

**Pleasant Grove City
City Council Regular Meeting Minutes
October 18, 2016
6:00 p.m.**

PRESENT:

Council Members: Dianna Andersen, Mayor Pro-Tem
Eric Jensen
Cyd LeMone
Ben Stanley
Lynn Walker

Staff Present: Scott Darrington, City Administrator
Denise Roy, Finance Director
Deon Giles, Parks and Recreation Director
Britt Smith, Police Captain
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Dave Thomas, Fire Chief
Marty Beaumont, Public Works Director
Ken Young, Community Development Director

Excused: Mayor Michael W. Daniels

The City Council and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah.

1) **CALL TO ORDER**

Mayor Pro-Tem, Dianna Andersen, called the meeting to order and noted that all Council Members were present. Mayor Daniels was excused.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Fire Chief, Dave Thomas.

3) **OPENING REMARKS**

The opening remarks were given by Community Development Director, Ken Young.

4) **APPROVAL OF MEETING AGENDA**

City Administrator, Scott Darrington, mentioned that Items 10G and 9B needed to be continued indefinitely. Item 10H will be continued until the November 1, 2016 meeting.

ACTION: Council Member Stanley moved to approve the agenda with the aforementioned continuations. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION**

Council Member Andersen opened the open session.

Donna Jolley reported that one week ago she discovered water gushing down the gutters. It took an hour or more for help to come. She reported that this is the third water break on her road in less than two years and the fifth on 1300 East. She requested that the City plan to fix the road.

Mike McMurtrey presented drawings for the 600 West Center Street Redevelopment Project and explained that currently the area houses a rundown mechanic shop. They have developer money to give it a face lift but need the Council's input on making it a car lot. As a commercial realtor, they can either wait to raze it or redevelop what they have. It is not in a zone that allows car dealerships but they feel it would improve the property. If allowed, the zoning would change, but there would still be cars on the property and it would keep businesses in Pleasant Grove. Mr. McMurtrey mentioned they would go through the proper channels to add improvements but would like the Council's good faith opinion before moving forward with their purchase.

Steve Towle also spoke on behalf of the aforementioned property and stated that in a previous discussion the Council wanted to see what it would look like if they were the owners. They have the financing in place and presented architectural drawings and a plot plan. He noted it will not be exact due to changes the Planning Commission may require. Mr. McMurtrey commented that they would convert the property to more of a retail space in the future but they need it to make sense for them to buy now.

Council Member Stanley supported the idea but stated that there were concerns about it being the main entrance to the City. He liked the idea of improving the property. Council Member Jensen also expressed his support. Council Members LeMone, Andersen, and Walker stated they are open to listening to the proposal.

Council Member LeMone commented that the visuals were helpful. Mr. McMurtrey mentioned that in the long term they would like to convert it to office or retail space to improve the rent, but need the car lot for now. Administrator Darrington directed Mr. McMurtrey and Mr. Towle to file the application for re-zoning.

Martha Hoki informed the Council that there is currently a north to south water issue occurring within the City. She believes it is spring water that has flooded a horse pasture. At first it was just stagnant and odorous but now is a slushy swamp that flows by her home. There is other water going east and west that is pooling at the corner and a stream of water is removing her landscaping. She has been fighting it for nearly 1 ½ years without a response and does not know where to go. Council Member Andersen introduced her to Public Works Director, Marty Beaumont, who took her contact information.

Sandy Carter reported that she was not able to attend the public hearing the previous week on the location of the Fire Station and wanted to express her feelings on the process. She read a statement addressing the divisiveness in the City over the past few years. She expressed gratitude to the Public Safety Building Committee (PSBC) for their work weighing the different options. She commented that she is overwhelmed by the state of the country. When thinking of the difference she can make, she wanted to start in Pleasant Grove. She cares about the community and commented that compromises need to be made. She asked the City Council to consider the needs of everyone in the community. She expressed her desire to do what is best for the City. Mrs. Carter encouraged the Council to ask for the expertise of the Fire Chief and Police Chief in their decision and do what is best for all.

There were no further public comments. Council Member Andersen closed the open session.

6) **CONSENT ITEMS**

- a) **City Council Meeting Minutes:
City Council Minutes for the September 20, 2016 City Council Meeting**
- b) **To consider for approval Partial Payment Request No. 1 to Silver Spur Construction, LLC for the 4000 North Sewer Project.**
- c) **To consider approval of payment vouchers for (October 6, 2016)**

ACTION: Council Member Jensen moved to approve the consent items. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

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

There were no appointments.

8) **PRESENTATIONS**

A) KIM SCHROEPPPEL, VICTIM ADVOCATE, TO UPDATE THE COUNCIL.

Victim Advocate, Kim Schroepfel, introduced herself and stated that while working as a Dispatcher she first learned of several victims and became interested in being their advocate. She has taken classes to improve her ability to help citizens and was hired as a Victim Advocate on September 3, 2016. She explained that in her capacity as a Victim Advocate she assists citizens who are involved in traumatic incidents including domestic violence, suicides, assaults, sudden deaths, etc. She operates a 24/7 service providing resources, comfort, and a listening ear to those in need. Victim Advocates also provide information on restraining orders, housing, legal services, mortuaries and cemeteries.

She explained that in Pleasant Grove, domestic violence is the most prevalent crime. She stated that in most cases she contacts victims within 24 hours. She helps them fill out protective orders and attends court in lieu of victims. Ms. Schroepfel presented statistics from as far back as August 31, 2016. During that time, there have been 13 domestic violence cases, four sexual assaults, three protective order violations, two internet sex crimes, two stalking incidents, one suicide, and one

other death. She mentioned that she also has walk-in clients. She expressed surprise by the sexual assault crimes and noted that the City's youth are greatly affected as both victims and perpetrators.

Pleasant Grove is part of a collaborating task force with Lehi, Lindon, Saratoga Springs, American Fork, and the Utah County Sheriff's Office. This next year, Pleasant Grove would like to focus on domestic violence. They want to educate both youth and adults on dating and domestic violence and what is not acceptable. She and the Police Chief are also working on the "We Believe You" Program because many are afraid to report sexual assaults. Council Member LeMone asked if it is a nationwide program. Ms. Schroepfel explained that they are adding to a program that is already in place. She also believes passionately in suicide prevention and is getting resources out to the public. She loves what she does and the people she serves.

Council Member Stanley mentioned that he had a pro bono client who was a victim of domestic violence and was prosecuted for not giving the name of the perpetrator to the women's shelter. He appreciated that Ms. Schroepfel said she never tells victims what to do but wondered if that is common practice. Ms. Schroepfel explained that she has never pressured victims to press charges but explained that for protective orders the preference is to have names on file. She commented that Pleasant Grove respects the wishes of victims even if they do not want to give their name to the dispatchers.

Council Member Andersen asked how victims' needs are communicated between cities. Ms. Schroepfel explained that they try to find someone local through agency assistance. Police officers work well together and call another city if they need help. Council Member Andersen commented that she would like every girl at the high school to know what to do. Ms. Schroepfel mentioned that this is their goal. With regard suicides, there is the Hope Squad. In terms of dating violence, however, she works with people of all ages. Services are also available for male victims.

9) **PUBLIC HEARING ITEMS**

- A) **CONTINUED PUBLIC HEARING TO CONSIDER FOR APPROVAL A ONE-LOT FINAL PLAT CALLED CRYSTAL VIEW ESTATES PLAT C, LOCATED AT APPROXIMATELY 1243 EAST HILLSIDE DRIVE IN THE R1-20 (SINGLE-FAMILY RESIDENTIAL) ZONE. (GROVE CREEK NEIGHBORHOOD) (Applicant, Dianne Bjarnson) Presenter: Director Young *Continued from the October 4, 2016 Meeting.**

Director Young stated that there is a property between two different subdivisions. The applicant is requesting approval of a one-lot final plat named Crystal View Estates Plat "C", on property located at approximately 1243 Hillside Drive in the R1-20 zone. An application for the plat was received on September 8, 2016. The plat consists of the vacation of Lot 9, Plat "A" of Crystal View Estates Phase 1 and the creation of Lot 19 of Crystal View Estates Plat "C". The reason for the creation of the new single lot plat is the consolidation of the existing lot and a sliver of land running along the Northeast property line. The proposed lot meets the minimum area requirement of 20,000 square feet; therefore, the proposed layout of the subdivision meets the minimum requirements set forth in the Pleasant Grove City Code. By adding more square footage to the existing lot, the property boundaries are extended to the Northeast; however, all the existing

structures, proposed expansions, or any new proposed structures shall comply with the required setbacks and yard requirements for the zone.

