

SPRING CITY COUNCIL MEETING

Thursday, July 6, 2023, 7:00 p.m.

In Person Attendance: Marty McCain, Cory Madsen, Mike Black, Chad Huff, Boyd Hooley, Christie McGriff, Jackson Lambie, Mike Neilson, Carla Neilson, Jessica Drew, Shawn Szymanski, Becca Szymanski, Craig Paulsen, Ken Law, Elizabeth Allred, Capri Robison, Rick Dykes, James, Crowley, Steven Haddock, Cassie Haddock, Ken Law, Leah Pruitt, Repa Zubeldia, Leslie Zubeldia, Jhan Miller, Bruce Spiegel, Jim Baker, Alison Anderson, Ruth Ann McCain; Recorder.

Zoom Attendance: Cynthia DeGrey, Whit Allred.

Pledge of Allegiance: Mayor Chris Anderson

Expression of Choice: Marty McCain

Roll Call: Craig Clark, Tim Clark, Nancy Allred, Chris Anderson, Courtney Syme, Paul Penrod

Mayor and Council Member Department Reports

Council Member Craig Clark stated that the information he has would be discussed later in the meeting.

Council Member Tim Clark stated that he had nothing to report.

Council Member Nancy Allred reported on what has happened with Planning and Zoning. Scott Drew's zoning permit for a detached garage at 420 South 700 East was approved. Kristen Mortensen's zoning permit for a ground mounted solar array at 16 South 700 East was approved. Robert Durfee's zoning permit for a detached garage at 74 East 600 North was approved. Faylyn Warnick applied for a home business license to operate an Airbnb at her home at 513 East 400 North. The license was approved. Cassandra Haddock applied for a home business license for a cut flower growing operation at 450 South 600 East. The license was approved. Rebecca Holbrook and Tom Brunner applied for a zoning permit for a pair of small yard sheds at 190 East 300 South. This will be reviewed in July. Council Member Allred stated that Cynthia is planning on the Council helping with Pioneer Day on July 22nd. Mayor Anderson urged everyone to look at the city's events coming up connected with Pioneer Day. They start on July 16th with the Itty-Bitty Spring City contest. Most of the events will be on Saturday July 22nd. Some of the events are a Fireman's breakfast, family games, and a parade. On the 23rd will be the Old Time Gospel Music and on the 24th is the Saga of Spring City with an Ice Cream Social. Mayor Anderson stated that he appreciated the support shown for the events that have already happened. He also reminded everyone that on August 9th the Utah Symphony will be performing in Spring City.

Council Member Courtney Syme stated that his information will be brought up later in the meeting.

Council Member Paul Penrod stated that the fire department is getting ready for fire season. He encouraged weed removal and caution because they are a fire hazard.

Mayor Chris Anderson mentioned the importance of our watershed project. He stated that if the watershed was built, we could have saved some of the water from the snow melt.

Public Comments

Mike Nelson brought a weed that was half as tall as himself. He stated that these are the weeds that need to be taken care of because they are a fire hazard. He asked if vacant lots would be notified of the need to clean up the weeds. Mayor Anderson stated that somehow the word does need to get out. Council Member Paul Penrod stated that he knew the people who Mike was talking about and would call them.

Carla Nelson stated that she wanted to publicly thank Craig Paulsen for repairing damage to one of the roofs on the monument and Jhan Miller for noticing it and helping too.

