



**WORK/STUDY AGENDA
SPRINGVILLE CITY COUNCIL MEETING
FEBRUARY 19, 2019 AT 5:30 P.M.**
City Council Chambers
110 South Main Street
Springville, Utah 84663

MAYOR AND COUNCIL DINNER - 5:00 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- 5:30 P.M.
COUNCIL BUSINESS**

1. Calendar

- Mar 05 - Work/Study meeting 5:30 p.m., City Council meeting 7:00 p.m.
- Mar 10 - Daylight Savings (clocks ahead one hour)
- Mar 12 - Work/Study meeting 5:30 p.m.
- Mar 19 - Work/Study meeting 5:30 p.m., City Council meeting 7:00 p.m.

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

- a) Invocation - Councilmember Miller
- b) Pledge of Allegiance - Councilmember Nelson
- c) Consent Agenda
- 3. Approval of the minutes for the Work/Study meeting and Regular meeting held on February 05, 2019.
- 4. Approval of a Resolution approving the hourly fees for the Springville Field House - Corey Merideth, Recreation Director

3. **DISCUSSIONS/PRESENTATIONS**

- a) Public Safety Dispatch and Fire Discussion - Scott Finlayson, Public Safety Director
- b) Speed Limit Study Results and Recommendations - Brad Stapley, Public Works Director
- c) RAP Tax Discussion - Bruce Riddle, Assistant City Administrator/Finance Director

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

5. **CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.

6. **ADJOURNMENT**

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE - POSTED 02/15/2019

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 Crane, CMC, City Recorder





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.

CEREMONIAL

1. Presentation of the Mayor's Awards - Shannon Acor, CTC Coordinator
2. Presentation Youth City Council Awards - Annette Sorensen, Youth City Council Coordinator

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.

3. Approval of the minutes for the Work/Study meeting and Regular meeting held on February 05, 2019.
4. Approval of a Resolution approving the hourly fees for the Springville Field House - Corey Merideth, Recreation Director

REGULAR AGENDA

5. Consideration of an Ordinance amending the Springville City Code Sections 11-3-402, Definitions; and 11-4-302, Land Use Matrix - Glen Goins, Community Development Director
6. Consideration of an Ordinance amending Title 4, Chapter 10, which involves "Drinking Water Source Protection - Brad Stapley, Public Works Director
7. Consideration of an amendment to the FY2018-2019 Budget - Bruce Riddle, Assistant City Administrator/Finance Director

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

8. *The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.*

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MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, FEBRUARY 05, 2019 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember Christopher Creer, Councilmember Craig Jensen, Councilmember Jason Miller, Councilmember Michael Snelson, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle and City Recorder Kim Crane.

Also, present were: Lieutenant Dell Gordon, Operations Manager Rod Oldroyd, Building and Grounds Director Bradley Neel, City Parks Supervisor/Sexton Paul Defa, Facilities Superintendent Joel Bree, Tiffany Haveron, City Arborist, Gary DeHeer, Public Works Director Brad Stapley, City Engineer Jeff Anderson, Community Development Director Glen Goins, Power Director Leon Fredrickson, Recreation Director Corey Merideth, and Museum of Art Director Rita Wright. Excused from the meeting, Councilmember Brett Nelson.

CALL TO ORDER

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

COUNCIL BUSINESS

1) Calendar

- Feb 12 - Work/Study meeting 5:30 p.m.
- Feb 18 - Presidents Day Holiday (City Offices Closed)
- Feb 19 - Work/Study meeting 5:30 p.m., City Council meeting 7:00 p.m.
- Mar 05 - Work/Study meeting 5:30 p.m., City Council meeting 7:00 p.m.

Mayor Child asked if there were any questions or additions to the calendar. City Administrator Fitzgerald advised the City vs City golf tournament was set for May 2019. Councilmember Miller reminded the Mayor and Council of the LPC meetings held every Monday at noon. The LPC meeting can also be watched online. Councilmember Miller, Director Riddle and Administrator Fitzgerald are voting members.

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

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

1. Approval of the minutes for the Work/Study meetings held October 09 and 16, November 06 and 13, December 04, 11 and 18, 2018 and January 08 and 15, 2019. Regular meeting minutes for January 15, 2019.

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

DISCUSSIONS/PRESENTATIONS

a) **Ditch #1 Options - Brad Stapley, Public Works Director**

Jeff Anderson, City Engineer described alternatives for Ditch #1 repair. He explained two homes in the area have dug backyards down, to a lower grade than the irrigation ditch and water is finding its way into their yards. Councilmember Snelson asked if they had permits allowing them to have their yard below grade. Engineer Anderson stated they had received permits.

