

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, JUNE 01, 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, Generation Superintendent Shawn Black, Public Safety Lieutenant Warren Foster, 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 Snelson offered the invocation, and Councilmember Jensen 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 2021 Art City Days Dignitaries

Director Meredith stated Springville is home to many outstanding people, and every year the best of the best has been chosen to be honored during Art City Days. The Art City Days Committee chooses the annual Grand Marshal and Resident Artist. The Business of the Year and the Citizen of the year was named by the Springville-Mapleton Area Chamber of Commerce.

Director Merideth introduced the 2021 Art City Days Dignitaries. This year's Parade Grand Marshal will be former Springville resident and First Lady of Utah Jeanette Herbert. The Resident Artist is Bryon Draper a Springville resident and sculptor. The Citizen of the Year is Richard E. Frandsen 98

years young, a Springville resident since 1952 and WWII veteran. The Business of the Year is Holt CPA, their services range from individual and business income tax preparation to business financial statement preparation.

2. Recognition of the 2021 Springville Art Royalty

Dr. Rita Wright, Museum of Art Director thanked the 2020-2021 Art Royalty for their service; Olivia Smith (Queen), Sicily Fischio, Alexi Corfield, Hannah Martinez, Jenny Wallentine, Jane Wilson, and Julia Whitesman and introduced Jordan Hansen the Art Royalty advisor. Jordan reported on the history of the Art Royalty stating it has been a tradition in Springville since 1907. This year they started a new tradition by opening it up to all and having an Art King and Queen. She then introduced the 2021-2022 Art Royalty; Lily Brower, Jaylyn Reid, Benjamin Tenney, Ashley Edwards, Logan Tanner, Jack Nemelka, Logan Garnica (King), and Iris Dominguez (Queen).

CONSENT AGENDA

3. Approval of minutes for the work-study meetings on April 13 and May 11, 2021.
4. Approval of the Mayor's appointment of Bryan Smith to the Board of Adjustments
5. Approval of the Mayor's appointment of Kellen Hyer to the Water Board
6. Approval of a Resolution and multi-year contract for road paint striping with Done Rite Lines in the amount of \$35,828.32 - Jason Riding, Streets Superintendent
7. Approval of a Resolution and multi-year Lease with Les Olson Co for Library copiers in the amount of approximately \$26,346.60 - Dan Mickelson, Library Director
8. Approval of the Saddlebrook Estates Subdivision located in the area of 1162 West Center Street, Springville, Utah in the R1-10 Single-Family Residential and Westfield's overlay zones - Josh Yost, Community Development Director
9. Approval of the Condie Corner Subdivision located at 680 West Center Street, Springville, Utah in the R1-10 Single-Family Residential and WF-1 Westfield's Overlay Zones - Josh Yost, Community Development Director
10. Approval of an amendment to the 5-Year Natural Gas Hedge Policy for the Whitehead Power Plant, Nebo Power Plant, and the Clyde Recreation Center - Shawn Black, Power Generation Superintendent
11. Approval of a Resolution authorizing the volunteers for Art City Days festivities - John Penrod, Assistant City Administrator/City Attorney

COUNCILMEMBER NELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN AND THE FOLLOWING RESOLUTION #2021-27 APPROVING A CONTRACT WITH DONE RITE LINES, RESOLUTION #2021-28 APPROVING LEASE WITH LES OLSON COMPANY, AND RESOLUTION #2021-29 APPROVING ART CITY DAYS VOLUNTEERS.

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

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

RESOLUTION #2021-27, RESOLUTION #2021-28, AND RESOLUTION #2021-29 APPROVED

PUBLIC HEARING AGENDA

12. Public Hearing for consideration of an Ordinance adjusting the boundary line between Spanish Fork City parcel #26:045:0108 and Springville City parcel #66:273:0019 - John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported Springville City received an application to adjust the common boundary between Springville City and Spanish Fork City. The adjusted boundary would allow a Spanish Fork business to install new Spanish Fork City roads for the business's expansion. As part of the adjusted boundary, Springville City will be giving up 1.87 acres and receiving 4.85 acres. There is no agreement at this time for a road.

Mayor Child opened the public hearing.

Ron Harris with Young Living spoke and stated their master plan was to put a manufacturing plant on the property and are intending to work on the road alignment

COUNCILMEMBER PACKARD CLOSED THE PUBLIC HEARING. COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

COUNCILMEMBER PACKARD MOVED TO *APPROVE* ORDINANCE #10-2021 THAT ADJUSTS THE COMMON BOUNDARY BETWEEN SPRINGVILLE CITY AND SPANISH FORK CITY.

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

ORDINANCE #10-2021 APPROVED

PUBLIC COMMENT

Mayor Child introduced the Public Comment section of the agenda. He stated he skipped the Public Comment section and he had received a written request to speak.

