

SPRING CITY COUNCIL MINUTES

Thursday, November 2, 2023, 7:00 p.m.

In Person Attendance: Cory Madsen, Mike Black, Chad Huff, Marty McCain, George Kenzy, Tom Brunner, Joseph Fuchsel, Alison Anderson, Mike Neilson, Jackson Lambie, Craig Paulsen, Paul Strong, Jane Hawkes, Danny Lloyd, Ruth Ann McCain; Recorder.

Zoom Attendance:

Pledge of Allegiance: Mayor Chris Anderson

Expression of Choice: Joseph Fuchsel

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 contractor for the roads is out three weeks still. He will look into having the contractor sign some disclosures and be ready to go next year.

Council Member Tim Clark stated that the electric is going well. Power poles have been ordered and we should have them in 20 weeks. He asked Craig Paulsen to give an update on the old Jr. High school. Mr. Paulsen stated that some electrical work still needs to be completed, but it is basically completed and needs an inspection by the county.

Council Member Nancy Allred stated her appreciation to Cynthia for the work that went into our Halloween activity. Great planning and a good turnout.

Council Member Courtney Syme stated that the Police Department is in the process of upgrading our radio communication system. This will allow us to communicate better with the County Sheriff's Department. Council Member Syme stated that Veteran's Day is the 11th. The American Legion and the VFW are collecting donations to offer all veterans who have contacted them a free meal. There is a collection box in the front office for those who would like to help and donate.

Council Member Paul Penrod stated that everything is good with the water. The Fire Department met with Rosenbauer, who is the manufacturer of our structure vehicles, to get details of the new fire truck that we are getting.

Mayor Chris Anderson stated that we are invited to make comments to the Forest Service about the Manti-La-Salle Forest. Some have submitted comments, but Mayor Anderson invited as many residents as possible to comment. The concern is the proposal of some wilderness type of restrictions on the use of the mountain. We have our springs for our culinary water up there and people have their sheep using the mountain. Mayor Anderson would hate to lose these opportunities because we didn't comment on it.

Public Comments

Joseph Fuchsel stated that he is concerned about what the Forest Service is doing and that no one knows about what is going on. He mentioned several areas he is concerned about. Mr. Fuchsel stated that we all need to work together on this.

Council Member Courtney Syme stated that there is a virtual meeting on November 8th starting at 11:00. The Ephraim Forest Service is who to contact to get the address to access the meeting. Jane Hawkes stated that she contacted Kevin Christensen about the wilderness area. He says that the draft plan proposes seven areas in the north zone, which we are in, a wilderness. Canal Canyon is one of them. She read more of what Kevin Christensen said but stated that their definition of wilderness and our definition is something else. The concern is that it can be managed as a wilderness area without being designated a wilderness area.

Planning and Zoning Report

Council Member Nancy Allred stated the activities from planning and zoning. The Shawn Lindow family applied for annexation of their property on the east side of Spring City between the Canyon Road and 300 South. Ken Krogue has applied for annexation for his property and neighbors on the south side of town between 500 East and 200 East. Barbara Moss applied for an RV permit for family living on her property in a motorhome for 30 days from October 9. Del Larsen applied for a Business License for a towing and recovery business out of his home on 185 East 200 South. This was approved as a home business. No actual business will be conducted at the home. No neighbor response forms were sent. Holly Nicoles submitted an application for a zoning permit for a 12x12 shed. This was approved. No building permit is required by the county for buildings smaller than 200 square feet. Linda Olson's contractor obtained an RV Zoning Permit so that he could live in an RV while he works on Linda's Home.

