

SPRING CITY COUNCIL-MEETING MINUTES
Thursday, November 5, 2020 at 7:00 p.m. – City Council Meeting
Spring City Council Chambers, Spring City Hall, 45 South 100 East

Attendees: Kim Crowley, recorder, Jim Pemberton, Melanie Poulsen, Scott, Tyler Timmons, Marta Sloan, Craig Paulsen, Rhett Wilkinson, Ken Law, Jared Travis, Becca Brinholt, Kerry Loynd, Susan Ostler, John and Kimberly Stewart, Mike Black, James Fleming, Moroni Taylor, Kay Van Buren, Wes Magnum
Pledge of Allegiance: Mayor Cynthia DeGrey
Expression of Choice: Paul Penrod
Roll Call: Mayor Cynthia DeGrey, Council Members Craig Clark, Cody Harmer, Chris Anderson, Paul Penrod, Joe McGriff

Planning & Zoning Permits and Licenses

Council Member Harmer motioned to approve Business License/Conditional Use Permit on 50 East Center Street. **Motion seconded by Council Member Penrod. All were in favor**

Council Member Clark motioned to approve a Zoning Permit for Shipping Container on 221 East 600 South. **Motion seconded by Council Member Harmer. All were in favor**

Council Member Harmer motioned to approve a Zoning Permit Modification on 127 West 200 South. **Motion seconded by Council Member Penrod. All were in favor**

Council Member McGriff motioned to approve a Zoning Permit for a Shop, Guest House & Shipping container on 200 West 500 South following Planning and Zoning requirements and recommendations. **Motion seconded by Council Member Penrod. All were in favor**

Council Member McGriff motioned to approve a Zoning Permit for a Shed Addition on 250 South Main Street. **Motion seconded by Council Member Clark. All were in favor**

Council Member Harmer motioned to approve a Zoning Permit for a Shed on 525 South 200 East. **Motion seconded by Council Member Penrod. All were in favor**

Council Member Harmer motioned to approve a Zoning Permit for a Shed on 925 North 400 East. **Motion seconded by Council Member McGriff. All were in favor**

Council Member Clark motioned to approve a Zoning Permit for a Shipping Container on 700 East 600 North. **Motion seconded by Council Member McGriff. All were in favor.** Council Member Harmer abstained

Council Member Harmer motioned to approve a Zoning Permit for a New Home on approximately 300 East 400 North. **Motion seconded by Council Member Penrod. All were in favor**

Zoning Permit for Water & Sewer hook ups on Dick Pooley Subdivision no action was taken. *Craig Paulsen* stated that the developer for a subdivision should provide the hook ups for water and power. If we do not start supporting the subdivision code, we will have only septic tanks all over the city. We are not developing Spring City like we need to unless we follow the code. All Council Members agreed that developers need to work around the cities needs. *Dick Ostler* who is part developer and property owner, stated that they are

working with Sunrise Engineering for more understanding on the sewer and water issues in the subdivision. *Craig Paulsen* stated this part of town really needs to be hooked up to the water and sewer.

Council Member Harmer motioned to approve Subdivision 400 east and 700 North. **Motion seconded by Council Member Clark. All were in favor**

Mayor, Council, and Department Reports

Mayor DeGrey: A) She explained around thirty people participated in the Scoping meeting which was done as a Zoom meeting with JUB engineering and the Landon Group. The Landon Group explained what the watershed project was about and answered any questions. The comment period is going on now and will end on the 22nd of November. Comments can be entered either on email, US Postal Service, or we have a comment box in the Lobby of the City Hall building. To get more information on the Watershed Project there will be a link on our website. B) Covid numbers continue to rise in Sanpete County and it is listed in the high range according to the Health department. We have stopped renting the building because of being in the high-risk group which means not having groups any larger than ten. C) We have downsized the Christmas party, but we will still have Santa. He will not be interacting with children and it will be outside in bowery. We will have a lighting ceremony, children's choir, and a Christmas Scavenger hunt. Decorating the Utility Poles Contest on main street and the home decoration contest will still happen. There will be first, second and third place winners. D) She wanted to acknowledge two deaths in Spring City which were Viola Peterson which was 92 years old, and Boyd Mickel. Both were long time residents of Spring City and contributed a lot to the city.

