

SPRING CITY COUNCIL-MEETING MINUTES
Thursday October 1, 7:00 p.m. – City Council Meeting
Spring City Council Chambers, Spring City Hall, 45 South 100 East

Attendees: Kim Crowley, recorder, George Kenzy, Ken Law, John Stewart, Carla and Mike Nelson, Dave Potter, Craig Paulsen, Sue Hayes, Rhett Wilkinson, Lara Kendall, Brett Kobernik, Elizabeth Allred

Pledge of Allegiance: Mayor DeGrey

Expression of Choice: Craig Clark

Roll Call: Mayor Cynthia DeGrey, Council Members Craig Clark, Cody Harmer, Chris Anderson, Paul Penrod

Planning & Zoning Permits and Licenses

Kent Kummer: Zoning Permit for a Shed Addition on 355 East Center

Council Member Harmer motioned to approve Zoning Permit for a Shed Addition on 355 East Center. Motion seconded by **Council Member Clark**. All were in favor.

David Kalmar: Zoning Permit for a Detached Garage on 600 South 400 East

Council Member Harmer motioned to approve Zoning Permit for a Detached Garage on 600 South 400 East subject to getting a survey and having the survey approved by Planning and Zoning. Motion seconded by **Council Member Penrod**. All were in favor.

Craig Paulson who is the Planning and Zoning Chairman made the comment that part of the detached garage was also to be used as a living facility as well as a garage.

Robert Rowley: Zoning Permit for an 18 x 36 Steel Shed on 525 South 200 East

Council Member Harmer motioned to table Zoning Permit for an 18 x 36 Steel Shed on 525 South 200 East. Motion seconded by **Council Member Clark**. All were in favor.

Brett Kobernik: Zoning Permit for a Shed Addition on 185 East 400 South

Council Member Clark motioned to approve Zoning Permit for a Shed Addition on 185 East 400 South. Motion seconded by **Council Member Penrod**. All were in favor.

Sloan Temporary Business License on 50 East Center

Council Member Harmer motioned to approve a Temporary Business Permit on 50 East Center. Motion seconded by **Council Member Penrod**. All were in favor.

Discussion among the Council Members was made that when having weddings or events on 50 East Center that the noise level becomes a problem. **Council Member Harmer** stated he had spoken with the owners and they were not aware of the problem and wants to be told when it happens. **Council Member Anderson and Council Member Clark** stated that the city code needs to be looked at and possibly changed for more clarity. *George Kenzy* commented that the city code is very clear and explained that the code states at no time can electronic noises be beyond 30 feet of the property.

David Potter Lot Split

Council Member Anderson explained David Potter wants to subdivide his lot on Main Street south of town. He is a few feet short of the required 214 feet for a subdivision so Planning and Zoning was not able to grant a variance for the lot split. He explained Dave's argument was that other properties in town had not followed this rule. *Dave Potter* showed a map of the area where his house is located. He showed an area on the map where a neighbor named Broadbent's built a home two years ago and have 328 feet of property line and part of that is part of the road that is supposed to be 5th south in the future. He would like Planning and Zoning to grant the

same privilege that the Broadbent's got. Discussion was made among all Council Members that putting a road in at 5th South would not be feasible since a home is built in middle of where the road is supposed to go.

Council Member Harmer stated he was embarrassed that Broadbent's house is where it is because if there is no road then there is no road frontage. Looking on the map it showed at least seven houses' not having frontage road. He explained the process that once Planning and Zoning denies the request it goes to Council for approval and if Council denies then it goes to the Board of Adjustments with the final say. **Council Member Anderson** stated the Council does not have the authority to grant a variance the Board of Adjustment would have to grant it. *Dave Potter* stated this is his third go around in six months in trying to get this passed and he will lose close to \$100,000 in his property all because of three feet. Now he must wait to get a Board of Adjustments approved in which we do not have at this time. *Gorge Kenzy* stated there are only two or three left on the Board of Adjustments. It needs five and they all need to have in depth training. **Council Member Clark** stated that we need to get something in place quickly, either a change of the ordinance or a Board of Adjustments so we can get this resolved. **Mayor DeGrey** apologized for how long this has been for Dave and for the time it will continue to take. She stated that they will start working on getting some members appointed for the Board of Adjustments and other ways to resolve this problem. **Council Member Clark** stated it may take two months. **Mayor DeGrey** asked for some names and recommendations for the Board of Adjustments.

