

SPRING CITY COUNCIL MEETING MINUTES

Thursday, October 5, 2023, 7:00 p.m.

In Person Attendance: Cory Madsen, Chad Huff, George Kenzy, Marty McCain, Greg Ogden, Jane Hawkes, Roger Minert, Mrs. Minert, Ken Kroque, Craig Paulsen, Randy Strate, Robert Buckner, Bruce Spiegel, Stanley Soper, Paul Strong, Joseph Fuchsel, Ruth Ann McCain; Recorder.

Zoom Attendance: Suzanne Dean

Pledge of Allegiance: Mayor Chris Anderson

Expression of Choice: Ken Kroque

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 he would talk about roads later but everything on his end was going well.

Council Member Tim Clark stated that there has been maintenance work done on one truck consisting of cable certification. Mayor Anderson commented on the rise in cost of electrical and other supplies.

Council Member Nancy Allred stated her thanks to Christie McGriff for the decorations on Main Street. Mayor Anderson stated that Tennessee and Kimberly Stewert were very helpful in donations for the decorations as well. Council Member Allred stated that on Halloween night Main Street will be blocked off from 1st North to 1st South for Trunk or Treating. Everyone is welcome to participate. The event will be from 5:30 pm to 7:00 pm. Chief Chad Huff stated that he will be there. The Fire Department will be asked to use their trucks to block off the street.

Council Member Courtney Syme stated that our police department is doing it's best for a one-man department. There is not a lot of cooperation between Spring City and the sheriff department to fill in or respond when Chief Huff is indisposed or out of town. He stated that he does not know what to do about that. In the past there has been more cooperation. Council Member Syme stated that Mayor Anderson forwarded a letter from the Forest Service asking for responses on a project they are doing. The Forest Service's reforestation initiative that is on the Manti La-Sal national forest on the side of Sanpete County. It is proposed to log in the Spring City canyon. Council Member Syme feels that this is long overdue. There is another issue with the Forest Service that might be more critical. The Department of Agriculture is doing a study to see if they want to establish a wilderness area from Canal Canyon to past Oak Creek Canyon. Council Member Syme stated that he wants to do more research on this because this study would make the area where our springs are, where livestock is grazing, our watershed, and there is some question if we would have access to our upper springs. He will try to find out more about this. Council Member Syme stated that he will be giving his input before the 20th. Mayor Anderson stated that if any of the council members want to respond to get together with Council

Member Syme. Council Member Syme stated that if any citizens want to respond as well, he will take their responses.

Council Member Paul Penrod stated that the Fire Department is doing well. Our water is doing well right now.

Mayor Chris Anderson stated that last month we had issues with water tests. We went through a water boil order, and we appreciate our department for doing everything they could to address it right away. Public Works is trying to find where the problem initiated. We are working on ways to improve communication if something like this happens again.

Public Comments

Robert Buckner stated that November 11th is Veteran's Day. He asked if it would be possible to put a donation jar in the city office. The donations will go toward VFW 9276 Post and the American Legion Christmas dinner that is planned for December 19th. Mayor Chris Anderson stated that it would be alright to put a donation jar in the office. He said that something could be put in the newsletter as well.

Joseph Fuchsel stated that there were 40 people at the Constitution Day program on September 14th. He thanked Mayor Anderson and the Council for the use of the ballroom, and Mike Black for doing the scheduling.

Paul Strong (Comments were made at the end of the meeting) stated that he is from American Fork. His wife's Great Great Grandfather is Hans Hansen. He is interested in restoring the Hansen crypt. He has talked to Mike Black and Cory. He would like to enter the crypt to see the construction inside. He would like to document the inside eventually remove the bodies, take the roof off, fill the crypt in, and rebury the bodies back where they go. He will put a proper headstone on it. He wants to seal up the gate, or stone up the entrance to it. He wants to use the burial site from the top down. He would like to restore the rock work around it. This is to make sure the burial site can be used in years to come. Council Member Courtney Syme stated that the crypt would not exist as it does now. Mr. Strong stated that it would look exactly the same except you would bury from the top down. If he can get approval the two bodies will be put inside the domed part. He would rock it up and put a headstone on it and a rod iron gate. Council Member Craig Clark stated that there are state codes that need to be followed. Mr. Strong stated that the state said as long as you don't touch the bodies or remove the bodies you don't need any permits to enter the crypt as a member of the family. There was a lengthy discussion about the crypt. Council Member Courtney Syme stated that the bodies would need to be exhumed to put them in storage. Mr. Strong stated that he would get a permit for that and have a mortuary store the bodies. The crypt was built in 1891. He said that Mike told him that anyone that can prove lineage can be buried there because it is a plot and a half. Council Member Courtney Syme asked if he was planning on burying anyone else in the crypt. Mr. Strong stated that his idea is to restore the fence and the stone with the fence on it. Maybe pour a retaining wall around it then put stone facades around it. They would then use a backhoe to bury more people in there. He said that there is room for 12 inside the plot. He does not plan to bury anyone in the crypt. Mr. Strong asked for permission to enter the crypt. The council said they could not take any action on this because it is not on the agenda. Mr. Strong asked for this to be on the next agenda even if he is not in town. Council Member Courtney Syme stated that for him to consider this he would like to see a plan of exactly what will be done. He would like to know the work will be up to standards

