



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.

1. Swearing in of new Councilmember Brett Nelson

COUNCIL BUSINESS

2. Calendar

- Apr 13 - Work/Study Meeting 5:30 p.m.
- Apr 20 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Apr 27 - Budget Work Meeting

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

- a) Invocation - Councilmember Jensen
- b) Pledge of Allegiance - Councilmember Packard
- c) Consent Agenda
 1. Approval of minutes for the March 02, 2021, March 16, 2021 regular meetings and the March 09, 2021 work study meeting.
 2. Approval of the Mayor's re-appoint of Emily Hess-Flinders and Doug Hamilton to the Springville City Library Board
 3. Approval of the Mayor's appoint of Kristian Kallaker to the Landmark Preservation Commission
 4. Approval of a Resolution and Amendment to the Comprehensive Fee Schedule regarding youth soccer registration fees - Corey Merideth, Recreation Director
 5. Approval of the Springville Arts Commission grants recommendation - Rita Wright, Museum of Art Director
 6. Approval of the Simpson Industrial Subdivision located in the area of 450 N 1750 W, Springville, Utah in the L-IM Light Industrial Manufacturing Zone - Josh Yost, Community Development Director

4. **DISCUSSIONS/PRESENTATIONS**

- a) Lakeside Landing District Plan and Code Discussion - Josh Yost, Community Development Director
- b) Neighborhood Zoning Code Discussion - Troy Fitzgerald City Administrator and Josh Yost, Community Development Director
- c) Ethics and Harassment Training - Chris Creer, Assistant City Attorney

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

6. 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.

7. ADJOURNMENT

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 04/01/2021

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





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 before 5:00 p.m. day of the meeting.

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.*

1. Approval of minutes for the March 02, 2021, March 16, 2021 regular meetings and the March 09, 2021 work study meeting.
2. Approval of the Mayor's re-appoint of Emily Hess-Flinders and Doug Hamilton to the Springville City Library Board.
3. Approval of the Mayor's appoint of Kristian Kallaker to the Landmark Preservation Commission.
4. Approval of a Resolution and Amendment to the Comprehensive Fee Schedule regarding youth soccer registration fees - Corey Merideth, Recreation Director
5. Approval of the Springville Arts Commission grants recommendation - Rita Wright, Museum of Art Director
6. Approval of the Simpson Industrial Subdivision located in the area of 450 N 1750 W, Springville, Utah in the L-IM Light Industrial Manufacturing Zone - Josh Yost, Community Development Director

REGULAR AGENDA

7. Consideration of an Ordinance amending Section 11-6-410(d)(i) of the Springville City Code pertaining to maximum height of a wireless telecommunication monopole - Josh Yost, Community Development Director
8. Consideration of a Resolution approving a boundary line agreement to clean up the boundary lines of City property located at 1000 North 1650 West, Springville, Utah - Chris Creer, Assistant City Attorney
9. Neighborhood Zoning Code Discussion (continued if needed)

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

10. *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 04/01/2021

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MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, MARCH 02, 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 City Recorder Kim Crane. Building and Grounds Director Bradley Neel, Chief of Police Lance Height, Community Development Director Josh Yost, City Engineer Jeff Anderson, Public Works Director Brad Stapley, Recreation Director Corey Merideth, Library Director Dan Mickelson, and Museum of Art Director Rita Wright

CALL TO ORDER

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Crandall offered the invocation, and Councilmember Snelson led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER SNELSON MOVED TO APPROVE THE MEETINGS AGENDA AS WRITTEN. CONTINUING #9 TO NEXT WEEK COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

MAYORS COMMENTS

Mayor Child welcomed the Council, staff, and those in attendance.

PUBLIC COMMENT

Mayor Child introduced the Public Comment section of the agenda. He asked if there were any written comments submitted.

Logan Milsap, resident; spoke regarding the site plan for Nebo School District. He was encouraged Nebo was seeking public input. Several things he was concerned about were a large number of parking spaces and roads. He would like to see a reduction in parking spaces and more availability for active transportation.

Doris Weight, resident; was concerned about a dog park and stated Springville needs a dog park and Spanish Fork has one. They have to go somewhere else with their dogs. She has received a lot of information from others requesting a dog park. She expressed the money for a dog park was given to the

44 canyon parks that more people outside of the community use. Cares funding has helped the general fund
and would like the council to consider a dog park. Springville residents want a dog park.

46 Taylor Johnson; expressed she lives near a city park and sees people turn away because they
can't bring their dogs. She sees the need for a dog park.

48 Jamie Smith, resident; uses Spanish Forks dog park, people from all over go there. Would like to
be able to go to Springville. Users of the park also purchase food and drinks in the community.

50 Marcie Harris, resident; encourages the council to approve a dog park and said it was an easy
answer. Councilmember Creer from a past council meeting asked for a dog park due to citizen requests.
52 Citizens need a place to be able to go exercise their dogs.

54 Stacy Hall has senior citizen friends that would like a dog park to be able to take their dogs for
exercise.

56 CONSENT AGENDA

- 58 1. Approval of minutes for January 26, 2021, Budget Planning meeting, and the February 09, 2021,
Work Study meeting.
- 60 2. Approval of a Resolution and agreement with Highland Golf-Yamaha Golf-Car Company for an
electric golf cart fleet lease - Craig Norman, Golf Pro
- 62 3. Approval of city park contract mowing services - Bradley Neel, Building and Grounds Director
- 64 4. Approval of a Resolution and the Final Cooperative Agreement of the Hobble Creek PL566 Water
Shed Plan Environmental Assessment - Jeff Anderson, City Engineer

66 COUNCILMEMBER MONNEY MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN
ALONG WITH RESOLUTION #2021-03 AND RESOLUTION #2021-05.

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

70 COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
72 COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE

74 RESOLUTION #2021-03 AND RESOLUTION #2021-05 APPROVED

76 PUBLIC HEARING

- 78 5. **Public Hearing for consideration of a Resolution and amendment to the Springville City FY2020-
2021 Budget - Bruce Riddle, Assistant City Administrator/Finance Director**

80 Director Riddle addressed changes to the current budget, including a grant received from the
Sorensen Foundation to the Museum of Art.

82 Mayor Child opened the public hearing

84 COUNCILMEMBER SNELSON MOTIONED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER JENSEN SECONDED, ALL PRESENT VOTED AYE

86 COUNCILMEMBER SNELSON MOVED TO APPROVE RESOLUTION #2021-11 TO OPEN AND
88 AMEND THE GENERAL FUND, INTERNAL SERVICE FUND, SPECIAL REVENUE FUND, WATER
FUND, SEWER FUND, ELECTRIC FUND, SOLID WASTE FUND, AND GOLF FUND BUDGETS FOR
90 OPERATING AND CAPITAL EXPENSES APPLYING TO THE FISCAL YEAR ENDING JUNE 30, 2021
AS OUTLINED IN EXHIBIT A.

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

94	COUNCILMEMBER CRANDALL	AYE
	COUNCILMEMBER JENSEN	AYE
96	COUNCILMEMBER MONNEY	AYE
	COUNCILMEMBER PACKARD	AYE
98	COUNCILMEMBER SNELSON	AYE

RESOLUTION #2021-11 APPROVED

100

REGULAR AGENDA

102 **6. Consideration of a Joint Resolution with Nebo School District regarding property exchanges and**
103 **improvements of the new Springville High School campus site plan and surrounding city parks -**
104 **John Penrod, Assistant City Administrator/City Attorney**

105 Attorney Penrod reported Nebo School District was planning to start construction in 2024 on a
106 new Springville High School (SHS), with a projected completion date of 2026. The City and District have
107 historically shared use of each entities' properties in and around the current SHS. As directed by the City
108 Council, the staff of the City and District have been working together to help make the new SHS campus
and surrounding City properties the best overall campus site for Springville residents and SHS students.

109 The parties agree that the property exchanges and improvements listed in the Joint Resolution
110 achieves fundamental fairness, and all such property exchanges and improvements will happen
111 even if there is a change in costs between now and 2024 when the improvements are made.

112 The resolution also includes a provision that allows the District's and City's staffs to work
113 together to finalize the site plan design and address any unforeseen necessary changes.

114 Attorney Penrod explained the hillside acres next to the current high school have not been
115 included in the balance sheet and any improvements the city receives will be new. He explained the 5%
116 rule to keep the balance sheet between the city and the school district fair.

117 The final design work has not been done, the city and school district have worked together to
118 come up with the initial site plan to accommodate both.

119 Councilmember Snelson would like public input. Attorney Penrod stated he had been negotiating
120 between the two entities and it had not gone through the city process and standards. Also, a wetland
121 study did not show many wetlands.

122 Attorney Penrod recommended softening the language in the Section 1A amendment.

123 Nebo School District Superintendent Nielson spoke to the council and thanked them and city staff
124 for being able to work together with the district. He welcomed the public to comment to the school board
125 any concerns, information is available on the school district website.

