

**Pleasant Grove City
City Council Meeting Minutes
Work Session
Tuesday, September 17, 2024
4:30 p.m.**

Mayor: Guy L. Fugal

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

Staff Present: Scott Darrington, City Administrator
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
Tina Petersen, City Attorney

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. PG Cares Spotighting Youth in Pleasant Grove – Nicole Khountham.

City Administrator, Scott Darrington, introduced PG Cares Prevention Coordinator, Nicole Khountham, who reported that PG Cares has a program that monthly chooses a student who makes a difference to Pleasant Grove residents. Mary Hawkins runs the program and reported that eight youths have been acknowledged to date with two present. She introduced the student recipients and explained that the students are nominated by someone in the community for activities they are

participating in and for serving as role models for others. Katie Coggins was nominated because she is respected by her teachers, friends, and others. She serves as an advocate for her family and friends, works daily to do better, and is active in her school and church. Aftyn Brown was nominated for taking on adult roles with her siblings to help her single mother who is battling cancer. She continues to get good grades and is on the high school cheer team. She continues to have a good attitude. Both of these students serve as role models for those around them. Other students who recently received the award included Adelaide Stubbs, Sarah Kyser, Aiden Frantzen, Griffin Fellows, Nicholas Harper, Kendralyn Brown, and Emma Southard. PG Cares is excited about all these young people do. Nominations are limited to youths aged 12 to 18. Further information is available in the PG Cares booklet, on social media, and in the City Newsletter. A group photo was taken.

B. Update on Cook Family Park – Neal Winterton.

Public Works Director, Neal Winterton, was invited to provide an update on the progress of the Cook Family Park. A slide show was presented to document the progress. Director Winterton stated that this has been a lengthy process from the creation of the initial renderings of the 40-acre park to the full-scale drawings showing what has actually been constructed. The following points were discussed:

- An aerial view that was taken the first week of September showed the playground formation, splash pad, futsal courts, and the unpaved Skate Park in various stages of construction. Different angles were shown to identify the specific work being done in each area. He did not show the future cemetery expansion.
- Photos from 2022 that were prior to construction were presented as well as architectural drawings and renderings. Director Winterton showed how the landscape has changed and the progress of construction and what the area will look like upon completion. The site has been owned by the City for 12 to 13 years.
- A series of aerial photographs were presented to show the ground-breaking in August of 2023, the grading in March 2024, and a photo from August 2024 showing that the water retention basin was working as projected. He identified the future location of a large storm drain structure that will help the City regulate the water. Those types of structures were determined to have caused the primary delay in the project construction. The underground work is required to be completed before any surface features can be built. The pipework on the site is remarkable as there are three specific retention system locations near 600 West, near the corner around 800 North. There are large, 36-inch diameter pipes to drain the entire north part of the City.
- A rendering was displayed, and Director Winterton reported that the sidewalks will be concrete and completed with curb, gutter, and landscaping.
- A historical timeline was shown on a slide between April 2023 and August 2024. A future timeline went from September 2024 to May 2025. The timeline requirements are being met with respect to the work taking place in August and September. The playground is going up and retaining walls are being put in place. The sub-surfacing of the playground will be done in October and the landscaping started. Additional work will be done on the Skate Park and Splash Pad as well. In November, nearly everything will have been completed but the large grassy area and the splash pad in time for the soft opening.

