

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, AUGUST 17, 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, Public Safety Director 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 7:03 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 NELSON MOVED TO APPROVE THE AGENDA AS WRITTEN. COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

#### **MAYORS COMMENTS**

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

#### **CEREMONIAL AGENDA**

1. **Presentation from the Springville High School Student Council - Shannon Acor, CTC Coordinator**

Coordinator Acor expressed the Study Council wanted to encourage community connections and social involvement. Introductions of the student council were given. The City Council recognized Payton Bird who is part of the student council and works at the CRC about how impressed they were by the great job she did rescuing a swimmer.

#### **PUBLIC COMMENT**

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

## CONSENT AGENDA

2. Approval of the minutes for the June 01, 2021, work-study meeting and the June 15, 2021 work-study and regular meetings.

COUNCILMEMBER SNELSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

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

## REGULAR AGENDA

3. **Consideration of an Ordinance amending the Springville Official Zone Map from the Highway Commercial (HC) and Light Industrial Manufacturing (LIM) Zones to the Regional Commercial (RC) Zone from 400 South to 1000 North between 2600 West and 1650 West - Josh Yost, Community Development Director (continued from July 06, 2021, and August 03, 2021)**

Director Yost presented on Items #3 through #5 and reported on March 30, 2021, the City Council requested a review of areas of the city where uses may conflict with the future vision of the city or short-circuit the current planning. A resolution for pending legislation was brought to the Council in June and the council requested he meet with each property owner who presented a written objection, he was able to meet with property owners and is now back to discuss with the council.

Director Yost reviewed the oppositions expressed by the property owners and reviewed the analysis used for each area. He explained the RC Zone was not meant to be a permanent change and went on to explain the different recommendations and the ordinances.

Councilmember Crandall commented this was to benefit the property owners and the city.

Councilmember Snelson stated he appreciated the “cherate” meeting and being able to work with the stakeholders.

### Proposed Ordinance #19-2021 Discussion

Councilmember Packard stated he was uncomfortable having this type of building next to the freeway. Director Yost explained there could be additional design controls and esthetics could be considered. If the council desires additional design controls a continuance or approval of the proposed zone change would provide an opportunity to implement the standards.

Councilmember Snelson said he was not opposed to the type of buildings going in and they would need to be esthetically pleasing.

Harold Mitchell stated he represented the property owners McCullum Properties owned by Clair and MaryAnn Anderson. He expressed that pretty doesn't bode well with property owners because it costs money. The Andersons are opposed to the zone change. Currently, they do not have a plan, they are opposed to the restrictions of RC Zone.

Ken Burg with Burg Civil Engineering stated he was representing the Meadow Brook parcels they have submitted for a commercial subdivision and have interest in an office warehouse. They want to build a nice product and have talked with the city about a master transportation plan to improve the areas. His client is ready to move ahead, and change would prevent them from going forward.

Councilmember Snelson asked if a possible warehouse was built on the McCullum parcel if the RC Zone would accommodate. Director Yost replied it would not.

COUNCILMEMBER JENSEN MOVED TO DECLINE ORDINANCE #19-2021 AMENDING THE OFFICIAL ZONING MAP FROM THE HIGHWAY COMMERCIAL (HC) ZONE AND THE LIGHT INDUSTRIAL MANUFACTURING (LIM) ZONE TO THE REGIONAL COMMERCIAL (RC) ZONE FOR THE PARCELS AS ATTACHED HERETO IN EXHIBIT A PARCEL LIST AND EXHIBIT B PARCEL MAP.

COUNCILMEMBER CRANDALL SECONDED THE MOTION.

Councilmember Nelson asked to continue the item because something has been proposed and we are unable to approve the entire area.

Councilmember Jensen stated it needs to be decided if the area is acceptable for HC Industrial.

Councilmember Packard expressed it was a gateway for people going through Springville and may need to have a further discussion.

Mayor Child asked for clarification on the motion procedure. Administrator Fitzgerald explained the process.

COUNCILMEMBER PACKARD MOTIONED TO CONTINUE TO THE NEXT CITY COUNCIL MEETING. COUNCILMEMBER NELSON SECONDED.

