

City Council and Planning & Zoning Commission
Joint Work Meeting Minutes
Wednesday, October 12, 2022, 6:00 p.m.
45 S 100 E Spring City, Utah

In Person Attendance: Tracy Allen, Bryce Wilcox, Cory Madsen, Whit Allred, Mike Black, Ken Law, Jim Fleming, Ruth Ann McCain: Recorder.

Zoom Attendance: Randy Strate,

Roll Call: Paul Penrod-City Council, Nancy Allred-City Council, Tim Clark-City Council, Craig Clark- City Council, Mike Nelson-Planning & Zoning, Courtney Syme-City Council, Gary Parnell-Planning & Zoning, Craig Paulson-Planning & Zoning, Joe Bennion-Planning & Zoning
Expression of Choice: Joe Bennion

Tracy Allen and Brice Wilcox with JUB – Update on the Watershed Project

Brice Wilcox gave a brief history of the watershed project. Spring City applied for a grant through the NRCS, Natural Resource Conservation Services, through the watershed operations. This is a watershed and flood prevention program. This project is funded in three phases. First, they fund the environmental document so they can study and determine what are the best solutions for the problems that you face. Based on that document they will fund the design and then they'll come back and fund the construction. Right now, the environmental document is ready to submit to NRCS for review. The environmental document consists of several levels. What they have done is an environmental assessment. Brice did go into more detail about what was in the assessment. That can be heard on the audio recording of the minutes.

Tracy Allen talked about the proposed projects that the irrigation company and Spring City are looking at. Tracy stated that the costs are construction costs. The design is 100% covered by the grant. The first project is the replacement of your penstock which we were informed by the city is a very high priority because of the age of the penstock. It goes from the diversion down to the hydro facility. It is 8500 feet of pipe sized for a flow rate of 8 CFS. The cost sharing on this is anticipated that NRCS will cover 75% of the project and Spring city will cover 25% of the project. Horseshoe Irrigation is not involved in this because it was clearly shown as a city project. A conceptual overview of the Freeman Allred reservoir is as follows: 6500 feet of gravel trail that would go around the perimeter of the reservoir JUB included some day use picnic areas with small bowery's. Included also is a boat ramp for kayaks, paddleboards, small motorized watercrafts. Right now, in the project is nearly \$400,000 of recreation component of which it's a 50/50 split. This does not mean that this is what the city is committed to it is just what JUB included so that NRCS would see that the city may decide to have some recreation facilities. These are the only two projects where the city has any cost involvement the rest of these All the other projects are either NRCS, Horseshoe Irrigation Company, or Chester Irrigation Company. The North field piping was one of the key projects that Horseshoe Irrigation identified. The 3rd 4th and 5th North system that represents 21,000 feet of pipe and the NRCS will cover 75% of that which leaves horseshoe irrigation 25% of that \$1.1 million project. Another key project for Horseshoe was a piping of a portion of the Point ditch. The Point ditch starts at the diversion on Canal Creek and then it heads to the west. That should be a 22-inch diameter high density polyethylene pipe. The Point ditch project for nearly 7000 feet of pipe is

\$600,000 that will be split 75/25 between the NRCS and the Horseshoe Irrigation Company. The outfall piping from the reservoir that will eventually get down to the last chance area. They are working to get a straight shot down the hill. Remember this is conceptual we still must work through this relative to what property owners will provide easements and other things to get it from one point to the other. This outfall is interesting because it will be used to send flood water down it as well as irrigation water. NRCS will pay 100% of the portion of water that is flood control at 14.6 CFS. The flood water in the reservoir must be released over a period of 10 days maximum. That water cannot be stored. The flow rate for irrigation would be 16.8 CFS, and this would be late in the season. NRCS will pay 75% of the irrigation portion and Horseshoe Irrigation will pay 25%.

