

**Pleasant Grove City Council Minutes**  
**February 19, 2013**  
**6:00 p.m.**

**PRESENT:**

Mayor:

Bruce W. Call

City Council Members:

Cindy Boyd

Lee Jensen

Cyd LeMone

Jay Meacham

Kim Robinson

Excused:

Andrea Romanczyk, Transcriptionist

**STAFF PRESENT:**

Scott Darrington, City Administrator

Tina Petersen, City Attorney

Dean Lundell, Finance Director

Kathy Kresser, City Recorder

Ken Young, Community Development Director

Deon Giles, Parks and Recreation Director

Lynn Walker, Public Works Director

Mike Smith, Police Chief

Dave Thomas, Deputy Fire Chief

Degen Lewis, City Engineer

David Larson, Assistant to the City Admin

April Harrison, Arts and Culture Director

Libby Flegal, NAB Chairperson

Citizens

The Mayor, City Council, and staff met in the City Council Chambers at: 86 East 100 South, Pleasant Grove, Utah, at 6:00 p.m.

**1. CALL TO ORDER**

Mayor Call called roll for the Council and noted that Council Members Boyd, LeMone, and Robinson were present and Council Members Jensen and Meacham will be attending shortly.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Scout Devin Tullis.

**3. OPENING REMARKS**

Opening Remarks were given by Council Member Robinson.

**4. APPROVAL OF MEETING'S AGENDA**

Mayor Call asked if there were any changes to the agenda. Administrator Darrington noted that the executive session land issue is not ready for discussion but there will be two items on personnel.

**ACTION:** Council Member Robinson moved to approve the agenda as corrected. Council Member LeMone seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting “Aye”.

- 5. CONSENT AGENDA:** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion)
- a. City Council and Work Session Minutes:
    - City Council Work Session Minutes for October 9, 2012
    - City Council Minutes for November 7, 2012
  - b. To consider for approval paid vouchers for (February 11, 2013)

Mayor Call asked for a motion on the Consent Agenda items.

**ACTION:** Council Member Boyd moved to approve the Consent Agenda as noted. Council Member Robinson seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting “Aye.”

## **6. OPEN SESSION**

Mayor Call explained to those present that if an item is not a public hearing or not on the agenda, they were welcome to come forward and address the council by stating their name and address.

Darlene Seeley, Pleasant Grove Lions Club, complimented the City on doing such a wonderful job on the remodel of the Sportsman Center/Lions Club. She said that they are celebrating 75 years as a club and next Tuesday, February 26<sup>th</sup> at 6:00 p.m. they are having an open house for new perspective Lions Club members and invited the Council to come to the open house. If the Council has any questions or need more information they can contact her, Lori Jonas or Tera Gottered. She mentioned that they have distributed flyers throughout Utah County about the open house. Ms. Seeley reported that Pleasant Grove is the only operating Lions Club in northern Utah County.

The Mayor asked if anyone else wanted to come forward for the open session. No one came forward; he then closed the Open Session portion of the meeting.

## **7. BUSINESS:**

### **A. PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-1) ADDING SECTION 10-14-28 “GROVE BUSINESS PARK (GBP) OVERLAY” TO THE PLEASANT GROVE CITY CODE, FOR THE PURPOSE OF PROVIDING MORE OPPORTUNITIES FOR PROFESSIONAL BUSINESS PARK DEVELOPMENT IN THE GROVE ZONE. (SAM WHITE’S LANE NEIGHBORHOOD)**

Director Young reported that Staff has been working on this item with the doTerra company that recently announced that they are coming to Pleasant Grove. What this item will do is take a parcel of ground that is in the Grove Zone/Commercial Sales and apply on top of the existing zoning an overlay which will allow additional opportunities for specific business development of

this development and others. He then read the purpose of the overlay which states: to provide for a mixture of research, office, retail, warehousing and certain specialized light manufacturing uses in a park like atmosphere. So the uses will include light manufacturing, whole sale and retail trade, research trade and public assembly which will encapsulate the types of uses that are anticipated for this business in their new headquarters/international offices that are to be built on a 22 acre site. Continuing on Director Young said that other inclusions in the ordinance are maximum building height up to one hundred feet, design controls and landscaping. He then mentioned that this item has been to Planning Commission and they voted favorably for the approval of the overlay.