- A series of ground-level photographs of the park entry were displayed. Director Winterton highlighted the ongoing active construction work and commented on the beautiful view at the entry with the G Mountain in the background. He identified the current salt storage location and stated that it will be removed when the new salt storage building is constructed. What was not shown in the photos was the main pavilion building, which will be one of the last things to be constructed as access is needed for the building equipment that is currently in use.
- The concept rendering of the entryway sign was shown. It had not been finalized as modifications were needed. Staff was working with a sign-maker/steel fabricator to obtain a final product. The sign will accommodate any size vehicle. A lighting scheme will also be included on the sign, which can highlight various community events.
- Photographs of the parking lot from the west show the basketball area. Director Winterton identified the sports lighting that is being integrated into the park. When it is still light an extended lighting system will allow for longer periods of use.
- Photographs of the formation of the Skate Park were shown. The construction work is intricate and includes detailed curb work. The edges are curved and designed to provide a long-lasting surface.
- A photograph taken looking along the edge of 800 North shows the integrated planter and retaining wall system that unifies the area and accommodates the slope of the property. The playground and splash pad need to be on a flat surface which requires retaining walls on both sides. In terms of grading, there will be several compaction tests performed to ensure the solidity of the system.
- Photographs showed how the playground equipment is being installed. Steps were being taken to ensure the long life of the equipment.
- Photographs were taken from the south and west to show the shade structures being installed. Shade is being strategically placed between the playground and the side of the splash pad.
- Photographs were taken toward the splash pad that show the Viking ship and a feature wall with spray jets and drainage. The drainage systems were described.
- A photograph taken in front of the restroom showed the amount of rebar being used. There is an American with Disabilities Act (“ADA”) ramp to allow accessibility and stroller access near the parking lot. The area can also be accessed via stairs. There is a 20,000-gallon tank to hold water to be used for the splash pad.
- Photographs taken from the restrooms showed additional views. There will be more playground equipment installed in this location.
- Director Winterton presented a photograph of the futsal courts off of 600 West. Logos were to be added.
- The park will have a pump track or all-wheel track that will be a challenge for those using it. It is fairly unusual. In relation to the potential for unlawful use, there will be a heavy police presence to show that rules are to be followed.
- The last photograph showed the area to the east from the pump track and the entry. All edges will be ground and integrated. He noted that the cemetery is visible in the distance.
- All were encouraged to visit the site and see the progress. Director Winterton stated that this has been a coordinated team effort, and the park will serve the residents for generations to come.

- Director Winterton displayed a drone compilation of the construction completed by Assistant to the City Administrator, Kyler Brower.

Because only a portion of the park will be available for use by the end of October, Administrator Darrington suggested the City Council determine what type of a soft opening should occur. The park opening is dependent on the weather. He explained that the scope of the park is immense and more has been accomplished since the photographs were taken. Staff is working on an update to keep the community apprised of the progress. He noted that 800 North is narrow and needs to be widened as part of the project and 400 North and 600 West also need improvement. 600 West will be completed by November, but the other two roadways will not be addressed until probably the spring.

Administrator Darrington reported that 1100 North is scheduled to be paved by the end of the week. They were behind schedule due to rain.

C. Discussion on Flag Lot Amendment

Administrator Darrington reported on items to be discussed with regarding the public hearing on the flag lots. The City Council has been provided with what the City received on this topic. He asked Community Development Director, Daniel Cardenas to make a presentation. It was anticipated that the public will want to address specific concerns but it was important to remember that the amendment is not raised by a developer but rather by City Staff who are addressing problems raised by the law as it currently exists. The amendment has been reviewed by the Planning Commission. Other options are available to residents. If the City Council hears comments about specific concerns the matter can be continued for additional review. If, however, the City Council is comfortable with the ordinance changes and votes to adopt them, the citizens can file their own Code text amendment to be considered if they are dissatisfied.

In response to a question raised by Council Member Williams, Administrator Darrington stated that the presentation identifies why the amendments are being sought. Council Member Rogers remarked that a large number of emails have been about this issue that claim that the City rarely communicates with the citizens. Administrator Darrington stated that early on there was a lot of communication with individuals but as time went on Director Cardenas met with him and the City Attorney about how to proceed. Director Cardenas identified the changes needed. Typically, when staff determines that a change to an ordinance is needed, they present the changes to the Planning Commission and City Council. Staff's proposal is not posted for public input. There is a public hearing, which gives the public an opportunity to speak to the amendment. Sometimes there are developer-driven amendments but in this case, the changes being requested are staff-driven. He noted that some of the emails are comments only and do not relate specifically to the ordinance. The author of the recent email that contains specifics was encouraged to attend the upcoming meeting. The City Council has been provided all of the emails the City has received and much of what has been said does not pertain specifically to the ordinance.