The Millrace piping is shown as a flood control item. As a flood pipe it's 100% paid for by NRCS. The Freeman Allred flood channel is the actual channel that will get water from the Oak Creek up to the Freeman Allred sight. This is a big project. This is showing the current alignment of the ditch that sends water that way now. JUB is proposing, and it has been accepted an actual nice big concrete line trapezoidal channel with an access road along the side. It will carry a 500-year storm 483 CFS with all the debris. As a flood project it's 100% funded. Oak Creek diversion, this is to rebuild the diversion to get water into the Freeman Allred flood channel just talked about. Secondary water meters for all the residents. The State is forcing this on everybody. With NRCS it will be funded 75/25. Randy Strate from Horseshoe Irrigation Company has received an additional grant from the Board of Water Resources to help fund their 25%. The Freeman Allred dual purpose reservoir serves as flood control, debris storage, and as an irrigation reservoir. In the bottom there is a sediment basin that would take out most of the debris. Along the west side is a massive dam that would hold the water. It is a good site but to get the amount of storage that the irrigation company would like will take a lot of interior excavation. When it is full there will be over 50 acres of water surface to play on. Total volume without is little over 1000-acre feet 291 must be reserved for flood control. That is about 28%. NRCS will pay 100% for the flood control portion and 75% of the irrigation portion. Horseshoe Irrigation will be responsible for \$1,500,000. They are looking for funding to help with that. The next project is a new 20-acre foot regulating city pond. This is to separate the regulating water before it comes into the city area between water that will go into residential use and water that will go to agricultural use. There are still some challenges associated with how that piping will all come together. This will be 75/25 match between NRCS and Horseshoe Irrigation. Chester irrigation came in and asked to be a part of this. Their project is called the Oak Creek Bypass Piping. From what is called the Horseshoe Pond, through Scott Sunderland land to the Chester ponds. What will be involved is still to be determined but will be 75/25 for NRCS and Chester Irrigation.

Brice stated that the environmental studies showed that the environmental benefits from these projects have a greater benefit than not doing anything. The economic benefits from doing our projects may have a few cultural impacts. There are potential historical arrowheads and pottery that may be historic. They will have to be careful with excavating. It is a minor impact though. In the whole list of environmental resources that we talked about and through there's no significant impacts. The next step is for NRCS to go over the environmental study. The hope is that it will be done in the next couple of weeks. After their review JUB will get it back stating any changes that need to be made. It will then be sent back to NRCS who will then send it to the National Water Management Center. They will do an in-depth review for NRCS. From there it is sent back to JUB to address any concerns that they have. It will then go to the national office

again for a programmatic approval. When it comes back with their approval we go to the public with the document. A public open house will be held where any concerns will be heard. When the public comment period is over it will go back to the national office for signatures. After the approval comes back from the National Water Management Center, we will be able to move to the next phase and request the design funds for the projects that we want to move forward with. Once we get approval from the National Water Management Center JUB will sit down and help us come up with other sources for grants. Other federal funding cannot be used because this is a federal grant but CIB, CBDG can be used. There are other avenues as well.

Temporary Delay Land Use Decisions Based on the Term Pending Code Change, Instead of Moratoriums

At the Growth Summit put on by Six County it was found out that decisions for land use can be temporarily delayed based on pending code changes. A moratorium does not need to be put in place if you are working on code changes.

Sunrise Engineering Report on Sewer and Water

Jessie Ralph sent a report stating that the well siting study is underway. When the well siting study is complete the application to the Department of Drinking Water can be filled out. The cultural survey was completed for the sewer project a week ago. As soon as the report from the archaeologist is received the environmental report can be wrapped up. Then the funding application can be prepared for the USDA.

Discussion about Public Comments

Nancey Allred stated that in training had Six County it was discussed that it is important to not let your vote be swayed by public comments. Craig Paulsen stated that in the training it was pointed out that we are not obligated to have public comments. Nancy Allred stated that not only were they told that we are not obligated, but they discouraged having public comments. Courtney Syme stated that in legal terms if the public is not stating facts it is classified as clamor. Nancy Allred stated that during a public hearing is the time for public comments. It was also stated that those who have questions will need to be put on the agenda. Craig Clark stated that we need to make the public aware of what we are doing and why we are doing it. Nancy Allred stated that we don't want to give the public the idea that we don't want to hear from them because that is not the case. Courtney Syme stated that it is when administrative decisions are being made, we have an obligation to study, search out, and make decisions on fact and not clamor. People have legitimate questions, and we need the chance to study out those questions to give factual answers.