Jessica Drew – Sewer Hook Up

Jessica Drew thanked Chris and Mike for meeting with a few people in her neighborhood. She stated that she is in the Packer Subdivision. The meeting clarified issues pertaining to hooking up to the sewer system that the city is requiring. Jessica stated that the cost would be a substantial amount of money and they were relieved to hear it wasn't quite what they thought. She asked that the requirements stated in the earlier meeting be reiterated for those who were not at that meeting. Jessica also asked about the exemption that was talked about in the second letter sent to the homeowners. This exemption mentioned those who would need a pump in order to connect to the sewer. She asked what formal paperwork and requirements were needed for that exemption. Jessica stated that in the letter sent it stated that by August 16th they will need to start paying the \$47 if they don't have an exemption. She would like to move forward to see if she qualifies for the exemption. In the earlier meeting it was talked about engineers coming in and looking at who would be able to hookup to the sewer and who would not be able to. Her understanding is that will not happen until next year. In the meantime, what can she do to prove that she qualifies for the exemption? Council Member Tim Clark stated that it does have to be engineered, by Sunrise or another engineering company. They will have to say that their home would need a pump to connect to the sewer system. Mayor Chris Anderson gave a brief overview of what is going on. He stated that we have a city ordinance that says once your property is located within 300 feet of a sewer main, you have an obligation to hook up to the sewer. This is both a city and state requirement. As we've gone through the process of expanding both our culinary water system and our sewer system and applied for financing, the sewer financing agency wants to ensure that the ordinance is enforced. They want to make sure that there is enough revenue coming in to service the loan and pay for the service, with everyone contributing. So, we sent out a letter reminding people of the ordinance and giving them 60 days to hook up to the sewer. This alarmed a lot of people as they were concerned about arranging and paying for the connection within that timeframe. In the past an informal exception has been made for those who cannot hook up to the sewer system without using a pump. People who can connect to the system with gravity flow are the ones obligated to hook up. The issue we were just talking about is that we want it to be engineered. This way, we can verify that it's not just someone saying they can't connect, but that an engineer has done the measurements and confirmed the altitudes, making it the case. To meet the requirements for financing we have said that if you start paying the monthly fee for the sewer, more time would be allowed to connect. This will save you the expense of hooking up in the next 60 days. The City Council has not yet

determined how much time will be allowed to connect. A question raised was if the city can charge a sewer fee if they do not have the sewer service. We have talked to legal counsel, and they have said that we can require everyone to hook up now because that is the ordinance. If a fee is charged it needs to be connected to a service provided and it can be an administrative service fee because you are in a different category, and we will need to keep track of those that are not hooked up. Council Member Tim Clark reminded everyone that this only affects those within 300 feet of the sewer line. As this project progresses those coming within 300 feet will be required to hook up. James Crowley asked about those who disagree with hooking up. He stated that there are those who have lived here for some years. He brought up Highland and that the city there let the homeowners continue using their septic tanks. Council Member Tim Clark stated that this is a state statute. James Crowley stated his concern about how much it will cost to connect and the possibility of not being able to afford the connection. He stated that there is a possibility of a lawsuit over this. Mayor Anderson stated that in the past the city determined its preference to have people hook on to the sewer and because of the shared expense of maintaining a sewer system they made it a requirement that people hook on especially those in town. Spring City is known for its springs and aquifers and there is a concern, so those who can hook on it we want you to do that. Mayor Anderson stated that other cities have changed their ordinances to allow septic systems to continue. For Spring City to do that our ordinance would need to change. If someone proposed a new ordinance and presented it to the city, we would have to see if it passes. Jessica Drew stated that on the first of this month an amendment was made to the Utah state code. She read the amendment as follows: "Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer where the sewer is accessible and is within 300 feet of the property line in accordance with Utah code section 10-8-38." She then stated that the amendment says, "or an approved private sewage disposal system in accordance with Utah administrative code." Mayor Anderson stated that we can look into the code, but we still have our municipal ordinance as well as the state statute to deal with. Elizabeth Allred stated that our municipal code will have to change to what the state ordinances are. There was some debate about whether the municipal code would need to change. Jessica stated that she is planning on proposing some amendments to the code. Elizabeth Allred proposed that the city to pause the fees associated with the sewer until legal counsel clarifies the new amendment. Mayor Anderson stated that he will call the legal counsel tomorrow. The fees will not be paused unless the legal counsel states that is what is needed. Elizabeth Allred asked if the city will pay back fees charged if they pay and it is found that they don't need to? Mayor Anderson stated that they would be paid back if that is the case. James Crowley asked where the new sewer line would be put in. Mayor Anderson stated that it will run along 7th East. Steven Haddock stated that he lives at 450 South 600 East. He asked for clarification on 300 feet. Is that from the property line? Mayor Anderson stated that it is 300 feet to the property line. Council Member Courtney Syme stated that it has always been the case that the property owner was responsible to get their sewer line to the city's sewer line. Council Member Syme also stated that the City Council needs to have a thoughtful conversation on this issue and that would need to be done in a work meeting. He feels that a decision should not be made without thoughtful conversation on these and other important issues. Our city is growing and in the past, there have been problems with water samples when everyone was on septic tanks. Human waste runs downhill and during that time the water was polluted and wasn't drinkable. The sewer has been a blessing and we want that blessing for new residents as well. Expanding the sewer system is best for all of the citizens in the city. Leia Pruitt stated that she paid for the sewer line to be run almost

