**Pleasant Grove City**
**City Council Meeting Minutes**
**Work Session**
**Tuesday, October 15, 2024**
**4:30 p.m.**

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| Mayor: | Guy L. Fugal |
| Council Members: | Dianna Andersen<br>Eric Jensen<br>Cyd LeMone<br>Steve Rogers<br>Todd Williams |
| Staff Present: | Scott Darrington, City Administrator<br>Tina Petersen, City Attorney<br>Keldon Brown, Police Chief<br>Sheri Britsch, Library and Arts Director<br>Kyler Brower, Assistant to the City Administrator<br>Andrew Engemann, Fire Chief<br>Neal Winterton, Public Works Director<br>David Packard, Human Resources Director<br>Megan Zollinger, Recreation Director<br>Deon Giles, Parks Director<br>Kara Kresser, Building Tech |
| Excused: | Wendy Thorpe, City Recorder<br>Denise Roy, Finance Director |

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

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## 4:30 P.M. WORK SESSION

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

### a. Recognition of a PG Police Department Cadet.

Police Chief, Keldon Brown presented the two new Pleasant Grove police officers and indicated that it was their first day of employment. Joshua Vanschalkwyk reported that he grew up in Pleasant Grove and is looking forward to working for the City. He grew up in Chief Brown's and Council Member Williams' neighborhood. Christian Erickson was raised in Riverton and is happy to be working for Pleasant Grove City.

Chief Brown reported that he began working with the Pleasant Grove Police Department shortly after the Cadet Program was formed so he has been able to watch it grow and develop over the last two years. The program's success is due in large part to the support of the City and Honorary Colonels.

Jim Adams introduced the Cadet Program and stated that when the program began, its goals included having a positive influence on the cadets, creating an atmosphere of skills and knowledge, and inspiring future police officers. They initially hoped enough teenagers would be interested in the program, but so many applied that they have had to turn applicants down. They never imagined cadets would run traffic control for a funeral, a lost and found at the carnival, and crowd control at the rodeo, or sing the national anthem at the rodeo with a voice that could put Taylor Swift out of business. They did not know cadets would be helping out at SWAT trainings and other local agencies and breaking up fights or completing first aid training, CPR training, and "stop the bleed" training. He was impressed by the integrity, pride, commitment, and energy that the cadets have brought to the program, as well as the friendships and emotional bonds they have formed. To take 20-plus teens between the ages of 15 and 20 from five different schools, three cities, and two countries, with varying political and social views, education levels, and abilities and turn them into a group that could be relied on and thrive was a crazy idea, but they did it.

Detective Chris Ruiz reported that the program has been a huge success thanks to the financial backing and support of the City Council, the community, Police Department administration, and Honorary Colonels. He has seen lives change for the better through this program. He has seen individuals who were very shy and withdrawn blossom into very outgoing and outspoken people who will assert themselves, can problem solve in the right manner, and have extended themselves in service to the community. The cadets have donated hundreds of hours of community service through acts of charity. During the 2023 holiday season, they were involved in a food drive with Tabatha's Way. In one week, they were able to collect over 2,000 pounds of food and over 300 pounds of baby supplies. They pride themselves on their integrity and the good standards they uphold as cadets. They understand that they represent the Police Department and the City of Pleasant Grove. It has been his pleasure to see these young people blossom. He thanked the City, police administration, and Honorary Coronels for their support. They have four cadets entering law enforcement because of this program, and two are now interviewing for law enforcement careers.

Captain Brit Smith reported that Jordyn Hunter has been a cadet since the program's inception. He invited Ms. Hunter and her family to the podium and reported that her sister, Harper, would not be with us if not for Ms. Hunter. They have a family tradition of camping at Deer Creek. While there, Harper choked on a bottle cap. She removed a bottle cap with her teeth, the pressure forced it into her airway, and her airway was completely obstructed. Deer Creek is very remote, and there was no chance that first responders could have arrived in time to save her life. Her mother saw what had happened and tried the Heimlich maneuver. Ms. Hunter, having been through the proper training, stepped in and removed the obstruction. Captain Smith stated that when they started the Cadet Program, they did not imagine it would save a life, but it has. Jordyn Hunter was recognized with a Life Saving Award, which police officers receive when they save a life. Photographs were then taken with the City Council.

Mr. Adams told Ms. Hunter that she did what she felt needed to be done, which shows a lot about her character and who she wants to be. He did not want her to downplay the fact that she saved a life. He presented her with gifts from the community and thanked her for her dedication.

Council Member LeMone asked if it was a national program and how it was started in Pleasant Grove. Detective Ruiz reported that the program falls under the umbrella of the National Public Safety Cadet Program, which was started a few years previously by members of the Boy Scouts of America Explorer Program. Members of the Pleasant Grove Police Department attended a conference where they had a booth. Pleasant Grove's is the only Public Safety Cadet Program in Utah. The program has become so successful that other police agency chiefs have reached out to determine how they can start their own programs. Detective Ruiz spoke at the National Conference for School Resources in Phoenix, Arizona about how to start a cadet program. Detective Ruiz runs the program, and Sergeant Carl Nielson assists him.

