

**Pleasant Grove City
City Council Meeting Minutes
Regular Session
October 20, 2020
6:00 p.m.**

Mayor: Guy L. Fugal

Council Members: Dianna Andersen
Brent Bullock
Eric Jensen
Cyd LeMone
Todd Williams

Staff Present: Scott Darrington, City Administrator
Daniel Cardenas, Community Development Director
Deon Giles, Parks Director
Tyler Wilkins, Recreation Director
Tina Petersen, City Attorney
Kathy Kresser, City Recorder
Marty Beaumont, Public Works Director
Kyler Ludwig, HR Director
Mike Roberts, Police Chief
Drew Engemann, Deputy Fire Chief
Denise Roy, Finance Director
Sheri Britsch, Library Director

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

6:00 P.M. REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER

Mayor Fugal called the meeting to order. All Council Members were present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Community Development Director, Daniel Cardenas.

3) OPENING REMARKS

The opening remarks were offered by Council Member Cyd LeMone.

4) **APPROVAL OF MEETING AGENDA**

ACTION: Council Member Bullock moved to approve the agenda, as written. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members, Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

5) **OPEN SESSION**

There were no public comments.

6) **CONSENT ITEMS**

- a. **City Council Minutes:
No Minutes at this time.**
- b. **To Consider Approval of Pay Request No. 1 and No. 2 to Codey Ekker Construction for the PRV Project.**
- c. **To Consider Approval of Change Order No. 2 and Pay Request No. 3 to Geneva Rock Products, Inc. for the 1300 West Road Improvements Project.**
- d. **To Consider Approval of Pay Request No. 5 to C&L Water Solutions, Inc. for the FY 2018-19 Sewer Rehabilitation Project.**
- e. **To Consider Approval of Payment Approval Reports for October 8, 2020.**

ACTION: Council Member Jensen moved to APPROVE the Consent Items. Council Member Andersen seconded the motion. The motion carried unanimously with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye".

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

8) **PRESENTATIONS**

A. Central Corridor Transit Study results.

City Administrator, Scott Darrington gave a brief background of the ongoing Transportation Study. The study is aimed at finding the best route for riders with current and future developments. The proposed route was recommended for many cities. There is a four-week allowance for the public to share how they feel about the proposed route.

UTA Regional Manager, Mary Delmar Shaffer, reported that the seven cities between Lehi and Provo got together and decided that transit as fast as Utah Valley Express ("UVX") is needed.

Shane Marshall from Horrocks Engineering reported that they had three objectives. One was to provide a high capacity transit improvement through the central part of Utah County that covers Lehi, American Fork, Pleasant Grove, Lindon, Vineyard, Orem, and Provo. Mr. Marshall explained that a Bus Rapid Transit ("BRT") was selected that looks like UVX.

Mr. Marshall explained that all of the partners along the communities have had a seat at the table and given feedback throughout the study process. He pointed out that they established the context and developed a range of alternatives and screened them. A few were selected. He described the preferred alternative that runs north to south. Mr. Marshall reported that there is an existing rail corridor throughout Lehi. He added that there is a UTA line from Lehi to American Fork. Mr. Marshall reported that when the line gets to American Fork, it comes out of the corridor and onto State Street. He explained that the American Fork City Council and Mayor are trying to figure out what makes sense for their community.

Mr. Marshall further explained that there are two stops in Pleasant Grove and it then goes to Lindon, back to State Street, and continues south to Orem. When it reaches 800 North in Orem, it branches out to Vineyard. He explained that with the way Vineyard is growing, the intent of the study was to make sure that the City's population is connected to the system to improve ridership.

From Vineyard, the transit goes south down State Street into Provo. The preferred alternative will offer a future connection to FrontRunner. Some key features of the preferred alternative are that it meets the goals of the study, which is a robust north-south high capacity transit spine for local movement. It connects several transit-oriented developments and provides regional transportation. It was noted that the transit connects all of the communities.

Administrator Darrington explained that the transit will cover a little bit of the north end of the St. John property development. It also opens up future development along North County Boulevard and Center Street. He explained that the main focus is to get traffic off of the Pleasant Grove Boulevard and North County Boulevard intersection.

