

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, MAY 04, 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
Brett Nelson

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, Chief of Police Lance Height, Administrative Services Director Patrick Monney, 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

CALL TO ORDER

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

INVOCATION AND PLEDGE

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

APPROVAL OF THE MEETING'S AGENDA

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

MAYORS COMMENTS

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

CEREMONIAL

1. Recognition of the Springville High School Girls Basketball Team 5A Champions

Mayor Child and the Springville City Council congratulated the Springville High School Girls Basketball team for winning the 5A State Championship this year. Head Coach Holli Averett thanked the Mayor and Council and said how proud she was of the team and how hard they worked this year. The SHS 2021 State Champions were; Rie Briggs, Lauryn Deede, Katie Durfy, Ellie Esplin, Madi Galbraith, Kayla Jackson, Paige Jacobson, Addisyn Johnson, Ash Mousser, Brooke Pennington, Ella Peterson, Kayla Porray, Sami Stepp, and Ella Stoddard.

PUBLIC COMMENT

Mayor Child introduced the Public Comment section of the agenda. He asked if there were any written requests to speak submitted. There was none.

CONSENT AGENDA

2. Approval of minutes for the March 02 and 16, 2021 work-study meetings.
3. Approval of the Mayor's appointments of Leticia Goodman, Alice Johansen, Michael Johnson, and Amanda McClellan to the Springville Library Board

COUNCILMEMBER NELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN
COUNCILMEMBER CRANDALL SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

PUBLIC HEARING AGENDA

4. **Public Hearing for consideration of a Resolution and agreement approving the sale of Springville City Property of approximately .09 acres located at approximately 180 South Main Street in Springville, Utah - John Penrod, Assistant City Administrator/City Attorney (continued from April 20, 2021)**

A Public Hearing was held on April 20, 2021, and continued by the City Council to the May 04, 2021 council meeting.

GWC Capital, LLC (a company associated with the Clyde Companies) recently approached Springville City wanting to purchase from the City the parcel of property that is located on Springville's Main Street between Funfinity and Dr. Christopher's Herb Shop. The parcel of property is approximately 0.09 acres and has been used for parking. GWC Capital, LLC wants to construct a building that is compatible and sensitive to the design and materials of Springville's historic downtown.

The purchase price was \$80,000 and closing will end after all parties mutually agree to a design. The parties will work together in good faith on a building design. Once the parties agree a development agreement will be approved.

Attorney Penrod reviewed the agreement with the Mayor and City Council. He stated he met with personnel at Gingers Café, Dr. Christopher's, and the potential buyer where they had a good discussion and all parties looked to work together.

Mayor Child opened a public hearing.

COUNCILMEMBER PACKARD MOTIONED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

COUNCILMEMBER JENSEN MOVED TO APPROVE RESOLUTION #2021-20 APPROVING THE SALE OF APPROXIMATELY 0.09 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 180 SOUTH MAIN STREET TO GWC CAPITAL, LLC.

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

| | |
|------------------------|-----|
| COUNCILMEMBER CRANDALL | AYE |
| COUNCILMEMBER JENSEN | AYE |
| COUNCILMEMBER PACKARD | AYE |
| COUNCILMEMBER SNELSON | AYE |
| COUNCILMEMBER NELSON | AYE |

RESOLUTION #2021-20 APPROVED

REGULAR AGENDA

5. **Consideration of an Ordinance amending Section 11-4-405 of Springville City Code pertaining to setbacks for detached accessory structure rear yard setbacks - Josh Yost, Community Development Director**

Attorney Penrod reported John York, a Springville resident, recently constructed an unwallled patio in his backyard that is less than three feet from his home and within five feet of his rear yard boundary line. Mr. York's structure currently violates the City's accessory structure ordinance because the ordinance requires accessory structures to be located at least six feet away from a principal structure. After this was brought to Mr. York's attention, he applied to amend the City's ordinance. The desired ordinance amendment only deals with "unwallled" accessory structures. The Fire Chief and Building Official were consulted and did not object to the amendment.

Public Works Director Stapley asked if stormwater was considered and if water would be shed onto another property. Attorney Penrod replied it should not there would be three feet between properties.

Councilmember Snelson asked if this would apply city-wide. Attorney Penrod confirmed it would.

COUNCILMEMBER JENSEN MOVED TO *APPROVE* **ORDINANCE #08-2021** AMENDING THE ACCESSORY STRUCTURE ORDINANCE TO ALLOW UNWALLED ACCESSORY STRUCTURES TO BE CLOSER THAN SIX FEET TO A PRIMARY STRUCTURE.

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

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|------------------------|-----|
| COUNCILMEMBER CRANDALL | AYE |
| COUNCILMEMBER JENSEN | AYE |
| COUNCILMEMBER PACKARD | AYE |
| COUNCILMEMBER SNELSON | AYE |
| COUNCILMEMBER NELSON | AYE |

ORDINANCE #08-2021 APPROVED

6. **Consideration of a Resolution to adjust a boundary line for the Holdaway Property and Barn located at 601 East 200 North, Springville, UT, Parcel No. 23:041:0149 - John Penrod, Assistant City Administrator/City Attorney**

Attorney Penrod reported in or around 1994, Reed and Margaret Holdaway donated the Holdaway Park property to the City. After donating the park property, several city council meeting minutes show that the Holdaway's meant to keep the property on which their barn is located. The property was in the original legal description of property gifted to the City. The meeting minutes include the following dates March 2001, May 2001, and August 2002. In addition to the meeting minutes, the City fenced around the barn so that it was not part of Holdaway Park and signed a quitclaim deed in 2003 that deeded the barn property back to Holdaway's. However, the deed had some issues with it and was not recognized by the County. The prior meeting minutes do not show that the City Council ever voted on this issue. Accordingly, this item comes to the Council for its approval.