Engineer Anderson reported one option was to pipe the ditch, it was the lowest cost estimate, however it would cover the ditch, he noted previous Council's did not want. Mayor Child commented there was concern the

48 trees around the ditch would die. He was informed and the City Arborist agreed the trees would likely live and find
a water source. Councilmember Miller and Snelson discussed closing the ditch and maintaining some green
space.

50 Mayor Child asked about the trail next to Ditch #1. Attorney Penrod stated more information will be
coming to council regarding the options for the trail.

52 City Engineer Anderson reported another option was to concrete line the ditch with a concrete cloth
system. Life span was expected to last ten to fifteen years and would hold up to roots. Cost came in over
54 \$81,000.00 and is more than budgeted. Councilmember Snelson commented if it were his yard, he would not want
a concrete ditch, rather have it covered with some greenery.

56 City Engineer Anderson reported another option would be a clay lined ditch. It would be more susceptible
to tree root damage, durability was questionable, and is about \$200 less than the concrete cloth lined option.

58 Councilmember Snelson asked about life span of the pipe. Mayor Child expressed it needs to be
communicated to the residents the area would be taken care of and would look better. Attorney Penrod asked
60 about the springs in the area. Engineer Anderson said they were not able to verify there were springs, because of
the constant trickle of water from the pond, he did not believe there were springs in the area.

62 Engineer Anderson explained the tight schedule for installing the pipe before irrigation season starts and
would only include 300 plus lineal feet. Director Stapley cautioned once bids come in there could be a budget
64 concern. Engineer Anderson stated the Building and Grounds staff would be able to handle the smaller caliper
brush and overhang.

66

68 **b) Open and Public Meetings Training - John Penrod, Assistant City Administrator/City Attorney**

Attorney Penrod presented on the Open and Public Meetings laws required by State Code.

70 **c) Amending the Street Tree Ordinance - Bradley Neel, Building and Grounds Director**

72 Director Neel provided information on the proposed amendment to the street tree and landscaping
ordinance. He explained how private property and city property would be affected. With the amendment
inspections would be done by the landscape architect. Installation of trees in the planter strip would require all
74 plantings to be up to national arbor standards. Commercial development has been required to follow the city
requirements; with the amendment it would require them to follow the national arbor standards on the private side
76 of development.

78 Director Neel asked the Council what they would prefer for those that have had plans approved but the
landscaping phase had not been completed. Attorney Penrod and Mayor Child stated if they have permits before
an amendment, they would need to follow the code of that time or ask for an amendment.

80 Director Neel turned the time over to City Arborist Gary DeHeer, he stated changes in the ordinance came
about due to wanting to provide customer service and optimal use of city staff and should help with having
82 successful plantings of trees and landscape.

84 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

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

86

88 **4) CLOSED SESSION**

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discuss the character, professional competence, or physical or mental health of an individual, pending or
90 reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah
Code Annotated Section 52-4-205

92
94 COUNCILMEMBER JENSEN MOVED TO ADJOURN THE REGULAR MEETING AT 6:26 P.M. AND
CONVENE IN A CLOSED SESSION REGARDING LITIGATION.

COUNCILMEMBER MILLER SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

96	COUNCILMEMBER CREER	AYE
	COUNCILMEMBER JENSEN	AYE
98	COUNCILMEMBER MILLER	AYE
	COUNCILMEMBER NELSON	Absent

100 COUNCILMEMBER SNELSON AYE

102 **ADJOURNMENT**

103 COUNCILMEMBER CREER MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE
104 SPRINGVILLE CITY COUNCIL AT 6:57 P.M

105 COUNCILMEMBER SNELSON SECONDED THE MOTION, ALL VOTED AYE.

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111 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday,*
112 *February 05, 2019.*

113 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of*
114 *Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record*
115 *of this meeting held on Tuesday, February 05, 2019.*

116

118

Kim Crane, CMC
City Recorder

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MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY,
2 FEBRUARY 05, 2019, 2017 AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE,
4 UTAH.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember
6 Christopher Creer, Councilmember Craig Jensen, Councilmember Jason Miller, Councilmember Michael Snelson,
City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City
8 Administrator/Finance Director Bruce Riddle and City Recorder Kim Crane.

