

SPRING CITY COUNCIL WORK MEETING MINUTES

Tuesday, August 19, 2025, 6:45 p.m. or after the Special City Council Meeting

The meeting was held in the Council room at Spring City Hall, 45 South 100 East, Spring City, Utah.

In Person Attendance: Joe Bennion, Lee Bennion, Jhan Miller, Yvonne Wright, Bruce Spiegel, James Baker, Ruth Bergener, David McEwan, Lowell Brown, Stephanie Figget, Gary Allen, Su Tullis, Kay Van Buren, Kat Caldwell, Dave Fellhauer, Becky Fellhauer, Craig Paulsen, Whit Allred, Chad Huff, Ruth Ann McCain; Recorder.

Zoom Attendance: Mike Nelson, Tony Rudman, Mike Black, Scott Newman, Melanie Cook, Tim Syme, Liz Rudman, Brian Stukie, Kim Crowley, Daniel Cook

Roll Call: Randy Strate, Marty McCain, Ken Krogue, Chris Anderson, Courtney Syme, Paul Penrod

Consider SCMC 8-3 Sewer Service Regulations – Regarding the use of Pumps

Mayor Chris Anderson stated that when the sewer project started some residents were told that if they were within 300 feet they will need to connect with gravity feed, we will not make you pump. Those that need to connect will have two years to connect but must pay the monthly base fee. Marty met with legal counsel who said that our ordinance does not reflect what is being said. Council Member Marty McCain stated that our legal counsel pointed out that our ordinance states that people only have 60 days to hook up. We need to work on the ordinance to have an A that says that new homes must connect to the system even if a pump is needed. B would state that if you have an existing septic tank you have two years to connect and if you need a pump to connect and it is certified by an engineer you would not need to connect. Mayor Anderson commented that this is not a land use issue and asked Marty to prepare the ordinance to present to the council.

Consider Proposals for Resolution of Issues Regarding Ordinance 2025-03 Minimum Lot Sizes and Controls on Multifamily Units in Spring City

Mayor Chris Anderson stated that a couple of plaintiffs met with a couple of the City Council to understand what would be needed to end the litigation. The reason the council is discussing this in an open meeting instead of a closed meeting is that in a closed meeting pending litigation can be discussed but to discuss wording in an ordinance that must be done in an open public meeting. Mayor Anderson stated that some issues raised by the plaintiffs for the Council to consider are, to agree to not move forward with the ordinance, or modifications to the ordinance to figure out a compromise, a commitment to make a new General Plan. Mayor Anderson stated that he thought Planning and Zoning was looking at hiring an engineer. Kay Van Buren stated that it looks like it will cost from \$15,000 to \$50,000 to redo our General Plan. Council Member Marty McCain stated that he was in a meeting where Craig Paulsen pointed out how our General Plan meets the requirements of the State. Mayor Anderson stated that another requirement of the plaintiffs would be for the Council to make no zoning changes until after the new General Plan is in place.

