



**WORK/STUDY AGENDA
SPRINGVILLE CITY COUNCIL MEETING
FEBRUARY 21, 2017 AT 5:15 P.M.**

City Council Chambers
110 South Main Street
Springville, Utah 84663

MAYOR AND COUNCIL DINNER – 4:45 P.M.

The Mayor and Council will meet in the Council Work Room for informal discussion and dinner. No action will be taken on any items.

CALL TO ORDER- 5:15 P.M.

COUNCIL BUSINESS

1. Calendar

- March 07 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- March 12 – Daylight Savings Time Starts
- March 14 – Work/Study Meeting 5:15 p.m.
- March 21 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- April 05-07 – ULCT Mid-Year Conference, St. George
- April 04 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.

2. **DISCUSSION ON THIS EVENING’S REGULAR MEETING AGENDA ITEMS**

- a) Invocation – Councilmember Sorensen
- b) Pledge of Allegiance – Councilmember Conover
- c) Consent Agenda
 1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
 2. Approval of the minutes for October 04, October 18, and November 01, 2016 City Council Work/Study meetings.

3. **DISCUSSIONS/PRESENTATIONS**

- a) Bartholomew Park Phase II – Brad Neel, Building and Grounds Director
- b) UDOT Presentation regarding the 400 South Road Widening Project – Brad Stapley, Public Works Director

4. **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

5. **CLOSED SESSION**

The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated Section 52-4-205

ADJOURNMENT

CERTIFICATE OF POSTING

This meeting was noticed in compliance with Utah Code 52-4-202 on February 17, 2017. Agendas and minutes are accessible through the Springville City website at www.springville.org/agendasminutes. Council Meeting agendas are available through the Utah Public Meeting Notice website at <http://www.utah.gov/pmn/index.html>. Email subscriptions to Utah Public Meeting Notices are available through their website.

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings.

s/s - Kim Rayburn, CMC, City Recorder



**REGULAR AGENDA
SPRINGVILLE CITY COUNCIL MEETING
FEBRUARY 21, 2017 AT 7:00 P.M.**
City Council Chambers
110 South Main Street
Springville, Utah 84663

CALL TO ORDER

**INVOCATION AND PLEDGE
APPROVAL OF THE MEETING'S AGENDA
MAYOR'S COMMENTS**

PUBLIC COMMENT

Audience members may bring any item not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.

CONSENT AGENDA

The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.

1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
2. Approval of the minutes for October 04, October 18, and November 01, 2016 City Council Work/Study meetings.

REGULAR AGENDA

3. Consideration of an agreement and bid award for the 400 South Well #2 project – Brad Stapley, Public Works Director
4. Consideration of moving forward with researching cemetery burial rights unused for more than 60 years – John Penrod, Assistant City Administrator/City Attorney

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

CERTIFICATE OF POSTING

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s/s - Kim Rayburn, CMC, City Recorder

CLOSED SESSION

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ADJOURNMENT

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s/s - Kim Rayburn, CMC, City Recorder



MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD
ON TUESDAY, OCTOBER 04, 2016 AT 5:15 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN
STREET, SPRINGVILLE, UTAH.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present:
Councilmember Rick Child, Councilmember Craig Conover, Councilmember Christopher Creer,
Councilmember Jason Miller, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald,
Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director
Bruce Riddle and City Recorder Kim Rayburn.

Also present were: Public Safety Director Scott Finlayson, Power Director Leon Fredrickson,
Golf Pro Craig Norman, Public Works Director Brad Stapley, Recreation Director Corey Merideth,
Building and Grounds Director Brad Neel, Community Development Director Glen Goins, Wastewater
Superintendent Juan Garrido, Brandon Graham, Superintendent Power, Library Director Pam Vaughn,
Operations Manager Rod Oldroyd and Museum of Art Director Dr. Rita Wright.

CALL TO ORDER

Mayor Clyde welcomed everyone and called the Work/Study meeting to order at 5:18 p.m.

COUNCIL BUSINESS

1) Calendar

- October 11 – Work/Study Meeting 5:15 p.m.
- October 18 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- October 31 – Halloween (City Down Town Trick-or-Treat 3:00 p.m. – 5:00 p.m.)
- November 01 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- November 11 – Veterans Day
- November 08 – Work/Study Meeting 5:15 p.m.
- November 08 – General Election Day

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

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

- a) Invocation – Councilmember Child
- b) Pledge of Allegiance – Councilmember Creer
- c) Consent Agenda

- 1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.

