

MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, FEBRUARY 09, 2021 AT 5:30 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, Recorder Kim Crane, Deputy Recorder Jennifer Grigg, Building and Grounds Director Bradley Neel, Community Development Director Josh Yost, Library Director Dan Mickelson, Museum of Art Director Rita Wright, Recreation Director Corey Merideth, Power Department Director Leon Fredrickson, Public Safety Director Lance Haight, and Public Works Director Brad Stapley.

CALL TO ORDER

Mayor Child welcomed everyone and called this Work/Study Meeting to order at 5:30 p.m. He reviewed the calendar and turned the time over to Administrator Fitzgerald.

COUNCIL BUSINESS

1. Calendar

- 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.

No changes to the calendar were announced.

2. DISCUSSION AND PRESENTATIONS

a) Quarterly Metrics Report

Administrator Fitzgerald changed his presentation to a Legislative Update. He encouraged the councilmembers to contact local legislative officials and started by reviewing HB82-ADU. Councilmember Snelson asked about latitude given to municipalities. Administrator Fitzgerald said this bill states an internal ADU is a permitted use statewide, but a municipality may limit the number of people dwelling in a home to four. He continued by saying this bill stops a municipality from establishing any restrictions

governing the size of an ADU, as well as the total lot size and amount of street frontage. He continued by saying this bill allows a city to prohibit a second meter, require off-street parking, replace parking spots if you convert a garage, require a license, and prohibit an ADU in a mobile home.

Administrator Fitzgerald said this bill passed out of committee yesterday with a 12-2 vote which indicates it will pass the House of Representatives. Springville City elected officials need to engage with Governor Cox or the State Senate to express concerns with this bill. Director Yost asked if this bill impacts a city's ability to regulate an external ADU. Administrator Fitzgerald answered this applies only to internal ADUs and applies to any single-family dwelling in any zone. Attorney Penrod mentioned the version of the bill that passed out of committee and worried this bill would allow every single-family home to be turned into a duplex. Administrator Fitzgerald said there are an additional 40 changes to building codes and safety.

Administrator Fitzgerald noted there are eight licensed billboards on Main Street from 800 South to 1400 North. He continued to SB61, Outdoor Advertising Amendments, which gives sign companies the right to convert any licensed billboard to an electronic sign. The bill allows municipalities to limit electronic signs that are within 150 feet of a home. Councilmember Crandall said she read it compares to the lights of Las Vegas. Administrator Fitzgerald said the billboard lobby is strong. Mayor Child asked if it only applies to existing billboards. Administrator Fitzgerald agreed and said as well as new billboards. Councilmember Monney contemplated a large billboard 12 feet off the ground becoming electronic on the east side of North Main Street. Director Stapley said a new billboard pole is being built on the border of Provo. Attorney Penrod said once a billboard is licensed it can move up to a mile. Councilmember Crandall clarified where this bill is in the process of being passed in the legislature.

Attorney Penrod referring back to HB82 clarified that an ADU is permitted within the primary dwelling which must be a single-family dwelling and owner-occupied. Administrator Fitzgerald said cities can enforce the owner-occupied requirement. Director Yost clarified registration can be required by the city.

Administrator Fitzgerald continued to HB98, Local Government Building Regulation. This bill is still in committee and would allow developers to hire their inspectors and plan reviewers. It removes city regulation of building color, cladding, style, pitch, porches, windows, doors, number of rooms, interior layout, minimum square footage, landscape requirements, and minimum dimensions. Several of these changes would put our development requirements code in violation. This bill removes the foundation of the entire West Fields overlay which states that in exchange for higher densities a developer is required to include better architectural design and materials in a proposed development. This leads to higher property values on smaller lots. Administrator Fitzgerald said if this passes, the Council will have to revisit all of the standards of development in the West Fields; where all of our growth is occurring. This bill puts Springville City in the uncomfortable position of needing monstrous changes to our existing code while Director Yost already has a long list of projects prioritized by this Council.

Councilmember Jensen added he attended a meeting where there was more traction behind the design elements of this bill. Administrator Fitzgerald said Layton City is trying to negotiate an overlay or a development agreement, similar to our West Fields Overlay. Councilmember Crandall asked if it is unusual for the state legislature to get involved in municipal details. Mayor Child said many state legislators are developers by occupation. They are lining their own pockets. Administrator Fitzgerald said it is not unusual depending on whether you live in a blue or red state. He continued by saying he this state never tires of complaining about federal government intervention at the state level, but they are not shy of manipulating municipal zoning law at the local level.

