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MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, August 13, 2019 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember Christopher Creer, Councilmember Craig Jensen, Councilmember Jason Miller, Councilmember Brett Nelson, Councilmember Michael Snelson, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, City Recorder Kim Crane, and Deputy City Recorder Jennifer Grigg.

Also present were: Power Director Leon Fredrickson, Recreation Director Corey Meredith, Public Works Director Brad Stapley, Building and Grounds Director Brad Neel, Library Director Dan Mickelson, Operations Manager Rod Oldroyd, Building Official Jason Van Ausdal, Lt. Dell Gordon and Museum of Art Director Rita Wright.

Excused: Public Safety Director Craig Martinez, Assistant City Administrator/Finance Director Bruce Riddle, Golf Pro Craig Norman

#### CALL TO ORDER- 5:30 P.M.

#### COUNCIL BUSINESS

##### 1. Calendar

- Aug 13 - Springville Municipal Primary Election 7:00 a.m. to 8:00 p.m.
- Aug 20 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Sept 02 - Labor Day Observed (City Offices Closed)
- Sept 03 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Sept 10 - Work/Study Meeting 5:30 p.m.
- Sept 11-13 - ULCT Annual Convention

Councilmember Snelson asked for the City Emergency Day (CERT) Saturday, September 7, 2019 to be added to the calendar.

Administrator Fitzgerald asked if councilmembers wanted to sign up for the ULCT Annual Convention.

##### 2. DISCUSSION AND PRESENTATIONS

###### a) Discussion on Infrastructure Opportunities - Troy Fitzgerald, City Administrator

Administrator Fitzgerald started his presentation by addressing questions about starting an internet utility within the city. He presented a history of past investigations for which included AirSwitch, Spanish Fork internet and the state legislature changing direction. After AirSwitch went out of business, Springville City bought their fiber network. He also presented a history of UTOPIA/UIA (Utah Telecommunications Open Infrastructure Agency or Utah Infrastructure Agency) including cities waiting for the completion of the project/buildout and massive debt.

Having better access to internet service has been an item that citizens showed interest in through the city survey. It is a very difficult service for municipalities to provide unless they partner with UTOPIA/UIA or other providers. In this type of partnership, the municipality would bond for infrastructure and UTOPIA/UIA would get started building the infrastructure. There is a minor switch now where UTOPIA/UIA would bond, but the municipality would guarantee bond payment, not UTOPIA/UIA. UTOPIA/UIA has changed their business model which is looking more attractive,

requiring 35% of the households to sign up to make sure it is paid for. Springville City would not get a seat on the board. Administrator Fitzgerald stated his belief that with such a huge investment and guarantee, the city should get a seat on the board. He stated it will take a year and a half to build. Councilmember Snelson asked if UTOPIA/UIA's Roger Timmerman knew why the past cities did not get a higher take-rate. Administrator Fitzgerald said it is a better product and at a better rate, but asked if residents are in the mood to change internet services. Councilmember Nelson asked if there were current numbers from UTOPIA. Administrator Fitzgerald said there are current numbers, but this discussion is just an investigative report.

Councilmember Snelson clarified that the City would pay for the differential, meaning if sign-up gets to 30% the City pays 5%. Administrator Fitzgerald agreed and said the differential would be in the form of a loan from UTOPIA/UIA that would be paid back to the City when they reach 35% buy-in. He confirmed that UTOPIA/UIA is trying to put as many incentives into the contract to make it attractive. If UTOPIA/UIA folds, there is still risk for the City. Councilmember Nelson asked about other companies who install fiber. Administrator Fitzgerald answered there are a number of fiber companies cherry-picking neighborhoods, but none willing to do a full city build scenario. UTOPIA/UIA is the only option for a broad build throughout the city in Utah.

Councilmember Snelson asked about financing the backstop. Administrator Fitzgerald answered UTOPIA/UIA has enough revenue to be an acceptable risk to the marketplace especially with the City backing a market-based municipal tax-free bond utilizing their name with the guarantee of the City, similar to when the City backed a UAMPS project. Mayor Child said Lehi is trying to get a citywide network. Administrator Fitzgerald agreed and said Lehi plans to work with American Fork. He speculated that their model is not one we would be interested in because the cities provide the infrastructure and outside entities would pay to provide the back end, like Provo, where residents are still paying an infrastructure fee even if they are not utilizing the internet service.