Council Member Boyd asked if this only pertains to the land that will be discussed later. Director Young replied that the overlay does not pertain to any land; it only pertains to the City Code.

Council Member Boyd asked how many stories is one hundred feet? Director Young answered that it is about seven stories but his understanding is that the proposed building will not be that high.

Mayor Call asked if there were any further questions for Director Young, there wasn't any; he then opened the meeting to the public for comment.

Peter Blake, 29 South 2000 West, asked if the items later in the meeting will show the property where the overlay is being applied. Mayor Call replied that they will.

He then asked if there were any further comments from the public, being none, he closed the meeting to the public.

The Mayor then called for a motion.

**ACTION:** Council Member Robinson moved to adopt Ordinance 2013-1 adding Section 10-14-28 "Grove Business Park (GBP) Overlay" to the Pleasant Grove City Code, for the purpose of providing more opportunities for professional business park development in the Grove Zone. A public hearing was held. Council Member LeMone seconded, a voice vote was taken with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting "Aye."

**B. PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-2) REZONING APPROXIMATELY 15 ACRES OF PROPERTY OWNED BY VALLEY PROPERTIES LLC, LOCATED AT APPROXIMATELY 400 SOUTH 1300 WEST, FROM THE GROVE-INTERCHANGE SUB-DISTRICT TO THE GROVE- COMMERCIAL SALES SUB-DISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD)**

Director Young reported that before we can apply the overlay to the property we need to take care of a housekeeping item that we wanted to take care of in relationship to the property that we are talking about. The property that we are talking about is about 15 acres that is on the corner of 1300 West and Pleasant Grove Blvd. on the southeast corner. This does not comprise the entire property that we are proposing to apply the overlay it is just a portion of it. He then noted that the outlined piece that is shown is in a different zone than the other properties. Looking at the other properties to the north, to the south, to the east/north east side the 15 acre piece is almost

surrounded by the Grove Commercial Sales Subdistrict. This piece is a leftover from a prior zone change that changed the surrounding property from the Interchange Subdistrict to Commercial Sales and at that time the owner of the property was deciding what he wanted to do with his property and he was supposed to come back to the City when he decided but that never happened so the property remained in the Interchange Subdistrict. As Staff we feel that now is a good time to do the zone change because the property has changed hands and there is new development proposed for the property and we would like to get the zone change approved prior to doing the overlay.

Mayor Call asked if there were any questions on the zone change for Director Young. There weren't any; he then opened the meeting to the public for comment.

No one came forward to comment; the Mayor closed the meeting to the public and asked for a motion on the rezone request.

**ACTION:** Council Member Jensen moved to adopt Ordinance 2013-2 rezoning approximately 15 acres of property owned by Valley Properties LLC, located at approximately 400 South 1300 West, from The Grove-Interchange Sub-district to The Grove- Commercial Sales Sub-district. A public hearing was held. Council Member LeMone seconded the motion. A voice vote was taken with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting "Aye."

**C. PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-3) APPROVAL OF THE APPLICATION OF THE GROVE BUSINESS PARK OVERLAY ON VARIOUS PROPERTIES LOCATED BETWEEN PLEASANT GROVE BOULEVARD AND 700 SOUTH, EAST OF 1300 WEST, FOR THE PURPOSE OF PROVIDING MORE OPPORTUNITIES FOR PROFESSIONAL BUSINESS PARK DEVELOPMENT IN THE GROVE ZONE. (SAM WHITE'S LANE NEIGHBORHOOD)**

Director Young noted that it has been request by doTerra Essential Oils to apply the Grove Business Park Overlay onto 51 acres of property that is shown on the map. It does include more property than they own. Notice has been sent out to all of the property owners within 300' of the boundary of the overlay area of the intent to do this. The overlay allows the potentiality of expansion of the business park and allows for new uses for the property. This item has also been reviewed by the Planning Commission with favorable recommendation.