128 COUNCILMEMBER SNELSON MOVED TO APPROVE JOINT RESOLUTION #2021-12
129 APPROVING PROPERTY EXCHANGES AND CONSTRUCTION OF IMPROVEMENTS BETWEEN
130 SPRINGVILLE CITY AND THE NEBO SCHOOL DISTRICT AS PART OF THE NEW SPRINGVILLE
131 HIGH SCHOOL CAMPUS.

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

134	COUNCILMEMBER CRANDALL	AYE
	COUNCILMEMBER JENSEN	AYE
136	COUNCILMEMBER MONNEY	AYE
	COUNCILMEMBER PACKARD	AYE
138	COUNCILMEMBER SNELSON	AYE

RESOLUTION #2021-12 APPROVED

140

7. **Consideration of an Ordinance amending the Official Zoning Map from R1-15 Single-Family Residential Zone to R1-10 Single-Family Residential Zone on a five-acre parcel located at 1162 W Center Street, Springville - Josh Yost, Community Development Director**

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Director Yost reported the zone map amendment request was to change the zoning from the R1-15 Single-Family Residential Zone to the R1-10 Single-Family Residential Zone on the five-acre parcel located at 1162 West Center Street.

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On May 20, 2003, the City Council adopted the Westfields Community Plan element of the General Plan, which amended the Land Use Map and Official Zone Map.

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Most of the proposed zoning at that time was R1-10 and R1-8. There were several property owners concerned that they would lose their animal rights and requested to retain the R1-15 Zoning designation which is the residential agricultural zone that allows for animal keeping. It was explained that when those properties were ready to develop, they could amend the zoning map to be consistent with the land use designations of the General Plan.

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COUNCILMEMBER MONNEY MOVED TO APPROVE ORDINANCE #06-2021 AMENDING THE OFFICIAL ZONING MAP FROM THE R1-15 SINGLE-FAMILY RESIDENTIAL ZONE TO THE R1-10 SINGLE-FAMILY RESIDENTIAL ZONE ON A FIVE-ACRE PARCEL LOCATED AT 1162 W CENTER STREET.

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

160

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

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ORDINANCE #06-2021 APPROVED

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8. **Consideration of a Resolution approving an agreement with the developer of Evans Legacy Park regarding water tendering - John Penrod, Assistant City Administrator/City Attorney**

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Attorney Penrod reported Jamie Evans was looking to develop property known as the Evans Legacy Park, which is located north of the Nestle Stouffers plant. Evans submitted building permits to build two large offices/warehouses on the property. One of the remaining items for the building permits to be issued is for Evans to tender water. Evans has contested tendering any water because Evans' group contends that a prior development was approved and water tendered. Neither Evans nor the City can find a record showing that any water was tendered. The proposed agreement is to resolve Evans' claim by allowing Evans to pay money in lieu of tendering water and give Evans extra time to find information showing that the water was previously tendered. If Evans can show that the water was previously tendered, the City will return the money to Evans.

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Attorney Penrod explained the city has not been able to locate any building permit from a previous owner of the property AeroTrans or water being tendered. There have been some minor changes to the agreement and the resolution has been updated, staff will work with the developer on the agreement.

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Jamie Evans said they expect to get a rail spur near their building.

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COUNCILMEMBER JENSEN MOVED TO APPROVE RESOLUTION #2021-13 RESOLVING A CLAIM MADE BY A DEVELOPER REGARDING REQUIRED WATER TO BE TENDERED FOR EVANS LEGACY PARK.

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

190 COUNCILMEMBER CRANDALL AYE
190 COUNCILMEMBER JENSEN AYE
192 COUNCILMEMBER MONNEY AYE
192 COUNCILMEMBER PACKARD AYE
192 COUNCILMEMBER SNELSON AYE

194 **RESOLUTION #2021-13 APPROVED**

196 9. **Consideration of a Resolution to declare Springville City's intent to adjust its boundary with**
198 **Spanish Fork City at or near the location of parcel #26:045:0108 and #66:273:0019 - John Penrod,**
Assistant City Administrator/City Attorney

200 COUNCIL POSTPONED ITEM UNTIL THE NEXT MEETING MARCH 09, 2021.

202 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

Mayor Child asked if there were any comments.

204 Councilmember Monney stated for personal reasons he was tendering his resignation from the
city council effective immediately. He thanked the Mayor, City Council, and Staff for the opportunity to
206 serve.

Director Neel reported the Spanish Fork city dog park was approximately 3 acres.

208

CLOSED SESSION

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

212 There was none

214 **ADJOURNMENT**

COUNCILMEMBER MONNEY MOVED TO ADJOURN THE REGULAR MEETING AT 8:11 P.M.
216 COUNCILMEMBER PACKARD SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

218

220 *This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, March 02, 2021*
222 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,*
State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday,
224 *March 02, 2021.*

226 DATE APPROVED: _____

Kim Crane, CMC
City Recorder

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MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY,
MARCH 16, 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
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 City Recorder Kim Crane. Building and Grounds Director Bradley Neel, Power Director Leon Fredrickson, Power Generation Superintendent Shawn Black, Chief of Police Lance Height, Community Development Director Josh Yost, Public Works Director Brad Stapley, Recreation Director Corey Merideth, Library Director Dan Mickelson, and Museum of Art Director Rita Wright

6:45 p.m.

CEREMONIAL

1. Swearing in of the Springville City Youth Council

CALL TO ORDER

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Snelson offered the invocation, and Councilmember Jensen led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER JENSEN MOVED TO APPROVE THE MEETINGS AGENDA AS WRITTEN.
COUNCILMEMBER PACKARD SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

MAYORS COMMENTS

Mayor Child welcomed the Council, staff, and those in attendance.

PUBLIC COMMENT

Mayor Child introduced the Public Comment section of the agenda. He asked if there were any written comments submitted.

CONSENT AGENDA

2. Approval of minutes for the February 02, 2021, Work-Study and Regular meetings and the February 16, 2021, Work-Study and Regular meetings.

44 COUNCILMEMBER SNELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

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

48 **REGULAR AGENDA**

50 **3. Consideration of an Interlocal Agreement with Utah County for the 2021 Springville City Municipal Election - Kim Crane, City Recorder**

52 Recorder Crane reported for budgeting purposes Utah County has provided a good faith estimate for the 2021 administration of the Springville City Municipal Election. Costs were based upon the offices scheduled for election, the number of voters, and the number of jurisdictions participating. Because the election will be a Ranked Choice Voting method there will not be a need for a Primary election, thereby saving the city in total election costs. The City will be invoiced for its share of the actual costs of the election, which will not exceed the estimated rate.

58 There was an estimated 17566 active voters as of January 04, 2021. Active voters for billing purposes will be calculated 11-days before Election Day at a rate not to exceed \$2.25 per voter per election. With the number of active voters, the estimated total for the administration of the general election is \$39,523.50.00.

62 COUNCILMEMBER PACKARD MOVED TO APPROVE RESOLUTION #2021-15 AND AN INTERLOCAL AGREEMENT BETWEEN UTAH COUNTY AND SPRINGVILLE CITY FOR THE ADMINISTRATION OF THE 2021 SPRINGVILLE CITY MUNICIPAL ELECTION. AS WRITTEN AND NOT TO EXCEED WHAT IS IN AGREEMENT, AND GIVE THE CITY ATTORNEY AUTHORITY TO NEGOTIATE.

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

70	COUNCILMEMBER CRANDALL	AYE
	COUNCILMEMBER JENSEN	AYE
	COUNCILMEMBER PACKARD	AYE
72	COUNCILMEMBER SNELSON	AYE

74 **RESOLUTION #2021-15 APPROVED**

76 **4. Consideration of a Resolution amending the Business License and Planning Fee Schedules - Josh Yost, Community Development Director**

78 Director Yost described how his staff analyzed the fees. The fee schedule was amended to have separate fees for new licenses and renewals. If the council decided to capture the cost of large retail businesses to include the public safety expense for responding to thefts and shoplifting the fees could be adjusted.

82 Councilmember Snelson asked why other cities charge an origination fee and Springville does not. Director Yost explained it's another way of explaining the same type of fees.

84 Director Yost reported Business License fees have not been updated for many years, and the existing fee schedule does not accurately reflect operations or the cost of providing services. The analysis to determine the proposed fees was not complete in December when the entire fee schedule was revised. The analysis is now complete and presented for adoption. Also, two new application types had been added to the Springville Code that needs to be listed in the Planning and Zoning fee schedules. These are Short-Term Rental Permits and an Accessory Dwelling Unit Zoning Certificates.

90 Mayor Child allowed public comment.

92 Craig Conover, resident: he expressed it was great in that existing business fees were going
93 down. His concern was charging more for new businesses. He suggested requesting the chamber of
94 commerce for their input. Possibly table and it get more information. He was concerned about the jump
95 in cost.

96 Councilmember Packard asked how often a new business stays in business and the involved
97 upfront cost, he was concerned about the cost in revenue.

98 Councilmember Jensen commented do we penalize businesses that have been in Springville a
99 long time, their fees will be going down, where new businesses who create the initial upfront cost will pay
100 for that and not existing businesses subsidizing the new businesses.

101 Councilmember Snelson said he was uncomfortable about losing revenue from existing business
102 license fees going down and new businesses need to pay their share.