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

3) **DISCUSSIONS/PRESENTATIONS**

a) **Introduction of the new Community Development Director Glen Goins** – Troy Fitzgerald, City Administrator

City Administrator Fitzgerald introduced new Community Development Director Glen Goins to the Mayor and City Council. He welcomed Mr. Goins who comes to Springville City from the city of Cottonwood Heights where he worked as a Planner.

b) **Discussion of water quality in Provo Bay** – Brad Stapley, Public Works Director

Public Works Director Stapley reported over the last few years there have been discussions and information regarding water quality regarding the state waters. Recently there have been outbreaks of algae blooms in Scofield Reservoir, Utah Lake and other areas. He explained Provo City recently had a meeting with the Department of Water Quality (DWQ) regarding Provo Bay and looking at nutrients in Utah Lake and Provo Bay.

Director Stapley explained Provo Bay has not been a part of the algae bloom currently affecting Utah Lake and provided information regarding the 2015 adoption of the Technology-based Phosphorus Effluent Limit (TBPEL) Rule. Limits were given approximately a year ago notifying cities they would need to meet the requirements by 2020. The “science community” including University Professors and city personnel, commented there are other factors contributing to the nutrient flow into the lake and asked the DWQ to consider this information.

Director Stapley commented it would be beneficial to hear from both sides and asked the Council if they would like him to schedule times with representatives from the “science community” and DWQ for separate presentations.

c) **Discussion of the Hobble Creek Clubhouse improvements** – Bruce Riddle, Assistant City Administrator/Finance Director

Finance Director Riddle provided information on the RFP proposals received regarding the Golf Course Clubhouse improvements. He explained two proposals were received; one from the current operator, Sunroc Inc. and another from Siempre.

Director Riddle reported on the review committee’s analysis. He explained the Sunroc Inc. proposal is lower risk; they are currently operating the facility and would include modest improvements to the interior. The Sunroc proposals weakness is the cost required to be covered by the City, it would not be a major overall remodel and impact may be small.

The Siempre proposal strengths were dollars contributed to the project and improvements outside and inside. They have a proven track record with Orem City, potential for new business and positive image for the golf course. Weaknesses of the Siempre proposal would be risks of a larger project, how will the operations affect the golf course and image from local golfers.

Director Riddle explained if a decision is not timely they may not have improvements for another year and asked the Council for policy direction.

Mayor Clyde asked Mr. Golden Holt with Siempre to present his information. Mr. Holt said Hobble Creek Golf Course is a great public course and they want to maintain and improve the course. He stated it needs to be a win, win for the City and Siempre, many courses are seeing downturns. He said he had talked with Sunroc on the possibility of combining efforts. Mr. Holt explained he is aware of what is needed to run a golf course and keep a traditional course. He emphasized more than golf is needed to provide dollars. A public and private partnership is needed and the Council will need to be in

agreement to have the partnership work. He stated any cost overruns on the budget they have approved will not be the responsibility of the city. If the Council decides to go forward they will need to go over details.

Councilmember Sorensen commented it was easy to be sold on a presentation; he worries about if it's too good to be true. It's not a perfect situation and parking is an issue. At the same time if we would not have had the Siempre proposal, the Sunroc proposal is solid on what is needed. He asked "what do we want Hobble Creek to be, traditional as it has been or change with the possibility of impacting operations." Mr. Holt provided more information on parking and using the facility during times there is no golf.

Councilmember Conover stated if you do what you have always done, you get what you always got. He is a proponent to improve and try new things and is leaning towards the Siempre proposal. Can keep going as have always done and thinks it would be pretty low risk for the city.

Councilmember Sorensen requested guidance from Director Riddle and staff regarding the funding.

City Administrator Fitzgerald stated the City would need to provide funding over time, immediate cash from the City for either proposal would be the same.

Councilmember Sorensen asked where Sunroc is with the option to participate. Director Riddle replied Sunroc is willing to go with their proposal or combing efforts with further discussion.

Councilmember Child commented if it is expanded, it will bring more people and asked who will maintain the road to the Clubhouse. City Administrator Fitzgerald replied Utah County does maintenance of the road. Operational issues will need to be discussed, as there are some unknowns.

Councilmember Child stated an issue not addressed, are the windows around the clubhouse they are vulnerable and have not been budgeted. Administrator Fitzgerald stated they are working to provide budgeting for windows.

Councilmember Miller asked if the Sunroc proposal would also coordinate all of the events and funds would come back to the city. Administrator Fitzgerald replied in either case funds come back to the city. Councilmember Miller expressed there may be more flexibility with Sunroc and not have it locked up for 25 years with not much input.

Councilmember Creer stated he was back and forth on the proposals. He was not comfortable taking the risks with Siempre, it would be a great thing to have but not a sure thing. Sunroc is lower risk.

Mayor Clyde stated a decision did not need to be made tonight. The Council can think about it and come together at the next meeting and discuss further.

Mayor Clyde stated for the record he has a conflict of interest.

Golf Pro Craig Norman expressed he would like the building to be refurbished. His biggest concern is parking. Using the range as parking would affect services and he would not like to see that happen. More than anything he would like to see the building fixed and the timing is important.

