



**AGENDA FOR THE WORK / STUDY MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
JUNE 3, 2014 – 5:15 P.M.**

**MAYOR AND COUNCIL DINNER – 4:45 P.M.**

*The Mayor and Council will meet in the Council Work Room for informal discussion and dinner. No action will be taken on any items.*

**CALL TO ORDER- 5:15 P.M.**

**COUNCIL BUSINESS**

1. Calendar
  - June 7-14 – Art City Days
  - June 10 – Work/Study Meeting 5:15 p.m.
  - June 14 – Grand Parade 10:00 a.m.
  - June 14 – Flag Day
  - June 15 – Father’s Day
  - June 17 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
2. Discussion on this evening’s Regular Meeting agenda items
  - a) Invocation – Councilmember Sorensen
  - b) Pledge of Allegiance – Councilmember Olsen
  - c) Consent Agenda
    2. Approval of all City purchase orders properly signed (SCC §2-10-110(5))
    3. Approval of Minutes – Work/Study Meeting, March 11, 2014 and May 20, 2014; Regular Meeting, March 19, 2014 and May 20, 2014
    4. Resolution Extending the Military Waiver for Utilities – Kim Rayburn, City Recorder
    5. Approval of re-numbering Resolution #2014-04 Ad Hoc Committee Sign Ordinance to Resolution #2014-04A
    6. Approval of the establishment of a Fireworks Restriction Zone in Springville – Hank Clinton, Fire and Rescue Chief
    7. Approval of payment to Rivers HOA in the amount of \$3100.00 for the Rivers Subdivision Detention Basin Perpetual Easement – Brad Stapley, Public Works Director
    8. Consideration of an Agreement with the UV Rays for Use of the Springville Pool – Charles Keeler, Recreation Director

This meeting was noticed in compliance with Utah Code 52-4-202 on May 29, 2014. Agendas and minutes are accessible through the Springville City website at [www.springville.org/agendasminutes](http://www.springville.org/agendasminutes). Council Meeting agendas are available through the Utah Public Meeting Notice website at <http://www.utah.gov/pmn/index.html>. Email subscriptions to Utah Public Meeting Notices are available through their website.

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE

9. Approval of an Agreement with the Hobble Creek Riding Club for the Art City Days Rodeo – Charles Keeler, Recreation Director
10. Approval of Appointment to the Parks and Recreation Board; David Goodman and Marc Penrod

**4. DISCUSSIONS/PRESENTATIONS**

- a) Folkfest Report – Donna Breckinridge, Committee Chair
- b) UAMPS Overview – Brandon Graham, Power Distribution Superintendent
- c) Presentation on a Plan to Replace the Springville City Pool – City Administrator Troy Fitzgerald
- d) Training – John Penrod, Assistant City Administrator/City Attorney

**5. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

**6. CLOSED SESSION**

*The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

**ADJOURNMENT**

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**AGENDA FOR THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
June 03, 2014 – 7:00 P.M.**

**CALL TO ORDER  
INVOCATION AND PLEDGE  
APPROVAL OF THE MEETING'S AGENDA  
MAYOR'S COMMENTS**

**CEREMONIAL AGENDA**

1. Art City Days Resident Artist and Grand Marshall – Charles Keeler, Recreation Director

**PUBLIC COMMENT:** *Audience members may bring any item not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.*

**CONSENT AGENDA\***

2. Approval of all City purchase orders properly signed (Springville City Code §2-10-110(5))
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- Kim Rayburn, City Recorder

The next regular Council Meeting will be held on June 10, 2014 at 7:00 p.m. in the Civic Center Council Chambers, 110 South Main Street, Springville, unless otherwise noticed. In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

\*The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.

**PUBLIC HEARING**

11. Consideration of a Resolution adopting the Fiscal Year 2014/2015 Springville City Budget; (2) and the consideration of a Resolution adopting the Fiscal Year 2014/2015 Spanish Fork/Springville Airport Budget – Bruce Riddle, Assistant City Administrator/Finance Director

**REGULAR AGENDA**

12. Discussion on billboard locations – John Penrod, Assistant City Administrator/City Attorney

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

**CLOSED SESSION**

13. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

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**MINUTES OF THE JOINT WORK/STUDY MEETING OF THE CITY  
COUNCIL AND THE PLANNING COMMISSION  
OF THE CITY OF SPRINGVILLE, UTAH  
MULTI-PURPOSE ROOM, 110 SOUTH MAIN STREET  
March 11, 2014 – 5:15 P.M.**

6

The following are the minutes of the Work/Study Meeting of the Springville City Council. The meeting was held on **Tuesday, March 11, 2014 at 5:15 p.m.** in the Springville City Civic Center Multi-Purpose Room, 110 South Main Street, Springville, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

12 Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present: Councilmember Richard Child, Councilmember Christopher Creer, Councilmember  
14 Craig Conover, Councilmember Dean Olsen, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/Finance Director Bruce Riddle,  
16 Assistant City Administrator/City Attorney John Penrod, and City Recorder Kim Rayburn. Also present were: Community Development Director Fred Aegerter, Power Director Leon  
18 Fredrickson, Public Works Director Brad Stapley, Public Safety Director Scott Finlayson, Buildings and Grounds Director Alex Roylance, Recreation Director, Charles Keeler, Museum  
20 of Art Director Dr. Rita Wright. Also attending were: Planning Commissioners Craig Huff, Joyce Nolte, Brent Packard, Frank Young, Carl Clyde, Michael Clay and Brad Mertz, and  
22 Planning Commission Secretary Darlene Gray.

24 **COUNCIL BUSINESS**

1. Minutes - There were no minutes

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2. Calendar

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- March 17 – St. Patrick's Day
- March 18 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- March 20 – First Day of Spring
- April 1 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- April 1 – April Fools' Day
- April 8 – Work/Study Meeting 5:15 p.m.
- April 9-11 – ULCT Midyear Conference, St. George
- April 15 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- April 20 - Easter
- April 22-25 – ULCT Road School, St. George
- April 25, 2014 – Arbor Day
- April 29 – Budget Retreat

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There was no discussion of Calendar items.

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**WELCOME AND INTRODUCTION**

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Mayor Clyde welcomed everyone at 5:16 PM and welcomed the Planning Commissioners to the joint session.

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Mayor Clyde stated that he would like to hear the department director's reports before proceeding to the presentation by Director Aegerter.

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**3. MAYOR, COUNCIL, ADMINISTRATIVE REPORTS**

50

a) Discussion with Department Directors

52

Golf Director Sonny Braun reported the golf course has opened with nine-holes, and expected they would open 18-holes tomorrow.

54

Director Leon Fredrickson, Power Department; presented to the Mayor and Council Members the opportunity regarding securing additional firm, contract power through a UAMPS project. He stated that he would like to move forward to obtain an additional base load power at \$44.00 per Megawatt hour starting in 2017 through 2022. Director Fredrickson explained that currently, the power is 5,000 kilowatts. Mayor Clyde asked who the power source would be. Director Fredrickson reported that it would be provided from an outside market. He indicated that he would need direction and/or approval from the Mayor and Council members at the next Tuesday meeting. Mayor Clyde informed those in attendance that the caucus meeting would be on Tuesday, March 18th. Director Fredrickson informed the Mayor that the deadline was March 21st and stated that he felt an urgency to discuss this item. Mayor Clyde asked if the Council would meet at all next week. He stated that the challenge was an agenda item regarding chickens. Mayor Clyde added that residents would be geared up to attend the meeting, and asked if this item could be postponed. Administrator Fitzgerald stated that the Council could meet at 5:00 PM and be done by 7:00 PM. Cl. Conover reminded the members that the proposed Ordinance had already been noticed in the paper. Administrator stated that the items could still be continued. The council discussed moving the March 18, 2014 regular council meeting from Tuesday to Wednesday to accommodate for the caucus meetings.

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COUNCILMEMBER CONOVER MOTIONED TO MOVE THE REGULAR CITY COUNCIL MEETING OF MARCH 18, 2014 TO MARCH 19, 2014.

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COUNCILMEMBER CREER SECONDED AND ALL VOTED AYE.

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Mayor Clyde confirmed with Director Fredrickson the contract power item could be discussed on March 19, 2014 at the regular City Council Meeting.

76

Recreation Director, Charles Keeler reported the planning for Art City Days has begun, and the main entertainment has been booked for both nights.

78

Assistant City Administrator/Finance Director Bruce Riddle explained the legislature is looking at a bill that would raise funds to promote clean air through-out the state. The bill would assess \$1.00 to every utility bill in the State in order to fund an inter-local agency to promote

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82 clean energy vehicles. The bill would have an opt-out annually option, and the City would be the  
administrators of the opt-out program. Director Riddle expressed his concern that citizens may  
84 think this is a City fee when in fact it would be from the State. Mayor Clyde commented to  
those in attendance if they have concerns about this bill to contact their local state representative.  
86 There were no other reports.

- 88 b) Commission, Board, and Committee Minutes
- 89 i. Emergency Preparedness minutes of January 16, 2014
  - 90 ii. Parks and Recreation Board minutes of January 23, 2014
  - 91 iii. Water Board minutes of January 14, 2014
  - 92 iv. Power Board minutes January 8, 2014
- No discussion of the minutes.

- 94 c) Mayor and Council Reports
- 96 i. Library Board of Directors – Councilmember Chris Sorensen
  - 97 ii. Industrial Park Review Board – Councilmember Rick Child
- 98 No reports were given.

## 100 **MAYOR, COUNCIL ADMINISTRATIVE REPORTS**

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136 have concerns about this bill to contact their local state representative. There were no other  
reports.

#### 138 4. DISCUSSIONS/PRESENTATIONS

##### 140 d) Discussion regarding the Planning Commission work program - Fred Aegerter, Community Development Director

142 Mayor Clyde welcomed the Planning Commission members to the meeting and  
expressed his appreciation for their time and involvement with the planning process of the  
community. Mayor Clyde then turned the time over to Community Development Director, Fred  
144 Aegerter.

146 Director Aegerter provided a handout to the Council and those attending; he also said a  
memo would be sent out describing the process. Director Aegerter stated the Planning  
Commission will be meeting in May at a retreat. After which they will bring information to the  
148 Council with details of a work program. Director Aegerter explained staff will look at  
information in the general plan and items that have not been done and list those for the Planning  
150 Commission for review. Director Aegerter commented this may result in ordinance changes or  
new standards. In the general plan there are elements, from parks and transportation to public  
152 safety. Other sections involve the community plan where they will discuss specifics related to  
those areas, design standards in commercial areas were also looked at this last meeting. A draft  
154 has been prepared of the Historic Center Community plan; street and traffic plans and a master  
plan for the Hobble Creek corridor. Director Aegerter noted the Water Board expressed Hobble  
156 Creek as one of the most important corridors in the City.

158 Director Aegerter remarked there are amazing gateways from Highway 51 coming into  
the City that have seen improvements as well as other areas of the community. Director Aegerter  
posed the question how do you define your community as you come into it, do you make each  
160 unique or standardized. Director Aegerter explained he recognizes contractors should be  
involved in the process and asked for feedback from the Council regarding the appearance to be  
162 achieved. Director Aegerter expressed these are some of the things staff looked at and would like  
the City Council to consider.

164 Director Aegerter pointed out for the Council to consider the general plan update, items  
166 such as updating moderate income housing, state law requires it be updated every two years,  
168 while that has to be done, other areas of the general plan were last adopted three years ago. Top  
170 priorities should comply with state law, and keep information current to the Council and State.

168 The community plan was discussed and a draft of the design standard in the commercial  
170 area has been done and will need to go out for public comment. Director Aegerter was asked if  
172 this is a minor update. Director Aegerter replied they are minor and noted the ad hoc committee  
174 will reconvene along with others for input from the President of the Chamber as well as City  
176 boards and committees and citizen volunteers have contributed. Director Aegerter explained  
178 outside consultants have not been budgeted, last time a consultant was used there was not much  
180 interest in those meetings as well as the cost for the meetings they have found residents provide  
182 most of the insight.

176 Director Aegerter noted if possible a new work program each year would be preferred.  
178 The Planning Commission commended Director Aegerter for doing most of the work and  
180 planning in house. Mayor Clyde inquired what two communities would be next. Director  
182 Aegerter stated the Little Rock Canyon area and south of 800 south to about 800 east and SR51  
184 would be the preference, unless Council or the Planning Commission recommends another. A  
186 combination of both ordinance changes and development of 20,000 square feet or less is handled  
188 administratively. The process can always be improved upon, and they will look at the process to  
190 make sure it works.

184 A comment was made about timing for a developer, sometimes it seems to be rushed. It  
186 was asked if there is information that can be given to a developer with timeframe and deadlines.  
188 Director Aegerter expressed the engineer and architect of the project can drive the process. It was  
190 mentioned that sequencing needs to be addressed.

188 Mayor Clyde remarked it may be helpful to have some type of meeting with the  
190 developer and go over the process. He stated a developer may think they have done everything  
192 then they are told they need to do more. Mayor Clyde expressed there are ordinances that need to  
194 be followed and high standards to be kept but it is also important to be reasonable, we want them  
196 to be successful. Mayor Clyde stated to figure out how to make the process work and let them  
198 know if there are changes and what will need to happen. Director Aegerter stated sometimes site  
200 plan changes comeback, and this can affect the process. Mayor Clyde gave examples of city  
202 employees going the extra mile in helping property developers. Director Aegerter explained  
204 there is a pre-app meeting and review process. Mayor Clyde expressed the need to be helpful and  
206 to encourage businesses to come to Springville. City Administrator Troy Fitzgerald noted  
208 recently he or Director Oldroyd has been sitting in on all new commercial development pre-app  
meetings.

200 Administrator Fitzgerald explained he has been directed by the Council to work with the  
202 planning staff on the sign ordinance and it may impact future planning commission work. Mayor  
204 Clyde noted it had been over eight years since the sign ordinance had been adopted. There has  
206 been some discussion among the Economic Development Commission, and they felt like it is too  
208 restrictive and should be looked at again. Mayor Clyde stated he would like the Planning  
Commissions point of view.

206 It was noted a commissioner was for the current sign ordinance. They expressed a  
208 community they lived in out of state had a strict sign ordinance, and as the main corridor filled in,  
it resulted in a pleasing and consistent corridor. Mayor Clyde asked if the sign ordinance  
accomplished what was intended, or was it too restrictive. It was noted a Commissioner didn't

210 feel it to be too restrictive, two committees came to agreement on the ordinance and they don't  
211 think it hinders economic development.

212 Council Member Conover, expressed the sign ordinance is an issue with the Chamber of  
213 Commerce and the Economic Development Commission. Businesses have come to him  
214 expressing concern. Director Aegerter noted there were businesses grandfathered in so they  
215 could make changes. Commissioner expressed how do we want Springville to look and noted  
216 they would not like to see some design standards.

217 Mayor Clyde asked the Commissioners if they would like to review the sign ordinance. It  
218 was noted the Commissioners were concerned about design standards and would like to compare  
219 the sign ordinance with other communities, to see if the City's is more or less restricted or  
220 different. Results will be given to Director Aegerter at end of the semester with opinions from  
221 citizens.

222 Design standards were discussed within commercial areas and differed from different  
223 areas of the City such as next to the Freeway would be different from that on Main Street.  
224 Director Aegerter noted Staff and Planning Commissioners have discussed the possibility of  
225 design standards from options of basic building materials as norms to anything unusual would be  
226 reviewed. Mayor Clyde asked for clarification, that currently there are no design standards  
227 within the City. Director Aegerter noted at this time that is correct and design standards do not  
228 always mean more cost, it's more of how does each area fit in the community. Mayor Clyde  
229 noted driving through the City you see old motels being used as residential living, how do we  
230 address this and run down businesses or property that are eyesores. Discussions of development  
231 and having a business friendly community were addressed.

232 Councilmember Sorensen was excused from the meeting to attend a personal function  
233 outside of the meeting.

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**5. CLOSED SESSION, IF NEEDED – TO BE ANNOUNCED IN MOTION**

235 *The Springville City Council may temporarily recess this meeting and convene in a*  
236 *closed session to discuss pending or reasonably imminent litigation, and the purchase,*  
237 *exchange, or lease of real property, as provided by Utah State Code Annotated §52-4-*  
238 *205*

239 COUNCILMEMBER CREER MOVED TO TEMPORARILY ADJOURN THE  
240 WORK/STUDY MEETING AT 6:40 P.M. AND CONVEIN IN A CLOSED SESSION FOR  
241 THE PURPOSE OF DISCUSSING PENDING LITIGATION AS PROVIDED BY U.C.A. §52-  
242 4-205. COUNCILMEMBER CONOVER SECONDED THE MOTION. THE VOTE IS  
243 RECORDED AS FOLLOWS: COUNCILMEMBER OLSEN – AYE; COUNCILMEMBER  
244 CHILD – AYE; COUNCILMEMBER CONOVER – AYE; AND COUNCILMEMBER CREER  
245 – AYE. THE MOTION WAS UNANIMOUSLY APPROVED.

