MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, AUGUST 04, 2026, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Presiding and Conducting: Mayor Matt Packard

Elected Officials in Attendance: Karen Ellingson
Logan Millsap
Jake Smith
Mike Snelson
Mindi Wright Excused

City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Administrative Services Director Patrick Monney, Community Development Director Josh Yost, Internal Services Director Scott Sensanbaugher, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, Power Director Jason Miller, Public Works Director Brad Stapley, and Public Safety Director Lance Haight

CALL TO ORDER

Mayor Packard called the meeting to order at 7:01 p.m.

INVOCATION AND PLEDGE

Councilmember Ellingson offered the invocation, and **Councilmember Snelson** led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

Motion: Councilmember Millsap moved to approve the agenda and requested item #4 be moved from the consent agenda to the first item on the regular council agenda. **Councilmember Snelson seconded** the motion. **Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent.**

MAYOR'S COMMENTS

Mayor Packard welcomed the Council, staff, and those in attendance

PUBLIC COMMENT

Mayor Packard introduced the Public Comment portion of the agenda and asked if there were any written requests to speak.

Sara Baker owns Bakers Acres Academy regarding dogs. Sara provided her perspective on business operations and their impact on neighborhoods. She emphasized the importance of evaluating

how responsibly a business operates rather than focusing solely on a single number or metric, which she argues may not accurately reflect the true neighborhood impact.

CONSENT AGENDA

1. Approval of the minutes for the July 21, 2026 Work Meeting and Regular Meeting
2. Approval of the disposition or sale of confiscated or unclaimed property from the Springville Police Department – Lance Haight, Public Safety Director
3. Approval of an Ordinance amending Springville City Code Title 11 and Title 14 to reflect the renumbering of the Utah State Code Land Use Development and Management Act Title 10 Chapter 20 UCA – Carla Wiese, Planner/Economic Development
4. ~~Approval of a Resolution authorizing the City Council to determine whether to implement fuel factor surcharges on customer power bills – Jason Miller, Power Director~~

Mayor Packard asked for a discussion or a motion on the consent agenda. There was no discussion.

Motion: Councilmember Snelson moved to approve the consent agenda with the exception that Councilmember Millsap pointed out earlier. **Councilmember Smith seconded** the motion. **Roll Call; Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent. Ordinance #25-2026 adopted.**

4. Approval of a Resolution authorizing the City Council to determine whether to implement fuel factor surcharges on customer power bills – Jason Miller, Power Director

Motion: Councilmember Millsap moved to approve **Resolution #2026-24** with the updated draft Director Miller shared in the work meeting, striking the word ALL in Section One to be sufficient. It will read: No fuel factor surcharge will be added to any power bill until sufficient data impacting outside power purchase cost has been received by the Power Department and the City Council directs the surcharge to be included on the monthly bill to begin the six-month implementation period. **Councilmember Snelson** seconded the motion. **Roll Call; Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent. Resolution #2026-24 adopted.**

PUBLIC HEARING AGENDA

5. **Public Hearing for consideration of the Notice of Expansion of Vested Critical Infrastructure Materials Use filed by Dan Sumsion, Western Paving Inc. in accordance with UCA 10-20-703(2)(C) – Carla Wiese, Planner/Economic Development**

Attorney Penrod reviewed the process for the public hearing. He explained that in 2025 the Utah Legislature passed a law to preempt cities' authority regarding critical infrastructure materials operations. Critical infrastructure materials use means the extraction, excavation, processing, or reprocessing of critical infrastructure materials. Critical infrastructure materials mean sand, gravel, or rock aggregate. The law vests Critical Infrastructure Materials use. Cities can no longer impose local requirements that contradict this state-vested use. Operators who owned property contiguous to their current site before May 7, 2025, are now presumed to have the right to expand onto that land. The city's ability to restrict or deny this expansion is severely curtailed. The council was instructed that tonight's meeting serves as a mandatory public hearing. To prevent or mitigate the expansion, the council must find by a preponderance of evidence (meaning it is more likely than not) that the expansion would endanger public health, safety,

or welfare. If such a finding is made, the council has 90 days to establish mitigation measures. However, these measures must be reasonable and cannot be stricter than the requirements already imposed by state-issued permits, like air quality permits. Attorney Penrod reminded the council that if they decide the expansion is a danger, they must specifically state the evidence on the record to support their determination. Conversely, if no such finding is made, the expansion proceeds without further council action.