for the rock work and masonry. Mayor Anderson stated that this will be on the next agenda. Mr. Strong stated that he would like approval to enter the crypt for now. Next spring or summer is when more work will be done. Getting into the crypt will help him form a plan that he can then bring to the Council.

Greg Ogden Audit Report

Greg Ogden stated that there was one finding on the audit. Cities are allowed to keep up to .35% of the current year's revenues in the general fund as a reserve and not more than that. This year Spring City exceeded that amount by \$10,000.00. Mr. Ogden then pointed out the main points in the financial statements (look for the handouts). On page 17, three up from the bottom, under net position for governmental activities there is an increase of 104,000 during the year. That is most likely because of the grant that came in at the end of the year. For business-type activities like water, electric, sewer there was an increase of about 31,000. Mr. Ogden stated that one area to watch is on page 23, the income statement for the business type funds. The net operating income or loss in the middle of the page is where there shows that the water fund had a loss of 18,000 and the electric had a loss of 174,000. With the increased cost of power everyone felt it this year. Mayor Anderson stated that this is why we increased our fees a few months ago. Mr. Ogden stated that it is important to make sure that the operating number is a positive number. He stated that he appreciated working with the mayor and the office. Whit did a great job on the utility deposits that had been an issue ever since getting the Pelorus software. He traced everything back and resolved all the issues.

Council Member Tim Clark made a motion to approve the audit report for 2022-2023.

Motion seconded by Council Member Paul Penrod. Discussion:

Vote:

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

Consideration for and adoption of Parameters Resolution authorizing the issuance of Parity Water Revenue Bonds of Spring City and calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project

Mayor Chris Anderson stated that for the culinary water project happening part of the financing package is that we need to issue some revenue bonds. For that we will be holding a public hearing to get it approved. A parameters resolution needs to be approved to move this forward. The public hearing is scheduled for November 2nd at 6:30 pm.

Council Member Nancy Allred motioned that we approve the parameters resolution. Motion seconded by Council Member Courtney Syme. Discussion:

Vote:

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

Paul Penrod

Yes

Dr. Kyle Christensen, Blessing Box in Spring City

Mayor Chris Anderson stated that Dr. Kyle Christensen submitted a suggestion to place somewhere in the city what he calls a blessing box. It is similar to the mini library in front of the mayor's house. With the blessing box they might have food items, first aid items or things that may help people in need. You can leave something in it or take what you need out of it. Mayor Anerson stated that he is happy for this to be done but like his library box it is on his own property, and this should be done on someone's private property. He doesn't think it should be a city thing. Other council members stated that they felt that this is a good idea for private citizens to do. Mayor Anderson asked Ruth Ann, the recorder, to reach out to Dr. Christensen to let him know that the Council has no objections.

