

SPRING CITY COUNCIL MINUTES

Thursday, December 7, 2023, 7:00 p.m.

In Person Attendance: Chad Huff, Mike Black, Marty McCain, George Kenzy, John Cornwell, Marie Cornwell, Bruce Caldwell, Kathy Caldwell, Mickey Caderwood, Cerola Caderwood, Dave McEwan, Susan McEwan, Kay VanBuren, Cynthia VanBuren, Kristen Mortensen, Joseph Fuchsel, Jane Hawkes, Claudia King, Caroline Lott, Shaun Lindow, Bobbette Lindow, Richard Childs, Robert Buckner, L. Gardner, Brill Hernandez, Jennifer Hernandez, Renelle Smith, Darryl Ferguson, Raelynn Ferguson, Threesa Cummings, Marinda Cummings, Joseph Cummings, Cami Christensen, Ruth Bergener, Craig Paulsen, Fiona McVay, Larry Christiansen, Angela Christiansen, Norman Merrill, Alison Anderson, Stephanie Hardy, Karen Hansen, Clarke Christensen, Francine Christensen, Faylyn Catmull, Dan Rasmussen, Ken Law, David Figgat, Keith Christensen, Ruth Ann McCain; Recorder.

Zoom Attendance: iPhone, Cody Harmer, Mike Nelson,

Pledge of Allegiance: Mayor Chris Andreson

Expression of Choice: Alison Anderson

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

Mayor and Council Member Department Reports

Council Member Craig Clark stated that the roads are on hold because of the cold. They will get an early start in spring. In the Cemetery, the last discussion on the crypt was to wait and not do anything until we finally approved everything. That got started and has been shut down at least until spring and everything is in place where it needs to be. All the proper channels will need to be met before they continue anything else.

Council Member Tim Clark was absent.

Council Member Nancy Allred stated that this Saturday night is the lighting ceremony here at City Hall. It will start at 5:00. There will be hot cider, hot chocolate, and donuts. Chad Beck will lead the countdown to turn on the lights. The winners of the light pole contest will be announced, and Santa will visit.

Council Member Courtney Syme stated that he appreciated all that made donations toward the veteran's lunches on Veteran's Day. Certificates were provided to all the veterans in our area. With our country rife with violence Council Member Syme encouraged the Council to think of a stronger level of safety for the city employees, especially those in the office. Other cities have taken action to improve the security in their offices and schools across the state are dealing with the same issue. Council Member Syme stated that for the first time in the three years he has been on the Council he had a patron call him and talk about an issue. He feels that patrons should know that they have access to those who govern this city. He appreciated those in attendance.

Council Member Paul Penrod encouraged those with outside faucets to be prepared for the winter. He stated that the water is good. The Fire department assisted Mount Pleasant two weeks ago with a structure fire. Everything worked out well and everyone came home safe.

Mayor Chris Anderson stated that the Toys for Tots box is empty right now so there's plenty of room for contributions. The city will be moving forward with a study to determine impact fee adjustments. Mayor Anderson gave a background on the multi-family ordinance, feeling that there may be some misunderstanding on this significant issue. He stated that Governor Cox declared that the greatest threat to our prosperity, the American dream, and to our strong communities is that our children and grandchildren may not be able to live in our communities because of the cost of housing. The state legislature and other bodies are taking action to try to figure out remedies. Communities that don't act to provide remedies will have them provided for us without our input. Because of these reasons we have proposed an ordinance that doesn't change our zoning map, doesn't authorize anyone to be in the multifamily housing zone. It allows for a zone to be allowed if you are approved by the City Council. The multifamily housing zone will be allowed as long as provisions of the code are met including the minimum lot size requirement, the setback requirement, the height requirement, and the other provisions of the code.

Public Comments

Derryl Ferguson Stated that the CDBG is a federally funded program coordinated by the state. Mr. Ferguson feels that we will be turning over control of our community to the federal government by getting involved with the program. Mr. Ferguson stated that he and his wife moved here because of the small self-governing community. That the public housing is coming from federally mandated or directed programs to increase public housing in our communities and that is the first step in losing our autonomy.