Councilmember Sorensen suggested finalizing the discussion at next Tuesdays meeting. Councilmember Child was in agreement.

124 **4) MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

Mayor Clyde asked for any other comments.

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CLOSED SESSION

130 *The Springville City Council may temporarily recess the regular meeting and convene in a*
132 *closed session to discuss pending or reasonably imminent litigation, and the purchase,*
 exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205

There was no Closed Session.

134

ADJOURNMENT

136 COUNCILMEMBER CHILD MOVED TO ADJOURN THE WORK/STUDY MEETING OF
138 THE SPRINGVILLE CITY COUNCIL AT 6:50 P.M. COUNCILMEMBER CONOVER SECONDED
 THE MOTION, ALL VOTED AYE.

140

This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday,
142 *October 04, 2016.*

144 *I, Kim Rayburn, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville*
146 *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, October 04, 2016.

148

Kim Rayburn, CMC
City Recorder



MINUTES
Springville City Council Work/Study Meeting – October 18, 2016

MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD
ON TUESDAY, OCTOBER 18, 2016 AT 5:15 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN
STREET, SPRINGVILLE, UTAH.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present:
Councilmember Craig Conover, Councilmember Christopher Creer, Councilmember Jason Miller,
Councilmember Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/City
Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle and City Recorder
Kim Rayburn.

Also present were: Public Safety Director Scott Finlayson, Power Director Leon Fredrickson,
Golf Pro Craig Norman, Public Works Director Brad Stapley, Building Official Jason Van Ausdal,
Recreation Director Corey Merideth, Library Director Pam Vaughn, Operations Manager Rod Oldroyd
and Museum of Art Director Dr. Rita Wright. Excused from the meeting: Councilmember Rick Child

CALL TO ORDER

Mayor Clyde welcomed everyone and called the Work/Study meeting to order at 5:16 p.m.

COUNCIL BUSINESS

1) Calendar

- October 25-Nov 4 – General Election Early Voting
- October 27 – Deseret Industries Ribbon Cutting Ceremony 9:30 a.m.
- October 31 – Halloween (City Down Town Trick-or-Treat 3:00 p.m. – 5:00 p.m.)
- November 01 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- November 11 – Veterans Day
- November 08 – General Election Day
- November 08 – Work/Study Meeting 5:15 p.m.
- November 15 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.

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

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

- a) Invocation – Councilmember Miller
- b) Pledge of Allegiance – Councilmember Sorensen
- c) Consent Agenda
 2. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
 3. Approval of the minutes for July 05, 2016 Work/Study meeting.
 4. Approval of a six month extension for the final approval of the Meadow Walk Subdivision located at approximately 850 south 950 west in the R1-10 Single-Family

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

46 **3) DISCUSSIONS/PRESENTATIONS**

48 a) **Railway Safety** – Nathan Anderson, Union Pacific Railroad

48 Mr. Nathan Anderson; Director of Public Affairs with Union Pacific railroad addressed the
48 Mayor and Council. He explained he does community outreach for the Railroad and his focus is, "what
50 are we doing to be safe in the communities we live" and "what is being done to promote rail safety." His
50 department oversees structural safety of the tracks, they build and maintain lights and gates and have
52 their own police force to address safety and security issues. In 2015 they received record employee
52 safety. They also provide rail safety education and work with the non-profit Operation Lifesaver. He
54 expressed the weight of a train against a car is like an empty coke can against a car, 94% of rail crossing
54 accidents are a result of risky driver behavior.

56 Mr. Anderson provided information to city personnel on what can be done to notify the railroad
56 of any large events that would be near a railway and how they can work with the community to help
58 make it safer.

60 b) **Aquatic Center Update** – Troy Fitzgerald, City Administrator

60 Administrator Fitzgerald reported bid openings will begin tomorrow for the Aquatic Center sub-
62 contractor and pricing should be available next week. He then proceeded with an update of the site
62 project.

64 Mayor Clyde commented he had discussions about purchasing additional property from the LDS
64 Church. He expressed the importance to have a building the City can afford, he is concerned about
66 having an outdoor element and the size, with additional property it should be bigger. He asked this be
66 considered now before building starts and feels it will be a very popular place.

68 Administrator Fitzgerald replied staff has a meeting with Church officials tomorrow and they
68 have an oral indication of the property in question. The concept will be shifting parking south and to
70 make size and space open for the area of an outdoor site. The pool mechanic room is tight, they are
70 looking to see if it can be expanded for an outdoor feature or if it will need an outside facility for the
72 mechanics. Depending on the bid outcome will determine which version is funded.