Paul Strong and Mike Black, Hansen Crypt

Council Member Craig Clark stated that the restoration and the proposal is to make the crypt safe and get it back to where it was. Paul Strong would like to get in there and see what shape it is inside the crypt. If they need to redo the whole thing they would find a place to put the remains of the bodies to be stored. If needed remove the ceiling. Shore up the stone perimeter wall and strengthen it. Mr. Strong is willing to meet the state and local guidelines and get the permits. Council Member Clark stated that he is for getting it back in shape and making it safe. His concern is getting the permits because it is a sealed burial site, crypt. Council Member Clark would like the permits to be obtained because of this. Council Member Courtney Syme asked if getting the permits would give assurance or reassurance that entering the crypt is not a danger to anyone who enters it? He doesn't want a possible liability hazard for the City. Paul Strong stated that he doesn't need a permit to enter the crypt. He needs a permit to exhumate the bodies and if he is going to have them stored. Mr. Strong stated that the two buried there are Hans Jorgen Hansen Jr. who died when he was 36 of pneumonia and his son drowned two years later. The two oldest relatives have given permission to enter and do the restoration. He is a caver and feels confident to crawl down photograph it and take measurements. If it is sound he would like to remove the cement slab, rebuild the steps, and weld an iron door on the front. If the crypt can be used, he would like to use it. He has tried to borescope it but cannot get in well enough to determine anything. If the crypt is not sound, he would like to remove the stones holding the ceiling up

from the top, back fill it, remove the bodies if he needs to, then bury everybody from the top down, and from that point on. He would fill the front of the crypt but keep the arch in place. Council Member Syme stated that he feels this is a worthwhile project, but he would want some sort of assurance that the city is held harmless in the case that somebody is injured down there. Mr. Strong stated that he would be willing to sign anything that he entered at his own risk. Mike Black stated that there might be four bodies in the crypt. When the crypt was robbed the city filled the front with dirt and then poured concrete on it. Council Member Clark and Mike Black stated that they are anxious about having a contractor work in our cemetery. Mike Black stated that the city employees need to be the ones digging and excavating in the cemetery. Mr. Strong stated that he would like to enter the family crypt. Council Member Clark stated his concerns about Mr. Strong going into the crypt. Council Member Syme stated that he would like assurance to be held harmless as possible for just entering it. If we do our own digging, we're going to incur some liability. I hope you've thought about that not only for injury but for damage to the property. That's something that we need to think about. It's very admirable but I want it done right and I want to make sure that safety becomes the major issue for you, Mr. Strong, and for the city, liability wise. Mr. Strong stated that it is his concern as well. Mr. Strong asked what he can do to get a waiver to protect the city. Mike Black stated that the city attorney would write up a document to free us from liability. Mayor Anderson stated that Mr. Strong needs to get the permits required and if there is digging to be done it will be done by our city employees. Council Member Craig Clark stated that the conditions would be permits to do anything that the state requires, a release from our attorney to go ahead and signed by everybody. Then he can move forward having our employees do the digging. Reevaluate after what is found down there and what the next steps are. Mr. Strong will put mesh (expanded metal) over the entrance to make sure no one messes around in there. Council Member Clark stated that Mr. Strong will need the permits just to dig because there are bodies down there. Mr. Strong stated that his intentions are to knock out the concrete plug that's on the back wall and then just enough on the floor to crawl down in there take some pictures and measurements. He would like to take the remains out, store them in a mortuary, with the proper permits, and allow those who would like to walk down and see in it before it is sealed back up. He would also like to put a headstone up for Hans Jorgen Hansen Junior and his son. Mayor Anderson stated that Paul Strong would be responsible for getting permission from the Hansen family. Mr. Strong asked if he can get help from the city to put a snow fence in front of the crypt after he gets inside. Council Member Clark stated that it will need to filled back in so others don't get in there.

Council Member Craig Clark made a motion that in order to move forward with this we are okay but will get a letter from our attorney stating that the city is free from responsibility and putting it on Mr. Strong and will need to do the due diligence part getting ahold of the family. Signed off that it is okay. That he will get the permits from the state to enter the graves and do excavating. Check with the mortuary that will do that for him. Go to that point then see where we go from there. No work will be done until all these things are in place. **Motion seconded by Council Member Nancy Allred. Discussion:** Council Member Tim Clark stated that no more work will be done until everything stated is done. You may want to keep seeing what is in there, just don't keep doing more work. Mr. Strong stated that pictures will be evaluated by Mike, Cory, and anybody else who wants to see them. Council Member Craig Clark stated that no other work can be done other than what is in the motion.

