant or any person employed by Consultant or acting on Consultant's behalf. Client may satisfy such indemnity (in whole or in part) by way of deduction from any payment due to Consultant.

(8) TERM. The term of this Consulting Agreement shall be for the base period stated in *Exhibit A*. This Agreement shall terminate at the end of the base period unless Client extends the term of the Agreement in writing.

(9) NOTICES/APPROVALS. All notices and approvals required under or because of this Consulting Agreement shall be in writing and shall be deemed given when sent to each party's authorized representative as follows:

Client

Pleasant Grove City
Scott Darrington, City Administrator
70 S. 100 E.
Pleasant Grove, UT 84062
Telephone: (801) 391-5130
Facsimile:

Consultant

DLS Consulting, Inc.
David Stewart, President
11671 Granite Flats Rd.
Highland, UT 84003
Telephone: (801) 910-3936
Facsimile: (801) 763-8160

(10) EQUAL OPPORTUNITY. Consultant shall comply with Equal Employment Opportunity as provided by Executive Order 11246.

(11) SEVERABILITY AND SURVIVAL. Should any part of this Consulting Agreement be found to be void, voidable or unenforceable, such void, voidable or unenforceable provision shall be deemed severed from this Agreement and shall not affect the remainder of this Agreement. The provisions of Sections 4, 5, 6, 7, 10, and 12 shall survive the termination of this Agreement for a period of one (1) year from any such termination.

(12) ASSIGNMENT. Client shall have the right to assign this Consulting Agreement to its successors or assigns and all covenants and agreements hereunder will inure to the benefit

of and be enforceable by or against its successors or assigns. The rights and obligations of Consultant under this Agreement are personal to Consultant, and no such rights, benefits, or obligations shall be subject to voluntary or involuntary alienation, assignment or transfer.

This Agreement entered as of the date written above.

Client

Pleasant Grove City

Consultant

DLS Consulting, Inc.

Print Name: J. Scott Darrington
Title : City Administrator

Print Name: _____David Stewart_____
Title:_____President_____

Exhibit A

Scope of Work to Be Performed

(1) Scope of Work. Consultant shall perform the following services as requested by Client:

- A. Consultant will seek monies between \$750,000 and \$1,000,000 for a road transportation project identified as a priority by the city.
- B. The city will provide a project description to the consultant to assist in seeking funding.

2. FEES

A retainer of \$100,000 will be paid to the consultant in 2 payments described below. 1st payment of \$50,000 upon invoice following the signature of the contract. 2nd payment of \$50,000 will be due not later than December 1, 2024. The payments of fees are not tied to success and payable regardless of outcome.

3. TERM

This Agreement shall be effective from August 15, 2024 through Dec. 31, 2024 unless the parties shall mutually agree, in writing, to extend the term hereof.

RESOLUTION NO. 2024-041

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A POSTAL EASEMENT IN FAVOR OF THE UNITED STATES POSTAL SERVICE, FOR THE PLACEMENT OF A POSTAL BOX SERVING THE MAKIN DREAMS SUBDIVISION ON ACROSS OR UNDER PROPERTY OWNED BY PLEASANT GROVE CITY LOCATED APPROXIMATELY AT 1645 NORTH AND 600 WEST, PLEASANT GROVE, UTAH COUNTY, UTAH.

WHEREAS, the US Postal Service is requesting an easement to construct, reconstruct, maintain and repair public postal facilities on public property; and

WHEREAS, said easement is located at approximately 1645 North and 600 West in Pleasant Grove; and

WHEREAS, Pleasant Grove City desires to grant said postal easement; and

WHEREAS, the City Council finds it to be in the best interests of the citizens of Pleasant Grove City to grant said postal easement to accommodate providing mail service to residents living in the Makin Dreams subdivision, who are residents of Pleasant Grove City.

NOW, THEREFORE, be it **RESOLVED** by the Municipal Council of Pleasant Grove City, Utah County, State of Utah, as follows:

Part I:

The Mayor is authorized to sign a postal easement in favor the United State Postal Service for the construction, reconstruction, operation, maintenance, etc., of a group mailbox on real property owned by Pleasant Grove City located approximately 1645 North and 600 West, said easement is more particularly shown in Exhibit "A".

Part II:

This Resolution shall take effect immediately.

THIS RESOLUTION APPROVED AND ADOPTED this 17th day of September 2024 by the City Council of Pleasant Grove City, Utah.

Guy L. Fugal, Mayor

ATTEST:

Wendy Thorpe, City Recorder

Motion: Council Member _____

Second: Council Member _____

<u>ROLL CALL</u>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	_____	_____
Steve Rogers	_____	_____	_____
Eric Jensen	_____	_____	_____
Cyd LeMone	_____	_____	_____
Todd Williams	_____	_____	_____

Return to:
Wendy Thorpe, City Recorder
Pleasant Grove City Corp.
70 South 100 East
Pleasant Grove, Utah 84062

POSTAL EASEMENT

City of Pleasant Grove, a Utah municipal corporation, the undersigned, hereby dedicates a Postal Easement described below for the use and installation of public postal facilities. The United State Postal Service (USPS) shall have the right to install, maintain, operate, repair, remove, replace, or relocate public postal facilities, including the right of ingress and egress, within said Postal Easement. Said postal easement is non-exclusive.

A postal easement, four feet deep by ten feet wide along the southeast corner of Parcel B (see exhibit A) located at approximately 1645 N 600 W in Pleasant Grove City. The easement shall run with the Real Property and shall be binding upon the Grantor and the Grantor's successors, heirs and assigns. The legal description of the burdened property is described as follows:

Parcel B, Adam's Grove Subdivision Plat B

Area contains 57,797 square feet or 1.33 acre

Assessor Parcel No. 34:514:0026

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the easement and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Dated this _____ day of _____, 20____.

GRANTOR: PLEASANT GROVE CITY

Guy L. Fugal, Mayor

ATTEST:

Wendy Thorpe
Pleasant Grove City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this ____ day of
September, 2024 by _____, the _____
of Pleasant Grove City, a Utah municipal corporation, the signer of the foregoing
instrument who duly acknowledged that he executed the same on behalf of said entity.

Notary Public

Exhibit A