74 **4) MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

74 Mayor Clyde asked for any other comments.

76 **5) CLOSED SESSION**

78 *The Springville City Council may temporarily recess the regular meeting and convene in a
78 closed session to discuss pending or reasonably imminent litigation, and the purchase,
80 exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

82 COUNCILMEMBER CONOVER MOVED TO ADJOURN THE CITY COUNCIL
82 WORK/STUDY MEETING AT 6:15 P.M. AND CONVENE IN CLOSED SESSION TO DISCUSS
84 PURCHASE OF REAL PROPERTY. COUNCILMEMBER CREER SECONDED THE MOTION
84 AND THE VOTES IS RECORDED AS FOLLOWS:

86 COUNCILMEMBER CHILD Absent
COUNCILMEMBER CONOVER AYE
COUNCILMEMBER CREER AYE
88 COUNCILMEMBER MILLER AYE
COUNCILMEMBER SORENSEN AYE

90

COUNCIL RETURNED TO THE WORK/STUDY MEETING AT 6:43 P.M.

92

94 COUNCILMEMBER CREER MOVED TO ADJOURN THE CITY COUNCIL
WORK/STUDY MEETING AT 6:43 P.M. AND CONVENE IN CLOSED SESSION TO DISCUSS
THE CHARACTER, PROFESSIONAL COMPETENCE OF AN INDIVIDUAL. COUNCILMEMBER
96 CONOVER SECONDED THE MOTION AND THE VOTES IS RECORDED AS FOLLOWS:

98 COUNCILMEMBER CHILD Absent
COUNCILMEMBER CONOVER AYE
COUNCILMEMBER CREER AYE
100 COUNCILMEMBER MILLER AYE
COUNCILMEMBER SORENSEN AYE

102

ADJOURNMENT

104 COUNCILMEMBER CREER MOVED TO ADJOURN THE WORK/STUDY MEETING OF
THE SPRINGVILLE CITY COUNCIL AT 6:58 P.M. COUNCILMEMBER CONOVER SECONDED
106 THE MOTION, ALL VOTED AYE.

108

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I, Kim Rayburn, 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, October 18, 2016.

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Kim Rayburn, CMC
City Recorder

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MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD
ON TUESDAY, NOVEMBER 01, 2016 AT 5:15 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN
STREET, SPRINGVILLE, UTAH.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present:
Councilmember Rick Child, Councilmember Craig Conover, Councilmember Christopher Creer,
Councilmember Jason Miller, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald,
Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director
Bruce Riddle and City Recorder Kim Rayburn.

Also present were: Public Safety Director Scott Finlayson, Golf Pro Craig Norman, Public
Works Director Brad Stapley, Building and Grounds Director Brad Neel, Water Reclamation Plant
Supervisor Rick Roberts, Water Reclamation and Storm Water Superintendent Juan Garrido,
Community Development Director Glen Goins, Operations Manager Rod Oldroyd and Museum of Art
Director Dr. Rita Wright.

CALL TO ORDER

Mayor Clyde welcomed everyone and called the Work/Study meeting to order at 5:15 p.m.

COUNCIL BUSINESS

1) Calendar

- November 11 – Veterans Day
- November 08 – General Election Day
- November 08 – Work/Study Meeting 5:15 p.m.
- November 15 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- November 24-25 Thanksgiving Holiday (City Offices Closed)

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

2) Discussion on this evening’s Regular Meeting agenda items

- a) Invocation – Councilmember Sorensen
- b) Pledge of Allegiance – Councilmember Conover
- c) Consent Agenda
 1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
 2. Approval of the minutes from the June 21, 2016 Regular meeting and September 13, 2016 Work/Study meeting.

Mayor Clyde asked if there was any discussion on tonight’s consent agenda. There was none.

Mayor Clyde asked that Item C be presented first to allow Mr. Jeremy Hafen to be in attendance.

42

3) **DISCUSSIONS/PRESENTATIONS**

44 a) **Utah Lake/Provo Bay Water Quality Discussion** – Brad Stapley and Leland Meyer

Public Works Director Stapley introduced Theron Miller, PHD Research Scientist at Jordan
46 River Farmington Bay; LaVere Meritt, PHD Water & Environmental Engineering and Leland Myers,
Wasatch Front Water Quality Council each local authorities in the science community regarding
48 nutrients and controls for water quality.

Mr. Myers provided a presentation on nutrients and controls for water quality regarding concerns
50 of Utah Lake and whether good water quality is achievable. Mr. Myers explained he worked for the
Department of Water Quality (DWQ) for ten years before joining the Wasatch Front Water Quality
52 Council. He explained the different ways phosphorous and nitrogen contributes to the lake. He put
together a team to study blooms due to phosphorous and tracking nutrients across Provo Bay.

54 Mr. Merritt explained how nutrients contribute to water quality and how most lakes in Utah are
nutrient rich. He stated there is a need to look at the requirements carefully and do a reassessment.

56 Mr. Miller thanked the Council for being involved and stated it was important for officials and
legislatures to be educated and involved with policy.