Mayor Call asked if any of the property owners that this overlay will be affecting are here tonight that would like to take the opportunity to speak during the public hearing, being none he closed the public hearing.

Council Member Meacham commented that when he saw the list of the added uses he wondered how the list was developed. Director Young replied that in negotiation with the doTerra Company it was determined what uses would be applicable to what their function would be, also it will open a lot of opportunities for other businesses. He then said that the BMP zone is similar in nature with what they want to accomplish with the overlay but this is just a little bit more specific to their uses.

Council Member Jensen wondered if the adoption of this ordinance will preclude another entity from coming in and asking for a change to the ordinance to allow them to do something that is not included. Director Young replied if there is a request to increase or decrease the area of the overlay it could happen. Council Member Meacham interjected that that would have to be done by ordinance correct? Director Young answered yes.

Mayor Call said that he sort of short changed the public hearing and asked if there was anyone from the public that wanted to comment on this subject. No one came forward; he then closed the meeting to the public. He then called for a motion on this item.

**ACTION:** Council Member Boyd moved to adopt Ordinance 2013-3 approving the application of the Grove Business Park Overlay on various properties located between Pleasant Grove Boulevard and 700 South, east of 1300 West, for the purpose of providing more opportunities for professional business park development in the Grove Zone. A public hearing was held. Council Member Robinson seconded the motion. A voice vote was taken with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting “Aye.”

Director Young noted that he has renderings of what the doTerra building will look like and asked if it would be okay to show them, which he did.

Mayor Call then asked David Sterling, President of doTerra, to stand and introduce himself. Mr. Sterling commented that it is a pleasure to be here tonight. He said that the renderings of the buildings do not really do justice to what they have planned to do. They are hoping use the wetlands piece as well and really make it beautiful; from a landscaping point they want to make this something that the community will be proud of. He also said that they are excited about the Grove area and what it can become. Next he said that he is thrilled by the participation of the City, it’s been a long effort to get to this point. He then said that they are very excited to be announcing the ground breaking very shortly and wanted to thank the City it has been a wonderful process.

Mr. Sterling also noted that he is a resident of Pleasant Grove his family moved here when he was in 9<sup>th</sup> grade and has been here ever since and is very excited that it worked out that they could build in Pleasant Grove.

**D. TO CONSIDER FOR APPROVAL OF A SITE PLAN AND FINAL PLAT FOR THE COMMONS TOWNHOMES (134 TOWNHOME UNITS) LOCATED AT APPROX. 1650 WEST 100 SOUTH IN THE GROVE MIXED HOUSING SUBDISTRICT ZONE. (SAM WHITE’S NEIGHBORHOOD)**

Director Young reported that the applicant is requesting approval of a site plan and final plat. This is the third phase or the third southern portion of The Grove Commons Development, last fall the Somerset Apartments were approved, and had previously approved the commercial area with the residential areas which included the new Wal-Mart, which recently submitted their site plan. He then clarified that the Wal-Mart is a neighborhood market is basically a grocery store not a super center.

The third and final portion is the Commons Townhomes which is the lower density portion of the residential of the development. He also said that this development is in the overlay area which is

called high density residential overlay which allowed for this type of density. Overall the project density will be less than 18 units per acre and on this particular townhome development the density is closer to 11 units per acre.

Director Young then explained the site plan to the Council and audience. He explained that along the slue there will be a walking trail that connects to the development to the north. Next he pointed out the green space of the development which will be largely on the southern portion of the project and noted that they do meet the open space requirement of 25%. Next he showed the renderings of the buildings of the project.

