

Notice was given of an all-electronic meeting to minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's Executive Order #2020-05, the Springville City Council conducted an all-electronic Council Meeting beginning at 7:00 p.m. on Tuesday, May 05, 2020. There was no public access to the Springville City Council chambers. Those desiring to join the meeting did so electronically.

MINUTES OF THE ELECTRONIC SPECIAL MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, MAY 05, 2020 AT 7:00 P.M.

Presiding and Conducting Electronically: Mayor Richard J. Child

Elected Officials in Attendance Electronically: Liz Crandall
Craig Jensen
Patrick Monney
Matt Packard
Mike Snelson

City Staff in Attendance Electronically: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Bruce Riddle, Assistant City Administrator/Finance Director, and City Recorder Kim Crane. Public Safety Director Craig Martinez, Golf Pro Craig Norman, Building and Grounds Director Bradley Neel, Community Development Director Josh Yost, Public Works Director Brad Stapley, Museum of Art Director Rita Wright

CALL TO ORDER

Mayor Child called for a roll call of councilmembers in attendance, welcomed everyone, and called the meeting to order at 7:00 p.m.

MAYORS COMMENTS

Mayor Child welcomed the Council, staff, and those in attendance electronically. He asked Chief Martinez to introduce the new Code Enforcement Officer, Burl Willardson. Officer Willardson comes to Springville after a twenty-year career in the Army and has been with the Springville Police Department for just over a year, he recently accepted the position of Code Enforcement Officer. Officer Willardson said he was looking forward to being a community liaison and bringing pride to the community.

Mayor Child asked when the council would be meeting together. Administrator Fitzgerald stated it would need to be discussed.

PUBLIC COMMENT

Mayor Child introduced the Public Comment section of the agenda. He asked if there were any written comments submitted. There were none.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER PACKARD MOVED TO APPROVE THE MEETINGS AGENDA AS WRITTEN. COUNCILMEMBER MONNEY SECONDED THE MOTION, THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE

CONSENT AGENDA

1. Approval of minutes for the regular meeting held on April 07, 2020
2. Approval of the Mayor's appointments of Karen Ellingson and Carrie Bennett to the Active Transportation Ad Hoc Committee
3. Approval of a proclamation for the 2020 high school graduating class

Mayor Child asked Councilmember Snelson to read the proclamation for the 2020 high school graduating class.

COUNCILMEMBER SNELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

REGULAR AGENDA

4. **Consideration of an Ordinance for Creek Corridor Preservation - John Penrod, Assistant City Administrator/City Attorney**

Attorney Penrod reported before December 2019, a resident purchased the property in Mapleton City directly across Hobbie Creek from the resident's property in Springville. The resident submitted plans to the State's Water Rights Division to obtain a Stream Alteration Permit to allow the resident to build a private bridge across Hobbie Creek from the resident's Springville property to the resident's Mapleton property. As part of the Stream Alteration Permit program, the State provided the resident's submittal to the City for comment. That was the first time the City was made aware of the resident's desire to build a private bridge.

The resident then approached the City, desiring the City to approve the building of the private bridge. Under the City's current ordinance, such a bridge may not be built. The ordinance does allow for bridges to be built on a resident's property with the permission of the City Council. However, the bridge may not be within 50 feet of the creekside edge of a creek corridor.

Attorney Penrod reported several issues were raised by the council in a previous presentation. Including definitions of "creek", "recreation and maintenance easement", and "defining structure". Two separate amendments were before the council Ordinance "A" and Ordinance "B". Attorney Penrod explained the requirements in each ordinance and stated concerns were if debris were to back up on a bridge it could cause flooding of surrounding property.

Councilmember Monney asked about Ordinance "A" regarding what property must be owned on each side of the creek to connect a bridge, and how likely that would be. Attorney Penrod replied some areas could have a vacant parcel on one side and multiple parties could purchase the property together.

Stapley reported mapping from FEMA shows where flooding could spread and the elevation. He expressed when it is a public area the city can get to it with heavy equipment if it's private property it is more difficult.

Councilmember Crandall asked if different types of bridges had been considered and if Attorney Penrod was comfortable with the ordinance stating the property owner would be responsible for damages. Penrod explained there is government immunity, however, surrounding neighbors may not have a place to go for their damages.

Penrod stated the Planning Commission was concerned about the flooding

Mayor Child explained there were options "A" or "B" ordinances or send it back to the Planning Commission for more discussion.

COUNCILMEMBER JENSEN MOVED TO *APPROVE* **ORDINANCE #09-2020A** THAT AMENDS SECTION 11-6-130 OF THE SPRINGVILLE CITY CODE REGARDING THE PROTECTION OF CREEK CORRIDORS.