Council Member Andersen asked if UTA will help with the second route. Ms. Shaffer explained that UTA is always attracted to ridership and connectivity and will find solutions to ensure that there is active transportation. She added that UTA has also been looking at micro-transit.

Mr. Marshall stated that North County Boulevard is a wide corridor with a very large median. He explained that exclusive buses are proposed to be put in the middle of State Street throughout the corridor. He noted that this is an exclusive alliance and they run there by themselves and are not interrupted by the cars. Mr. Marshall explained that the sidewalks do not move and buses can fit in while maintaining the existing lines with no disruption to traffic. He explained that they have received a lot of support from area residents.

Mr. Marshall pointed out that the public has inquired about the east-west trend and want to make sure there is a connection to FrontRunner. He noted that that was provided and that the public does not want lanes removed for the sake of the new buses.

Ms. Shaffer reported that an Environmental Impact Study will be conducted to provide information on where the stops and ridership will be. She noted that UTA has software that can provide this information. Ms. Shaffer reported that Lindon City has buses that look like trolleys and there is a partnership with the City to help fund them. She stated that before COVID-19 the UVX had about

12,000 passengers per day. She explained that they expected an increase in ridership due to the frequency and how fast it is.

9) **PUBLIC HEARING ITEMS**

There were no public hearing items.

10) **ACTION ITEMS READY FOR VOTE**

- A) **To Consider Awarding J. Lyne Roberts & Sons the Veterans Memorial Park Expansion Pickleball Courts Project Bid for the Base Bid and Additive Alternate in the Amount of \$1, 261, 309.00 and Authorize the Mayor to Sign the Notice of Award and Authorize the Mayor to Sign the Notice to Proceed and the Agreement Upon Receipt and Approval of Contract Documents.**

Public Works Director, Marty Beaumont reported that projects include eight pickleball courts and a parking lot that is needed to serve the courts. An additional alternative consisting of 32 stalls was also included in the bid. There is a pavilion planned near the swimming pool with fencing for security. He further explained that there is a proposed restroom between the existing Veterans Park Building and the pickleball courts.

Director Beaumont reported that the bid for the project and the alternate was \$1.261 million. He stated that there were four bidders with J. Lyne Roberts & Sons being the low bidder.

Mayor Fugal asked if there will be 45-degree angled or parallel parking out on Locust Ave. Director Beaumont stated that there will be parallel parking. He further explained that new curb, gutter, and sidewalk will also be installed. He explained that having diagonal parking stalls will be more costly and require the pavement to be extended.

In response to a question raised by Council Member Andersen, Director Beaumont stated that there are detention basins in the area in front of the courts and between the future potential courts. He explained that the new sidewalk along Locust will end at the boundary. The sidewalk will be increased to six feet.

Council Member Andersen requested information on noise mitigation at the pickleball courts. Director Beaumont explained that one of the requirements for a Conditional Use Permit for the pickleball courts was that noise barriers be installed. The Planning Commission required a double fabric type of a barrier to help mitigate the noise. He noted that the sound fabric will be put on the 10-foot tall fencing. He explained that the noise fabric will not be placed on the back because it goes back toward the swimming pool and the Recreation Center. Council Member Andersen suggested that trees be planted along the Recreation Center wall.

Council Member Williams asked about the pavilion and the ease of access from the pool. Director Beaumont's understanding was that people rent the pool during the summer months and use the pavilion. A 12-foot gate will give access to those who rent the pool in the evenings. Council Member

LeMone asked how the situation will be monitored with people coming and going. Director Beaumont responded that the gate will be closed and opened only when there are parties.

Administrator Darrington stated that if someone rents the pool, they will get the pavilion with the pool. The gate will be locked so that the pool can be cleared when the free swim period is over. The gate will then be opened so that those who have reserved it can enter.

Council Member LeMone asked if the pavilion will be open to the public. Administrator Darrington responded in the affirmative. He said that the pavilion is open for use at noon on Saturdays, unless the pool is reserved. In response to a question raised by Council Member Jensen, Director Beaumont explained that due to grade, the pavilion will be seven feet higher than the parking lot.

Council Member LeMone asked if the existing fence around the pool on the west side will be removed. Director Beaumont explained that the existing fence will be removed and a new fence installed. He further explained that some trees will be removed because of the infrastructure that will be going in and the construction that will be taking place.