Also, present were: Lieutenant Dell Gordon, Public Works Director Brad Stapley, Building and Grounds
10 Director Bradley Neel, Operations Manager Rod Oldroyd, Power Department Director Leon Fredrickson, Library
Director Dan Mickelson, Community Development Director Glen Goins, and Museum of Art Director Rita Wright.
12 Excused from the meeting Councilmember Brett Nelson.

14 **CALL TO ORDER**

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

16 **INVOCATION AND PLEDGE**

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

20 **APPROVAL OF THE MEETING'S AGENDA**

22 COUNCILMEMBER SNELSON MOVED TO APPROVE THE MEETING'S AGENDA AS WRITTEN.
COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

24 **MAYOR'S COMMENTS**

26 Mayor Child welcomed the Council, staff and audience. He asked for any scouts or students on
assignment to please stand and be recognized.

28 **PUBLIC COMMENT**

30 Mayor Child introduced the Public Comment section of the agenda. He asked if there were any requests.
There were none.

32 **CONSENT AGENDA**

- 34 1. Approval of the minutes for the Work/Study meetings held October 09 and 16, November 06 and 13,
36 December 04, 11 and 18, 2018 and January 08 and 15, 2019. Regular meeting minutes for January 15,
2019.

38 COUNCILMEMBER CREER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.
COUNCILMEMBER MILLER SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

40 **REGULAR AGENDA**

- 42 2. **Consideration of Approving an Addendum to the Development Agreement for The Meadows at Jessie's
44 Brook, Phase 1 - John Penrod, Assistant City Administrator/City Attorney**

46 Attorney Penrod reported the development started construction last year and entered into a development
agreement where they were required to install a park. At this point all improvements have been done for Phase 1
and bonded for park improvements in order to record the plat. In discussions with the developer and staff all have
come to a consensus on the improvements. The 1200 west road is set to be installed and by delaying the

48 improvements it would save on the future landscape and once construction was completed the developer would
49 put in the remaining improvements. Attorney Pernod explained the details of the agreement.

50
51 COUNCILMEMBER JENSEN MOVED TO APPROVE THE EXECUTION OF AN ADDENDUM TO THE
52 DEVELOPMENT AGREEMENT FOR THE MEADOWS AT JESSIE'S BROOK, PHASE 1.

53 COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

54
55 **3. Consideration of a Resolution Approving a Property Purchase Agreement to Purchase Property for 1200
56 West from 92057 LLC - John Penrod, Assistant City Administrator/City Attorney.**

57 Attorney Penrod explained the Sumsion Springs West Subdivision has the 1200 West arterial street
58 running through the subdivision and would require the City to purchase property to build the road. There was a
59 miscommunication between Mr. Simpson and City Engineers regarding completion of 1200 west. Simpson
60 thought the City would take care of the water lines, the City has always held the position it was paying for the road
61 improvements on 1200 west. Mr. Simpson's price for the property was based on his understanding and a new
62 price for the property is before the council today. Attorney Penrod stated the price is within value and will involve a
63 purchase of a home where the road will go through.

64 Councilmember Jensen asked the time frame for construction of the subdivision. Mr. Simpson stated
65 construction would start in 4 months.

66
67 COUNCILMEMBER MILLER MOVED TO APPROVE **RESOLUTION #2019-03** APPROVING THE
68 EXECUTION OF A PURCHASE AND SALE AGREEMENT BETWEEN SPRINGVILLE CITY AND 92057, LLC
69 FOR THE PURCHASE OF A HOME AND 1.85 ACRES FOR THE AMOUNT OF \$387,328.

70 COUNCILMEMBER JENSEN SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

71 COUNCILMEMBER CREER	AYE
72 COUNCILMEMBER JENSEN	AYE
73 COUNCILMEMBER MILLER	AYE
74 COUNCILMEMBER NELSON	Absent
75 COUNCILMEMBER SNELSON	AYE

76
77 Attorney Penrod stated MAG funding would be coming in for the property.

78 **MAYOR, COUNCIL REPORTS**

79 Mayor Child asked if there were any comments. There was none.

81 **4. CLOSED SESSION**

82 *The Springville City Council may temporarily recess the regular meeting and convene in a closed session*
83 *to discuss the character, professional competence, or physical or mental health of an individual, pending or*
84 *reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code*
85 *Annotated Section 52-4-205.*

86
87 COUNCILMEMBER JENSEN MOVED TO ADJOURN THE REGULAR MEETING AT 7:18 P.M. AND
88 CONVENE IN A CLOSED SESSION REGARDING THE PURCHASE, EXCHANGE, OR LEASE OF REAL
89 PROPERTY.