Craig Clark: A) Stated that the new Cemetery signs are now up and thanked Mayor DeGrey for the work she had done. He explained that the cows that got into the cemetery did some damage to some head stones. We have notified the families and we are getting that taken care of. B) He wanted to remind those that are wanting to get checks that there is a process which takes time. It is hard on the Office workers to do rush orders, so patience is needed. C) We need a snowplow for side by side. We are looking at the numbers and plans to go about finding a way to purchase one. We will work on getting some bids.

Kody Harmer: Stated that we have a crew out on a fire and that we had a Red Flag warning today. We still have a burn restriction in place.

Chris Anderson: Stated that a year or two ago we had an idea of bottling Spring City water. Since Covid hit the adventure did not do well, so we have a little bit of money left. We would like to give a check to the city for \$7,000. We wanted to thank the city for their support. We can use the money for a new snowplow.

Joe McGriff: stated that it is not true that we do not give speeding tickets. We have advised our Police Chief to write tickets to anyone that is speeding through town.

Paul Penrod: Stated that he has nothing to report from Jim Bennett concerning water. He has concerns with the water coming out of the fountain by Main Street. He explained people getting water from the fountain and not taking care of the area, so the DUP is thinking about posting a sign to address the problem of picking up trash and taking care of the area. **Mayor DeGrey** stated we are not everyone's water source and we should put on agenda for next work meeting.

Report on Six County AOG Hazard Mitigation Plan

Tyler Timmons stated that he was from Six County and wanted to speak about the Hazard Mitigation Plan. It is a multi-jurisdiction plan in a document to cover different hazards for all counties in the six-county region. It covers specific hazards for Spring City. The document is now with FEMA for approval in a forty-five-day waiting period for adoption. Spring City would then be able to adopt the Six County Mitigation Plan as our own and if needed we can be amended to our needs. It would give us access to FEMA funds for pre disaster and post disaster. It would be no obligation to us to adopt but it does gives us funding to FEMA. We will talk more after hearing back from FEMA. **Mayor DeGrey** stated that the Watershed Project we are doing does ty into flood and fire mitigation. Tyler gave his email if someone wanted to contact him with any other questions it is ttimmons@sixcounty.com

Capital Facilities Plan

Council Member Harmer stated that the power board met to discuss the engineer study. So, he felt the council should follow what the Power board recommended. One thing they recommended is that we do another impact fee study which would cost around \$9,000. The engineers looked in to if we could accommodate any more solar. The engineers recommended we cap our solar at 15% high average kilowatt usage. That would allow 5 or 6 more solar customers on the system. **Council Member Harmer** recommended that we should have an impact fee study done for power, water and sewer done at the same time. He went on to explain that the Capital Facilities Plan was an engineering study that mapped out things like how to proceed with our upgrades, subdivisions, and any other expansions we do.

Council Member Anderson motioned to approve the Capital Facilities Plan. **Motion seconded by Council Member Clark. All were in favor**

Cap Solar 15% of KW Average

Council Member Harmer explained that part of the Capital Facilities Plan is that we will cap our solar at 15% of our Kilowatt Average. If we do not cap, then we do not have enough power. Solar cannot be turned on or off. So, we cannot integrate onto our grid. We need to have a cap.

Council Member Clark motioned to approve the Cap Solar 15% of KW Average. **Motion seconded by Council Member Penrod. All were in favor**

Independent Engineer to review Plans of Solar Applicant

Council Member Harmer stated the Power Boards Commendation was to have an independent engineer to approve Solar Applicants which would cost around \$200 for applicant.

Council Member Penrod motioned to approve an Independent Engineer to review Plans of Solar Applicant. **Motion seconded by Council Member Harmer. All were in favor**

Study done to review impact fees

Council Member Harmer stated that he thought that an Impact Fee study for power was around \$9,000. **Mayor DeGrey** stated that we have a bid from Sunrise engineers for a Water and Sewer Impact Fee study only. **Council Member Harmer** stated we should combine all together. All Council members agreed to wait until we get some numbers and bids for the studies.

