



**WORK/STUDY AGENDA**  
**SPRINGVILLE CITY COUNCIL MEETING**  
**FEBRUARY 02, 2021 AT 5:30 P.M.**  
City Council Chambers  
110 South Main Street  
Springville, Utah 84663

**MAYOR AND COUNCIL DINNER - 5:00 P.M.**

*The Mayor and Council will meet in the Multi-Purpose Room for informal discussion and dinner. No action will be taken on any items.*

No decisions will be made at this meeting. The public is invited to observe the work session. Public comment generally is not taken during work sessions.

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

**COUNCIL BUSINESS**

1. Calendar

- Feb 09 - Work/Study Meeting 5:30 p.m.
- Feb 15 - President's Day Observed (City Offices Closed)
- Feb 16 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Mar 02 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

2. **DISCUSSION ON THIS EVENING'S REGULAR MEETING AGENDA ITEMS**

- a) Invocation - Councilmember Packard
- b) Pledge of Allegiance - Councilmember Monney
- c) Consent Agenda
- 3. Approval of minutes for the January 05, 2021 work study meeting and regular meeting.

3. **DISCUSSIONS/PRESENTATIONS**

- a) RAP Tax Discussion - Corey Merideth, Recreation Director
- b) Ranked Choice Voting - Kim Crane, City Recorder
- c) Waste Water Treatment Plant Upgrade - Brad Stapley, Public Works Director

4. **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

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

*The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.*

6. **ADJOURNMENT**

---

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 01/28/2021

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings. s/s - Kim Crane, CMC, City Recorder





**REGULAR AGENDA**  
SPRINGVILLE CITY COUNCIL MEETING  
**FEBRUARY 02, 2021 AT 7:00 P.M.**  
City Council Chambers  
110 South Main Street  
Springville, Utah 84663

In light of health concerns with the COVID-19 pandemic and the limits on public gatherings. We encourage you to watch a live broadcast of the regular Springville City Council meeting from your computer. Go to <https://www.springville.org/agendas-minutes/> and select the Zoom Meeting link.

Public Comment may be submitted via email, comments will be read in the meeting and entered into the permanent record. Email comments to [kcrane@springville.org](mailto:kcrane@springville.org) before 5:00 p.m. on February 02, 2021.

**6:45 p.m.**

**CEREMONIAL**

1. Swearing in of the Chief of Police, Lance Haight
2. Presentation to the City Council from Anna Kirby and Sydney Condie

**CALL TO ORDER**

**INVOCATION**

**PLEDGE**

**APPROVAL OF THE MEETING'S AGENDA**

**MAYOR'S COMMENTS**

**PUBLIC COMMENT** - *Audience members may bring any item, not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.*

**CONSENT AGENDA** - *The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.*

3. Approval of minutes for the January 05, 2021 work study meeting and regular meeting.

**REGULAR AGENDA**

4. Consideration of the vacation of a portion of a public utility easement on the property located at 2448 Deer Creek Way, Springville, Utah - Josh Yost, Community Development Director
5. Consideration of the Wastewater Treatment Plant 2020 General Upgrade - Brad Stapley, Public Works Director
6. Consideration of an Ordinance amending unlawful parking provisions in Title 9, Chapter 2, Section 104 of the Springville City Code - Brad Stapley, Public Works Director

**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

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

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

**ADJOURNMENT**

---

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 01/28/2021

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings. s/s - Kim Crane, CMC, City Recorder





2 **MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON**  
3 **TUESDAY, JANUARY 05, 2021 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,**  
4 **SPRINGVILLE, UTAH.**

6 **Presiding and Conducting:** Mayor Richard J. Child

8 Elected Officials in Attendance: Liz Crandall  
9 Craig Jensen  
10 Patrick Monney  
11 Matt Packard  
12 Mike Snelson

14 **City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney  
15 John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, Deputy Recorder Jennifer  
16 Grigg, Building and Grounds Director Bradley Neel, Community Development Director Josh Yost, Golf  
17 Pro Craig Norman, Interim Police Chief Dell Gordon, Public Works Director Brad Stapley, Recreation  
18 Director Corey Merideth, Operations Manager Rod Oldroyd, Library Director Dan Mickelson, and  
19 Museum of Art Director Rita Wright.

### 20 **CALL TO ORDER**

22 Mayor Child welcomed everyone and called the Work/Study meeting to order at 5:30 P.M. He  
23 reviewed the details for tonight's meeting.

### 24 **COUNCIL BUSINESS**

#### 26 1. Calendar

- 27 • Jan 12 - Work/Study Meeting 5:30 p.m.
28 • Jan 18 - Martin Luther King Jr. Day Observed (City Offices Closed - Monday)  
29 • Jan 19 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.  
30 • Jan 26 - Budget Retreat 2:00 p.m.

#### 32 2. Discussion on this evening's Regular Meeting agenda items

- 32 a) Invocation - Councilmember Jensen
33 b) Pledge of Allegiance - Councilmember Snelson34 c) Consent Agenda

- 35 1. Approval of minutes for the December 15, 2020, Work Study and Regular meetings.

36 Mayor Child asked if there was any discussion on tonight's consent agenda or the calendar. There  
37 was none. He welcomed the council and directors.