ACTION: Council Member Williams moved to consider awarding J. Lyne Roberts & Sons the Veterans Memorial Park Expansion Pickleball Courts Project bid for the base bid and additive alternate in the amount of \$1,261,309.00 and authorize the Mayor to sign the Notice of Award, the Notice to Proceed, and the Agreement upon receipt and approval of final contract documents. Council Member Jensen seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye". The motion carried unanimously.

B) To Consider for Adoption a Resolution (2020-060) Authorizing the Mayor to Sign an Interlocal Agreement between American Fork City, Cedar Hills City, Highland City, and Pleasant Grove City for the Mill Ditch Enclosure Project and Providing an Effective Date. Presenter: Director Beaumont.

Director Beaumont reported that they applied for funding through the Natural Resources Conservation Service ("NRCS") for the Mill Ditch Enclosure project. The project is part of flood control coming out of American Fork Canyon. The ditch is opened from the American Fork Canyon diversion. He noted that this is Phase 1 of the project.

Director Beaumont explained that the project was funded and bidding will be opened next month. The second phase of the project is a trapezoidal concrete line ditch that runs 6,000 feet. 3,000 feet of the line is an open ditch and 3,000 feet is a concrete line ditch. He noted that Phase 2 is not yet funded although the environmental assessments have been completed.

Director Beaumont stated that access easements are needed for Phase 1. He pointed out that most of the project is in Cedar Hills. The ditch is prescriptively given and has existed for over 100 years. He noted that there needs to be an easement for the maintenance and upkeep of the ditch.

Director Beaumont further explained that they are proposing a 30-inch High-Density Polyethylene ("HDPE") pipe. The facility belongs to Pleasant Grove Irrigation Company. Pleasant Grove City is

the major shareholder and is working on behalf of the company. He explained that 1,000 acre-feet of water is lost through this section of the ditch every year and the City wants the water captured.

Director Beaumont reported that there is a waterline that American Fork City owns that comes down the middle of the fairway. American Fork City wanted the line replaced when Canyon Road was constructed. They replaced the waterline down to the mouth of the Canyon and need those springs to drain into their water tanks.

Director Beaumont noted that the four-way Interlocal Agreement is between Highland, American Fork, Cedar Hills, and Pleasant Grove City. The intent is for the Interlocal Agreement to guarantee that NRCS allows the City to put the project out to bid. The agreement also shows that the City has the right to place its facilities, for which funding was awarded, in that location. It also gives the City the right to access and maintain those facilities.

Director Beaumont explained that Highland City was involved in the Interlocal Agreement to give access easements. He added that American Fork City was involved because the water line needed to be relocated directly adjacent to the City's facility or the Pleasant Grove Irrigation Company facility. Cedar Hills wanted the water line to be relocated so that they do not have to dig up the middle of the fairway to install their water line or repair it if there are issues.

In response to a question raised by Council Member Andersen, Director Beaumont explained that Phase 2 of the project pipes the open concrete channel and is aimed at ensuring safety more than saving water. He reported that Phase 2 consists of a 3,000-foot open concrete-lined ditch that will be removed and a new HDPE pipe will be installed in that location. He explained that the Interlocal Agreement is for the entire alignment of Phases 1 and 2.

Council Member Andersen asked if the line will go through Pleasant Grove and cover the ditch. Director Beaumont explained that the open portion of the mill ditch goes through the park, Cedar Hills, and then through Don Wadley's property into Pleasant Grove.

ACTION: Council Member Andersen moved to consider adoption of Resolution (2020-060) authorizing the Mayor to sign an Interlocal Agreement between American Fork City, Cedar Hills City, Highland City, and Pleasant Grove City for the Mill Ditch Enclosure Project and providing an effective date. Council Member Bullock seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye". The motion carried unanimously.

- C) To Consider Authorizing the Mayor to Sign Evermore Park's Request for Local Consent as required for a State Liquor License and to Approve their Application for an On-Premise Full-Service Restaurant Liquor License for Vander's Keep, located at Approximately 382 South Evermore Lane, Pleasant Grove, UT.**
Presenter: Attorney Petersen.