Council Member Clark motioned to table a Study to review impact fees. **Motion seconded by Council Member Harmer. All were in favor**

Board of Adjustment Committee Members

Mayor DeGrey explained that a resident is needing a variance for his property from the board of Adjustments. We do not have active board, so we needed to adopt new member for that board. Matt Franks and Jerry Johnson are already members of the committee and they have agreed to stay on the board. The new members that was selected are Robert Buckner, David Allred, and Michael Nelson, which if approved will give us a committee. They will need to select a chair, and, in the Future, we should get some alternates as well.

Council Member Clark motioned to approve Robert Buckner, David Allred, and Michael Nelson as Board of Adjustment Committee Members. **Motion seconded by Council Member Harmer. All were in favor**

Interim Successor for Chair of Emergency Management Advisory Council

Council Member Anderson explained that Spring City has an Emergency Advisory Council and Ken Law is the Chairperson for that council and is responsible for overseeing Spring City emergency management issues. The ordinance states that the Chairperson designate a successor to the Chairperson. Jim Flemming is serving as successor now, but the council would like Jim Penberton to serve as successor as well. He is new to Spring City but has a lot of experience in this area. *Ken Law* corrected that the successor needs to be for the Emergency Program Manager, and he would be assisting him.

Council Member Harmer motioned to approve Jim Penberton for Interim Successor for Emergency Program Manager. **Motion seconded by Council Member Penrod. All were in favor**

CARES Act Purchases

Mayor DeGrey stated that she received an email about the third draw down for the CARES Act money and we will receive in the next week or so. She went over the items we have already spent with the CARES Act money. We need to get a TV cart and a utility cart for the projector for our Zoom meetings. We have made a commitment to the County Fire Warden which has made available to purchase four specialized masks costing about \$7,000. Chief Christensen asks to get some Jump kits for our EMT's and North Sanpete Ambulance. It had been suggested to donate to the local Food Bank. **Council Member Harmer** suggested purchasing AUD's defibrillators to spend with cares money which are around \$100 each. **Mayor DeGrey** suggested changing the Sinks in Old Building to hands free faucets. She asked Tyler Timmons if updating our Website would be something, we could spend with the CARES Act money. He stated that it needs to be tied Covid in some way. She explained that we purchased a Bed Liner for the side by side, and it came to \$500 more than was originally approved so we need a new motion to approve \$18,200 for the side by side.

Council Member Harmer motioned to approve \$18,200 for the side by side. **Motion seconded by Council Member Clark. All were in favor**

Amending Personnel Policies and Procedures Manual

Mayor DeGrey stated that on page 14 of the Personal Policy which addresses drug testing it states shall be administered to all employees. We want to change the shall to *may* be administered to all employees. On page 41 of the Personal Policy which addresses performance evaluations. We want to change that performance evaluations to be done end of fiscal year instead of each employee's anniversary date.

Council Member Harmer motioned to approve amending the Personnel Policies and Procedures Manual. **Motion seconded by Council Member Penrod. All were in favor.**

Public Comments

Marta Sloan wanted more clarification on electronic noise ordinance which states electronic noise cannot be heard thirty feet from property. She wanted to get some advice and gave the Blue Grass festival as an example. **Mayor DeGrey** stated that would be something that we need to look at and maybe change. We have not enforced it very much. The ordinance needs to be changed but we will need some time. *Becca Brineholt* stated that their property is in the business section and there is no difference in residential or business as to this noise ordinance. Since the ordinance has not been enforced much that they feel they have been targeted somewhat. *Kimberly Stewart* stated planning and zoning is only an advisory committee to the city council. City Council are the ones that should be making those decisions. She also stated she wanted clarification on the solar between residents hooking into the system and residents who have solar and not connected to the city's power. **Council Member Clark** stated she was correct. *Kimberly Stewart* also suggested changing the water drain to the water fountain which may help with the ice problem.