58

b) **General Plan Review** – Glen Goins, Community Development Director

60 Director Goins provided information on the recently approved transportation plan. He explained
there was significant thought into the General Plan as well as amendments that need to be adopted and
62 revisited. More information will be coming to the Council and if there is something the council would
like to revisit or direction for staff to take he welcomed their input.

64 Councilmember Miller asked if there were any areas that Community Development would like to
focus on or review ahead of time. Director Goins replied there has been a lot of work done prior, staff
66 would like to see the plan implemented. He asked the Council if there are types of developments they
would like to see presented.

68 City Administrator Fitzgerald mentioned previous councils have discussed about how they
would like to approach the General Plan and there may need to be more discussion. It's possible to go
70 chapter by chapter or as a whole. Councilmember Conover agreed going over certain parts of the plan
would be a good idea.

72 Mayor Clyde asked for Director Goins thoughts on the General Plan. Director Goins replied the
plan is a tool for the Council, citizens and developers. More and more meetings with development
74 groups will be needed, overall he was impressed with the work that has been done.

Mayor Clyde requested Director Goins and his staff review the General Plan and see what needs
76 to be addressed or provide recommendations. He asked the Council to do some review and use work
sessions to discuss. Mayor Clyde expressed the General Plan should not be redone with new council's it
78 should be a fluid document.

80 c) **Golf Course Clubhouse Remodel** – Bruce Riddle, Assistant City Administrator/Finance
Director

82 Item C was presented first on the Work/Study agenda.

Director Riddle gave an update on the Golf Course Club House remodel. Jeremy Hafen with
84 Sunroc, Inc. was in attendance and gave an overview of the remodel with a timeline of project start in

86 December or January with an estimated completion of March 1st; he asked the Council if they had any questions.

88 Mayor Clyde asked about having an architect look at the building and see if a cross beam could be added to increase the size of the banquet room. Director Riddle cautioned with added materials and windows it will increase the budget and the current design is close to budget. Mayor Clyde asked if
90 there was anything less that could be done to allow for more space in the banquet area.

92 **4) MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

94 Mayor Clyde encouraged councilmembers to reach out to State officials regarding the water quality issue discussed tonight.

96 **CLOSED SESSION**

98 *The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

100 There was no Closed Session.

102 **ADJOURNMENT**

104 COUNCILMEMBER SORENSEN MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL AT 6:48 P.M. COUNCILMEMBER CHILD SECONDED THE MOTION, ALL VOTED AYE.

106

108 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, November 01, 2016.*

110 *I, Kim Rayburn, 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, November 01, 2016.*

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Kim Rayburn, CMC
City Recorder



STAFF REPORT

DATE: February 14, 2017

TO: Honorable Mayor and City Council

FROM: Shawn Barker, Water Superintendent

SUBJECT: **400 SOUTH WELL #2, BID AWARD FOR WELL DRILLING**

RECOMMENDED MOTION

Motion to award the 400 South Well #2 Drilling Project to the lowest responsible bidder, High Plains Drilling in the amount of \$636,560.00, which includes the installation of a 24" diameter well casing in lieu of a 20" diameter well casing.

SUMMARY OF ISSUES/FOCUS OF ACTION

The City General Plan, Section 3.3.1 Water, reads:

"The City's management and planning of water resources for the community is a necessary service. Water resources are limited by their natural occurrence, and utilization of the resources are limited by the legal water rights that are owned by the City. A lack of controlled, organized management and expansion of the City's supply and distribution system could result in decreased levels of service."

The Impact Fee Facilities Plan (IFFP) updated in 2013 and adopted May 20, 2014, lists the need for an additional water source at 900 E 400 S in less than five (5) years. At the time of the 2013 update, it was estimated the City had a source capacity surplus of 182 gallons per minute. That surplus source capacity has diminished with continued growth.

A timely award by the City Council and subsequent successful drilling of the 400 South Well #2 will complete this project within that five (5) year time frame.