Administrator Fitzgerald continued by stating there are close to 100 years of zoning law and precedent built-in at the local level. Justice Sutherland, who grew up in Springville, established the foundation of zoning law for the entire country. Preemption is not that unusual, but this legislature is deep

down into local zoning decisions that are traditionally left to local government. Attorney Penrod mentioned that a lack of minimum square footage regulation makes tiny homes legal on any lot; making subdivisions look odd. Administrator Fitzgerald agreed and said it depends on the price of land. Director Yost added removing the requirement for diversity in elevation means the developer can build 100 of the same homes right next to each other.

Administrator Fitzgerald explained a proposed, currently unnamed bill from Representative Brammer (American Fork). It would create a board or taxing authority with exclusive land use authority for lake authority land called the *Utah Lake Authority* which includes all land within a ½ mile of Utah Lake. He showed land east of I-15 in Springville that would be included in that lake authority land within our large industrial development zone. Administrator Fitzgerald reported that Representative Brammer claims to be willing to work with the cities, but some say he is holding back the language to ramrod this bill through the legislature at the end. Councilmember Jensen reported he attended a meeting with Representative Brammer who claimed restoration of Utah Lake would turn blight into something wonderful. Administrator Fitzgerald added Representative Brammer claims this new authority would bring additional monies to the project.

Councilmember Snelson asked about his philosophy. Administrator Fitzgerald said Representative Brammer water skis and wants the lake to look better. Councilmember Jensen said it will cost citizens 10 billion dollars. Councilmember Packard said the point is finding revenue sources. Administrator Fitzgerald said in the past each city along the lake has had other priorities. Councilmember Jensen agreed to say that is why the lake stays the way it is. Councilmember Crandall added this has been mulled over for years. Councilmember Jensen says cleaning up the lake always comes up in the Utah Lake Commission meetings without any traction. Administrator Fitzgerald said Brammer will present at American Fork City Council tonight. Mayor Child asked about Saratoga Springs. Councilmember Monney asked about Vineyard. Administrator Fitzgerald said RDA areas are exempt from the lake authority. Councilmember Packard said other communities benefiting from an improved lake should be taxed. Councilmember Crandall said she thinks making Utah Lake nicer is great.

Administrator Fitzgerald continued by saying the preliminary results show 75% of the phosphorus in the lake comes from wastewater plants. Everyone disagreed. Administrator Fitzgerald referred to the \$2 million phosphorus project this Council approved last Tuesday to clean up the wastewater from our plant. Mayor Child said that BYU emeritus professor LaVere Merritt is the voice of reason and the phosphorus is in the lake, not from the wastewater plants. Councilmember Crandall said they are using phosphorus to get the cities to clean up the lake. Administrator Fitzgerald said he came to this job to do the right thing and has been lucky to have mayors and councils who agree. In all his years he has never seen a legislature like this legislature. They know they have the votes and they can get away with anything and they just go do it. He concluded by saying even if some arguments justify their viewpoint, this legislation will pass bills because they know have the votes.

3. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

a) Discussion with Department Directors

Mayor Child asked the Council if they had questions on the metric reports and turned the time over to directors.

Director Mickelson said library visitation is slowly creeping back up and the check-out rate hit a record in January for digital circulation. In-person programs are starting today with social distancing and registration for live story time.

Director Stapley said he attended a meeting with UDOT yesterday to discuss the new I-15 interchange at 1600 South. He explained the project and its access to the new hospital in Spanish Fork. Councilmember Jensen added it accesses all the retail development in that area as well. Administrator

Fitzgerald said the previous council, three years ago, preferred continuing to drive traffic to Springville. He asked for direction from this Council. Administrator Fitzgerald said MAG (Mountainland Association of Governments) studies show the interchange only benefits the cities if 1600 South offloads traffic on 400 South by connecting to Highway 89 in Mapleton. Without that connection to Highway 89, the benefit is small compared to the investment. Councilmember Jensen said it needs to punch through to Highway 89 and UDOT must own the road. Director Stapley updated the Council on the issues including 1200 West, and the Tintic UPRR (Union Pacific Railroad) crossing. Councilmember Packard suggested taking control of the road if UDOT won't maintain it and putting a gate on it. Mayor Child said the part of the project from SR 51 to Highway 89 is the most expensive. Administrator Fitzgerald agreed and said there are multiple options, all involve taking property.