Mayor Anderson then brought up that perhaps looking at parts of the city to allow half acre lots and preserve the core of the historic district could work along with increasing the size of accessory dwelling units to 1,200 or 1,300 square feet and lower the percentage of multifamily housing to 3%. Mayor Anderson stated that the Friends of Historic Spring City would like the right to continue access to City Hall, he feels that they have earned the right after raising \$4 million and preserving the building. They also continue to preserve the building with issues that come up from time to time. His issue at the time with them holding a meeting in our building, using our zoom system, with the city recorder taking the minutes was that they were meeting to decide if they will sue the city. He does not have a problem with the Friends continuing the right to use the city building as originally agreed. Mayor Anderson stated that right now we have a historic district that is Main Street for six blocks, his proposal was to consider a larger protected area that would keep the 1.06 acre minimum lot size. From 200 West to 500 East and from 600 South to 750 North. This is the area covered by the National Historic registration. His proposal increases accessory dwellings units to 1,200 square feet above ground, it would be bigger if a basement was added, and limit multifamily dwellings to 3%. Council Member McCain stated that he would like to hear the takeaways from the two council members that attended the meeting with some of the plaintiffs. Council Member Randy Strate stated that a list of things that the plaintiffs felt they needed to see to consider withdrawing the lawsuit is what Mayor Anderson had shared. A discussion was held about their requirements from their perspective but mostly focused on the minimum lot size. Council Member Strate stated that he asked for documentation showing that that if we drop below 50% historic homes to non-historic homes that our historic district would be in jeopardy of losing the designation. Scott Newman had committed to getting that information to him tonight, but he has not seen or heard anything. Council Member Strate stated that he is under the impression that that there is no threshold meaning that you get the historical district based off historic sites. His belief is that reducing the minimum lot size would not jeopardize the historic district. This was the main topic at the meeting. The Council had some discussion about historic homes in Spring City, building, the percentage of historic homes to non-historic homes, homes being restored, and if a historical preservation zone needs to be created. Mayor Anderson stated that the plaintiffs said that they would dismiss the lawsuit, wouldn't challenge any past or ongoing issues like the construction projects, would make every effort to get citizen support, and work with council members to restore trust through statements made in traditional media and other sources of media if their demands were met. Council Member McCain stated that it is the same thing Tony Rudman said in City Council meeting, knowing that we were having a work meeting to discuss this and then served us with a lawsuit. Council Member Randy Strate stated that he received a text message from Scott Newman telling him (about getting the information about the percentage threshold) we tried but all we could find is that the 50% is a rule of thumb of the National Park Service, it is not documented. There was more discussion about the historic district, when it started, where we stand now, steps that may need to be taken, that the infill is what will make an impact on the feel of the town, and the percentage of half acre lots to one acre lots. Council Member Ken Krogue stated that his

concerns from the meeting with the plaintiffs is that they didn't bring a proposal and that there were other plaintiffs in the case and they were only able to speak for themselves. Council Member Paul Penrod stated that he liked Chris's proposal. Those with a legitimate need should go to Planning and Zoning to split their lot. Council Member McCain stated that he asked three different land use expert attorneys about using the Board of Adjustments and was told that we can't use them to split lots. He asked Council Member Penrod how we would do it then. Council Member Syme stated that it would be the same mechanism that we use now. Someone proposes an ordinance, it goes before Planning and Zoning, they look it over and give a recommendation, the recommendation goes to the City Council, a public hearing is held, and the City Council makes a decision. Council Member Strate stated that would be for an ordinance, but Paul is suggesting that allowing lot splits would be done on a case-by-case basis. It was pointed out that this would be spot zoning. Council Member Strate stated that an attorney said unequivocally that you cannot use Board of Adjustments for land use variances. A person's circumstances cannot be considered as a hardship the ordinance itself has to be what drives the hardship. Council Member Randy Strate stated that his proposal (map of Randy's proposed area is in the handouts) is smaller than Mayor Anderson's proposal. It is 150 West to 400 East and from 600 North to 500 South with a couple of jogs on the 200 West corners. There are 160 lots in this proposal that are less than one acre. Council Member Syme stated that it will put some property owners out of the historic district. He is willing to fight for the right for property owners to retain 1.06 acre if they want that. He also feels that property owners that would benefit from splitting their lot should have that choice. It is the right of property owners to control and manage their properties for their good. Whatever is passed should contribute to the general good and welfare of the city. Council Member Strate stated that he doesn't have a problem with the ADU changes and he is willing to move from 5% to 4% of multifamily units. He feels that the city needs to be proactive for affordable housing. It also needs to be clearly understood that just because we have that multifamily zone does not mean a multifamily unit could be built. The zone must be approved by the City Council and go through the steps of a public hearing. Mayor Anderson stated that the compromise ordinance will need another public hearing because there are significant changes. Council Member Krogue expressed his concerns that there is no guarantee that the plaintiffs will accept the compromise. Council Member Strate and the mayor felt that there were not many of the plaintiffs demands that the council could commit too. Council Member Strate stated that this does help with the main issue of a historic preservation boundary. Council Member McCain stated that he has a trust issue with the plaintiffs and said that if we compromise more people may say they don't like the compromise, and another lawsuit could be served in two weeks. There was some discussion about this and another closed session to talk about the pending litigation.

Council Member Ken Krogue motioned to adjourn the meeting.

Adjournment: 7:38 pm

APPROVED