### 38 3. **DISCUSSIONS/PRESENTATIONS**

#### 40 a) **Water Adjudication Update - John Penrod, Assistant City Administrator/City Attorney**

41 Attorney Penrod reported the water adjudication had reached a place where the City would be  
42 considering settlement agreements with some parties. The water adjudication is in the left fork of Hobble

44 Creek Canyon where there are many water rights to the tributaries joining Hobble Creek. He explained  
45 the elements of a water right including—

- 46 ○ Priority Date (date when water was first used; the lowest priority date is 1851; these rights  
47 have the most right to use the water and that right is never cut off)
- 48 ○ Type of Water
  - 49 ▪ Irrigation
  - 50 ▪ Stock watering
  - 51 ▪ Domestic
  - 52 ▪ Municipal
  - 53 ▪ Mining
  - 54 ▪ Power (unusual and has low priority; but the city does not consume that water; it leaves  
55 the creek, enters the power plant, and returns to the creek)
- 56 ○ Quantity of Water
  - 57 ▪ Flow rate (CFS or cubic feet per second)
  - 58 ▪ volume (acre-feet)

59 Councilmember Packard asked if there was seasonal water. Attorney Penrod answered yes,  
60 typically starting in March and ending in September. That water is cut off based on the priority date.

- 61 ○ Point of Diversion and Source of Water

62 Attorney Penrod explained a water right owner can take water from their designated point of  
63 diversion and source, not just any part of the creek. Mayor Child added that every drop of water is owned  
64 by the State of Utah or the Federal Government.

- 65 ○ Beneficial Use means if you have a water right and do not continually use it, you can lose it.  
66 Municipalities can hold a water right for foreseeable use of the city for 40 years without using  
67 it or losing it.

68 Attorney Penrod continued by explaining the State Engineer makes the proposed determinations.  
69 The PD is a book containing determinations regarding type, quantity, and priority. Entities who do not  
70 agree with the PD file objections. Most objections have sat undetermined for decades; some since 1934.  
71 Recently, the State appointed a Special Master to help the courts decide in each objection. The Special  
72 Master will recommend a determination; send it to the courts who decide whether to sign off. The Special  
73 Master set a deadline for the City to settle or go to court by September. Councilmember Snelson asked  
74 if the objections are filed by people who live in the left-hand fork of Hobble Creek Canyon and when it  
75 goes to court, do the water right owners go to court. Attorney Penrod answered yes and the objectors  
76 show evidence for priority, type, and quantity in court. Springville City has filed for summary judgment in  
77 some of the objections because the evidence shows the city owns the water and the objectors need to  
78 show evidence and/or consider settling. Councilmember Crandall asked if the state shows evidence.  
79 Attorney Penrod answered yes evidence is required just like a trial case. Administrator Fitzgerald added  
80 the Jordan River Water Conservancy District files the most objections not just the residence up the  
81 canyon.

82 Attorney Penrod continued by explaining a river commissioner is needed to enforce what is  
83 decided in the courts. The state asked for comments from all entities, which ended December 7, 2020.  
84 Springville City commented in favor of the idea of a river commissioner. Now the State will create a board,  
85 commissioner, and budget. This will cost the City to participate but helps maintain our water rights.  
86 Councilmember Snelson asked if the money comes from the City or the people using the water. Attorney  
87 Penrod compared this funding to a shareholder fee to the irrigation company. Councilmember Monney  
88 asked about recourse. Attorney Penrod answered the same as any criminal recourse, as well as shutting  
89 off the water and requiring measuring equipment for accuracy. Councilmember Monney asked who pays  
90 for the measurement systems. Attorney Penrod said the water rights owners pay for their measurement  
91 systems. Councilmember Monney asked if the expense would be determined by the shares we own.

92 Mayor Child answered yes once it is determined. Attorney Penrod said a river commissioner is very  
important and will encourage water right owners to settle. He also said Springville City shares have the  
94 highest priority date, which is 1851. He explained the Booth Decree (1901). Springville owns a large  
amount of Springville Irrigation Company water.

96 Attorney Penrod showed that there are about 72 water rights with priority dates from 1851 to 1918  
in that area. Without a high priority date, water can be cut off to a water right owner in June when high  
98 water stops flowing. Administration Fitzgerald added that in a dry year high water could be cut off in May.  
Mayor Child said there might not even be enough snow for high water right holders this year. Attorney  
Penrod said a river commissioner will help with water adjudication and water owners will be encouraged  
100 to fall in line with state determinations. Councilmember Monney asked if the river commissioner works for  
Hobble Creek water owners, the state, or neighboring communities. Attorney Penrod said the state is still  
102 deciding. Councilmember Crandall asked if Springville City hires the commissioner, Attorney Penrod  
answered no the state created board will hire the commissioner, and Springville City is one of the biggest  
104 stakeholders in Springville Irrigation Company.

106 In addition to protecting Springville City's water rights in the canyon, Attorney Penrod said another  
issue is year-round property owners are asking for year-round water. Councilmember Packard asked for  
clarification between culinary/in-house water and irrigation/lawn sprinkling water use. Attorney Penrod  
108 said canyon property owners could buy a higher priority right in the canyon from Springville Irrigation  
Company or move their water rights to a well for year-round use similar to municipal water. The state  
110 requires the water right owner to accept only 60% of the water once it is part of a well. Some water rights  
owners in the canyon are working on settlement agreements which staff will bring before the council in  
112 the next few weeks. Councilmember Monney asked for clarification on drilling a well for year-round use.  
Attorney Penrod said the water right would be adjusted in the proposed determination book (PD). Mayor  
114 Child said the amount of water depends on what type of right they have. Attorney Penrod said the county  
allowed some subdivisions in the 1970s, but there are objections. Technically the water might not be  
116 theirs. Councilmember Jensen clarified that the water is metered now. He asked about private wells.  
Attorney Penrod mentioned the Hidden Creek Water Company. Councilmember Packard asked if this will  
118 ever be settled. Attorney Penrod said the state created a special master so this will be settled or go to  
trial within the year. Councilmember Packard said this council has become experts on water between the  
120 discussions on this water adjudication and the Highline Ditch.