Councilmember Jensen questioned the motion for clarification. He asked if it was being continued to bring it back for approval of an RC Zone or come up with a special zone.

Councilmember Packard stated it would be to have a discussion on the zone and any design standards.

MAYOR CHILD CALLED FOR A ROLLCALL VOTE, THE VOTE WAS RECORDED AS FOLLOWS:

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

Administrator Fitzgerald asked the council for direction on what they would like to see on this item at the next work session.

Councilmember Packard asked for direction on design, look and feel.

Mayor Child asked staff to report what is currently on the property, if it's a gateway it should be a proper gateway. Administrator Fitzgerald clarified the council wanted the discussion in a work session before the regular meeting.

#### Proposed Ordinance #20-2021 Discussion

Councilmember Jensen suggested taking off the parcel east of 1750 West and do everything to the west.

Jason Boel stated he was an urban planner and represented Comina. The twenty-acre piece identified as industrial they would like it removed from the ordinance.

COUNCILMEMBER JENSEN MOVED TO *APPROVE* **ORDINANCE #20-2021** REMOVING THE TWENTY ACRES DISCUSSED AND INCLUDE EVERYTHING WEST OF 1750 WEST.

COUNCILMEMBER JENSEN AMENDED HIS MOTION TO *APPROVE* **ORDINANCE #20-2021** AMENDING THE OFFICIAL ZONING MAP FROM THE HIGHWAY COMMERCIAL (HC) ZONE AND THE LIGHT INDUSTRIAL MANUFACTURING (LIM) ZONE TO THE REGIONAL COMMERCIAL (RC) ZONE FOR THE PARCELS AS ATTACHED HERETO EXHIBIT A PARCEL LIST AND EXHIBIT B PARCEL MAP I AM HOLDING IN HAND REMOVING 23:029:0061

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

**ORDINANCE #20-2021 APPROVED**

Proposed Ordinance #21-2021 Discussion

Councilmember Jensen asked where the property owners were on this item. Director Yost explained on this item there has not been any opposition voiced from property owners. He explained the parcels in the proposed Ordinance are subject to the lakeside landing proposal.

Councilmember Nelson asked if there were any plans for this area. Director Yost reported a plan was received for a commercial subdivision after this process was started

Councilmember Snelson asked about the piece of property on 400 south next to the transfer station. Director Yost replied it was part of the previous approval last April, regarding the Light Industrial Zone.

Director Yost reported in the proposed ordinance explaining nearly all of the parcels would be subject to the Lakeside Landing Special District as it is currently proposed. One of the parcels is owned by a separate entity and has been communicating with the city and including their piece in the Lakeside Landing.

COUNCILMEMBER CRANDALL MOVED TO *APPROVE* **ORDINANCE #21-2021** AMENDING THE OFFICIAL ZONING MAP FROM THE HIGHWAY COMMERCIAL (HC) ZONE TO THE REGIONAL COMMERCIAL (RC) ZONE FOR THE PARCELS AS ATTACHED HERETO IN EXHIBIT A PARCEL LIST AND EXHIBIT B PARCEL MAP.

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

**ORDINANCE #21-2021 APPROVED**

4. **Consideration of an Ordinance amending the Springville Official Zone Map from the Highway Commercial (HC) and Light Industrial Manufacturing (LIM) Zones to the Regional Commercial (RC) Zone at the northeast quadrant of the intersection of I-15 and 1600 South - Josh Yost, Community Development Director (continued from July 06, 2021, and August 03, 2021)**

Councilmember Jensen asked if the staff had a recommendation. Director Yost reported staff supports making the change and would not oppose continuing the item if that is what the council wanted. He explained the ordinance covers both Item #4 and #5 on the agenda.

Councilmember Packard would like to see it rezoned to protect the look and understands concerns of property owners and knows it is not very popular. If property owners have an issue they could bring it back to the council for discussion. Until the study is done we are not going to know what is going to happen until December or January.