90 COUNCILMEMBER SNELSON SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

91 COUNCILMEMBER CREER	AYE
92 COUNCILMEMBER JENSEN	AYE
93 COUNCILMEMBER MILLER	AYE
94 COUNCILMEMBER NELSON	Absent
95 COUNCILMEMBER SNELSON	AYE

97 **ADJOURNMENT**

98 COUNCILMEMBER CREER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 7:54 P.M.
99 COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.
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This document constitutes the official minutes for the Springville City Council Regular meeting held on Tuesday, February 05, 2019. 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 and accurate, and complete record of this meeting held on Tuesday, February 05, 2019.

Kim Crane, CMC
City Recorder



STAFF REPORT

DATE: February 11, 2019
TO: The Honorable Mayor and City Council
FROM: Corey Merideth, Recreation Director
SUBJECT: CONSIDERATION OF APPROVING FEES FOR USE OF SPRINGVILLE FIELDHOUSE.

RECOMMENDED ACTION

Motion to approve Resolution No. ___ that adopts and approves hourly fees for the use of the new Springville Fieldhouse.

GOALS, OBJECTIVES AND STRATEGIES AT ISSUE

General Plan Goal - . . . to provide a wide range of opportunities and healthy experiences.

Objective 6 - To provide recreation that creates lasting memories, provides diverse opportunities, builds unity, and provides safe and fun experiences for all age abilities and interest.

BACKGROUND

Springville Recreation has renovated the old Community Pool and turned it in to an indoor turf fieldhouse. The pool has been filled in with fill dirt, road base and crusher fines to create a level floor. Synthetic turf was donated to Springville City for this purpose and we are ready to open it to the public for rentals.

FISCAL IMPACT

Springville Recreation is proposing \$150 per hour full facility rental. \$25 per hour for batting cages and \$100 per hour for open space when cages are down. We are also proposing a \$1 fee for toddlers to come in during the day when no rentals are available. This will give parents a chance to bring their kids in during school hours for some non-programmed exercise.

Attachments:

RESOLUTION #2019-XX

A RESOLUTION AMENDING THE COMPREHENSIVE FEE SCHEDULE FOR THE CITY OF SPRINGVILLE, UTAH TO ESTABLISH AND INCLUDE FEES FOR THE HOURLY USE OF THE SPRINGVILLE FIELDHOUSE.

WHEREAS, Springville Recreation is providing an indoor turf fieldhouse for rent;

WHEREAS, the City is operating the fieldhouse;

WHEREAS, it is the benefit of Springville City to set fees for the hourly use of the indoor turf fieldhouse, and;

WHEREAS, an Amendment to the Fee Schedule adopted by Springville City Council.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Springville, Utah:

1. The Amendment to the Fee Schedule is approved.
2. The Mayor is hereby authorized to execute the Amendment to the Fee Schedule

This resolution shall take effect immediately, as allowed by law.

PASSED AND APPROVED this 19th day of February, 2019.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder



STAFF REPORT

DATE: February 13, 2019
TO: Honorable Mayor and City Council
FROM: Glen Goins, Community Development Director
SUBJECT: Springville City seeking to amend Springville City Code, Sections 11-3-402, Definitions; and 11-4-301, Land Use Matrix.

RECOMMENDED MOTION

Move to approve the proposed amendments, as amended and recommended for approval by the Planning Commission.

SUMMARY OF ISSUES/FOCUS OF ACTION

- Does the proposed request meet the requirements of the Springville City Code, particularly 11-7-1, Amendments to the Title?
- Does it maintain the intent of the General Plan?

BACKGROUND

Section 11-4-301 "Land Use Matrix" of the Springville City Code governs those land uses which may occur within the various zoning designations in the city. From time to time it becomes necessary to re-examine specific uses to ensure that the purposes of the General Plan are being fulfilled by the development of uses allowed. This amendment seeks to simplify the development process by creating more Permitted Uses, versus the large number of Conditional Uses currently. Because of changes in state code, cities are moving away from having land uses require conditional use permits.

DISCUSSION

The proposed amendments reflect the experience and observation of staff involved with the administration of land uses. The proposed changes will simplify development processes, leave those uses as Conditional which staff finds it warranted, and eliminates some potentially problematic uses. The proposed amendments meet the requirements for amendment to the Title and staff finds that the intent of the General Plan is better fulfilled as proposed.