Council Member Andersen opened the public hearing.

Dianne Bjarnson mentioned they own both pieces of the property and this request was just to clean up the property line.

Council Member Andersen closed the public hearing.

ACTION: Council Member Jensen moved to approve a one-lot final plat called Crystal View Estates Plat C, located at approximately 1243 East Hillside Drive in the R1-20 (Single-Family Residential) Zone. (**GROVE CREEK NEIGHBORHOOD**). Council Member Walker seconded the motion. A public hearing was held. The motion passed with the unanimous consent of the Council

B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-22) AMENDING CITY CODE TO BE IN COMPLIANCE WITH RECENT STATE CODE UPDATES: SECTION 10-15-23, RESIDENTIAL FACILITIES WITH PEOPLE WITH A DISABILITY, ADJUSTING THE NUMBER OF RESIDENTS PER FACILITY; AND SECTION 10-6-2, DEFINITIONS. *Presenter: Director Young.*

ACTION: Council Member Stanley moved to continue the Public Hearing for adoption an Ordinance (2016-22) amending City Code to comply with recent State Code updates: Section 10-15-23, Residential Facilities with People with a Disability, adjusting the number of residents per facility; and Section 10-6-2 indefinitely. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

C) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-23) AMENDING CITY CODE SECTION 10-15-47 TO INCLUDE THE CONSTRUCTION OR INSTALLATION OF TINY HOMES AS ACCESSORY APARTMENTS ON ALL ZONES WHERE RESIDENTIAL USE IS ALLOWED. *Presenter: Director Young.*

Director Young explained that recently multiple applicants have approached the City regarding the placement of Tiny Homes on their properties. After conducting research, field trips, and discussions staff has proposed amending City Code Sections 10-6-2: Definitions and 10-15-47: Accessory Apartments, to allow the use of Tiny Homes as accessory apartments in the A-1, R-R, RM-7, Downtown Village, The Grove Mixed Housing Sub-District and all the R-1 Zones.

The applicant has proposed to expand the definition and applicability of the Accessory Apartment provision in the City Code in order to include the use of Tiny Homes as part of the accessory apartments ordinance. The current City Code defines Accessory Apartment as "...A subordinate dwelling, which has its own eating, sleeping, and sanitation facility which is... (2) Within a detached accessory structure associated with a single-family dwelling." The inclusion of Tiny

Homes in the Code would be more specific regarding the minimum required size for a dwelling and the minimum requirements for the dwelling to be considered permitted within the City.

The proposed definition for a Tiny Home in Pleasant Grove is “a single-family subordinated dwelling, which has its own eating, sleeping, and sanitation facilities within a detached accessory structure with a minimum area of 192 square feet, attached to a permanent foundation and permanently connected to all required utilities”. In response to a question from Council Member Andersen regarding the minimum square footage requirement, Director Young explained that 192 square feet is a common size that is fully functional.

After researching the topic, staff found that some of the problems or nuisances accompanying the use of tiny homes are the presence of outside storage, lack of parking, and the blurred separation of trailers and tiny homes. To prevent some of the aforementioned nuisances to the neighbors and the community staff recommended the following elements also be included as provisions in the City Code in addition to the standards already established for any accessory apartment:

1. Only one Tiny Home shall be permitted as an accessory apartment per residential lot.
2. The Tiny Home shall be permanently connected to and approved for all required utilities.
3. The Tiny Home dwelling structure must be attached to a site-built permanent foundation which meets the building code. The type of foundation could be a slab on grade or a perimeter foundation.
4. Building inspections are required for construction of the foundation, as well as to ensure the correct installation of the structure, and to approve the correct connection to the utilities.
5. All manufactured home running gear, tongues, axles and wheels must be removed at the time of installation.
6. The dwelling structure shall be constructed with materials that are weather-resistant and aesthetically consistent with the main dwelling.
7. The Development Services director may approve deviations from the architectural standards based on a finding that the architectural style proposed provides compensation design features and that the proposed dwelling will be compatible and harmonious with existing structures in the vicinity.
8. The parking shall be the same as City Code 10-15-47-J.

In response to a question from Council Member LeMone, Director Young explained that this issue involved a resident applying for the amendment and not a developer. He noted that the Planning Commission unanimously recommended approval. Council Member Jensen mentioned that other cities are looking at different aspects of these types of uses. Director Young stated that commonly tiny homes are mobile homes, which is why most cities deny them. However, with permanent foundations, they are close to what is already permitted. Council Member LeMone asked if they

have to be placed in the back of a property. Director Young explained that they can be on the side but must be behind the front yard area. The setback depends on the size and height of an accessory structure. Council Member Andersen asked if accessory structures are required to get approval from the Planning Commission with a site plan. Director Young explained that would be required only if it exceeds the height limitation. Council Member Andersen confirmed that the Council could revisit the requirements, if necessary.

Council Member Stanley asked about the building inspections required for the foundation and if there are national standards for Tiny Homes. Director Young explained that they must pass an inspection as specified in the Building Code.

Council Member Andersen opened the public hearing.

Jamon Scott from Tiny Villa reported that he has promoted tiny homes in Utah County for two years. He presented a list of communities throughout the United States that have approved tiny homes on permanent foundations, including Washington County. Most have similar guidelines to what is proposed. Pleasant Grove would be pioneers in Utah County, but the movement is growing quickly through the country. With regard to inspections and consistency, many communities subscribe to the National Organization of Alternative Housing (NOAH). It was launched in January 2016 as a national trade association providing inspection and certification services for the builders of tiny houses. It has become widely recognized as an industry leader providing support for member builders and municipalities and requires third-party credibility.

Kim Redford identified herself as the applicant for the tiny home. Her 21-year old son works 70 to 80 hours a week as an LDS service missionary. He wants independence but they have not been able to find a suitable place for him to live. She found out about the accessory units in February and has been working with staff on the matter. She explained that the type of people wanting tiny homes are not just HGTV people but normal people that need to be close to other family but want their own space. She expressed her happiness that the Council would be willing to consider the request. In response to an inquiry from Council Member Stanley, Ms. Redford stated the cost of tiny houses depend on features on the inside but they typically cost \$30,000 to 40,000.

Marion Lamb commented that she is a senior interested in a "granny pod". She has friends that live in them and she was happy about the prospect of being able to have a permanent foundation. Her hope was that they can eventually move toward developing communities of tiny homes.

Jeff Redford reported that when he and his wife, Kim met with a builder in Salt Lake City he asked a lot of questions. They adhere to national electrical, plumbing, roofing and insulation codes. He commented that they are built well and up to code standards.

Cynthia Wong indicated that she is a professor at UVU and just purchased a home in Pleasant Grove. When the tiny home community heard that Pleasant Grove would allow tiny houses, she was very excited as she has wanted to live in one for seven years. Her planned home is about \$100,000 with a full kitchen and bathroom. She wanted to be close to stores and live in a residential neighborhood. She wanted to give a face to the Council of those wanting to live in tiny homes. She expressed appreciation to Director Young and the Planning Commission for helping with the

proposal. There are a lot of things to consider, but this is the right place and time for a project like this.

Jennifer Gilbert mentioned that there is a tiny home manufacturer in Pleasant Grove. She is divorced with a son who would like his independence. She stated that they are affordable and was glad something like this is available. Council Member Stanley explained that currently, a tiny home would have to be crafted behind a primary residence.