Planner Carla Wiese reported DR Sumsion dba as Western Paving, Inc (DR Sumsion/WPI) filed a Notice of Intent to expand vested critical infrastructure materials use in accordance with State Code on July 22, 2026. The City has thirty (30) days to hold a public hearing. Unless the Council finds by a preponderance of the evidence that the expansion to new land of critical infrastructure materials use will "endanger the public health, safety, and welfare," DR Sumsion/WPI has a vested right to expand the materials processing use without any further action from the City Council. Planner Wiese stated that materials processing was being done before 2025 at the site. The proposed expansion involves a total of 21.6 acres, including the currently active portion.

The council discussed environmental regulations, specifically the Clean Air Act and Title V permit administered by the Department of Environmental Quality for large operations. Council members and staff discussed the distinction between *vested* uses and new types of operations, such as a potential batch plant, confirming the limits of the current legal standing for the applicant.

Mayor Packard asked if the applicant would like to speak before the council.

Representing DR Sumsion, Dan Sumsion addressed the council. He currently runs Western Paving (WPI), which was started in 1964. He explained it is difficult to find a place to take product, and they started crushing. He said they have operated legally under overlay and want to expand. He went on to explain that crushing is a byproduct of what they do. They receive dumped material and are processing it with "munchers" to extract rebar and size the concrete to fit into a crusher. The process yields four distinct products: clean concrete, clean asphalt, rebar concrete, and a blend of asphalt and concrete. He addressed questions regarding dust suppression. He reported that the facility uses between 20,000 and 30,000 gallons of water daily to water the site roads and applies magnesium chloride to keep the dust down.

Sam Bernard, a construction industry professional brought in by the applicant, provided an overview of the facility's compliance. He noted that the site adheres to a Storm Water Pollution Prevention Plan (SWIP) and that, based on his assessment, the facility is not currently discharging storm water off the property. He further asserted that there have been no compliance issues with the Division of Air Quality or the EPA over the past two years.

Dan introduced employee Rylie Thorpe, who explained the crushing operation and dust mitigation.

Councilmember Smith asked if moving the operation back if it would be better for the neighbors. Dan said it would if there was a wind break and it was further off the road. There is no crusher on site; they rent one when crushing.

Councilmember Snelson asked how much more they would increase crushing. Dan stated maybe about the same, was not sure. Dan expanded on recycling materials. In 2022, he wanted to swap the operation to the back of the property but was not able to. Their site is location specific; diesel fuel is the deciding factor, because other locations are further away.

Councilmember Ellingson asked about the pond to the rear of their property. Dan replied it was the Crandall's and it is used to water grass and cattle.

Councilmember Snelson confirmed they want to do crushing down below. Dan stated yes that they would move crushing to the back of the property.

Mayor Packard opened the public hearing.

Heather Bullock submitted a written comment, and it was entered into the record.

Sharon Clayson stated she lives on Highway 51 and said the issue is that as Springville grows, traffic has increasingly gotten worse. Getting out of her driveway is difficult. Since the opening of the Dry Creek freeway exit, it has been even worse. Her concern is having more big trucks on Highway 51.

Mike Rogers stated he lives in Mapleton and owns a concrete cutting business. There are only a handful of locations to dump concrete and asphalt, and the location is very valuable.

Dan Sumsion expressed that Western Paving was established in Springville. He loves the city. When driving by, you can see how much we care and put money into operations. He doesn't see traffic increasing; however, with the 1600 South interchange opening, it may have increased. They care about the community.

Public Works Director Brad Stapley said they received information that State Road 51 is to expand to a 5-lane roadway, with a planned traffic signal at Evergreen.

Carolyn Collette said they have not had a problem with dust.

Brent Sumsion commented that they have set up a tank system to load water trucks quickly and keep the roads watered down. As far as expansion is concerned, the business will grow and be gradual. It is a smaller operation, and he is doing excellent and taking care of the community.

Tim Parker spoke about a video he has of dust and misrepresentation. He read from city code, stating no dust off the property or outside the boundaries. He would like to have Western Paving provide swabs of the property.

Councilmember Smith asked to see the videos and have them sent to the city recorder.

Wes Crandall, representing Crandall Farms, stated that they are the adjoining landowners directly west of WPI. He stated WPI and Dan Sumsion have been great neighbors. He said they have always had a buffer between where WPI is doing the crushing. He asked the city council, as the city continues to grow, to keep in mind the public safety and welfare that these changes might affect the community and adjoining landowners before the expansion takes place.