PLANNING COMMISSION REVIEW

The Planning Commission considered the proposed amendments to the Land Use Matrix and Definitions Section on February 12, 2019. The Commission found that request met the requirements of the Springville City Code, particularly 11-7-1, Amendments to the Title as well as maintained the intent of the General Plan, and voted unanimously in favor of the proposed amendment, with the following additions:

- Keep the use "Animal Clinic" as a Permitted Use in the VC and TC zones.
- Add the use "Animals, Retail Sales" as a Permitted Use in the VC zone.

COMMISSION ACTION:

Commission Vote

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Michael Clay	n/a	n/a
Carl Clyde	X	
Karen Ellingson	X	
Michael Farrer	X	
Brad Mertz	X	
Frank Young	X	

ALTERNATIVES

The Council may:

- adopt the proposed changes as submitted
- reject or amend any of the proposed changes and approve the amendment
- reject all of the proposed changes and deny the application, leaving the code as currently constituted.

Glen Goins
Community Development Director

Attachments:
Proposed Ordinance

Sample motion for approval of the Zone Text Amendment:

Move to approve Ordinance ____, a petition by Springville City to amend Springville City Code, Sections 11-3-402, Definitions; and 11-4-301, Land Use Matrix (add any conditions).

Sample motion for denial of the Zone Text Amendment:

Move to deny Ordinance ____, a petition by Springville City to amend Springville City Code, Sections 11-3-402, Definitions; and 11-4-301, Land Use Matrix.

ORDINANCE NO. XX-2019

AN ORDINANCE AMENDING THE SPRINGVILLE DEVELOPMENT CODE SECTIONS 11-3-402, DEFINITIONS; AND 11-4-301, LAND USE MATRIX.

WHEREAS, the Springville City Code governs land use decisions within Springville City in fulfillment of the recommendations of the General Plan as well as the future vision of the City as established by the Mayor and Council; and

WHEREAS, Springville City may, from time to time, examine the land uses allowed in the Code and amend its Code to reflect its commitment to maintaining the vision established in the General Plan and as established by the Mayor and Council; and

WHEREAS, city staff examine uses with the Code to ensure viability, compatibility and desirability and have completed an examination of those uses in the current City Code and have recommended amendments to the Code; and

WHEREAS, the Planning Commission did conduct a public hearing on February 12, 2019 and reviewed a proposed text amendments and has recommended favorably of the amendments;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Springville, Utah that the following section~~s~~ be amended:

SECTION 1: Section 11-3-402, "Definitions" of the Springville City Code is hereby amended:

(5) "Animal keeping" does not include keeping hen chickens for egg production. Keeping hens for egg production in accordance with Title 3, Chapter 7 does not count for utilization of an animal unit unless more fowl are kept than permitted therein.

Animal Unit – For purposes of this Title, one (1) animal unit shall be any of the following:

- Horse/mule/cow/llama: 1 = 1 animal unit
- Miniature horse/sheep/goats/emu: 4 = 1 animal unit
- Small fowl/livestock (i.e., chickens, rabbits, chinchillas, or similar animals): 12 = 1 animal unit.

Young animals less than six (6) months of age shall not count toward the allowable unit limit. The keeping of exotic animals is permitted only as a conditional use in those zones that allow animal keeping.

Animals, Retail Sales – Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building.

Applicant – The one (1) person designated by the developer to serve as the central contact during the planning and development process of the project.

Artisan Shop – An establishment not exceeding 3,000 square feet of gross leasable floor area, for the preparation, display, and sale of individually crafted artworks including, but not limited to, drawings, sketches, painted works, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles and related items. ~~A place and/or building, or portion thereof, that is used or is intended for creating works of art and/or production of handmade craft items on a small scale. Examples of such items include paintings, sculptures, pottery, jewelry, hand-blown glass, small wooden items, candles, soaps, and lotions.~~

SECTION 2: Section 11-4-301, Land Use Matrix of the Springville City Code is hereby amended:

See attachment labeled, "Exhibit A - Land Use Matrix Amendment"

SECTION 3: This ordinance will become effective one day after publication hereof in the manner required by law.

SECTION 4: The City Recorder shall cause this ordinance or a short summary hereof to be published in the *Daily Herald*, a newspaper published and of general circulation in the City.