Cadets range in age from 14 to 21. Open enrollment occurs in December or January, and it is a competitive application process. Interested young people fill out a resume-type application, which challenges them to answer scenario-based questions. They are then interviewed by an oral board comprised of Detective Ruiz, members of the administration, an Honorary Coronel, and leadership cadets like the cadet captain and cadet lieutenant. They are asked specific questions and graded by a points system. The board then discusses the applicants' qualifications and chooses cadets for the year. Cadets are sworn in and take an oath similar to the one law enforcement officers take. There has been some turnover in the program, including some cadets who have graduated from high school and moved on to other commitments, but they are welcome to stay until they are 21.

Council Member Jensen thanked the Honorary Coronels for their commitment to the program. Detective Ruiz stated that if not for them, the program would not have gotten off the ground.

Council Member Andersen stated that she loves the program. The Hunter family has been serving Pleasant Grove for a long time and she was not surprised that Jordyn Hunter saved a life. Detective Ruiz stated that he has watched Ms. Hunter's personal development over the last two years, and it has been a joy to see. She has recently applied for a leadership position in the program, and he is certain she will achieve that level.

Council Member Jensen was encouraged to see the cadets representing the City at events. Mayor Fugal stated that they look like professional junior officers.

**b. Presentation by the PG Fire Department.**

Fire Chief, Andrew Engemann reported on the status of the Wildland Fire Program. He noted that Battalion Chief Jake Larsen does a lot of wildland work with engine boss, Zach Larsen.

Battalion Chief Larsen presented information on Task Force 1601, which battled fires in California this year. Pleasant Grove firefighters were ordered to the Angeles National Forest in an initial attack pre-position. They responded to new fires as they started and assisted with the task force, which included five engines and 20 firefighters. They also directed airplane drops.

Pleasant Grove firefighters assisted with the following fires:

- Sunrise Fire (40 acres in the Mohave desert): They also assisted with three medical emergencies.

- Plenty Fire (75 acres): Ten homes were protected, including the dog whisperer's training complex. They spent a full 24-hour shift on the fire line. There were eight medical emergencies, some treated by Pleasant Grove personnel.

- Turbine Fire (450 acres): Pleasant Grove was on the initial attack team. Helicopter and airplane water/retardant drops were performed under Pleasant Grove Fire Department supervision.

Benefits to the Pleasant Grove firefighters include:

- Experience with the task force.
- Experience running the initial attack team.
- Learning how to fight fires from multiple fuel types.
- Learning aggressive, efficient, and safe fire tactics.

Benefits to Pleasant Grove City include:

- Brings money to the City to supplement operations costs.
- Assists with firefighter training.

Over the last four years, Wildland Fire Program personnel completed 178 days on tour, earning approximately $608,000. In 2024, they spent 47 days on the tour and billed approximately $228,000, $65,000 of which was from the brush truck alone. Twenty overtime shifts were required to cover the team's absence, incurring approximately $20,000 in overtime costs. Minus overtime and fuel costs, the total profit from deployment was approximately $42,000.

Battalion Chief Larsen thanked Zach Larsen for his efforts on the program.

**c. Staff Business.**

Police Captain, Brit Smith reported on the following:

- There was a standoff the previous Wednesday. It was a misdemeanor domestic violence incident involving two brothers. The perpetrating brother barricaded himself in the home and would not come out. The family wanted the police officers to leave, but state law mandates that the perpetrator of domestic violence be arrested so they obtained a search warrant for the home. American Fork, Lindon, and Utah County police responded. They entered the home with a key, and minimal force was used to bring him safely into custody. The incident occurred on Canyon Road, and there were two minor accidents as a result.
- They hired two new officers, one of whom would begin training at the police academy the following week. The second was scheduled to begin working with a Field Training Officer.

- Flock Safety donated a motion-activated Condor camera for Kiwanis Park. The department received a report of a sexual assault at that location and was able to identify a suspect from camera footage. The cameras are helpful in that they can sense movement and redirect to show a previous blind spot or track movement and zoom in on a suspect. There was some underage drinking the previous weekend and the camera zoomed in, and you could almost read the name of the liquor they were consuming. An average security camera cannot provide that level of detail.

  In response to a question raised by Council Member Rogers, he stated that police are notified of issues in two ways. They either notice something as they are watching the cameras live, as in the case of underage drinking, or they review the recording after an incident is reported, as in the case of sexual assault. This type of camera will also be implemented at Cook Family Park.

  The Council Members discussed the need for surveillance. City Administrator, Scott Darrington reported that the City had recently decided to implement the new Condor cameras. In response to a question raised by Council Member LeMone, he reported that they have not discussed adding cameras at Discovery Park. Funds are available to install one at Cook Family Park, but the Council will need to discuss funding for other parks.