Administrator Darrington reported that the way staff handled the matter was appropriate under the circumstances. Staff's intent in not responding to citizens was not because they did not care what the person thought but because they were trying to follow a specific process. Initially, they tried

to be receptive but there was a back-and-forth on many of the issues. He suggested the issues remain separate and limit the discussion to the amendment. The City Council can then provide direction. Council Member Rogers stated that there seems to be frustration regarding communication coming from the City. He was unclear whether the frustration was warranted or if there was an unreasonable expectation. He stated that there has been frustration expressed by more than one individual. Administrator Darrington was willing to discuss any specific incident. There was discussion regarding instances pertaining to Judy Gilman and 2600 North. The Mayor stated that there is a long history. Administrator Darrington explained that cities frequently deal with these types of issues, and he felt that the City had been very responsive. He added that the City Attorney has been through the back-and-forth conversations with this individual. He suggested that the specifics be discussed another time.

Director Cardenas reported that what is before the City Council is a draft ordinance based on Staff's evaluation. It was not precipitated by an issue with an individual resident but was based on problems identified by the City that resulted from flag lot development under the current law. Staff holds Development Review Committee ("DRC") meetings every Wednesday with multiple developers and the public. On Thursdays, staff meets with Public Works, Engineering, and Legal Departments about development issues. About one year ago, the decision was made to discuss flag lots and consider revising the flag lot ordinance. Staff first reviewed ordinances from neighboring cities to see how they addressed the issue. They also looked at flag lot developments over the past five years and concluded that better planning principles should be implemented. There have been issues at or after the time of construction with respect to infrastructure or drainage issues with neighbors being adversely affected. Flag lots are allowed, and specific problems are identified along with ways to reduce or eliminate future issues. Solutions were presented in the form of an ordinance amendment that was reviewed by the Planning Commission who unanimously recommended approval.

Planning Commissioner Member Alicia Redding was present and stated that there was no confusion on the part of the Planning Commission regarding the vote, despite claims to the contrary. They have been working with Director Cardenas on the proposal for several months and the matter was continued to clarify some of the language. At the last Planning Commission Meeting, the City Engineer and the Public Works Director clarified their views. The Planning Commission recommended approval. Director Cardenas reported that there were arguments raised at the hearing such as housing affordability but pointed out that there is no evidence that flag lots can increase affordable housing availability in the City. He found five to seven flag lots ranging in price from \$600,000 to \$1,000,000. The City has a plan to increase moderate-income housing, which was put into effect in 2022 based on State-generated strategies. None of the strategies, however, involve flag lots. The price of an interior lot is the same or more than the price of a standard lot. Further discussion of that issue is unwarranted. It was noted that what was presented was a recommendation from Staff.

D. Staff Business.

ADJOURNMENT

MOTION: At 5:31 p.m. Council Member Williams moved to ADJOURN the Work Session. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting “Yes”.

A handwritten signature in black ink that reads "Wendy Thorpe". The signature is written in a cursive, flowing style.

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 17, 2024
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Eric Jensen
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
Drew 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: Council Member Cyd LeMone

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 Parks Director, Deon Giles.

3) **OPENING REMARKS**

The Opening Remarks were offered by Council Member Andersen.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Jensen moved to APPROVE the meeting agenda. Council Member Williams seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, and Williams voting ‘Yes’.

5) **OPEN SESSION**

Mayor Fugal opened the Open Session.

Lon Lewis presented photographs to address neighborhood issues. He reported that he has had limited contact with the City in an effort to resolve concerns. The photos were taken of Nathaniel Drive, which is currently under construction. An unimproved portion of the roadway to the east was identified. Water cascades down the road and picks up debris which ends up at Murdock and Nathaniel Drives and creates a serious safety issue. In conjunction with construction on Nathaniel Drive, it is imperative that the City dedicate the necessary resources to provide a working roadway. The importance of the repair being done properly was stressed.

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

6) **CONSENT ITEMS**

- 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 of Payment No. 2 to CEM Aquatics for the 2024 Pool Work Project.**
- C. **To Consider for Approval of Contract Change Order No. 2 for Got Dirt Construction, LLC for the 1160 North Utilities and Roadway Improvements Project.**
- D. **To Consider for Approval of Payment No. 3 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.**

ACTION: Council Member Jensen moved to APPROVE the Consent Items as read by the Mayor. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, 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 (2024-022) 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 for an effective date. *Presenter: Director Cardenas.***

Community Development Director, Daniel Cardenas presented the Staff Report and stated that over the years the Community Development Department has received a plethora of different types, varieties, and sizes of subdivisions. Development regulations found in the City Code govern Staff's administrative approval. The Community Development Department, as the Design Review Committee ("DRC"), meets every Wednesday with developers and residents to discuss prospective development and Code and regulation applications. In addition, the Community Development Department meets weekly with the Public Works and Legal Departments to review and address development issues that arise after approval and discuss how the City can best address specific concerns. Over the past year, the work of the DRC has involved a review and a revision to the Code that governs flag lots due to the number of problems reported regarding flag lots. Typically, the City learns about issues when construction is underway. Staff and the City Council have received numerous emails on this topic. Upon identifying the needed changes, the needs of the developer and future residents are considered. The proposed amendment is the result of the City responding to multiple complaints.