122 **b) Discussion Concerning COVID19 Leave - Troy Fitzgerald, City Administrator**

124 Administrator Fitzgerald provided information on COVID19 leave. Congress wrote a 1600-page  
statute and enacted it with leave coverage through the CARES Act (The Coronavirus Aid, Relief, and  
Economic Security Act) money. Springville City Employees took advantage of that with 306.5 hours of  
126 leave in the last pay period. The CARES Act expired on December 31, 2020, and Congress did not renew  
the leave. Staff recommends continuing the leave to encourage employees to stay home when sick.  
128 Cares Act Money in the budget can pay for the leave. If 100 employees claim 80 hours of leave that  
expense approaches almost \$200,000. A survey last week showed 100% of Utah cities that responded  
130 are continuing the leave. He was concerned that if part-time employees become benefited, pension  
issues arise. URS (Utah Retirement Systems) indicated COVID19 leave is non-triggering when it comes  
132 to pension as long as the public health emergency stays in place at the state level, which did not expire  
as of yet.

134 Councilmember Snelson asked for clarification of the leave before December 31, 2020.  
Administrator Fitzgerald explained the policy allows up to 80 hours of leave, meaning hours accumulated  
136 in 2020 are carried forward and included in the limit of 80 hours total COVID19 sick leave per full-time  
employee. Part-time employees COVID19 leave is calculated based on hours worked per week.  
138 Councilmember Snelson asked what percentage of employees used up their 80 hours. Administrator

140 Fitzgerald answered 10 or 12, and there were 10 new COVID19 leave requests yesterday. There is no  
142 evidence of employees abusing the leave policy. Councilmember Money clarified employees are  
144 required to show a note from a doctor following state and CDC policy. Councilmember Packard asked for  
146 a reason not to do this. Administrator Fitzgerald answered money aside, staff recommends keeping  
148 employees comfortable staying homesick. Crews can stay healthy and continue responding to the needs  
150 of the community. Councilmember Packard agreed stating this is very acceptable. Councilmember  
Crandall asked how this compares to the private sector. Administrator Fitzgerald answered the private  
sector can use their funds the same as the city if they have it in savings. The City budget funds are paying  
for this leave extension as well as some Cares Act money for private local companies. Councilmember  
Crandall asked about creating a fund for local businesses to pay for leave. Administrator Fitzgerald  
answered the council could create a fund for businesses from city revenue. Councilmember Money said  
the state has that policy for the private sector.

152 c) **Open and Public Meetings Training - John Penrod, Assistant City Administrator/City Attorney**

154 Attorney Penrod gave a presentation and training on open and public meetings law which is  
156 required annually. The presiding officer (Mayor Child) is required by the state to assure Open Public  
158 Meetings Law training every year.

156 Attorney Penrod reviewed the state of Utah Open Meetings Law in the state code at §§ 52-4-103,  
52-4-104, 52-4-203, 52-4-208, 52-4-210, 10-3-504, and 10-3-506. After five minutes Attorney Penrod said  
158 he would continue this training at a future time.

160 4. **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

162 Mayor Child asked for any other comments. There were none.

164 5. **CLOSED SESSION**

164 *The Springville City Council may temporarily recess the regular meeting and convene in a closed  
166 session as provided by Utah Code Annotated Section 52-4-205*

166 There was none.

168 **ADJOURNMENT**

170 COUNCILMEMBER SNELSON MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE  
172 SPRINGVILLE CITY COUNCIL AT 6:14 P.M.

172 COUNCILMEMBER JENSEN SECONDED THE MOTION, ALL VOTED AYE.

174 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday,  
176 January 05, 2021.*

176 *I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting Deputy Recorder for Springville  
178 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, January 05, 2021.*

180

182

DATE APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Jennifer Grigg  
Deputy Recorder

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, JANUARY 05, 2021, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,  
SPRINGVILLE, UTAH.

**Presiding and Conducting:** Mayor Richard J. Child

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

**City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, and Deputy Recorder Jennifer Grigg. Building and Grounds Director Bradley Neel, Power Director Leon Fredrickson, Interim Police Chief Dell Gordon, Community Development Director Josh Yost, Public Works Director Brad Stapley, Library Director Dan Mickelson, Operations Manager Rod Oldroyd, and Museum of Art Director Rita Wright were also in attendance.

Mayor Child welcomed everyone and called the ceremonial portion of tonight's meeting to order at 6:30 p.m.

## CEREMONIAL

### 1. Presentation of the Mayor's Awards - Shannon Acor, CTC Coordinator

Mrs. Acor started her presentation by reporting the community nominates kids who are a good influence at school and in their neighborhoods. Last spring, Caden Lacey, son of Adam and Heather Lacey, a fifth-grader at Sage Creek Elementary was nominated by his principal who said Caden always works hard and tries his best. He is loved by every student and teacher. Hudson Beals, son of Alec and Tracy Beals, is a third-grader at Meadowbrook Elementary, smiling really big behind his mask, was nominated by his teacher, Morgan Petersen, who says Hudson is a hard worker who does his best and is a kind friend to all. He comes to school ready to learn and is a joy to be around and is loved by everyone.