Councilmember Nelson asked to schedule Mr. Timmerman for a work session as well as investigating other fiber companies. He asked Attorney Penrod if he was spearheading this project. Attorney Penrod answered no, but companies contact him for franchise agreements often. Councilmember Nelson said there are some companies that will build the whole city. Administrator Fitzgerald said he would schedule a work session for that discussion. Councilmember Creer said there is a segment of the population that is very afraid of working with UTOPIA/UIA. Administrator Fitzgerald agreed and added there will also be a segment that is excited and the city is not on the hook for bad financial decisions in the past. Councilmember Jensen said it is a quicker uptake model than before. Councilmember Nelson asked for a three-year take rate from UTOPIA/UIA in the next discussion.

#### **b) Discussion of Municipal Donation Agreements - Troy Fitzgerald, City Administrator**

Administrator Fitzgerald said several years ago the legislature passed code preventing municipalities from assigning more than 1% of annual revenue to non-profit organizations. For Springville, that is giving away \$268,000 per year. There are a large number of entities and non-profits that we give money or in-kind service to. In the past, the City entered into contracts with entities like the Miss Springville Pageant for providing goodwill services at groundbreakings and parades in exchange for the value the City provides in scholarships.

Nine years ago the city froze the donations/free city services to a set monetary value given to historic users like the Kiwanis Club. Donations in-kind include a free spot for the scone booth at Art City Days, some dates at the museum and pavilions up the canyon with a value of about \$10,000. Three years into the future, as fees increase, due to inflation, those same services will come to be worth \$11,000, which the non-profit would be responsible for paying the difference to the City. Several entities including the Folkfest entered into contracts which expire in 2021. Staff also met with the DUP (Daughter of the Utah Pioneers) and Springville Historical Society. They have no insurance, no





collection catalog, pure volunteers and no revenue. It will be difficult for many of these entities. The sum of donations from the city is not close to the \$268,000 maximum.

Councilmember Nelson asked if there is cash donated to these organizations. Administrator Fitzgerald answered there is \$30,000 in Arts Commission donations given away. Mayor Child asked if the cap increases with the budget. Administrator Fitzgerald answered yes; it is 1% of our general fund. Councilmember Jensen asked if there is a way to calculate the value given back to the City. Councilmember Nelson agreed and said Art City Days offers value and culture to our community. He asked if each entity could quantify the value they bring to this City.

Administrator Fitzgerald said Director Neel reported that the Sons of the Utah Pioneers asked for space in our parks. Administrator Fitzgerald said there are more entities asking for space and services because we are growing. He offered to bring more context to the council that shows entities and benefits value. He asked how to quantify the value these entities like the value the DUP gives the City. He said some of the volunteers are overwhelmed and see unlimited value in their specific entity. He wonders who can report and quantify.

Councilmember Nelson said numbers and participation would show value to the City. Administrator Fitzgerald asked about a certain church using a park in the canyon, why not other churches. Mayor Child said we need to be a guardian of our past, but sometimes people do not realize the cost. He asked if there could be an endowment fund for these groups. He wondered if the entities could ask for donations. Administrator Fitzgerald agreed that the groups should step up and take responsibility for their funding. Director Wright said the state is assessing these organizations to discern if they use city facilities or need to incorporate.

Councilmember Nelson asked if the non-profit groups are raising community awareness about their financial needs. Administrator Fitzgerald answered the DUP is working hard at awareness, but not getting much reciprocation. There are new clubs interested in arts grants, but most cash goes to those entities with historical agreements.

Councilmember Miller said he and Director Wright are looking into these grants. Administrator Fitzgerald closed his presentation by stating there is a new state law that requires a public hearing associated with grants to charitable organizations. Councilmember Miller stated we need to see what we are giving out and set a value for the space we provide the entities. He asked for no parking signs on the frontage road.

Administrator Fitzgerald discussed traffic near Meadowbrook Elementary, which is included in the Administrative Reports below.

#### **c) Discussion Rap Tax Update - Corey Merideth, Recreation Director**

Director Merideth gave a quick update on the RAP tax. He is working on a list of people for the ad hoc committee and should have a list for council to approve by October and plans to get it to the county soon and on the 2020 ballot. Councilmember Nelson said do not let time go by. Councilmember Jensen said to have it go toward something specific. Director Merideth plans to strategize with Director Wright and Director Neel to plan for the publicity of the RAP tax. Administrator Fitzgerald stated the Council approves the ad hoc committee by ordinance.