ADOPTED by the City Council of Springville, Utah, this ____ day of _____, 2019.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
										P									
Schools (Public, Private and Quasi Public)	C	C	C	C	C	C		C	C	E				E	E	E	E		
										P				P	P	P	P		
UTILITY-RELATED SERVICES																			
Class 1 Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Class 2 Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P
Class 3 Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P
Class 4 Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Class 5 Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
AUTO & VEHICLE RELATED USES																			
Auto Parts Sales – New and Reconditioned – Indoor													P	P	P	P	P	P	P
Automobile Repair – Major															P	P	P	P	P
Automobile Repair – Minor												E		E	P	P	P	P	P
Car Wash – Manual & Automated												E		E	P	P	P	P	P
Equipment Sales – (Heavy Equipment and Farm Equipment)																	P	P	
Gasoline – Petroleum Products Storage																	E	C	C

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
Gasoline Sales – Service Station – Minor Auto Repair												G		G	P	P	P	P	P
Gasoline Sales – Wholesale																	G	C	C
Paint and Body Shop															C	C	C	GP	P
Parking Lots & Structures (Commercial – Automobile Only)										C	P	C	C	C	P	P	P		
Rental of Truck or Trailers															P	P	P	P	
Storage – Indoor (Autos – Boats – Travel Trailers)															P	P	P	P	P
Storage – Outdoor (Autos – Boats – Travel Trailers)																	P	P	P
Storage – Outdoor (Trucks – Heavy Equipment)																	P	P	P
Tire Recapping and Retreading Shops																G	P	P	P
Tire Sales															P	P	P		
Towing Service															G	P	P	P	P
Upholstery – Seat Cover															P	P	P	P	P
Vehicle Sales – (Autos – Boats – Motorcycles – Snowmobiles – Trailers – Motor Homes)															P	P	P	P	
COMMERCIAL, PROFESSIONAL & PERSONAL SERVICES																			
Animal Hospital															C	P	P	GP	
Animal, Grooming												P	P	P	P	P	P		
Animal Clinic												P	P	P	P	P	P		
Convenience Store with Gasoline Sales												G	G	P	P	P	P	P	

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
Financial Institutions – Banks – Credit Unions										P	<u>G</u> <u>P</u>	P	P	P	P	P	P		
Funeral Home, Mortuary										C				C	P	P	P		
Kennels – Animal Boarding																P	P	P	P
Laboratory (Medical or Dental)										<u>G</u> <u>P</u>	P	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	P	P	P	P	P
Laundromat – Self Service												P	P	P	P	P	P		
Laundry / Dry Cleaning – (Commercial)										<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	P	P	P	P	P	P	
Office – General Business										<u>P</u>	P	<u>P</u>	P	<u>P</u>	P	P	P	P	
Office – Health Care Provider										P	P	P	P	P	P	P	P	P	
Office – Professional										P	P	<u>G</u> <u>P</u>	P	P	P	P	P	P	
Personal Services										P	<u>G</u> <u>P</u>	P	P	P	P	P	P		
Reception Center										<u>G</u> <u>P</u>			P	P	P	P	P	P	
Rental Shops – No Outside Display or Storage												<u>G</u> <u>P</u>	P		<u>P</u>	P	P		
Repair Services – Appliances and Electronic Equipment												C	P	C	P	P	P	P	

PERMITTED USE	ZONING DISTRICTS																			
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM	
School – Commercial												C	C	P	C	P	P	P	P	
Storage – Small, Multi-Unit																			P	
Studio – Art, Dance, Music, Drama											Ⓒ		P	P	P	P	P	P		
Tattoo Parlor															Ⓒ		P	P		
Taxidermy													P		P	P	P			
RETAIL SALES																				
Adult Sexually Oriented Business																		C	C	
Animals, Retail Sales												P	Ⓒ	P	Ⓒ	P	P			
Antique or Collectable Shop												Ⓒ	P	P	P	P	P			
Auction House (Equipment Only)																P	P	P		
Convenience Store												C	C	P	P	P	P			
Convenience Store with Gasoline Sales												Ⓒ	Ⓒ	P	P	P	P	P		
Drug Store / Pharmacy												C	P	P	P	P	P			
General Retail Stores -< 15,000 sq. ft.												P	P	P	P	P	P			
General Retail Stores -< 20,000 sq. ft.												C	P	P	P	P	P			
General Retail Stores -< 25,000 sq. ft.												C	C	P	P	P	P			