### 2. Recognition of the Springville High School Girls State Championship Team

Mayor Child turned the time over to Attorney Penrod who introduced the Springville High School Girls Cross Country team. He said for the third year in a row, this team has won the state championship. He introduced Coach Sam Smith who also coached the boys and track teams to state championships. These teams are also nationally ranked. She introduced the team and gave some background and story on this team.

### 3. Swearing in of the new Public Safety Director

Administrator Fitzgerald presented Lance Haight as the new Public Safety Director. He comes to Springville from the Bay Area Rapid Transit (BART) where he was the Deputy Chief leading over 200 officers and 100 civilian personnel. He has a degree in architectural engineering, graduated from the FBI academy, and has two decades of public safety service. He is moving to Mapleton with his wife and three young daughters. He turned the time over to Director Lance Haight. Mayor Child complimented



46 Director Lance Haight and said Springville City is lucky to get someone with the qualifications we need  
for the rapid growth in our city.

48 COUNCILMEMBER SNELSON MOVED TO RATIFY MAYOR CHILD'S ACCEPTANCE OF  
LANCE HAIGHT. COUNCILMEMBER PACKARD SECOND AND ALL VOTED AYE.

50  
52 Judge Fenstermaker swore Lance Haight in as the Director of Public Safety of Springville City.  
He will be sworn in as Police Chief after the POST Test (Police Officers Selection Test). Director Haight  
thanked Mayor Child, councilmembers, and staff and said he is grateful for the opportunity.

54  
56 **CALL TO ORDER**  
Mayor Child welcomed everyone and called the regular portion of tonight's meeting to order at  
7:00 p.m.

58  
60 **INVOCATION AND PLEDGE**  
Councilmember Jensen offered the invocation, and Councilmember Snelson led the Pledge of  
Allegiance.

62  
64 **APPROVAL OF THE MEETING'S AGENDA**  
COUNCILMEMBER SNELSON MOVED TO APPROVE THE MEETINGS AGENDA AS  
WRITTEN. COUNCILMEMBER CRANDALL SECONDED THE MOTION, AND ALL PRESENT VOTED  
66 AYE.

68 **MAYORS COMMENTS**  
70 Mayor Child welcomed the Council, staff, and those in attendance. He asked if there were any  
youth in attendance on assignment. He announced Rod Oldroyd will retire and this is his last meeting.  
He said it will be hard to fill his position and adjust because he is a great asset to the City.

72  
74 **PUBLIC COMMENT**  
Mayor Child introduced the Public Comment section of the agenda. He asked if there were any  
written comments submitted.

76 Wesley Morgan, resident; started his presentation by pulling up a Google document  
78 presentation. He stated months ago, he came before the Council requesting a sidewalk on 950 West  
north of 400 South. He has since attended the Active Transportation Committee Meeting and collected  
80 signatures on this digital petition. He described three areas that need sidewalks and the people and  
children that use them for school, church, Dutch Hall's farm, and walking to Smith's. 40 households  
82 signed this petition. Councilmember Snelson asked Mr. Morgan to explain Dutch Hall's position. Mr.  
Morgan answered that Mr. Hall is willing to donate the land if the City covers the cost to rebuild his  
fence. Councilmember Packard asked about communications with the other property owners.  
84 Councilmember Snelson clarified Mr. Morgan wants a single sidewalk on the east side of the road.  
Mayor Child said he sees both sides. A developer gets a sizable gift if the city gives them a curb,  
86 sidewalk, and gutter. It is important for safety reasons and hard to balance fairness. Councilmember  
Jensen agreed. Councilmember Packard asked if the City could monetarily credit the effort to property  
88 owners. Administrator Fitzgerald answered yes through a special improvement district, but more than  
50% of the neighbors need to agree then a lien is placed against the property and the cost recovered  
90 when that property is developed.

92 Councilmember Crandall asked about the December 18, 2021 email announcing a grant  
received for sidewalks. Administrator Fitzgerald answered the City applied for UDOT safe sidewalk

94 funds and some areas around town qualified because they are walking routes to schools. This area is  
not a school district walking route. Councilmember Monney told Mr. Morgan to contact the school  
96 district about route designation to receive state-level funding. Mr. Morgan said he understands and  
Mayor Child thanked him for his presentation.

98 Administrator Fitzgerald concluded public comment by reminding the Council that department  
heads are working on their five-year capital plan.

100 **CONSENT AGENDA**

4. Approval of minutes for the December 15, 2020, Work-Study and Regular meetings.

102 COUNCILMEMBER PACKARD MOVED TO APPROVE THE CONSENT AGENDA AS  
104 WRITTEN. COUNCILMEMBER JENSEN SECONDED THE MOTION. AND ALL PRESENT VOTED  
AYE.