Public Works Director, Neal Winterton, reported on the challenges staff faces and stated that there is a reason why subdivisions exist with frontage and road width requirements. Asphalt roads must be 40 feet wide and have piping beneath. Some pipes are placed very deep while others must be spaced, which is challenging. Director Cardenas reported that staff is constantly looking to update and improve the City's ordinances. His review takes into account the interests of both the City and existing residents. Aerial photos of flag lot subdivisions were presented. The following points were made:

- An exhibit showing the four-lot subdivision at 1100 North initially appeared to be adequate, but the work was disproportionate. The project is located on a hillside, and houses and driveways being built there will impact drainage flow on the subject and neighboring properties that would not exist if each property had separate frontage and driveways. Two of the lots had to obtain drainage easement from the neighbors and drainage swales were built to take water to the street.
- When repair issues arise, there may be a question regarding enforcement. He asked who owns the driveway where the utility pipes are located and who is responsible for repairs. Although the City is often called upon, it is not the responsibility of the City.

- Another issue arises when a number of meters are required to be put into a limited space. The proposed project will require three water meters, three Pressurized Irrigation (“PI”) meters, and three sewer laterals going down the one driveway. It was noted that Homeowners Associations (“HOA”) are not always the solution. There was some question as to who is responsible for the landscaping along the driveway and if there is a retaining wall.
- Another example of a lot of issues was identified. The location referenced requires three utilities to go down one stem, which raises a maintenance issue. The City takes care of meters and repairs or replaces them if they have access. If they are damaged and located in the middle of the stem, the concrete driveway will be dug up and out of use. He considered there to be a disproportionate level of attention required. There have been complaints about people parking in the driveway stem. There was some question as to who would respond in that instance.
- Another exhibit showed downhill sloping issues at 1400 East off of 200 South. The stem has pavement going off the stem that causes drainage to flow down and onto a neighboring property. These types of problems are not part of the single-home standard lot. Water is required to remain on the property and drainage is different when there is a road surface, or the property is cleared.
- Some subdivisions have private fire hydrants that are located in an area where the City does not have access. If they leak, there was some question about whose responsibility it is to do the repair.

There appeared to be an unwarranted perception that the City is preventing residents from doing what they wish to on their property. The City has identified and is addressing current and consistent problems with a change to City Code.

Fire Chief, Drew Engemann was asked if he was comfortable with a fire response and health safety issue with the flag lot subdivision at 1100 North. He responded that road access is very important as are maintenance and parking issues. He is frequently contacted by HOAs about parking issues, but he has no authority to enforce parking and directs them to the Police Department. Properly working hydrants and water are always an issue and immediate access can mean the difference between life and death.

City Attorney, Tina Petersen, reported that previously, deep lots were created to provide space for large garden areas. When the flag lot ordinance was first implemented several years ago, the intent was to allow infill development for those deep lots that were no longer being used for agricultural purposes. It was intended to be a tool to promote infill development. In the purpose section of the current ordinance, it very clearly states that it is not to be used to maximize the number of lots developed in anew subdivisions. Unfortunately, the application of the ordinance over the years has gotten away from that purpose and is most often used by developers. The examples show that it is clear that these subdivisions are not what the law intended. Problems that have resulted from flag lots have been a constant point of discussion among Staff who determined that the ordinance should be revised. In researching the proposed amendment, it was discovered that several cities do not allow flag lots at all. This amendment is intended to strike a balance between property owners’ desires and city concerns.

Director Cardenas researched what other cities are doing about flag lots and presented changes recommended by the City Engineer. Staff believed that the proposed amendments are in the best interest of the City.