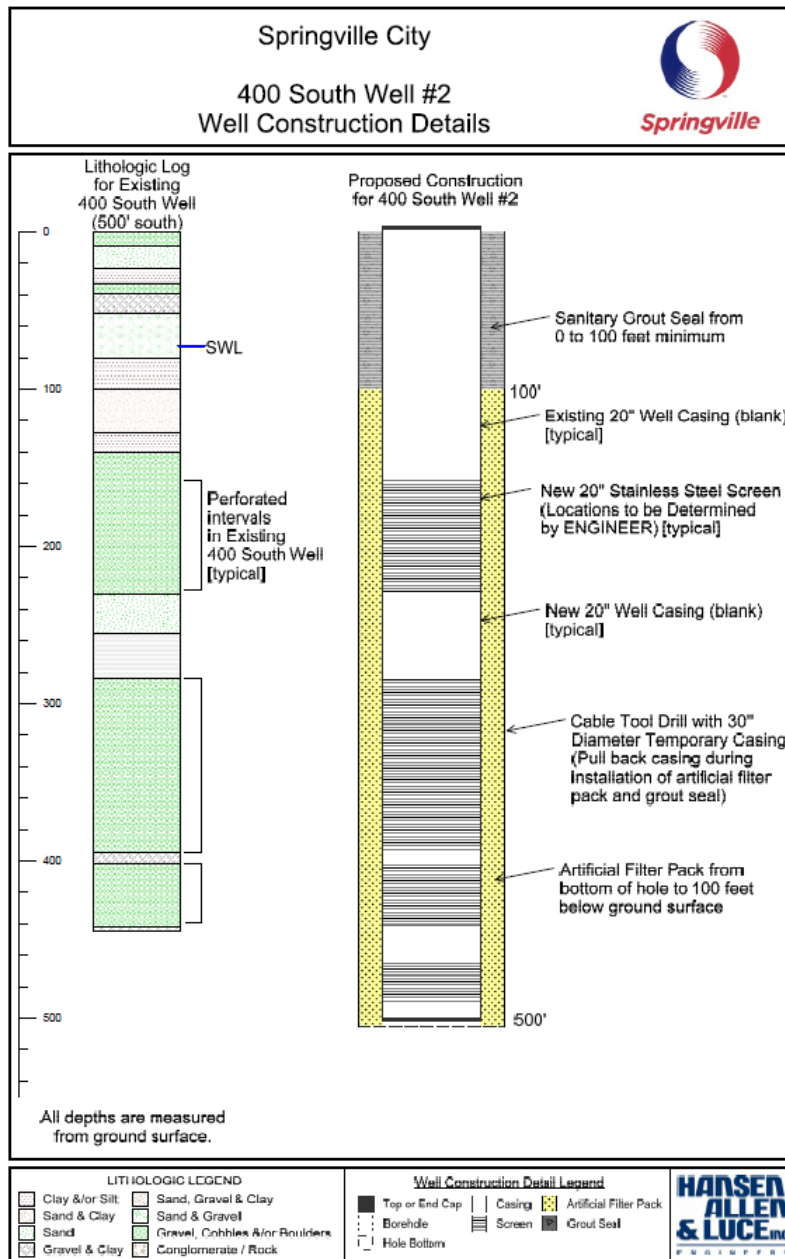
SCOPE OF WORK

The 400 South Well #2 project involves the drilling a new culinary water well in the northeast corner of the City Compound located at 900 E 400 S in Springville. The drilling method to be used is the Cable Tool method.

400 SOUTH WELL #2
February 21, 2017

Staff recommends the Cable Tool method over the Rotary Drilling method to protect the existing 400 South Well #1 from contamination from drilling muds (usually bentonite clay) used in the Rotary Drilling method. These muds from Rotary Drilling could seep into the underground aquifer formation during the drilling process.

The well is anticipated to be completed to a total depth of approximately 500 feet with a temporary 30" diameter casing. This 30" diameter casing will be pulled back and removed after installation of the permanent 24" diameter casing. The area between the 30" and the 24" casing will be filled with artificial filter pack (special gradation of drain rock) in the annulus.



BID SUMMARY

The following bids were received for this project:

- | | |
|------------------------|--------------|
| • High Plains Drilling | \$636,560.00 |
| • KP Ventures | \$952,878.88 |

ALTERNATIVES

Staff recommends awarding the Drilling of 400 South Well #2 to High Plains Drilling in the amount of \$636,560, which includes the installation of a 24” diameter well casing in lieu of a 20” diameter well casing.

Alternative: Do nothing (not recommended)

FISCAL IMPACT

This project is funded in the current 2016-17 Budget through Water Utility funds GL#51-6800-035.

Total funding currently available is \$1,483,651.00

Shawn Barker
Water Superintendent

Attachments

cc:

DOCUMENT 00 51 00

NOTICE OF AWARD

Date: February , 2017

Project: **Springville City 400 South Well #2 Production Well Drilling Project**

Owner: Springville City

Owner's Contract No.:

Contract: 400 South Well #2 Production Well Drilling Project

Engineer's Project No.: 260.44.100

Bidder: High Plains Drilling, Inc.