Amanda Miller commented on election integrity and presented some goals. She would like to remove and permanently ban rank choice voting in Springville. Currently, Springville is one of the twenty-three municipalities testing the program across the state. She asked how the decision was made and if it could be reversed. She wanted to know how to appeal House Bill 72 and eliminate Vote By Mail. She stated Absentee Ballots and the use of machines in the election system should be banned, to avoid manipulations. Having precincts small enough to handle hand-counting would eliminate the use of machines. She asked what the city council was doing to ensure election integrity and asked for their feedback.

13. Public Hearing for consideration of a Resolution and agreement approving the sale of 2.07 acres of Springville City Property located at approximately 1650 West 1000 South North, Springville, Utah - John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported the Lucent Group, LLC was in the process of developing 20 plus acres of property at the location between 1650 West and 1750 West and between 1000 North and 1200 North.

Springville City currently owns approximately 2.07 acres of property located at the northwest corner of the 1650 West and 1000 North intersection. The City's property is 140 feet wide and 650 feet long. The Lucent Group has offered to purchase the City's property to square off its desired development.

Councilmember Nelson asked if it would behoove the city to put it up for sale and allow others to bid on the property. Attorney Penrod stated the city has done everything according to the city ordinance.

Councilmember Packard asked if they approached the city. Attorney Penrod stated yes.

Councilmember Snelson asked if there were any other interested parties in the property. Attorney Penrod replied not recently.

Mayor Child expressed it was not a property that would enhance a city property.

Councilmember Jensen questioned the integrity of conversations about a property. There should not be any promises. Attorney Penrod reported conversations have been the city council would need to approve any sales or purchases of property.

Mayor child opened the public hearing.

COUNCILMEMBER SNELSON CLOSED THE PUBLIC HEARING. COUNCILMEMBER NELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

COUNCILMEMBER SNELSON MOVED TO *APPROVE* **RESOLUTION #2021-30** APPROVING AN AGREEMENT TO SELL APPROXIMATELY 2.07 ACRES OF PROPERTY TO THE LUCENT GROUP, LLC FOR \$586,099.80.

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 #2021-30 APPROVED

14. Public Hearing for consideration of adopting the Enterprise Fund Transfers for FY 2021/2022 - Bruce Riddle, Assistant City Administrator/Finance Director

Director Riddle reported all three public hearings regarding the budget have been done as a whole as a report, however, each would require individual public hearings. Historically Utah County has published the certified tax rate before the end of May, this year it has not been published as of this meeting. Because it is an integral part of the budget he recommended opening the public hearing and continuing the approval to June 15, 2021.

He stated State statute requires a municipality intending to transfer money from an enterprise fund to another fund of the city to hold a separate and independent public hearing to provide for public comment on the intended transfers and no formal action was required of the City Council

Mayor Child opened the public hearing on all three budget items.

Lyle Wert, resident; stated he had reviewed the budget and had a few questions, possibly staff could reach him after the meeting. He asked how much the bi-annual city survey was costing. He stated there have been a few comments on social media regarding crossing guards, particularly south of his area around the Smith's Grocery he asked if it was part of the police budget. He stated street signs were being replaced and citizens have asked if it was necessary, he asked about the replacement priority for

street signs. He said there has been no mention of a dog park, although there have been many comments about one, and the council approved one in 2018. He asked about the Public Arts Program and what city projects were being considered. A veteran's memorial was mentioned by Mayor Child and said he would like to know more about the project. He wanted to know more about the rate increases and eliminating the negative cash flow, and whether it is worth increasing the utility rate. He asked for more information about the golf course expense for the irrigation system, the city survey says most citizens do not use the golf course.

COUNCILMEMBER JENSEN MOTIONED TO CONTINUE THE BUDGET ITEMS TO JUNE 15, 2021. COUNCILMEMBER PACKARD SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

15. Public Hearing for consideration of an Ordinance approving of setting compensation for Springville City Officers and Employees for FY 2021/2022

Item continued to June 15, 2021.

16. Public Hearing to consider a Resolution and adoption of the Springville City Final Budget for the Fiscal Year 2021/2022 - Bruce Riddle, Assistant City Administrator/Finance Director

Item continued to June 15, 2021.

REGULAR AGENDA

17. Consideration of an Ordinance to amend Springville City Code Section 3-9-103 and 104 Duties of Towing Companies on the Rotation List - Warren Foster, Lieutenant

Lieutenant Foster reported the Springville Police Department was required by law to have a Tow Company rotation list which consists of Tow Companies that have complied with all the requirements as set forth by the Utah State Tax Commission. All tow companies agree and sign a "Letter of Understanding" agreeing to respond to a 'request for a tow' for any reason.

Several tow companies have been in the habit of agreeing to respond to the 'request for a tow' but, once they learn the tow is not for a state impound or a traffic accident, both of which guarantees payment for their services, the company will provide an excuse why they cannot respond to tow a vehicle.

The amendment would provide updated information for 'Duties of Towing Companies on the Rotation List' and consequences, which provides information for possible 'Removal from Tow Rotation List' for code violations.