a block to get to her house. She is wondering if someone connects to that line if she can be reimbursed. Mayor Anderson stated that an agreement has been made in the past that if someone runs a line that those connecting to it would pay some money back to the one that paid to run the line. He encouraged her to come into the office to talk about it. Steve Haddock asked if a work meeting could get scheduled. Council Member Courtney Syme stated that the City Council would need the peoples impute written or verbal so they can discuss it in a work meeting and make an informed decision. Cassie Haddock stated that the letter she received said to come to the City Council if they had questions or concerns and that is why everyone is here in this meeting. Steven Haddock stated that the unknown is what is worrying everyone. They want to know if they must budget \$30,000 over the next three years or not. If the engineers don't do the design for another year, how will they know if they will need to plan on connecting or not. Council Members Paul Penrod and Courtney Syme stated their sympathy for the uncertainty. Council Member Paul Penrod counseled to be proactive and not panic. He suggested searching for a contractor that is trusted. He relayed his recent experience with needing to dig where his sewer line is because of issues. He found a trusted gentleman in town who helped him and didn't charge as much as he thought it would be. Council Member Penrod stated that the work he could do by himself he did, and it didn't cost him as much as he thought it would. He reiterated not to panic and to be proactive. He stated that those who live in the lower part of town have springs around their property and we would like to be able to use them when needed. Council Member Courtney Syme stated that this project impacts not a lot of people. If it were him in this situation he would start saving now, plan to finance, and find a contractor so he could hook up. This is the advice he gave to those in attendance. Steve Haddock asked for clarification, if anyone will be required to run a main line in the road? Council Member Paul Penrod stated that we don't know. He thinks that just a lateral to a main line will be required. Steve Haddock stated that in a previous meeting he was told that he would not be required to hook into the sewer system because of where his home is located. He would either need a pump or go under the river downhill. He asked if that had changed and if he would need an engineer. Mayor Anderson asked Cory Madsen his thoughts on this, and Cory stated that it needs to be engineered. Cassie Haddock stated that they were told in a previous meeting that they would not need to. Mayor Anderson stated that he would look into the minutes to see if that was a Council action or just a discussion. Eugene Blakey stated that he doesn't know of any engineering companies and asked the council if they could recommend three or four in the area. Council Member Paul Penrod stated that he would talk to a contractor he trusted before he talked to an engineer.

SZY's Recyclops, Recycling Business, Shawn & Bacca Szymanski

Becca Szmanski stated that she and her husband Shawn, have bought the franchise of SZY's Recyclops. They are hoping that the city will let our customers know about them by putting their information in our newsletter, on the utility billing and on our website. She stated that the pricing has changed due to fuel costs. The cost is \$22.00 per month and that is for two pick-ups per month. Becca also talked about the benefits of recycling. She was told to email the information to the treasurer.

Linda Olson Trailer Permit

Mayor Anderson stated that Linda Olson was not in attendance. It was noted that progress had been made to clean her things off the public right of way. It is not known where she is on her building permit. It was suggested that this issue be tabled until more information is received.

Council Member Craig Clark motioned to table the discussion. Motion seconded by Council Member Paul Penrod.

Vote:

Craig Clark	Yes, Table
Tim Clark	Yes, Table
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes, Table

Community Center Update

Craig Paulsen stated that bids are being received to finish the restroom area. Craig gave the council a budget that will bring the restrooms up to ADA requirements. The city is the contractor, but Craig is negotiating bids on the Cities behalf. With help from the recorder subcontracts will go to those who need them. Craig is hoping to get the work done this summer. To do that the ceramic tile needs to move forward. We will need a plumbing contract to remove fixtures. Toilet partitions need to be ordered. Most other things should be easy. Craig asked for the Council to approve the budget he proposed saying that if approved the three main costly items will proceed under contract. Alison Anderson stated that there are still funds from the CCE grant. She has received approval for a \$40,000 from CLG, \$20,000 will be received from the state and the Friends of Historic Spring City will do a match of \$20,000. The Mormon Heritage Pioneer Area which is with the National Parks and administrated by Monte Bona has approved \$50,000 for us. There are significant funds to defray the cost for this first phase.

