



MINUTES
Springville City Council Regular Meeting - MAY 16, 2023

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, MAY 16, 2023, 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

City Staff in Attendance: 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, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, and Public Safety Director Lance Haight, Public Works Director Brad Stapley.

Excused: Troy Fitzgerald, City Administrator

CALL TO ORDER

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

INVOCATION AND PLEDGE

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

APPROVAL OF THE MEETING'S AGENDA

Motion: Councilmember Sorensen moved to approve the agenda as written. **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.

CEREMONIAL AGENDA

1. **Presentation of the Mayor's Awards - Cassandra Southam, Prevention Coordinator/Youth Court Director**
Postponed

2. Recognize CERT Graduates

Mayor Packard began by acknowledging the recent graduates of the Community Emergency Response Team (CERT) program. Chief Haight then introduced JoAnna Larsen as the Emergency Management Coordinator, emphasizing the importance of CERT as a valuable resource for the community. Chief Haight proceeded to announce the names of the recent CERT graduates: Chief Lance Haight, LeeAnn Moorman-Cross, Dale Harrison, Elizabeth Feil, Larry Arnett, Jill Gardner, David Anderson, Frank C. Hulse, Lyric Cannan, and Steve Poole. The instructors, Mike Sawyer, Gavin Grow, and Martin Palmer, were also recognized and thanked for their contributions to the program.

3. Presentation by Art City Days Rodeo Royalty

Mayor Packard extended a warm welcome to the Art City Days Rodeo Royalty and invited them to introduce themselves. The Rodeo Royalty members introduced themselves as follows: Queen Sydney Nielsen, 1st Attendant Shelby Eva, 2nd Attendant Whitley Hatt, and Princess Madison Brown. Furthermore, Mayor Packard extended an invitation to the council members to attend the upcoming Art City Days Rodeo.

4. Presentation and approval of a Resolution recognizing Constitutional Week

Mayor Packard introduced the resolution recognizing Constitutional Week and read it aloud.

Motion: Councilmember Crandall moved to approve Resolution #2023-18 supporting Constitution Week in Springville City September 17-23, 2023. **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 #2023-18 Approved**

PUBLIC COMMENT

Mayor Packard introduced the Public Comment section of the agenda and inquired if there were any written requests to speak.

Jonathan Bartholomew commented on the Bartholomew property item. He expressed support for his brother's intention to construct on a small parcel of land and favored the purchase.

Glen Bradley, a resident of Spring Oaks Drive, raised concerns about sinkholes that had emerged after a water main repair conducted by a contractor in October of the previous year. Seeking guidance, Mr. Bradley asked the council what actions they intended to take. Mayor Packard requested John Penrod to address the issue with Mr. Bradley at a later time. John Penrod provided an update, stating that they have been actively addressing the matter and assured Mr. Bradley that he would personally contact him to discuss it further.

Steve Park, a resident living near the high school, presented a proposal for a small development project. He emphasized the importance of recognizing small business developers who contribute to the area's improvement. Steve Park also voiced his request for a city advocate to support developers in navigating the process, sharing his personal experience of encountering unexpected challenges while attempting to open a bike shop at 300 North Main. Specifically, he expressed concern about the current residential-like curb design, which he believed was not suitable for a commercial space.

In response, Councilmember Snelson inquired about the possibility of addressing this issue. Mayor Packard then requested Brad Stapley and Josh Yost to return to a future council agenda with a determination on the feasibility of implementing a more appropriate curb design.

Sharee Killpack, the owner of a real estate office in the city, expressed her interest in discussing parking-related issues with city personnel. She shared her plans to transform a recently purchased

property at 109 North Main Street into a small event center. The property includes approximately half an acre of open space. Sharee raised the topic of parking requirements in the CC Zone and expressed her belief that parking lots should not be mandatory for certain uses if they are deemed unnecessary. She advocated for a more walkable downtown area instead of relying on extensive parking lots.

CONSENT AGENDA

5. Approval of the minutes for April 24, 2023, Budget Meeting and the May 02, 2023 Work Study and Regular meetings.
6. Approval of a Resolution approving the Utah County Municipal Recreation Grant - Stacey Child, Parks and Recreation Director
7. Approval of the Firework Restrictions and Map for the wildland interface areas of Springville - Henry Clinton, Fire Chief
8. Approval of a Resolution authorizing the volunteers for Art City Days festivities - Stacey Child, Parks, and Recreation Director

Motion: Councilmember Miller moved to approve the consent agenda as written. 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 #2023-14 and Resolution #2023-15 Approved**

REGULAR AGENDA

9. **Consideration of a Resolution for the purpose of a Quit Claim Deed selling 0.12 acres of property adjacent to Bartholomew Park to Nathanael and Kristi Lee Bartholomew - John Penrod, Assistant City Administrator/City Attorney**

John reported Nathanael & Kristi Bartholomew own property immediately adjacent to Bartholomew Park. The proposed resolution authorizes the City to quitclaim approximately 0.12 acres of property to the Bartholomew's. A portion of the property has been on the Bartholomew's side of the fence for decades. The Bartholomew's would pay fair market value for the remaining portion of the property at approximately \$6.68 per square foot based on appraisals.