Kenna Matthews explained she is the director for Habitat for Humanity in Utah County. She expressed her support for tiny homes in Pleasant Grove. They are lacking 13,000 units and considers this a great opportunity for seniors, couples, and singles looking for a place to live.

Joseph Howt expressed appreciation for the goodwill regarding the tiny home movement. He explained that a homeowner's net worth is 45.9 times greater than a renter. They are also likely to stay in the community longer. He indicated that he is a single adult trying to obtain home ownership and it can be very frustrating with costs being \$250,000 on average. He stated that what is done as a community to help those in need says a lot about the community.

Rosalee Curtis stated that she moved to Pleasant Grove a few years ago. Her daughter has tried to move several times. She wants her independence but it is finding housing is challenging. Ms. Curtis stated that when she was 18 she was able to buy her own home; however, the current culture and economy makes that nearly impossible. She expressed her excitement for this proposal and asked if it would need to be manufactured or if they could build it themselves. Council Member Andersen did not object to people building their own structure, as long as it complies with Code.

An unidentified member of the audience stated that she has lived in Pleasant Grove in her brother's basement for about one year because rent is so expensive. She has an emotional support animal and has found it difficult to find a rental. She has a Masters' degree and even though she is not in a crippling amount of debt, she still cannot afford a house. Affordable housing in Utah County is extremely rundown and she would like to stay in the City and have her own place. She considered tiny homes to be a great opportunity for her as a millennial to build equity.

Naomi Nelson expressed support for tiny homes. She wanted to have the option of a tiny home as a granny pod. Her family lives out of state and she thought it would be nice to have a separate place for them to stay. She remarked that she may consider moving into a tiny home development at some point in the future.

Jason Workman has been involved with a builder of tiny homes. He supported the idea of allowing tiny homes in Pleasant Grove.

There were no further public comments. Council Member Andersen closed the public hearing.

Director Young clarified that the main dwelling or accessory unit would need to be owner occupied and there could not be two separate owners on one property. Council Members Jensen and Stanley expressed appreciation for the comments and insights provided by the public.

ACTION: Council Member Jensen moved to adopt an Ordinance (2016-23) amending City Code Section 10-15-47 to include the construction or installation of Tiny Homes as accessory apartments in all zones where residential uses are allowed. Council Member Walker seconded the motion. A public hearing was held. A voice vote was taken Council Members Jensen, LeMone, Andersen, Stanley and Walker voting “Aye”. The motion passed unanimously.

D) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-24) AMENDING CITY CODE SECTION 10-15-47, ACCESSORY APARTMENTS, ADJUSTING THE REQUIREMENTS REGARDING PARKING AREAS, SPECIFICALLY THE MATERIALS APPROVED FOR THE CONSTRUCTION OF PARKING SPACES. *Presenter: Director Young.*

Director Young explained that on February 2, 2016, after years of review and discussion regarding accessory apartments in Pleasant Grove, the City Council passed an ordinance with requirements that would allow for legal apartments. Since then there have been questions and concerns raised about the requirements for the additional off-street parking spaces that service the accessory apartment. A request was made that the ordinance be amended to provide flexibility with the hard surfacing materials for that additional parking. On August 2, 2016, the City Council reviewed the proposal and recommended that staff further refine the language regarding the types of compacted surface materials that may be used.

Director Beaumont reviewed the materials and change in language for the Council. He explained that compacted slag, a material made from used, broken up pavement, metals waste, and crushed stone, is a surfacing material that is often used in place of dirt or gravel roadways, which, when well compacted, provides a fairly firm and smooth road base or surface. It does not provide an impermeable surface, such as pavement or concrete, but is not as loose as dirt or gravel. This compacted material for accessory parking provides flexibility to property owners and offers a less expensive way to meet the parking requirements. This change only affects the additional parking space areas that are not connected to the street. Driveways and parking for the main dwelling unit will still be required to be surfaced with either pavement or concrete. The entire parking space area is to be covered. This will not allow for paving strips or other non-complete surfacing options.

The proposed amendment affects only Subsection J, as follows:

- J. Parking. A single-family dwelling with an accessory apartment shall provide at least four (4) off-street parking spaces for the main dwelling unit and two (2) off-street parking spaces for the accessory unit, for a minimum total of six (6) off-street parking spaces. This shall include covered parking, garages, and tandem parking in driveways. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway. The minimum width of parking areas and driveways shall be paved with concrete, or asphalt except that space used for the accessory unit parking that is not directly connected to the street may be surfaced with masonry, concrete pavers, or as approved by the City Engineer. Compacted materials such as slag or crushed granite with a 4-inch minimum thickness shall be placed in accordance with the American Public Works Association standard specifications. This would include only those materials that compact well and do not have small, fine particles that could potentially be tracked into the

City right-of-way. Surface pavement materials must cover the entire area of all driveways and parking spaces. Any tracking that occurs will be the responsibility of the property owner to clean up and maintain including cleaning of storm drain facilities if necessary.

Director Beaumont stated that the storm water personnel will issue citations if tracking is not cleaned up. Council Member Stanley asked Director Beaumont for an example of the standards of specifications. Director Beaumont provided an overview of compaction and gradation requirements. It will need to be a select material and the standards require it to be tightly compacted.

Council Member Andersen opened the public hearing.

Lori Williams asked Director Beaumont to explain the wording "or as approved by the City Engineer". He described staff's reasoning for including a description of the goals as a hard surface that will not track. If it can be proven that there is another alternative that will accomplish those goals, he was willing to consider other options.

Jennifer Baptista asked for a recommendation if it returns to the Planning Commission. The majority did not think the City should dictate parking places or add parking places. If it is remanded back to the Planning Commission, she requested that they revisit the required parking spaces.

There were no further public comments. Council Member Andersen closed the public hearing.

ACTION: Council Member LeMone moved to adopt Ordinance (2016-24) amending City Code Section 10-15-47, Accessory Apartments, adjusting the requirements regarding parking areas, specifically the materials approved for the construction of parking spaces. Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken Council Members Jensen, LeMone, Andersen, Stanley and Walker voting "Aye". The motion passed unanimously.

E) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2016-25) TO REZONE APPROXIMATELY 5.3 ACRES FROM R1-20 (SINGLE FAMILY RESIDENTIAL) ZONE TO R1-12 (SINGLE-FAMILY RESIDENTIAL) ZONE ON PROPERTY LOCATED AT APPROXIMATELY 940 EAST 300 NORTH. (GROVE CREEK NEIGHBORHOOD) (Applicant Jared Bishop, Artisan Construction) *Presenter: Director Young *Continued from the October 4, 2016 Meeting.*

Director Young explained that the applicant is requesting approval of a rezone of approximately 5.3 acres on property located at approximately 940 East 300 North. The proposed rezone is from existing R1-20 (Single-Family Residential) to R1-12 (Single-Family Residential). The rezone is in conjunction with a proposed 14-lot residential subdivision. The proposed lots were smaller than what the current zone requires for the minimum square footage; therefore, a re-zone was proposed. The applicant is requesting to change the zone from one that requires a minimum lot area of 20,000 square feet to a one that would allow for 12,000 square-foot single lots. Much of the area has

historically been zoned for larger agricultural lots but over the years most of the area has been rezoned to a higher density. An application for the rezone was received on July 6, 2016.

The Pleasant Grove General Plan identifies the 5.3 acres to be part of the Low Density Residential, as the land use designation. Also, the Pleasant Grove General Plan, in Chapter 2, page 16, recognizes both the R1-15 and the R1-12 as part of the Low Density Residential Land Use, which is a designation for typical low density neighborhoods with single-family homes on individual building lots. The proposed rezone meets the provisions of Pleasant Grove General Plan.

The property neighbors zones with smaller lot size requirements. To the North and West R1-10 is required and R1-10 is the zone prevailing in the South along the Murdock canal. The Planning Commission reviewed the request on August 25, 2016 and forwarded a recommendation of approval to the City Council for the rezone of 5.3 acres since it meets the General Plan criteria.