COUNCILMEMBER NELSON MOVED TO APPROVE **RESOLUTION #2021-21** AUTHORIZING THE MAYOR TO SIGN A QUITCLAIM DEED THAT DEEDS THE HOLDAWAY BARN TO THE CURRENT OWNERS OF THE HOLDAWAY PROPERTY.

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

| | |
|------------------------|-----|
| COUNCILMEMBER CRANDALL | AYE |
| COUNCILMEMBER JENSEN | AYE |

COUNCILMEMBER PACKARD AYE
COUNCILMEMBER SNELSON AYE
COUNCILMEMBER NELSON AYE

RESOLUTION #2021-21 APPROVED

7. Consideration of a Resolution addressing improvements for development at 850 South 2080 East, Springville, Utah - John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported Adam Smith the owner of the property at 850 West and 2080 East in Springville, had protested the required development improvements for his one lot subdivision as being beyond what the City may exact as part of developing the property.

Mr. Smith is protesting the City's requirement that he must mill and overlay the entire road around his one-lot subdivision, which road length is over 300 feet.

The proposed resolution allows the city to examine Mr. Smith's protest, and if it is determined that the ordinance requirements amount to an unlawful exaction, the City may enter into an agreement with Mr. Smith that resolves the issue.

Allow staff to do a full analysis and the mayor to enter an agreement with the property owner for what is appropriate.

Councilmember Jensen asked if they could do a flag lot. Administrator Fitzgerald replied it would end up with different roads.

COUNCILMEMBER SNELSON MOVED TO *APPROVE* **RESOLUTION #2021-22** AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE OWNER OF PROPERTY AT 850 SOUTH 2080 EAST, SPRINGVILLE, UTAH.

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

COUNCILMEMBER CRANDALL AYE
COUNCILMEMBER JENSEN AYE
COUNCILMEMBER PACKARD AYE
COUNCILMEMBER SNELSON AYE
COUNCILMEMBER NELSON AYE

RESOLUTION #2021-22 APPROVED

8. Consideration of a Resolution and Lease for less than five acres of parcel #26:050:0042 (old Suntana property) to Geneva Rock Products, Inc. - John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported in 2016, the Mountainland Association of Governments purchased roughly 44 acres of the old Suntana Raceway property. As part of the transaction, the property was deeded to Springville City. The City agreed to hold the property until the future I-15 1600 South offramp was constructed. During the time that the City holds the property, it may lease it to other entities.

Geneva Rock Products, Inc. ("Geneva") recently requested that the City lease approximately four acres of the property to Geneva for a temporary batch plant. In exchange for the lease, Geneva has agreed to provide the City with concrete.

Attorney Penrod explained the terms of the agreement and Geneva Rock would need to get the permits from the county.

Administrator Fitzgerald said there was a question about supplying the property with water. He stated the Applicant was aware and is working with the County and Public Works.

COUNCILMEMBER PACKARD MOVED TO *APPROVE* **RESOLUTION #2021-23** AUTHORIZING A LEASE FOR LESS THAN FIVE ACRES OF THE SUNTANA PROPERTY (PARCEL #26:050:0042) TO GENEVA ROCK PRODUCTS, INC.

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

| | |
|------------------------|-----|
| COUNCILMEMBER CRANDALL | AYE |
| COUNCILMEMBER JENSEN | AYE |
| COUNCILMEMBER PACKARD | AYE |
| COUNCILMEMBER SNELSON | AYE |
| COUNCILMEMBER NELSON | AYE |

RESOLUTION #2021-23 APPROVED

COUNCILMEMBER PACKARD MOTIONED TO HAVE MR. PENROD ADD A 60-DAY TERMINATION CLAUSE TO THE LEASE FOR SPRINGVILLE CITY DURING A ONE-YEAR TERM.

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

9. **Consideration of a Resolution regarding the Springville City tentative budget for the Fiscal Year 2021/2022, and a request to schedule a Public Hearing date and time for formal adoption of the Final Budget - Bruce Riddle, Assistant City Administrator/Finance Director**

Director Riddle reported the Uniform Fiscal Procedures Act for Utah Cities requires that Springville City adopt a tentative budget in the first regular Council meeting in May for the ensuing year. Additionally, state statute requires the city to adopt a final budget on or before June 22 of each fiscal period.

COUNCILMEMBER SNELSON MOVED TO *APPROVE* **RESOLUTION #2021-24** ADOPTING THE CITY OF SPRINGVILLE TENTATIVE BUDGET FOR THE FISCAL YEAR 2021-2022 AND SET A PUBLIC HEARING FOR ADOPTION OF THE FINAL BUDGET ON JUNE 1, 2021, AT 7:00 P.M.

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

| | |
|------------------------|-----|
| COUNCILMEMBER CRANDALL | AYE |
| COUNCILMEMBER JENSEN | AYE |
| COUNCILMEMBER PACKARD | AYE |
| COUNCILMEMBER SNELSON | AYE |
| COUNCILMEMBER NELSON | AYE |

RESOLUTION #2021-24 APPROVED

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Child asked if there were any comments. Mayor said he is receiving requests to make proclamations for many things and asked for the council's feedback regarding a policy on proclamations.

Councilmember Crandall asked about community members offering prayers during meetings. Penrod most cities are doing what we do now and some have stepped away from the tradition.

CLOSED SESSION

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

There was none.

ADJOURNMENT

COUNCILMEMBER PACKARD MOVED TO ADJOURN THE REGULAR MEETING AT 8:22 P.M.
COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

*This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, May 04, 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,
May 04, 2021.*

DATE APPROVED: June 15, 2021



Kim Crane, CMC
City Recorder