



MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 21, 2021 AT 5:30 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, Deputy Recorder Jennifer Grigg, Building and Grounds Director Bradley Neel, Community Development Director Josh Yost, Golf Pro Craig Norman, Public Safety Director Lance Haight, Administrative Services Director Patrick Monney, Public Works Director Brad Stapley, Library Director Dan Mickelson, and Museum of Art Director Rita Wright.

CALL TO ORDER

Mayor Child welcomed everyone and called the Work/Study meeting to order at 5:30 p.m.

COUNCIL BUSINESS

1. Calendar

- Sept 29-Oct 01 - ULCT Annual Convention
- Oct 05 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Oct 12 - Work/Study Meeting 5:30 p.m.
- Oct 19 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

Mayor Child asked if there were any questions or additions to the calendar. There were none.

2. Discussion on this evening's Regular Meeting agenda items

- a) **Invocation - Councilmember Packard**
- b) **Pledge of Allegiance - Councilmember Nelson**
- c) **Consent Agenda**

- 1. Approval of the minutes for the work-study meeting and regular meeting on July 06, 2021, and the work-study meetings for July 20, 2021, and August 03, 2021
- 2. Approval of a Resolution and authorizing the Utah County Mutual Aid Agreement Mobile Field Force - Lance Haight, Public Safety Director

Mayor Child said this item will be postponed in the regular meeting.

- 3. Approval of Resolution authorizing Springville City to purchase 0.352 acres of property located in the Jesse's Brook Subdivision from Bertha Jarr - John Penrod, Assistant City Administrator/City Attorney

Mayor Child asked if there was any discussion on tonight's consent agenda. There was none.

3. DISCUSSIONS/PRESENTATIONS

a) **Parks, Recreation, and Trails Master Plan - Bradley Neel, Building and Grounds Director**

Director Neel introduced Lisa Benson and Sam Taylor from Landmark Design. Lisa started a brief overview of the design process and that changes to the final plan are possible. There are seven chapters. Demographics predict the 2050 population to be 61,158, a 173% increase, nearly double. Springville has more children and increasing household sizes. She said there are a lot of different needs and the community is aging. This draft will go back to the advisory committee before being published for the public. She explained there is a website along with the survey and this draft plan that is part of the work already accomplished. The survey had 1200 responses which showed heavy use of the recreation center. Respondents still use facilities in adjacent cities and a majority supports the PAR tax. The report included an existing park inventory. The LOS (level of service) analysis ranks acreage of parks per current population x1000. The total parks LOS equation shows 180.4 acres divided by 35,268 population x 1000 = 5.11 acres per 1000 residents; comparable or higher than all neighboring communities but Orem. As a community ages, that number declines. Councilmember Nelson clarified that the canyon parks are included in that count. Councilmember Jensen asked if LOS includes built-out parks. Lisa answered the 340 number includes other acreage like the Rodeo Ground, Senior Center, the CRC, and Dry Creek Trail. Councilmember Packard asked about facilities up left fork. Lisa answered they are not included and that this calculation of total parks LOS is not the same equation used to calculate impact fees.

She continued to describe the acreage distribution analysis which shows areas and potential residential areas that need neighborhood parks, especially out west. Councilmember Nelson asked if our LOS is comparable to other cities. Lisa answered that looking out to build out, Springville City has acquired enough land for parks, but 60.7 acres need to be developed by 2030. Councilmember Snelson clarified that acquiring more land is still recommended. Lisa answered absolutely because land prices will always go up. Administrator Fitzgerald said the challenge is that acquisition cannot use impact fees. Councilmember Jensen clarified parks can be acquired through development agreements. Lisa said citizens ask for smaller urban-type parks, but as kids age, they need bigger regional parks for soccer. Councilmember Crandall clarified the plan recommendation is five acres per 1000 residents.

Lisa Benson continued by saying the city needs to acquire 52.2 acres by build-out and develop 64.7 acres total. Councilmember Nelson asked what parks are planned out west that gives residents a reason to go down to those areas. The solution is to acquire some land to hang out and interesting places to visit. Mayor Child said there are other ways to acquire property. Councilmember Jensen said with development out west, there are plans for more areas, walkways, and smaller parks. He added that Memorial Park is freakin' awesome.

Lisa continued by addressing amenities like trees, lawns, & playgrounds. The amenity level of service analysis shows what the city needs to add and where the city has adequate amenities. There is no specific standard for open space which contributes to the quality of life and mitigates natural hazards. She moved on to recreation by saying the city has been good at funding affordable programs and monitoring the changing needs. Councilmember Packard said the city prioritizes recreation on the survey. Lisa said the survey showed positive feedback on events as well as requests for more music and multicultural events. The city has a very robust art presence and she recommended a partnership between trails and the arts. Councilmember Nelson asked why this Trail Master Plan was not aligned with the Active Master Transportation Plan. Attorney Penrod said there was a grant for this master plan. Councilmember Snelson asked if the Hobble Creek Canyon Trail that is in the canyon is included in the city trails total. Administrator Fitzgerald said the city maintains to the county line.