103 Administrator Fitzgerald expressed they are currently in the budget process and renewals happen
104 later in the year. This would not affect new businesses until July, it's possible to review the budget impact
105 and adjust it in the future.

106 Director Yost stated the analysis was strictly on the cost of providing the license, not how each
107 business impacts the city.

108 Councilmember Snelson would like to go more in-depth and think about it more. Fitzgerald stated
109 there was no urgency the renewals come in at the end of the year and could take some time to review.

110 COUNCILMEMBER PACKARD MOVED TO POSTPONE ITEM UNTIL THE TO NEXT CITY
111 COUNCIL MEETING.

112 COUNCILMEMBER JENSEN SUGGESTED DISCUSSING IT WITH THE CHAMBER OF
113 COMMERCE.

114 COUNCILMEMBER PACKARD AMENDED HIS MOTION TO POSTPONE THE ITEM UNTIL APRIL
115 20, 2021.

116 COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

118 **5. Consideration of a 5-Year Natural Gas Hedge Policy for the Whitehead Power Plant, Nebo Power
119 Plant, and the Clyde Recreation Center - Shawn Black, Power Generation Superintendent**

120 Superintendent Black reported the Power Department has been assessing the natural gas
121 markets for the last couple of years intending to solidify the natural gas prices used at both of the City's
122 powerplants, but also the Clyde Recreation Center.

123 Superintendent Black recounted during 2016 Springville City entered into a natural gas hedge for
124 the Whitehead Powerplant. The hedge supplied both the heating needs of the sewer plant and the
125 projected summer burns at the Whitehead plant through 2026. Staff has been anxious to extend hedges
126 out further in time while pricing is low to remove risk from market volatility in the future.

127 Superintendent Black stated Staff pursued the goal of removing volatility out of future energy
128 prices while maintaining a predictable budget. Springville City had previously hedged all of the natural
129 gas needed to fulfill Springville's ownership allocation at the Nebo Powerplant up to the year 2027. The
130 recommended motion would solidify the price of power that the City pays for the years of 2027 until the
131 Spring of 2032.

132 Superintendent Black reported Springville City was being exposed to variable gas prices for use
133 in heating the Clyde Recreation Center. Fixing the natural gas price removes market volatility and
134 possible larger swings in the gas for budget certainty at the recreation center.

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MOTION 1:

140 COUNCILMEMBER JENSEN MOVED TO APPROVE TO HEDGE NATURAL GAS WHICH WILL
142 SUPPLY THE **WHITEHEAD POWERPLANT** DURING THE YEARS OF 2027-2032 AT A PRICE NOT
TO EXCEED \$2.90 PER MMBTU (million British thermal units).

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

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MOTION 2:

146 COUNCILMEMBER SNELSON MOVED TO APPROVE TO HEDGE NATURAL GAS WHICH
WILL SUPPLY THE **NEBO POWERPLANT** DURING THE YEARS OF 2027-2032 AT A PRICE NOT TO
148 EXCEED \$3.00 PER MMBTU (million British thermal units).

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

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MOTION 3:

152 COUNCILMEMBER CRANDALL MOVED TO APPROVE TO HEDGE NATURAL GAS WHICH
WILL SUPPLY THE **CLYDE RECREATION CENTER** DURING THE YEARS OF 2021-2026 AT A PRICE
154 NOT TO EXCEED \$3.20 PER MMBTU (million British thermal units).

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

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MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

158 Mayor Child asked if there were any comments. Attorney Penrod discussed prayers in public
meetings and reviewed state law and case law.

160

CLOSED SESSION

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

164 CLOSED SESSION BY MOTION BELOW

ADJOURNMENT

166 COUNCILMEMBER PACKARD MOVED TO ADJOURN THE REGULAR MEETING AND MOVE
168 INTO A CLOSED SESSION TO DISCUSS PROPERTY AT 8:01 P.M.

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

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*This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, March 16, 2021
I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,
State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday,
176 March 16, 2021.*

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DATE APPROVED: _____

Kim Crane, CMC
City Recorder

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2 MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON
TUESDAY, March 09, 2021, AT 5:00 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
Craig Jensen
10 Matt Packard
Mike Snelson

12
City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney
14 John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, Recorder Kim Crane, Deputy
Recorder Jennifer Grigg, Facilities Superintendent David Ashton, Community Development Director
16 Josh Yost, Golf Pro Craig Norman, Public Safety Director Lance Haight, Power Director Leon
Fredrickson, Public Works Director Brad Stapley, Library Director Dan Mickelson, and Museum of Art
18 Director Rita Wright.

20 CALL TO ORDER

Mayor Child welcomed everyone and called the regular/work/study meeting to order at 5:00 p.m.
22 he reviewed the details for tonight's meeting and asked if there were questions on the calendar.

24 COUNCIL BUSINESS

1. Calendar

- 26 • Mar 14 - Daylight Savings Time Starts
- Mar 16 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- 28 • Apr 06 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

30 2. REGULAR AGENDA

a) **Consideration of Resolution #2021-14 to declare Springville City's intent to adjust its boundary
32 with Spanish Fork City at or near the location of parcel #26:045:0108 and #66:273:0019 - John
Penrod, Assistant City Administrator/City Attorney**

34 Attorney Penrod started his presentation by introducing the resolution to declare the intention to
adjust the boundary between Spanish Fork and Springville City. After this resolution is approved, the
36 ordinance will come back to the Council within 60 days with a public hearing to approve the ordinance.
The property owners can object to any of the details during the 60 days. This ordinance originated in
38 Spanish Fork with *Young Family Living* and *Southwest Plumbing*. He showed slides with details of the
properties, owners, and a planned road. The concern with development is a sewer connection is easier
40 to Springville City because of height.

Councilmember Packard clarified the owner is from Cedar City.

42 Councilmember Jensen asked what staff recommends. Administrator Fitzgerald clarified the
transaction.

44
46 COUNCILMEMBER PACKARD MOVED TO APPROVE A RESOLUTION INDICATING
SPRINGVILLE CITY'S INTENT TO ADJUST ITS COMMON BOUNDARY WITH SPANISH FORK CITY.

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

49 COUNCILMEMBER CRANDALL AYE

50 COUNCILMEMBER JENSEN AYE

51 COUNCILMEMBER PACKARD AYE

52 COUNCILMEMBER SNELSON AYE

RESOLUTION #2021-14 APPROVED

54
56 b) **City Council Vacancy Discussion - John Penrod, Assistant City Administrator/City Attorney**

57 Attorney Penrod started his presentation on the council vacancy. This is a two-year seat that
ends this year. State law requires public notice at least two weeks before the meeting to fill the vacancy.
58 Staff is suggesting March 30, 2021, which is the fifth Tuesday. The application acceptance process
starts after the public notice. Recorder Crane will accept applications until March 29, 2021, at 5:00 p.m.

60 Attorney Penrod continued by explaining the interviews must be conducted in an open meeting.
The format used last time included two questions for each applicant with two minutes to answer. Each
62 member of the Council then asks each candidate a question of their choosing. He then explained the
voting process. Ballot design was discussed.

64 Mayor and Council discussed their calendars before they adjourned for the tour of the new IHC
Hospital in Spanish Fork. Administrator Fitzgerald reported on the state legislature funding 1600 South
66 and suggested the Council thank Speaker Gibson. Councilmember Snelson asked for an
announcement on the Administration position that was recently filled. Administrator Fitzgerald stated
68 Patrick Monney accepted that position and he starts March 22, 2021.

70 **3. ADJOURNMENT AND TOUR**

71 The Mayor and City Council adjourned to participate in a tour of the new IHC Hospital in
72 Spanish Fork, Utah

74 COUNCILMEMBER PACKARD MOVED TO ADJOURN THE WORK/STUDY MEETING OF
THE SPRINGVILLE CITY COUNCIL AT 5:24 P.M.

76 COUNCILMEMBER JENSEN SECONDED THE MOTION, ALL VOTED AYE.

78
80
82
84
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88

4. CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED

90 *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

92 There was none.

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

96 *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
98 record of this meeting held on Tuesday, March 09, 2021.

100 DATE APPROVED: _____

Jennifer Grigg
Deputy Recorder

102



STAFF REPORT

DATE: April 6, 2021

TO: The Honorable Mayor and City Council

FROM: Corey Merideth, Recreation Director

SUBJECT: TITLE 2, CHAPTER 5, SECTION 2-5-101 TO 2-5-109 AMENDMENT

RECOMMENDED ACTION

Motion to Approve amending the fee schedule to include new youth soccer registration fee.

GOALS, OBJECTIVES AND STRATEGIES AT ISSUE

General Plan Goal - . . . to provide a wide range of opportunities and healthy experiences.

Objective 6 - To provide recreation that creates lasting memories, provides diverse opportunities, builds unity, and provides safe and fun experiences for all age abilities and interest.