Council Member Nancy Allred motioned to approve the continuation of the ordering that needs to be done for the activity center. Motion seconded by Council Member Tim Clark

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

DUP Sidewalk Between the Old Jail & the DUP

Council Member Tim Clark stated that the project is to put a sidewalk from the DUP back to the jail. Christie McGriff gave a handout to the Council members. Referring to a map in the handout she stated that there was a proposal a number of years ago to make an area on the map a pioneer park. It is the grassy area behind the old museum. The Daughters of the Utah Pioneers have raised \$2,000 to put towards the Heritage Park. They would like to put in a sidewalk from the old museum to the jail museum for a total of 350 feet. It will be 4 feet wide with two inches of road base and four inches of cement. The plan calls for an ADA handrail with a ramp leading up to the stairs. They would like to install a lamppost in the middle. Kent Kummer has said that he has a lamppost bought for Main Street that came in green instead of black that can be used. They would like to edge and gravel 80 feet of the back-alley way. It is hoped to start the project in August and finish in September. Christie stated that the city has a cement credit with Shad Hardy in the amount of \$2,100. Council Member Craig Clark stated that the city has been using that

credit for projects. Christie continued saying that Shad has quoted her for the project \$3,510. She has a quote from Christian Redi Mix their price is \$4,000. The person from Alta View Concrete said they would give us a “killer” deal but didn’t say what that is. Kent Kummer agreed to be a consultant. Daniel King will donate his cutting machine and bring up the sod. Volunteers will help him roll and put it where it needs to be. Road base will be \$5 a ton from American Eagle, which is normally \$10. Joe McGriff said that he would donate his labor and tractor work. Joe said that one truckload would be \$55. The Spring City cement forms would be needed. Christie continued with the breakdown. That can be seen in the handouts. The total for this project will be \$4,103. If they can use the cement credit with Shad Hardy, and the \$2,000 that the DUP has raised it would leave \$3 left to be paid. The DUP plans on future fundraising. They are asking for approval to move forward with this proposal. Council Member Craig Clark stated his concerns for the sprinklers in that area. Christine stated that Cory and Kent walked the area and talked about electricity and water with her. Council Member Courtney Syme asked if the city owns the alley way? Chrisie stated that it is owned by Susan Gallagher. She has talked to Susan, and she is fine with the gravel. Council Member Craig Clark stated that a legal easement would be needed before the gravel is laid. He also questioned if the city has a plan for the \$2,100 of concrete. Cory stated that he is not planning on using the concrete soon. Carla Nelson stated that many people visit the museum. She feels that the museum is a welcome center for the city.

Council Member Nancy Allred motioned to approve the funds to build the sidewalk. Motion seconded by Council Member Paul Penrod. Craig Clark stated that the right of way needs to not be used until permission is granted.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Trailer Purchase

Council Member Courtney Syme stated that the trailer being purchased is to haul equipment, gravel, branches, dirt, and help at the cemetery. The departments will split the cost. One of the trailer quotes has a thicker bed and a scissor lift. Because of these things the staff has recommended purchasing this one. It is \$300 higher than the lowest bid. Council Member Craig Clark stated that purchasing a trailer has been talked about already. Mayor Anderson stated that it has been talked about but the limit the City Council put on the purchase is \$11,000. These bids are higher, so it has come back to the Council.

Council Member Craig motioned to purchase the trailer for 12,300 from JBM Trailers. Motion seconded by Council Member Tim Clark.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Open Lawn Mower Bids

Council Member Craig Clark stated that the old lawnmowers are being sold. One is in pretty good condition and the other one is not. He produced the sealed bids and opened them. The first one was for the Kubota, which is the older mower, the bid was for \$5,201. The next bid was for the Kubota for \$1,800. The next bid was for the Husqvarna for \$9,000 and for the Kubota \$600. The next bid was for the Kubota \$600 and the Husqvarna \$5,000.