Council Member Andersen opened the public hearing. There were no public comments. The public hearing was closed.

Council Member Stanley asked if the R1-10 Zone is at a different level of density than the General Plan. Director Young explained that there was rezone to the current General Plan about 10 years ago. He pointed out that the majority of the midsection of the community was headed in that direction.

ACTION: Council Member Stanley moved to adopt Ordinance (2016-25) to rezone approximately 5.3 acres from R1-20 (Single-Family Residential) Zone to R1-12 (Single-Family Residential) Zone on property located at approximately 940 East 300 North and adopting all the finding and exhibits of the Planning Commission. Council Member LeMone seconded the motion. A public hearing was held. A voice vote was taken Council Members Jensen, LeMone, Andersen, Stanley and Walker voting “Aye”. The motion passed unanimously.

10) ACTION ITEMS READY FOR A VOTE

- A) CONTINUED ITEM: TO CONSIDER FOR APPROVAL A 14-LOT FINAL PLAT CALLED WESTWOOD ESTATES SUBDIVISION, LOCATED AT APPROXIMATELY 940 EAST 300 NORTH IN THE R1-12 (SINGLE-FAMILY RESIDENTIAL) ZONE. (GROVE CREEK NEIGHBORHOOD) (Jared Bishop for Artisan Construction, Applicant) *Presenter: Director Young.***

Director Young noted that the Council just approved the rezone for this property. He then pointed out how the subdivision will layout. He remarked that the Planning Commission approved the Preliminary Plat however there are a few items that will need to be taken care of as final requirements from engineering. One requirement that staff would like stated in the motion if the Council decides to approve the final plat is the approval is conditional upon the developer receives an easement encroachment agreement through the Bureau of Reclamation for the lots that encroach on the Jordan aqueduct easement. He remarked that staff anticipates that this is something that the developer will be able to receive.

ACTION: Council Member Stanley moved to approve a 14-lot final plat called Westwood Estates Subdivision, located at approximately 940 East 300 North in the R1-12 (Single Family Residential) Zone subject to the condition that the Easement Encroachment Agreements be provided as described by the Community Development Director and any other final engineering requirements. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

B) TO CONSIDER APPROVAL OF A FOUR-LOT FINAL PLAT CALLED BANKS SUBDIVISION, LOCATED AT APPROXIMATELY 495 EAST 1100 NORTH IN THE R1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE. (BIG SPRINGS NEIGHBORHOOD) *Presenter: Director Young.*

Director Young explained that the applicant is requesting approval of a four-lot final plat named Banks Subdivision, on property located at approximately 495 East 1100 North in the R1-8 Zone, at the Northwest corner of 1100 North and 500 East. The proposed subdivision is located on approximately 1.03 acres. The plat consists of four subdivided lots designated for new single-family dwellings. All of the proposed lots meet the minimum area requirement of 8,000 square feet. It was determined that the proposed subdivision layout meets the minimum requirements set forth in the Pleasant Grove City Code.

The applicant was also proposing the adoption of a new Vicinity Plan. According to engineering and planning staff, the proposed new Vicinity Plan meets the requirements regarding traffic and maximum block distance without an access. The subject property falls within the General Plan designation of Low Density Residential; however, the lot is currently zoned R1-8 (Single-Family Residential) Zone. The Planning Commission reviewed and approved the preliminary plat on September 22, 2016 and staff recommended approval of the final plat.

ACTION: Council Member Jensen moved to approve a four-lot final plat called Banks Subdivision, located at approximately 495 East 1100 North in the R1-8 (Single Family Residential) Zone. (BIG SPRINGS NEIGHBORHOOD). Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

C) TO CONSIDER FOR APPROVAL A COMMERCIAL SUBDIVISION CALLED THE GROVE PLAT A (REVISED) LOCATED AT APPROXIMATELY 700 SOUTH 1350 WEST IN THE GROVE ZONE, INTERCHANGE SUB-DISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD) (Applicants Corey Brand and Brandon Hill) *Presenter: Director Young.*

Director Young explained that the applicant is requesting approval of a commercial preliminary plat called The Grove Plat "A" on property located at approximately 700 South 1350 West in the Grove Zone – Commercial Sales Sub-District, with a General Plan designation of The Grove. The preliminary plat and final plats were approved by the Planning Commission on August 25, 2016 and the City Council on September 20, 2016; however, after the fact, the applicant proposed changes to the number of lots and parcels. This resulted in the need to approve the newly revised plat, which includes five lots and one parcel.

The proposed The Grove Plat "A" commercial subdivision is the first project of a multiple phase future development of approximately 9.18 acres. Lot 1 is located on the North side of the property, and neighbors the future Phase 2 on the East. Lot 1 encompasses the proposed site plan for the ASEA building office. The Central Bank development is located on the southwest corner of the proposed development of Lot 2. Lots 3, 4, and 5 are located between Pleasant View Drive, which is a private street, and 2000 West. Currently, there are no proposed development site plans for Lots 3, 4, and 5. The Planning Commission reviewed and approved the revised preliminary plat on September 22, 2016. Staff recommended approval of the final plat, known as The Grove Plat "A".

ACTION: Council Member Jensen moved to approve a commercial subdivision called The Grove Plat A (Revised) located at approximately 700 South 1350 West in the Grove Zone, Interchange Sub-District. (SAM WHITE'S LANE NEIGHBORHOOD). Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

D) TO CONSIDER FOR APPROVAL A 28-LOT FINAL PLAT CALLED GARDEN GROVE PLAT A, BEING A VACATION OF PARCEL A OF GARDEN GROVE PLAT A, LOCATED AT APPROXIMATELY 100 SOUTH 1300 WEST IN THE GROVE ZONE – MIXED HOUSING SUB-DISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD) *Presenter: Director Young.*

Director Young explained that the applicant has requested approval of a 28-lot preliminary subdivision located at 15 South 1300 West in The Grove Mixed Housing Sub-District. The proposed subdivision is to be located on approximately eight acres and features a mix of townhouses and single-family homes. The plat submitted by the applicant shows the locations of the proposed structures with the distance from the structures to adjacent property lines. The structures shall meet the required setbacks for the zone. All existing structures on the property will be removed prior to development. Any new development containing single-family homes in the Mixed Housing Sub-District is not subject to a minimum lot size. They are regulated by overall project density and setbacks, both of which are met by the lots in the subdivision.

The project is divided into two subdivision plats called Garden Grove Plat A and Garden Grove Plat B. Plat A will be included in Phase 1 of the project and Plat B will be Phase 2. Plat "A" already received final approval from the City Council and the site plan and is already under construction. With regards to Plat B, the Planning Commission forwarded a recommendation of approval for both Plats A and B in April 23, 2015.

ACTION: Council Member Stanley moved to approve a 28-lot final plat called Garden Grove Plat B, being a Vacation of Parcel A of Garden Grove Plat A, located at approximately 100 South 1300 West in the Grove Zone – Mixed Housing Sub-District. Council Member Jensen seconded the motion. The motion passed with the unanimous consent of the Council.

E) TO CONSIDER APPROVAL OF A FOUR-LOT FINAL PLAT CALLED THE VOID PLAT "B" LOCATED AT APPROXIMATELY 1800 WEST 425 SOUTH IN THE GROVE ZONE – COMMERCIAL SUB-DISTRICT. (SAM WHITE'S LANE NEIGHBORHOOD) *Presenter: Director Young.*

Director Young explained that the applicant is requesting approval of a four-lot commercial final plat called The Void Plat “B” on property located at approximately 1800 West 425 South in the Grove Zone – Commercial Sales Sub-District, with a General Plan designation of The Grove. The Proposed Void Plat “B” commercial subdivision is the second project of a multiple phase future development of approximately 40 acres. Lot 2 is located in the northwest corner and it neighbors private property on the north and west sides. The east and south sides are limited by new proposed dedicated roads named Garden Grove Lane and Evermore Way (1840 West) with a proposed roundabout that will facilitate the traffic flow to the future developments within the area. Lot 2 encloses the aforementioned proposed site plan. Future developments will occur on the remaining lots.