Mayor, Council, and Department Reports

Mayor DeGrey stated A) that she received an email from Craig Paulsen about Mont Bonna having some money available for some preservation projects for the Federal fiscal year which begins October 1st. They typically only fund Public owned buildings or projects that have high potential for tourism or economic development. She asked if we had any projects in Spring City we like to put on that list. She stated that Craig Paulsen suggested work on the old City Hall Building. *Craig Paulson* stated that you will need to submit a list of things that needs to be done to the building and create a budget or amount you would need for it. Discussion was made for the different areas of the Old City Hall building that needs to be done. B) She explained having another grant from UDOT which is over one million dollars for the fiscal year 2020 and this would be for safe routes to schools. **Council Member Harmer** stated we should not have anything to do with the safe routes to schools. He gave examples of how the money is wasted after he had investigated it in the past. **Mayor DeGrey** stated we will not pursue with this grant after hearing how the money is used. C) She stated that there was a Pre-Disaster Mitigation meeting in Manti about a year ago for all the cities in the county. Six County Association of Governments were the ones spearheading this meeting. They identified where each city's concerns were for disaster issues. Those concerns for Spring City were floods, wildfires, and earthquake. Six County has compiled a plan for all the counties in the central district and submitted it to FEMA. Once the plan is adopted it then has been approved by each city. FEMA then has money that could go towards this pre-disaster plan. FEMA plan Six County will be at next Council meeting to speak about the plan and process. D) She explained regarding the Watershed Project, NRCS is required to have a scoping meeting which will be held Thursday, October 22nd, 6:00 p.m. to 7:00 p.m., the meeting will be over Zoom. Federal requirements are that all citizens will get an invite to attend. The purpose of this meeting is to hear a short presentation about the project. E) She stated she hosted a tour of our city to some elected officials and employees of the Utah League of City and Towns (ULCT) and they were very impressed. F) We will be having a Spring City Christmas party on the Friday after Thanksgiving and Christy McGriff will oversee the program. There will be a Light Pole decorating contest. We will also try to have a city New Year's Party, but we will see how the state requirements are at that time concerning Covid 19. G) She scheduled a Council work meeting on October 21st, at 6:30 as a Zoom meeting.

Council Member Clark stated that he did get the Newsletter is out. He tried hard to get all the information into the newsletter and hopes to get better as time goes on.

Council Member Harmer stated that the Fire Department had gone out on a few fires and it has generated a good year for more income. He explained that Terry Neilson was in California helping with their fires. He commented that the power department is buying another spool of wire which will be for new hook ups. He felt since the price is going up that we should buy and have some on hand.

Council Member Anderson stated that he did not have anything to report.

Council Member Penrod stated that our water looks good. He commented that the senior citizens really like using the ballroom for their Senior dinners.

Emergency Management Committee

Mayor DeGrey explained that she had submitted names for the Emergency Management Committee last month and were approved. Now this month we need to approve taking old members off the committee.

Council Member Penrod stated that he had a concern over how the names were handled last month. He had thought the names were run through Ken Law who is the Chairman for the committee. He would of like to know the names before it went through Council meeting and why they were selected. **Mayor DeGrey** explained that she felt the same people were on the Citizen Corp., so she felt a need to get a different group for the Emergency Management Committee. Some Citizen Corp members should be on the committee but not be all the committee. Jim Phillips, Ken Law and Jim Fleming are still on the Emergency Management Committee as well as the Citizen Corp committee. She had asked for names and given a time frame when she needed them but she did not get any response, so she ran the names through Council Member Anderson who is the council person in charge of Emergency Management and they both agreed on the names. She stated that she had been very upfront with communication of choosing different people. **Council Member Harmer** stated it is a very important group who will work with FEMA in state and federal law. He is uncomfortable with taking a group of people who have a lot of experience and replacing them with a group with no experience. **Mayor DeGrey** stated that the people she chose were people in different areas who could bring their experiences and knowledge into the committee. She also stated that the ordinance states that the committee will be chosen under the direction of the Mayor. She explained that she has heard from the citizens in town that the emergency preparedness committee sometimes would overstep their bounds and she gave some examples. **Council Member Harmer** stated that if citizens were having a problem with the committee it should of came before the Council at that time. *Ken Law* explained that Emergency Management Committee does not need to have training from FEMA.

