

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, JULY 20, 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 Deputy Recorder Jennifer Grigg. Building and Grounds Director Bradley Neel, 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 this 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 AGENDA AS WRITTEN. COUNCILMEMBER NELSON 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 requests to speak submitted.

Travis Gough submitted a comment to be read about bike trails. Councilmember Snelson said staff is in the process of adding trails and Mr. Gough can attend the Active Transportation Committee meetings to learn about the progress. Administrator Fitzgerald said staff will reach out to Mr. Gough.

Amanda Miller read from a prepared statement concerning an affidavit the council received in June describing the right to an audit of the election. She listed the contacts she had with members of the council and staff. She asked for opinions on rank choice voting. She asked for the decision to join the state-wide rank choice voting pilot program to be brought back to the table. She explained her knowledge and opinion of rank choice voting. Councilmember Snelson replied more education on rank choice voting

would be proper. Ms. Miller said she does not want rank choice voting and asked for more training to be provided.

CONSENT AGENDA

1. Approval of minutes for the Work-Study meetings on May 04 and 18, 2021
2. Approval of the Mayor's appointment of Patrice Bolen to the RAP Tax Ad Hoc Committee

COUNCILMEMBER JENSEN MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN. 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

REGULAR AGENDA

3. Consideration of the Highline Ditch Transition Policy – Troy Fitzgerald, City Administrator

Administrator Fitzgerald started his presentation by referring to the policy up for consideration in the packet. He read into the record a letter from John Hafen. He addressed the contingencies in the Highline Ditch Policy including:

- Ditch in operation through 2026 irrigation season
- Council agrees to leave the current fee structure in place through 2026
- Users are to transfer to the culinary system by 2027 irrigation season
- Users get discounted culinary rates through the end of 2035
- Users can transition to culinary at any time and receive discounted rates
- Once Users transition to culinary, they receive a credit on their utility bill
- If a lot is subdivided, only one remaining lot gets the benefit of the policy
- Since the city owns the water, no water is tendered for development
- If the ditch fails before the end of 2026, the city may stop supply immediately

He continued by describing the utility bill credit and gave examples in his PowerPoint. Councilmember Packard clarified that the credit on the utility bill applies to all charges on the utility bill and added by conserving water, the Highline Ditch Users could have their electricity bill paid for years.

Administrator Fitzgerald concluded his presentation with these thoughts. Highline Ditch Users must convert to culinary and pay that cost. Springville City is paying a 'moral obligation fee' with the discount applied to their utility bill. Highline Ditch Users must pay the base rate and a meter fee. The City can quickly begin taking some water out higher in the system. (This benefits Users, the City, and other citizens.) Highline Ditch Users will benefit from a more reliable system. Overall systems costs are lower for the City and all citizens. He said there is no way around the fact that it is more expensive for the City to maintain two systems for water delivery instead of one unless the water is very expensive. If Users already have a meter, they can and should use that meter. There will be a cost to the users to connect to the system to avoid cross-connections. Everyone should be pleased that we came together to solve an unsolvable problem in a way that is good for everyone.

Councilmember Packard asked if this policy is fair to all Springville residents as well as the Highline Ditch Users. Administrator Fitzgerald answered resolution of conflict lies within windows of settlement; what is acceptable to both parties and where they crossover. The city is not obligated to offer this legally, but the court expenses would be significant and the damage to the relationships with the community. The efforts of the city staff to be direct, upright, and honest in all of our dealings would be

damaged. This policy is very fair to both sides. There is room to move in either direction in the resolution. It is fair to the city and the user; a generous offer, but not as generous as in early negotiations, but stretches farther into the future with ditch utilization. The fees over time will impact and change the costs. He concluded he would not be recommending this policy if he did not think it was fair to Springville City.

COUNCILMEMBER NELSON MOVED TO *APPROVE* THE HIGHLINE DITCH TRANSITION POLICY. COUNCILMEMBER PACKARD SECONDED THE MOTION, COUNCILMEMBER SNELSON RECUSED HIMSELF AND ALL OTHERS VOTED AYE.

David Hullinger added a public comment and stated heavy dependence on the water and asked the vote be tabled. He referenced a 1952 city council meeting. Finally, he addressed commensurate compensation as mention in the constitution. He asked for further discussion of commensurate compensation with Administrator Fitzgerald.

Howard Stewart asked about Plat A irrigation water being piped. Administrator Fitzgerald explained Springville City is the last community in Utah County to allow irrigation company water to flow in the gutters. He said that would be a council decision. He noted that Springville City receives daily social media complaints on Plat A irrigation water flowing in the gutters seeing waste during this drought. Mr. Stewart asked if Plat "A" Irrigation Users are metered. Administrator Fitzgerald answered yes, but not for flood irrigation. Mr. Stewart complained that his pipe will need a more expensive meter. Mayor Child noted that the maintenance of the ditch has not been mentioned. Administrator Fitzgerald showed a map of the system. He said the 1952 city council resolution dealt with a specific area of Highline Ditch Users, none of which still use the ditch. The ownership of that water is subject to ongoing adjudication and owners can move forward with claims. He said the city purchased the Strawberry water that supplies all current users of the Highline Ditch. Staff requested documentation from the current Highline Ditch Users for documentation showing a homeowner purchased water inside the Highline Ditch and none was received. He noted a taking claim that has been in dispute for 100 years but involves none of the current Highline Ditch Users. There is a difference between current Highline Water cost and culinary water cost, but that is because there is a 60% difference between current Highline Water cost and current Highline Water operating cost to properly maintain the system including millions for private laterals. Administrator Fitzgerald concluded by saying the Highline Ditch system cannot be operating cheaper than the current culinary system. He said if there is any new documentation that would move the needle there can be further considered. Mayor Child said public comment time ended and the vote stands as it is now.

4. Consideration of a Resolution of the Springville City Council placing the question of whether or not the city should enact 0.1% local sales and use tax to fund Recreation, Arts, and Parks (RAP) programs and facilities in the city on the 2021 Municipal General Election Ballot - Corey Merideth, Recreation Director

Director Merideth started his discussion of the RAP tax by defining it and suggesting a change in name to PAR tax. Councilmember Nelson asked if the council is confident this name change will not create confusion. Councilmember Jensen said the change is good. Councilmember Crandall said it is still labeled a tax. Director Merideth listed all the names for this type of tax that collects revenue for parks, arts, and recreation. He said this resolution addresses just the wording on the ballot. Councilmember Snelson asked about an education campaign. Director Merideth added the ad hoc committee is reviewing other ballots and this is in line with what other cities placed on the ballot. He reviewed the words of the entire resolution for the council to verify. Council thanked and complimented Director Meredith. He concluded by stating this will be noticed in the next city newsletter. Councilmember Nelson confirmed the education campaign will include social media and other channels of communication.

COUNCILMEMBER JENSEN MOVED TO *APPROVE RESOLUTION #2021-38* TO PLACE A PAR TAX QUESTION ON THE NOVEMBER 02, 2021 SPRINGVILLE MUNICIPAL GENERAL ELECTION BALLOT.

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 #2021-38 APPROVED

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Child asked if there were any comments.

There was none.

CLOSED SESSION

5. *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 7:49 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, July 20, 2021. I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting Deputy Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday, July 20, 2021.

DATE APPROVED: September 07, 2021

Jennifer Grigg
Deputy Recorder