Director Young directed the Council to the staff report where is lists the project details which includes the parking details and how they meet the parking requirements. This project has been reviewed by the Design Review Board (DRB) as well as the Planning Commission although he did receive some recommendations from the DRB and they have met those recommendations and both committees recommend approval.

Council Member Boyd asked if the slue trail is going to be an open channel. Director Young replied that his understanding is yes it will be open although they had a concern about the liability of leaving it open. Council Member Jensen asked if there is any way to insure that it doesn't get piped. Director Young replied that that has been part of the conversation with them in planning the landscape along the trail and that it is to be left for green space. He then said that if the Council would like to have additional insurance that the slue will remain open, you can include that in your motion.

Council Member Jensen asked if there was a second access to the west closer to the business park of the development besides 100 South. Director Young replied that there is some cross access up by the Wal-Mart Store. Administrator Darrington interject that Wal-Mart is working on an access to North County Blvd.

Council Member Jensen then commented that there were several discussions on the most southern portion of the development. The concern at the time was to make sure that the density was moved to Phase II and the southern portion was the green space area. How is the density on the southern portion going to be impacted with the overall density now that it is going to be a single phase? Director Young clarified that all of it is one phase it is platted as separate lots because there is a street that runs through the property. The southern portion averages 11 units per acre whereas the northern apartments were almost 20 units per acre.

Mayor Call asked if there were any further discussion, being none he then called for a motion.

**ACTION:** Council Member Jensen moved to approve the site plan and final plat for The Commons Townhomes (134 townhome units) located at approx. 1650 West 100 South in the Grove Mixed Housing Subdistrict Zone with the condition that the slue remain as an open channel. Council Member Robinson seconded and the motion passed 4-1 with Council Members Boyd, Jensen, Meacham and Robinson voting "Aye." Council Member LeMone voting "Nay."

**E. TO CONSIDER FOR APPROVAL A FINAL PLAT TO AMEND MAYFIELD NORTH PROFESSIONAL OFFICES SUITES –PHASE 1 BY COMBINING TWO UNITS INTO ONE UNIT LOCATED AT APPROX. 260 SOUTH 2500**

**WEST #203 & 204 IN THE GROVE ZONE. (SAM WHITE'S NEIGHBORHOOD)**

Director Young reported that this is a very simple condominium plat. The location of this plat is in the northern portion of Mayfield which is in the southwest area of town. Currently there is one two story office building, and for economic purposes the developer would like to combine two units into one and that needs to happen through a plat amendment.

Mayor Call asked the Council if there were any questions for Director Young. There wasn't any, he then called for a motion.

**ACTION:** Council Member LeMone moved to approve the final plat to amend Mayfield North Professional Offices Suites –Phase 1 by combining two units into one unit located at approx. 260 South 2500 West #203 & 204 in the Grove Zone. Council Member Meacham and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting “Aye.”

**F. TO CONSIDER FOR ADOPTION A RESOLUTION (2013-05) AUTHORIZING THE MAYOR TO DECLARE NINE (9) SMITH AND WESSON HANDGUNS AS SURPLUS AND DIRECTS THAT THEY BE SOLD ACCORDING TO THE CITY'S POLICY FOR DISPOSING OF SURPLUS PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Police Chief reported that the police department has nine hand guns that are at least 25 years old that they would like to surplus. Typically they put them out to the vendors that they deal with that purchase and sell weapons, the dealers have to have a federal fire arms license.

Mayor Call clarified that were are not selling them to the public they are going to vendors that already have a federal fire arms license.

Council Member Meacham asked if the hand guns are in use. Chief Smith replied no, they were purging some evidence when the hand guns were discovered. He thinks that the hand guns were just forgotten about and selling them will help with the purchase of new guns for the department.

The Mayor asked if there were any further discussion on this item, being none he called for a motion.