Council Member Craig motioned to accept the bid for the Husqvarna mower for \$9,000 and that we accept the bid of \$5,201 for the Kubota mower with the stipulation that if he declines that after being offered to him that we take the second highest offer in place of that. Motion seconded by Council Member Paul Penrod.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Ralph Porter Solar Application

Council Member Tim Clark asked Ralph Porter to come and tell them about his solar application. Ralph stated that when he came before he did not have a good plan designed. He now has had a solar engineer draw up the plans and has submitted them. Council Member Clark stated that Kent has said that the plans will pass and to make sure not to go above 5000 watts. The solar panels will be on the ground and Ralph knows that he needs to talk to Planning and Zoning for setbacks. There was a citizen that asked about solar information and there was a little discussion on this. **Council Member Tim Clark motioned to approve Ralph Porter's solar application subject to not going over 5000 watts and approval from Planning and Zoning for setbacks. Motion seconded by Council Member Nancy Allred.**

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Chief Huff Report

Council Member Courtney Syme stated that Chief Huff has been asked to give a report on the activity in Spring City. Mayor Anderson stated that Channel 4 News did a segment on Chief Huff for the Behind the Badge Program. He is the only one-man police department in the state of Utah. Chief Chad Huff stated that this year is on the same track as last year, which means it is busy. From January to now there have been 242 cases. Some big calls have come in involving the feds. There have been a lot of calls and it is a lot for one guy. He has been called out 22 times. A call out is when he is home and off duty. Chief Huff stated that some people have told him that they are not happy with the legal system in our city and with the ordinances. They are unhappy with how long the legal system works. He stated that our Judge is good and fair. It does take time because he is trying to be fair. He is currently enforcing some of the RV ordinances and working through that. It is hard when someone won't move out. We have the power to shut

their power, water and sewer off, this is in our ordinance, but if they still refuse to move out, he gives them a ticket. Chief Huff stated that we are doing our best.

Mike Black Authority to Bid Rental of City Property West of the Cemetery

Mayor Chris Anderson stated that the city owns some property to the west of the cemetery. It is about 5 acers. It has been rented out in the past but is currently not being used. We have been approached by someone who would like to farm that land. They have access to water that goes near that land. The thought is that we should get a bid for this to make sure we are getting the best price possible. The person interested is talking about a five-year lease, he would be responsible for the upkeep of the fence and gate. He would maintain the animals if animals were used there. A concern about animals close to the cemetery was brought up. Council Member Craig Clark stated that there should be stipulations put on any rental agreement.

Council Member Craig Clark motioned to put bids out for the property to see what we can get. We'll talk about animals, what kind of use it would get before we make a decision. **Motion seconded by Council Member Courtney Syme.**

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Financial Report for June 2023

Council Member Craig Clark motioned to approve the financial report. **Motion seconded by Council Member Nancy Allred.**

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Payment of Bills

Council Member Nancy Allred motioned to approve the to pay the bills. **Motion seconded by Council Member Craig Clark.**

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Approve Minutes for June 1, 2023, Public Hearing

Council Member Nancy Allred motioned to approve the minutes for the June 1, 2023, public hearing. **Motion seconded by Council Member Tim Clark.**

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Approve Minutes for June 1, 2023, City Council Meeting

Council Member Nancy Allred motioned to approve the minutes for the City Council Meeting June 1st. Motion seconded by Council Member Craig Calrk.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Approve Minutes for June 29, 2023, Public Hearing

Council Member Craig Clark motioned to approve the minutes for the June 29, 2023, public hearing. Motion seconded by Council Member Tim Clark.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Approve Minutes for June 29, 2023, Special Council Meeting

Council Member Nancy Allred motioned to approve the minutes for the Special Council Meeting for June 29th. Motion seconded by Council Member Tim Clark.

Vote:

Craig Clark	Yes
Tim Clark	Yes
Nancy Allred	Yes
Courtney Syme	Yes
Paul Penrod	Yes

Council Member Nancy Allred motioned to adjourn.

Adjournment: 8:49

APPROVED