Mayor Child said to build the first part while funding is available to get traffic off of Main Street. Councilmember Packard said more traffic makes more congestion forcing UDOT to provide more funding. Administrator Fitzgerald said he told UDOT Springville does not want to follow the Lehi UDOT model. He said Francis Gibson has changed his strategy to getting this done in pieces and Springville might get squashed in the middle. Councilmember Snelson said 1600 South becomes our risk. It is unacceptable for us to end up owning and maintaining 1600 South. Councilmember Jensen said 535 homes are going into the Mapleton Sunrise Ridge development.

Director Wright reported museum visitorship is returning and should continue to grow this quarter. The donation growth rate is up. Shows are opening and rental scheduling for the summer and fall is returning these last three weeks.

Director Meredith reported 30,000 visitors to the CRC in January which is close to last year. Sign-ups for men's basketball and adult volleyball have doubled.

Director Haight reported a dip in calls because of COVID, but officers are actively self-initiating and increasing the number of arrests for DUI. He feels strongly about keeping drunk drivers off the road. Response time is trending down. Springville has a low rate of violent crime and he wants to work on lowering the rate of property crime in every category and direct patrol based on that. He continued to the fire department reporting that day response times are within our 7-minute goal. The nighttime response is close to 14 minutes; hence the need for fire station housing to provide 24/7 service. The dedicated dispatch center offers service within 15 seconds 95% of the time.

Recorder Crane told the Council to expect more information on rank choice voting.

Director Fredrickson joked about car washes after the dirty snowstorm. Councilmember Monney reported Wiggy Wash washed over 8000 cars on Saturday. Director Fredrickson said dirt from that storm can cause problems with high power lines.

Director Yost reported permit issuance and review numbers are in a good range. His department is averaging less than 24 hours from appointment scheduling to inspection thanks to the Council approving a budget amendment last year to hire a new building inspector.

Director Neel reported his Facility Management staff added an oversight tracking program, keeping work orders more visible and on phones as well. He turned to report on the Parks Master Plan progress. Staff is working with a consultant and a survey is going out to residents. Street tree planting continues with 30 out of 400 trees left to plant. Springville City continues to be a Tree City USA, 42 years running by Council mandate. He concluded his report by stating the campground power pedestals will be repaired when Jolley's Campground opens to the public in mid-April.

Attorney Penrod reported he has been fielding questions concerning a cannabis pharmacy and lounge offering haircuts and vaping products. He asked Council if they were interested in limiting where smoke shops can be located in the city. Currently, smoke shops are considered typical retail without a limit to their location. Council agreed.

Director Riddle reported his department is working on the budget process.

MAYOR AND COUNCIL REPORTS

Councilmember Jensen stated Salem and Spanish Fork offered money to residents to use at local businesses. Councilmember Crandall asked for more discussion. Administrator Fitzgerald calculated it would cost between \$500,000 and \$600,000 here in Springville plus program costs. He stated that in the past this Council was very supportive of spending the offset from Care dollars on something that lasts longer. Councilmember Snelson said he is a business owner and he opposes it; instead of many residents buying a photographic print from his business, the money should go toward fire station housing. Councilmember Crandall asked if citizens could have input into what is going on with the money. Councilmember Snelson agreed. Director Yost asked if it was COVID money. Administrator Fitzgerald said no, fire station housing is general fund money. There is \$2,000,000, one-time money in the bank that the Council can allocate as they choose because COVID money was used for public safety. Councilmember Packard said handing money out is a feel-good; it comes from somewhere. Councilmember Monney said it would set a precedent and is against it. Councilmember Crandall asked for transparency and announced in the newsletter this is what we used the money for. Councilmember Snelson said the Council does not need an excuse to not follow Salem and Spanish Fork. Mayor Child explained a personal account of giving bonuses to his employees.

Mayor Child asked for any other comments.

There were none.

4. CLOSED SESSION

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

There was none.

ADJOURNMENT

COUNCILMEMBER PACKARD MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL AT 6:43 P.M.

COUNCILMEMBER SNELSON SECONDED THE MOTION, ALL VOTED AYE.

This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, February 09, 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, February 09, 2021.

DATE APPROVED: March 02, 2021

Jennifer Grigg
Deputy Recorder