BACKGROUND

Going through the Cost Recovery Policy we found a few fees that need to be adjusted. One of the fees that needs to be adjusted is youth soccer. Soccer is one of our largest programs being that it has 2 seasons, Spring and Fall. The fees for soccer were borderline on the recovery percentage, so we compared to what surrounding cities charge. Not only were our fees lower, we wanted to make the league a better experience, so staff came up with the idea of a more personalized uniform. Instead of a registration fee and a separate purchase for a reversible jersey which is reusable, we will include in the new fee a full uniform (jersey, shorts and socks) for the same price as the reversible. This is similar to what is being done in a couple different communities and parents/kids have loved it. We will also raise the fee to be more in line with what our neighbors are doing. The upper age groups will cost more than the younger age groups, which makes sense because of officials (more officials per game at a higher pay rate). The reason this needs to be a Fee Schedule Adjustment and not just done with the 2021/2022 Fee Schedule is because we start registration for Fall Season in June, which is FY2021 and we need to have the fees in place to start with new uniforms in the Fall.

FISCAL IMPACT

Springville Recreation is requesting the fee change for Youth Soccer, grades 1-6 from \$30 to \$45 and grades 7-9 from \$30 to \$50, which includes full uniform for every participant. The difference in revenue based on 1600 participants is \$25,000 and expenses is \$15,000. We don't feel that this will have a negative impact on our league, in fact we see this as a positive experience.

Attachments:

Youth Soccer Fee comparison.

RESOLUTION #2021-XX

A RESOLUTION AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR THE CITY OF SPRINGVILLE, UTAH TO ALLOW RECREATION TO CHANGE YOUTH SOCCER FEES AS OUTLINED IN EXHIBIT A.

WHEREAS, the City Council has received a recommendation from staff to approve the adoption of the updated fee schedule for the youth soccer program within the city Recreation Department;

WHEREAS, the Recreation Dept is operating youth soccer program;

WHEREAS, it is the benefit of Springville City to amend the registration fees for youth soccer, and;

WHEREAS, an Amendment to the Fee Schedule adopted by Springville City Council.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Springville, Utah:

1. To amend the Fee Schedule as approved.
2. The Mayor is hereby authorized to execute the Amendment to the Fee Schedule

This resolution shall take effect immediately, as allowed by law.

PASSED AND APPROVED this 06th day of April, 2021.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder



STAFF REPORT

DATE: April 6, 2021
TO: Honorable Mayor and City Council
FROM: Rita R. Wright, Museum Director
SUBJECT: ARTS COMMISSION GRANTS RECOMMENDATION

RECOMMENDATION:

A Move to Accept Arts Commission Grants recommendation for remaining FY21 funds. Recommendation document included.

BACKGROUND:

The Arts Commission reviews grant requests and recommends funding amounts to City Council for final approval. Because of Covid-19, some arts groups were not able to apply or use budgeted funds, so another call for grants was sent for remaining FY21 funds in budget.

DISCUSSION:

The Arts Commission discussed whether or not to try to make another call for grants. Because of the general impact of Covid on arts entities they decided to make a recommendation to do so with remaining funds.

ALTERNATIVES:

The City could decline these requests for grant funding and leave an end-of-year balance in Arts Commission

FISCAL IMPACT:

The Arts Commission approved budget will decrease by \$10,850 for FY21 with these grants added.

Rita R. Wright
Museum Director

Springville Arts Commission

GL 10-4562-630

Grants Recommended 3/9/2021

<u>Name</u>	<u>Amount</u>	<u>Purpose</u>
Folk Ensemble, John Taylor	\$1,200.00	SHS, Professional Compact Speakers for Performances
Merit Academy, Kimie Snapp	\$200.00	Dance Costumes for Performance
Westside Elementary, Sarah Dibble	\$150.00	Oil Pastels for Elementary Classes
Springville High, Kim Ipson Smith	\$600.00	Community Art Nights
Springville High, Heidi Israelsen	\$400.00	Stained Glass Straight Edge Cutter for Art Class
Springville Playhouse, David Chapa	\$5,000.00	Grant for Performance of <i>Joseph</i>
Folkfest, Lynn Elliot	\$3,000	Sound and Lighting Equipment
VIP Arts-Brown Gallery, Bill Brown	\$300.00	Art Show for Members of Senior Center. Art City Days
Total Grant Recommendation	\$10,850	FY21 Arts Commission budget



STAFF REPORT

DATE: March 29, 2021
TO: Honorable Mayor and City Council
FROM: Laura Thompson, City Planner II
SUBJECT: APPROVAL FOR THE SIMPSON INDUSTRIAL SUBDIVISION LOCATED IN THE AREA OF 450 N 1750 W IN THE L-IM LIGHT INDUSTRIAL MANUFACTURING ZONE.

RECOMMENDED MOTION

Motion to grant approval of the Simpson Industrial Subdivision located in the area of 450 N 1750 W in the L-IM Light Industrial Manufacturing Zone.

SUMMARY OF ISSUES/FOCUS OF ACTION

Does the proposed industrial subdivision meet the requirements of the Springville City Development Code?

BACKGROUND

The proposed development is for a five-lot industrial subdivision located south of the Overland Industrial Park, and east of 1750 West, which will be extended to the south limit of the development.

The Development Review Committee reviewed the subdivision plan on February 11, 2021 in which all comments have been addressed.

DISCUSSION

The property consists of 4.9 acres. Each lot will be approximately 30,000 square feet in area or larger.

PLANNING COMMISSION REVIEW

The Planning Commission considered the development on March 9, 2021 as part of the consent agenda.



COMMISSION ACTION:

Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Karen Ellingson	X	
Michael Farrer	X	
Kay Heaps	Excused	
Brad Mertz	X	
Rod Parker	X	
Frank Young	X	

ALTERNATIVES

1. Approve the subdivision.
2. Approve with conditions; or
3. Deny the application.

Laura Thompson
City Planner II

Attachments

cc: David Simpson



SIMPSON INDUSTRIAL LOTS PLAT 'A'

Located in Section 31, Township 7 South, Range 3 East,
Salt Lake Base and Meridian
Springville City, Utah County, Utah

23:029:0060
MINER, GREGORY P (ET AL)

48:382:0014
OVERLAND LEASING LLC

48:382:0011
DSB CONSTRUCTION LLC

SPRINGVILLE IRRIGATION

SPRINGVILLE IRRIGATION

5
60192 sq. ft.
1.38 ac.

4
30871 sq. ft.
0.71 ac.

3
30616 sq. ft.
0.70 ac.

2
29027 sq. ft.
0.67 ac.

1
29051 sq. ft.
0.67 ac.

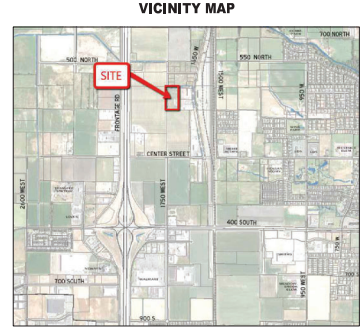
- NOTE:
- PROPERTY HAS HIGH GROUND WATER, THEREFORE NO BASEMENTS WILL BE ALLOWED.
 - PROPERTY BELIEVE TO HAVE HIGH LIQUEFACTION POTENTIAL.
 - A PORTION ON THIS PROPERTY IS BELIEVED TO BE WITHIN THE 10-YEAR FLOODPLAIN. AS SUCH, A FLOOD INSURANCE AND ELEVATION CERTIFICATE SHOULD BE PROVIDED FOR EACH LOT(S).

23:029:0039
FORBUSH, M DON

23:029:0040
IIM REAL ESTATE COMPANY LLC

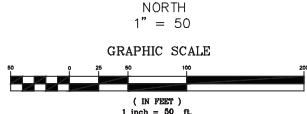
23:029:0061
MINER, GREGORY P (ET AL)

LINE	LENGTH	DIRECTION



LEGEND

- FOUND SECTION COR. AS NOTED SET 5/8" IRON PIN TO BE SET AT ALL LOT CORNERS
- FOUND CLASS I STREET MONUMENT
- FOUND CLASS II STREET MONUMENT
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- PUBLIC UTILITY EASEMENT
- SECTION LINE
- CALCULATED POINT (NOT SET)



PROJECT DEVELOPER
David Simpson
780-376-1986
www.davidsimpson.com
407 N Main Street Springville, UT 84663

PROJECT ENGINEER & SURVEYOR
REGION ENGINEERING & SURVEYING
1776 NORTH STATE STREET #110
OREM, UT 84057
PE - 801,376,2245

AREA BREAKDOWN
TOTAL PLAT ACREAGE 4.90 ACRES
TOTAL RIGHT-OF-WAY ACREAGE 0.78 ACRES
TOTAL LOT ACREAGE 4.12 ACRES
AVERAGE LOT SIZE 35,893 S.F.
NUMBER OF LOTS 5

SURVEYOR'S CERTIFICATE
I, ROBBIN J. MULLEN, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 368356 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND EASEMENTS, HEREINAFTER TO BE KNOWN AS SIMPSON INDUSTRIAL LOTS PLAT 'A' AND THAT A SURVEY OF THE DESCRIBED TRACT OF LAND HAS BEEN COMPLETED BY ME IN ACCORDANCE WITH SECTION 17-23-17 AND THAT I HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS SHOWN HEREON. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE, WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

DATE _____ ROBBIN J. MULLEN, P.L.S.