City Attorney, Tina Petersen reported that Evermore Park is continuing to expand its services and they have decided to open a full-service restaurant. The name of the restaurant will be Vander's Keep. She explained that for the restaurant to obtain a State Liquor License, local consent is required

from the City Council. Attorney Petersen further explained that since Evermore has a deadline, they are requesting that the City grant them a local liquor license conditionally based on them completing the requirements.

Evermore CEO and Founder, Ken Bretschneider, stated that Evermore has struggled a lot during COVID-19 and reported that they shut down for four months. He stated that there is a huge demand for food and beverage and there are not a lot of full-service restaurants in Utah County. He pointed out that they want to open the restaurant as soon as possible to help recoup the cost of losses incurred this year. He noted that they did not receive much support from the State. He noted that they received Paycheck Protection Money ("PPP") money, which was critical. He stated that from a revenue perspective it is crucial that they expand their operations.

Mr. Bretschneider reported that they have their first party booked for October 30 and most of the space is ready for final inspection. The restaurant is inside Evermore and is accessible to the public. He noted that the food will have a Nordic flair. They will also offer seafood, steaks, and vegetarian dishes.

Mr. Bretschneider reported that they have a soft opening party scheduled for October 30 hosted by Brandon Fugal. He confirmed that Evermore is part of The Grid Project. He noted that The Grid has a strong commitment to the rest of Evermore's funding. Mr. Bretschneider reported that in addition to the track, lobby, and a games area, they will be opening a restaurant. The loft area will be expanded and virtual reality and other types of experiences will also be available.

Michael Peters identified himself as the Executive Chef and Food & Beverage Director at Evermore. He has 25 years of experience in the food industry and a background in traditional French foods.

Attorney Petersen outlined the conditions for the liquor license as follows:

- Health Department approval;
- Obtain a State license;
- Complete the required training; and
- Ensure that the Fire Inspection for the remaining construction is carried out.

ACTION: Council Member Williams moved to consider authorizing the Mayor to sign Evermore Park's Request for Local Consent as required for a State Liquor License and to approve their application for an On-Premise Full-Service Restaurant Liquor License for Vander's Keep, located at approximately 382 South Evermore Lane, Pleasant Grove, Utah. Council Member Jensen seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye". The motion carried unanimously.

D) To Consider for Adoption an Ordinance (2020-21) Amending Title 2 Chapter 2 Subsection C "Historic Preservation Commission" of the Pleasant Grove

Municipal Code Adjusting the Number of Members of the Commission and the Terms of Chair and Vice-Chair and Approving the Historic Preservation Commission Bylaws and Providing an Effective Date. *Presenter: Attorney Petersen.*

Attorney Petersen reported that she was approached by the Historic Preservation Commission regarding amendments to the ordinance with regard to the number of members in the bylaws. She explained that the Ordinance requires that the Commission have 11 members but they are requesting that that number be modified to five members. She reported that the Commission is also requesting to change the term of office for the Chair to two years and that the Council approve the bylaws.

Historic Preservation Commission Chair, Laurel Cunningham stated that the Commission does not want consecutive terms to ensure that there is turnover especially if an ineffective person is appointed.

Council Member LeMone suggested that they have a two-year term on rotation. Members can remain on the Commission but not act as Chair.

Ms. Cunningham reported that they have been working on renovating the old city hall/library building with Phase 1 and with that they converted the bathroom to an ADA-compliant bathroom. She stated that the Commission has applied for a State grant that they intend to use for Phase 2 if awarded. She added that the Commission's goal is to use the building as a community center.

ACTION: Council Member Bullock moved to consider adopting Ordinance (2020-21) amending Title 2 Chapter 2 Subsection C "Historic Preservation Commission" of the Pleasant Grove Municipal Code adjusting the number of members of the Commission and the Terms of Chair and Vice-Chair and approving the Historic Preservation Commission Bylaws and providing an effective date. Council Member LeMone seconded the motion. A roll call vote was taken with Council Members Andersen, Bullock, Jensen, LeMone, and Williams voting "Aye". The motion carried unanimously.

11) ITEMS FOR DISCUSSION

A) Continued Items from the Work Session, if needed.