106 **REGULAR AGENDA**

108 5. **Consideration of an Ordinance Amending Springville City Code §11-5-5 Westfield's Overlay-Village  
Center Zone - Josh Yost, Community Development Director**

110 Director Yost presented a revision to the Village Center Zone which is part of the Westfield's  
Overlay Zone of the Springville City Zoning Map. The Village Center is the area west of 1200 West and  
112 south of 400 South where the potential FrontRunner station would be. He said Community  
Development has received numerous development inquiries regarding property within the Village  
114 Center (VC) Zone. As a result, staff has reviewed and scrutinized the language of the VC Zone and  
discovered an inconsistency in height limits stated between the VC Zone and the RMF-2 Zone for the  
116 Multi-Family section of the Village Center. Staff made additional changes for clarity and to better  
achieve the intent of the zone. The purpose of the zone is to provide a setting for a mix of commercial,  
118 office, public, quasi-public and residential development. The uses are mixed-use, civic, and multifamily  
residential. The purpose states that the area should be designed with the pedestrian in mind and it  
120 should be characteristic of an urban village. The proposed amendment changes the setback from 30  
feet to 20 feet, which is more representative of an urban village center area. Councilmember Snelson  
122 asked how this compares to the David Simpson proposal. Director Yost explained the difference  
between gradations of development like a Neighborhood Center and an Urban Village. He explained  
124 the minimum sidewalk width is increased to eight feet in an Urban Village development zone. He  
continued by stating language was cleaned up on the density bonus and the height maximum was  
126 changed from 45 to 35 feet. These changes are best practices and the Planning Commission did not  
have any substantive discussion about the proposed amendments. Councilmember Jensen agreed  
128 saying there is no push back and this cleans up the code. Administrator Fitzgerald said in a conflict, the  
law will take the strictest interpretation.

130 COUNCILMEMBER PACKARD MOVED TO APPROVE ORDINANCE #01-2021 AMENDING  
132 SPRINGVILLE CITY CODE TITLE 11 CHAPTER 5 ARTICLE 5 - WESTFIELDS OVERLAY - VILLAGE  
CENTER ZONE.

134 COUNCILMEMBER MONNEY SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS:

- 136 COUNCILMEMBER CRANDALL                    AYE
- COUNCILMEMBER JENSEN                AYE
- 138 COUNCILMEMBER MONNEY                    AYE
- COUNCILMEMBER PACKARD              AYE
- 140 COUNCILMEMBER SNELSON                   AYE

**ORDINANCE #01-2021 APPROVED**

142  
144  
146  
148  
150  
152  
154  
  
156  
158  
160  
162  
164  
166  
  
168  
170  
172  
  
174  
176  
178  
  
180  
182  
  
184  
186  
188  
190  
192

6. Consideration of **Ordinance #02-2021 Amending Springville City Code #11-4-301 Land Use Matrix to clarify the effective date of street classifications as cited - Josh Yost, Community Development Director**

Director Yost started his presentation by saying that on May 19, 2020, the City Council adopted an ordinance amending Springville City Code §11-4-301 Land Use Matrix to prohibit specific uses within 500 feet of an arterial street. The recent adoption of an update to the Transportation Master Plan (TMP) changed the functional classification of 2600 West to an arterial street. This had the unintended effect of increasing the area to which the May 19, 2020 amendment applies. This new ordinance tidies up the language in the Land Use Matrix. Councilmember Jensen asked for clarification on 500 South. Councilmember Packard asked which property is in question. Director Yost said this change is justified and meets the criteria set for changing the code and the Planning Commission recommends adopting this amendment. Councilmember Jensen asked about the street numbering.

COUNCILMEMBER SNELSON MOVED TO **APPROVE ORDINANCE #02-2021** AMENDING THE SPRINGVILLE CITY CODE §11-4-301 LAND USE MATRIX, TO CLARIFY THE EFFECTIVE DATE OF STREET CLASSIFICATIONS AS CITED BY THE SECTION.

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

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

**ORDINANCE #02-2021 APPROVED**

**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

Mayor Child asked if there were any comments. He thanked Director Yost for his presentation. Councilmember Monney asked for parting words from Mr. Oldroyd. Councilmember Packard congratulated Mr. Oldroyd. Mayor Child said he is looking forward to the budget meeting on January 26, 2021.

**CLOSED SESSION**

7. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session as provided by UCA 52-4-205.*

There was none.

**ADJOURNMENT**

COUNCILMEMBER JENSEN MOVED TO ADJOURN THE REGULAR MEETING AT 7:34 P.M. COUNCILMEMBER SNELSON SECONDED THE MOTION. ALL VOTED AYE.

*This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, January 05, 2021. I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting Deputy 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, January 05, 2021.*

DATE APPROVED: \_\_\_\_\_  
Jennifer Grigg  
Deputy Recorder



## STAFF REPORT

**DATE:** January 26, 2021  
**TO:** Honorable Mayor and City Council  
**FROM:** Laura Thompson, City Planner II  
**SUBJECT:** APPROVAL TO VACATE A PORTION OF A 10' PUBLIC UTILITY EASEMENT ON THE PROPERTY AT 2448 DEER CREEK WAY.

---

### **RECOMMENDED MOTION**

Motion to grant approval to vacate five feet of the recorded public utility easement on the property located at 2448 Deer Creek Way.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

Will vacating five feet of the existing public utility easement be in the best interest of all concerned parties as per Section 11-6-125(2) of Springville City Code?

### **BACKGROUND**

City Code requires public utility easements to be recorded along the perimeters of each lot. A ten-foot wide easement along the front property line and five-foot wide easements along the sides and rear property lines. For unknown reasons, the Cottonwood Cove Subdivision plat included ten-foot wide public utility easements on all four sides of the lots.

The property owners of Lot 6 at 2448 Deer Creek Way wish to construct a swimming pool six feet from the rear property line, which would encroach into the recorded easement.

### **DISCUSSION**

The property owners contacted the Community Development Director with their request and have provided written statements from the utility departments and companies with interest in the easement, whom have all given their consent to the reduction.