PROJECT BOUNDARY DESCRIPTION
BEGINNING AT A POINT BEING 58858'00"W 1719.39' FEET ALONG THE SECTION LINE AND SOUTH 432.46' FEET FROM THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN;
THENCE S 87° 30' 00" E FOR A DISTANCE OF 327.65 FEET TO A POINT ON A LINE; THENCE S 00° 31' 00" E FOR A DISTANCE OF 19.50 FEET TO A POINT ON A LINE; THENCE S 87° 30' 00" E FOR A DISTANCE OF 8.09 FEET TO A POINT ON A LINE; THENCE S 00° 22' 40" E FOR A DISTANCE OF 384.24 FEET TO A POINT ON A LINE; THENCE S 89° 56' 51" W FOR A DISTANCE OF 20.00 FEET TO A POINT ON A LINE; THENCE S 00° 22' 40" E FOR A DISTANCE OF 231.94 FEET TO A POINT ON A LINE; THENCE N 89° 07' 10" W FOR A DISTANCE OF 239.26 FEET TO A POINT ON A LINE; THENCE S 00° 00' 00" E FOR A DISTANCE OF 3.87 FEET TO A POINT ON A LINE; THENCE N 89° 40' 50" W FOR A DISTANCE OF 299.02 FEET TO A POINT ON A LINE; THENCE N 00° 14' 35" E A DISTANCE OF 652.10 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION ACQUIRED IN THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED ON MAY 23, 2008 AS ENTRY NO. 61401:2008 IN THE UTAH COUNTY RECORDER'S OFFICE. CONTAINING 4.90 ACRES OF LAND MORE OR LESS.
PROJECT BASED ON STATE PLANE COORDINATES, NAD83

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.
IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS
DAY OF _____ A.D. 20__.

ACKNOWLEDGMENT
STATE OF UTAH } s.s.
COUNTY OF UTAH }
ON THE _____ DAY OF _____ A.D. 20__
PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL)
ACCEPTANCE BY LEGISLATIVE BODY
THE CITY COUNCIL OF SPRINGVILLE, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____ A.D. 20__.

MAYOR _____

APPROVED _____ CITY ENGINEER (SEE SEAL) ATTEST _____ CITY RECORDER (SEE SEAL)

CITY ATTORNEY APPROVAL
APPROVED ON THIS _____ DAY OF _____ A.D. 20__, BY THE CITY ATTORNEY OF _____ COUNTY OF UTAH, STATE OF UTAH.

CITY ATTORNEY _____

PLANNING COMMISSION APPROVAL
APPROVED ON THIS _____ DAY OF _____ A.D. 20__, BY THE PLANNING COMMISSION OF _____ COUNTY OF UTAH, STATE OF UTAH.

DIRECTOR-SECRETARY _____ CHAIRMAN, PLANNING COMMISSION

SIMPSON INDUSTRIAL LOTS PLAT 'A'

SPRINGVILLE _____ UTAH COUNTY, UTAH

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY-COUNTY ENGINEER SEAL CLERK-RECORDER SEAL



STAFF REPORT

DATE: March 29, 2021
TO: Honorable Mayor and City Council
FROM: Laura Thompson, City Planner II
SUBJECT: CONSIDERATION TO AMEND SECTION 11-6-410(D)(I) OF SPRINGVILLE CITY CODE PERTAINING TO MAXIMUM HEIGHT OF A WIRELESS TELECOMMUNICATION MONOPOLE.

RECOMMENDED MOTION

Motion to grant approval of Ordinance No. ____-2021 to amend Section 11-6-410(d)(i) of Springville City Code pertaining to maximum height of a wireless telecommunication monopole.

SUMMARY OF ISSUES/FOCUS OF ACTION

- Should the current ordinance be amended to allow additional height to wireless telecommunication monopoles?
- Should the installation of wireless telecommunication monopoles be a permitted use in all commercial and industrial zones and administratively approved?

BACKGROUND

AT&T is requesting approval to allow a twenty-foot extension to an existing wireless telecommunications tower located at 1122 N 450 W for the purpose of collocating. The current maximum height is 80' and up to 100' with conditional use approval. The proposed amendment will allow a maximum height outright for monopoles in the L-IM and H-IM zones of 138'. The height in all other zones would be considered as part of a conditional use permit for heights greater than 80'.

DISCUSSION

Personal wireless services are of increasing importance and value to the citizens of Springville. The growing industry and evolving technology continue to increase the quality of life for City residents and contribute to the public safety, health, and welfare of the City. Accommodating the expansions of networks and transmission facilities is important to creating a well-connected, functioning city.

The public policy objectives to reduce the proliferation of telecommunication towers and to mitigate their impact can best be facilitated by encouraging the use of less visually intrusive antennas and permitting the locating of wireless communication systems on telecommunication towers and antenna support structures that are co-located.

The definition of a monopole is a single, self-supporting, cylindrical pole, constructed without guy wires or ground anchors, that acts as the support structure for antennas.

Wireless transmission facilities are defined in Springville Code as Class 3 Utilities. Permissions are listed in the Land use Matrix of Title 11. Certain types of facilities are listed specifically in the matrix and their respective land use classification in the table supersedes the more general classification of a Class 3 Utility. The use is permitted in the L-IM and H-IM Industrial Zones and would not require a conditional use permit.

OTHER CITIES MAXIMUM HEIGHTS

<u>CITY</u>	<u>MAXIMUM HEIGHT</u>
Spanish Fork	60'
Payson	100'
Lehi	100'
Salt Lake City	60' or max height of the zone
Murray	60'
West Jordan	80'

PROPOSED AMENDMENT

11-6-410 Specific Regulations by Type.

d. Monopoles. If the applicant desires to construct a monopole, the applicant shall first submit a detailed written description of why the applicant cannot obtain coverage using existing buildings or structures or stealth facilities. Monopoles are not permitted in the City's nationally registered historic district.

- i. Maximum Height and Width. The maximum height of the monopole or monopole antenna shall be eighty feet (80'), although the approving body may, ~~as a conditional use,~~ allow an antenna or antenna support structure up to ~~110 feet (110')~~ 138 feet (138') in height, if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or to allow co-location, and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antenna itself shall not exceed ten feet (10') in height.
- ii. Setback. Monopoles shall be set back a minimum of 300% of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.
- iii. Color. Monopoles, antennas, and related support structures shall be painted a neutral color, or a color to match the background against which they are most commonly seen.
- iv. Distance from other Monopoles. Monopoles and towers shall be located at least one half mile from each other. However, a new monopole with co-location space for other future or existing carriers may be permitted closer than a half mile to another legal nonconforming monopole that does not have any collocation space.
- v. Location on Parcel. Monopoles shall be located as unobtrusively on a parcel as possible, given the location of existing structures, nearby residential areas, and service needs of the applicant. Monopoles shall not be located in a required landscaped area, buffer area or parking area.
- vi. Co-Location Requirement. Every new monopole shall be designed and constructed to be of sufficient size and capacity to accommodate at least two additional wireless telecommunications provider on the structure in the future.

PLANNING COMMISSION REVIEW

The Planning Commission considered the amendment on March 9, 2021 and held a public hearing in which there were no comments.

David Allen who is an attorney with American Tower explained the application is to increase the existing cell tower height from 114 to 138 feet explaining the extension would reduce the need for another cell tower in the area by collating on this site. Industry practice is to collocate. As there are already two carriers on the existing pole, the increased height is needed to add the third carrier.



COMMISSION ACTION: Commissioner Young moved to recommend approval to the City Council to amend Section 11-6-410(d)(i) of Springville City Code pertaining to maximum height of wireless telecommunication monopole. Commissioner Parker seconded the motion. The vote to approve the Legislative Session item was unanimous.

Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Karen Ellingson	X	
Michael Farrer	X	
Kay Heaps	Excused	
Brad Mertz	X	
Rod Parker	X	
Frank Young	X	

ALTERNATIVES

1. Adopt the proposed ordinance amendments as recommended by the Planning Commission.
2. Amend and adopt the proposed ordinance; or
3. Reject the proposed amendments.

Laura Thompson
City Planner II

cc: Kelsey Bousquet
Brian B. Sullivan, Jr.
David G. Allen



STATE ROUTE 75

Monopole
Location

642

494

1400

1296

1268

657

545

1279

FOURTH DISTRICT
JUVENILE COURT

1025
#78

1025
#79

1025
#80

1025
#81

1025
#82

1025
#83

1025
#76

1025
#75

1025
#45

1025
#44

1025





120'

217



CRAFTON COMMUNICATIONS

February 12, 2021

City of Springville UT
Community Development
ATTN: Laura Thompson
110 South Main
Springville, UT 84663

VIA FedEx: Tracking Number 7728 9683 2850

RE: Request for Minor Modification to Existing Wireless Facility - Section 6409/47 CFR § 1.6100 ("6409")
Site Address: 1122 North 450 West, Springville, UT 84663

Dear Ms. Thompson:

On behalf of New Cingular Wireless PCS, LLC ("**AT&T**") we are pleased to submit this request to [modify AT&T's existing wireless communication site / collocate at [Other Carrier]'s existing wireless communication site] at the location referenced above, as an Eligible Facilities Request for a minor modification under Section 6409 and Federal Communications Commission ("**FCC**") rules. A copy of the 6409 rule is enclosed for your information.