Motion: Councilmember Ellingson moved to close the public hearing. **Councilmember Smith seconded** the motion. **Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent.**

Mayor Packard asked staff what the next step would be for the council.

Attorney Penrod explained that the council could deliberate and make a determination. The council must determine if there is a preponderance of evidence that expansion will endanger public health, safety, and welfare. If no such finding is made by the council, the expansion is permitted under state law.

Councilmember Snelson asked about the production of dust and if there is a way to calculate it. Attorney Penrod stated city code says dust cannot leave the property. Councilmember Snelson asked how that is enforced. Penrod stated all public safety officers can participate in code enforcement.

Councilmember Millsap asked if there was any stormwater runoff. Sam Bernard commented they are in compliance with the Stormwater Pollution Prevention Plan (SWPP). Councilmember Millsap asked if there was a catch basin for water. Rylie Thorpe commented they have SWPP in place and explained that their property naturally slopes away from the road. To manage potential runoff, they have installed silt fences along the lowest part of the property, which act as a filter. They emphasized that they maintain these measures to ensure stormwater does not discharge off-site.

Mayor Packard asked for any further comments from the council.

Councilmember Snelson said he would like to see Tim Parker's video, and it seems like they are doing a good job of mitigating the dust.

Councilmember Millsap stated he believes WPI has been operating in good faith and appreciated the work they have done. He commented that, after the site has been heavily used, does it need to be rehabilitated before another development could use the property?

Council reviewed video provided by Tim Parker of dust blowing off of the property.

Councilmember Snelson commented, how do we know where the dust is coming from? And asked if there was a conflict with city code? Attorney Penrod reported the city says dust should not leave the property. There is a broader conversation about distinguishing potential dust from the Western Paving site versus other regional construction activities or natural wind events. Attorney Penrod outlined the complexity of city code versus state code. There is specialized training used by state agencies to observe and document dust plumes accurately. They noted that environmental factors, such as the position of the sun, are critical for valid observations, as backlighting can impact visibility and lead to misleading complaints.

Councilmember Ellingson asked about mitigation measures. Attorney Penrod explained to the council the mitigation process and requirement for preponderance of evidence. Councilmember Ellingson asked Sam Bernard if he would state his credentials. Sam explained he has 20 years in construction management, six years with Clyde Companies. He is working on the Inland Port Authority and has experience moving dirt. He said the state does a good job, and WPI has their SWPP up to date; the air quality permit is in place, and their compliance with Mine Safety and Health Administration (MSHA) and Occupational Safety and Health Administration (OSHA) is valid.

Mayor Packard asked if there was a motion for the preponderance of evidence for the public health, safety, and welfare and to ask for the plan to be submitted to the city. Attorney Penrod stated the findings would need to be stated for the record. **For lack of a motion**, no further action was required by the City Council.

REGULAR AGENDA

6. **Consideration of an Ordinance adopting the Springville Station Area Plan – Josh Yost, Community Development Director (Continued from July 21, 2026)**

Community Development Director Josh Yost reported there is currently no insight into when Frontrunner will occur. He asked the council if they were interested or desired to move forward with the Station Area Plan or shelve it, so when they craft the General Plan, it aligns.

Councilmember Smith asked if a station area plan was needed. Director Yost explained it was not required. There are multiple steps before anything comes about: MAG certification, zoning, subdivision and development planning, and building permit applications.

Councilmember Snelson asked if a plan is adopted and UTA never brings Frontrunner, will the plan still work. Director Yost stated the general outline of the plan would work because it is based on traditional neighborhood development. The overall framework of the plan will guide the development of the area on a policy level and would be very useful.

Mayor Packard voiced concern that it would be a transit-oriented community with no transit and a reduction of parking.

Councilmember Ellingson asked about land use types and what would be beneficial. Director Yost explained that the council can take steps to change zoning. Councilmember Ellingson asked if it would make sense to have two different plans; one with transit and one without. Director Yost stated it wouldn't seem feasible to have two plans. A developer may have some interest.

Mayor Packard asked the council how they would like to proceed.

Councilmember Millsap stated he would like to move forward. A lot of work has been put into the plan, and we don't know about Frontrunner; land use makes sense and puts people in proximity to their destinations.

Councilmember Snelson agreed to having a plan in place.

Councilmember Smith asked for Administrator Fitzgerald's opinion. Fitzgerald stated the current zoning allows developers to do what is in place. The General Plan is on-tract, and zoning will come. What does the council truly want to see for that area of the city, and what direction does the council want to go?