Police Chief, Mike Roberts reported that the Police Department is doing very well. He explained that the new hires are on their final week of field training. He noted that the schedule is full, and they will be able to reassign someone to the Utah County Major Crimes Task Force. He reported that the Investigations Division is spending the week on their Internet Crimes Against Child Sex Crimes Recertification. He added that the department is busy and trying to stay on top of reports.

Chief Roberts reported that in the recent marijuana case, the person had a license from the Department of Licensing to grow CBD oil. The license was for a different County. The person involved moved to Pleasant Grove and brought his plants with him.

Chief Roberts reported that the Division of Professional Licensing ("DAPL") was present when the search warrant was issued on the house. It was determined that the plants were less than 2% Tetrahydrocannabinol ("THC") after evaluation. They were determined not to be marijuana plants

but CBD oil plants. Chief Roberts explained that the department did not confiscate the plants or destroy them.

Deputy Fire Chief, Drew Engemann reported that Chief Guzman handled the logistics for the shoot at the Orem gun range. The brush truck was there for a few days helping them with back burns. He reported that quick promotions were done and Kyle Hardy was appointed Captain in place of Justin Whatcott. Eric Nish was identified as the New Lieutenant. Chief Engemann reported that the Department will begin the process of hiring a new firefighter/paramedic.

Library Director, Sheri Britsch reported that Veterans Day is coming up and they would like to keep the event low-key. In response to a question raised by Mayor Fugal, Administrator Darrington stated that there are no State restrictions from the Governor on crowd size. However, groups of more than 10 people are required to wear masks.

Council Member Jensen suggested that the City prepare a pre-recorded message of the Mayor and different community members thanking the City's veterans.

Recreation Director, Tyler Wilkins reported that they have a drive-thru Trunk or Treat event scheduled that will be held in the Recreation Center parking lot. He reported other programs are continuing and soccer recently finished.

Community Development Director, Daniel Cardenas reported that in the few weeks he has been working with the Enforcement Officer, they have begun working on the New Code Enforcement Division within the department.

Director Beaumont reported that the construction season is coming to an end. The 700 South Overlay Project and the 1300 West Project have been completed. The Pressure Reducing Valves ("PRV") Project is nearly complete. Four of the old PRVs were replaced with six new ones. In response to an inquiry by Council Member Andersen, Director Beaumont reported that they are looking at a possible spring construction for the 100 East block.

Parks Director, Deon Giles reported that the department has been very busy at the Cemetery. He reported that they are working on the east section and are down to 200 graves that are available for sale.

He reported that the red lights will be on at the Fire Department every night to honor the fallen firefighters.

HR Director, Kyler Ludwig reported that he sent the link of the Employee Photo Directory to the Council.

Administrator Darrington reported that the Arts and Beautification Committees will present their reports at the next Work Session. He stated that there will be discussions on potential capital projects. A budget amendment may be needed as well to help allocate funds. Formal action is needed to add the Pickleball Project to the budget.

Administrator Darrington reported that there are only two more meetings scheduled for the rest of the year on November 10 and December 1.

12) **REVIEW AND DISCUSSION ON THE NOVEMBER 10, 2020 CITY COUNCIL MEETING AGENDA**

13) **MAYOR AND COUNCIL BUSINESS**

Council Member Jensen suggested that the City do an infographic since the year is drawing to a close. Administrator Darrington reported that all of the department heads have submitted their numbers. He felt it would better to have an infographic of two departments at a time.

Council Member Jensen reported that there will be a school debate for some Pleasant Grove High School students with the event aired live on Facebook. Council Member LeMone will serve as the Moderator.

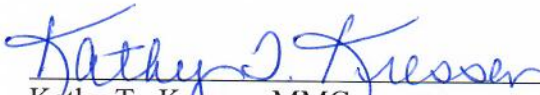
14) **SIGNING OF PLATS**

15) **REVIEW CALENDAR**

16) **ADJOURN**

At 7:45 p.m. Council Member Jensen moved to adjourn. Council Member Bullock seconded the motion. The motion carried with the unanimous consent of the Council.

The City Council minutes of October 20, 2020 were approved by the City Council on November 10, 2020.


Kathy T. Kresser, MMC

City Recorder

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