The perimeter of the plat is occupied by a 10-foot public utility easement and a sidewalk to promote walkability and connectivity in the area. The design, layout, and size of the proposed lot in the plat conform to the guidelines established in the General Plan for The Grove land use and is compatible with the neighborhood.

Council Member Stanley commended the efforts to coordinate with all of the property owners.

ACTION: Council Member Stanley moved to approve a four-lot final plat called The Void Plat “B” located at approximately 1800 West 425 South in the Grove Zone – Commercial Sub-District. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

F) TO CONSIDER FOR APPROVAL A SITE PLAN FOR EVERMORE GARDENS, LOCATED AT APPROXIMATELY 1800 WEST 425 SOUTH IN THE GROVE ZONE – COMMERCIAL SUB-DISTRICT (SAM WHITE’S LANE NEIGHBORHOOD) *Presenter: Director Young.*

Director Young explained that the applicant is also requesting approval of the proposed site plan. The site plan consists of very well landscaped areas surrounding a building with a footprint of approximately 30,000 square feet. The building is multi-use and some uses include nursery retail and assembly areas for receptions and other events. With regard to the proposed site plan, the main part of the lot is occupied by an area dedicated as a nursery and gardens exhibit including a set of train tracks with a small locomotive that goes around the site. The site also includes a building for retail with design and exterior architectural features that are harmonious with the surroundings.

Director Young explained that part of the request is a reduction in the landscape buffer area off the street by five feet. The City Council will have to approve that as part of the approval of the site plan. The exterior landscaping consists of 324 trees, 48% of which are evergreens. He read the letter which indicated that they increased the minimum open space from 10% to 33%. They also added banners and hanging baskets to street lamps. Furthermore, they are planting four trees per 1,000 square feet of plantable area including the parking lot. They will install a water feature at the roundabout as well to enhance the development.

The site design as well as building design were discussed and reviewed by the Development Review Committee who concluded that the proposed site plan is intended to achieve the objectives of the General Plan as well as the design standards and zoning requirements for The Grove Zone Commercial Sub-District.

Ken Bretschneider stated that their vision for the development was to do something outstanding and create a beautiful entertainment zone. The proposed development is intended to raise the bar and create a golden gem at the entrance of the City. The full Evermore project did not come to fruition as planned; however, it appeals to the community of Pleasant Grove as a garden park. It will take some original traffic and noise burdens away that occurred during the Pumpkin Festival and late-night concert. He understands there is a lot of residential in the area. Their goal is to create something beautiful that has events year-round.

It is designed to be similar to a European hamlet with five themed gardens, a town square, and a large barn. There will be an entrance that will contain an event space for hosting weddings, as well as a space for retail. The atrium is connected to the building and will be the Evermore Garden Cafe. It will have fresh, locally sourced organic food. The pavilion sits on a hilltop and will have a water feature flowing to another water feature, which will be an ice rink as part of a Christmas event. The main garden will be a colorful multipoint garden with Victorian styled greenhouses. One will be a butterfly, frog, and fish feature and the other an event garden space. There will be a hamlet cottage that will contain novelties and confectionaries. A great deal of inspiration was taken from Gardner Village and they will bring in some of those elements. There will be opportunity for expansion with retail and nursery planting.

One garden area will be English style with features and elaborate sheds used during events such as the Pumpkin Festival. There will also be a Christmas event with a walk-through. Mr. Bretschneider stated that he loves Thanksgiving Point but it is spread out and he prefers thick-planted gardens. One of the gardens will be based off one in Amsterdam. The Dutch gardens are thick with trees. There will be several shade plants, water features, and bridges. It will be one of the most fun and beautiful places to go. All of the gardens will be in layers. There will be bike trails that are eight-feet wide and ADA compliant. When there is not a ticketed event, it will be open concept. There is a plan for a train similar to what is found at the Hogle Zoo, which will go through a tunnel system around the exterior of the gardens.

The three main events they would like to do annually are the Pumpkin Festival, a Christmas festival, and a lantern festival. There will also be sub events including a farmers market. He hoped to work with Pleasant Grove City on fireworks, which would reduce their budget. Mr. Bretschneider commented that most of the structures are landscape oriented. He is proud of the main development and stated that it is worth the money to do something great. His vision included tree-lined streets, which is why they asked for the compromise. In addition to the tree line, they are going to add flower beds throughout the development and period lighting. Quite a bit of money will be put into the center feature which KPB is taking on. He encouraged the Council to support the venture.

Council Member Stanley asked how soon it will happen. Mr. Bretschneider wanted to break ground as soon as possible. He stated that all of the pieces are in place and ready to go.

ACTION: Council Member LeMone moved to approve a Site Plan for Evermore Gardens, located at approximately 1800 West 425 South in the Grove Zone – Commercial Sub-District. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

G) TO CONSIDER FOR APPROVAL EXTENDING THE APPROVAL OF A FIVE-LOT FINAL PLAT CALLED GROVE CREEK CENTER COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 2168 WEST GROVE PARKWAY IN THE GROVE – INTERCHANGE SUB-DISTRICT. (SAM WHITE’S LANE NEIGHBORHOOD). *Presenter: Director Young.*

ACTION: Council Member Stanley moved to continue the approval extending the approval of a five-lot final plat called Grove Creek Center Commercial Subdivision located at approximately 2168 West Grove Parkway in The Grove – Interchange Sub-District indefinitely. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

H) TO CONSIDER APPROVAL OF A TWO-LOT FINAL PLAT CALLED LARSON ACRES PLAT D, LOCATED AT APPROXIMATELY 112 EAST 1280 NORTH IN THE RURAL RESIDENTIAL (RR) ZONE. (BIG SPRINGS NEIGHBORHOOD) *Presenter: Director Young.*

ACTION: Council Member Stanley moved to continue approval of a two-lot final plat called Larson Acres Plat D, located at approximately 112 East 1280 North in the Rural Residential (RR) Zone to November 1, 2016. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

I) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-042) AUTHORIZING THE MAYOR PRO-TEM TO DECLARE A 1998 DODGE TRUCK AND 2015 TOYOTA TUNDRA TRUCK AS SURPLUS AND DIRECT THEY BE DISPOSED OF ACCORDING TO THE CITY’S POLICY FOR DISPOSING OF SURPLUS PROPERTY. *Presenter: Director Beaumont.*

Note: The Council took a 10-minute break.

J) TO CONSIDER FOR ADOPTION A RESOLUTION (2016-043) AUTHORIZING THE MAYOR PRO-TEM TO ENTER INTO AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN PLEASANT GROVE, UTAH COUNTY AND CEDAR HILLS REGARDING CANYON ROAD (100 EAST); AND PROVIDING FOR AN EFFECTIVE DATE. *Presenter: Administrator Darrington.*

Administrator Darrington explained that the elected officials will ultimately make the decision on this item and that everything done to this point has been a negotiation. Staff has sought to get the City in the best position based on correspondence from the County over the past year. He explained that 100 East (Canyon Road) was a UDOT road up until a few years ago. When North

County Blvd was built, the County and UDOT had an agreement that North County Boulevard would become a State Road and that 100 East (Canyon Road) would become a County road. At that point, UDOT was going to do a mill and four-inch overlay on the road from Timpanogos Highway to State Street in Pleasant Grove, which is badly needed. The cost of the mill and overlay was \$3.3 million, which UDOT committed to the project. The County also committed \$1.5 million of their own money toward this project. Administrator Darrington noted that the majority of road is in Pleasant Grove.

The discussion among County and City administrators nearly two years ago was that the cities would take the road right away. There was never a discussion with elected officials on the matter. However, the City applied for funding to make more improvements than just the mill and fill, including a widening project. Director Beaumont explained that he was involved with J-U-B Engineers during the early stages of the project and the City approached MAG about widening from State Street to 2600 North to three lanes, and adding a shoulder north of 2600 North. The City and UDOT both accepted the project and considered it to be beneficial for the entire region. MAG approved it with the concept report submitted.