Joseph Fuchsel stated that he spoke with Steve Lund today about a letter he wrote to him. In the letter Mr. Fuchsel asked Representative Lund to contact the mayor about the federal government trying to make our Spring City Canyon a wilderness area. Mr. Fuchsel stated that he looked at how much it would cost in property tax to get a second police officer and it would be a lot. He asked about how Spring City would handle needing to put an officer in the school. Could the school district help share in that cost? Mr. Fuchsel would not like to see fourplexes all over town. He would like Spring City to keep to one acre lots.

Brill Hernandez stated that he is a Spring City resident opposed to the amendment proposed for multifamily dwellings. His concern is that we are rushing into this trying to satisfy a requirement. Mr. Hernandez has lived and worked as a paramedic in metropolitan cities and rural towns. He has lived in affordable housing and some of the most dangerous neighborhoods in the country. He has also lived in affordable housing in very nice communities. His opinion is that the current proposal does not support or reflect the values of Spring City, a small family-oriented farming community. Mr. Hernandez stated that moving forward needs to be done in a way that those who live here have a vested interest in our community and to ensure that we don't overwhelm the infrastructure and limited resources of our small community. He stated that in his experience the types of dwellings that are currently being proposed to be built in Spring City bring an increased need for EMS. If we allow these high density fourplex type buildings, we will

invite developers and others who care more about money than our community. Mr. Hernandez stated that he urged a no vote.

Threesa Cummings stated that she is a Spring City resident. She is here concerning the amendment to Title 10. She moved here because she loves the small town and community. Ms. Cummings stated that Spring City is rich and diverse and that she doesn't want to see our town change. She understands that HB 426 requires our due diligence but feels that we are in compliance already. Ms. Cummings stated that this is not something we want Spring City to turn into, not even in a particular area. She asked for the Council to vote no.

Kay VanBuren stated that he was a resident of Spring City and here to oppose the vote for the amendment. There are two objectives as he sees it, he said, meeting state statute and providing a community that lets our kids and grandkids come back and live here. His concerns are unwarranted urgency to pass this legislation, changing this ordinance will change the feel of the city, making housing more affordable by letting a developer build 16 units on a one-acre lot will make the value of the property go up not down, the ordinance calls for building up to 45 feet high, and parking. Mr. VanBuren suggested not to pass the ordinance tonight, preform a city audit to see if Spring City currently meets any or all of the state statutes, look at other qualifiers, wait for the state legislature to see what they do, and find a better way to let people know about meetings.

Renelle Smith stated that she is a resident of Spring City. She thinks that there is a need to make housing affordable but would like to find solutions that are not apartment buildings. Ms. Smith suggests putting this ordinance on hold to get other options.

Clarke Christensen stated that he is a former police chief here in Spring City. He came here because of one acre lots, and because it was quiet. Mr. Christensen stated that having been a police officer for 45 years he has learned that fourplexes townhomes and other high density housing breeds problems. In his experience arrests will go up and call rates will go up. Mr. Christensen also expressed his frustration with the buffer zone and the city providing utilities and police service without receiving tax dollars for it.

Laurance Gardner stated that he served for seven years on planning and zoning and back then the state mandate for low-income housing was in place. According to city attorneys, because we were so small and because we are so close to Ephraim, who have an abundance of low income multi residential housing, we were able to amalgamate our demographics with theirs. Mr. Gardner stated that he was unsure if that has changed but we need to explore that.

Larry Christiansen stated that he just finished building a house and there is no such thing as affordable housing anymore. Mr. Christiansen feels that the term affordable housing is used by developers that want money. When going through the process to build in Spring City he was willing to go through the "ringer" because everyone else had too as well. Mr. Christiansen stated that growth is going to come but it needs to be done orderly and, in his opinion, multifamily housing is not right for Spring City.

Francine Christensen stated that when there is not much snow on the horseshoe there is not much water here in the fall when it's harvest time. Property taxes and utilities are going up, we are not getting any more water and having a lot more people here won't help. She would like to know if we have enough water and power to support all the building.