COUNCILMEMBER CRANDALL SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	NAY
COUNCILMEMBER PACKARD	NAY
COUNCILMEMBER SNELSON	NAY

THE MOTION FAILED

COUNCILMEMBER PACKARD MOVED TO *APPROVE* **ORDINANCE #09-2020B** THAT AMENDS SECTION 11-6-130 OF THE SPRINGVILLE CITY CODE REGARDING THE PROTECTION OF CREEK CORRIDORS.

COUNCILMEMBER MONNEY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	NAY
COUNCILMEMBER JENSEN	NAY
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE

ORDINANCE #09-2020B APPROVED

5. Consideration of a Resolution and Agreement between Springville City and Evans Legacy Development and Jamie Evans - John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported on the history of the property from 1984 and 1995 regarding a permit with the Army Corp of Engineers. Developers, Jamie, and Terry Evans own property within Springville City at the location of 816 West Raymond Klauck Way, on which the Developers are developing the Evans Legacy Park. The Evans Legacy Park consists of two office warehouse buildings immediately north of the Stouffer Plant. The Developers are under a self-imposed time crunch to start their project to develop it in the best economical manner. The Developer submitted their project in late November. The only item that is still outstanding is a letter from the Army Corps of Engineers stating that no wetlands exist on the property.

Attorney Penrod reviewed city ordinances regarding the site plan and what the developer needs to provide, along with a review of the developer's documentation was given and the proposed agreement.

COUNCILMEMBER SNELSON MOVED TO *APPROVE* **RESOLUTION #2020-16** THAT APPROVES THE EXECUTION OF AN AGREEMENT BETWEEN SPRINGVILLE CITY AND THE DEVELOPER OF THE EVANS LEGACY PARK TO PROVIDE AN ARMY CORPS OF ENGINEERS LETTER PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY.

COUNCILMEMBER PACKARD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE

RESOLUTION #2020-16 APPROVED

6. Consideration of a Resolution regarding the Springville City Tentative Budget for Fiscal Year 2020/2021, and a request to schedule a Public Hearing date and time for formal adoption of the Final Budget - Bruce Riddle, Assistant City Administrator/Finance Director

Director Riddle reported the Uniform Fiscal Procedures Act for Utah Cities requires that Springville City adopt a tentative budget in the first regular council meeting in May for the following year and set a date for a public hearing and final adoption before the end of June.

Director Riddle reported on the economic effects of the COVID19 Pandemic from a presentation by Juliette Tennert, Chief Economist, with the U of U Kem C Gardner Institute. A key indicator from economists is jobless claims, and vary geographically. Retail sales varied from high grocery store sales to low retail sales.

Director Riddle reviewed the budget foundation, by best, worst, and most likely case scenarios. Some assumptions with the current pandemic FY2021 Quarter 1, stabilization phase, Quarter 2 Recovery Phase, Quarter 3, and 4 New Normal. Part-time hours in affected areas could be reduced by 25%. Staff intends to frequently re-evaluate as new information is available.

Councilmember Packard expressed in a previous meeting a request for a more in-depth discussion of fees was raised, particularly on solid waste and recycling, he would like to have more discussions regarding fees, not necessarily to change them, but see if they are adequate.

Monney questioned the 25% reduction of part-time hours across the board. He expressed some areas were not affected as much as others. Director Riddle explained some areas such as the Library was utilizing part-time employees to cover the drive-up book service, where employees were gathering books for distribution versus the public gathering their own. Compared to other areas that may not have been as busy.

Director Riddle explained funds for a city celebration would be added to the final budget and some contractual changes in public safety would be adjusted.

COUNCILMEMBER MONNEY MOVED TO *APPROVE* **RESOLUTION #2020-17** BY THE SPRINGVILLE CITY COUNCIL TO ADOPT THE CITY OF SPRINGVILLE TENTATIVE BUDGET FOR THE FISCAL YEAR 2020-2021 AND SET A PUBLIC HEARING FOR ADOPTION OF THE FINAL BUDGET ON JUNE 16, 2020, AT 7:00 P.M.

COUNCILMEMBER PACKARD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE

COUNCILMEMBER SNELSON
RESOLUTION #2020-17 APPROVED

AYE

DISCUSSION/CITY BUSINESS

7. Mayor, Council, and Administrative Reports.

There was none.

ADJOURNMENT

COUNCILMEMBER JENSEN MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 8:55 P.M. COUNCILMEMBER MONNEY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

*This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, May 05, 2020
I, Kim Crane, 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,
May 05, 2020.*

DATE APPROVED: _____ May 19, 2020 _____



Kim Crane, CMC
City Recorder