Director Meredith reported that Penn Almoney leaves September 7, 2019.

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

Administrator Fitzgerald added a new item concerning school starting on Monday. He stated that road utilization at the 700 South 950 West intersection is increasing because of the CRC and Meadowbrook Elementary during school, both vehicular and pedestrian. The principal and PTA president met with Director Stapley with concerns. Administrator Fitzgerald asked the Council to



discuss the timing of converting that intersection to a 4-way stop. Councilmember Miller said the road is too narrow for parking on the street.

Administrator Fitzgerald said the challenge is that 700 South was built as a local road, narrow and designed to slow vehicles down. Recently 700 South was changed to a minor collector in the Master Plan. The roads will need to be increased because of a future middle school on 700 South. Councilmember Jensen noted that currently there are four houses struggling to cross 950 West. Administrator Fitzgerald agreed and added traffic will increase within two years with the new middle school which hopefully will have a second access by the time it opens. None the less, because of the school district choosing this location, the city needs to get 700 South functioning as a minor collector.

Councilmember Miller said it is the north-south traffic making it worse for the four houses and asked if a 4-way stop will make it worse. Administrator Fitzgerald answered yes. He continued by stating according to our master plan, minor collector intersections usually have traffic control, but 700 South is not constructed at that size yet. 1200 West, a major collector, will open in a week so there will be nonstop connectivity on 1200 West. With the number of complaints, staff is approaching council today when the changes would be necessary within 6 months anyway.

Administrator Fitzgerald questioned the safety of adding a 4-way stop this close to school starting. Councilmember Miller noted there is a crossing guard there currently. Administrator Fitzgerald said after the 4-way stop is installed, the crossing guard would be reassigned. Councilmember Nelson asked Director Stapley if a 4-way stop would improve safety. Director Stapley said the spacing for lights on 950 West works with the master plan. He suggested we get going on that plan. Mayor Child asked if Director Stapley suggests a 4-way stop at 700 South and 950 West

Councilmember Nelson asked about the benefit. Administrator Fitzgerald answered so east-west traffic can flow through the intersection better. Councilmember Nelson suggested install the 4-way stop park a police car there, and leaving the crossing guard there until residents are accustomed to the new stop sign and the pedestrians at school crossing hours. Councilmember Miller suggested stationing a police officer for half an hour at the beginning and end of the day.

Councilmember Creer said no matter, the first week of school traffic will be horrible, so we might want to wait to see if it evens out. If you are scared, put the stop sign in. Administrator Fitzgerald suggested let's get through the first two weeks. Councilmember Jensen said a crossing guard is actually more calming. Looking at the master plan, there is a lot of population jammed in there that cannot get out. Administrator Fitzgerald said 1200 West will help circulation.

Councilmember Jensen said we need to look at 700 South especially because of the new middle school. Administrator Fitzgerald said most kids will be bussing from the east side. He said staff asked the district for a bigger road on the south side of the middle school.

Attorney Penrod added the developer on the south side of the future middle school is meeting with the district about a road and there is also a proposed road along the railroad tracks to the east of the middle school.

#### **d) Discussion with Department Directors**

Recorder Crane gave an update on the election. After 8:00 p.m. tonight, the county will release results and again on Tuesdays and Fridays at 3:00 p.m. until canvas on August 27, 2019. The City Council needs a quorum to certify the election. Council agreed to meet at 5:30 pm. Recorder Crane concluded by stating ballots 2757 submitted.

#### **e) Commission, Board and Committee Minutes**

- i. Arts Commission minutes from July 23, 2019
- ii. Emergency Preparedness Committee minutes from March 21, 2019





f) **Mayor and Council Reports**

Councilmember Jensen acknowledged the submitted priorities list for the new Community Development Director, Josh Yost, who starts on August 23, 2019

**4. CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

*The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.*

There was none.

**5. ADJOURNMENT**

COUNCILMEMBER CREER MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL AT 6:26 P.M.

COUNCILMEMBER JENSEN SECONDED THE MOTION, ALL VOTED AYE.

*This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, August 13, 2019.*

*I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday, August 13, 2019.*



Jennifer Grigg  
Deputy City Recorder