### **ALTERNATIVES**

1. Grant approval of the vacation.
2. Deny the vacation.

Laura Thompson  
Planner II

Attachments

cc: Bill and Susan Holman



## STAFF REPORT

**DATE:** January 28, 2021

**TO:** Honorable Mayor and City Council

**FROM:** Jake Nostrom, Wastewater Superintendent Public Works

**SUBJECT:** Springville Wastewater Treatment Plant 2020 General upgrade

---

### RECOMMENDED MOTION

Motion to

- Approve Van Con Construction as the low bidder of the Springville City Wastewater Treatment Plant General upgrade for bid items A&B for a total of \$1,723,000
- Authorize the Director of Public works to issue a Notice to Proceed for the project
- Authorize the Director of Public works to issue change orders (if needed) not to exceed 10% of the awarded amount.

### GOALS, OBJECTIVES, AND STRATEGIES AT ISSUE

The City General Plan, Section 7, Community facilities & Services has a goal to.

*Provide functionally effective community facilities and services to support a safe, healthy, and vibrant community life;*

Objective 4 of this goal is to:

*“Provide a process for planning and constructing capital improvements that meet the current and future needs of Springville City;”*

Objective 7 of this goal is to:

*A wastewater collection and treatment system that protects the health and safety of the City, is economical and is designed to meet the needs of Springville City now and in the future.*

### SUMMARY OF ISSUES/FOCUS OF ACTION

In February of 2015, Springville City along with other water reclamation facilities along the Wasatch Front received a letter informing the City that the Utah Division of Water Quality adopted rule UAC R317-1-3.3, Technology-based Phosphorus Effluent Limits (TBPEL), as it relates to “non-lagoon” wastewater treatment plants. This rule establishes new regulations for the discharge of phosphorus to surface waters and is self-implementing.

The TBPEL rule includes the following requirements:

- All non-lagoon treatment works discharging wastewater to surface waters of the state shall provide treatment processes that will produce effluent less than or equal to an annual mean of 1.0mg/L for total phosphorus. This TBPEL shall be achieved by January 1, 2020.
- The Department of Environmental Quality Director approved a variance to the TBPEL under conditions listed in the UAC R317-3.3.C. The variance does not extend beyond March 1, 2021, unless an extension is requested.
- The Department of Environmental Quality Director is in the approval process to approve a variance to the TBPEL under conditions listed in the UAC R317-3.3.C. The variance would extend the deadline to January 1, 2022.

The Springville City Wastewater Treatment Division has been budgeting monies and exploring different options to meet such requirements. Working with consultants and the State through these options, we feel this project is the most efficient and effective way to meet the new total phosphorus rule.

## DISCUSSION

**Bid Item A:** Primary chemical addition pump station. This task requires the construction of a new brick building structure (adjacent and tied into the existing headwork's building) and chemical storage area. Install new chemical piping to allow chemical addition in the headwork's influent channels.

For this task to be accomplished, the following activities must be completed:

- Construction of new brick chemical pump building.
- Installation of chemical storage tanks/pads.
- Installation of dual chemical pump dosing skid.
- Installation of chemical piping/valving.

**Bid Item B:** Secondary chemical addition pumping station. This task requires the installation of secondary chemical addition pump skids, associated dual-containment yard piping, and chemical injection/diffusers at delivery points.

For this task to be accomplished, the following activities must be completed:

- Installation of chemical dosing pump skids in the existing building.
- Installation of chemical piping/valving within the building.
- Installation of dual containment chemical yard piping to the injection point.
- Installation of chemical injection points to STM Aerator Basin #2 effluent box.

**Bid Item B:** Dissolved Air Flootation Thickener (DAFT) building. This task requires partial demolition of an existing thickener structure, construction of a new DAFT building, and installation of all associated piping, pumps, and mechanical equipment associated with the DAFT process. This task includes handling/installation and startup associated with the City (previously purchased) furnished HUBER DAFT equipment package.

For this task to be accomplished, the following activities must be completed.

- Partial demolition of an existing sludge thickening structure.
- Pipe connections to existing 24-inch Return Activated Sludge (RAS) pipeline to provide supply/return flow to and from the DAFT. These connections will likely require bypass pumping and coordination with operating staff.
- Pipe connection of thickened Waste Activated Sludge (WAS) piping to existing sludge handling piping.
- Installation of bypass pumping and valves in the sludge pump building.

## **ALTERNATIVES**

The bid package contained one deductive alternate (Bid Item "C") in the event the bid amount exceeded the budget set forth by the City.

**Bid Item C: Anoxic Basin.** This task requires the construction of a new concrete anoxic basin and installation of 30-inch influent piping, 36-inch internal recycle piping, mechanical mixers, gates, and associated yard piping.

For this task to be complete, the following activities must be complete

- Construction of concrete anoxic basin (including inlet box)
- Installation of 30-inch influent line, including a tie-in to existing 24-inch STM Aerator influent line. This activity will likely require bypass pumping.
- Installation of STM internal recycle pumps (1 in each of 4 basins) and 36-inch combined internal recycle header pipe. This activity will require that each STM basin be taken offline and drained one-at-time.
- Installation of 36-inch anoxic basin effluent lines, including cores/installation of 36-inch line into both existing STM trains, be offline (i.e. 1 2-basin set) in or to install the new piping at each core. The 30-inch line connection to the two (2) STM influent structures will need to be isolated as well.

**Bid Item C: Nestle bypass & flow control structures.** This task requires:

- A bypass weir structure adjacent to the existing roughing tower.
- Installation of buried 8-inch piping.
- Associated flow control vault that includes a flow meter and modulating gate valve to allow a controlled portion of influent from Nestle to bypass the roughing tower and trickling filters.

