



MINUTES
Springville City Council Regular Meeting - DECEMBER 20, 2022

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, DECEMBER 20, 2022, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Presiding and Conducting: Mayor Matt Packard

Elected Officials in Attendance: Liz Crandall
Craig Jensen
Jason Miller
Mike Snelson
Chris Sorensen

CEREMONIAL AGENDA - 6:30 P.M.

1. Swearing in of Eric Jewell as the new Springville Justice Court Judge

Mayor Packard expressed appreciation to Judge Sherlynn Fenstermaker who will be retiring at the end of the year after serving many years as the Springville and Mapleton Justice Court Judge. He then introduced Judge Eric Jewell who would be replacing Judge Fenstermaker as the new Springville and Mapleton Justice Court Judge. He was then sworn in by Judge Fenstermaker.

City Staff in Attendance: City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Administrative Services Director Patrick Monney, Community Development Director Josh Yost, Planner II/Economic Development Carla Wiese, Library Director Dan Mickelson, Museum of Art Director Rita Wright, Parks and Recreation Director Stacey Child, Public Safety Director Lance Haight, and Public Works Director Brad Stapley.

CALL TO ORDER

Mayor Packard called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Miller offered the invocation, and Councilmember Crandall led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

Motion: Councilmember Snelson moved to approve the agenda moving #5 on the consent agenda to the regular agenda. **Councilmember Jensen seconded** the motion. **Voting Yes:** Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0**

MAYORS COMMENTS

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

PUBLIC COMMENT

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

CONSENT AGENDA

2. Approval of the minutes for the November 28, 2022 strategy meeting and the December 06, 2022 work meeting and regular meeting.
 3. Approval of the Fiscal Year 2022 Springville City Audit - Bruce Riddle, Assistant City Administrator/Finance Director
 4. Approval of a Resolution and multi-year contract with Gold Cross Ambulance Billing - Hank Clinton, Fire Chief
 5. Approval of an Ordinance and adopting Section 8-2-108 of the Springville City Code to restrict aggressive solicitation within Springville City limits - Lance Haight, Public Safety Director
- **MOVED TO THE REGULAR AGENDA****

Motion: Councilmember Sorensen moved to approve the consent agenda as approved. Councilmember Snelson seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0. Resolution #2022-51**

PUBLIC HEARING AGENDA

6. **Public Hearing for consideration of a Resolution and approval of the Water Conservation Plan - Brad Stapley, Public Works Director**

Director Stapley said Assistant Director Nostrom reported the purpose of the plan was to assess the water conservation alternatives available to Springville, Utah, to set reasonable and achievable goals to conserve water, and to identify the methods and measures that the City will take to reach these goals. The plan will serve as a guide to maintaining the same high-quality level of service to Springville's residents into the future.

He went on to explain the Public Works Department has chosen to maintain the methods and measures of the 2016 water conservation plan and adopt a goal following an established trend line set by those practices. The 2022 Water Conservation Plan sets a goal of 214 GPCD (Gallons Per Capita Day) by the year 2030. This would be a 13% reduction from the actual 2021 water use number of 243 GPCD.

Mayor Packard opened the public hearing.

Motion: Councilmember Snelson moved to close the public hearing. Councilmember Miller seconded the motion. Voting Yes Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously, 5-0.**

Motion: Councilmember Miller moved to approve Resolution #2022-52 and the Springville City Water Conservation Plan 2022, prepared by Hansen Allen & Luce Engineering. Councilmember Crandall seconded the motion. Rollcall Vote: Voting Yes Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously, 5-0. Resolution #2022-52 Approved**

7. **Public Hearing for consideration of the forfeiture of the warranty surety for Leorah Springs Subdivision Phase I, located at approximately 750 West 800 South, Springville - Chris Wilson, Chief Engineer**

Chris reported the public infrastructure improvements for the Leorah Springs Subdivision Phase 1, located at 750 West 800 South, Springville was accepted and placed into warranty on June 1st, 2021. He explained public works will do a review to see if things have been completed. The developer was given time to fix items and given a three-month extension, 12 items remain outstanding. There has been no evidence of any repair work being completed. Engineering recommends calling upon the warranty assurance bond for approximately \$183,422.290

Councilmember Snelson asked about the response from the developer. Chris said there has been communication back and forth and extensions given, they have struggled to get a contractor. The bond expires in April and repairs will need to be completed by then some lots have been sold. Homeowners have not had any sewer problems and they are on a watch list with the city

Councilmember Sorensen asked about the cost of repairs. Chris said they need consideration from the council to call on the bond and then they can get the costs.

Mayor Packard opened the public hearing.

Motion: Councilmember Miller moved to close the public hearing. Councilmember Snelson seconded the motion. Voting Yes Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously, 5-0.**

Motion: Councilmember Snelson moved to approve a call upon the development bond of the Leorah Springs Project, located at 750 W 800 S in Springville. Councilmember Sorensen seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. **The motion Passed unanimously 5-0.**

Director Stapley explained a reorganization of the Public Works Department came about because of a need to separate duties. Jake Nostrom is now the Assistant Public Works Director and Jeff Anderson is Assistant Public Works Director over Streets and Engineering. Chris Wilson came to Springville from Vineyard and is Chief Engineer over the Engineering Division.