She continued to talk about three priority trails: Community, Bonneville, and Stonebury. Councilmember Snelson pointed out that the Active Transportation Committee prioritizes the same trails. Councilmember Nelson noted the two plans should be coordinated and strategically aligned. Administrator Fitzgerald said the Council needs to decide if these are part of the master plan and impact fee analysis. Lisa added that signage and wayfinding are needed. She covered the cost, grants, and federal funding to complete the plan. Councilmember Packard asked where the numbers come from. Lisa answered an average price per acre over the years of \$400,000. It is better to acquire land now because the costs will go up. She concluded with an actionable plan and a final cost of 59 million to complete the plan by 2050.

b) Discussion regarding Development Agreements - John Attorney Penrod, Assistant City Administrator/City Attorney

Attorney Penrod explained some changes in development agreements. He described examples of court decisions recently. The land use regulation process involves vested rights. He quoted new legislation and (LUDMA) the Land Use and Management Act for the state of Utah. Density bonuses formalized in a development agreement continue if the land changes hands. Councilmember Jensen asked about subdivisions and vesting. Attorney Penrod said vesting rights are important when moving forward in an orderly fashion. Vested rights start when that application is filed, not bonded and sometimes developers use phases. He asked the Council how they feel about vesting in a development agreement up to 30 years on 200 acres. Councilmember Snelson asked if there is a specific amount of time. Councilmember Packard asked if vesting ties the hands of the Council in the future. Attorney Penrod said yes if it is in the development agreement. Councilmember Penrod asked if the city was protected. Attorney Penrod answered the developer can do whatever the ordinance allows. Councilmember Jensen asked what other communities are doing. Attorney Penrod answered from 5 to 30 years. He suggested vesting some of the development, not all of it. Mayor Child recommended breaking it up into phases. Attorney Penrod said the city council should maintain the right to legislate the development. Councilmember Packard asked about bonding. Attorney Penrod said state law limits what can be bonded. Cities can also tie design standards and landscaping into a development agreement. Councilmember Packard suggested consistency because other large developments will follow these standards in the future.

Attorney Penrod introduced Loyal Hulme and Dawn Soper of Kirton McConkie. Mr. Hulme started by noting the magnitude of developing 200 acres and the developer is committed to this area. He said dedicated parks and improvements are part of this development. These development agreements are amended all the time and urged the Council to embrace the concept of a great plan. The developer needs vested rights and certainty and will bring a site plan for the Council to confirm and amend the development agreement. The alternative is hodge-podge and mishmash. This is an elaborate way to be deliberate with your zoning and create a base standard. Mr. Hulme asked for at least a 30-year vested development agreement, not a 5 or 10-year agreement. Councilmember Packard asked why 10-20 years is needed from the financial side. Mr. Hulme answered investors need to bring millions of dollars just for the sewer, then again for roads and utilities. Councilmember Packard said the developer does not have the investors convinced. Mr. Hulme said in the current draft of the agreement, the city could change the design standards including the size of the buildings, open space, setbacks, heights, and all the vested rights. Density is the key to getting lenders to the table. Councilmember Crandall asked about both sides agreeing on the rules. She asked about development agreements in the past. Councilmember Nelson asked if the developer has the upper hand in a 30-year agreement. Attorney Penrod said the developer might not be around in 30 years. Administrator Fitzgerald referenced a development agreement where a half-developed project changed hands and the original entitlements and design standards were out of date.

Ed Axley, CEO of Unified Business Alliance, Unified Private Equity, and President of Davis Design-Build explained a development in Midway and told Councilmember Packard that the project is funded. He explained utilities need to bore under I-15 and the magnitude of the project needs the security that the project can go through without changes because of all the heavy improvements in the beginning. Councilmember Nelson asked if the developers will adjust to trends in 10 years. Mr. Axley asked to compromise between 30 and two years vesting. He suggested pausing as a possibility. Councilmember Crandall suggested phasing. Mr. Axley said designs can change in 30 years and wants to do anything to encourage collaboration. Councilmember Packard said there are two different developments and the project could be sold to somebody else. He also said we have to protect the city. Councilmember Nelson suggested a change of ownership be added to the agreement. Attorney Penrod said LUDMA causes distrust between cities and developers. Councilmember Snelson said developers do not live up to the agreement. Mr. Hulme said the document guarantees the city gets the product in 120 pages of code. Attorney Penrod said there are standards in the agreement, but many different things can apply to that same standard.

4. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Child asked for any other comments. There were none.

5. CLOSED SESSION

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

There was none.

6. ADJOURNMENT

COUNCILMEMBER PACKARD MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL AT 7:04 P.M. COUNCILMEMBER SNELSON SECONDED THE MOTION, ALL VOTED AYE.

This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, September 21, 2021.

I, Jennifer Grigg 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, September 21, 2021.

DATE APPROVED: November 02, 2021

Jennifer Grigg
Deputy Recorder