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247 **ADJOURNMENT**

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249 COUNCILMEMBER CREER MOTIONED TO ADJOURN THE JOINT CITY COUNCIL AND  
250 PLANNING COMMISSION MEETING AT 6:40 P.M. COUNCILMEMBER CONOVER  
251 SECONDED ALL PRESENT VOTED AYE  
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**MINUTES FOR THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
MARCH 19, 2014 – 7:00 P.M.**

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The following are the minutes of the Regular Meeting of the Springville City Council. The meeting was held on **Wednesday, March 19, 2014, at 7:00 p.m.** in the Springville City Civic Center Council Chambers, 110 South Main Street, Springville, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

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Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present: Council Member Rick Child, Council Member Craig Conover, Council Member Christopher Creer, Council Member Dean Olsen, Council Member Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle and City Recorder Kim Rayburn. Also present were: Community Development Director Fred Aegerter, Public Safety Director Scott Finlayson, Administrative Services Manager Rod Oldroyd, Power Director Leon Fredrickson, Power Generation Superintendent Matt Hancock and Museum of Art Director Dr. Rita Wright.

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**CALL TO ORDER**

Mayor Clyde welcomed those present, and called the meeting to order at 7:00 p.m.

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**INVOCATION AND PLEDGE**

Councilmember Sorensen offered the invocation. Councilmember Olsen asked Boy Scouts Justin Larsen and Malachi Bernard to lead the Pledge of Allegiance.

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**APPROVAL OF THE MEETING'S AGENDA**

COUNCIL MEMBER CONOVER MOVED TO APPROVE THE MEETING AGENDA AS WRITTEN. COUNCIL MEMBER OLSEN SECONDED THE MOTION. ALL VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

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**APPROVAL OF MINUTES**

There were no minutes to approve.

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**MAYOR'S COMMENTS**

Mayor Clyde welcomed Boy Scouts representing six different troops and students present at the meeting.

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**PUBLIC COMMENT:**

42 Mayor Clyde explained that any comments relevant to the Public Hearing Agenda would  
be heard during each respective discussion item.

44 Mayor Clyde invited Ms. Wendy LeFever to comment on the marquee at the Springville  
Junior High School. Ms. LeFever was concerned with the placement of the marquee and noted  
46 that it is not in compliance with the zoning requirements. She thought it made sense for a school  
to want a marquee; however, the matter needs to be addressed in a timely manner, preferably  
48 before school starts again in the fall.

Mayor Clyde invited Ms. Emily Windham to come forward and share her comments on  
50 the crosswalk located at Main Street and 100 South. Ms. Windham stated that drivers usually  
don't stop at the intersection. She asked what measures can be taken for it to be clearly  
52 recognized as a crosswalk. Mayor Clyde stated that UDOT is responsible for the road and there  
are plans to make improvements to it this summer. City Administrator, Troy Fitzgerald, added  
54 that the Police and Public Works Departments are in the process of coordinating with UDOT on  
possible solutions. Mayor Clyde suggested using flags at the crosswalk in the meantime.

56 Ms. Kathryn Taylor reported that as she was distributing bags for the Scouting for Food  
drive, she noticed that there is a large opening in the fence between Glenwood Drive and the  
58 creek. She was concerned that this may present a safety concern for children who live and walk  
along the road. Mayor Clyde assured Ms. Taylor that City staff would look into fixing the fence.

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#### **CEREMONIAL AGENDA**

62 1. Presentation of the Mayor's Awards – Shannon Acor, ASAP Coordinator. Mayor  
Clyde noted because of the date change of this meeting this item will be moved to  
64 April 15, 2014

2. A Proclamation declaring April as Child Abuse Prevention Month

66 Mayor Clyde read the Proclamation declaring April as Child Abuse Prevention Month.

68 COUNCIL MEMBER SORENSEN MOVED THAT THE CITY COUNCIL ADOPT  
THE PROCLAMATION AS READ. COUNCIL MEMBER CHILD SECONDED THE  
70 MOTION. ALL VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED  
UNANIMOUSLY.

72 Mayor Clyde emphasized the importance of this Proclamation, stating that everyone  
needs to play an active role in protecting children in the community.

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#### **CONSENT AGENDA**

76 3. Approval of all City purchase orders properly signed (SCC §2-10-110(5)).

78 4. Approval of The Board of Education of Nebo School District, seeking final plat approval  
for the Spring Creek Acres, Plat C, a phased residential subdivision to be located at 1470  
East 300 South in the R1-10, Residential Single Family Zone – Fred Aegerter,  
80 Community Development Director.

- 82 5. Consideration of a change order on Phase One of the Runway Shift/Extension project  
on behalf of the Spanish Fork/Springville Airport – Bruce Riddle, Assistant City  
Administrator/Finance Director.
- 84 6. Consideration of UAMPS Pool Lock-In Appendices for Firm Market power resource  
– Leon Fredrickson, Power Director.
- 86 7. Approval of a Class A Beer License for Seven Eleven Store #36341 located at 1730  
West 400 South – Kim Rayburn, City Recorder.

88

COUNCIL MEMBER CONOVER MOVED TO APPROVE THE CONSENT  
90 AGENDA, AS WRITTEN. COUNCIL MEMBER OLSEN SECONDED THE MOTION.  
VOTE ON MOTION: COUNCIL MEMBER CONOVER – AYE, COUNCIL MEMBER  
92 CHILD – AYE, COUNCIL MEMBER CREER – AYE, COUNCIL MEMBER OLSEN – AYE,  
COUNCIL MEMBER SORENSEN – NAY. THE MOTION PASSED 4-to-1.

94

### **PUBLIC HEARING AGENDA**

- 96 8) Public Hearing to consider an Ordinance adopting the amended Springville City  
General Plan to include the Historic Center Community Plan – Community  
98 Development Director Fred Aegerter. CONTINUED FROM MARCH 4, 2014 CITY  
COUNCIL MEETING.

100

Director Aegerter introduced Ad Hoc Committee Members, Genevieve Baker and Ben  
102 Henderson, and noted that they will be presenting this item.

Ms. Baker explained that Springville's General Plan includes a more specific look at the  
104 residential areas within the City. While there are many similarities between each of the  
communities, there are also specific areas that have their own unique issues. Ms. Baker  
106 presented a map showing the area designated as the Historic Center, which is where Springville  
was first established over 150 years ago. A graph was presented showing data from the 2010  
108 census, comparing the population groups to the overall population of the Historic District and the  
City of Springville. Ms. Baker described the concentration level of each age group and  
110 suggested the data be used to encourage families of all ages to stay in the area.

Ms. Baker thanked the Council, Planning Commission, and City staff for allowing the  
112 committee to be a part of the process. She explained that the community involvement process  
began with an informational meeting that was attended by over 70 members of the community.  
114 There were 86 specific ideas identified at the meeting. Those ideas were condensed to the top  
five by the Ad Hoc Committee and staff. Ms. Baker reported that the five areas of focus were  
116 narrowed down to land use, transportation, housing, community identity and community  
facilities, and services. The plan includes background information, goals, and strategies for  
118 achieving those goals for each of the five focus areas.

Ms. Baker further explained each of the five focus areas, beginning with land use. A map  
120 was presented showing that the largest land use percentage in the area is single-family housing.  
The second highest use is for street rights-of-way, which speaks to the importance of preserving

122 residential heritage roads, as well as the need to manage the City's transportation and road  
124 facilities. The map also showed a large amount of public use areas, but limited park space. The  
overall goal with land use was to preserve the historic open feel and agricultural uses of Plat "A",  
while limiting commercial encroachment and investing in expanded green space.

126 At various meetings, the community expressed concern about maintaining the current  
level of density. They hope to minimize encroachment of multi-family dwelling units. Ms.  
128 Baker discussed ways to enforce the current zoning as well maintain interior space on lots. With  
regard to commercial properties, the community would also like to see the existing requirements  
130 for landscaping and buffers maintained. Ms. Baker presented examples of properties with and  
without landscape buffers and pointed out that the property with the landscape buffer was much  
132 more appealing.

Ms. Baker next expounded on transportation. The Ad Hoc Committee's goal was to  
134 provide and maintain a walkable and bike able community with an emphasis on safety, reduced  
traffic congestion, and a clean, quiet feel. This will respect the esthetics of the Historic District.  
136 Ms. Baker pointed out that the majority of accidents in Springville occur along Main Street and  
400 South, and the Ad Hoc Committee would like to continue working to complete the highway  
138 access along 1600 South. A proposed route was then presented to the Council.

The Ad Hoc Committee hoped to develop an overall bicycle circulation master plan  
140 throughout Springville and other surrounding communities. Ms. Baker spoke about various  
instances along Hobble Creek Trail where children can get through the fencing, which poses  
142 safety concerns. By developing the area into a park, it will become more walkable and inviting  
for families and mitigate the safety concerns. With regard to traffic calming, Ms. Baker  
144 suggested installing bulb outs or planted medians. The Ad Hoc Committee also recommended  
the City work with UDOT to increase pedestrian safety.

146 Mr. Ben Henderson next addressed the Council and read a quote from the housing section  
of the plan, which specified that changes should encourage preserving the historic past while  
148 recognizing the need to embrace the positive opportunities the future holds for the area.  
Mr. Henderson noted that he has only lived in Springville for a couple of years, but his family  
150 was initially drawn to the area for its historic charm. He referenced other cities that have  
preserved their historic districts, as opposed to those that have not made preservation efforts.

152 Mr. Henderson stressed that the Ad Hoc Committee encompassed a very diverse group of  
citizens, all with varying perspectives and opinions. He emphasized some issues the committee  
154 focused on such as code enforcement, goals, and strategies. He noted that the committee  
recognizes that not all of the ideas can be executed immediately; however, they wanted to be  
156 prepared with a plan for the future.

Mr. Henderson explained that the goal for the housing section of the plan is to promote  
158 well maintained housing and safe neighborhoods while preserving the City's residential heritage  
and building on lasting qualities of beauty and style for future generations. Some of the  
160 strategies included allowing accessory apartment buildings throughout the historic center  
community and ensuring that the codes relating to those buildings are enforced. The Ad Hoc  
162 Committee would also like to provide incentives for owner occupied housing throughout the

community since this has a noticeable impact on neighborhoods. They would like to adopt a good landlord program, to ensure that quality renters come to Springville. Furthermore, the committee would like to commit to protecting single-family homes.

Mr. Henderson suggested adopting design standards for the rehabilitation of existing structures to help retain the historic character of the City. Additionally, the committee recommended adopting an ordinance that addresses the issue of demolition by neglect. Mr. Henderson displayed a picture of a home that had been neglected, and pointed out that it is an eyesore and attracts crime. He emphasized that the City should encourage historic appearance with an eye for the future and suggested installing community identification signs within the district. The Ad Hoc Committee also recommended continuing with the City Street Tree Program, as several members of the community felt this plays a significant role in the beautification of Springville.

Mr. Henderson addressed Springville's facilities and services and stated that the committee's goal is to provide facilities and services that increase property values, safety, conserve natural resources, and provide enhanced recreational opportunities. Strategies for accomplishing this goal include exploring future opportunities for pressurized irrigation, curb, gutter, and sidewalk, and underground power lines. Furthermore, the committee would like to consider adopting City-wide standards for smaller parks and assess what other cities have done to include pocket parks in their respective communities. Mr. Henderson then reiterated comments previously made by Ms. Baker.

After the Ad Hoc Committee met with the Planning Commission, some follow up on certain issues was required. Mr. Henderson explained that the proposed multi-family residential units will be located above commercial store fronts as opposed to new apartment complexes. The committee also felt that the old motels that are being used as apartments should be addressed through increased code enforcement, due to safety and crime issues.

Another follow-up item related to pedestrian safety on Main Street. Mr. Henderson commented that while the committee recognizes that Main Street is a highway maintained by UDOT, they would like the City to work with them in making necessary safety improvements. Additionally, there is commercial and civic parking that encroach into residential areas. Stricter code requirements need to be enforced and communicated to new developers. In conclusion, Mr. Henderson stated that all of the items discussed today will help make the heart of Springville a better place, and benefit the community as a whole.

Director Aegerter provided clarification on items discussed during joint meetings between the Planning Commission and Ad Hoc Committee. He recognized and thanked all members of the committee for their efforts. He explained that staff was seeking direction from the Council so that a plan can be presented for adoption on April 1, 2014.

The first item of clarification related to multi-family dwelling units. The General Plan addresses the inclusion of multi-family housing developments in the Towne Center neighborhood, which extends from 100 East to 100 West, and Center Street to 100 South. The Ad Hoc Committee proposed that the units above commercial store fronts be allocated for this type of housing, as opposed to tearing down existing buildings for the construction of complexes

204 that are strictly used for multi-family housing. Director Aegerter asked how the Council would  
like to define the matter in the proposed community plan. An aerial map of the subject area was  
206 reviewed and discussed.

Director Aegerter summarized other concerns identified during meetings between the  
208 Planning Commission and Ad Hoc Committee, which were also reviewed by Mr. Henderson.  
One of the concerns was the proposal to amend City Code to allow for chickens and bees. It was  
210 noted that the Commission was not in favor of the idea. The next issue involved setting  
standards for smaller City parks. The Commission and Committee both agreed on this action.  
212 Lastly, there were unanimous concerns about old motels being used as apartments.

214 Mayor Clyde opened the public hearing and stated that the hearing will specifically  
address the Historic Plan, including the use of chickens in this particular neighborhood.

216 Jeff Carter stated that he lives in the Historic District and asked questions relative to  
design standards for remodeling. He explained that he wants to remodel rather than restore his  
218 home due to the considerable cost difference between each option.

220 Emily Windham described where she lives in relation to the Historic District and  
expressed concern with having multi-family housing in the area. Ms. Windham also asked the  
222 Council to strongly consider allowing chickens in the Historic District, as they help provide an  
additional level of self-sufficiency.

224 Jenny Burrough stated that she is new to Springville and explained that her family moved  
to here because they wanted an older home with a large lot. Her family loves the community and  
226 small country feel. Ms. Burrough was surprised to discover that chickens are not allowed in the  
Historic District, and pointed out that chickens are family pets and well loved. She had a copy of  
228 Provo City's Ordinance, which contains specific guidelines for maintaining chickens.  
Ms. Burrough clarified that chickens should specifically be allowed in the Historic District, and  
230 reiterated that they are an important part of remaining self-sufficient. Lastly, she requested that  
curb and gutter be installed in their neighborhood as well.

232 Ben Larsen stated that he does not live in the Historic District and acknowledged that it  
can be difficult to establish ordinances that will benefit a community without taking away  
234 freedom from businesses and homeowners. He encouraged the Council to be cognizant of  
whether or not their spending will benefit all citizens, or just a few.

236 Scott Humble stated that he has lived in the Historic District for 20 years. He pointed out  
that in looking at the historical land use of Plat "A" several barns can be identified, all of which  
238 were meant to accommodate small animals. Mr. Humble explained that if the Council wants to  
determine how to maintain open spaces, they need to consider allowing citizens to use their land  
240 for the raising of poultry and other small animals. He mentioned that he raises small animals in  
another city, and would like to have the option of raising them at his home in Springville's  
242 Historic District as well.

Genevieve Baker made additional comments about honey bees in the Historic District.  
244 She explained that the Historic District has several existing orchards that would benefit from

246 additional pollinators. Allowing honey bees in the Historic District would increase pollination of  
the orchards as well family gardens.

248 Jennifer Quinlin noted that she does not live in the Historic District, however maintaining  
Springville's historical value benefits all citizens. She explained that when allowing the  
250 historical value of the City to be watered down, the City loses its identity. She encouraged the  
Council to make decisions that will lead the City in a positive direction.

252 COUNCIL MEMBER CONOVER MOVED THAT THE PUBLIC HEARING ON THIS ITEM  
BE MOVED TO APRIL 15, 2014. COUNCIL MEMBER CHILD SECONDED THE  
254 MOTION. THE MOTION PASSED WITH THE UNANIMOUS CONSENT OF THE  
COUNCIL.