Director Cardenas reported that when staff evaluates property for a flag lot, they look at the impact on the neighbor. He identified issues where there is inadequate space between homes, blocking the view of a neighbor, and purchasing a lot that turned out to be unbuildable. In those situations, the City tries to be accommodating but must address the needs of the neighbors as well. The proposed amendment addresses those issues. It does not prohibit flag lots but restricts the number allowed. It applies to a new lot for a single-family dwelling in the back of an existing home and allows three lots on a common stem where two of the lots have frontage. Staff also uses vicinity plans to determine what roads are required to maintain connectivity. Developers have circumvented the Vicinity Plan by using flag lots, which is less expensive. The issue of lot widths were discussed.

The following changes were proposed to the ordinance:

- The smallest width measurement across the interior flag must be equal to the minimum width required in the underlying zone.
- On lots in R1-7, R1-8, R1-9, R1-10, and R1-12, 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.
- On the bigger lot zones in R1-15, R1-20, and RR, the minimum required net area for the interior lot in a flag lot subdivision shall have the same minimum area requirements as the underlying zone. (The stem area is not counted.)
- Minimum setback requirements for interior flag lots are as follows: 30 feet from the front property line; 25 feet from the rear property line; and 20 feet from each side property line. There are additional placement requirements for the setbacks and buildings which assure adequate emergency turnaround capabilities by the Fire Department.

Mayor Fugal opened the public hearing.

Derrick Nelson, a Lindon resident, grew up in Pleasant Grove. His mother passed away a few months earlier and lived in Pleasant Grove for over 60 years. They are trying to determine what to do with the property. The best use of the land decision for them is two flag lots on that one-acre property. Developer Danny Farnworth came up with a design for two side-by-side 25 to 26-foot stems just west of the property that meets City requirements and allows enough room in the back for a 50-foot road. That design, under the new ordinance, however, would not be approved. What was recommended instead was one stem on the west side and the other stem on the right side of the property. They were informed by the DRC that the original design would not meet the new requirements. Mr. Nelson stated that they like their original design and do not think their property raises any of the problems described. He preferred flexibility and to not surround the old home with two driveways.

Lon Lewis suggested that the City consider the direct proportional impact the development makes on the neighbors, which can potentially be mitigated. He described being involved in a

development in the City where the setbacks were altered according to where the property was placed and ultimately a corner lot was created. The City identified a solution to reduce the impact of the development on the neighbors. He thought that was the approach here and stated that it will lead to discussions with the developer to show that water is being controlled, that roadways and setbacks are appropriate and that height restrictions are met.

Nathan Densley worried about adoption of the proposed amendment as it puts the City at risk by having zoning restrictions that are in conflict with commitments that are already in place to obtain State transportation funding. He referenced the five City strategies submitted for affordable housing, which include providing more flexibility and addressing setback requirements. In this case, the ordinance would double the setback requirements in some areas. The Code also will reduce the potential for having additional lots and will be more expensive. Smaller lots would be more affordable and more in line with the City's commitment.

Brook Alexander reported that she and her family are new to Pleasant Grove. They are renting from a friend on 200 South and moved to Pleasant Grove because of the cost of housing. They have considered two plans for the property including buying the home and developing the rear as a flag lot or building a home on the rear lot. She was concerned about the amendment as it would eliminate their ability to pursue a flag lot, which makes ownership unlikely for them. She asked that the City Council consider not changing the law to support families in a similar position.

Jacob Zonts reported that he has tried unsuccessfully to develop a flag lot because of the setbacks. He believes that flag lots can help with affordability and increasing the number of available affordable units would help lower home prices. He recommended looking at the other issues discussed by the Public Works and Fire Departments rather than decreasing the number of flag lots. Mr. Zonts stated that options to build more homes should be increased and suggested that Accessory Dwelling Units ("ADU") should be allowed when the primary home is not owner-occupied.

Meghan Walker was concerned as to whether enough time has been taken to consider the proposed amendment, which will greatly hinder the development and improvement of land owned by residents. Specifically, the setbacks and lot size requirements are in direct conflict with what the Governor wants to do to increase the availability of moderate-income housing. The Vicinity Plan only considers undeveloped areas of the City. Some properties are not identified on the Vicinity Plan, which should also be considered as countless properties and single-family residences were created and purchased before it was created. Many purchased their properties during the agricultural era when long, narrow lots made sense. She commented that Vicinity Plans provides limited data and addresses only a small percentage of the property. She asked that the City Council consider the land not covered by the Vicinity Plan. The proposed ordinance conflicts with the City's action plans that address road funding. Ms. Walker also commented that the setback requirements are too restrictive and take more time to consider what they are being asked to pass.