Roger Minert, Water Connections at 600 S 350 E

Mayor Chris Anderson stated that there has been a request for water just outside the city limits at 600 S 350 E. Ken Krogue stepped forward and stated that a while back he had put in utility connections on the east end of his property. He is hoping to sale the east lot but found out that a water hook up is not available outside of city limits. Mr. Krogue has talked to his neighbors about annexation. At minimum he is looking to annex the three homes on the south side of 600 South, that includes Jim Flemming, Ken Krogue, and the Wendt's. Mayor Anderson stated that the city cannot force an annexation, people outside the city have to request the annexation. Jim Flemming did give conditions to the annexation and Ken Krogue read them out loud. 1. Deed dimensions immovable. This means where the surveys of the county and the city are off slightly. Jim doesn't want this to come back as a concern. 2. Shipping containers. 3. No streetlights. 4. He wants to make a deal; he wants asphalt on 6th south. 5. No easements on 3rd south. 6. He would like to be appointed to planning and zoning. Council Member Courtney Syme asked what happens to the rest of 6th south? Craig Paulsen stated that for this annexation we would encourage as many to join as possible. Ken would need help with this process to get the word out. Mr. Krogue stated that he has talked to the Flemmings and the Wendt's. Council Member Tim Clark stated that Ken has a potential buyer for the property and the annexation may need to be handled one bit of an elephant at a time. Mr. Krogue stated that he would talk to the other people, but he would like to start with just those on the road. Mayor Anderson stated that it would be nice to have regular boundaries and entire streets. Council Member Courtney Syme asked how far on 6th South is being looked at? Mr. Krogue stated that it was from 2nd East to 5th East. Mayor Anderson stated that no action will be taken but he invites the application to move forward.

Planning and Zoning Report

Council Member Nancy Allred read the planning and zoning report which states that Jeff Watson applied for and was approved for a zoning permit for a small home at 500 E and 100 S. The home will replace a mobile home that was removed from the property. The property size is 1.06 acres and will not require any further approval. The home will use the same water sewer and electric connections that were used for the mobile home. Robert Rowley had a zoning permit approved for in 2020. He applied to have that reinstated. It was reinstated. Tim Hayes applied for a zoning permit for a new home detached garage and guesthouse 79 N 100 W. This was approved. Paula Carter applied for a zoning permit. It was withdrawn after further review

because there were setback issues. Jacob Everitt applied for a zoning permit for a new home on 200 W 530 S. This was approved by the city but is still waiting for approval by the irrigation company. A historic home at 197 S Main is requesting an addition on to the north side of the old stone house. They need a main floor bedroom and bathroom. They are waiting for the Historic District Subcommittee to approve it.

Craig Paulson Update on the Activity/Rec Center Remodel

Craig Paulsen stated that the tile work is finished, the plumbing is up and running, and the toilet partitions are in. One of the restrooms will be opened when the city power department is able to do the electrical work. He thanked Scott Newman and Alison for painting the three restrooms. Mayor Anderson stated that we received a \$50,000 donation from the Mormon Pioneer Heritage Foundation, Monte Bona's group. Alison Anderson stated that the \$20,000 donation from the Friends will match a \$20,000 grant coming from the CLG. That grant will come in when the bathrooms are completed, and pictures are submitted to the CLG. Mayor Anderson stated his thanks for all that is being done.

SCADA System Bid

Council Member Paul Penrod stated that we have quotes for the SCADA system. There are four. Sunrise Engineering recommended taking the lowest bid at \$131,420.92, by Dorset Controls. Cory Madsen stated that the SCADA system will control the water tanks and the hydro plant electronically. Mayor Anderson stated that this is part of our culinary water expansion. The city will pay for this system as our contribution.

Council Member Paul Penrod motioned to approve the SCADA system bid of \$131,420.92 from Dorset Controls. Motion seconded by Council Member Craig Clark.

Vote:

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

Road Bids

Council Member Craig Clark stated that gravel roads were being considered but due to the upcoming projects that is not a good idea because they will be torn up. 600 South was on the list to do but will need to wait. Chip and seal was being looked into for the newer roads to keep them in good condition. Tonight's bid does not include the chip and seal. The price of asphalt has gone through the roof. The plan was originally to do our parking strips out here. We have handicap parking, but it is not on asphalt and by law handicapped parking should be on asphalt. The bid will take out the gravel up to where the asphalt is now on Center Street and around on to 1st South. This will be asphalted with road base underneath, and parking strips put in. Council Member Clark stated that there are a lot of roads in town that are bad. Choosing the worst of the worst, 200 South has about an inch of asphalt. It is breaking and narrow. The bid is to pulverize the road, regrade it, and repack it. They will then lay the asphalt on it. Only one company gave a bid. Council Member Clark sent it out twice once was an addendum trying to get more bids. Bennett paving, who has done work in the past of us, bid it at \$238,144.00. This is more than anticipated. There is about 283,000 with our road budgets and in our PTIF. He doesn't feel that

overlaying a lot of our roads is an option because they will pop and crack anyway. When you pulverize and redo the road it will last probably 10 years and we can chip and seal them. Council Member Clark stated that with annexation and our roads we will have more roads to take care of. This is a pro and a con. Adding their roads, we will need to pave them and push the snow but through the state we will get more funding to take care of those roads. Mayor Anderson asked if we could ask those who want to be annexed to pave the roads. Council Member Clark stated that he is not sure about annexation. When a subdivision comes in, they can ask for that, but he is not sure about annexation. Council Member Clark was asked when they will do the work. He stated that if the weather holds out it can be done this year. About four weeks. If they can't get it done this year the price may not stay the same. There was some discussion on paving, and Spring City roads.