256  
258 Director Aegerter reviewed each item relevant to the discussion item. He summarized  
the first matter, relating to multi-family housing in the Town Center. The proposal was to allow  
existing housing facilities to remain, and include additional units above commercial buildings.  
260 He explained that a previous concern with Plat "A" was that it had inadequate parking. Director  
Aegerter noted that multi-family housing units are allowed in the Westfield's, areas on 2600  
262 west and a small portion are located on South Main. There are not areas in the north part of the  
City that currently allow for multi-family housing.

264 Mayor Clyde pointed out that the Town Center will be designed to include several  
facilities such as a library, splash pad, civic center, and small businesses to all be within walking  
266 distance of one another. Therefore, this makes the area a desirable location for additional multi-  
family housing. He felt this should somehow be accomplished, and if done properly could be  
268 very beneficial. Director Aegerter noted that City staff presented illustrations of how  
townhouses could be included in the Town Center. The Ad Hoc Committee was very concerned  
270 with the impact they will have on the neighborhood.

272 Director Aegerter summarized discussions relative to chickens and honey bees in the  
Historic District. Mayor Clyde felt it would make more sense to consider whether or not to  
allow them throughout the City as a whole, rather than limiting them to just the Historic District.  
274 Director Aegerter reviewed the discussion about parks. The Mayor and Council agreed with the  
proposed plan. Discussions relative to old motels being converted to apartments were reviewed.  
276 Mayor Clyde considered them to be an eyesore. Additionally, they pose pedestrian safety issues.

278 Mayor Clyde identified other blighted areas in the community and felt the Council should  
brainstorm ways to foster a more pleasing atmosphere in those areas.

280 Mayor Clyde explained that code enforcement should not be so restrictive that it prevents  
families from moving there, or current residents from properly maintaining or improving their  
282 homes. He suggested offering incentives for keeping properties historical in nature. There was  
continued discussion regarding other special improvements to the district, such as curb, gutter,  
284 and sidewalk, power lines, and irrigation. Director Aegerter felt that the entire community  
should be involved in deciding what they would be willing to pay for with regard to the proposed

286 improvements. He explained that the items should be considered so that as they come up there is  
a plan in place. Mayor Clyde remarked that having power lines in the middle of blocks could be  
288 problematic. Council Member Sorensen added that these issues aren't time sensitive, but goals  
for the future. Mayor Clyde thanked the Ad Hoc Committee for their involvement in the project.

290

9) Public Hearing to consider an Ordinance amending Sections 11-3-402 and 11-4-301  
292 of the Springville Municipal Code pertaining to the keeping of hen chickens – Troy  
Fitzgerald, City Administrator.

294

Administrator Fitzgerald provided a background of the discussion item. He noted that  
296 several individuals approached the Council about keeping hen chickens over the years, and in  
2009 and 2010, the Council would not consider the matter. In late November, early December  
298 2010, an ordinance was drafted, however, the Planning Commission voted against adopting it.  
Administrator Fitzgerald informed the Council chickens are currently allowed in the R1-15 and  
300 A-1 zones.

Administrator Fitzgerald explained that there are a number of arguments that can be  
302 either for or against the issue. For example, several surrounding cities allow chickens for the  
production of eggs. He noted that Springville City's Ordinance is similar to Spanish Fork's  
304 Ordinance and the requirements of the R1-15 and A-1 zones have not changed. Administrator  
Fitzgerald reported that the Planning Commission voted against the keeping of backyard  
306 chickens for various reasons. Some included fencing requirements, permit costs, and impacts to  
public safety reports due to the lack of changes in the City's nuisance code. In conclusion,  
308 Administrator Fitzgerald stated that staff is mostly neutral on the matter, though some  
departments may be affected.

310

Mayor Clyde opened the public hearing.

312

Vickie Stulce expressed concern with mice, which are attracted to chicken feed. She  
314 recounted an incident with one of her neighbors who once brought in chickens illegally, and the  
mice problem significantly increased. When the chickens went away, so did the mice. Ms.  
316 Stulce explained that chickens flying over the fence also become a nuisance.

Luann Hawker felt that raising chickens contributes to stable neighborhoods, and  
318 allowing them will make Springville a desirable place to live. She explained that citizens are  
concerned about whether or not they have the ability to feed their families and some individuals  
320 would decide not to move to Springville if chickens were not allowed. Ms. Hawker felt that a  
properly worded ordinance, such as Provo City's, would help mitigate noise and other nuisance  
322 issues. She stated that the ordinance could include recommendations that chickens are kept in  
coops, and chicken feed be maintained in rodent-proof containers. Ms. Hawker explained that  
324 she has communicated with several people who are interested in the Historic District for the  
purpose of having chickens. Administrator Fitzgerald added that the ordinance currently does  
326 not include language that requires residents keep chicken feed in rodent-proof containers.

328 Jennifer Quinlin was shocked when she found that she could not keep chickens in  
Springville. She noted that this was one of the draws for moving to the City in the first place.  
330 She explained that chickens are pets similar to cats and dogs, which roam freely. Ms. Quinlin  
noted that citizens aren't required to hide toys and garden equipment and chickens shouldn't be  
332 any different. She stated that proper dog restraints would prevent attacks on chickens and  
indicated that there are many communities in Utah that have adopted this type of an ordinance.

334 Landon Wilson stated that he has lived in the Historic District for five years and was in  
favor of having chickens. He was also shocked when he found that chickens were not allowed in  
Springville. Mr. Wilson explained that rats tend to migrate to areas that have food and serious  
336 cleanliness issues. He stated that he has seen dirtier things than chickens in yards. He explained  
that gardens that include a variety of plants and bees are becoming a national issue. Lastly, he  
338 pointed out that a permit for chickens is required in Salt Lake City; however, there are no fees.  
If there needs to be a fee, it should be minimal and not used as punishment.

340 Ken DeMille was in favor of the keeping of chickens. He explained that the ordinance is  
in line with what should be done, such as having solid fencing and properly contained food. He  
342 felt that the ordinance would benefit all. He also expressed a desire to be involved in the  
process.

344 Josh Daniels supported the keeping of chickens and explained that it is a matter of liberty  
and property rights. Historically, property has been used to provide food for one's family.  
346 Mr. Daniels recognized a need for an ordinance and nuisance law to regulate behavior. He  
reiterated that property owners should be able to use their land in a reasonable manner. He  
348 encouraged the Council to support the cause.

350 Karen Esque Wiley explained that one year ago horses were allowed in her  
neighborhood, but not chickens. She also spoke about the Tour De Coops in Salt Lake, and  
stated that having something similar to this in Springville would be a good way to make money.

352 Laura Cabanella stated that she is not a resident but she went to high school in  
Springville. She serves on the Provo City Council and was asked by a proponent of the  
354 ordinance to speak on the matter. Ms. Cabanella explained that when Provo City passed their  
ordinance, there were concerns raised about noise, rodents, and other nuisances. Ms. Cabanella  
356 stated that Provo doesn't allow roosters; however, there are many benefits to keeping chickens.  
Provo hasn't seen any major problems with rodents due to thorough requirements listed in the  
358 ordinance that prevent them from migrating to the area. Lastly, Ms. Cabanella spoke about  
Provo's beekeeping ordinance and described some of the fears people had when that ordinance  
360 was adopted. Some expressed a fear of bees; however, wasps usually do the stinging.

362 Thomas Johnson explained that he has made a major investment in his home in  
Springville and he believed that not having chickens was a major detraction from that  
investment. Mr. Johnson hoped to raise chickens legally, and teach his children how to take care  
364 of themselves.

366 Amber Kretchmer a resident of the Historic District hoped that the Council would allow  
368 chickens in the area. She felt an ordinance would help regulate them and noted that her  
neighbor's dog is more of a nuisance than chickens would be in their neighborhood.

370 Laura Jones stated that she loves chickens and previously she had a chicken farm in  
Arizona. Ms. Jones explained that she never had any problems with wild animals. Her chickens  
372 were well behaved, and they helped control insects. If chickens are well cared for there aren't  
any problems with them.

374 Lee Buckwalter stated that he is a licensed beekeeper. He explained that beekeeping isn't  
something that a person can just jump into. There are extensive startup costs, and it is subject to  
State inspections. Mr. Buckwalter explained that he kept his hives in Payson near single-family  
376 homes. Responsibility is needed, along with stringent regulations. The same requirements  
should apply to dog owners as well.

378 Joyce Nolte reported that she serves on the Planning Commission and supports the  
keeping of chickens. She suggested that passionate citizens form a group and get involved in the  
380 process of dealing with complaints and making reasonable enforcements. Ms. Nolte suggested  
that a packet of information be created and distributed to those interested in raising chickens.

382 Viviane Weight stated that she isn't passionate one way or the other about the matter.  
While she personally does not want to raise chickens, she supports passing the ordinance. Ms.  
384 Weight explained that she currently has a neighbor with chickens and she has not noticed any  
problems with noise or smell. She commented that she actually has more issues with cats and  
386 dogs. She felt that chickens would not be a problem if a proper ordinance were adopted.

388 Marcia Harris explained that she lives in a neighborhood where chickens are allowed.  
Prior to living there she knew nothing about them. Her husband brought home chickens one day,  
and she learned how to take care of them. Ms. Harris stated that she has not had any problems  
390 with noise or smell with her chickens. She noted that she has more problems with dogs and that  
there also pheasants and beavers in her neighborhood. Ms. Harris felt that children could learn a  
392 lot by caring for them.

394 Jared Burrow stated that he previously kept chickens in Provo City and has since brought  
them to Springville. He has been very responsible with his chickens by installing solid fencing  
and a long chicken run. His children are responsible for taking care of them and the box elder  
396 bugs are all under control.

398 Caleb Taylor voiced his support for chickens which become a family project that brings  
families closer.

400 Carter Rasmussen reported that he keeps chickens and is a beekeeper. He felt there was a  
double standard with cats and dogs and that the City should address what is really allowed in the  
community. He stated that if cats and dogs are allowed, the fees and costs should be analyzed.

402 Georgina Butts felt that fees and costs should be addressed.

404 Paul Holmer stated that he previously raised chickens in Provo, and that it worked well.  
He observed the overwhelming support from the community in moving forward with the  
ordinance. He explained that there will be responsible management of chickens and they are  
406 easy to raise. Mr. Holmer recommended the City start off with low fees.

408 Darrell Wilson referenced standards provided by the Department of Agriculture, and  
suggested that the number of chickens that a family can keep be reasonable. He has chickens  
and they keep his yard clean. Mr. Wilson agreed with previous comments made about having a  
410 more self-sustainable life for his family, and urged the City to not overtax responsible citizens.

412 Robert Jones stated that he previously lived in Arizona where he kept 200 chickens. He  
felt that a \$50 fee was too high, and stated that people need more freedom rather than more laws.  
He reiterated other comments made about citizen responsibility.

414 Emily Wilson was happy that the Council was considering allowing chickens. Ms.  
Wilson also expressed concern with high fees, and noted that this item is on several planning  
416 committee agendas. She stated that there are more pros than cons when allowing citizens to raise  
their own chickens.

418  
420 There were no further public comments.

422 COUNCIL MEMBER CREER MOVED THAT THE PUBLIC HEARING ON THIS ITEM BE  
CLOSED. COUNCIL MEMBER CONOVER SECONDED THE MOTION. ALL PRESENT  
VOTED AYE.

424  
426 The Council discussed the matter. Council Member Sorensen wanted to clarify whether  
the ordinance has a fee associated with the raising of chickens. Administrator Fitzgerald replied  
that it currently does not have a fee and other details of the ordinance would be worked out in the  
428 next 20 days. Council Member Conover thanked all for coming and stated that the points raised  
were well received. He noted that the Ad Hoc Committee was in favor of having chickens in the  
430 Historic District and that he was supportive of allowing them. Council Member Creer felt that  
citizens could be trusted in the owning and maintaining chickens.

432 Council Member Sorensen expressed concern with the ordinance passing for various  
reasons. He was concerned with potential trouble with dogs and neighbors who would be  
434 hesitant about reporting problems. He explained that it would be difficult to enforce the  
ordinance, which could become costly.

436  
438 COUNCIL MEMBER CONOVER MOVED TO APPROVE **ORDINANCE#06-2014**  
AMENDING SECTIONS 11-3-402 AND 11-4-301 AND ESTABLISHING ARTICLE 8 OF  
TITLE 3 CHAPTER 7 OF THE SPRINGVILLE CITY CODE REGARDING CHICKENS.  
440 COUNCIL MEMBER CREER SECONDED THE MOTION. THE VOTE ON MOTION IS  
RECORDED AS FOLLOWS: COUNCIL MEMBER CONOVER – AYE, COUNCIL  
442 MEMBER CHILD – AYE, COUNCIL MEMBER CREER – AYE, COUNCIL MEMBER  
OLSEN – NAY, COUNCIL MEMBER SORENSEN – AYE. THE MOTION PASSED 4-TO-1.

444  
446 **CLOSED SESSION:**  
*The Springville City Council may temporarily recess the meeting and convene in a  
closed session to discuss pending or reasonably imminent litigation, and the purchase,  
448 exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

450 COUNCILMEMBER CHILD MOVED TO TEMPORARILY ADJOURN AT 9:37 P.M.  
AND CONVENE IN A CLOSED SESSION AS PROVIDED BY U.C.A. §52-4-205 FOR THE  
452 PURPOSE OF DISCUSSION PENDING OR REASONABLY IMMINENT LITIGATION  
AND THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY.  
454 COUNCILMEMBER CREER SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS: COUNCILMEMBER CONOVER – AYE; COUNCILMEMBER OLSEN – AYE;  
456 COUNCILMEMBER CHILD – AYE; COUNCILMEMBER SORENSEN – AYE; AND  
COUNCILMEMBER CREER – AYE. THE MOTION CARRIED UNANIMOUSLY.

458  
THE REGULAR CITY COUNCIL MEETING WAS RECONVENED BY  
460 CONSENSUS AT 9:47 P.M.

462 **REGULAR AGENDA**

10) Consideration of Approving a Settlement Agreement Between East Bay RV, LLC and  
464 Springville City that would settle current litigation between the two parties. – John  
Penrod, Assistant City Administrator / City Attorney.

466  
Attorney Penrod recommended continuing the above item without setting a specific date.

468  
Mayor Clyde invited Mr. Dwayne Cutler to speak. Mr. Cutler was present on behalf of  
470 East Bay RV, LLC, and thanked staff and the Council for their efforts. Mr. Cutler was of the  
opinion that the two parties are close to reaching a settlement and that East Bay RV is anxious to  
472 prove themselves as good neighbors. He stated that they are committed to resolving all issues.

474 11) Consideration of approving an assignment agreement and an easement that would  
transfer the ownership of a lift station in the East Bay RV Park to Springville City. – John  
476 Penrod, Assistant City Administrator and City Attorney.

478 COUNCIL MEMBER CHILD MOVED THAT THE CITY COUNCIL CONTINUE ITEM  
NUMBER 10 AND NUMBER 11 AS LISTED IN THE REGULAR AGENDA. COUNCIL  
480 MEMBER OLSEN SECONDED THE MOTION. ALL VOTED IN FAVOR OF THE  
MOTION. THE MOTION PASSED UNANIMOUSLY.

482  
12) Approval of an Ordinance repealing Title 4 Chapter 2A, "Wastewater Treatment," and  
484 codifying Title 4 Chapter 14 that revises Springville City's sewer collections, water  
reclamation, and pretreatment processes and requirements. – Brad Stapley, Public Works  
486 Director.

488  
Attorney Penrod addressed the updates to the sewer ordinance and collections system.  
He explained that the item was previously presented and now the State of Utah would like to

490 have it approved by the City and then sent to the State for a 30 day comment period. Attorney  
492 Penrod explained that new language has been added to the sewer ordinance and noted that the  
ordinance was last reviewed in 1998. The State wants the City to conform to a model ordinance  
to be uniform with other cities across the state. Therefore, a requirement was added that cities  
494 are to pass a permit and send it to the State for their records.

It was noted that the process completely repeals Section 2A of the Code and implements  
496 Chapter 14. Attorney Penrod explained that there are several time constraints with the  
permitting process. The ordinance clearly defines ownership of sewer laterals. Revisions are  
498 also made to septic tank requirements, so that new health requirements can be implemented.  
Attorney Penrod explained that not all septic tanks have permits and measures need to be taken  
500 so that permits are acquired and recorded properly. It was noted that there are local limitations  
with prohibited discharge and significant industrial users are required to obtain permits.  
502 Attorney Penrod mentioned that Juan Garrido, Water Reclamation and Storm Water  
Superintendent and Rick Roberts, Water Reclamation Plant Supervisor have done a great job  
504 with the system. Mr. Garrido and Mr. Roberts have helped businesses maintain compliance and  
have worked with the State on their behalf.