Motion: Councilmember Sorensen moved to approve Resolution #2023-16 that approves signing a quitclaim to Nathanael & Kristi Lee Bartholomew for property in the Bartholomew Park area. 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 #2023-16 Approved**

10. **Consideration of a Resolution to approve an agreement to defer utilities with D.R. Sumsion LLC at 2120 South State Street, Springville - John Penrod, Assistant City Administrator/City Attorney**

Attorney Penrod reported when a developer is developing a property where the abutting property does not have a curb, gutter, or sidewalk, Section 11-6-120 of Springville City's Code allows the City Council to approve allowing a developer to install required public improvements at a later date or have the developer sign a waiver of protest that the developer will be part of a special improvement district to install the improvements. The proposed agreement would require D R Sumsion to install or pay for the required public improvements (which include, sewer, pressurized irrigation, and an upsized water line) when one of the following occurs: 1. City gives a notice to install the improvements; 2. abutting properties install the improvements; 3. a special improvement district is set up to install the improvements; or 4. Sumsion develops more of its property.

John provided an update on the property located off Highway 51, mentioning that some development work had already been completed. Currently, a building is under construction on the site, which has triggered certain items related to the site plan. There have been discussions with Engineering regarding a potential grading issue. John reviewed the requirements and noted that there is a risk involved, as typically, infrastructure is gradually added during the development process, which may lead to disputes later on. Mayor Packard raised the question of if the property changes ownership would the requirements be included?

Councilmember Sorensen raised concerns about some citizens who expressed dissatisfaction with the property and inquired about the possibility of a crushing process. John clarified that crushing is allowed, as other properties have also engaged in similar activities, and code enforcement has been addressing the matter. Councilmember Sorensen stressed the importance of enforcing regulations to ensure the well-being of the citizens in the area, and John assured that he would follow up on the issue.

Motion: Councilmember Jensen moved to approve Resolution #2023-19 that approves an agreement with D R Sumsion Construction LLC that will require improvements to be installed at a later date including future owners. 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 #2023-19 Approved

11. Consideration of an extension to the Hobble Creek Industrial commercial development improvement bond - Chris Wilson, Chief Engineer

Chris provided an update on the progress of Hobble Creek Industrial, located at 1750 West 1000 North. He stated that the project is currently about 90% complete with the necessary improvements. However, due to adverse weather conditions, including flooding from Hobble Creek and the presence of an artesian well, the applicant has requested an extension.

Councilmember Snelson inquired about the water mitigation plans considering the water table in the area. Chris explained that the options for addressing the water issue include leaving a pond with aeration or redirecting the water through a pipeline to an open body, subject to approval from the city. Councilmember Snelson then asked about the Army Corps of Engineers' perspective on the matter. Chris responded that they agree the damage caused by the water is extensive, making it unfeasible to cap the well.

The developer of the project addressed the council, stating that the project is surrounded by three major streets and that the weather has had a significant impact on its progress. The developer mentioned having contacted the state and exploring various options. The state granted permission to discharge water into an open body. The Army Corps of Engineers had conducted a study prior to the developer's property purchase. It was also mentioned that the pipe on the north side has been sealed, allowing work to proceed in other areas of the project.

Councilmember Snelson raised a concern regarding any potential risk to the city associated with the water situation. In response, John reassured the council that there is no risk, as the engineering team has ensured compliance with all wetland requirements.

Councilmember Sorensen inquired about the possibility of utilizing the artesian well as a source of secondary water. John explained the process and stated that it is unlikely to be a feasible option.

Motion: Councilmember Jensen moved to approve the extension of improvement bonding for the Hobble Creek Industrial commercial development to October 31, 2023. Councilmember Sorensen seconded the motion. Voting Yes: Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion Passed unanimously 5-0.

12. Consideration of a Resolution and agreement with Wheeler Machinery for the purchase of three Caterpillar 3520H Generators - Shawn Black, Power Director.

Shawn provided an update on the contract review process, indicating that thorough walkarounds had been conducted and pricing had been verified. The project entails the acquisition of Caterpillar 3520H natural gas generators, which will replace two outdated Enterprise generators labeled K3 and K4. Additionally, the project will involve utilizing a spare empty foundation and switchgear previously used to support an EMD generator designated as K5. In addition to the generator replacements, the project will also incorporate the installation of Selective Catalyst Reduction (SCR) technology on the plant's existing Caterpillar generators, enhancing their environmental performance.

Motion: Councilmember Sorensen moved to approve Resolution #2023-17 authorizing the Mayor to sign an agreement with Wheeler Machinery to purchase and install (3) 3520H natural gas generators at a price not to exceed \$11,669,710.64 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 #2023-17 Approved**

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Packard said there will need to be future discussion regarding the transportation funding options created by the Utah Legislature.

Councilmember Sorensen asked about the status of the council's support of the Salisbury liquor license. Mayor Packard said he spoke to Chris with Salisbury and said the city will need to send a letter to the State showing they meet all of the requirements and zoning and there is nothing the city sees in the application that would make us oppose it and believes that is the letter Chris is asking about. Chris told the Mayor if that is not what they need he would contact the Mayor.

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 Jensen moved to adjourn the regular meeting at 8:23 p.m. Councilmember Crandall 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, May 02, 2023. 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, May 02, 2023

DATE APPROVED: _____ June 06, 2023



Kim Crane
City Recorder