Fire Chief, Drew Engemann reported on the following:

- A fire occurred shortly before the standoff. It was caused by someone using a propane torch to burn brush.
- The previous Monday, there were 18 calls in one day.
- Pleasant Grove is now able to dispatch units from Orem when needed and vice versa, which will save between 30 seconds and one minute per call.
- Interviews were scheduled the following day for the assistant position. They are still short one firefighter but are considering hiring someone who is currently part-time.

Recreation Director, Megan Zollinger reported on the following:

- She presented a video of the Viking 5K race.
- She also presented a video of the Adaptive Junior Jazz team. She thanked Shaylee Ferrell and her staff for their efforts to make a difference in the children's lives.

  Ms. Ferrell reported that parents have told her that they had been searching for this type of program. She was proud of Pleasant Grove for offering it and is grateful to be working at the Recreation Department. She interned with a non-profit in Logan that provides outdoor recreation for people with disabilities, and she fell in love with it. She then began working as an adaptive physical education teacher in Lehigh. One child loved to kick the ball and would always hit the target; she knew he needed to be on a soccer team but realized there were no accessible adaptive sports teams nearby. When she competed for Miss Pleasant Grove, she knew that should be her community service initiative. She met with Ms. Zollinger and that is how the program began.

Ms. Zollinger reported that Salt Lake County offers a similar program, but Pleasant Grove's is the only one in Utah County. Children from Draper, Lindon, Vineyard, and Saratoga Springs also participate in Pleasant Grove's program and other cities are helping to expand the program. American Fork will host soccer next spring and Orem will host baseball in the summer. There are two age groups, 5 to 7 and 8 to 12.

Parks Director, Deon Giles reported on the following:

- Murdock Trail has been striped with a solid line down the middle of the trail. They also installed speed limit signs.

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

- She was grateful for the Fire Department's fast response to an incident at the library. The problem was the air conditioner motor in the theater.
- They had an after-school activity with the police K-9 unit.
- A City-wide scavenger hunt will be conducted in conjunction with Future House Publishing.
- Library Con will take place on October 26, 2024.

**ADJOURNMENT**

**MOTION:** At 5:30 p.m. Council Member Jensen moved to ADJOURN the Work Session. Council Member Anderson seconded the motion. The motion carried unanimously with Council Members Andersen, Jensen, LeMone, Rogers, and Williams voting "Yes".

Wendy Thorpe

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, October 15, 2024**
**6:00 p.m.**

| | |
|---|---|
| Mayor: | Guy L. Fugal |
| Council Members: | Dianna Andersen<br>Eric Jensen<br>Cyd LeMone<br>Steve Rogers<br>Todd Williams |
| Staff Present: | Scott Darrington, City Administrator<br>Tina Petersen, City Attorney<br>Captain Brit Smith, Police Department<br>Sheri Britsch, Library and Arts Director<br>Kyler Brower, Assistant to the City Administrator<br>Andrew Engemann, Fire Chief<br>Neal Winterton, Public Works Director<br>David Packard, Human Resources Director<br>Megan Zollinger, Recreation Director<br>Deon Giles, Parks Director<br>Kara Kresser, Building Tech<br>Daniel Cardenas, Community Development Director |
| Excused: | Wendy Thorpe, City Recorder<br>Denise Roy, Finance Director |

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

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## 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 Assistant to the City Administrator, Kyler Brower.

## 3) OPENING REMARKS

The Opening Remarks were offered by Council Member Andersen.

## 4) APPROVAL OF MEETING AGENDA

Item 9(A) was continued to the November 12, 2024, City Council Meeting.

**ACTION:** Council Member Jensen moved to APPROVE the Meeting Agenda, as amended. Council Member Williams 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.

*Joseph Sorenson* expressed concern about safety at the intersection of 300 East and 500 South. Many adults and children walk through that intersection. Mr. Sorenson was directed to speak with Police Captain, Brit Smith and Public Works Director, Neal Winterton regarding the issue.

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

## 6) CONSENT ITEMS

- **A. To Consider for Approval Payment No. 6 to J. Lyne Roberts and Sons, Inc. for the BLVD Well Facilities Project.**
- **B. To Consider for Approval Payment No. 10 to Big-D Construction for the Cook Family Park Project.**
- **C. To Consider for Approval Change Order No. 1 to CEM Aquatics for the PG Veteran's Outdoor Pool Project.**
- **D. To Consider for Approval Payment No. 4 to Awolf Construction, LLC for the 200 West; 400 North to Center Street Waterline and Roadway Construction Project.**
- **E. To Consider Approval of Payment Reports for October 3, 2024.**

Council Member LeMone recused herself from Item 6(D) because she is related to the applicant.

**ACTION:** Council Member Jensen moved to APPROVE the Consent Items, as read by the Mayor. Council Member Anderson 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 an Ordinance (2024-024) Amending City Code Section 10-14-24-1-C: Permitted and Conditional Uses, by Modifying the Provisions and Requirements for Permitted Principal Uses within The Grove Commercial Sales Subdistrict, to Permit Use #6416–Auto Washing, Polishing, and Detailing. Applicant Antonio Mendez.** ***Presenter: Director Cardenas.***

The above item was continued to the November 12, 2024, City Council Meeting.