5. **Approval of an Ordinance and adopting Section 8-2-108 of the Springville City Code to restrict aggressive solicitation within Springville City limits - Lance Haight, Public Safety Director**
****MOVED FROM THE CONSENT AGENDA****

Chief Haight explained the proposed ordinance as it protects first amendment rights and those from aggressive solicitation. It would prohibit persons from aggressively soliciting money or another thing of value in a public place. The conditions of aggressive solicitation are outlined in the ordinance and include persistence after being declined, conduct that causes fear or intimidation, blocking free movement, physical contact without consent, and/or obscene or abusive language or gestures. The ordinance would also prohibit solicitation near a bank entrance, an ATM, or on private property when prohibited by the owner.

Motion: Councilmember Sorensen moved to approve Ordinance #22-2022 adopting Section 8-2-108 of the Springville City Code to restrict aggressive solicitation within Springville City limits Councilmember Snelson seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember

Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0. Ordinance #22-2022 Approved**

REGULAR AGENDA

6. Consideration of a Resolution and policy for a non-resident recreation card - Troy Fitzgerald, City Administrator

Administrator Fitzgerald reported Hobble Creek Canyon residents and local business owners that do not live in Springville contribute to the community, despite not physically living in the City. Springville City seeks to recognize those contributions by offering a Non-Resident Recreation Card. The Non-Resident Recreation Card and policy would provide non-residents certain recreation services at the price paid by Springville Citizens.

Administrator Fitzgerald said after a discussion with the council and canyon residents a policy was created. The cost proposal is \$175.00 per year, he asked the council for input on the cost. Due to the tax burden, the cost should likely be \$230.28.

Councilmember Snelson said canyon residents can opt out of the program whereas Springville residents cannot opt out of the tax. He would think having the full fee charge of \$230.28 would be agreeable.

Councilmember Jensen said the \$175 is a revenue opportunity and is goodwill to canyon residents and to have some participation.

Administrator Fitzgerald said there are roughly 200 residents and use would be broad range and likely minimal.

Councilmember Sorensen said he thinks it is a goodwill gesture and agrees to the \$175.00.

Motion: Councilmember Miller moved to approve Resolution #2022-53 adopting the Non-Resident Recreation Card Policy at \$175.00. Councilmember Jensen seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0. Resolution #2022-53 Approved**

7. Consideration of an Ordinance and amendments to the Lakeside Landing Special District Overlay - Josh Yost, Community Development Director

Director Yost reported Springville City, Pel-Ona Architects and Urbanists, Unified Business Alliance, and Lakeside Landing Partners have been working together through the last year to advance the development of Lakeside Landing. As with any new plan or code, continual refinement is necessary throughout the development process. Three reasons for the amendments have become apparent as this work has progressed. These three reasons are to correct errors in drafting the code, to improve or facilitate development implementation, and to fill in regulatory gaps in the code. While Unified Building Authority, the parent company of Davies Design Build, has submitted an application, the request is the result of collaboration between all parties. Community Development assisted with the drafting of some of the amendments, particularly those related to active transportation implementation and related street standards. Staff also drafted the procedural amendment regarding the allocation of residential units between application phases.

He went on to explain the proposed amendments were grouped into three topical categories for analysis in the report. The three categories were Lot Standards, Parking Lot Design and Thoroughfare Standards, and Procedural Standards. The staff has worked with internal stakeholders, including Public Works, and Administration to present a coordinated and unified recommendation. On November 29, 2022, the Planning Commission recommended all but one amendment for approval.

Councilmember Snelson asked why we need stories and feet; can it be one or the other? Josh said there were specific definitions of how much of the floor area is livable in some designs.

Mayor Packard asked about the possibility of having flat roofs and if we want to have it stated pitched roof only. Trying to protect the look and am not a fan of a flat roof. Josh said a pattern book and architectural standards were adopted by the council earlier this year that addresses these questions.

Councilmember Sorensen asked about green space in the first phase. Josh, there would be some green space included. A park is in the development agreement and would be located where the transfer station is currently.

Administrator Fitzgerald explained the housekeeping amendments were done after the Planning Commission review, he asked if there was anything the council would like to be reviewed again by the Planning Commission they can do so.

Motion: Councilmember Snelson moved to approve Ordinance #24-2022 amending the amendments to the Lakeside Landing Special District Overlay. Councilmember Jensen seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0. Ordinance #24-2022 Approved**

8. Consideration of an Ordinance and amendment to the Purchasing Ordinance - Bruce Riddle, Assistant City Administrator/Finance Director

Director Riddle reported the Utah Procurement Code grants municipalities authority to adopt their procurement code by ordinance. The Springville City Purchasing Ordinance, which governs the procurement of goods and services by the City, had not been revised since November 2010. In addition to rules regarding the procurement processes, the ordinance contains dollar thresholds regarding spending authority by certain City staff as well as dollar thresholds related to when certain procurement processes must be used. The proposed amendments to the ordinance are consistent with State law and are also similar to neighboring cities.