Russell Boyce reported that he lives on 855 East and stated that the second lot referenced earlier by his uncle has no drainage. If they are allowed to build the two side-by-side stents, all of the other problems would be eliminated. He recommended a common-sense approach and stated that if the new amendment is passed, the existing home will be surrounded by roads.

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

Council Member Jensen asked Staff to speak to whether there were any conflict questions with neighboring cities and to address Mr. Nelson's question regarding larger lots. He stated that cities vary in their approach to flag lots. He also asked that Director Cardenas speak to the issue of affordable housing, road funding, and flag lots.

Director Cardenas stated after reviewing sale prices involving flag lots he found prices for front lots to be comparable to back lots. All are in the mid-\$600,000s. There is no data showing that flag lots are more affordable than single-family lots. The strategies selected by the City came from a list prepared by the State pertaining to moderate-income housing. In 2018, work was done on different strategies. A new list of elements was created in 2022, and five strategies were adopted and included in the General Plan. None of the strategies were related to setbacks or flag lots. The City complied with four of the five submitted. It was noted that the City allows accessory apartments which qualify as moderate-income housing. The use of flag lots or reducing the size of interior lot are not strategies that were selected by the City.

Mayor Fugal objected to the use of the term "affordable" and stated that the cost of property and homes is challenging. The State comes up with plans to which cities need to adhere and what is proposed does not appear to be in conflict with the current strategies.

Council Member Andersen commented that Pleasant Grove is at a 37% high-density level. The State specifies that developers have chosen not to utilize some 200,000 granted Building Permits. She commented that people pay a lot for larger lots. She supported the idea that flag lots can still be developed and understands that there is a problem with infill development.

Council Member Williams expressed support for the rights of property owners. He commented that if the ordinance remains as-is, the neighbors will be negatively impacted. The Utah County Map showed the average lot size that could be developed as a flag lot is 1.5 to 3 acres in size. If one flag lot is built, the price will be about \$600,000, which makes the affordability argument irrelevant. If adopted by other neighboring cities, it is within the standard.

Council Member Rogers was concerned with statutes that are written to prevent practical and flexible application to residents. He appreciated the efforts of staff. Director Cardenas reported that staff makes objective administrative decisions. The Code provides tools for Staff to apply the Code based on objective rules. The tighter the tools, the better. There are other helpful options, including requests for variances.

Director Cardenas and Attorney Petersen stated that an applicant always has the option of bringing forward a Code Text Amendment if the applicant thinks there is a better option. There was discussion regarding the number of properties that could potentially be used for flag lots.

Mayor Fugal shared a personal experience with a three-lot subdivision where there were two flag lots. He was frustrated with what he experienced and recognized how the use of flag lots can impact neighbors.

ACTION: Council Member Jensen moved to ADOPT 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 for an effective date. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting “Yes”.

10) ACTION ITEMS READY FOR VOTE

- A. To Consider for Adoption of 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: City Administrator Darrington***

Administrator Darrington presented the Staff Report and stated that 1 ½ years ago they obtained a \$1 million earmark from the State for a specific project. At that time, the City engaged DLS Consulting, Inc. and now the City has an opportunity to obtain more road funding. The firm would receive a retainer of \$50,000 to start and \$50,000 upon completion of obtaining the funding. It is the same Agreement they have had with the firm. The recommendation would be to re-engage with the same conditions but provide an extension of time from December 1, 2024, to August 1, 2025, for completion.

ACTION: Council Jensen moved to ADOPT 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 and adding that the deadline may be extended from December 1, 2024, to August 1, 2025. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting “Yes”.

- 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.***

Attorney Petersen reported that the request is for a Postal Easement. The Makin Dreams subdivision was approved and recorded without the required placement of a postal box. New subdivisions are required to have a group mailbox, and the developer must identify the location. The issue was not discovered until the first few tenants were applying for Occupancy Permits. The City Engineer identified a location adjacent to the subdivision that was deemed appropriate. It was noted that the mailbox will be installed by the developer.