506 Pre-treatment facilities and the dumping of wastewater dumping into the system were  
discussed. Attorney Penrod stated that wastewater from other jurisdictions that flows into  
508 Springville's system will also need to meet the ordinance requirements.

Attorney Penrod discussed the way the proposed ordinance deals with confidential  
510 information and managing trade secrets. He emphasized the importance of enforcing all related  
policies, and explained that violators will be notified and instructed on how to come back into  
512 compliance. In some cases, a cause hearing will be required. He defined and provided further  
explanation of Cease and Desist Orders and Injunctive Relief. Lastly, Attorney Penrod stated  
514 that civil penalties and criminal prosecution are required by the State.

Attorney Penrod reiterated that the ordinance is proposed to comply with all of the State's  
516 requirements. Council Member Sorensen added that after the waiting period is over, the City can  
review the ordinance and make any necessary changes.

518  
COUNCIL MEMBER CHILD MOVED TO APPROVE ORDINANCE #07-2014 REPEALING  
520 TITLE 4 CHAPTER 2A, "WASTEWATER TREATMENT," AND CODIFYING TITLE 4  
CHAPTER 14 THAT REVISES SPRINGVILLE CITY'S SEWER COLLECTIONS, WATER  
522 RECLAMATION, AND PRETREATMENT PROCESSES AND REQUIREMENTS.  
COUNCIL MEMBER CREER SECONDED THE MOTION. THE VOTE IS RECORDED AS  
524 FOLLOWS: COUNCILMEMBER OLSEN – AYE; COUNCILMEMBER CHILD – AYE;  
COUNCILMEMBER CREER – AYE; COUNCILMEMBER SORENSEN – AYE; AND  
526 COUNCILMEMBER CONOVER – AYE. THE MOTION CARRIED UNANIMOUSLY.

528 **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

530 Council Member Sorensen asked about the golf course and snack bar. It was noted that  
Finance Director, Bruce Riddle, has asked twice for a proposal and has pursued solicitations to  
532 get an idea of overall interest. Director Riddle described strategies for next year's budget, such

534 as getting into the restaurant business. Council Member Sorensen emphasized that this is a  
critical part of the golf course. Director Riddle replied that there has been very little interest  
536 from the private sector. There was continued discussion on the matter.

538 Administrator Fitzgerald announced that Director Stapley lost a child recently and  
provided information about the upcoming funeral. Attorney Penrod relayed that Director Stapley  
540 would like to still put pipes in on South Main Street. It was noted that UDOT is only allowed to  
close roads on weekends, so businesses on the street should be unaffected.

542 Council Member Sorensen asked if Art City Days will be affected by road construction.  
Administrator Fitzgerald replied that the contractual agreement states that construction should  
544 not take place during Art City Days. Attorney Penrod added that he and Director Stapley will  
notify all businesses before closing Main Street.

546 Mayor Clyde reported that a former City Council Member recently passed away.  
Administrator Fitzgerald stated that he would send an acknowledgement to the family.

### **ADJOURNMENT**

548 COUNCIL MEMBER CHILD MOVED TO ADJOURN THE REGULAR COUNCIL  
550 MEETING AT 10:16 PM. COUNCIL MEMBER CREER SECONDED THE MOTION AND  
ALL VOTED AYE

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554



**MINUTES OF THE WORK / STUDY MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
MAY 20, 2014 – 5:15 P.M.**

6

The following are the minutes of the Work/Study Meeting of the Springville City Council. The meeting was held on **Tuesday, May 20, 2014 at 5:15 p.m.** in the Springville City Civic Center Council Chambers, 110 South Main Street, Springville, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present: Councilmember Richard Child, Councilmember Craig Conover, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/Finance Director Bruce Riddle, Assistant City Administrator/City Attorney John Penrod, and City Recorder Kim Rayburn. Also present were: Community Development Director Fred Aegerter, Public Works Director Brad Stapley, Power Generation Superintendent Matt Hancock, Lieutenant Dell Gordon, Building and Grounds Director Alex Roylance, Recreation Director Charles Keeler, Library Director Pam Vaughn, Administrative Services Manager Rod Oldroyd, Distribution Superintendent Brandon Graham, City Staff Engineer Noah Gordon and City Engineer Jeff Anderson. Councilmember Christopher Creer, Councilmember Dean Olsen and Museum of Art Director Dr. Rita Wright were excused.

**MAYOR AND COUNCIL DINNER – 4:45 P.M.**

*The Mayor and Council will meet in the Council Work Room for informal discussion and dinner. No action will be taken on any items.*

**CALL TO ORDER**

Mayor Clyde welcomed the Council, staff, and audience as he called the meeting to order at 5:15 p.m.

**COUNCIL BUSINESS**

1. Minutes

COUNCILMEMBER SORENSEN MOVED TO APPROVE THE MINUTES OF THE MARCH 04, 2014 WORK/STUDY MEETING WITH CORRECTIONS, ADDING COUNCILMEMBER SORENSEN TO THE ATTENDANCE LOG. COUNCILMEMBER CHILD SECONDED THE MOTION, AND ALL VOTED AYE.

2. Calendar

- May 26 – Memorial Day (City Offices Closed)

- 42           • June 3 - Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.  
44           • June 7-14 – Art City Days  
46           • June 10 – Work/Study Meeting 5:15 p.m.  
              • June 14 – Grand Parade 10:00 a.m.  
              • June 17 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- 48           3. Discussion on this evening’s Regular Meeting agenda items  
              a) Invocation – Councilmember Conover  
50           b) Pledge of Allegiance – Councilmember Sorensen  
              c) Consent Agenda  
52           4. Approval of all City purchase orders properly signed (Springville City Code §2-  
                  10-110(5))  
54           5. Approval of Re-Appointment to the Landmark Preservation Commission – Von  
                  Allman and the Appointment of Mark Gillies  
56           6. Approval of Re-Appointment to the Planning Commission – Brad Mertz and  
                  Frank Young  
58           Councilmember Conover expressed concern about the length of time Planning  
Commission members are on the board. Councilmember Conover remarked he would like to see  
60 a local business owner on the Planning Commission possibly one that has a business on Main  
Street. Mayor Clyde reviewed the current list of members and cited most terms were not  
62 excessive in length. Councilmember Conover commented Commissioners are being appointed  
and not voted upon by citizens and asserted the need for diversity. Councilmember Child replied  
64 that he was impressed with the current commission and feels they are doing a good job.

66           4. DISCUSSIONS/PRESENTATIONS

- a) **Power Distribution** – Brandon Graham, Distribution Superintendent  
68           Superintendent Graham gave an update on recent Power Distribution projects and  
reviewed the progress of capital projects. He noted the relocation of the North Substation  
70 upgrade has been completed and the Industrial Park power upgrade is 63% completed.  
Superintendent Graham reviewed with the Council the new sub stations within the City and  
72 upcoming Power Distribution projects. Superintendent Graham informed the Council of the  
recent safety awards the Power Department had received from the American Public Power  
74 Association (APPA) and the Intermountain Power Superintendent Association (IPSA).

- 76           b) **Public Works, Wastewater Collection Master Plan Discussion** – Noah Gordon  
                  City Staff Engineer

78           Engineer Gordon, addressed the Council regarding the Wastewater Master Plan and  
explained staff had utilized the same population growth projections as the Water Master plan.  
80 Engineer Gordon reviewed the map of the Master Plan and IFFP boundaries along with the  
existing sewer collection system. Engineer Gordon explained the differences of Inflow and  
82 Infiltration and how it can affect the capacity of the wastewater system. Engineer Gordon noted

84 there are large areas in Springville that have ground water and can create infiltration into the  
85 sewer lines and he expressed this is unavoidable with the current infrastructure. Council  
86 Member Conover questioned if the wastewater treatment plant was big enough for build out.  
87 Engineer Gordon replied in essence yes, with some modifications. Mayor Clyde reviewed other  
88 Cities' wastewater use and questioned if South Utah Valley Municipal Water Association  
89 (SUVMWA) regional wastewater treatment plant project is needed for Springville. City  
90 Administrator Fitzgerald commented the SUVMWA project is not an absolute need although  
91 previous Councils thought it to be an investment in land.

92 c) **Open Meetings Training** – John Penrod, Assistant City Administrator/City  
93 Attorney

94 City Attorney Penrod informed the Council that a good practice for risk management  
95 would be to have brief regular training presentations and he would like the Council to consider  
96 them during work/study meetings. City Attorney Penrod reviewed the Open Meetings Act with  
97 the Council which is a required yearly training. The statute was reviewed regarding definitions  
98 of a public body, what constitutes a quorum and electronic meeting requirements. Discussion of  
99 requirements for public notices, emergency meetings, closed meetings, agendas and minutes  
100 were also addressed.

## 101 **5. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

102 a) **Southern Utah Valley Power Systems** – Craig Conover, Councilmember  
103 Representative

104 Councilmember Conover reported discussions are currently ongoing with the Bureau of  
105 Land Management regarding power poles. Councilmember Conover reported the meetings have  
106 been a beneficial resource for discussions of different issues facing other communities. City  
107 Administrator Fitzgerald noted there are ongoing discussions about ownership of SUVPS  
108 infrastructure and what it does for the City while explaining it is a big expenditure for the City.  
109 Mayor Clyde commented on the various uses of SUVPS. Matt Hancock Distribution  
110 Superintendent cautions if the City were to abandon the SUVPS loop line other costly projects  
111 would need to be carefully selected.

## 112 **OTHER ITEMS OF DISCUSSION**

113 City Engineer, Jeff Anderson reviewed the outcome of recent MAG projects. He noted  
114 staff submitted six proposals and of those, four were accepted. Approximately \$2.3 million was  
115 awarded for these projects. Engineer Anderson commented on the projects; 400 South and Main  
116 travel lanes will be upgraded. A pedestrian bridge near 950 West and Hobble Creek will be  
117 constructed to allow pedestrian access to the Community Park. Widening of the intersection at  
118 1600 South and SR51 will be completed, improving traffic flow and safety. The 800 East 400  
119 South intersections were approved for realignment, noting a home in the area would need to be  
120 taken or acquired. All projects could be one to four years away from completion. Engineer  
121 Anderson noted larger projects were pitched but not accepted. City Administrator Fitzgerald

expressed possibly pitching larger projects with other cities in the South County area next year,  
124 and explained northern Utah cities do this with a good outcome.

126 City Administrator Fitzgerald disclosed to the Council the solid waste transfer station is  
conducting a large scale study for relocation, when the study is finished he will report back to the  
Council.

128

**6. CLOSED SESSION**

130 *The Springville City Council may temporarily recess the regular meeting and convene in*  
*a closed session to discuss pending or reasonably imminent litigation, and the purchase,*  
132 *exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

There was none.

134

**ADJOURNMENT**

136 COUNCILMEMBER CONOVER MOVED TO ADJOURN THE WORK/STUDY  
MEETING OF THE SPRINGVILLE CITY COUNCIL AT 6:59 P.M. COUNCILMEMBER  
138 CHILD SECONDED THE MOTION, ALL VOTED AYE.



**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
MAY 20, 2014 – 7:00 P.M.**

6

The following are the minutes of the Regular Meeting of the Springville City Council. The meeting was held on **Tuesday, May 20, 2014, at 7:00 p.m.** in the Springville City Civic Center Council Chambers, 110 South Main Street, Springville, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present: Council Member Rick Child, Council Member Craig Conover, Council Member Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, and City Recorder Kim Rayburn. Also present were: Art City Substance Abuse Prevention (ASAP) Coordinator Shannon Acor, Community Development Director Fred Aegerter, Lieutenant Dell Gordon, Administrative Services Manager Rod Oldroyd, Buildings and Grounds Director Alex Roylance, Public Works Director Brad Stapley, and Museum of Art Director Dr. Rita Wright. Excused Council Member Christopher Creer, Council Member Dean Olsen

**CALL TO ORDER**

Mayor Clyde welcomed those present and called the meeting to order at 7:04 PM

**INVOCATION AND PLEDGE**

Councilmember Conover asked Leon Fredrickson to offer the invocation. Councilmember Sorensen led the Pledge of Allegiance.

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER CONOVER MOVED TO APPROVE THE MEETING'S AGENDA WITH THE CORRECTION OF MOVING ITEM #6 FROM THE CONSENT AGENDA TO THE REGULAR AGENDA. COUNCILMEMBER CHILD SECONDED THE MOTION. ALL VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

**APPROVAL OF THE MINUTES**

No minutes to approve.

**MAYOR'S COMMENTS**

Mayor Clyde welcomed those in attendance and commented on the recent Bike to Work activity held on Saturday, May 17, 2014; he stated it was very successful with many in attendance. Mayor Clyde expressed May is a busy month with the bike ride around the

community, opening of the splash pad and spring sports starting. Mayor Clyde stated he attended the annual Art Ball and what a great activity it was. The theme this year was Salon De Paris and the decorations were fabulous.

## **PUBLIC COMMENT**

Tiata Cromer requested to speak; Mr. Cromer is with Symtech and a member of the Chamber of Commerce. He wanted to thank the Council and Mayor for the opportunity to participate with the bike to work event. He encourages businesses to be involved with the community and the Chamber of Commerce. Mayor Clyde thanked Mr. Cromer for his comments.

## **CEREMONIAL AGENDA**

### **1. Presentation of the Mayor's Awards – Shannon Acor, ASAP Coordinator**

Mayor Clyde introduced ASAP Coordinator Shannon Acor and asked Councilmember Child to help with the award presentation. Ms. Acor introduced the first nominee, Ms. Tara Davis. She was nominated by her school counselor, Monica Linton. She wrote, "Tara has made a great effort to go out of her comfort zone and be a positive influence on her peers. She also has gone out of her way to make other students feel comfortable and included." Tara's parents Robert and Kristina Davis accepted the award on her behalf to applause.

Ms. Makenzie Keane. Was introduced as the next nominee by Ms. Acor. She read the nomination from her school counselor and Hope Squad Advisor, Courtney Droz: "As a member of the HOPE Squad, Kenzie is very involved and is a positive peer model. She is very accessible to her peers and has had a positive influence on many of her fellow students. She chooses to get involved and help with service projects. She has worked hard and is excelling academically and socially." The audience offered their applause as Ms. Keane was given her award.

Ms. Acor called Mr. Christian Moody to the front. The nomination from Scott Jenkins was read. "Christian is an excellent student and an outstanding individual. I am extremely impressed with Christian's natural leadership ability, his friendly and cheerful disposition and the way he reaches out to other students. I have observed Christian during lunch encourage his friends to move with him to another table where shy students were sitting alone. He is dependable and proactive. Christian is president of our HOPE Squad which helps identify students who may be depressed or suicidal, and to bring hope and encouragement to other students. Christian is always kind and respectful. Christian also has impressive dances moves to excite the crowds! It is my honor and privilege to nominate Christian." Mr. Moody was presented his award to applause.

Ms. Acor read the nomination for Ms. Rebecca Hammond from Kim Buhler a neighbor and friend. "I am very impressed with Becca. She is a kind hearted and a very friendly young woman who genuinely cares about others. She seeks out others who may not fit in and is quick to befriend them. I have watched Becca from a distance. Without knowing she is being watched Becca is friendly, kind, genuine and enthusiastic. She is caring and real. There is nothing superficial about her. She is smart and talented. Our world is a better because of people like Becca." She was given applause as she received her award.

### **2. Presentation of the APPA and IPSA Safety Award – Power Director, Leon Fredrickson**

88 Director Fredrickson thanked Brandon Graham, Power Distribution Superintendent for  
his presentation during work session. Director Fredrickson also expressed his appreciation for  
90 all of the Power Department staff in promoting safety. Director Fredrickson presented to the  
Council the recent safety awards the Power Department had received from the American Public  
92 Power Association (APPA) and the Intermountain Power Superintendent Association (IPSA).  
The Power Department was awarded the APPA award for “First Place Group C 30,000 to 59,000  
94 work hours with zero lost time accidents” and IPSA for “First Place Group 30,000-69,999 work  
hours with zero lost time accidents as well as the IPSA safety leadership award for 5 years  
96 consecutive without a lost time accident.” Director Fredrickson also wanted to thank City  
Attorney, John Penrod for overseeing risk management for the City. Mayor Clyde congratulated  
98 the Power Department for their attitude towards safety and expressed how important safety is so  
that workers can go home to their families each night.