David Figgat stated that he is a resident of Spring City. He and his wife are renovating the old Joe Bennion home. Their criteria for looking to move was people, place, and properties. Spring City had all three. He asked for a no vote to keep the people, places, and properties.

Ken Krogue stated that if carefully reading the alternatives there are eight different approaches

that can be done. He proposed to slow down, volunteer to help, look at different options that align with the values of Spring City. He stated that this is a one-way door.

Cody Harmer stated that he served as a Councilman for six years, and a fireman for Spring City for seven years, North Sanpete Ambulance for 17 years, and currently serves on Sanpete County Planning and Zoning. The county has addressed this same topic, and what the state ombudsman office is looking for is allowing people to rent accessory dwelling units, known as ADUs, on their property. An advantage of these rentals is that the landlord on the property can maintain the quality of the tenant. Mr. Harmer stated that multifamily housing is also known as transient residents for a reason, they don't have a vested interest in our communities. He feels that we cannot allow this on a case-by-case basis, it's not fair and there might be a lawsuit. High density housing will not achieve what we are looking for in Spring City.

Sanpete County Chamber of Commerce

Mayor Chris Anderson stated that when he was first elected, he looked into a Spring City Chamber of Commerce. It was hard to get enough people to have a meeting. Sanpete County has recently put together a county wide Chamber of Commerce. Mayor Anderson asked Faylynn Catmull the president of the chamber to tell everyone more about it. Ms. Catmull stated that they started in November and five businesses from Spring City have already joined the chamber. Their mission is to promote growth and success by providing innovative programming and resources and create a community vitality. The chamber has hired an employee, and they are reaching out to cities to ask for support and help fund the first year. Sheene Wench is the executive director that will be running the Sanpete County Chamber of Commerce. They feel that after the first year they will not need to ask for financial help anymore from the cities. The basic level for a business is \$75 and it will go up to the premier level of \$650. Ms. Catmull explained the different benefits of being a member of the Sanpete County Chamber of Commerce. Mayor Anderson asked what amount they are asking from the cities. Ms. Catmull stated that it is up to the city. They have received from \$650 up to \$1,500. Mayor Anderson stated that no action can be taken tonight but this will be investigated in the future.

Planning and Zoning Report

Council Member Nancy Allred stated that the planning and zoning actions for this last month are, Dale Larson's business license for his towing company was revoked by the Spring City Council because it was found to violate multiple stipulations in the city code. Moroni and Suzanne Taylor applied for a business license for an Airbnb at their second home on 56 N Main Street. This is currently under review by the zoning administrator, and it was approved on December 4th. Business license renewal notices for commercial licenses were mailed out and half have been returned and paid so far.

Ordinance 2023-05 Amendments to Title 10: Zoning Regulations (Multi-Family Housing)

Mayor Chris Anderson stated that since the public hearing there were a couple of changes proposed. One is to provide off-street parking in the amount of 1.5 stalls per unit. Two, change the requirement for the amenities to just encourage that they are provided not required anymore. Those changes have been posted on the website. Mayor Anderson asked if anyone wanted a discussion. Council Member Craig Clark stated that he has lived here his whole life and change is change. He knows that there will continue to be change. He is not opposed to the idea of multifamily housing. Council Member Clark stated that he has been reading HB 462. He would

like his children to be able to come back and live in this area and so far, they have not been able to. Many people start out their adult life in an apartment. Council Member Clark stated that he is not ready to make a decision tonight. Council Member Paul Penrod stated that he was at the public hearing last week and he has a lot of questions and concerns that have not been answered. He is not ready to make a decision and he feels that we need to proceed with caution. He hopes that if his children moved to this area they would live with him, or find an acre lot, or find something to restore. Council Member Penrod stated that he is worried about the sewer situation, about parking, and about beautiful homes built in that area and their property value. Council Member Courtney Syme encouraged the council to not bow to public clamor. This small group of individuals are creating public clamor. He asked if anyone had lived here more than 50 years to raise their hands. The public was upset by this question. Council Member Syme stated that he has been here for more than 50 years and the values he has heard here are not the values grew up with and lived with in Spring City for most of his life. He stated that he was not questioning people's values but that the values of Spring City are welcoming, tolerant, a community based on the concept that people need an opportunity to come here to develop and live their lives. Council Member Nancy Allred stated that there is not enough information here tonight. She feels that a lot of people want to live here and there need to be options. Council Member Allred stated that she appreciates the comments made and encouraged everyone to come more often, especially when discussions are started. We need options and can't close the door. We need to abide by the laws and move forward. Council Member Courtney Syme stated that this is amended ordinance if no action is taken what we have in place will stay in effect.