## 10) ACTION ITEMS READY FOR VOTE

**A. To Consider Request of McKay Christensen for a 4-Lot Final Subdivision Plat, called PG Boulevard Subdivision Plat 'B' on 6.53 acres, located at approximately 238 South Pleasant Grove Boulevard, in The Grove Zone – Commercial Sales Subdistrict and the Boulevard Mixed Use (BMU) Overlay.** ***Presenter: Director Cardenas.***

**B. To Consider Request of McKay Christensen for a Site Plan for Two Apartment Buildings with an Attached Commercial Unit, located at approximately 238 South Pleasant Grove Boulevard, in The Grove Zone – Commercial Sales Subdistrict and the Boulevard Mixed Use (BMU) Overlay.** ***Presenter: Director Cardenas.***

Community Development Director, Daniel Cardenas presented the Staff Report and stated that the property is approximately 6.5 acres in size with frontage along Pleasant Grove Boulevard, 1300 West, and 100 South. The applicant requested approval for the four-lot subdivision, as well as a Site Plan for one lot. Approximately six years earlier the Boulevard Mixed Use Overlay Zone was created to allow residential uses not previously allowed in the zone. The approved density is 23 units per acre. In return, 25,000 square feet of commercial, sales tax generating space is required. Parking requirements were also modified to allow 1.75 parking stalls per one-bedroom apartment and two stalls per two-bedroom apartment. The applicant proposed to subdivide the parcel into one large residential lot and three retail pad lots.

In response to a question from Council Member Jensen, Director Cardenas confirmed that the original concept plan showed retail along the entire Pleasant Grove Boulevard frontage, but no site plan was approved at that time.

Council Member Rogers expressed concerns about what could be built on Lots 3 and 6. Director Cardenas indicated that nothing is currently proposed for the commercial lots. The Site Plan before the Council was for the residential portion only, which consisted of two five-story apartment

buildings with 90 units in Building A, 103 units in Building B, and a 3,853-square-foot retail pad. The project would have 194 residential units, including 170 one-bedroom apartments, 24 two-bedroom apartments, and 339 dedicated parking stalls. Additional parking along Pleasant Grove Boulevard would be designated for the retail pad. Staff confirmed that all parking requirements had been met and included nine shared stalls.

Director Cardenas reviewed the Site Plan, Elevation Plan, and Landscaping Plan for the project and indicated that the item met all administrative requirements. The Planning Commission had forwarded a unanimous recommendation for approval of the applications.

Mayor Fugal asked for more information on the developer's original plan for the parking stalls. Director Cardenas stated that the applicant proposed eliminating the requirement that all parking along Pleasant Grove Boulevard must be used for commercial uses. Because the Planning Commission and City Council did not accept the proposal, their plans have changed to include only commercial parking on that frontage. Regarding the nine shared stalls, the City Code allows up to 30% of required parking stalls for nighttime use to be allotted for other uses during daytime hours. Staff and the Planning Commission worked to limit that number, and only nine shared stalls were allowed.

In response to a question from Council Member Williams, Director Cardenas stated that parking along 100 South near the existing townhomes is complicated. Every townhome unit has a two-car garage and there is some additional parking onsite. However, that has proven to not be enough parking. The curb has been painted red, but cars are still being parked on 100 South. Captain Smith stated that they had not been ticketing those vehicles.

Council Member Rogers referred to the parking information on page 31 of the Meeting Packet. Currently, the maximum number of spaces is 370, but if one of the commercial units is a restaurant, the required number of parking spaces could increase to 375. Since they do not have a proposed use for other lots, they are below the optimum number of spaces for a potential use of the area. Director Cardenas stated that they use two methods to calculate parking requirements for restaurants, the number of tables or net square footage. If a restaurant were built on one of the pad lots, its size would be limited. The developer would need to adjust the uses of the available parking stalls. The concern was expressed that they may not be able to meet the commercial space requirements if buildings are downsized due to parking issues.

Council Member Williams stated that the area was deemed mixed-use and that the City was lied to. This was further encroachment of residential into a commercial zone. They were told that there were signed contracts for commercial restaurants but at the eleventh hour, the developer stated that he just needed a few apartments. The applicant, McKay Christensen asserted that that was a fabrication of the facts. Council Member Williams stated that Mr. Christensen presented four Letters of Intent ("LOI") at the time. There has been great movement on the housing but no movement on the retail. It was hard for him to tell residents that they were excited about the LOIs that were presented seven years ago with over 25,000 square feet of retail when that retail space has not materialized. He also expressed concern that the parking lots will be overtaken, and parking rules will not be enforced because it is private property.