100  
102 **3. Presentation of the Art City Days Rodeo Royalty**

Mayor Clyde welcomed the Art City Days Royalty and invited them to introduce  
themselves. Rodeo Queen Megan Wood, First Attendant Alli Johansen, and Second Attendant  
104 Rebecca Powell offered a list of events planned for the Art City Days Rodeo and invited the  
Council and all citizens to attend. Mayor Clyde reported he has attended in the past and it was  
106 great fun and he is looking forward to it this year. The Royalty presented the Council with a gift  
basket and free tickets to the event.

108  
**CONSENT AGENDA**

- 110 4. Approval of all City purchase orders properly signed (Springville City Code §2-10-  
110(5));  
112 5. Approval of Re-Appointment to the Landmark Preservation Commission – Von Allman  
and Mark Gillies

114  
116 COUNCILMEMBER CHILD MOVED TO APPROVE THE CONSENT AGENDA  
MOVING ITEM #6 TO THE REGULAR AGENDA. COUNCILMEMBER CONOVER  
118 SECONDED THE MOTION. VOTE IS RECORDED AS: COUNCILMEMBER CHILD-  
AYE, COUNCILMEMBER CONOVER-AYE, AND COUNCILMEMBER SORENSEN-  
AYE. THE MOTION PASSED UNANIMOUSLY

120  
**PUBLIC HEARING AGENDA**

122 Fred Philpot, Financial Analyst for Young, Robertson and Burningham – Consultant on  
Impact Fees gave a short presentation before the Public Hearing.

- 124 **7. Public Hearing to consider an Ordinance adopting the Storm Drain Master Plan,  
the Impact Fee Facility Plan and Impact Fee Analysis; establishing an Impact Fee  
126 Calculation Methodology and establishing a Storm Drain Impact Fee to be imposed  
on all new and/or expanding development – Jeff Anderson,**

128  
130 Mayor Clyde opened the public hearing. Karen Ifediba 450 E 100 S introduced herself to  
the Council and commended those that have worked on this project and appreciates their time.  
She feels it has been very thorough and well thought out. Ms. Ifediba expressed she  
132 recommends they be approved and Citizens that choose to build will benefit.

134 Mayor Clyde agrees this will be a benefit to citizens and is happy to see they are going  
down. Mayor Clyde asked if there was other public comment. There was none.

136 COUNCILMEMBER CONOVER MOVED TO CLOSE THE PUBLIC HEARING.  
137 COUNCILMEMBER CHILD SECONDED THE MOTION. ALL PRESENT VOTED IN  
138 FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

140 COUNCILMEMBER CONOVER MOVED TO APPROVE **ORDINANCE #12-2014** THAT  
141 ADOPTS AND APPROVES THE **STORM DRAIN** MASTER PLAN AND CAPITAL  
142 IMPROVEMENTS PLAN UPDATE PREPARED BY CITY STAFF AND ENGINEERING  
143 CONSULTANT BOWEN COLLINS AND ASSOCIATES; THE **STORM DRAIN** IMPACT  
144 FEE ANALYSIS REPORT PREPARED BY LEWIS YOUNG ROBERTSON AND  
145 BURNINGHAM, INC.; AND **STORM DRAIN** IMPACT FEES AS SET FORTH IN THE  
146 IMPACT FEE ANALYSIS AND ADOPTED PURSUANT TO THE UTAH IMPACT FEES  
147 ACT. COUNCIL MEMBER SORENSEN SECONDED THE MOTION. THE VOTE IS  
148 RECORDED AS FOLLOWS: COUNCIL MEMBER CHILD-AYE, COUNCILMEMBER  
149 CONOVER-AYE, AND COUNCIL MEMBER SORENSEN-AYE. COUNCILMEMBER  
150 CREER AND COUNCIL MEMBER OLSEN WERE ABSENT. THE MOTION PASSED  
151 UNANIMOUSLY.

152  
153 **8. Public Hearing to consider an Ordinance adopting the Culinary Water Master Plan,**  
154 **the Impact Fee Facility Plan and Impact Fee Analysis; establishing an Impact Fee**  
155 **Calculation Methodology and establishing a Culinary Water Impact Fee to be**  
156 **imposed on all new and/or expanding development – Jeff Anderson, City Engineer**

157  
158 Mayor Clyde opened the public hearing. There was no public comment.

159  
160 COUNCILMEMBER CHILD MOVED TO CLOSE THE PUBLIC HEARING. COUNCIL  
161 MEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF  
162 THE MOTION. THE MOTION PASSED UNANIMOUSLY.

163  
164 COUNCILMEMBER SORENSEN MOVED TO APPROVE **ORDINANCE #13-2014** AS  
165 WRITTEN. COUNCIL MEMBER CONOVER SECONDED THE MOTION. THE VOTE IS  
166 RECORDED AS FOLLOWS: COUNCIL MEMBER CHILD-AYE, COUNCILMEMBER  
167 CONOVER-AYE, AND COUNCILMEMBER SORENSEN-AYE. COUNCILMEMBER  
168 CREER AND COUNCIL MEMBER OLSEN WERE ABSENT. THE MOTION PASSED  
169 UNANIMOUSLY.

170  
171  
172 **9. Public Hearing to consider an Ordinance adopting the Wastewater Collection**  
173 **Master Plan, the Impact Fee Facility Plan and Impact Fee Analysis; establishing an**  
174 **Impact Fee Calculation Methodology and establishing a Sewer Impact Fee to be**  
175 **imposed on all new and/or expanding development – Jeff Anderson, City Engineer**

176  
177  
178 Mayor Clyde opened the public hearing. There was no public comment.

179  
180 COUNCILMEMBER CHILD MOVED TO CLOSE THE PUBLIC HEARING.  
181 COUNCILMEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN  
182 FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

182 COUNCILMEMBER CHILD MOVED TO APPROVE **ORDINANCE #14-2014** THAT  
184 ADOPTS AND APPROVES THE **WASTEWATER** COLLECTION SYSTEM MASTER  
186 PLAN AS WRITTEN. COUNCILMEMBER CONOVER SECONDED THE MOTION. THE  
188 VOTE IS RECORDED AS FOLLOWS: COUNCILMEMBER CHILD-AYE, COUNCIL  
MEMBER CONOVER-AYE, AND COUNCILMEMBER SORENSEN-AYE.  
COUNCILMEMBER CREER AND COUNCILMEMBER OLSEN WERE ABSENT. THE  
MOTION PASSED UNANIMOUSLY.

190

192 **10. Public Hearing to consider an Ordinance adopting the Pressurized Irrigation**  
194 **Master Plan, the Impact Fee Facility Plan and Impact Fee Analysis; establishing an**  
196 **Impact Fee Calculation Methodology and establishing a Pressurized Irrigation**  
**Impact Fee to be imposed on all new and/or expanding development – Jeff Anderson,**  
City Engineer

198 Mayor Clyde opened the public hearing. There was no public comment.

200 COUNCILMEMBER CONOVER MOVED TO CLOSE THE PUBLIC HEARING. COUNCIL  
MEMBER SORENSEN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR  
202 OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

204 COUNCILMEMBER SORENSEN MOVED TO APPROVE **ORDINANCE #15-2014** AS  
WRITTEN. COUNCILMEMBER CONOVER SECONDED THE MOTION. THE VOTE IS  
206 RECORDED AS FOLLOWS: COUNCILMEMBER CHILD-AYE, COUNCILMEMBER  
CONOVER-AYE, AND COUNCILMEMBER SORENSEN-AYE. COUNCILMEMBER  
208 CREER AND COUNCILMEMBER OLSEN WERE ABSENT. THE MOTION PASSED  
UNANIMOUSLY.

210

#### **REGULAR AGENDA**

212 6. Approval of Re-Appointment to the Planning Commission – Brad Mertz and Frank  
Young

214 Item moved from Consent Agenda. Councilmember Conover stated his concern about  
the length of service for volunteers on the Planning Commission. He would like to see a city  
216 business owner on the commission. Councilmember Conover expressed that to better improve  
the economic development of the city he would like to have a name of a local business owner.  
218 Mayor Clyde discussed the length of service, and feels it is a good suggestion to have someone  
that represents local business. Mayor Clyde noted he relies on council members for  
220 recommendations on individuals to be appointed and feels they have done a good job.  
Councilmember Child stated he feels recent candidates are looking for the best interest of the  
222 City and are good candidates. Councilmember Sorensen stated it is a point well taken and  
should apply for all boards and commissions. Councilmember Sorensen stated there are probably  
224 others that would give a better cross representation. Mayor Clyde acknowledged it was good to  
have some experience and sometimes two terms is needed.

226

228 COUNCILMEMBER CHILD MOVED TO APPROVE THE RE-APPOINTMENT OF BRAD  
MERTZ AND FRANK YOUNG TO THE PLANNING COMMISSION. COUNCILMEMBER

230 SORENSEN SECONDED AND COUNCILMEMBER CONOVER OPPOSED. MOTION NOT  
CARRIED

232 **11. Consideration of an Ordinance that establishes a local ethics commission to review**  
234 **complaints against elected and appointed officials for violations of the Municipal**  
**Officer's and Employees' Ethics Act** – John Penrod, Assistant City Administrator/City  
Attorney

236 Attorney Penrod addressed the Council and stated that the item before them is based upon  
a statute passed by the legislature last year. He explained the City could establish a local  
238 commission or continue with the states ethics commission. Attorney Penrod discussed the  
Municipal Officers Employees' Ethics Act. Council discussed what establishing a local ethics  
240 commission would require and if it would supersede the State ethics commission. After  
discussion Council decided not to go with a local ethics commission at this time and keep with  
242 the current State process.

244 ORDINANCE NOT APPROVED

246 **12. Consideration of an Inter-local Agreement creating a Utah County Ethics**  
**Commission** – John Penrod, Assistant City Administrator/City Attorney  
248 Because item #11 on the regular council agenda was not passed no action was taken.

250 **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

There were no reports.

252

**CLOSED SESSION**

254

13. *The Springville City Council may temporarily recess the regular meeting and convene in*  
256 *a closed session to discuss pending or reasonably imminent litigation, and the purchase,*  
*exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.*

258 There was no closed session.

260 **ADJOURNMENT**

262 COUNCILMEMBER CONOVER MOVED TO ADJOURN THE CITY COUNCIL MEETING  
AT 8:43 P.M. COUNCILMEMBER SORENSEN SECONDED THE MOTION. ALL  
264 PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED  
UNANIMOUSLY.



## STAFF REPORT

**DATE:** June 3, 2014

**TO:** Honorable Mayor and City Council

**FROM:** Kim Rayburn, City Recorder

**SUBJECT: RESOLUTION CREDITING MONTHLY UTILITY BILLS FOR  
ACTIVATED MILITARY PERSONNEL**

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### **RECOMMENDATION:**

Adopt Resolution # \_\_\_\_\_ giving full credit on monthly City utility bills for members of U.S. military services serving in combat or active war zones.

### **ROLL CALL VOTE**

### **SUMMARY:**

The discount for Military Personnel was first adopted at the beginning of the Iraqi War as an effort to help the families of those left behind. It was intended to ease the strain and uncertainty of having a loved one, in many cases the breadwinner of the family, leave and go off to war. It was also intended to show support for those Springville citizens protecting freedom.

The City had been granting up to a \$100.00 credit on each monthly City utility bill for qualifying members of the military serving in a combat or active war zone. It then came to the attention of the Mayor and Council that other local cities have been granting a credit equal to 100% of the monthly utility bill. The Mayor and Council decided on February 5, 2007 to also grant a 100% credit for all City utilities. The current Resolution ends the program on June 30, 2014. This Resolution will extend the program until June 30, 2018 or the date the person serving military duty returns from active service. Conditions to qualify for the credit will remain the same.

### **ALTERNATIVES:**

- Discontinue the program
- Return to a \$100 maximum discount
- Consider alternative discount amount (percentage or flat amount)

### **FISCAL IMPACT:**

The grand total of military utility assistance thru November 2013 is \$71,169.37 since the inception of the program. Three people were on Military Assistance from July 2013, the last one came home November 2013 for a total of \$1,953.64. Currently one person is out right now and they are new customers so their assistance will not start until June 2014. The City has served 62 families since the program's inception in 2003.

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING AND EXTENDING A DISCOUNT  
ON UTILITY BILLS FOR ACTIVE MILITARY PERSONNEL**

**WHEREAS**, Springville City has a number of residents who are members of the National Guard or reservists who have been activated with the conflict in the Middle East; and

**WHEREAS**, the activation of these individuals has often created a financial hardship on their families; and

**WHEREAS**, Springville City desires to continue its show of support for the American troops activated from Springville City;

**NOW, THEREFORE, BE IT RESOLVED** by the Springville City Council as follows:

1. Springville City will grant a monthly credit equal to the amount billed on the Springville City utility bill for residents of Springville City who have been activated to full-time military duty in a combat or active war zone.
2. In order to qualify for the discount, the resident must be the head of the household or otherwise responsible for the utility bill, and the person activated must himself or herself be a resident of Springville City.
3. Eligibility is established by the person or family member bringing a copy of the United States military activation papers to the City utility office.
4. The discount shall be effective on the first billing after eligibility has been established and shall remain in effect until one full utility billing cycle after the date when such person returns from active duty or January 31, 2018, whichever is earlier.
5. Persons qualified and receiving the discount during previous Fiscal Years shall be qualified and continue to receive the discount until such date the person returns from active duty or January 31, 2018, whichever is earlier.

ADOPTED this 03<sup>rd</sup> day of June, 2014, by the City Council of Springville City, Utah.

---

Wilford W. Clyde, Mayor

ATTEST:

---

Kim Rayburn, City Recorder



## STAFF REPORT

**DATE:** June 3, 2014  
**TO:** Honorable Mayor and City Council  
**FROM:** Kim Rayburn, City Recorder  
**SUBJECT: RESOLUTION #2014-04 RE-NUMBERING**

---

**RECOMMENDATION:**

Approve renumbering of Resolution #2014-04 Ad Hoc Committee Sign Ordinance to Resolution #2014-04A.

**ROLL CALL VOTE**

**SUMMARY:**

The Resolution #2014-04 Ad Hoc Committee Sign Ordinance was numbered the same as another resolution.

**ALTERNATIVES:**

- Assign a different number

**FISCAL IMPACT:**

The renumbering will correct the duplicate resolution numbers and allow for better record keeping.



## STAFF REPORT

**DATE:** June 3, 2014

**TO:** Honorable Mayor and City Council

**FROM:** Chief Scott Finlayson & Fire Chief Henry Clinton

**SUBJECT: FIREWORKS BAN IN SOME AREAS OF SPRINGVILLE**

### **RECOMMENDATION**

Approve the fireworks ban for the wildland interface areas as outlined in the attached map.

### **DISCUSSION**

The 2013 Utah State Legislature changed state law and now requires the City Council to prohibit fireworks in certain areas of our community. Utah Code 15A-5-202.5 (1)(c)(i) states, “the legislative body of a municipality within which the hazardous environmental conditions exist may prohibit only the ignition or use of the ignition source in mountainous, brush-covered, or forest-covered areas or the wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose;”

History has proven that the fire threat to our community through the “wildland interface” is real, as demonstrated by wildland fires in our recent past. Due to the extreme fire danger this year some areas of Springville City are closed to all fireworks. This is the same boundary as in years past, with no change in restricted areas. All fireworks are banned on the northeast foothill boundaries of Springville, effective upon Council approval and publication. The fireworks ban is designed to prevent any fireworks being used within 1000 ft. of the US Forest/Springville City boundary near the foothills.

The boundary is defined as follows: Starting at Main Street and 1400 North, east up through Millpond Dr.; east on 400 North and winding its way over to 1300 East and up Canyon road to 2450 East, including all areas east of 2400 East to the City limits.

Legal fireworks may be used in other areas of town from 11am to 11 pm, between July 1<sup>st</sup> and July 7<sup>th</sup> and July 21<sup>st</sup> and July 27<sup>th</sup>; except that on July 4 and July 24, the hours are 11 a.m. to midnight. We encourage all in restricted areas to take their families to any of the city parks outside the banned area to set off fireworks.