Mayor Packard said there would be a parking problem without transit and only one parking spot per home. Director Yost stated it was a policy recommendation that is not binding.

Councilmember Millsap stated the plan is not a transit-dependent plan but a transit-supportive plan. As development comes, details can be worked out as we go along.

Administrator Fitzgerald stated connectivity within the city will need to be addressed. Councilmember Snelson asked if parking can be changed. Director Yost said when zoning happens, it can be addressed.

Councilmember Smith asked how far along the plan could go without transit coming in? Connectivity for the area is a big deal. Director Yost explained the city's capacity to fund an overpass at 900 South is not likely. Councilmember Smith expressed not wanting to see the time wasted, but no need to approve it at this point.

Councilmember Ellingson stated some revisions would be needed to the plan and would like to work through them.

Councilmember Millsap said he would like to move forward with the plan.

Councilmember Snelson said he likes the plan but has concerns about parking.

Motion: Councilmember Millsap motioned to approve **Ordinance #23-2026** approving the Station Area Plan. **The motion failed** due to the lack of a second.

Mayor Packard said he would like to set a time for a work session to discuss the Station Area Plan further.

7. **Consideration of an interlocal agreement with Provo wherein we share property and sales tax generated from the Clyde Development on the NW corner of 1400 North Main – Troy Fitzgerald, City Administrator**

Administrator Fitzgerald provided an overview stating Springville Rising, Provo City, and Springville City have held meetings to discuss a development concept since the development spans across the city borders. A shared concern is that one city could benefit significantly from development while the other is left behind. To design and develop the best overall plan, the two cities are suggesting sharing tax revenues for the first 15 years of the development. This would eliminate the need for either city to demand certain components of the development be located in either city.

The agreement is limited to 30.17 acres of developable property defined in the agreement by parcel numbers. The proposed Interlocal Agreement would allow Property and Sales Tax receipts from the entire development to be added and divided in half. Both cities would receive an equal share of the proceeds through 2042.

Administrator Fitzgerald provided the estimated financial impacts, suggesting a potential range where the cities might break even, or one might pay the other, with a goal of fostering extraordinary cooperation between the two communities.

Motion: Councilmember Smith motioned to approve **Resolution #2026-25** approving an Interlocal Cooperation Agreement with Provo City on Development.

Councilmember Snelson amended the motion to approve **Resolution #2026-25** approving an Interlocal Cooperation Agreement with Provo City and granting the Mayor authority to sign the agreement after minor revisions to the contract adjusting terms that do not adjust the estimated total amounts paid by more than 10%.

Councilmember Smith seconded the motion. **Roll Call; Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent. Resolution #2026-25 adopted.**

8. **Consideration of an Ordinance amending Title 11, Chapter 6 of the Springville City Code to meet the minimum requirements of the National Flood Insurance Program regulations in 44 CFR Part 60.3(d) – Jeff Anderson, Assistant Public Works Director**

Public Works Director Brad Stapley reported the item was discussed in a previous work session and there had been no changes.

Motion: Councilmember Smith motioned to approve **Ordinance #22-2026** amending Title 11, Chapter 6 of the Springville City Code (Flood Damage Prevention Ordinance) to meet the minimum requirements of the National Flood Insurance Program regulations in 44 CFR Part 60.3(d), and to formally adopt the new Flood Insurance Study (FIS) report and Flood Insurance Rate Maps (FIRMs) for Utah County and Incorporated Areas, effective June 23, 2026, as presented. **Councilmember Snelson seconded** the motion. **Roll Call; Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent.**

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Packard asked for further discussions or reports. There was none.

CLOSED SESSION, AND ADJOURNMENT IF NEEDED – TO BE ANNOUNCED IN MOTION

The Springville City Council may adjourn the regular meeting and convene into a closed session as provided by UCA 52-4-205.

ADJOURNMENT

Motion: **Councilmember Ellingson moved** to adjourn at 9:58 p.m. **Councilmember Snelson seconded** the motion. **Voting Yes:** Councilmember Ellingson, Councilmember Millsap, Councilmember Smith, Councilmember Snelson, and Councilmember Wright ABSENT. The motion **Passed Unanimously, 4-0 with 1 absent.**

This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, August 04, 2026.

I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this meeting held on Tuesday, August 04, 2026.

DATE APPROVED: September 01, 2026

Kim Crane
City Recorder