Council Member Paul Penrod motioned to approve the road bid with a priority being the parking on the city block. Motion seconded by Council Member Nancy Allred. Discussion: Council Member Courtney Syme asked about water drainage once the road is repaired. Council Member Clark stated that the water will run across the road to the west.

Vote:

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

Resolution 2023-12 Cancelling Local Election Pursuant to §20A-1-206

Mayor Chris Anderson stated that we have an election scheduled for November 21st. There are three open positions on the City Council and three candidates. We have passed the period for write in candidates so there will be no additional candidates. We have the option of cancelling our elections. This will avoid the expenses involved in the election and will consider the three candidates elected. To cancel the election, we will pass a resolution to consider the three candidates elected. The candidates will still take the oath of office in January.

Council Member Nancy Allred motioned to cancel the local election. Motion seconded by Council Member Paul Penrod.

Vote:

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

Quit Claim Deed for Parcel A 23 & Parcel A 24, Plat "A"

Mayor Chris Anderson stated that Niel Sorensen's company owns a block of property just west of 7th East. There is a sliver of land between the street and his property where the surveys don't match up. When Niel met with the county recorder they said that he should get a deed from the city for that land. This sliver of land is where we can't do anything with it. No one could buy it. Mayor Anderson believes it is between 5 and 10 feet. Niel proposed a warranty deed, but the city doesn't know what rights we have so it would be a quit claim deed. Niel is doing a survey, and we would need a copy of that survey, so we know the exact dimensions of the land. We have

asked our city attorney, Wes Mangum, if this would be appropriate. Council Member Courtney Syme stated that the survey is completed. He feels that this would define our city grid better. Mayor Anderson and Council Member Paul Penrod agreed that this may need to be done all down 7th East.

Council Member Paul Penrod motioned to approve the quit claim deed. Motion seconded by Council Member Nancy Allred.

Vote:

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

Proposed Amendment to Zoning Ordinance

Mayor Chris Anderson stated that we have had a proposal from a developer that we consider the adoption of a new zoning ordinance that would allow for higher density residential use. The state is pushing municipalities to provide for higher density or more affordable housing. We feel that if we don't do anything it may be thrust upon us. It may make sense to consider a higher density zoning where our Planning and Zoning Commission can see where it makes sense, and we can set the parameters. Our Planning and Zoning Commission has met and offered their thoughts on how that might be structured. Lots would not be subdividable; 1.06 lots would still be required. Craig Paulsen stated that there were a dozen things key to the higher density zone. That will be presented to the attorney. The intent is to provide affordable housing. Craig stated some of the requirements for this zone including how many animals allowed. No storage containers or sheds. Carports with built-in storage may be allowed. Drainage requirements and utility requirements are the same as an R1 zone. The Developer will put in water, sewer, power, and roads. A bond may be required. Impact fees will be required. Mayor Anderson stated that this proposal has been sent to the land use attorney.

Work Meeting for October

Council Member Nancy Allred how October 18th would work for the work meeting. It would start at 6:30 pm. The work meeting will be held with Planning and Zoning.

Financial Report for September 2023

Council Member Courtney Syme motioned to approve the financial report. Motion seconded by Council Member Tim Clark.

Vote:

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

Payment of Bills

Council Member Tim Clark motioned to approve the payment of the bills. Motion seconded by Council Member Nancy Allred.

Vote:

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

Approve Minutes for September 7, 2023, City Council Meeting

Council Member Nancy Allred motioned to approve the minutes for the City Council meeting September 7th. Motion seconded by Council Member Paul Penrod.

Vote:

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

Approve Minutes for September 21, 2023, Joint Work Meeting

Council Member Nancy Allred motioned to approve the joint work meeting September 21st. 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 Craig Clark motioned to adjourn. Council Member Paul Penrod seconded the motion.

Adjournment: 8:33

APPROVED