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
General Retail Stores -< 35,000 sq. ft.													C	P	P	P	P		
General Retail Stores -< 40,000 sq. ft.														C	P	P	P		
General Retail Stores -< or = 80,000 sq. ft.														C'	C	P	P		
General Retail Stores -> 80,000 sq. ft.															C	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>		
Home Improvement & Garden Store – (Completely Indoors with no Outdoor Storage)	<u>G</u> <u>P</u>											<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	P	P	P		
Home Improvement & Garden Store & Farm Supply – (With Outdoor Display and/or Storage)													<u>G</u> <u>P</u>		<u>G</u> <u>P</u>	P	P		
Pharmacies when part of a Medical Office or Complex										P	P	P	P	P	P	P	P	P	
Print Shop											<u>G</u> <u>P</u>	P	P	P	P	P	P		
ACCOMMODATIONS/FOOD & BEVERAGE SERVICE																			
Bars & Taverns													C		C	P	P		
Bed & Breakfast													P		<u>G</u> <u>P</u>	P	P		
Brew Restaurant											P	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	P	P	P	P
Fast Food Establishments												P	P	P	P	P	P	P	
Fast Food Establishments – (With Drive-In or Drive Thru)													<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	P	P		

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
													<u>P</u>	<u>P</u>					
Hotel											<u>G</u>		C		<u>G</u> <u>P</u>	P	P	<u>G</u> <u>P</u>	
Motel															<u>G</u> <u>P</u>	P	P	<u>P</u>	
Private Club											<u>G</u>	-	<u>G</u>	-	<u>G</u>	P	P	<u>G</u>	
Restaurant / Cafe										P	<u>P</u>	P	P	P	P	P	P	P	P
INDUSTRIAL/MANUFACTURING & RELATED USES																			
Artisan Shop												<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>G</u> <u>P</u>	P	P
Contractor Yard																	<u>G</u>	P	P
Light Industry – Manufacturing Processes										P							<u>G</u>	P	P
Heavy Industry – Manufacturing Processes																			<u>G</u> <u>P</u>
Storage – Outdoor																	<u>G</u>	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>
Storage – Sand, Gravel, Earth, or Stone																			P
Warehousing – Storage and Distribution											<u>G</u> <u>P</u>						P	P	P
Wholesale Trade and Warehousing											<u>G</u> <u>P</u>						<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P
AGRICULTURE & RELATED USES																			

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
Park or Playground (Private)	C	C	C	C	C	C	C	C	C	C		C	C						
Private Country Club	C	C									C								
Race Track, <u>Indoor</u>																	C	C	C
Recreational/Fitness Facility, Indoor Private											E	E	E	E	E	P	P	P	
Recreational Facility – Outdoor											E				E	E	P	P	
Recreational Vehicle Court																E	P		
Roller Rinks															E	P	P		
Theater												P	E	P	E	P	P		
Zoo – Petting Zoo	C																		
TEMPORARY USES																			
See Section 11-6-115																			
SUPPLEMENTARY/ACCESSORY USES																			
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Caretaker Dwelling										E		E	E	E	E	E	E	E	E
										P		P	P	P	P	P	P	P	P
Home Occupation	P	P	P	P	P	P	P	P	P	P		P	P	P	P				

PERMITTED USE	ZONING DISTRICTS																		
	A1	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	L-IM	H-IM
Household Pets	P	P	P	P	P	P	P	P	P	P		P	P						
Recycling Drop-off Containers		C	C	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P
Sports/Tennis Court	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wind Energy Conversion Systems (WECS)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Facilities Collocated on a Structure Approved for Collocation	P	P	P	P	<u>GP</u>	P	P	P	P	P	P	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	P	P	P	P	P	P
Wireless Structures on City-Owned Property	P	P	P	P	<u>GP</u>	P	P	P	P	P	P	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	P	P	P	P	P	P
Wireless Structures on Property Owned by a Noncity Public Agency	<u>C</u> <u>P</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>C</u> <u>P</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	P	P
Wireless Facilities on Existing Buildings or Structures										P	P	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	P	P	P	P	P	P
Wireless Facilities on Nonresidential Structures on Nonresidential Sites in Residential Zones	<u>C</u> <u>P</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>	<u>C</u> <u>P</u>	<u>GP</u>	<u>GP</u>	<u>GP</u>										