Council Member Jensen stated that seven years is a long time. Mr. Christensen agreed that it is a long time but stated that they are a different site from places like the Grove and are unable to attract A-list retail sites. At the time the zone was created, the City required that they put a $1 million road in and bifurcate the parcel into two difficult lots. He agreed to build the road, and there was an exchange at that time. He stated that to try to cast this as him coming back in the eleventh hour and asking for residential was false because all the proposals he has put forward have included residential. They agreed to build 23 units per acre and 25,000 square feet of commercial, put in a road, and expand Pleasant Grove Boulevard. The City has the benefit of the expansion of Pleasant Grove Boulevard and 100 South.

Mr. Christensen reported that as part of their commitment to bring retail in, they have purchased Beaumont Bakery and plan to build a 5,000-square-foot Beaumont Bakery on Pad 2. Council Member Williams suggested that the two Site Plans be included in a Development Agreement that could be approved in one package. Mr. Christensen stated that he has two different partners. The architect who designed the apartments is also designing the bakery, and they have applied for an SBA Loan for the project. He noted that approximately 4,000 square feet of retail space was included in the residential Site Plan and indicated that the retail space is connected to the building. They also have two 5,000-square-foot pads and one 7,000-square-foot pad planned for the area. The clubhouse is attached to Building B and will look like retail. As you drive along Pleasant Grove Boulevard, the buildings are five stories, but they drop down to two stories at the entrance. They tried to design it thoughtfully.

Council Member Jensen asked if Mr. Christensen planned to sell the apartment buildings off like he did the townhomes. Mr. Christensen stated that he would be developing the apartment buildings and retail pads. The only exception would be if they sold a retail pad. Council Member Jensen expressed his frustration with the lack of movement on the retail and stated that he hoped they could tell residents that it was coming. Mr. Christensen expressed his sympathy for the Council Members' frustration but due to the layout of the site, he could not build the apartments and then not build the retail.

Council Member Williams stated that constituents will complain when two five-story buildings are built on the site, and the City Council erred by allowing it. If he knew seven years ago what he knows now, they would not have approved the rezoning. They were sold on the fact that they would have restaurants like Station 22 or Rockwell Ice Cream. Seven years later, they are going to build 193 residential units, and residents will accuse the Council of lying to them. Mr. Christensen stated that Beaumont Bakery is better than the restaurants they previously listed, and it operates as an anchor. They are being courted by other cities, but they are choosing to come to Pleasant Grove. They will open one restaurant in downtown Salt Lake City and one in Pleasant Grove.

Council Member Jensen referred to the existing parking issue on 100 East and asked Mr. Christensen if he believed there would be a parking issue with the new apartments. Mr. Christensen stated that each apartment will have dedicated stalls with covered awnings, plus guest parking stalls. They believe they have enough parking to accommodate the residents. Retail closes at 9:00 p.m., and most restaurants do not open until late morning or early afternoon. City

Code requires 1.6 stalls per net square foot of restaurant space, and they calculated it at a higher ratio, so they will have more than the required number of stalls.

Council Member Andersen stated that Mr. Christensen will need to monitor the area for cars from the townhomes. Mr. Christensen reported that townhome residents are currently parking on the property. Once it is developed, they will have designated stalls for both residential and commercial, and they will enforce towing.

Mayor Fugal indicated that the City Council made a mistake in not requiring 20 feet of parking area in front of each garage for the townhomes, but that has been corrected for future developments. He is concerned about parking, but parking works for similar apartments in midtown Orem because they enforce towing. Residents know that they will be towed if they park in the retail spaces. Council Member Williams expressed concern for residents. A gentleman recently had a medical emergency, and his car collided with one of the townhomes. The closer these types of apartments are built to busy roads, the more likely such incidents are to occur.

In response to a question raised by Council Member Rogers, Director Cardenas confirmed that the proposal complied with the requirements of the Overlay Zone. There was no Development Agreement. Staff walked the property multiple times to ensure that it complied with parking requirements included in the Overlay Zone, which were reduced from the originally required two stalls per unit. Council Member Jensen stated that those rules were changed due to the promises of commercial square footage. Director Cardenas stated that he counted the size of the buildings, but Staff could not guarantee that the commercial buildings would be built. If they are built, there will be enough parking. The pads could remain vacant. No Site Plan applications have been submitted to date. He stressed that more apartments cannot be built on the commercial pads; they must be retail uses that generate sales tax.

Council Member Jensen expressed his concern that the 194 units will be built, and then all the cars that are currently parked in that area will park on the street. City Administrator, Scott Darrington noted that some cars are currently parking on the street, but not enough for it to be a big concern because most people are parking in the vacant lot. When the apartments are built, the City will have to actively enforce the parking laws. If people park in commercial spaces, enforcement will be at the property owner's discretion. Council Member Rogers asked if parking on the unimproved land is a Code violation, and what recourse the City had to ensure that the area is safe. Administrator Darrington stated that Staff will review the City Code and determine if enforcement measures can be taken. Council Member Andersen agreed and indicated that she receives many complaints about the property.