ACTION: Council Member Williams moved to ADOPT 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 across or under property owned by Pleasant Grove City located approximately at 1645 North and 600 West, Pleasant Grove, Utah County, Utah. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting “Yes”.

11) **ITEMS FOR DISCUSSION**

A. **Continued Items from the Work Session, if Needed.**

Police Chief, Keldon Brown, reported on the following:

- A new officer began work this week. A second officer decided to stay with the County. Additional officers were to begin testing shortly. Officer Bartell’s Retirement Event was scheduled for October 2.
- The Department is sponsoring Josh V., for officer training starting October 21.
- Police Officer Jensen recently married Lieutenant Mottsinger’s son.

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

- There was a Library program earlier in the day that involved the Fire Department.
- Performances of the play *Harvey* were to begin this week.
- The Heritage Festival took place the previous week and went well.

Mayor Fugal stepped out of the room and Mayor Pro-Tempore Williams assumed the Chair.

Parks Director, Deon Giles, reported on the following:

- He received an email from the Federal Government indicating that the grant application for the Energy Efficiency and Conservation Block Grant Program (“EECBG”) was awarded. It involves slightly more than \$100,000 that will be used for the diamond LED lights at Discovery Park, which are being installed.
- The frames to two of the shade covers have been installed at Discovery Park. They are trying to get as many installed as possible for the sports season.
- The Discovery Park Playground is still not completed. Staff is having difficulty contacting the contractor, which is delaying the process. They are having a similar difficulty at Cook Park and working with another company. They are hoping for good weather to be able to continue work.

Mayor Fugal returned to the Dias and assumed the Chair.

Fire Chief, Drew Engemann, reported on the following:

- He is working to fill one open position.
- On October 10 there will be an Open House from 3:00 p.m. to 6:00 p.m. in honor of Fire Safety Month. Chief Larsen was responsible for that and is involving the schools in some of the programs.

- Over the past few weeks, they have been distributing material, with the assistance of the American Red Cross and others to raise funds for smoke detectors and alarms. He mentioned a fatal fire that took place about one month ago where there were no working smoke detectors. They hoped to have equipment available when making fire or emergency calls.

Recreation Director, Megan Zollinger, reported on the following:

- Kieley's position was filled by Gabby Usovich, who began this week. She recently graduated from Brigham Young University ("BYU"). Additionally, Andi Veenker is coming back to work for the City and will help with special events.
- The 5-K event is upcoming and will feature various activities.

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

- Staff is working on portions of the General Plan relative to water conservation. The changes do not have to be adopted but must be included as part of the General Plan. The deadline is January 1, 2025.
- He thanked City Planner, Jacob Hawkins, the Planning Commission, and all he works with.

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

- Russel _____ served as the Project Manager for Geneva Rock on the major roadway project and did a great job.
- Work continued on the 1100 North, 200 West, and Nathaniel Drive projects. Major projects involve full asphalt and base replacement with utilities.
- Sidewalks have been a topic of conversation. Missing or broken sidewalks and road replacement involves the same funding source. Residents who want to install sidewalks or need the City's help will get help coordinating the grades, location, and patching the asphalt. It seemed unreasonable to ask the City to place a sidewalk on someone's frontage when the property owner paid for it.
- Staff is planning roadway projects for next year in an effort to have them bid in a timely manner.
- Staff is in the process of cleaning up gravel on the roadway throughout the City.

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

Administrator Darrington reminded the City Council that meetings are scheduled for October 1 and 15.

13) MAYOR AND COUNCIL BUSINESS.

Council Member Jensen thanked Staff and the Planning Commission for their efforts.

Council Member Rogers thanked the Planning Commission and City Staff. He acknowledged that the Code Text Amendment was difficult, and he appreciated staff's work. He considered the recommendations to be appropriate and well thought out.

14) SIGNING OF PLATS

Blackham Farms Plat "A Amended" and Bigelow Acres Plat "B" were signed by the Mayor.

15) REVIEW CALENDAR

16) ADJOURN

ACTION: At 8:06 p.m., Council Member Williams moved to adjourn the meeting. Council Member Jensen seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, Rogers, and Williams voting "Yes".

The City Council minutes of September 17, 2024, were approved by the City Council on November 12, 2024.



Wendy Thorpe, CMC

City Recorder

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