Administrator Darrington explained that the initial budget was \$4.8 million with \$3.3 million from UDOT and \$1.5 from the County. The MAG funding brought the project grand total to \$9.3 million. As Pleasant Grove and Cedar Hills negotiated, they determined there were long-term consequences associated with of maintenance costs. As such, they turned the project back over the County. The County indicated that their intent was to simply do the original project, which was the minimum level of work needed. The City approached the County again and requested they use the MAG funding to make the full improvements. The County was not interested in overseeing the larger project if cities were not willing to eventually take the road. Pleasant Grove and Cedar Hills negotiated a deal to take the road after 30 years. In the process, the County made other requests, such as snow plowing, pothole repair, and striping.

Council Member Andersen asked about curb and gutter. Director Beaumont explained that the majority of the section from State Street to 2600 North is proposed have curb and gutter. There won't necessarily be sidewalk because they were looking at maintaining water and pavement in the area. Curb and gutter would be part of the County's project costs, which is one of the benefits of moving forward. Administrator Darrington explained that if both the County and the cities reject the MAG money, curb and gutter will not be installed.

Council Member Jensen pointed out that per the agreement, if the County exceeds the project costs of \$9.3 million, the overage would fall to the City. Director Beaumont explained that the engineering went back after negotiations to reanalyze the budget to ensure there wouldn't be any overages. According to the engineering plans, they were under budget by 10% to 15%. As a result, they felt there was a sufficient contingency built into the project. The budget may even allow additional improvements to the right-of-way but it would be shown by the bids. If they come close to exceeding the budget, they will opt to cut back on the scope of the project.

Council Member LeMone asked a bid has been prepared. Administrator Darrington noted that the concept engineering plan was done in 2014; however, the numbers were recently updated and total project costs were projected to \$8.3 million. This means that a contingency of approximately \$1

million of contingency would be planned in the overall project costs. Council Member LeMone mentioned that some Cedar Hills representatives indicated that the project would cost closer to \$15 million. Director Beaumont explained that an analysis was done to verify quantities and prices. He wasn't sure how the \$15 million number was calculated. He stated that if Cedar Hills has the impression that the entire road will be dug down with a new cross section of road base and asphalt, that is incorrect and was never part of the proposed project. Instead, the proposed project was to remove all of the asphalt to recompact the base, dig soft spots, widen the road, and put six inches of new asphalt on the road section. Based on the Engineering Report, the project will cost around \$8.3 million.

Council Member Stanley stated that he has received several calls from other elected officials about this proposal. He wanted to know what issues each City faces that are unique to their respective jurisdictions. For example, he asked if the water retention and crowning issues are applicable to both sides. Director Beaumont explained that Cedar Hills has a lot more water issues. In particular, the west side of the road from Cedar Hills Drive to the Murdock Canal is planned to get curb and gutter. All of the water from the road and east side developments causes flooding to those homes. One of the improvements proposed in the Concept Report was to take care of that issue by installing inlets and storm water improvements to collect and send water to a new detention facility. The Concept Plan also includes the purchase of a piece of property on which to construct that facility. From Pleasant Grove's standpoint, the City only has a few missing sections of curb and gutter. Director Beaumont stated that there are many proposed safety improvements that will benefit both cities.

Council Member Stanley asked who made the application for the MAG grant. Staff explained that it was a joint effort between Pleasant Grove and Cedar Hills. Council Member Stanley asked what would happen if the project exceeded \$9.3 million and the financial responsibility fell to City. He asked for clarification on whether the control of project decisions was in the hands of the County rather than the City. Administrator Darrington explained that the City would be part of those decisions per the Interlocal Agreement. Council Member Stanley asked who has the ultimate decision and if Pleasant Grove will have equal representation on the board. Furthermore, he asked how any disputes will be handled. Administrator Darrington explained that most of the decisions will be made by the City because they are the reason the County would be taking on the additional project funds.

Council Member Stanley asked if the MAG grant money would go away at some point, and if so, what would be the definitive date that the grant would expire. Furthermore, he asked what would happen if the Cedar Hills City Council voted to not enter into the agreement. He wondered if the County would avoid spend money that is dedicated to the roads simply because no other entity wants to take on this depreciating asset. He commented that Cedar Hills is banking on the County spending the money, regardless of whether the cities enter into the agreement.

Administrator Darrington stated that at the meetings he has attended with the County, they have been adamant that they will not do the project if the cities do not entire into an agreement. He explained that the County does not have to take the MAG money. When the funds expire the County has the power to transfer the money to another project. Council Member LeMone asked why the County would not address this need. Council Member Stanley asked if the County was

trying to force their hand on the matter. Director Beaumont stated it was obvious that the County does not want the road. Their feeling was that it should be a local road and not a County road because it is an urbanized area and most County roads are in rural areas. Director Beaumont stated that his main goal is to have the road improved. While the road would be improved with mill and overlay, without the interlocal agreement it would not get the needed safety enhancements. The Council needs to consider all liabilities for entering into the agreement. He noted that in 30 years per the agreement, it is required that the County turn the road over with at least a 70 PCI.

Council Member Andersen asked who would manage construction. Administrator Darrington explained that the County would be responsible. At Council Member Andersen's request, Director Beaumont described how widening occurs as well as how certain treatments are used to prevent cracking. With regard to an existing water line, Administrator Darrington explained that the City has a water line that needs to be replaced. This would be done in conjunction with the project.

Council Member Jensen read through the termination clause of the agreement, which reads as follows:

'This Agreement will automatically terminate at the end of its term herein, pursuant to the provisions of paragraph one (1) of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, either party (County, itself, or Entities, both cities agreeing) to this Agreement may terminate the Agreement one hundred eighty (180) days after providing written notice of termination to the other party. If Entities, both cities agreeing, terminate the agreement, County shall immediately transfer Road to Entities by Quit Claim Deed and County shall no longer be responsible for any liability, maintenance or operational costs of the roadway. If the County terminates the agreement, Entities and County will negotiate in good faith for the value that County 7 will pay Entities to uphold the full financial responsibility for the right-of-way and roadway maintenance requirements for the remaining term of the agreement. In the event the parties cannot agree on the amount, the parties agree to hire a consultant to determine the amount. The parties will each pay half of the cost of the consultant. After reaching an agreement for this amount, upon payment to the Entities the right-of-way will be deeded to the Entities.'

Council Member Andersen asked how many miles of road the City would be assuming responsibility for after the 30-year period. Council Member Stanley responded that they would take on 3.7 miles of road. Council Member Andersen explained that on a total reconstruction it would be about \$1.2 million per mile. Administrator Darrington stated that these numbers have never been discussed at a County level.

Administrator Darrington stated that the annual cost to City for road striping and snow removal would be about \$3,500 per year. This is money that could likely be absorbed in the Streets budget. He commented that there is no pressure to enter into the agreement today. There are other factors that could play into the agreement in the future such as what would happen to the grant money, changes to the County Commission in January, further negotiations taking place, etc. However, at the end of the 30 years a road with a PCI of 70 it will be in decent condition. They could assume

at that point that there would not be any major overlays needed for several years thereafter. The next time any major improvements would be needed on the road would be 40 or 50 years from now. Administrator Darrington personally did not care what Cedar Hills decides. If they back out of the agreement the City can enter into its own agreement with the County. He stressed that regardless of what Cedar Hills decides there is a significant amount of money available to improve the road.

Council Member Jensen read language in the draft agreement indicating the County's willingness to work with the City to design the project to meet the City's needs. Council Member LeMone asked if there were any other out-of-pocket expenses to the City between now and the next 30 years besides the annual maintenance. Director Beaumont stated that there were not. However, if the City decides to widen the road beyond what is proposed in the current project Concept Plan, there would be added costs.

Council Member Stanley stated that the main question is whether the County will do the project regardless. He pointed out that it is the right thing for them to do. He expressed certainty that Cedar Hills will vote against the agreement. There was further discussion on whether the MAG money would be used for the road regardless of whether the agreement is signed and what the needs of the road will be in 30 to 50 years.