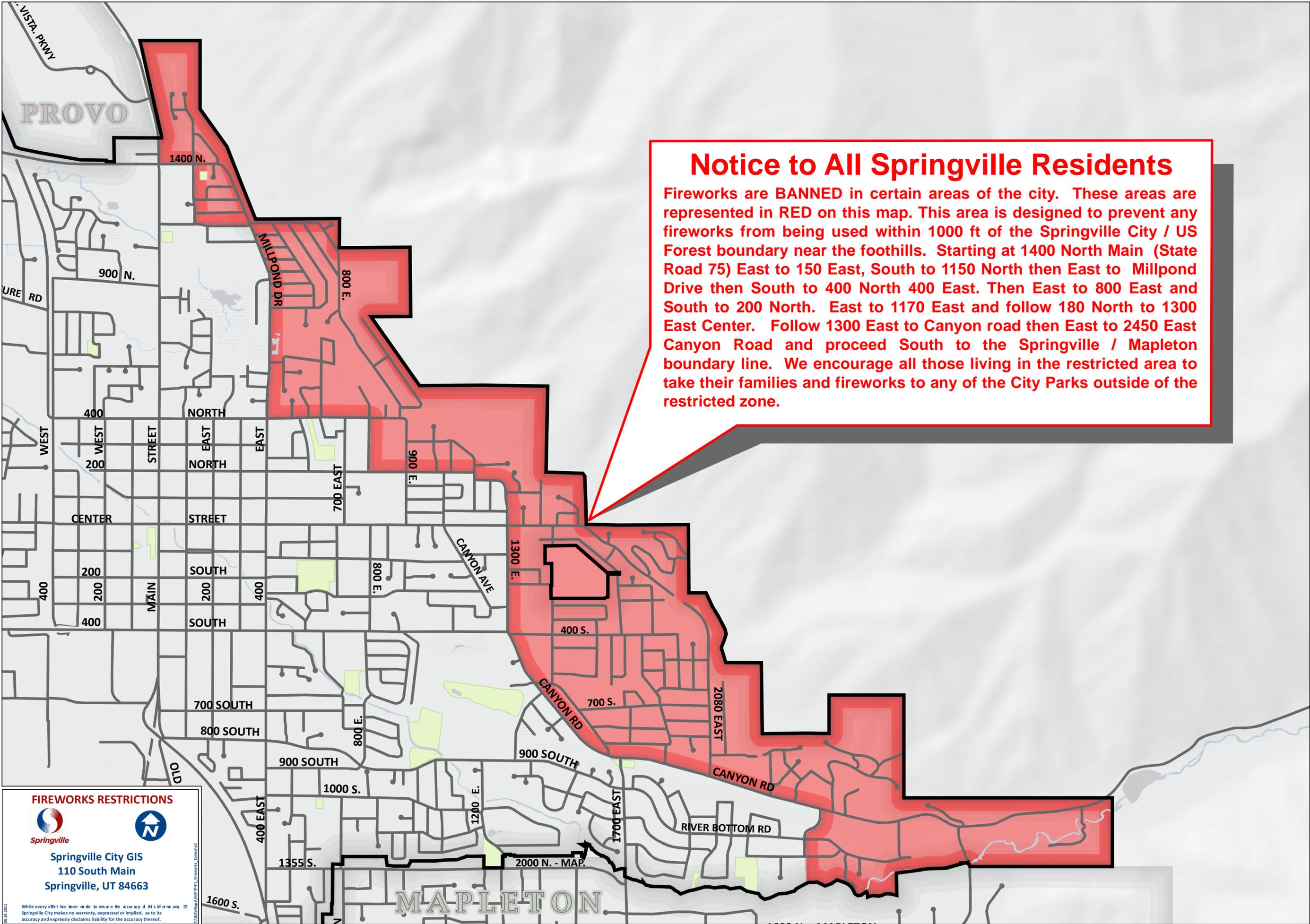
**ALTERNATIVES**

The City Council may choose to not ban fireworks in any areas of Springville.

**FISCAL IMPACT**

There are no fiscal impacts.

Name: Chief Scott Finlayson, Director of Public Safety  
Chief Henry L Clinton, Fire Chief



## Notice to All Springville Residents

Fireworks are **BANNED** in certain areas of the city. These areas are represented in **RED** on this map. This area is designed to prevent any fireworks from being used within 1000 ft of the Springville City / US Forest boundary near the foothills. Starting at 1400 North Main (State Road 75) East to 150 East, South to 1150 North then East to Millpond Drive then South to 400 North 400 East. Then East to 800 East and South to 200 North. East to 1170 East and follow 180 North to 1300 East Center. Follow 1300 East to Canyon road then East to 2450 East Canyon Road and proceed South to the Springville / Mapleton boundary line. We encourage all those living in the restricted area to take their families and fireworks to any of the City Parks outside of the restricted zone.

### FIREWORKS RESTRICTIONS



Springville



Springville City GIS  
110 South Main  
Springville, UT 84663

While every effort has been made to ensure the accuracy of this information, Springville City makes no warranty, expressed or implied, as to its accuracy and expressly disclaims liability for the accuracy thereof.



## STAFF REPORT

**DATE:** May 28, 2014

**TO:** Mayor and City Council

**FROM:** Bradley D. Stapley, Director of Public Works

**SUBJECT: EASEMENT DEDICATION FUNDS PAID TO SPRINGVILLE CITY BY THE UNITED STATES OF AMERICA TO BE FORWARDED TO THE RIVERS HOMEOWNER'S ASSOCIATION**

---

### **RECOMMENDED ACTION**

Motion to authorize the payment of \$3,100 to the River's Subdivision Homeowner's Association as part of a sale of property transaction between Springville City and the River's Homeowner's Association; and the granting of a perpetual easement and corresponding temporary construction easement by Springville City to the United States of America. The \$3,100.00 represents monies paid by the United States of America to Springville City for the temporary construction and perpetual easements.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

At the May 6, 2014 City Council Meeting, the City Council granted a temporary construction easement and a perpetual easement to the United States of America to allow pipeline connections of the Mapleton Springville Lateral to Springville Irrigation Company (SIC) and Springville City (City) facilities in and near 1100 South (River Bottom Road).

The purpose for granting the easements was to allow construction of a diversion vault to allow delivery of Springville Irrigation Company water, and the means for Springville City to receive Central Utah Project (CUP) water via the Mapleton Springville Lateral.

Several months ago when the City, the Rivers Homeowner's Association and the United States of America (USA) began negotiations concerning the Rivers detention basin and the need for temporary construction and perpetual easements, the parties discussed and tentatively agreed that the Rivers HOA would receive the amount paid by the USA for the easement as compensation for deeding the detention basin to the City.

Since that time, the timing of the transaction changed, but the parties still agreed that the Rivers HOA would receive the amount paid for the easements.

### ***CITY COUNCIL AGENDA***

*June 3, 2014*

*U:\City Council\Staff Reports\2014\06-2014\060314\SR\_EasementDedication to CUWCD\_RiversSubdivision\$3100\_toHOA.doc*

The above motion simply allows the City to forward the \$3,100.00 paid by the USA to the Rivers HOA as per negotiations by the City with the Rivers HOA.

**DISCUSSION**

The easements are located within an existing storm water detention basin sold to the City by the Rivers Homeowner’s Association along 1100 South (River Bottom Road) as shown in the photograph below.



Engineering drawings prepared by the CUWCD indicate the relationship of the easements with the pipeline and vault facilities to be constructed in a portion of the existing storm water detention basin shown in Figure 1.

***CITY COUNCIL AGENDA***

**ALTERNATIVES**

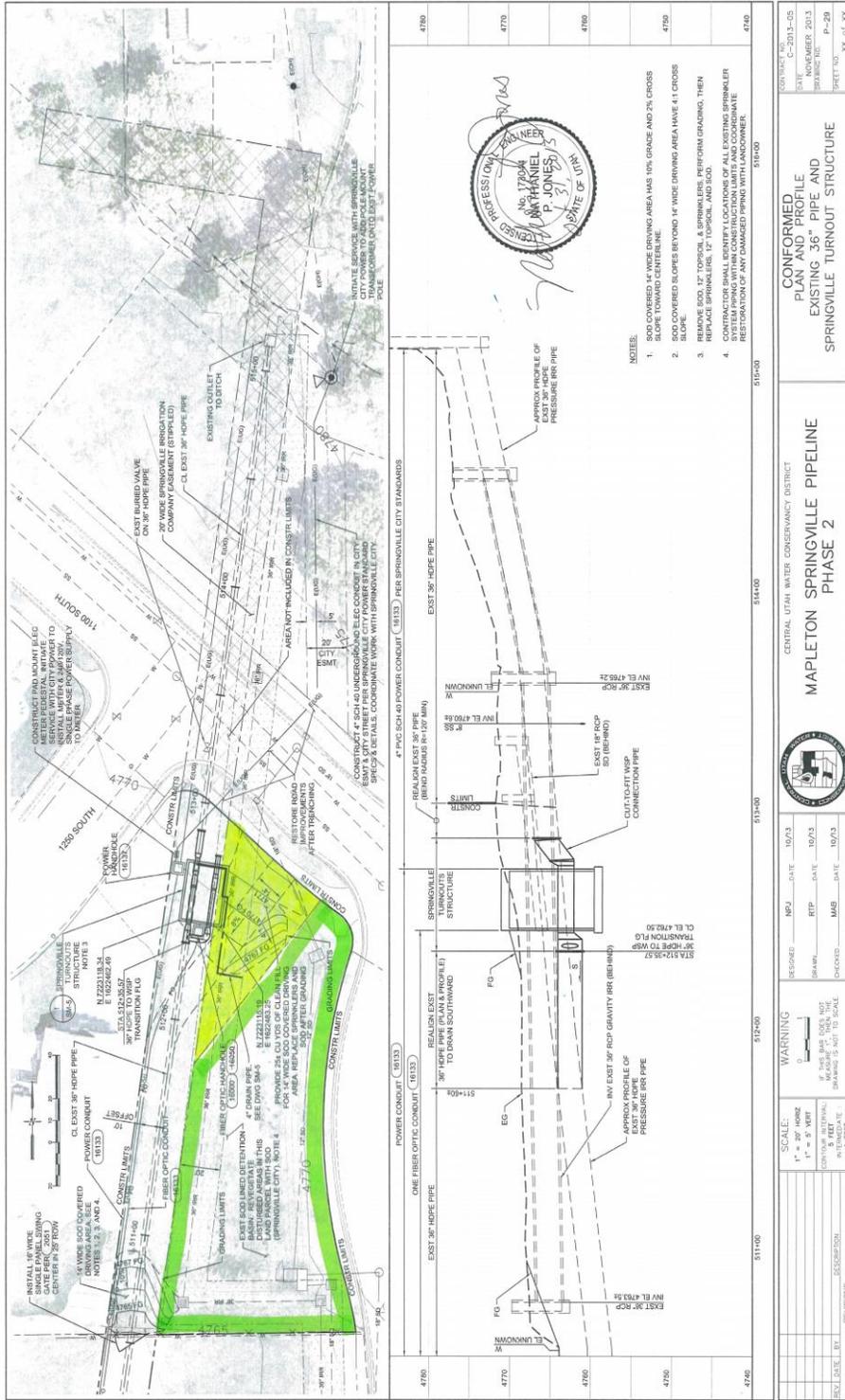
Option #1: Staff recommends forwarding the \$3,100.00 paid by the U.S.A. for the perpetual and temporary easements to the River's Homeowner's Association.

Option #2: City keeps the money (not recommended).

**FISCAL IMPACT**

The City simply forwards the \$3,100 paid by the U.S.A to the Rivers Homeowner's association.

# Figure 1





## STAFF REPORT

**DATE:** June 3, 2014  
**TO:** Honorable Mayor and City Council  
**FROM:** Chuck Keeler, Recreation Director  
John Penrod, City Attorney  
**SUBJECT: UTAH VALLEY RAYS (UVA) POOL USE CONTRACT**

---

### **RECOMMENDED MOTION**

Move to authorize the contract between Springville City and Utah Valley Aquatics (UVA) as outline in the contract.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

On May 30, 2013 the City notified UVA that the pool use contract would not automatically renew on October 1, 2013. The notice referred to some changes in the contract that had been requested by UVA and some updates recommended by the Parks and Recreation Board.

Some of the specific points within the contract include:

- Either party can terminate the contract at any time with a 30 day notice.
- The contract date is set at June 1, 2014.
- Pool use shall be charged based on \$4.50 per lane hour of use.
- UVA is responsible to meet all federal, state, and county laws, rules and regulations related to the operation of the pool during their use of the pool.
- UVA cannot offer any programs or activities that are in direct competition with Springville City sponsored programs.

### **BACKGROUND**

Utah Valley Aquatic (UVA) operates the Utah Valley Rays swim team and has been a long time contracted renter of the pool. Until 2013 the annual agreement rolled over on October 1 of each year. Under the terms of the contract either party was able to stop the automatic annual renewal of the contract if the other party was notified on or before September 1. On May 30, 2013 UVA was notified that the contract would not automatically roll over and that continued use of the pool by UVA would require a new contact. Since that time staff has met regularly with UVA to develop the attached agreement.

### **DISCUSSION**

UVA is a private nonprofit organization that rents time at the Springville and Provo pools. In order for their program to be successful, they require 2 hour blocks of time during prime programming hours (afternoons and summer mornings). With increasing demands from the public for more and larger city managed programs. In addition, with the inter local agreement with Nebo School District and existence of 5 high schools using the Springville pool as "Home Water", it is becoming increasingly difficult to schedule outside users and still meet the needs of the general public.

### ***CITY COUNCIL AGENDA***

*June 3, 2014*

**FISCAL IMPACT**

Revenue to the City will be approximately \$11,000 per year.

The fee to UVA is based on \$4.50 per lane hour. Provo City charges UVA \$5 per lane hour.

Name      Chuck Keeler  
Title      Recreation Director

Attachments

1. Agreement with UVA

## Agreement

This Agreement is made this 1<sup>st</sup> day of June, 2014 by and between Springville City, a municipality organized under the laws of the State of Utah (the “City”), and the Utah Valley Aquatics, Inc.; a non-profit corporation organized under the laws of the State of Utah (the “UVA”).

Whereas, on November 15, 2005, Springville City and UVA entered into a Memorandum of Understanding in order to define by binding agreement the relationship between the two parties; and

Whereas, the City is desirous to continue to support youth swimming programs and understands that the UVA provides the City’s youth with enhanced swimming opportunities; and

Whereas, the parties desire now to enter into this Agreement that supersedes all previous agreements.

**NOW, THEREFORE,** for and in consideration of the mutual promises of the parties herein contained, and intending to be legally bound hereby, City and UVA hereby agree with each other as follows:

1. **Term:** The effective date of this Agreement shall June 1, 2014. The term of this Agreement shall be for a period of one year and shall automatically renew on an annual basis unless either party requests termination of the Agreement. Either party may terminate this agreement at any time by providing the other party with a written 30 day notice of termination.

In the event that the Springville Community Pool is closed indefinitely, this Agreement shall automatically terminate.

2. **Pool Use:** Unless otherwise directed by the City, UVA may use the pool for regularly scheduled team practices as outlined in this section. Due to limited time availability of the pool, the City cannot offer nor can the Swim Team expect additional pool times during the term of the agreement. UVA will be billed for all scheduled times of use unless the Pool Manager is notified a minimum of 60 days in advance of forfeiture of time. UVA will have access to the Springville Community Pool, as follows:

- a. **Swim Meets.** UVA may hold up to four meets per year in the pool as scheduled at a time that is approved by the Pool Manager a minimum of 60 days prior to the date of the meet.
- b. **September through May Training.** Training shall be between the hours of 4:30 p.m. and 6:00 p.m., Monday through Friday during the months between and including September and May. Pool use shall be limited to 6 lap lanes arranged in yards. From 6:00pm to 6:30pm, Monday through Friday during the months between and including September and May, pool use shall be limited to 4 lap lanes arranged in yards.
- c. **June through July Training.** During the months of June and July, UVA will have access to the pool from 7:30a.m. to 9:00a.m. Pool use shall be limited to 6 lap lanes arranged in meters.
- d. **August.** During the month of August UVA shall have no access to the pool
- e. **Scheduling Conflicts, Maintenance and Breakdowns.** In the event of scheduled maintenance, an unforeseen breakdown, or scheduling conflict, a credit for lost time will be added to the following month's fees.

It is expressly understood that Springville City may schedule other uses of the pool during the times listed above. UVA use of the pool is limited to the lap lanes (either in meters or yards). All other areas of the pool shall be reserved for City scheduling. Springville City will provide appropriate staffing and safety personnel for all City sponsored functions.