Scope of Work

AT&T proposes the following minor modifications to this site. (Please note: all work will be performed wholly within the existing premises and utility easements; this site is free of any concealment elements; and the project otherwise complies with the site's prior conditions of approval.)

<u>Component</u>	<u>Federal Section 6409 Limits</u>	<u>AT&T's Proposed Modification</u>
Increase height of tower	10% or 20 feet as measured from the top of the highest existing antennas to the bottom of the proposed new antennas, whichever is greater	Increase in height of 19'5'.

FCC Shot Clock for Section 6409 Minor Modifications

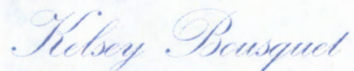
AT&T requests approval of the following applications, as well as any other authorizations necessary, for its proposed minor modification under Section 6409:

- Zoning Text Amendment Application

The FCC requires that all authorizations related to 6409 applications be completed within 60 days after filing.

Based on a filing date of February 16, 2021, the projected shot-clock deadline for a decision is April 17, 2021. Our goal is to work with you to obtain approval of this minor modification earlier than the deadline. We will respond promptly to any requests for information you may have for our application. Please let us know how we can work with you to expedite the approval process. We look forward to working with you on this important project, which will significantly improve wireless telecommunication services in your community without requiring an additional site. Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Kelsey Bousquet
Crafton Communications
Office (469) 312-0678
kbousquet@craftongroup.com

Enclosures: FCC Rule for Section 6409 Applications (47 CFR § 1.6100); Application form(s); Plans and drawings;
prior conditions of approval

cc: American Tower Corporation
AT&T



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

WIRELESS TELECOMMUNICATIONS BUREAU OFFERS GUIDANCE ON INTERPRETATION OF SECTION 6409(a) OF THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012

DA 12-2047
January 25, 2013

On February 22, 2012, the Middle Class Tax Relief and Job Creation Act of 2012 (Tax Act)¹ became law. Section 6409(a) of the Tax Act provides that a state or local government “may not deny, and shall approve” any request for collocation, removal, or replacement of transmission equipment on an existing wireless tower or base station, provided this action does not substantially change the physical dimensions of the tower or base station.² The full text of Section 6409(a) is reproduced in the Appendix to this Public Notice.

To date, the Commission has not received any formal petition to interpret or apply the provisions of Section 6409(a). We also are unaware of any judicial precedent interpreting or applying its terms. The Wireless Telecommunications Bureau has, however, received informal inquiries from service providers, facilities owners, and state and local governments seeking guidance as to how Section 6409(a) should be applied. In order to assist interested parties, this Public Notice summarizes the Bureau’s understanding of Section 6409(a) in response to several of the most frequently asked questions.³

What does it mean to “substantially change the physical dimensions” of a tower or base station?

Section 6409(a) does not define what constitutes a “substantial[] change” in the dimensions of a tower or base station. In a similar context, under the *Nationwide Collocation Agreement* with the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers, the Commission has applied a four-prong test to determine whether a collocation will effect a “substantial increase in the size of [a] tower.”⁴ A proposed collocation that does not involve a substantial increase in

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96, H.R. 3630, 126 Stat. 156 (enacted Feb. 22, 2012) (Tax Act).

² *Id.*, § 6409(a).

³ Although we offer this interpretive guidance to assist parties in understanding their obligations under Section 6409(a), *see, e.g., Truckers United for Safety v. Federal Highway Administration*, 139 F.3d 934 (D.C.Cir. 1998), the Commission remains free to exercise its discretion to interpret Section 6409(a) either by exercising its rulemaking authority or through adjudication. With two exceptions not relevant here, the Tax Act expressly grants the Commission authority to “implement and enforce” this and other provisions of Title VI of that Act “as if this title is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.)” Tax Act § 6003.

⁴ 47 C.F.R. Part 1, App. B, *Nationwide Programmatic Agreement for the Collocation of Wireless Antennas*, § I.C (*Nationwide Collocation Agreement*).

size is ordinarily excluded from the Commission's required historic preservation review under Section 106 of the National Historic Preservation Act (NHPA).⁵ The Commission later adopted the same definition in the *2009 Declaratory Ruling* to determine whether an application will be treated as a collocation when applying Section 332(c)(7) of the Communications Act of 1934.⁶ The Commission has also applied a similar definition to determine whether a modification of an existing registered tower requires public notice for purposes of environmental review.⁷

Under Section I.C of the *Nationwide Collocation Agreement*, a "substantial increase in the size of the tower" occurs if:

- 1) [t]he mounting of the proposed antenna on the tower would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or
- 2) [t]he mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or
- 3) [t]he mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- 4) [t]he mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.

Although Congress did not adopt the Commission's terminology of "substantial increase in size" in Section 6409(a), we believe that the policy reasons for excluding from Section 6409(a) collocations that substantially change the physical dimensions of a structure are closely analogous to those that animated the Commission in the *Nationwide Collocation Agreement* and subsequent proceedings. In light of the Commission's prior findings, the Bureau believes it is appropriate to look to the existing definition of "substantial increase in size" to determine whether the collocation, removal, or replacement of equipment

⁵ See 16 U.S.C. § 470f, see also 47 C.F.R. § 1.1307(a)(4) (requiring applicants to determine whether proposed facilities may affect properties that are listed, or are eligible for listing, in the National Register of Historic Places).

⁶ See Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance, WT Docket No. 08-165, *Declaratory Ruling*, 24 FCC Rcd. 13994, 14012, para. 46 & n.146 (2009) (*2009 Declaratory Ruling*), *recon. denied*, 25 FCC Rcd. 11157 (2010), *pet. for review denied sub nom. City of Arlington, Texas v. FCC*, 668 F.3d 229 (5th Cir.), *cert. granted*, 113 S.Ct. 524 (2012); 47 U.S.C. § 332(c)(7).

⁷ See 47 C.F.R. § 17.4(c)(1)(B); National Environmental Policy Act Compliance for Proposed Tower Registrations, WT Docket No. 08-61, *Order on Remand*, 26 FCC Rcd. 16700, 16720-21, para. 53 (2011).

on a wireless tower or base station substantially changes the physical dimensions of the underlying structure within the meaning of Section 6409(a).

What is a “wireless tower or base station”?

A “tower” is defined in the *Nationwide Collocation Agreement* as “any structure built for the sole or primary purpose of supporting FCC-licensed antennas and their associated facilities.”⁸ The Commission has described a “base station” as consisting of “radio transceivers, antennas, coaxial cable, a regular and backup power supply, and other associated electronics.”⁹ Section 6409(a) applies to the collocation, removal, or replacement of equipment on a wireless tower or base station. In this context, we believe it is reasonable to interpret a “base station” to include a structure that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a base station.¹⁰ Moreover, given the absence of any limiting statutory language, we believe a “base station” encompasses such equipment in any technological configuration, including distributed antenna systems and small cells.

Section 6409(a) by its terms applies to any “wireless” tower or base station. By contrast, the scope of Section 332(c)(7) extends only to facilities used for “personal wireless services” as defined in that section.¹¹ Given Congress’s decision not to use the pre-existing definition from another statutory provision relating to wireless siting, we believe the scope of a “wireless” tower or base station under Section 6409(a) is not intended to be limited to facilities that support “personal wireless services” under Section 332(c)(7).

May a state or local government require an application for an action covered under Section 6409(a)?

Section 6409(a) states that a state or local government “may not deny, and shall approve, any eligible facilities request...” It does not say that a state or local government may not require an application to be filed. The provision that a state or local government must approve and may not deny a request to take a covered action, in the Bureau’s view, implies that the relevant government entity may require the filing of an application for administrative approval.

⁸ See *Nationwide Collocation Agreement*, § I.B.

⁹ See Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, WT Docket No. 10-133, *Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless, Including Commercial Mobile Services, Fifteenth Report*, 26 FCC Rcd. 9664, 9481, para. 308 (2011).

¹⁰ See also 47 C.F.R. Part 1, App. C, *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process*, § II.A.14 (defining “tower” to include “the on-site fencing, equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with that Tower but not installed as part of an Antenna as defined herein”).

¹¹ 47 U.S.C. § 332(c)(7)(A). “Personal wireless services” is in turn defined to mean “commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.” *Id.* § 332(c)(7)(C)(1).

Is there a time limit within which an application must be approved?

Section 6409(a) does not specify any period of time for approving an application. However, the statute clearly contemplates an administrative process that invariably ends in approval of a covered application. We believe the time period for processing these applications should be commensurate with the nature of the review.

In the *2009 Declaratory Ruling*, the Commission found that 90 days is a presumptively reasonable period of time to process collocation applications.¹² In light of the requirement of Section 6409(a) that the reviewing authority “may not deny, and shall approve” a covered request, we believe that 90 days should be the maximum presumptively reasonable period of time for reviewing such applications, whether for “personal wireless services” or other wireless facilities.