COUNCILMEMBER PACKARD MOVED TO *APPROVE* **ORDINANCE #23-2021** AMENDING THE OFFICIAL ZONING MAP FROM THE HIGHWAY COMMERCIAL (HC) ZONE AND THE LIGHT INDUSTRIAL MANUFACTURING (LIM) ZONE TO THE REGIONAL COMMERCIAL (RC) ZONE FOR THE PARCELS AS ATTACHED HERETO IN EXHIBIT A PARCEL LIST AND EXHIBIT B PARCEL MAP.

COUNCILMEMBER SNELSON SECONDED THE MOTION.

Attorney Penrod commented the map attached to the ordinance was not the correct map, the new map had the change to RC.

Director Yost explained it didn't change the substance of the ordinance only the markings on the new map a line is drawn around the parcels.

Councilmember Jensen stated he would rather separate the parcels.

THE VOTE WAS RECORDED AS FOLLOWS:

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

**ORDINANCE #23-2021 APPROVED vote 4 to 1**

5. Consideration of an Ordinance amending the Springville Official Zone Map from the Highway Commercial (HC) and Light Industrial Manufacturing (LIM) Zones to the Regional Commercial (RC) Zone along 1600 South between 1200 West and SR 51 - Josh Yost, Community Development Director (continued from July 06, 2021, and August 03, 2021)

**ORDINANCE #23-2021 APPROVED**

6. Consideration of an Ordinance amending Springville City Code 11-6-134 Accessory Dwelling Unit requirements - Josh Yost, Community Development Director (continued from August 03, 2021)

Director Yost reported on August 4, 2020, the City Council adopted an ordinance amending land use regulations to allow Accessory Dwelling Units within all Springville City residential zones. During its 2021 session, the Utah State Legislature passed HB 82 which pre-empted municipal regulation of many aspects of accessory dwelling units. The provisions of this bill conflict with some elements of the city's recently adopted ADU regulations. In order to comply with the State code, staff proposed the zone text amendment. Staff also proposed some changes to clarify certain other provisions of the code.

COUNCILMEMBER JENSEN MOVED TO *APPROVE* ORDINANCE #22-2021 AMENDING SPRINGVILLE CITY CODE 11-6-134 ACCESSORY DWELLING UNIT REQUIREMENTS.

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

**ORDINANCE #22-2021 APPROVED**

7. Consideration and approval of the Urban Deer Control Plan - Lt. Warren Foster, Public Safety

Lt. Foster reported Springville City and the Division of Wildlife Resources (DWR) established there were approximately 300-400 urban deer in Springville. Over the past several years Springville City has seen a rise in the deer population and complaints from residents about urban deer eating gardens,

landscape, and personal plants. There has also been an increase in the number of complaints of deer vs personal pets and deer vs car accidents. The City and DWR receive a significant number of complaints regarding deer problems in Springville. The goal is to manage the deer population, not eliminate it. A public open house meeting was conducted on July 26, 2021, in the Civic Center Multi-Purpose Room to inform and answer any questions, only two people attended.

Lt. Foster reported approximately 100 deer were taken last year. A renewal of the Certificate of Registration (COR) is due, the only change from the last COR was the time and areas. The timeline is limited this year because of the heat and is not anticipating a large harvest this year. He also suggested putting in the contract either party can terminate the contract.

COUNCILMEMBER JENSEN MOVED TO *APPROVE* THE URBAN DEER CONTROL PLAN, THE CERTIFICATE OF REGISTRATION (COR) AS AUTHORIZED BY THE DIVISION OF WILDLIFE RESOURCES AND TO DRAW UP A CONTRACT WITH A PERSPECTIVE REMOVAL COMPANY. THE TERMS AND CONDITIONS OF SAID CONTRACT WILL BE APPROVED THROUGH THE CITY'S LEGAL DEPARTMENT BEFORE BEING SIGNED BY THE MAYOR.

COUNCILMEMBER SNELSON SECONDED THE MOTION. ALL PRESENT VOTED AYE.

#### MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Child asked if there were any comments. There were none

#### CLOSED SESSION

8. *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 SNELSON MOVED TO ADJOURN THE REGULAR MEETING AT 8:49 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, August 17, 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, August 17, 2021.*

DATE APPROVED: \_\_\_\_\_ October 05, 2021

  
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Kim Crane  
City Recorder