Equipment Use: UVA will be entitled to the use of all City equipment purchased for pool use, including but not limited to, lap clocks, kick boards, lane lines, flags, blocks, computers, printers and timing systems at no additional charge. Springville City is not responsible to purchase additional equipment for the pool, but may examine additional purchase in conjunction with its normal budgeting procedure.

3. **Monthly Rent:** The Monthly Rent shall include a Base Rent Amount increased by rent for swim meets and reduced by days the pool is not available because of maintenance work or scheduling conflict and days that UVA does not use the pool after giving 60 days advance notice (the “Rental Price” = Base Rental Amount + Swim Meets – Maintenance/Scheduling Conflict Days – Days Off with 60 Day Notice). The amounts of the different variables that make up the Monthly Rent calculation are as follows:

- a. **Base Rent Amount.** The Base Rent Amount shall be the amount of \$4.50 per lane per hour the pool is reserved each month pursuant to Section 2 of this Agreement. The Base Rent Amount for each month shall be as follows:
  - i. **September through May:** Based on UVA’s reserved time for pool use in subsection 2, UVA shall pay \$49.50 for every weekday during the months of September through May. The Base Rent Amount during

these months shall equal the number of weekdays within the month multiplied by \$49.50.

ii. June through July: Based on UVA's reserved time for pool use in subsection 2, UVA shall pay \$40.50 for every weekday during the months of June through July. The Base Rent Amount during these months shall equal the number of weekdays within the month multiplied by \$40.50.

iii. August: No Base Rent Amount.

b. Swim Meets. UVA shall pay \$27.00 per hour that UVA utilizes the pool for swim meets. If UVA holds a swim meet during its reserved time under subsection 2, UVA shall only be charged for the swim meet.

c. Maintenance Days. The Base Rent Amount will be decreased at the same amount as charged for a weekday pursuant to subsection 3a for each day that the pool is closed for maintenance or that there is a scheduling conflict that does not allow UVA to use the pool during its reserved time ("Maintenance/Scheduling Conflict Days").

d. 60 Day Notice. UVA shall be credited towards the Base Rent Amount at the same amount as charged for a weekday pursuant to subsection 3a for each day that UVA provides the Pool Manager with a 60 day advance written notice that UVA will not be using the Pool.

UVA shall pay the Monthly Rent to the City five days before the month for which the Monthly Rent is being paid. All amounts credited towards the Monthly Rent for UVA providing the 60 day advance notice shall be included within the Monthly Rent for the month in which UVA will not be using the Pool. Any credit amounts for Maintenance/Scheduling Conflict Days shall be credited towards the Monthly Rent following the Maintenance/Scheduling Conflict Days.

4. **Operational Expenses:** City shall be responsible for all Springville Community Pool operational expenses including, but not limited to, maintenance, heating, chemicals, management, etc. UVA shall be responsible for coaching expenses, travel expenses, and all operational matters for the swim team. During anytime that UVA uses the Community Pool, UVA shall be responsible for providing lifeguards and for all expenses and liabilities associated with providing the lifeguards. In fulfilling its lifeguarding requirements, UVA shall follow all County, State, and Federal laws, rules, and regulations, including, but not limited to, all laws, rules, and regulations for the required number of lifeguards on deck. City shall provide no lifeguarding services during UVA pool use time. UVA also agrees to provide sufficient supervision during the use of the pool and related facilities to ensure that unreasonable wear and tear of the facility does not occur.

5. **Maintenance of Contracted Premises:** UVA shall maintain the premises in a good and clean condition comparable to that existing on the date of this Agreement. Unusual wear and tear shall be deemed a default of this Agreement. City will use its best efforts to provide a quality environment for UVA including water temperature, chlorine and acid levels, facility cleanliness, etc.

6. **Control of Pool:** City maintains the right to control the management of the premises and the right to enforce all necessary and proper rules for its management and operation. UVA acknowledges and agrees that the pool facility may be closed at times due to maintenance or repair work. Closing of the pool on an occasional basis due to other swim meets, maintenance or repair shall not excuse UVA from performance under this Agreement. In the event UVA is denied use of the pool due to maintenance or scheduling conflicts, UVA will be credited for time lost at the rate listed in sections 2 and 3 of this document. City may terminate this Agreement without penalty or default if the facility is closed to public use for any reason, including the construction of additional pool space.

7. **Assignment and Subletting:** UVA may not assign its interest in this Contract or sublet the Community Pool (in whole or in part) to any third party.

8. **Competing with Springville City Programs:** UVA use of the pool will be limited to practices and meets for competitive swimming with the majority of participants being Springville residents. UVA may not offer programs that are deemed in competition with Springville City sponsored programs such as swim lessons, swim camps, water polo or dry land programming.

9. **Insurance:** UVA shall provide and keep in force general liability insurance in an amount of not less than \$1,000,000.00 and name the City as an additional insured under the insurance policy. The City shall maintain its property insurance on the Springville Community Pool.

10. **Damages:**

(a) The UVA shall not damage, mar or deface the pool and premises in any fashion, including driving nails, hooks, screws or tacks into the pool area, nor make alterations of any sort.

(b) If the premises or pool is damaged during the term of this Agreement by the act, default or negligence of the UVA, UVA's employees, patrons, members or guests, then UVA shall pay to City, upon written demand, such sum as shall be necessary to restore the premises to the condition prior to the damage.

(c) City assumes no responsibility for any property placed on the premises by UVA. City is hereby expressly released and discharged from any liability, loss, injury or damage to any persons or property that may be sustained by reason of the occupancy of the premises or pool.

(d) UVA agrees to indemnify, defend (with counsel acceptable to the City) and hold the City, its elected officials, officers, employees and volunteers harmless from any and all liens, encumbrances, costs, demands, claims, third party claims, judgments, injuries, employee claims and/or damage caused or arising out of (a) the acts and omissions of UVA and its agents, servants, employees, and/or contractors, (b) UVA's failure to meet its responsibilities and requirements under this Agreement, (c) UVA's use of the Pool and (d) any work performed or actions by UVA, its agents, servants, employees, and/or contractors.

11. **Defaults:** City's or UVA's failure to perform any of the covenants, conditions and agreements of City or UVA contained in this Contract, and City or UVA fails to cure its default within five (5) days after receipt by UVA of notice in writing from City or UVA specifying the default. No default shall be deemed to continue if and so long as UVA or City shall be so proceeding to cure the same in good faith.

12. **Waivers:** Failure of City or UVA to complain of any act or omission on the part of the other party no matter how long the same may continue, it shall not be deemed to be a waiver by said party of any of its rights hereunder. No waiver by City of UVA at any time, express or implied, of any breach of any provision of this Contract shall be deemed a waiver or breach of any other provision of this Contract or a consent to any subsequent breach of the same or any other provision. No acceptance by City of any partial payment shall constitute an accord or satisfaction but shall only be deemed a part payment on account.

13. **Notices:** Every notice, approval, consent or other communication authorized or required by this Contract shall not be effective unless same shall be in writing and either (i) personally delivered, (ii) sent postage prepaid by United States registered or certified mail, return receipt requested, directed to the other party at its address set forth at the beginning of this Contract, or such other address as either party may designate by notice given from time to time in accordance with this paragraph, or (iii) sent to such address by express delivery such as Federal Express or similar service.

14. **Governing Law and Venue:** This Contract and the performance thereof shall be governed by the laws of the State of Utah. The venue for any action which arises or results from this Contract shall be in the Fourth Judicial District Court of Utah, Utah County, State of Utah.

15. **Partial Invalidity:** If any term, covenant, condition or provision of this Contract shall be found at any time or to any extent, to be invalid or unenforceable, the remainder of this Contract shall not be affected and each term, covenant, condition and provision of this Contract shall be valid and enforceable to the fullest extent permitted by law.

16. **Written Agreement:** This Contract constitutes the entire agreement of the parties with respect to the Community Pool. No oral statement or prior written matter shall have any force or effect. This agreement shall not be modified or canceled except by a writing subscribed to by all parties.

17. **Independent Contractors:** UVA agrees that they are independent contractors and are responsible for all insurances, taxes and other responsibilities of being in business. UVA will be in no way associated with City.

18. **Successors:** The covenants, conditions and agreements contained in this Contract shall bind and inure to the benefit of City and UVA and their respective heirs, successors and administrators.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seals the day and year first above written.

Springville City:

By: \_\_\_\_\_

SPRINGVILLE CITY

By: \_\_\_\_\_

CITY RECORDER

Utah Valley Aquatics, Inc.:

By: \_\_\_\_\_

Its: \_\_\_\_\_

UV Rays  
\$4.50 per Lane Hour

Estimated Annual Rate April 1, 2014, through March 31, 2015

- a. September through May, Monday-Friday, 4:30-6:00pm  
196 x 1.5 hours per day x 6 lanes x \$4.50
- ~~b.~~ a. September through May, Monday-Friday, 6:00-6:30pm

= \$ 7,938.00

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|  |      |                 |
|--|------|-----------------|
| 196 x .5 hours per day x 4 lanes x \$4.50                    | = \$ | 1,764.00        |
| <del>€</del> . June through July, Monday-Friday, 7:30-9:00am |      |                 |
| <del>€</del> . 44 x 1.5 hours per day x 6 lanes x \$4.50     | = \$ | <u>1,782.00</u> |
| Estimated Annual Fee   | \$   | 11,484.00       |

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Number of possible days of use for the 12 month period of April 1, 2014 through March 31, 2015.

|       |           |                   |
|-------|-----------|-------------------|
| April | 22        | \$1,089.00        |
| May   | 22        | \$1,089.00        |
| June  | 21        | \$ 850.50         |
| July  | 23        | \$ 931.50         |
| Aug   | 0         | 0                 |
| Sept  | 22        | \$1,089.00        |
| Oct   | 23        | \$1,138.50        |
| Nov   | 20        | \$ 990.00         |
| Dec   | 23        | \$1,138.50        |
| Jan   | 22        | \$1,089.00        |
| Feb   | 20        | \$ 990.00         |
| March | <u>22</u> | <u>\$1,089.00</u> |
|       | 240       | \$11,484.00       |

- Option #1 Pay 12 equal monthly payments of \$957
- Option #2 Pay 11 equal monthly payments of \$1,044 (no payment in August)
- Option #3 Pay 9 monthly payments of \$1,078 (September – May) and 2 equal payments of \$891 in June and July (no payment in August)



## STAFF REPORT

**DATE:** April June 3, 2014  
**TO:** Honorable Mayor and City Council  
**FROM:** Chuck Keeler, Recreation Director  
**SUBJECT:** **CONTRACT WITH HOBBLE CREEK RIDING CLUB FOR ART CITY DAYS RODEO**

---

### **RECOMMENDED MOTION**

Recommend the approval of the contract with the Hobbler Creek Riding Club to provide the annual Art City Days Rodeo or and on behalf of Springville City.

### **GOALS, OBJECTIVES AND STRATEGIES AT ISSUE**

The goal is to improve and grow the rodeo as part of Art City Days to allow for increased revenue generation to be used to maintain and improve the rodeo grounds.

### **BACKGROUND**

Over the past several years the Hobbler Creek Riding Club has arranged and managed the annual Art City Days Rodeo. Each year the event has grown and improved allowing for increased revenue generation. The majority of the revenue of the revenue is utilized to maintain and improve the rodeo grounds. In 2012 the event grew to include mini-bull riding. In 2013 the rodeo grew to include full sized bulls. In order to accommodate the full size bulls, Hobbler Creek Riding Club was required to reinforce the fencing between the arena and the spectator area. The reinforcements proved to be sufficient and they actually exceeded the rodeo fencing found in neighboring arenas.

### **DISCUSSION**

Historically, the Hobbler Creek Riding Club has required the stock contractor to provide insurance coverage protecting the riding club and the city from injuries or damage occurring from rodeo animals. Now that Springville City is insured through the Utah Local Government Trust rather than URRMA it is necessary to add another layer of liability insurance covering injuries and damages due to the special event (rodeo) as a whole. The new contract stipulates the conditions of the additional insurance requirements.

### **FISCAL IMPACT**

1. An amount not to exceed \$1,800 will be paid to the Hobbler Creek Riding Club to put on the Art City Days Rodeo on the City's behalf. 75% of the revenues generated from the rodeo are to be used to make improvements to the city owned rodeo arena.

City Council  
June 3, 2014  
Page 2

Name Charles Keeler  
Title Recreation Director

Attachments  
Proposed contract with the Hobble Creek Riding Club

**INDEPENDENT CONTRACTOR AGREEMENT**

(Art City Days Rodeo)

This Independent Contractor Agreement (“Agreement”) dated effective as of this 4<sup>th</sup> day of June, 2014, is between The City of Springville, a Utah Municipal Corporation, (“City”), 110 South Main, Springville, Utah 84663 the Hobble Creek Riding Club (the “Contractor”), \_\_\_\_\_, Utah \_\_\_\_\_.

**AGREEMENT**

NOW THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in consideration of the mutual covenants of the parties set forth herein, the parties hereto hereby agree as follows:

**Responsibility of Service:** The Contractor shall operated and run the June 7, 2014 Art City Day’s Rodeo at the Springville City Rodeo Grounds (the “Rodeo”). As part of operating the Rodeo, the Contractor shall contract with a Stock Contractor for any necessary staffing such as a rodeo clown, announcer, pick-up men and the livestock and equipment necessary to hold bare back, saddle bronc, sheep riding, break-a-way roping, team roping steers, bull riding and barrel racing competitions. The Contractor shall ensure that safety fencing for the event shall be sufficiently reinforced to ensure the safety of the spectators, volunteers and participants in the event. The Contractor shall also be responsible to run the rodeo snack shack and to collect ticket sales.

The Contractor shall ensure that the Rodeo is operated in a professional manner and to the normally acceptable standards of a rodeo containing like events and entertainment.

**Responsibility of City:** Springville City shall make available the Springville City Rodeo Grounds to the Contractor for the entire day of June 7, 2014 and for that time prior to June 7, 2014 that the Contractor feels is reasonably necessary to set up for the Rodeo.

Springville City shall provide portable rest rooms for the day of the event in an amount necessary to accommodate the anticipated attendance.

Springville City shall also advertise the Rodeo in conjunction with the City’s other Art City Day events and shall pay one thousand eight hundred dollars (\$1,800.00) to the Contractor.

**Contract Price and Payment:** The contract price for the services provided by Contractor shall be that amount the Contractor makes off of the Rodeo events and snack shack sells (the “Contract Price”). The Contractor shall ensure that at least seventy-five percent (75%) of the Contract Price is reinvested into the Springville City Rodeo Grounds for projects that are mutually agreed upon between the City and the Contractor.

**Term of the Contract:** Contractor agrees to commence the services required under this

Agreement on the effective date of this Agreement and the entire services performed must be completed on or before June 7, 2014. In the event the parties mutually decide to renew this Agreement beyond the term outlined in this Agreement, the parties shall negotiate new terms, conditions and provisions to this Agreement.

**Default:** A default hereunder shall occur if either party shall default in the performance or observation of any covenant or condition of this Agreement to be performed or observed, or by breach of any duty set forth herein. If Contractor fails to complete its assigned duties as set forth herein, Contractor shall be in default.

**Remedies:** In the event of any breach or default of this Agreement by either party hereto, as defined in the section entitled "Default," then this Agreement may be declared terminated by the non-breaching party. This Agreement and the terms and conditions shall then expire upon receipt of the notice of termination by the breaching party. The rights and remedies afforded to the non-breaching party in the foregoing sentence shall not be exclusive, but shall be in addition to all other legal rights and remedies. The exercise of any right or remedy by the non-breaching party shall not be to the exclusion of any other right or remedy.

**Termination:** This Agreement may be terminated at any time by either party with 30 days prior written notice of termination.

**Independent Contractor:** Contractor's relationship with City under this Agreement shall be that of an independent contractor. Contractor certifies that he has done work for others in a similar capacity. All training of Contractor's employees, if any, shall be done by Contractor and not by the City. Contractor is exercising its own discretion in the method and manner of performing its duties, and the City will not exercise control over contractor or its employees.

**Taxes and Laws:** Contractor acknowledges that, as an independent contractor, Contractor is responsible for paying all state and local taxes. Contractor is responsible for workman's compensation and other insurance required by law. Contractor certifies that Contractor has complied with all Federal, State and Local laws regarding business licenses, permits and certificates.