**ACTION:** Council Member Andersen moved to APPROVE the Request of McKay Christensen for a Four-Lot Final Subdivision Plat, called PG Boulevard Subdivision Plat 'B' on 6.53 acres, located at approximately 238 South Pleasant Grove Boulevard, in The Grove Zone – Commercial Sales Subdistrict and the Boulevard Mixed Use (BMU) Overlay. Council Member Jensen seconded the motion. The motion carried with Council Members Andersen, Jensen, and Rogers voting "Yes" and Council Members LeMone and Williams voting "No." The motion passed 3-to-2.

ACTION: Council Member Anderson moved to APPROVE the Request of McKay Christensen for a Site Plan of Two Apartment Buildings with an Attached Commercial Unit, located at approximately 238 South Pleasant Grove Boulevard, in The Grove Zone – Commercial Sales Subdistrict and the Boulevard Mixed Use (BMU) Overlay. Council Member Jensen seconded the motion. The motion carried with Council Members Andersen, Jensen, and Rogers voting "Yes" and Council Members LeMone and Williams voting "No."

**C. To Consider an Ordinance (2024-025) of Pleasant Grove City, Utah County, UT; Amending Title 1 Chapter 11 "Government Structure" Updating the Ordinance to Reflect Previously Adopted Changes in Various Departments including Separate Parks Department and Recreation Department, including the position of Finance Director; making other Technical Changes and Providing for an Effective Date.** ***Presenter: Attorney Petersen.***

City Attorney, Tina Petersen presented the Staff Report and indicated that the purpose of the Ordinance is to clean up provisions that reflected the old structure of the City administration and had not been updated.

The following changes were included:

- Separation of the Parks and Recreation Departments
- Addition of the Finance Director position.
- Certain responsibilities that were previously assigned to the City Recorder are now the responsibility of the Finance Director.
- References to the Neighborhood Advisory Board were deleted.
- The Engineering Department was assigned as a member of the Design Review Board and Design Review Committee, and those responsibilities were removed from the Public Works Director.
- The Justice Court section was rewritten to reflect changes in State statute, including specifying that Justice Court judges are selected by the Administrative Office of the Courts.

**ACTION:** Council Member Jensen moved to APPROVE Ordinance 2024-25 of Pleasant Grove City, Utah County, UT; Amending Title 1 Chapter 11 "Government Structure" Updating the Ordinance to Reflect Previously Adopted Changes in Various Departments including Separate Parks Department and Recreation Department, including the position of Finance Director; making other Technical Changes and Providing for an Effective Date. Council Member LeMone seconded the motion. The motion carried unanimously with Council Members Jensen, LeMone, Andersen, Williams, and Rogers voting "Yes".

**D. To Consider Resolution (2024-042) Amending the Personnel Policies and Procedures Previously Approved by the City Council. Specifically, Amending Section II "City Code of Conduct: Subsection 9 "Purchasing: by Adopting Subsection 9D "Credit Card/Purchasing Policy: Modifying Spending Limits in Subsection 9E and Adopting a Policy for Disposing of Surplus Vehicles in Subsection I(3) and Amending Section VII "Grievance Procedures" and Providing for an Effective Date.** ***Presenter: Attorney Petersen.***

Attorney Peterson presented the Staff Report and stated that the above Resolution addresses a number of items in the Policy Manual. Finance Director, Denise Roy recommended the following policy changes:

**Section II: City Code of Conduct**

**D. Credit Card/Purchasing Card Policy**

The policy was added to clarify how purchasing cards are to be used, what kinds of receipts of required, and how they are to be submitted. It also provides limits, prohibits certain purchases such as alcoholic beverages, gift cards, gift certificates, or other cash equivalents that require preapproval from the cardholder's department director or designee, and provides for auditing of the use of the cards. The changes will increase accountability, enable the Finance Director to better audit and keep track of card use, and help employees understand what is expected of them.

**E. Spending Approval Limits**

2) The spending approval limit was previously set to $5,000 at the discretion of the department head. Due to increased costs, at the recommendation of the Finance Director and Public Works Director, the limit has been increased to $10,000.
3) Purchases between $10,000 and $30,000 require the Finance Director's approval.
4) Purchases over $30,000 must obtain a purchase order with the approval of the Mayor.

**F. Bids:**

3) The noticing requirements were updated to reflect current state requirements for Class A notices as outlined in State Code Section 63G-30-102.

The above changes were made both to comply with state procurement regulations and to better allow department heads to conduct business without going through the bidding process when it is not necessary.

**H. Bid Exceptions**

4) If a State Contract Supplier is used, the State Contract Vendor number must be provided as proof of the current State contract.

**I. Surplus Personal Property**

2) Property with a value of less than $500.00 may be declared as surplus by the City Administrator and sold or disposed of in an open and public manner.

3) The Vehicle policy, which was previously an administrative policy, is now included in the manual.

**Section VII: Grievance Procedures**

Previously, the Mayor and City Council were included in the Grievance Appeals process. The final level of the process will now be the City Administrator. Attorney Petersen clarified that disciplinary actions follow a different appeals process from grievances.