Council Member Nancy Allred made a motion to table the ordinance so that we can go forward. Motion seconded by Council Member Paul Penrod. Discussion: None
Vote:

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

Lot 1 & 2 Fryer Subdivision Annexation Petition

Council Member Nancy Allred stated that Lot 1 & 2 Fryer Subdivision (Kroger/Flemings) annexation. The application has been submitted, and notice has gone out to surrounding properties. This is to approve going forward with the process, it is not the final decision.

Council Member Nancy Allred made a motion to move forward with the petition. Motion seconded by Council Member Craig Clark. Discussion: None

Vote:

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

Allred, Lindow, & Rasmussen Annexation Petition

Council Member Nancy Allred stated that this is the Lindow, Allred, Rasmussen annexation. It is

going through the same process as the other annexation petition.

Council Member Craig Clark made a motion to accept the petition. Motion seconded by Council Member Paul Penrod. Discussion: None

Vote:

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

Jennifer Haley Solar Application

Council Member Nancy Allred asked if Kent Kummer has signed off on the solar application. Ruth Ann McCain stated that Kent is fine with the Council's approval. There are more steps that the Haley's will need to accomplish. Mayor Anderson stated that the Council can approve it subject to Kent's signing off the final plans.

Council Member Nancy Allred made a motion to approve the Jennifer Haley solar application subject to Kent's approval. Motion seconded by Council Member Paul Penrod. Discussion: None

Vote:

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

NRCS Grant for Watershed

Mayor Chris Anderson stated that the city was awarded a \$22 million grant to allow the construction of a reservoir northeast of the city to help with flood abatement and irrigation. The Irrigation Company already owns the land but there are costs to construct the reservoir. There is money for a recreation area around the reservoir, but the water will be used for irrigation so by the end of the summer the reservoir will probably be empty. This is a slow process because we are dealing with the federal government. There have been several assessments done, environmental, cultural, and economic. This is a very slow process and some people involved are very frustrated. There will be a work meeting on Tuesday to discuss the process and how we move forward. It will be December 12th here at City Hall starting at 6:00 PM. Council Member Courtney Syme stated that this is a joint effort with the Irrigation Company. The Irrigation Company is on tap for more than \$1,000,000.00 and they have some real concerns. They want to discuss those concerns with the City Council. The city's benefit is being able to upgrade our penstock pipe that feeds the Hydro. He encouraged the Council Members to attend the work meeting.

Christmas Bonus for City Employees

Mayor Chirs Anderson stated that in the past the city has paid a Christmas bonus to its employees. We have a little money budgeted for a bonus from \$100 to \$200.

Council Member Nancy Allred made a motion to approve the Christmas bonus. Motion seconded by Council Member Craig Clark. Discussion: None

Vote:

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

Financial Report for November 2023

Council Member Courtney Syme made a motion to approve the financial report. Motion seconded by Council Member Nancy Allred. Discussion: None

Vote:

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

Payment of Bills

Council Member Nancy Allred made a motion to pay the bills. Motion seconded by Council Member Courtney Syme. Discussion: None

Vote:

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

Approve Minutes for November 2, 2023, Public Hearing

Council Member Nancy Allred made a motion to approve the minutes for the November 2nd public hearing. Motion seconded by Council Member Paul Penrod. Discussion: None

Vote:

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

Approve Minutes for November 2, 2023, City Council Meeting

Council Member Nancy Allred made a motion to approve the minutes for the November 2nd City Council meeting. Motion seconded by Council Member Craig Clark. Discussion: None

Vote:

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

Council Member Nancy Allred motioned to adjourn.

Adjournment: 8:17 PM

APPROVED