ACTION: Council Member Stanley moved to decline the adoption of Resolution (2016-043) authorizing the Mayor Pro-Tem to enter into an Interlocal Cooperative Agreement between Pleasant Grove, Utah County, and Cedar Hills regarding Canyon Road (100 East); by virtue that it is a bad financial deal for Pleasant Grove City.

Council Member Stanley explained that the cost of the road in 50 years will far exceed the \$4 million in MAG money the City could theoretically lose. Furthermore, he thought the County will still use the MAG money to improve the road. Council Member LeMone stated that she would not mind continuing the item for a few weeks to see what Cedar Hills decides and to hear the Mayor's thoughts on the matter.

The motion died for lack of a second.

ACTION: Council Member Jensen moved to continue the adoption of Resolution (2016-043) authorizing the Mayor Pro-Tem to enter into an Interlocal Cooperative Agreement between Pleasant Grove, Utah County, and Cedar Hills regarding Canyon Road (100 East), until November 1, 2016. Council Member LeMone seconded the motion. The motion passed with the unanimous consent of the Council.

11) ITEMS FOR DISCUSSION

A) **DISCUSSION ON POTENTIAL LOCATIONS FOR THE FUTURE FIRE STATION (if funded).**

Administrator Darrington explained that the following two locations are being considered for the New Fire Station, if funded:

1. Downtown where the Old Recreation Center is located, as well as the property in front of it, or
2. The Pipe Plant property. When the Public Safety Building Committee (PSBC) discussed sites, they opted to turn the final decision over to the City Council. The created a pros and cons list for each site, which was emailed to the Council for their review.

The construction costs from Think Architecture were presented. The costs did not include the price of the land. The costs of the Downtown site came to \$5,332,833, which includes demolition of the old Recreation Center as well as taking up the asphalt and all site preparations. Council Member Stanley asked about upgrades to the infrastructure utilities. Administrator Darrington was not sure why they would need updates to curb and gutter, especially if they are already in decent condition. He was unsure as to the condition of the water line currently running into the building. Director Beaumont noted that the plans do not include reconstruction of the water line, as there are no upgrades needed. However, a connection into the new building would have to be made at some point.

The costs of the Pipe Plant property were \$5,152,794. This amount was less because the design standards are different and they will not have any demolition costs at that site.

The Downtown property is currently owned by the City's General Fund, so they would not have to purchase the land. There is value to the property; however, the amount is undetermined. An appraisal would be needed to determine the value and the City would have to sell the property to see any return. It was noted that the Pipe Plant property is currently owned by the City's Storm Drain Fund. The General Fund must make a payment of \$155,000 per acre to reimburse the Storm Drain Fund. For a three-acre site the cost would be \$310,000, which would be factored into the total project cost at Pipe Plant property.

The site plan footprint Downtown is 1.05 acres, whereas at the Pipe Plant property the footprint is two acres. There is no City requirement for the number of parking stalls required. This is left to the City's discretion. A visual of the Downtown site was provided and showed fire personnel having on-street parking. There would be a parking lot between the Fire and Police Stations and 24 stalls would specifically be allocated for police. A couple of the stalls could be shared with the Fire Station. The Downtown site also accounts for closing 100 East to create more parking. The architect stated that they could get 27 stalls on 100 East, which would accommodate public parking needs for the Courts, Police, and Fire. In general, parking will be tight downtown and overall they need to evaluate the parking scheme with other City facilities. An additional 35 stalls could be created at the Beck Home and glass recycling location, if those areas were converted into a parking lot. There was also discussion on secured parking stalls, which would not affect the total number of parking stalls. The overall building footprint could also be reduced to create more parking stalls, but this would be determined during the design phase. There would be 26 stalls for the Fire Station at the Pipe Plant property, which includes public parking as well. There is more flexibility at the Pipe Plant property due to the size of the property.

If the Fire Station is built downtown, the Old Recreation Center would be razed. If the fire station were built at the Pipe Plant property, for the time being the Old Recreation Center can remain. However, long-term considerations would have to be made with that building. The Council needs to have a conversation about the long-term viability of the building, regardless of where the Fire Station is built. Currently, it is used for boutiques, dances, sports practices, etc. The building's annual net revenue is approximately \$8,500 and minimal resources are put into its upkeep. Even though it is generating revenue, it has more than \$8,500 worth of needs for it to become a proper building.

The Old Recreation Center has historical significance, and as such there have been mixed responses from the public on whether to maintain it. Some were in favor of honoring the building even if it was torn down. Per the Bowen & Collins structural study, it would cost \$2.5 million for life safety occupancy to be achieved. In the event of an earthquake, that would be the second highest standard. The \$2.5 million is broken down into a seismic retrofitting for \$1 million. Updated utilities would be \$500,000 and architectural fixes would cost another \$1 million. Council Member LeMone asked if this number brings the building up to ADA compliance. Administrator Darrington was unsure. He noted that after contacting the state, he was informed that there were no state or federal grants available for major renovation projects. Most available grants are administered in amounts up to \$10,000 and are awarded to small businesses located on historic main streets to take care of smaller scale maintenance needs.

Council Member Stanley noted that the Cedar Hills City Council voted 4-to-1 to reject the agreement with Pleasant Grove and the County for 100 East.

Fire Chief, Dave Thomas, stressed the importance of response times and stated that there is an exponential relationship between the duration of a fire and its intensity and the damage it causes and the time it takes EMS to get to the site. It is important that the fire fighters arrive on scene as fast as possible. He presented several numbers which represented the response times and explained that the numbers were calculated based on response times in an ambulance. They did not estimate response times in a fire truck, which will be about one to two minutes behind as those apparatuses don't accelerate as quickly. The ambulances were tested during the day and not during morning or evening rush hours. Chief Thomas stated that regardless of where the fire station is located, the opposite side of town will have a longer response time. He expressed concern with traffic and access in certain areas.

Council Member Walker asked Chief Thomas if he preferred either location in terms of insurance rates. Chief Thomas answered in the negative. He explained that insurance rates are not necessarily based on the neighborhood. The City has an insurance rating and those that benefit from it are business owners and not necessarily homeowners. Council Member Walker asked if Chief Thomas had a personal preference on location. Chief Thomas stated that he has major issues with 600 South and Center Street, which was a problem area identified in a past traffic study conducted in 2009. This is a priority intersection because of how it interacts with State Street. At certain times of the day it is impossible for EMS traffic to go through because it is so congested. They get to the point that they turn off their sirens and wait because they cannot get around the traffic. Chief Thomas was also concerned with rights-of-way at railroad tracks and the functionality of the tracks not being used to their full capacity. As the population continues to

grow, he saw the possibility of the tracks being used for more passenger transport which will cause more congestion for ambulances trying to cross the tracks. Council Member Andersen noted that the tracks are part of Master Transportation Plan.

Council Member Stanley stated that the charts indicated that all driving tests were done without lights and sirens. He asked if there was any value to doing some with lights and sirens. Chief Thomas answered in the negative, noting that testing with lights and sirens was illegal. However, they would see general improvement in response times with lights and sirens.

Administrator Darrington noted that the Council requested a Master Plan for all 40 acres of the Pipe Plant property and how it would relate to the Fire Station. Director Beaumont presented the layout of the concept plan as it was presented at the retreat earlier in the year. The plan showed the two acres where the Fire Station would be located if that location was chosen. The overall concept was to move Parks and Public Works onto the site and expand the cemetery. The concept plan also showed a detention facility. In total, the City's operations comprised 12 acres. The rest of the property would be determined later. Administrator Darrington stated that if the Fire Station is not built at the Pipe Plant property, the land will either be used for park space or sold to a residential developer.

Council Member Jensen asked about a decant waste facility. Director Beaumont explained that when a storm drain line is cleaned out they remove materials such as street debris and animal decay which could potentially end up in the clean water system. He described the process involved in cleaning the storm drain line. Administrator Darrington mentioned that regardless of what happens with the Pipe Plant property, if it is used for anything other than storm drain the Storm Drain Fund will need to be reimbursed.