For this task to be accomplished, the following activities must be completed:

- Construct bypass overflow weir box adjacent to roughing tower.
- Install 8" yard piping line to connect overflow box to the Aerator pump station.
- Install bypass control vault including flow meter and modulating gate valve for flow control.
- Install wall sleeve for 8" bypass line into existing Aerator pump station structure.

## **BID RESULTS**

A mandatory pre-bid conference was held to educate possible bidders of the proposed project. Eight (8) well-known contractors attended this meeting, however, only two (2) contractors bid on the project.

The subsequent investigation into why only two contractors submitted bids indicated other competitive projects were being bid at the same time, with some contractors already prequalified for other projects, and the timeline of the City's project conflicted with the contractor's already secured projects.

Rebidding the project is not feasible due to the time constraints in completing the project before the State's variance deadline of January 1, 2022.

The two bids submitted are shown in the table below.

<b>Contractor</b>	<b>Bid Item</b>	<b>Amount</b>
VanCon	A	\$360,000
	B	\$1,363,000
	C	\$2,723,000
	Total	\$4,446,000
COP	A	\$495,000
	B	\$2,500,000
	C	\$2,685,166
	Total	\$5,680,166

## **STAFF RECOMMENDATION**

Staff recommends the Council approves Bid Items A & B, awarding the project to the lowest responsible bidder. Bid item C is not to be awarded.

Bid Item C, Anoxic Basin construction was initiated to help with the wastewater plant efficiency, primarily for the removal of Nitrogen and Ammonia, and the effective use of chemical treatment.

Subsequent discussions with the City's consultant on this project have indicated that the wastewater treatment can meet current State effluent regulations without the construction of Bid Item C.



**FISCAL IMPACT**

The City budgeted for each Bid Item as follows:

<b>Bid Item</b>	<b>Budget GL#</b>	<b>Amount Budgeted</b>
A	52-6190-158	\$482,000
B	52-6190-157	\$1,080,000
C	52-6190-156	\$935,000
Total		\$2,497,000

The engineer's estimate for construction, along with the lowest responsible bid for each Bid Item is shown in the table below.

<b>Bid Item</b>	<b>Engineer's Estimate</b>	<b>Bid Amount</b>
A	\$170,648	\$360,000
B	\$1,005,741	\$1,363,000
C	\$1,322,497	\$2,723,000
Total	\$2,498,886	\$4,446,000

Staff is recommending transferring budgeted money from GL#52-6190-156 (representing funds for Bid Item C) for the following:

- Into GL#52-6190-157 - \$420,000 to cover the shortfall in Bid Item B (this includes funding for up to 10% in change orders should they arise).
- Into GL#52-6190-153 - \$100,000 for SCADA integration (SKM Consultant is under contract for similar WWTP SCADA upgrades).

The Mayor can authorize these transfers according to policy.



## STAFF REPORT

**DATE:** January 27, 2012  
**TO:** Honorable Mayor and City Council  
**FROM:** Bradley D. Stapley, P.E., Director of Public Works  
**SUBJECT:** ON-STREET PARKING CODE LANGUAGE UPDATES

---

### RECOMMENDED MOTION

Motion to approve changes to Title 9, Chapter 2, Section 104, "Unlawful Parking" of the Springville City Code, which limits parking on City streets and strengthens the enforcement ability of the Public Safety Department.

### SUMMARY OF ISSUES/FOCUS OF ACTION

The Springville City Public Work department, in conjunction with Administration and Public Safety Departments is endeavoring to overcome a proliferation of stored recreational vehicles, recreational trailers, utility trailers, and boats on City streets.

Code language changes seek to limit parking of recreational vehicles, recreational trailers, utility trailers, and boats, as well as strengthening the enforcement ability of the Public Safety Department.

Of note is the prohibition of unhitched trailers (recreational trailers, utility trailers, fifth-wheels, and boats) at any time on City streets. This misuse of City streets constitutes "storage" and is not allowed under the new Code language.

### GOALS, OBJECTIVES, AND STRATEGIES AT ISSUE

Springville General Plan's Goals, Objectives, and Strategies include the following:

- Chapter 4 - Goal, *"To provide and maintain a vibrant, multi-modal transportation network that encourages **flow, safety** and a consideration for the **aesthetics** of the community."*

### BACKGROUND AND DISCUSSION

Springville City Public Work staff have noticed a proliferation of stored recreational vehicles, recreational trailers, utility trailers, and boats on City streets. These parked recreational vehicles, recreational trailers, utility trailers, and boats:

- Pose a *sight-safety* hazard to pedestrians (especially little children) as they try to cross the street.
- *Inhibit* solid waste pick-up, making it difficult for garbage trucks to maneuver around these large obstacles to make curb-side retrieval of garbage cans.
- *Inhibit* and/or make it impossible to perform regular sweeping of street shoulders and gutters by City personnel.
- Clutter the roadway itself, thus diminishing the *aesthetic* beauty of the street and neighborhood.

The updated Code language:

- Clarifies time limits for curbside parking of any vehicle for a consecutive time of no more than 48 consecutive hours during the months of April through October, and
- Continues to define the 24 consecutive hour parking time limit of curbside parking during the months of November through March.
- Makes is unlawful
  - For any person to park or leave standing an **unhitched** trailer **any time** on a public road, street, alley, or roadway right-of-way.
  - To park any motor vehicle or trailer in such a manner as to block pedestrian traffic on a sidewalk.
  - To park or leave standing any motor vehicle or trailer within the park strip of the roadway right-of-way (the area between the back of the concrete curb and the sidewalk)
- Strengthens the ability of the Public Safety Department to enforce parking violations.