Bidder's Address:

P.O. Box 756

Rexburg, ID 83440

You are notified that your Bid dated February 7, 2017 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for:

1. Springville City 400 South Well #2 Production Well Drilling Project, Bid Schedule A, except substitute Bid Items B.1 and B.2 for Bid Items A.4 and A.5, and reduce the bid quantity for Bid Item A.6 from 37 C.Y. to 25 C.Y. due to the smaller annular space as a result of increasing the casing and screen diameter from 20 inches to 24 inches. Following is the Awarded Schedule:

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
A.1	Mobilization & Demobilization	1	L.S.	\$ 22,000.00	\$ 22,000.00
A.2	Furnish, Drill and Install 30" Diameter Temporary Casing	500	L.F.	\$ 627.00	\$ 313,500.00
A.3	Collect and Preserve Formation Samples	100	Each	\$ 20.00	\$ 2,000.00
B.1	Furnish and Install 24" Diameter Well Casing (in lieu of Bid Item A.4)	250	L.F.	\$ 103.00	\$ 25,750.00
B.2	Furnish and Install 24" Diameter Stainless Steel Screen (Assume 70 Slot – Actual to be Determined by Engineer) (in lieu of Bid Item A.5)	250	L.F.	\$ 390.00	\$ 97,500.00
A.6	Furnish and Install Artificial Filter Pack in Annulus Between 20" Casing / Screen and Temporary 30" Casing from the Bottom of the Well to a Depth 100 Feet Below Ground Surface	25	C.Y.	\$ 630.00	\$ 15,750.00
A.7	Pull Back Temporary 30" Casing to a Depth of 100 Feet While Installing Artificial Filter Pack	1	L.S.	\$ 38,000.00	\$ 38,000.00
A.8	Well Development with Single Surge Block & Pumping	120	HRS	\$ 160.00	\$ 19,200.00
A.9	Clean Well with Bailer	40	HRS	\$ 160.00	\$ 6,400.00
A.10	Well Disinfection	1	L.S.	\$ 3,400.00	\$ 3,400.00
A.11	Furnish, Install & Remove Test Pump Equipment with 5,000 gpm Capacity Set at 250 Feet Depth	1	L.S.	\$ 28,000.00	\$ 28,000.00
A.12	Well Development, Step and Constant Rate Pump Tests	144	HRS	\$ 250.00	\$ 36,000.00
A.13	Video Well	1	L.S.	\$ 2,000.00	\$ 2,000.00
A.14	Grout Seal While Removing Remaining 100 Feet of 30" Temporary Casing	1	L.S.	\$ 29,000.00	\$ 29,000.00
AWARDED SCHEDULE TOTAL					\$ 638,500.00

DOCUMENT 00 51 00

2. Bid Items A.4 and A.5 of Bid Schedule A and Items B.3 through B.11 of Bid Schedule B are NOT awarded at this time but one or more of these items may be awarded in quantities directed by Owner or Engineer depending upon circumstances encountered during execution of the project.

The Contract Price of your Contract is Six Hundred Thirty Eight Thousand Five Hundred Dollars (\$638,500.00).

Three copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the Owner three fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract security [Bonds] as specified in the Instructions to Bidders (Article 20), General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Other conditions precedent:

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Springville City
Owner
By: _____
Authorized Signature

Title

Copy to Engineer

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DOCUMENT 00 50 00

AGREEMENT

THIS AGREEMENT is by and between _____ Springville City _____ (“Owner”) and
_____ High Plains Drilling, Inc. _____ (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Description and Scope of Work: Drilling of a production well by the Cable Tool Method. The well is to be used in the Springville City drinking water system. The well is anticipated to be completed to a total depth of approximately 500 feet with a temporary 30” diameter casing which will be pulled back after installation of permanent 20” diameter casing and screens with artificial filter pack in the annulus.

ARTICLE 2 – THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows: **Springville City 400 South Well #2 Production Well Drilling.**

ARTICLE 3 – ENGINEER

3.01 The Project has been designed by Hansen, Allen & Luce (Engineer), which is to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Dates for Substantial Completion and Final Payment*

A. The Work will be substantially completed on or before December 15, 2017, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before January 15, 2018.

4.03 *Liquidated Damages*

A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial loss if the Work is not completed within the times

specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner \$250.00 for each day that expires after the time specified in Paragraph 4.02 above for Substantial Completion until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall pay Owner \$250.00 for each day that expires after the time specified in Paragraph 4.02 above for completion and readiness for final payment until the Work is completed and ready for final payment.

ARTICLE 5 – CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to Paragraphs 5.01.A below:

A. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

A. Contractor shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 *Progress Payments; Retainage*

A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below. All such payments will be measured by the schedule of values established as provided in Paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or Owner may withhold, including but not limited to liquidated damages, in accordance with Paragraph 14.02 of the General Conditions.

a. 95% percent of Work completed (with the balance being retainage). If the Work has been 50 percent completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, then as long as the character and progress of the Work remain satisfactory to Owner and Engineer, there will be no additional retainage; and

- b. 95% percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 100 percent of the Work completed, less such amounts as Engineer shall determine in accordance with Paragraph 14.02.B.5 of the General Conditions and less 200 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the tentative list of items to be completed or corrected attached to the certificate of Substantial Completion.