Planning and Zoning Commission Member Changes

Craig Paulsen stated that Brent Peterson has a conflict being able to attend planning and zoning meetings. His work schedule is going to be the same for a while. It looks like he will need to be replaced. Mike Nelson and Cami Christensen are alternates and can be moved to permanent Commission members. Two more alternates need to be asked to serve.

Permits Issued Since 2020

Craig Paulsen stated that Whit has kept good records, so it is easily seen the permits issued in 2020-2021 and 2022. The master plan anticipated a 1% growth with a possibility of being 2%.

Since 2020 we have had just over 2% growth, so just over our high projection. In 2017 when the general plan was made there were 400 homes in town, and many were unoccupied. Most of those are now occupied. The homes now occupied are not apart of the 2% growth number seen now.

Code Changes Annually – How to keep up

Courtney Syme said that Mayor Chris Anderson is still discussing, with Six County, the possibility of sharing a city adviser. Six County is working on a grant to hire someone who can help small cities and towns in an advisory position. They can help us receive timely information from the state when changes are made that affect us. Craig Paulsen stated that it is very hard to get a hold of anyone from Utah League of Cities and Towns. He has called and left several messages and had no response. At the Growth Summit we were advised that we review our code annually and make necessary changes.

Annexation – Should This be a Requirement for Utilities

Craig Clark stated that No one has filled out an annexation form and turned it into the city. If anyone wants to annex into the city, they must fill out the form and turn it in. Craig Paulsen stated that it is the citizens responsibility to do the leg work. Courtney Syme asked why would anyone want to annex if we are willing to just give them utilities? Craig Clark stated that those in the city are the council's responsibility. It is not that we don't care for those outside the city or that we don't want growth but there needs to be a benefit for annexation. Joe Bennion stated that annexation benefits the city and is an important issue. Tim Clark asked who creates the code for annexation? Is it possible to make the process simpler? Craig Paulsen stated that it is state code that governs the process. There is not opposition from the city to annex. People need to apply for that.

Sidewalks

It was stated that sidewalks are quite expensive and most of them are not even used. The ones mostly used are those on Main Street and around the elementary school. A problem for the sidewalks is the trees that citizens plant. The roots break up the sidewalks. Craig Clark stated that we need to look at the sidewalks on Main Street and replace them on an individual basis. Another option is to tear them out or see if we can get a grant to fix them.

Planning and Zoning to Approve Sheds 200' or Less

Craig Paulsen stated that this is to save citizen's time. It is an administrative process and once the ordinance is amended planning and zoning will be able to approve small structures 200 feet or less so there would be no need to take it to city council for approval. Planning and zoning needs to only check the setbacks.

Attorney Review of Cody Hansen's Sewer Connection

Paul Penrod stated that our attorney sent back his recommendations for Cody Hansen to run his sewer line across his neighbor's yard. His recommendations are as follows: One, the City is not named as a party. Two, The easement is owned by Mr. Hansen and/or any successors as future owners of the property. Three, This line will be private sewer lateral for which both Mr. Hansen, the Seegmiller's and all successors to both parties agree the City has no responsibility to maintain or fix should issues arise. Four, A description of where it crosses the Seegmiller's property. Five, A description of what is installed. Six, A provision that the Seegmiller's or any

successor to the property will not build on top or over where the sewer lateral runs. Seven, A provision which allows for access to maintenance and repairs should Mr. Hansen need such access for such. Also stressed is an additional indemnity agreement between all separate for the recorded easement. This is to save guard the city to be protected. These need to be met before the sewer connection is allowed.

The next joint work meeting was set for November 9th at 6:00 pm.

Adjournment: 7:36

APPROVED