**ACTION:** Council Member Meacham moved to approve Resolution (2013-05) authorizing the Mayor to declare nine (9) Smith and Wesson handguns as surplus and directs that they be sold according to the City's policy for disposing of surplus property; and providing for an effective date. Council Member LeMone seconded the motion. A voice vote was taken with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voted “Aye.”

**8. NEIGHBORHOOD AND STAFF BUSINESS**

- Assistant Larson reported that at the last Chamber of Commerce Executive meeting they discussed having a Council Member as a voting member of the Board. Mayor Call asked if the Chamber was formed by City Ordinance, Attorney Petersen replied that they were not. Administrator Darrington interjected that the Chamber is its own entity but the City

is going to oversee their finances and provide an Executive Director, other than that they are going to operate with a President, Vice President and they will have their own by-laws. Mayor Call asked Attorney Petersen to look into the legality of having a Council Member serve on the Executive Board.

- Director Giles commented that he has met with the Division of Wildlife and they are going to start stalking the Manila Creek Pond as soon as all the gold fish have been removed from the pond.
- Chief Smith said that he had a Victim Advocate Grant of \$20,000 that he would like the Mayor to sign after the meeting.
- Administrator Darrington announced that he met with the Alpine School District to tie up a few things with them and felt that the meeting went well. Next Tuesday after their facilities committee meets they will be discussing their participation for doTerra. He also said Rob Smith told him that the ASD February 26<sup>th</sup> meeting will not be a regular meeting it is just a work session meeting. The meeting where they will decide their level of participation will be held on March 12<sup>th</sup>. He then reported that there aren't any items for the agenda on February 26<sup>th</sup> so if they Council would like to cancel that meeting it is up to them. The Council agreed to cancel the February 26<sup>th</sup> work session meeting.
- Director Young reminded the Council about the Parks and Trail open house that will be held March 13<sup>th</sup> at the Recreation Center and he encouraged all those that could attend to attend and make comments. Council Member Meacham asked how the information about the open house is getting out. Director Young answered that it has gone out through all of the City's social media and through flyers and posters around the City.

## **9. MAYOR AND COUNCIL BUSINESS**

- Council Member Jensen reminded that Council that February 28<sup>th</sup> is the Fox Hollow Board meeting and encouraged the Council to attend. The Mayor commented that he will be out of town and will not be attending. Council Member LeMone mentioned that she will not be attending either.

## **10. SIGNING OF PLATS:**

There were no plats to sign.

## **11. REVIEW CALENDAR:**

The Mayor reiterated that there will not be a Council meeting on February 26<sup>th</sup> and reminded the Council about the Fox Hollow Golf Course Board meeting on February 28<sup>th</sup>.

He then called for a motion to go into executive session to discuss the character, professional competence, or physical or mental health of an individual.

**ACTION:** At 6:46 p.m. Council Member Boyd moved to go into executive session to discuss the character, professional competence, or physical or mental health of an individual. Council Member LeMone seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting "Aye."

## **12. TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL (UCA 52-4-205 (1)(a))**



**PRESENT:**

Mayor:

Bruce W. Call

City Council Members:

Cindy Boyd

Lee Jensen

Cyd LeMone

Jay Meacham

Kim Robinson

Mayor Call asked for a motion to come out of executive session and reconvene as a City Council Meeting.

**ACTION:** At 7:13 p.m. Council Member Robinson moved to come out of executive session and reconvene as a City Council Meeting. Council Member Meacham seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting "Aye."

**13. ADJOURN**

The Mayor then asked for a motion to adjourn.

**ACTION:** At 7:13 p.m. Council Member Robinson moved to adjourn. Council Member Meacham seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone, Meacham and Robinson voting "Aye."

*This certifies that the Council Minutes of February 19, 2013 are a true, full, and correct copy as approved by the City Council on April 2, 2013.*

---

Kathy T. Kresser, CMC, City Recorder

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