**ACTION:** Council Member Williams moved to APPROVE Resolution 2024-042 Amending the Personnel Policies and Procedures Previously Approved by the City Council. Specifically, Amending Section II "City Code of Conduct: Subsection 9 "Purchasing: by Adopting Subsection 9D "Credit Card/Purchasing Policy: Modifying Spending Limits in Subsection 9E and Adopting a Policy for Disposing of Surplus Vehicles in Subsection I (3) and Amending Section VII "Grievance Procedures" and Providing for an Effective Date. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Rogers, Williams, Andersen, LeMone, and Jensen voting "Yes".

**11) ITEMS FOR DISCUSSION**

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

Public Works Director, Neal Winterton reported on the following:

- City cleanup is scheduled for October 24 through October 26, 2024.
- Pressurized irrigation has not been turned off yet. If citizens would like their own shutoff valve, they can visit PGPIMeters.com to learn more about the process.
- They are hoping to complete street repairs on Nathaniel Drive, 1160 North and 600 West should be completed by the end of October.
- Micro-surfacing has been completed on 2600 North.
- Regarding 100 East, the County indicated that they were planning to do road treatments in the spring. He checked with them during Strawberry Days, and they said that they were still evaluating what treatment it needed. Some crack sealing has been completed. The contract does not specify timing for maintenance, but it is specific regarding the required condition when the road is turned over to the City.
- Paving of the Cook Family Park parking lot will be completed on October 16, 2024. The playground surface has been installed. A walkthrough was scheduled for the skate park portion the following week. They will also be completing the privacy fence. They are on schedule for a soft opening before Thanksgiving.
- Regarding the channel to the lake, as part of the Storm Drain Master Plan, they needed a way to get rid of the water collecting on UDOT and Saint John properties, but no natural

rivers run through Pleasant Grove. The channel and culverts are being widened to take Pleasant Grove water from the east side of the freeway to Utah Lake. Different routes were studied, and the best one was chosen. The project will take some time to complete. The total cost is $8 million to $9 million, which will be funded through storm drain Impact Fees, reserves, bond funds, and $4.5 million in American Rescue Plan Act funding. A $1 million grant was also received for the project. There was some discussion about the City-owned detention basin being built by Saint John Properties. Director Winterton stated that it will benefit the City because it is an enclosed channel that is cleaner and easier to access, as well as a detention basin that can be integrated into the Master Plan.

- The Road Maintenance Plan for next year will be similar in size, scope, and impact to the community as the current year's plan. They will be requesting bids on the project in December, and plan to engage a firm to perform a Pavement Condition Index Study as well.
- With regard to 1160 North, the new water main, secondary line and sewer line have been installed, and it will be paved within the next few weeks.

Human Resources Director, David Packard reported on the following:

- Free flu shots and health screenings will be administered by PEHP on Tuesday, October 22, 2024, in the Community Room. Covid shots will also be available, but they are not free. Flu shots will be administered from 9:00 a.m. to 12:00 p.m., and screenings will be from 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:00 p.m.

Community Development Director, Daniel Cardenas reported on the following:

- Building Official, Tim Novinger has accepted a position in Texas. He was an asset to the City and will be missed.

City Administrator, Scott Darrington reported on the following:

- He expressed gratitude for the City's employees. The Cadet, Adaptive Recreation, and Wildland Fire programs were all employee-driven.
- The Tabitha's Way Ribbon Cutting is scheduled for 9:00 a.m. on October 24, 2024.
- An individual in the Wedgewood Subdivision would like to connect to the Cedar Hills sewer and has been asked to boundary adjust into Cedar Hills. That change would require 10 other residents to also boundary adjust into Cedar Hills. Pleasant Grove has a sewer in the area, but the line does not extend to the subject property. An exploratory meeting to discuss the issue with affected residents will be held at 7:00 p.m. October 28, 2024. Mayor Fugal will attend, as well as the Cedar Hills Mayor and City Manager.
- Trick or Treat will be held at Downtown Park from 5:00 p.m. to 7:00 p.m. on October 30, 2024.
- The Veterans Memorial Program will be held at 11:00 a.m. on November 11, 2024.
- The Downtown Christmas Tree Lighting will be held at 6:00 p.m. on December 2, 2024.
- The remaining City Council Meetings for 2024 will be held on November 12 and December 3.

## 12) REVIEW AND DISCUSSION OF THE NOVEMBER 12, 2024, CITY COUNCIL MEETING AGENDA.

## 13) MAYOR AND COUNCIL BUSINESS.

Council Member Jensen referred to an informational notice sent out by neighboring cities expressing their support for Proposition 11 and asked if Pleasant Grove could issue a joint opposition statement with Vineyard, Lindon, and Orem. The Council Members discussed the timing and distribution of ballots. Attorney Petersen stated that a statement could be issued but the City could not pay for flyers. It was suggested that a statement be prepared and given to Stronger Together for distribution. Mayor Fugal reported that he is working on an article that will be included in the October 19, 2024, Daily Herald.