Council Member Clark motioned to approve to take Jane Hawks, Tom Brunner, Mike Black, and Paul Penrod off the Emergency Management Committee **Motion seconded by Council Member Anderson. All were in favor.**

Care Act Funding

Mayor DeGrey explained receiving a call from the state after speaking to Spencer Cox about the different items we would like to purchase with the Cares Act Money so we would spend it correctly. The items we would like to purchase is new Audio/Video equipment to use for Zoom meetings and for council meeting with the overflow with a large attendance. We would also want to buy a side by side to spray disinfectant at campground, water fountain and other areas in the city. She explained that our Server needs to be updated so she included it in with the bids along with the Video/Audio equipment. Since we have a contract with Dynamic Integration, we do not need to get bids from other competitors. Discussion was made among all council members in regard to each of the different proposal amounts from Dynamic Integration.

Council Member Harmer motioned to approve option 2 on both bids for the Audio/Video Equipment and server from Dynamic Integrations for The Care Act Funding. **Motion seconded by Council Member Penrod. All were in favor.**

Mayor DeGrey explained that Mikes Black gave a list of recommendations to purchase a Utility Terrain Vehicle (UTV) and ask the councilmen to look it over. She went over three bids for the UTV which were, a) Kubota, \$17,700.00, b) Polaris \$22,300, and c) John Deere \$21,642.93. **Council Member Harmer** explained

that he was not comfortable with using Cares Act Money for purchasing a UTV because it is not a direct use for Covid 19 but more of an indirect use.

Council Member Clark motioned to approve Kubota Utility Terrain Vehicle for The Care Act Funding. **Motion seconded by Council Member Anderson. Three in favor one opposed.**

Deer Ordinance

Council Member Penrod stated he has had numerous phone calls and letters written to the city about our deer population which is thriving in the city. He explained that there is a process we must go through to downsize that population. There is a safety issue, and we need to work with the Division of Wildlife Resources (DWR) to remedy this problem. There are several steps we need to go through. The first is issuing an ordinance for not feeding the deer with implications attached for feeding them. The next step is a study, and, in the end, we will decide to have a professional Archer or trap the deer. We want the most humane way and to use the meat, so it will not go to waste. **Mayor DeGrey** stated that we should have the DWR come to a council meeting and explain the process. **Council Member Penrod** stated that he will continue to pursue this issue.

Public Comments

Carla Nelson thanked the city for everything and everyone that has been done to the DUP with all the improvements. She will have an open house in the Spring. *Elizabeth Allred* explained she has had a lot of Mental Health experience and education. She wants the Council to view her presentation so they can use with Cares Act money. It is about how Covid 19 is impacted the mental health of our nation and our community. She also asked a question as to why Police Chief Christensen has not been at the elementary school before and after school hours. She would like to have the Police Chief there because of cars speeding in the school zone. She stated seeing a child almost hit. **Mayor DeGrey** stated she would follow up with Chief Christensen about this issue.

Delinquent Account Exceptions

No Accounts came forward

Payment of Bills

Council Member Harmer motioned to approve the Payment of Bills. **Motion seconded by Council Member Clark. All were in favor.**

Approval of Minutes

Council Member Clark motioned to approve Council Meeting Minutes and Public Hearing Minutes for September 3, 2020. **Motion seconded by Council Member Penrod. All were in favor.**

Council Member Clark motioned to approve the closing of Council Meeting for September 3, 2020. **Motion seconded by Council Member Penrod. All were in favor**

Adjourned at 9:10 p.m.

APPROVED