Chief Thomas stated that his job is to do the greatest good for the highest number of people. Regardless of where the Fire Station goes, if he sees that there is a potential problem somewhere that could affect the citizens, he cannot turn a blind eye. As such, he leans towards the Downtown area because he thinks response times will be less in the future.

Administrator Darrington presented parking configurations for the two sites, as well as the intangibles. He discussed some of the feedback received from the public to this point. Some of the concerns regarding the Pipe Plant property included issues such as traffic, noise, safety for area children, proximity to the cemetery, issues with 400 North, proximity to the railroad tracks, and parking. For the downtown location, one person commented that they want the entire block to become a City park. Many people also wanted to preserve the Old Recreation Center because of its historic value. Other concerns included how the Downtown location will affect Strawberry Days, the loss of green space, and the smaller footprint downtown.

Administrator Darrington reviewed answers to questions asked by the Council at the last meeting, which included the following:

1. Can the current layout accommodate a 30-year build out?
Answer: According to the Architect, it can.

2. What is the site preparation for both sites?
Answer: The soils preparation on both sites and survey define the boundaries. Also, a level 1 Environmental Study that was done on the pipe plant property before that land was purchased, and the study showed that the soils were fine.
3. How does 100 East affect the downtown site?
Answer: Currently there are no plans to widen the road. However, the current layout allows for widening of 100 East with a zero setback. The installation of North County Boulevard was intended to become the major north to south corridor; widening 100 East would be extremely expensive, and it is hard to predict if that will occur.
4. How many church buildings or residents are within a one-mile radius of each of the proposed locations?
Answer: Staff had an insufficient amount of time to gather that information but would provide it by the end of the week. The process requires several man hours.
5. How many people participate in the various boutiques each year?
Answer: Staff did not have that information because they do not oversee the boutiques. However, they agreed to research the matter.
6. Does the construction time vary per site?
Answer: Yes; construction at the Pipe Plant property will take about 10 months, whereas construction Downtown will be around 12 months.
7. How will ongoing City operations be housed during construction?
Answer: If the Pipe Plant property is selected, the Fire Station would be constructed right away. Once personnel are moved to the new building they would tear down the Old Fire Station and Community Development Building and construct the Police and Courts Building Downtown. If the Downtown site is selected, they would have to take down the Old Recreation Center first. They would then construct the Fire Station on the site, move Fire personnel to the New Fire Station and then construct Police and Courts. Under both scenarios, they would need temporary housing for Community Development because it would be torn down before they move the Police out. The Old Seminary Building has been considered as an option for temporary housing needs.

Council Member LeMone asked when the groundbreaking will take place at either site. Administrator Darrington explained that if the funding is approved, the bond will be taken out at the City's discretion. Furthermore, the City is allowed to spend some money and then do a reimbursement once the bond funds are received. The design phase will take about six months, which means they would break ground sometime next fall at the earliest. There was further deliberation on the process.

B) DISCUSSION AND DIRECTION FROM THE COUNCIL REGARDING THE LEVELS OF FUNDING FOR THE CHAMBER OF COMMERCE.

ACTION: Council Member LeMone moved to continue Item 11B to November 1, 2016, in the interest of time. Council Member Walker seconded the motion. Council Members LeMone,

Walker, Jensen, and Andersen voted “Aye”, and Council Member Stanley voted “Nay”. The motion passed 4-to-1. Council Member Stanley indicated that he preferred to have the discussion tonight.

C) DISCUSSION ON THE ANNEXATION PETITION TO ANNEX AN 8,459 SQUARE-FOOT (.19 ACRE) PIECE OF PROPERTY LOCATED AT APPROXIMATELY 899 EAST 1190 NORTH FROM UTAH COUNTY INTO PLEASANT GROVE CITY AND PRESENT FINDINGS OF THE GEOTECHNICAL REPORT. *Presenters: Director Young and Director Beaumont.*

Director Young explained that the applicant, Mr. Anderson, has come before the City twice before to request an annexation of a portion of his property. He presented an aerial map of the subject property in terms of its proximity to the City boundary. His property is in two separate parcels. One is inside the City boundaries and the other lies in the County. Mr. Anderson asked that Pleasant Grove allow an extension of the City boundaries to form one parcel so he can build a home on the flat portion of his property. Director Young indicated that he visited the property and based on his findings, he felt that Mr. Anderson’s request seemed reasonable. The concern staff had in the past was more of a policy issue. They were concerned with extending the City boundaries because there are situations on the bench areas where there are different types of soils and instability. He was wary of setting a precedent for these types of requests, as well as the provision of additional services and utilities.

Director Young explained that Mr. Anderson’s situation is different because they are dealing with a property that already has access to a City street and all City services currently exist on the property. No extension of City services would be required to do the annexation, whereas this would not be the case if other large pieces of property along the foothills were annexed. Director Young noted that there are other properties in the area that also sit on two different parcels that have been landscaped by those respective property owners. In other cases, they have already built homes so the other property owners are not seeking to expand their ground in order to build. Overall, there were no concerns from a planning standpoint. The City Council, however, may need to modify policy to include other special exceptions in the future.

Director Beaumont presented the results of the geotechnical report and noted that they did not find any fault zones running through the property. He explained that regardless of whether the annexation is approved, the existing site conditions already exist. Adding .19 acres was insignificant, and nothing in the geotechnical report indicated that the additional acreage was unbuildable. From an engineering standpoint, the annexation would not affect the home.

Council Member Stanley asked if there were any costs to the City associated with the annexation. Administrator Darrington explained that other than administrative costs for publicly noticing the request, there were no other costs involved with this particular annexation. Council Member Stanley asked if there were any other solutions for the resident other than annexation that would resolve the same problem. Director Young explained that the applicant could go to the Board of Adjustment and request a variance for the rear yard setback requirement. However, he felt that the annexation request was the most appropriate solution.

ACTION: Council Member Stanley moved to give instruction to staff to prepare the annexation process of an 8,459 square-foot (.19 acre) piece of property located at approximately 899 East 1190 North from Utah County into Pleasant Grove City, and accept the findings of the geotechnical study. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

ACTION: Council Member Stanley moved to continue the meeting past 11:00 p.m. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

12) REVIEW AND DISCUSSION OF THE NOVEMBER 1, 2016 CITY COUNCIL WORK SESSION MEETING AGENDA

Administrator Darrington reported that he would send an email to the Mayor and Council detailing the above meeting.

13) NEIGHBORHOOD AND STAFF BUSINESS

Police Captain, Britt Smith, reported that the Beard for Santa fundraiser is going on right now. He described the nature of program and stated that the money is used to provide Christmas for families in need during the holidays. Administrator Darrington noted that Nate Seacrest was present to briefly discuss the meeting streaming system and the associated app. He also mentioned that a Voter Information Pamphlet was sent out to residents, as required by State Law. A neutral informational packet was also mailed out to residents.

14) MAYOR AND COUNCIL BUSINESS

There was no Mayor and Council Business.

15) SIGNING OF PLATS

There were no plats signed.

16) REVIEW CALENDAR

There were no further calendar items.

17) ADJOURN AS THE PLEASANT GROVE CITY COUNCIL AND CONVENE AS THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY

ACTION: Council Member Stanley moved to adjourn as the Pleasant Grove City Council and convene as the Pleasant Grove Redevelopment Agency. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

18) ADJOURN AS THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY AND RECONVENE AS THE PLEASANT GROVE CITY COUNCIL

ACTION: Council Member Jensen moved to adjourn as the Pleasant Grove City Redevelopment Agency and reconvene as the Pleasant Grove City Council. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Redevelopment Agency.

19) ADJOURN

ACTION: Council Member LeMone moved to adjourn. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 11:02 p.m.

The minutes of the October 18, 2016 City Council meeting were approved by the City Council on November 15, 2016.

Kathy T. Kresser, City Recorder, MMC

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