## ALTERNATIVES

Leave current written Code as-is, with no changes - Not recommended by Staff

## FISCAL IMPACT

None

Respectfully,

Bradley D, Stapley, P.E.  
Director of Public Works, Springville City.

## ORDINANCE #XX-2021

### AN ORDINANCE AMENDING UNLAWFUL PARKING PROVISIONS OF TITLE 9, CHAPTER 2, SECTION 104 OF THE SPRINGVILLE CITY CODE.

**WHEREAS**, the City has an existing ordinance regarding Unlawful Parking as outlined in Title 9, Chapter 2, Section 104 of the Springville City Code; and

**WHEREAS**, the Public Works and the Public Safety Department recommend amending the ordinance to include important provisions and correct language; and

**WHEREAS**, the City Council has determined that the clarifications and amendments in this ordinance are in the best interest of the citizens of Springville and an appropriate exercise of the City Council's legislative power.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Springville, Utah that the following sections are hereby amended:

**SECTION 1: SECTION AMENDED.** Title 9, Chapter 2, Section 104 of the Springville City Code is hereby amended to read and provide as follows:

#### **9-2-104 Unlawful Parking.**

- (1) No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line, except on those streets which have been marked for angle parking. On streets which have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks.
- (2) It shall be unlawful to park any vehicle from which merchandise is peddled on any business street.
- (3) When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign; or to stand or park such vehicle in a zone marked for the loading or unloading of passengers for longer than the limit on the sign; or for the driver to stand or park any freight-carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

(4) It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles when properly posted, to park any motor vehicle or trailer on any street in violation of the posted restrictions.

(5) No person shall park a motor vehicle or trailer within an alley or street in such manner or under such conditions as to leave less than ten feet (10') of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle or trailer within a street or an alley in such a position as to block the driveway entrance to any abutting property.

(6) Parking on public streets and roadway right-of-ways is temporary in all cases. "Storage" of motor vehicles and trailers on public streets and roadway right-of-ways is not allowed at any time.

(a) It shall be unlawful for any person to park or leave standing on any public road, street or alley any motor vehicle or any motor vehicle with a hitched trailer attached:

(i) For forty-eight (48) or more consecutive hours during the months of April, May, June, July, August, September, and October, or

(ii) For twenty-four (24) or more consecutive hours during the months of November, December, January, February, and March.

(b) It shall be unlawful for any person to park or leave standing an unhitched trailer anytime on any public road, street, alley or roadway right-of-way.

(c) It shall be unlawful to park any motor vehicle or trailer:

(i) In such a manner as to block or inhibit pedestrian traffic on a sidewalk, or

(ii) Within the park strip of the roadway right-of-way (the area between the back of concrete curb and the sidewalk).

(d) ~~and a~~ Any vehicle or trailer so parked or left standing contrary to paragraphs "(a)", "(b)" and "(c)" of subsection (6) above constitutes "storage" and is subject to a written parking violation and/or may be impounded or removed by the Chief of Police (or the Police Chief's designee).

(i) For purposes of impoundment and removal, the Chief of Police (or the Police Chief's designee) may, after making a reasonable effort to locate the owner, impound and remove any motor vehicle or trailer. ~~which reasonably appears to have been unremoved for forty-eight (48) consecutive hours.~~ The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded vehicle.

(ii) Simply moving a parked motor vehicle (or a parked motor vehicle with a hitched trailer attached) a short distance forward or backward along a block, across the street, or around the corner to avoid the twenty-four (24) or forty-eight (48) hour criteria listed in paragraph (6) above constitutes "storage" and is a violation subject to a written parking violation and/or towing and impoundment.

(7) It shall be unlawful for any person to park or leave standing on any property owned by the City any motor vehicle or trailer in violation of parking restrictions which are posted for the area in which the vehicle or trailer is parked.

(8) No person shall park a motor vehicle or a motor vehicle with a hitched trailer attached on any street between the hours of 11:00 p.m. of any day and 6:00 a.m. of the following day during the months of November, December, January, February and March on specific City streets designated by the Public Works Director or designee. The Public Works Director or designee shall review the designated "No Overnight Parking" streets from time to time and add or remove streets as appropriate to respond to changing vehicle movements and needs of the community. Any vehicle or trailer parked in violation of this subsection is subject to a written parking violation and also may be impounded as provided in subsection (6) of this Section.

(9) It shall be unlawful for any person to leave any motor vehicle parked or unattended within the area of a fire lane designated and marked pursuant to Section 3-4-123. Any such vehicle is hereby declared to be a nuisance and may be removed at the direction of any police officer or fire officer. The owner of any vehicle so removed shall pay all costs of removal and impoundment.

(Added in codification 1979; 1979 Code 9-2-4; amended by Ord. No. 4-86; Ord. No. 19-86; Ord. No. 14-87; Ord. No. 16-92; Ord. No. 19-00; Ord. No. 18-04; Ord. No. 23-05; Ord. No. 04-2009, 03/17/2009)

**SECTION 2:** This ordinance will become effective one day after publication hereof in the manner required by law.

**SECTION 3:** The City Recorder shall cause this ordinance or a short summary hereof to be published in the *Daily Herald*, a newspaper published and of general circulation in the City.

ADOPTED by the City Council of Springville, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2021.

---

Richard J. Child, Mayor

**ATTEST:**

---

Kim Crane, City Recorder