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 14.07 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 14.07.

ARTICLE 7 – INTEREST

- 7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the prevailing interest rate per annum.

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.
 - B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities), if any, that have been identified in Paragraph SC-4.02 of the Supplementary Conditions as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in Paragraph SC-4.06 of the Supplementary Conditions as containing reliable "technical data."
 - E. Contractor has considered the information known to Contractor; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including any specific means, methods, techniques, sequences, and procedures of construction expressly required by the Contract Documents; and (3) Contractor's safety precautions and programs.

- F. Based on the information and observations referred to in Paragraph 8.01.E above, Contractor does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages 1 to 7, inclusive).
 - 2. Performance bond (pages 1 to 3, inclusive).
 - 3. Payment bond (pages 1 to 3, inclusive).
 - 4. General Conditions (pages 1 to 65, inclusive).
 - 5. Supplementary Conditions (pages 1 to 10, inclusive).
 - 6. Specifications as listed in the table of contents of the Project Manual.
 - 7. Drawings (Well Schematic)
 - 8. Addenda (numbers 1 to 1, inclusive).
 - 9. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages 1 to 11, inclusive).
 - b. Documentation submitted by Contractor prior to Notice of Award (pages _____ to _____, inclusive).
 - 10. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
 - a. Notice to Proceed (pages 1 to _____, inclusive).
 - b. Work Change Directives.
 - c. Change Orders.

- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in Paragraph 3.04 of the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 *Assignment of Contract*

- A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*

- A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to

- establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement. Counterparts have been delivered to Owner and Contractor. All portions of the Contract Documents have been signed or have been identified by Owner and Contractor or on their behalf.

This Agreement will be effective on February, 2017 (which is the Effective Date of the Agreement).

OWNER:

Springville City

By: _____

Title: _____

Attest: _____

Title: _____

Address for giving notices:

Springville City

110 South Main

Springville, Utah 84663

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

CONTRACTOR

High Plains Drilling, Inc.

By: _____

Title: _____

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Title: _____

Address for giving notices:

High Plains Drilling, Inc.

P.O. Box 756

Rexburg, ID 83440

License No.: Utah Well Driller's License #444

(Where applicable)

Agent for service of process:

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STAFF REPORT

DATE: February 16, 2017

TO: The Honorable Mayor and City Council

FROM: John Penrod, City Attorney

SUBJECT: CONSIDERATION OF MOVING FORWARD WITH RESEARCHING CEMETERY BURIAL RIGHTS TO DETERMINE THOSE LOTS THAT HAVE REMAINED UNUSED FOR BURIAL PURPOSES FOR MORE THAN 60 YEARS.

RECOMMENDED ACTION

Motion to direct staff to research cemetery burial rights that have remained unused for burial purposes for more than 60 years for the purpose of possibly terminating those burial rights pursuant to State law and municipal ordinance.

GOALS AND OBJECTIVES

Section 4-5-106(e) of the Springville City Code states that:

If a plot has seen no activity for at least sixty (60) years from purchase date and still remains empty, the City may, at their discretion, try to contact surviving family members. If documented attempts fail or no surviving family members can be located, the City may resell burial rights for empty plots as provided by the Utah State Code.

Utah State law has similar provisions.

BACKGROUND

Recently, staff has been contacted by a Springville resident and California resident who are both interested in purchasing burial plots in Springville cemeteries, which plots were once owned by the individuals' ancestors and/or located near where their ancestors are buried. Springville City has a good number of burial plots that were purchased well over 60 years ago, some reaching back as far as the 1800s, which plots have been unused. Both State and City laws and regulations allow the City to reclaim and resell the burial sites. The two individuals who have contacted the City have asked the City to consider reselling the burial rights to them. Staff also wants to know if the City Council is interested in expanding the research of unused burial lots for more than 60 years to all cemetery lots.

The process for reclaiming and reselling unused or abandoned burial rights is as follows:

CITY COUNCIL AGENDA

1. The City passes a resolution demanding that the owner of the burial lot, which has not been used for more than 60 years, file notice with the City recorder.
2. The City personally serves the owner with the resolution. The owner has 60 days to notify the City that the owner still has the intention to use the burial lot.
3. If the owner cannot be personally served with the resolution, the City must publish the resolution in the newspaper and on the State's public notice website and mail it to the owner's last known address. If after 30 days of publishing the notice, the owner fails to provide notice of his or her legal interest in the property, the owner's rights are terminated and the burial lot is vested in the municipality.
4. The City may then resell the burial rights.

The above process is the process for a City to follow in accordance with Utah Code. Utah Code also provides the remedy should an owner present a certificate that grants the owner the right to use the burial site after it has reverted back to the City. The remedies include compensating the owner in an amount equal to today's costs or providing the owner with new burial lots.