Wireless Telecommunications Bureau contact: Maria Kirby at (202) 418-1476 or by email: Maria.Kirby@fcc.gov.

-FCC-

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¹² See *2009 Declaratory Ruling*, 24 FCC Rcd. at 14012-13, paras. 46-47.

APPENDIX

SEC. 6409. WIRELESS FACILITIES DEPLOYMENT.

(a) FACILITY MODIFICATIONS.

(1) IN GENERAL. Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104-104) or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

(2) ELIGIBLE FACILITIES REQUEST. For purposes of this subsection, the term “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves —
(A) collocation of new transmission equipment;
(B) removal of transmission equipment; or
(C) replacement of transmission equipment.

(3) APPLICABILITY OF ENVIRONMENTAL LAWS. Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

ORDINANCE #XX-2021

AN ORDINANCE AMENDING SPRINGVILLE CITY CODE SECTION 11-6-410(d)(i) PERTAINING TO WIRELESS COMMUNICATION MONOPOLE HEIGHT.

WHEREAS the Springville City Development Code governs land use decisions within Springville City in fulfillment of the recommendations of the General Plan as well as the future vision of the City as established by the Mayor and Council; and

WHEREAS the City Council acknowledges accommodating the expansions of networks and transmission facilities is important to creating a well-connected, functioning city and encourage providers to co-locate on existing poles, rather than building additional facilities.

WHEREAS the Planning Commission conducted a public hearing on March 9, 2021 and reviewed the proposed text amendments and has recommended favorably of the amendments.

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

11-6-410 Specific Regulations by Type.

- d. Monopoles. If the applicant desires to construct a monopole, the applicant shall first submit a detailed written description of why the applicant cannot obtain coverage using existing buildings or structures or stealth facilities. Monopoles are not permitted in the City's nationally registered historic district.
- i. Maximum Height and Width. The maximum height of the monopole or monopole antenna shall be eighty feet (80'), although the approving body may, ~~as a conditional use,~~ allow an antenna or antenna support structure up to ~~110 feet (110')~~ 138 feet (138') in height, if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or to allow co-location, and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antenna itself shall not exceed ten feet (10') in height.
 - ii. Setback. Monopoles shall be set back a minimum of 300% of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.
 - iii. Color. Monopoles, antennas, and related support structures shall be painted a neutral color, or a color to match the background against which they are most commonly seen.
 - iv. Distance from other Monopoles. Monopoles and towers shall be located at least one-half mile from each other. However, a new monopole with co-location space for other future or existing carriers may be permitted closer than a half mile to another legal nonconforming monopole that does not have any collocation space.
 - v. Location on Parcel. Monopoles shall be located as unobtrusively on a parcel as possible, given the location of existing structures, nearby residential areas, and service needs of

the applicant. Monopoles shall not be located in a required landscaped area, buffer area or parking area.

- vi. Co-Location Requirement. Every new monopole shall be designed and constructed to be of sufficient size and capacity to accommodate at least two additional wireless telecommunications providers on the structure in the future.

This ordinance shall become effective upon adoption by the Council of Springville City.

ADOPTED by the City Council of Springville, Utah, this 06th day of April 2021.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder



STAFF REPORT

DATE: April 1, 2021
TO: Honorable Mayor and City Council
FROM: John Penrod, City Attorney
SUBJECT: CONSIDERATION OF RESOLUTION APPROVING A BOUNDARY LINE AGREEMENT BETWEEN SPRINGVILLE CITY AND THE PROEPRTY OWNERS OF THE PROPERTIES WITH PARCEL NOS. 23:025:0047 AND 23:025:0008.

RECOMMENDED MOTIONS

Motion to approve Resolution No. ____ that approves a boundary line agreement between Springville City and the property owner of property located at approximately 1650 West 1000 North in Springville, with parcel nos. 23:025:0047 and 23:025:0008.

BACKGROUND

A company by the name of Anderson CRG is purchasing property to the north and west of property owned by Springville City near the intersection of 1650 West 1000 North in Springville. The City owns approximately 2.00 acres at this location. Anderson CRG has approached the City to enter into a boundary line agreement to clean up some overlaps and gaps between Anderson CRG's property and the City's property.

The proposed boundary line agreement follows the fence line located at the boundary of the City's property, and the City will not be giving up any property in the agreement.

FISCAL IMPACT

None.

Attachments: Proposed Resolution and Agreement
City Engineer's map of boundary lines

RESOLUTION #2021-XX

A RESOLUTION APPROVING A BOUNDARY LINE AGREEMENT TO CLEAN UP THE BOUNDARY LINES OF CITY PROPERTY LOCATED AT 1000 NORTH 1650 WEST IN SPRINGVILLE.

WHEREAS, there is currently boundary line gaps and overlaps on the north and west side of property owned by Springville City at the location of 1000 North and 1650 West in Springville; and

WHEREAS, the property owner to the north and west of the City's property has requested the City to enter into the attached Boundary Line Agreement in order to clean up the boundary line between the adjoining property owners; and

WHEREAS, the Springville City Council finds that the attached Boundary Line Agreement is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE SPRINGVILLE CITY COUNCIL:

SECTION 1. Approval. The Agreement, substantially in the form attached as Exhibit A, is approved and shall be executed by Springville City.

SECTION 2. Effective Date. This resolution shall become effective immediately upon passage.

PASSED AND APPROVED this ____ day of April 2021.

Richard J Child, Mayor

Attest:

Kim Crane, City Recorder

EXHIBIT A

Boundary Line Agreement - 1000 North 1650 West, Springville, Utah

BOUNDARY LINE AGREEMENT

THIS BOUNDARY LINE AGREEMENT is entered into as of the _____ day of March, 2021, by and between **Keith P. Snelson and Celia R. Snelson, Trustees of The Snelson Family Trust, dated the 24th day of October 2005**, hereinafter referred to as **Snelson**; and, **Springville City, a municipal corporation of the State of Utah**, hereinafter referred to as **Springville City**.

RECITALS:

- A. **Snelson** is the owner in fee simple of the following described parcel of real property, situated in Utah County, State of Utah, hereinafter referred to as the **Snelson** Parcel, and being more particularly described as follows:

See **EXHIBIT "A"** attached hereto

- B. **Springville City** is the owner in fee simple of the following described parcel of real property, situated in Utah County, State of Utah, hereinafter referred to as the **Springville City** Parcel, and being more particularly described as follows:

See **EXHIBIT "B"** attached hereto

- C. The exact location of the boundary between the above **Snelson** Parcel and the **Springville City** Parcel is currently in dispute. In order to eliminate any confusion and to forever determine the issue of the common boundary line between the above **Snelson** Parcel and the **Springville City** Parcel, the undersigned parties desire to establish said common boundary line.

NOW THEREFORE, in consideration of the mutual benefits gained hereby, and for the purpose of permanently establishing the common legal and physical boundary line between the parcels described herein, the parties agree as follows:

1. The **Easterly** and **Southerly** as boundary line of the **Snelson** Parcel and the **Northerly** and **Westerly** boundary line of the **Springville City** Parcel shall hereafter be determined, located and described as follows:

See **EXHIBIT "C"** attached hereto

2. In order to effectuate this Agreement, **Snelson** hereby releases, remises and quit claims to **Springville City** all of **Snelson's** right, title and interest in and to any real property lying immediately to the **East** of Parcel 1 and South of Parcel 3 of the common boundary line described above; and **Springville City** hereby releases, remises and quit claims to **Snelson** all of its right, title and interest in and to any real property lying immediately to the North and **West** of the common boundary line described above.
3. The new West boundary of Springville city is also described in Exhibit "B" which matches the adjacent boundary in Exhibit C.

IN WITNESS WHEREOF, the undersigned have executed this agreement so as to be binding on the respective parties this _____ day of _____, _____.

The Snelson Family Trust, dated 24th October 2005

Springville City

By: _____
Keith P. Snelson, Trustee

By: _____

By: _____
Celia R. Snelson, Trustee

Its: _____

Acknowledgments

STATE OF UT)
)SS.
County of _____)

On _____, before me, the undersigned Notary Public, personally appeared **Keith P. Snelson and Celia R. Snelson, Trustees of The Snelson Family Trust, dated the 24th day of October 2005** , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

Notary Public

STATE OF UT)
)SS.
County of _____)

On _____, before me, the undersigned Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument is/are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

Notary Public

EXHIBIT "A"
Snelson Parcel

PARCEL 1

COMMENCING NORTH 55 RODS AND WEST 42 RODS FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 922.93 FEET; THENCE SOUTH 00°15'03" WEST 660 FEET; THENCE EAST 925.82 FEET; THENCE NORTH 40 RODS TO THE POINT OF BEGINNING.