There was a discussion on how best to inform citizens of the consequences of their vote. Administrator Darrington cautioned the City Council against using City resources like social media to express an opinion on the ballot proposition. However, they could host an open house to inform people about things like the tax increases without encouraging them to vote yes or no. Council Members can express their personal opinions, but they cannot use City resources to do so. The City can also explain why it did not enter into the Interlocal Agreement.

Council Member Williams stated that he has written a draft indicating that if the proposition passes, it will result in higher costs for everyone, loss of educational programs and resources including special education, tax inequalities and burdens, impact on teacher recruitment and retention, and uncertain long-term benefits, and that they are united in opposition to it. Attorney Petersen stated that he cannot issue that statement using public resources, including the City's social media. It was clarified that the Council Members could personally sign a joint statement as long as they do not involve City Staff, but the State Code prohibits them from using public funds to advocate for or oppose a ballot proposition.

The Council Members discussed different language that could potentially be used on a notice. It was suggested that a draft statement be provided to Administrator Darrington for review with Attorney Petersen. If the statement does not conflict with the State Code, he could then reach out to other cities for their endorsement and a joint statement could be issued. Mayor Fugal suggested removing City Staff from the discussion to avoid any potential issues. It was decided that the Council Members would draft a statement and forward it to Administrator Darrington, who would then decide if it could be placed on the City website.

Council Member Williams stated that the Council made a mistake seven years ago. They are now being held to the fire over what will ultimately be an eyesore on Pleasant Grove Boulevard for decades to come, and it is a travesty that their hands are now tied about the building of 194 additional units. He indicated that 38 cars are currently parked on the dirt and 10 cars on 100 East. Mayor Fugal stated that Mr. Christensen should be addressing the problem on his property. Council Member Williams stated that there will be no less than 400 cars associated with the new apartments that will be parked in the commercial parking lot and those of other businesses and the church. He believes they have taken measures to ensure that this type of project is not approved in the future. Council Member LeMone indicated that she has voted no every time Mr. Christensen

has brought a matter before the Council. She was concerned when he wanted to change the density from 12 to 24 units per acre and opened the floodgates. If the Council continued to vote yes to development, they could not later complain about it. Council Member Williams stated that if Mr. Christensen never builds a commercial unit on those properties and instead holds or sells them, he will still have made enough money from the residential units that it will not matter to him. The City Council allowed it to happen on their watch, and he asked that they ensure that it never happens again.

Council Member Rogers asked for an update on the enforcement of vacancies in the downtown area. Administrator Darrington reported that they are still researching how to best approach it. The property owner has been notified that they need to take care of the mural wall, and there is a deadline by which it must be removed. They intend to wall the area off with brick, which would bring it into compliance. Council Member LeMone asked if they could be provided with timelines. Attorney Petersen stated that the property owner can be provided with deadlines to remedy Code violations, but there is no legal way to force them to occupy the buildings. The condition of the building can be addressed. They must submit plans by October 31, 2024, and the wall must be constructed by December 31, 2024.

Council Member Rogers suggested that there are areas where Code Enforcement should concentrate their efforts. For example, in areas of Orem and Provo, towing is strictly enforced. If the City sets a standard for parking in high-density areas and enforces it, that might alleviate some problems. He was disappointed that the plat and Site Plan they reviewed earlier complied with the law, but because it did comply, the Council had to approve it. Council Member Williams stated that they agreed to the change because of the promises that were made, and they should have required a Development Agreement. Council Member LeMone stated that they can enforce City Code regarding the parking issues. Council Member Jensen asked if the red curb areas on Pleasant Grove Boulevard are properly marked with "No Parking" signs. There was a discussion about whether signage was necessary for red curb areas and the importance of education and enforcement.

Administrator Darrington referred to the Development Agreement with St. John Properties, which requires that retail be developed before or concurrent with residential development, as evidence that the City Council had learned from their previous mistake. They had a different mindset seven years previously because they were excited at the prospect of retail development. Mr. Christensen spent $1 million on the road, which they took as a sign that he would follow through on his promises. However, his plans changed drastically from the original concept. If Director Cardenas had not ensured that the Pleasant Grove frontage be used for retail parking only, he would have used that for residential parking. Attorney Petersen stated that they tried to tie the retail and residential development together, but developers argued that it would not be possible because they have different funding sources. The City backed off of that position because of the pushback from those developers.

Council Member Andersen suggested that the development will look different if parks are not parked haphazardly. Council Member Williams expressed his concern that there will not be enough parking. There was a discussion on how best to prevent cars from parking on the dirt, and

it was suggested that the City ask Mr. Christensen to enforce parking regulations and potentially issue a fine if he does not comply.

Council Member Rogers expressed his pride in being a resident of Pleasant Grove. He is excited for Tabitha's Way to open and believes it is important for cities to allow space for needed services. Citizens from all over Utah County will benefit from Pleasant Grove's willingness to dedicate commercial space to a charitable organization.

**14) SIGNING OF PLATS**

**15) REVIEW CALENDAR**

**16) ADJOURN**

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

The City Council minutes of September 17, 2024, were approved by the City Council on January 8, 2025.

Wendy Thorpe

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