Director Riddle said the changes included purchasing thresholds authority, purchase order threshold amounts, and quote bid thresholds changed he noted the purchasing agent is also assigned by the Mayor.

Mayor Packard asked if there was a dual process for approving power purchases. Director Black said the policy could be changed to allow protections.

Motion: Councilmember Jensen moved to approve Ordinance #25-2022 amending all sections of Springville City Code Title 2, Chapter 10, Purchasing. Councilmember Miller seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0. Ordinance #25-2022 Approved**

9. Consideration of a Resolution and PID (Public Infrastructure Development) Policy - Carla Wiese, Planner II/Economic Development Specialist

Planner Wiese reported the state of Utah adopted the Public Infrastructure District Act in 2019. The legislation allows cities to finance new infrastructure by creating Public Infrastructure Districts. A presentation on PIDs was given to the City Council previously and they directed staff to develop a policy that would govern the application and review process for proposed districts.

She went on to report the council had discussed concerns regarding the use of a mill levy as a finance mechanism for Public Infrastructure Districts, particularly in residential developments. There has

been a consensus that a mill levy would not be considered favorably by the council and commercial developments proposing a mill levy as a finance mechanism would need to demonstrate a significant public benefit in order to utilize a mill levy.

The application fee outlined in the draft policy is substantial and the Council should consider if the fee is fair in light of other application fees the City requires.

The adoption of a PID Policy does not require the City to approve any application that may be submitted and each application should be considered solely on its own merits. She stated the proposed PID Policy had not been reviewed by the Planning Commission.

Motion: Councilmember Jensen moved to approve Resolution #2022-54 establishing a Public Infrastructure District Policy. Councilmember Snelson seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion Passed unanimously 5-0. Resolution #2022-54 Approved

10. Consideration of a Resolution approving a change to the authorized position list to increase Fire and EMS coverage to six fire personnel on duty at all times - Chief Haight, Public Safety Director

Administrator Fitzgerald reported he had sent letters today to Congressman Owens and Curtis about not receiving the SAFER grant and the fact that no agencies in Utah received federal grant funds in the last two years.

Public Safety Director Haight and Fire Chief Clinton reported calls for fire and emergency medical services have doubled in the past decade. During this same period, the number of reserve (volunteer) firefighters have significantly reduced. The increase in calls has made it less practical to be a reserve, particularly for people who have a full-time job elsewhere. In addition, the labor shortage has affected the ability to staff shifts with part-time firefighters. As a result, many of the shifts are short-staffed.

When short-staffed mutual aid is relied upon from surrounding fire departments to take calls when Springville Fire and Rescue are on another call and unavailable. The use of mutual aid most often results in an extended response time to the emergency.

To provide prompt, consistent, and reliable fire and emergency medical services to Springville residents, staff recommends adding additional full-time personnel to our staff.

In an effort to fund additional full-time firefighter positions, they applied for the FEMA Staffing for Adequate Fire and Emergency Response (SAFER) grant. Despite meeting the qualifications, they were recently notified they did not receive the grant. In the absence of funding from the SAFER grant, staff recommends adding the new full-time firefighter positions using the money from the general fund.

Councilmember Jensen asked if covering Hobble Creek Canyon would be part of the need for staff. Chief Clinton, this is to cover calls in Springville. He would like to see nine personnel during the day and six at night.

Administrator Fitzgerald said budget discussions are coming up and they will need approximately a million-dollar budget line item to increase staffing to six. There will be a reduction in part-time hours and they will need to work through requirements for fire personnel. He said the resolution would give authority to hire and a budget amendment in January would request the funding.

Motion: Councilmember Sorensen moved to approve Resolution #2022-55 to increase the Fire Department staffing levels in response to the increase in calls for fire and emergency medical services in Springville. Councilmember Miller seconded the motion. Roll Call Vote, Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion Passed unanimously 5-0. Resolution #2022-55 Approved

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Packard recognized Dr. Rita Wright who was retiring as the Museum of Art Director he said he appreciated all of her contributions to the museum and the city.

Administrator Fitzgerald reminded the Mayor and council the budget retreat was scheduled for January 31, 2022, at 5:00 pm.

CLOSED SESSION, AND ADJOURNMENT IF NEEDED - TO BE ANNOUNCED IN MOTION

The Springville City Council may adjourn the regular meeting and convene into a closed session as provided by UCA 52-4-205.

There was none.

ADJOURNMENT

Motion: Councilmember Miller moved to adjourn the regular meeting at 8:52 p.m. **Councilmember Snelson seconded** the motion. **Voting Yes:** Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0.**

This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, December 20, 2022. 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, accurate, and complete record of this meeting held on Tuesday, December 20, 2022.

DATE APPROVED: January 17, 2023



Kim Crane
City Recorder