PARCEL 2:

COMMENCING SOUTH 1788.43 FEET AND WEST 546.34 FEET FROM THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 588.69 FEET; THENCE NORTH 717.46 FEET; THENCE SOUTH 65°37'38" EAST 24.95 FEET; THENCE SOUTH 67°22'20" EAST 98.74 FEET; THENCE SOUTH 63°33'57" EAST 528.55 FEET; THENCE SOUTH 00°12'12" EAST 433.88 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"
Springville City Parcel
Tax ID No. 23-025-0037

THE OLD LEGAL DESCRIPTION OF SPRINGVILLE CITY AS DESCRIBED AS RECORDED IN DEED IN JULY 21, 1986 AS ENTRY NO. 23220:1986 AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89°15'31" WEST 372.22 FEET ALONG QUARTER SECTION LINE TO THE WEST RIGHT OF WAY LINE OF A RAILROAD AND NORTH 0°12'12" WEST 216.29 FEET AND SOUTH 89°17'20" WEST 190.01 FEET FROM THE EAST QUARTER CORNER OF SECTION 30, T7S, R3E, SLB&M, SPRINGVILLE, UTAH AND RUNNING THENCE SOUTH 89°17'20" WEST 141.00 FEET, THENCE NORTH 0°01'25" WEST 645.79 FEET, THENCE SOUTH 89°03'35 EAST 139.00 FEET, THENCE SOUTH 0°12'12" EAST 641.76 TO POINT OF BEGINNING.

New West and North Boundary of Springville City Description prepared by Oak Hills Surveying According to survey filed in the Utah county Surveyors office on March 15, 2019 as filing number 19-111

BEGINNING AT A POINT ON THE SOUTH LINE OF TOWNSEND SUBDIVISION PLAT "A", SAID POINT BEING NORTH 0°46'17" WEST 851.19 FEET ALONG THE SECTION LINE AND WEST 552.82 FEET FROM THE EAST QUARTER CORNER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE SOUTH 89°01'44" WEST 139.11 FEET;
THENCE SOUTH 0°52'16" WEST 157.12 FEET;
THENCE SOUTH 0°07'56" EAST 219.03 FEET;
THENCE SOUTH 1°04'21" WEST 71.16 FEET;
THENCE SOUTH 0°31'19" EAST 165.60 FEET TO THE POINT OF TERMINUS
SAID POINT OF TERMINUS BEING WEST 705.08 FEET AND NORTH 235.89 FEET FROM THE EAST QUARTER CORNER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN

EXHIBIT "C"
NEW LEGAL DESCRIPTION OF Snelson Common Boundary Line WITH SPRINGVILLE CITY

PARCEL 1: 23-025-0008

Snelson New Description prepared by Oak Hills Surveying on January 17, 2019 and filed in the Utah County Surveyors office on March 15, 2019 as filing number 19-111

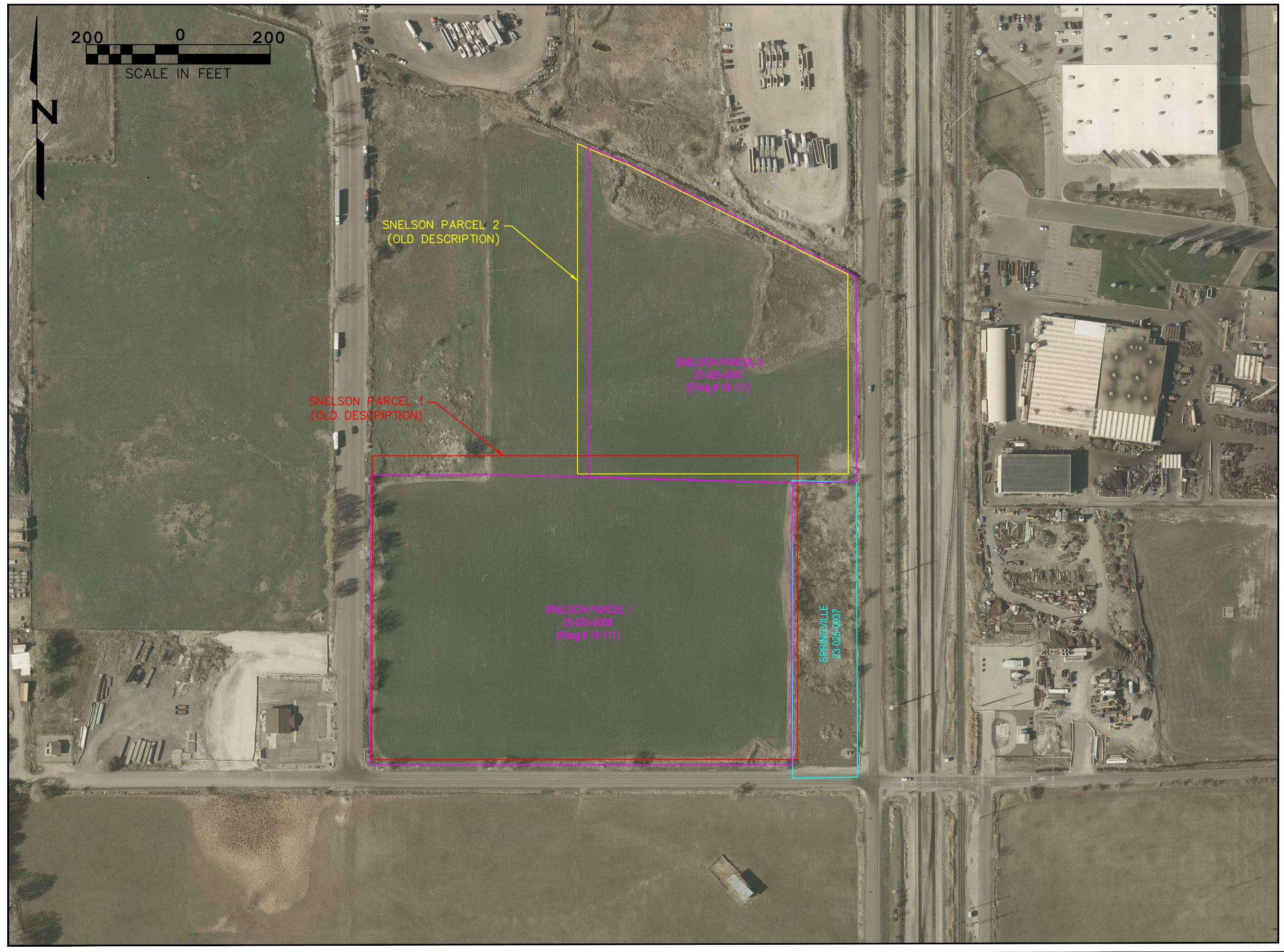
BEGINNING AT A FENCE CORNER ON THE NORTH SIDE OF 1000 NORTH STREET, SAID POINT BEING LOCATED NORTH 00°46'17" WEST 235.91 FEET ALONG THE SECTION LINE AND WEST 701.90 FEET FROM THE EAST QUARTER CORNER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 917.21 FEET, THENCE NORTH 00°12'38" EAST 629.42 FEET, THENCE SOUTH 89°54'00" EAST 124.20 FEET ALONG A FENCE LINE, THENCE CONTINUE ALONG FENCE NORTH 89°12'00" EAST 124.50 FEET TO A FENCE CORNER, THENCE SOUTH 88°27'00" EAST 668.16 FEET TO A FENCE CORNER, THENCE ALONG FENCE LINE SOUTH 00°52'16" WEST 157.12 FEET, THENCE SOUTH 00°07'56" EAST 219.03 FEET, THENCE CONTINUE ALONG WIRE FENCE SOUTH 01°04'21" WEST 71.16 FEET THENCE SOUTH 00°31'19" EAST 165.60 FEET TO THE POINT OF BEGINNING.

PARCEL 3: 23-025-0047

Snelson New Description Prepared by Oak Hills Surveying on January 17, 2019

BEGINNING AT THE SOUTHEAST CORNER OF PLAT "A" TOWNSEND SUBDIVISION SAID POINT BEING LOCATED NORTH 00°46'17" WEST 1297.27 FEET ALONG THE SECTION LINE AND WEST 548.40 FEET FROM THE EAST QUARTER CORNER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 00°12'12" EAST 446.04 FEET TO A FENCE CORNER, THENCE ALONG A FENCE LINE SOUTH 89°01'44" WEST 139.11 FEET, THENCE NORTH 88°27'00" WEST 441.81 FEET, THENCE NORTH 00°12'12" WEST 718.32 FEET TO THE SOUTH LINE OF PLAT "A" TOWNSEND SUBDIVISION, THENCE ALONG SAID SUBDIVISION SOUTH 67°22'20" EAST 98.74 FEET, THENCE CONTINUE ALONG SUBDIVISION LINE SOUTH 63°33'57" EAST 547.84 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS IS NORTH 00°46'17" WEST ALONG THE SECTION LINE FROM THE EAST QUARTER CORNER OF SECTION 30 TO THE NORTHEAST CORNER OF SECTION 30.



SPRINGVILLE CITY
110 SOUTH MAIN STREET
SPRINGVILLE, UT 84663
(801) 489-2700



SPRINGVILLE - SNELSON BLA

DRAWN	REVISION	DATE	BY
JLA			
DESIGN			
CHECK			
DATE		02/26/2022	

SCALE 1" = 200'

DRAWING
1 OF 1