**Time is of the Essence:** Both parties acknowledge that time is of the essence.

**Indemnity:** Contractor and its successor and assigns hereby agrees to indemnify, defend (with counsel acceptable to the City) and hold the City, its elected officials, officers, employees and volunteers harmless from any and all liens, encumbrances, costs, demands, claims, judgments, injuries, employee claims and/or damage caused or arising out of (a) the acts and omissions of Contractor and its agents, servants, employees, and/or contractors and (b) any work performed by the Contractor, its agents, servants, employees, consultants and/or contractors, including, but not limited to, Contractor's Stock Contractor. The terms and conditions of this provision shall remain effective after the expiration or termination of this Agreement, so long as the event for which the indemnification is needed occurred prior to such expiration or termination.

The Contractor shall require its Stock Contractor to sign an indemnity agreement with the City that contains provision similar to the above provision that requires the Stock Contractor to indemnify, defend and hold the City, its elected officials, officers, employees and volunteers in the same manner and under the same conditions as that the Contractor is required to so in the above provision.

**Insurance:** The Contractor shall require that the Stock Contract, at the Stock Contractor's sole expense, maintain a policy of comprehensive commercial liability insurance insuring the City's interests against claims for personal injury, bodily injury, death, and property damage arising out of Contractor and Stock Contractor's performance of services and required duties under this Agreement and the indemnity agreement between the Stock Contractor and the City with a "Combined Single Limit" covering personal injury liability, bodily injury liability and property damage liability of not less than Two Million Dollars (\$2,000,000) per occurrence and Three Million Dollars (\$3,000,000) aggregate. The City must be endorsed as an additional insured on such policy. Contractor and Stock Contractor shall provide the City with current Certificates of Insurance evidencing Contractor's compliance with this Paragraph.

The Contractor shall maintain a policy of comprehensive commercial general liability insurance insuring the City's interests against claims for personal injury, bodily injury, death, and property damage with a "Combined Single Limit" covering personal injury liability, bodily injury liability and property damage liability of not less than One Million Dollars (\$1,000,000) per occurrence and two Million Dollars (\$2,000,000) aggregate. The City must be endorsed as an additional insured on such policy. Contractor and Stock Contractor shall provide the City with current Certificates of Insurance evidencing Contractor's compliance with this Paragraph.

**Miscellaneous:**

**Attorney's Fees:** If any party is required to retain legal counsel in order to enforce this Agreement, with or without the commencement of a formal legal action, such party shall be entitled to recover its attorney's fees and costs from the breaching party or parties. In addition, City shall be entitled to attorney's fees and costs for all expenses arising out of a default by the Contractor.

**Change Orders:** The parties may agree to change the scope of the work contained in the Project. Change Orders must be in writing and signed by both parties. Change Orders must contain the change agreed upon and a specific cost or credit associated with the change in work.

**Binding Effect:** This Agreement shall be binding on the parties and their respective heirs successors and assigns.

**Governing Law:** This Agreement shall be governed by the laws of the State of Utah.

**Modifications:** This Agreement shall not be amended or modified except by written document signed by the party to be charged with such amendment or modification.

**Notices:** Any notice, demand, request, consent, approval or other communication (collectively, the "Notices") required or permitted to be given by any provision of this agreement shall be in writing and sent by hand-delivery, by special courier (for example Federal Express), by United States Certified Mail (return receipt requested, postage prepaid), or by telefax, addressed to the party to be so notified. Notice pursuant to this Agreement shall be deemed given pursuant to the following rules: if hand delivered, at the time of delivery; if sent by special courier, on the third (3rd) day after deliver to the courier; if mailed, on the later of the date of receipt or the third day after deposit thereof in the United States Mails; and if sent by telefax, on the date that the telefax is acknowledged as received.

**Assignment:** Contractor may not assign this Agreement without the written consent of City.

**No Waiver:** No failure to exercise, delay in exercising or single or partial exercise of any right, power or remedy by any party hereto shall constitute a waiver thereof or shall preclude any other or further exercise of the same or any other right, power or remedy.

**Section Headings:** The headings and captions contained in this Agreement are for convenience only and shall not be considered in interpreting the provisions hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, to be effective for all purposes as of the date first written above.

CITY OF SPRINGVILLE

By: \_\_\_\_\_  
MAYOR WILFORD W. CLYDE

Attest:

\_\_\_\_\_  
KIM RAYBURN, CITY RECORDER

HOBBLE CREEK RIDING CLUB

By: \_\_\_\_\_  
Neil Martin, Club President

5/13/14  
Date

Chris Orer  
Councilmember

Parks and Rec  
Board/Commission

5/13/14  
Date

Director



**SPRINGVILLE CITY CORPORATION**  
110 South Main Springville, Utah 84663  
Tel: (801) 489-2700  
Fax: (801) 491-7894

*[Handwritten signature]*

**Application for Volunteer Position**

Name Goodman David Alma  
Last First Middle

Present Address: \_\_\_\_\_  
Street City State Zip

Phone Number: \_\_\_\_\_  
Area Code Number evenings: some

Positions Interested In: Board member Parks and Recreation

Currently Employed? Yes If so, where? Young Living essential oils

Generally, what education do you have: MBA University of Utah

B.A - Brigham Young University

Interests: Business development, Family events,  
historical awareness

Skills/Background: Spanish language, extensive travel,  
presentation skills, leadership development

Days or Times Not Available: regular business hours

If related to anyone employed by Springville City, please state their name and department: \_\_\_\_\_

I do hereby certify that all statements and representations made herein are accurate and correct to the best of my knowledge. I do hereby authorize Springville City to investigate and confirm any and all statements made herein. I do hereby release Springville City, its elected officials, officers and employees from any liability relating to and regarding my application at Springville City.

Signature: [Signature] Date: 5/6/14



5/19/2014  
Date

Christopher K. Cruz  
Councilmember

Parks and Recreation  
Board/Commission Board

May 1, 2014  
Date

Director



### SPRINGVILLE CITY CORPORATION

110 South Main Springville, Utah 84663

Tel: (801) 489-2700

Fax: (801) 491-7894

### Application for Volunteer Position

Name Penrod Marc Allan  
Last First Middle

Present Address: \_\_\_\_\_  
Street City State Zip

Phone Number: Day: \_\_\_\_\_ Evenings: \_\_\_\_\_

Positions Interested In: Parks + Recreation Board

Currently Employed? yes If so, where? Art City Medical Center

Generally, what education do you have: Physician

Interests: Hiking, Cycling, Running, Coaching my kids sporting activities

Skills/Background: Family Practice Physician, I have spent a lot of time in outdoors and have spent time helping with youth sports

Days or Times Not Available: varies based on work schedule

If related to anyone employed by Springville City, please state their name and department: John Penrod - Springville City Attorney

I do hereby certify that all statements and representations made herein are accurate and correct to the best of my knowledge. I do hereby authorize Springville City to investigate and confirm any and all statements made herein. I do hereby release Springville City, its elected officials, officers and employees from any liability relating to and regarding my application at Springville City.

Signature: Marc Penrod Date: 5/19/14



## STAFF REPORT

**DATE:** June 3, 2014  
**TO:** Honorable Mayor and City Council  
**FROM:** Bruce Riddle, Finance Director  
**SUBJECT:** SPRINGVILLE CITY FY 2015 FINAL BUDGET

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### **RECOMMENDED MOTION**

The Finance Department recommends that the City Council approve **A RESOLUTION ADOPTING A BUDGET FOR SPRINGVILLE CITY CORPORATION IN THE AMOUNT OF \$61,067,249 FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015.**

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

The Uniform Fiscal Procedures Act for Utah Cities (Utah Code 10-6-114) requires that Springville City advertise and hold a public hearing to gather comments on the budget tentatively adopted in the May Council meeting. Additionally, state statute (Utah Code 10-6-118) requires the city to adopt a final budget on or before the last June 22 of each fiscal period.

### **BACKGROUND**

The City Council held a budget retreat on April 29, 2014 where budget materials previously distributed were presented and discussed. Taking input from the Council, the staff made minor changes to the budget documents presented in the retreat and on May 6, 2014, the Springville City Council adopted a Tentative Budget for the 2014-2015 fiscal year. The Tentative Budget was made available for public review for at least 10 days prior to the adoption of the Final Budget as required by state law. Since the May 6, 2014 Council Meeting, additional budget information has become available and subsequently included in the tentative budget document as outlined below.

### **DISCUSSION**

The Final Budget document is attached for reference to this report. The document includes a budget message from Administrator Fitzgerald as well as budget summaries and detail. Since the adoption of the Tentative Budget in May a few changes have been made as outlined in Exhibit A (attached).

**ALTERNATIVES**

The Council can provide additional direction on items in the Tentative Budget; however the Council is required by State statute to adopt a Final Budget no later than June 22, 2012.

**FISCAL IMPACT**

Details of the estimated revenues and expenditures are included in the documents distributed to the Council. The budget as proposed does not include any tax increase. There are inflationary rate increases of 1.5% proposed in the Water, Sewer, Storm Water and Solid Waste utilities. There were a number of new or modified fees included in the Comprehensive Fee Schedule. The General Fund budget includes the utilization of approximately \$235,000 resulting from FY 2014 budget surpluses to balance the budget. Utilization of reserves is also proposed in the Special Revenue Fund, Vehicle & Equipment Replacement Fund and the Electric Fund.

**Exhibit A**  
**Proposed Changes from 5/6/14 Tentative Budget**

| Page Ref. | Account     | Description                     | 5/6/14 Tentative Budget | Proposed for Final Budget 6/3/14 | Variance | Notes                       |
|-----------|-------------|---------------------------------|-------------------------|----------------------------------|----------|-----------------------------|
| 187       | 48-5300-015 | New Vehicles                    | 0                       | 15,000                           | 15,000   | Added Bluestakes Technician |
| 196       | 51-5100-310 | Professional Services           | 65,200                  | 90,200                           | 25,000   | Consulting for water rights |
| 213       | 53-5300-110 | Payroll – Electric              | 1,005,146               | 1,041,834                        | 36,688   | Added Bluestakes Technician |
| 213       | 53-5300-130 | Employee Benefits               | 506,637                 | 536,022                          | 29,385   | Added Bluestakes Technician |
| 226       | 57-3700-757 | Collection Service Fees         | 1,323,560               | 1,348,800                        | 25,240   | Adjust for fee increase     |
| 228       | 57-5700-240 | Solid Waste Expense             | 490,417                 | 535,417                          | 45,000   | Fee increase from SUVSWD    |
| 230       | 57-6050-301 | 400 South Facility Improvements | 20,000                  | 10,000                           | -10,000  | Reduce to balance budget    |
| 247       | Exhibit A   | Pay Scale                       |                         |                                  | 1.25%    | Updated table               |
| 248       | Exhibit B   | Full-time Position List         |                         |                                  |          | Updated table               |
| 251       | Exhibit C   | Comprehensive Fee Schedule      |                         |                                  | Various  | Updated table               |

RESOLUTION # \_\_\_\_\_

**A RESOLUTION ADOPTING A BUDGET FOR SPRINGVILLE CITY CORPORATION IN THE AMOUNT OF \$61,067,249 FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015.**

WHEREAS, tentative budgets ("Tentative Budgets") in proper form have been prepared for all funds for which a budget is required by Utah State Law; and,

WHEREAS, the Tentative Budgets, together with supporting schedules and data have been available for public inspection in the office of the City Recorder as required by law; and,

WHEREAS, on June 3, 2014 the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding the Tentative Budgets, which facts and comments are found in the hearing record; and,

WHEREAS, all interested persons were heard, for or against the estimates of revenue and expenditures as set forth in the Tentative Budgets; and,

WHEREAS, all statutory and legal requirements for the final adoption of said budgets have been completed; and

WHEREAS, after considering the Administration's recommendations, and facts and comments presented to the Municipal Council, the Council finds (i) the budgets should be adopted as set forth below; and (ii) such action reasonably furthers the health, safety and general welfare of the citizens of Springville City.

NOW, THEREFORE, be it resolved by the Municipal Council of the City of Springville, Utah, as follows:

PART I:

The Springville City budgets in the amount of \$61,067,249 as set forth in the attached Final Budget document including budgets for capital improvements are hereby adopted for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

PART II:

All outstanding encumbrances and project/grant balances as of June 30, 2014 approved by the Budget Officer shall be continued and re-appropriated for expenditure into the 2014-2015 fiscal year.

PART III:

The projects within the Capital Improvement funds cannot be deleted, changed in budget amount or new projects added without a resolution by the Municipal Council.

PART IV:

The Springville Municipal Council will adopt the certified tax rate supporting the tax revenue in the General Fund upon receipt of necessary information from the Utah County Auditor.

PART V:

Employee compensation for the 2014-2015 fiscal year shall be shown on the FY 2014–2015 Pay Scale included in the Final Budget document as Exhibit “A” except as may be later amended by the Municipal Council.

PART VI:

Personnel positions for the 2014–2015 fiscal year shall be shown on the FY 2014–2015 Authorized Position List included in the Final Budget document as Exhibit “B” except as may be later amended by the Municipal Council.

PART VII:

Authorized fees and charges to defray the cost of City programs and services during the 2014-2015 fiscal year shall be as shown on the Comprehensive Fee Schedule included in the Final Budget document as Exhibit "C" except as may be later amended by the Municipal Council.

PART VIII:

The final budget shall be certified and filed with the State Auditor and in the office of the City Recorder as required by law and shall be available to the public during regular business hours.

PART IX:

The budgets hereby adopted include payment, on behalf of qualifying employees, their portion of certain retirement account contributions.

PART X:

This resolution shall take effect immediately.

END OF RESOLUTION.

PASSED AND APPROVED this 3<sup>rd</sup> day of June 2014.

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Wilford W. Clyde, Mayor

ATTEST:

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Kim Rayburn, City Recorder



## STAFF REPORT

**DATE:** June 4, 2013  
**TO:** Honorable Mayor and City Council  
**FROM:** Bruce Riddle, Finance Director  
**SUBJECT:** FY 2015 SPRINGVILLE / SPANISH FORK AIRPORT BUDGET

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### **RECOMMENDED MOTION**

The Finance Department recommends that the City Council move to ADOPT THE SPRINGVILLE / SPANISH FORK AIRPORT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015 AS PRESENTED.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

The Uniform Fiscal Procedures Act for Utah Cities (Utah Code 10-6-114) requires that Springville City advertise and hold a public hearing to gather comments on the budget tentatively adopted in the May Council meeting. Additionally, state statute (Utah Code 10-6-118) requires the city to adopt a final budget on or before the last June 22 of each fiscal period. .

### **BACKGROUND**

On May 6, 2014, the Springville City Council adopted a tentative budget for the FY 2015 Springville / Spanish Fork Airport. The tentative budget was made available for public review for at least 10 days prior to the adoption of the Final Budget as required by state law.

### **DISCUSSION**

A budget message and tentative budget documents along with presentation materials were distributed to the City Council prior to the Budget retreat held in April. This preliminary budget included proposed funding for a full-time maintenance worker at the airport. However, the Tentative Budget adopted in May (by both the Springville and Spanish Fork City Councils) removed the proposed full-time funding and reverted to part-time maintenance staffing. No other changes have been made to the adopted Tentative Budget.

### **ALTERNATIVES**

The Council can provide additional direction on items in the proposed Tentative Budget; however the Council is required by State statute to adopt a final budget by June 22, 2014.

### **FISCAL IMPACT**

Budgeted expenditures for FY 2015 are \$1,478,432, which are covered by a combination of operating revenues, federal and state grants, and utilization of reserves.

### ***CITY COUNCIL AGENDA***

*Meeting Date: June 3, 2014*

RESOLUTION NO. \_\_\_\_

**A RESOLUTION BY THE SPRINGVILLE CITY COUNCIL TO  
ADOPT THE SPRINGVILLE / SPANISH FORK AIRPORT  
BUDGET FOR FISCAL THE FISCAL YEAR ENDING JUNE 30,  
2015.**

WHEREAS on May 6, 2014, the City Council adopted a tentative budget for Springville / Spanish Fork Airport for the Fiscal Year ending June 30, 2015; and

WHEREAS the City Council made the tentative budget available for public review and comment at least ten days prior to the public hearing; and

WHEREAS the City Council held a public hearing on June 3, 2014, at 7:00 p.m. to receive additional public input on the budget; and

WHEREAS the City Council desires to adopt a final budget as required by State law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGVILLE, UTAH, THAT THE SPRINGVILLE / SPANISH FORK AIRPORT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015 IS HEREBY ADOPTED AS PRESENTED IN THE ATTACHED EXHIBIT.

PASSED AND APPROVED this 3<sup>rd</sup> day of June 2014.

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Wilford W. Clyde, Mayor

ATTEST:

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Kim Rayburn, City Recorder