Councilmember Nelson suggested not having one company taking all of the abandoned vehicles and spreading out the calls.

COUNCILMEMBER CRANDALL MOVED TO APPROVE ORDINANCE #12-2021 AMENDING SECTIONS 3-9-103 AND 3-9-104 OF THE SPRINGVILLE CITY CODE.

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

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER S NELSON	AYE
COUNCILMEMBER NELSON	AYE

ORDINANCE #12-2021 APPROVED

18. Consideration of a **Resolution** pursuant to City Code and Section 10-9a-509 of the Utah Code that formally initiates proceedings to amend the official zone map to the RC Zone in parts of the following areas 400 South and 1000 North and I-15 to 1650 West; along 1600 South between 1100 West and SR51 - Josh Yost, Community Development Director

Director Yost stated on March 30, 2021, the City Council requested staff present to the council a review of zoning in certain areas of the city. This presentation was made on April 6, 2021. Following this discussion, staff analyzed the areas in light of the Council's discussion and presented a resolution to initiate the process of pending legislation to begin the zone map amendment. The most significant parcels were included and could be changed or parcels added according to the council's request and provided to the planning commission.

COUNCILMEMBER SNELSON MOVED TO APPROVE RESOLUTION #2021-31 TO FORMALLY INITIATE PROCEEDINGS TO AMEND THE OFFICIAL ZONE MAP TO THE RC ZONE IN PARTS OF THE FOLLOWING GENERAL AREAS BETWEEN 400 SOUTH AND 1000 NORTH AND I-15 TO 1650 WEST. ALSO, ALONG 1600 SOUTH BETWEEN 1100 WEST AND SR 51, INCLUDING THE PARCELS LISTED IN EXHIBIT A, AS WELL AS THOSE MENTIONED BY THE COUNCIL IN THE DISCUSSION.

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 #2021-31 APPROVED

19. Consideration of an **Ordinance** amending Springville City Code Section 4-12-102 to clarify the definition of "Impervious Surface" and improve the billing calculation process when establishing fees - Brad Stapley, Public Works Director

Director Stapley reported City Code language changes would allow the proper classification of impervious surfaces within the City that directly affect the City's stormwater collection system, and provide a more concise and accurate billing calculation process for those impervious surfaces. This would separate the gravel and hard surfaces in the code language.

Councilmember Crandall asked how the audit come about. Director Stapley replied in staff meetings we noticed there was a big change and increase in impervious surfaces. Councilmember Crandall asked if it was affecting the stormwater system or just the lie of the land. She asked are we overreaching, we need to protect some privacies and the way we go about doing things.

Councilmember Nelson stated there needs to be a defined process and a system in place to continually monitor and to avoid surprises.

Councilmember Packard asked if there was a process in handling the code violations created by the process. Attorney Penrod replied the Code Enforcement Officer would be utilized who works with Community Development and then code enforcement contacts the owner.

Administrator Fitzgerald stated the rules are subject to state audit regarding stormwater runoff and the minimal amount is billed to cover the state mandate.

COUNCILMEMBER PACKARD MOVED TO APPROVE ORDINANCE #13-2021 AMENDING TITLE 4, CHAPTER 12, PARAGRAPH 102 OF THE SPRINGVILLE CITY CODE TO CLARIFY THE

DEFINITION OF "IMPERVIOUS SURFACE" AND IMPROVE THE BILLING CALCULATION PROCESS WHEN ESTABLISHING FEES.

COUNCILMEMBER NELSON SECONDED THE MOTION.

Councilmember Jensen posed a question to the motion regarding fees. Administrator Fitzgerald replied it would go into effect July 01, 2021. Staff will need to decide the process and will come back to the Council before they go into effect.

COUNCILMEMBER JENSEN MOTIONED TO CONTINUE THE ITEM IN TWO WEEKS. COUNCILMEMBER PACKARD SECONDED, AND ALL PRESENT VOTED AYE.

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Child asked if there were any comments.

Attorney Penrod reported on the complaints about a property on 300 South. He said the family had been contacted and the court process is ongoing, unfortunately, the court is backed up and it will take some time.

Administrator Fitzgerald stated a property owner would like to replace a fence on or near city property. Staff was in agreement to a portion, while a portion is into several feet of city property, staff does not agree. It may come to the council for consideration of selling.

Administrator Fitzgerald stated staff was working to acquire property for certain road projects and have run into some problems with some property owners not wanting to give up property for roads. There may be a need to have further discussion and possible eminent domain. He asked if the council had any concerns with moving forward and bringing it back with more information to the council.

CLOSED SESSION

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


There was none.

ADJOURNMENT

COUNCILMEMBER JENSEN MOVED TO ADJOURN THE REGULAR MEETING AT 9:05 P.M. COUNCILMEMBER NELSON 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: _____ August 03, 2021 _____



Kim Crane, CMC
City Recorder