Vote:

Craig Clark Yes

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

Dark Skies

Mayor Chris Anderson stated that several years ago it was suggested that we consider a dark skies ordinance. The idea is that if you put in outside lights, you would put a cap on them so the light shines down. This would mean that the city would need to modify our streetlights that are not converted already. When it was considered before some people liked the idea, but no one championed it enough to follow through with it. Mayor Anderson asked if someone would like to draft an ordinance for consideration of dark skies. He stated that he will get a packet of information about it.

Resolution to Recertify Spring City's Justice Court

Mayor Anderson stated that this year we need to recertify the Justice Court. This resolution states that we want to continue to provide a Justice Court, requests recertification to the Board of Justice Court Judges in Utah and affirms our willingness to continue to meet the requirements to have a Justice Court.

Council Member Courtney Syme made a motion to approve the resolution requesting the recertification of the Spring City Justice Court. Motion seconded by Council Member Paul Penrod. Discussion: None

Vote:

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

Revocation of Home Business License for Four Aces Towing and Recovery

Mayor Chris Anderson stated that the home business license issued to Del Larson with respect to a towing business. On the application his representation was that it would be appropriate for a home business license because there wouldn't be any additional burden on the residential property. That he would be answering phone calls and arranging pick ups and drop offs. Mr. Larson brought a lot of vehicles to the property and there are reports that he is working on the repair of vehicles at the property. This is not allowed for a home business. Mayor Anderson stated that it was brought to his attention today that he is not licensed to have a towing business. In the municipal ordinances the City Council or the Planning and Zoning Commission can take action. Mayor Anderson proposed to revoke the home business license. There was a little discussion on what is taking place at the residence. Danny Lloyd who lives across the street from Del Larson stated that he has taken pictures from the street. He stated that he has pictures of five cars without license plates on the Larson property. He feels that it is turning into a wrecking yard. Mr. Lloyd claims that he has been talking to the Department of Transportation and the Department of Commerce.

Council Member Nancy Allred made a motion to revoke the home business license of Mr. Dal Larson. Motion seconded by Council Member Courtney Syme. Discussion: None

Vote:

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

City Response Opposing the Forest Service Plan to Impose Restrictions on the Use of the Mountain and Canyons East of Spring City

Mayor Chris Anderson stated that he would like to have a unified response opposing the Forest Service plan.

Council Member Nancy Allred made a motion that the City respond opposing the Forest Service plan to impose restrictions on the mountain. **Motion seconded by Council Member Tim Clark. Discussion:** Council Member Courtney Syme stated that he would work with Mayor Anderson to get the response made.

Vote:

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

Public Hearing for Planning and Zoning – New Zone Ordinance

Mayor Chris Anderson stated that because of restrictions on City Councils with respect to zoning, subdivisions, and developments we are making changes to our code. We have been working with a land use attorney to try and maintain control but allow some higher density multifamily housing. The public hearing was scheduled for November 29, 2023, at 6:00 pm. This is just before the November Planning and Zoning Commission meeting.

Work Meeting and Special Public Hearing for CDBG in November

Mayor Chris Anderson stated that a public hearing is needed for the Community Development Block Grant (CDBG). If we may pursue a grant from them, we need to hold a public hearing to get the citizen's input on ideas for that grant. That public hearing was set for December 7, 2023, at 6:30 PM.

Financial Report for October 2023

Council Member Craig Clark motioned to accept the financial report October 2023. Motion seconded by Council Member Tim Clark. Discussion: None

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 pay the bills. Motion seconded by Council Member Craig Clark. Discussion: None

Vote:

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

Approve Minutes for October 5, 2023, City Council Meeting

Council Member Nancy Allred motioned to approve the minutes for the October 5th City Council meeting. Motion seconded by Council Member Craig Clark. Discussion: None

Vote:

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

Approve Minutes for October 18, 2023, Joint Work Meeting

Council Member Nancy Allred motioned to approve the October 18th joint work meeting. Motion seconded by Council Member Paul Penrod. Discussion: None

Vote:

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

Council Member Nancy Allred motioned to adjourn.

Adjournment: 8:03

APPROVED