1. In the NC Zone, General Retail greater than 40,000 sq. ft. in this case is limited to grocery stores only.

(Amended by Ord. No. 38-2007, 12/04/2007, Ord. No. 36-2007, 11/13/2007, Ord. No. 28-2007, 07/17/2007, Ord. No. 33-2006, 12/05/2006, Ord. No. 06-2008, 03/18/2008; Ord. No. 02-2009, 01/20/2009; Ord. No. 02-2010, 02/16/2010; Ord. No. 05-2010, 04/20/2010; Ord. No. 15-2011, 07/19/2011; Ord. No. 06-2012, 07/17/2012; Ord. No. 03-2013, 05/07/2013; Ord. No. 05-2013, 05/21/2013; Ord. No. 07-2013, 06/04/2013; Ord. No. 02-2014, 01/21/2014; Ord. No. 06-2014, 03/19/2014; Ord. No. 06-2015 § 3, 03/17/2015; Ord. No. 15-2016 § 1, 07/05/2016; Ord. No. 18-2016 § 1, 09/06/2016; Ord. No. 22-2016 § 1, 10/04/2016; Ord. No. 03-2017 § 2, 03/21/2017; Ord. No. 09-2017 § 1, 05/16/2017; Ord. No. 17-2017 § 2, 08/01/2017; Ord. No. 50-2017 § 2, 09/05/2017)



STAFF REPORT

DATE: February 13, 2019

TO: Honorable Mayor and City Council

FROM: Shawn Barker, Water Superintendent Public Works

SUBJECT: AMENDMENT TO TITLE 4, CHAPTER 10, WATER DIVISION OF PUBLIC WORKS OF THE SPRINGVILLE CITY CODE

RECOMMENDED MOTION

Move to adopt ordinance _____, which amends Title 4, Chapter 10 of the Springville City Code, Water Division of Public Works, by adding references allowing Class V Injection Wells within drinking water source protection Zones 3 and 4 of the Springville City Drinking Water Source Protection Plan, Update 2017.

GOALS, OBJECTIVES AND STRATEGIES AT ISSUE

The City General Plan, Section 7, Community facilities & Services has a goal to.

Provide functionally effective community facilities and services to support a safe, healthy, and vibrant community life;"

Objective 5 of this goal is to:

Provide a water system that is safe, economical, and meets the needs of Springville City now and in the future.

SUMMARY OF ISSUES/FOCUS OF ACTION

The purpose of this action is to provide long-term groundwater source protection from the effects of Class V Injection Wells (storm water sumps) used in both Springville City and Mapleton City.

The City has received several notifications from the State of Utah Department of Environmental Quality indicating Mapleton City's intention to install numerous Class V Underground Injection Wells for storm drain sumps in their growing community.

Mapleton City appears to be using Class V Injection Wells as an alternative to constructing a city-wide storm water collection and disposal system commonly used by most communities in Utah.

TITLE 4 AMMENDMENT
February 8, 2019

These Class V Injection Wells are located within Zones 3 & 4 of the City's Drinking Water Source Protection Plan (see Figure 1 - Mapleton City Class V Injection Well Locations), and could cause long-term negative effects to Springville City's underground drinking water aquifers.

The proposed amendment to Title 4, Chapter 10 will place tighter restrictions on both Springville City and Mapleton City, thus providing long-term protection of Springville City's underground drinking water sources.

The proposed amendment could still allow the use of Class V Injection Wells within Zones 3 & 4 of the City's Drinking Water Source Protection Plan, but only with Springville City Engineer approval after appropriate engineering review.

DISCUSSION

Class V Injection Wells are defined in the State of Utah as bored, drilled, or driven shafts or dug holes whose depths are greater than their largest surface dimension. According to the State, all injection wells must be authorized by either rule, or by permit.

Storm drain sumps are classified by the State as Class V Injection Wells, and are used by some municipalities as a means of point-location storm water disposal. Springville City has a limited number of storm drain sumps; however the majority of its storm water is collected and disposed of via surface ditches and a network of underground storm water pipelines.

In contrast, Mapleton City has chosen to use storm water sumps (Class V Injection Wells) as their primary means of storm water disposal (see adjacent photo - sump areas shown as green outlined areas within the Mapleton City boundary).

These sumps are being approved by the State "by rule," with the following example language sent to Springville City and Mapleton City:

*"The injection well is located within groundwater-based source water protection zones 3 & 4 for #4 Seal Well in the **Mapleton City Water System** and zone 4 for several wells in the **Springville City Water System**. The operation of the injection well may be subject to additional requirements and/or restrictions established by local ordinances and/or a Source Water Protection Plan."*

TITLE 4 AMMENDMENT
February 8, 2019

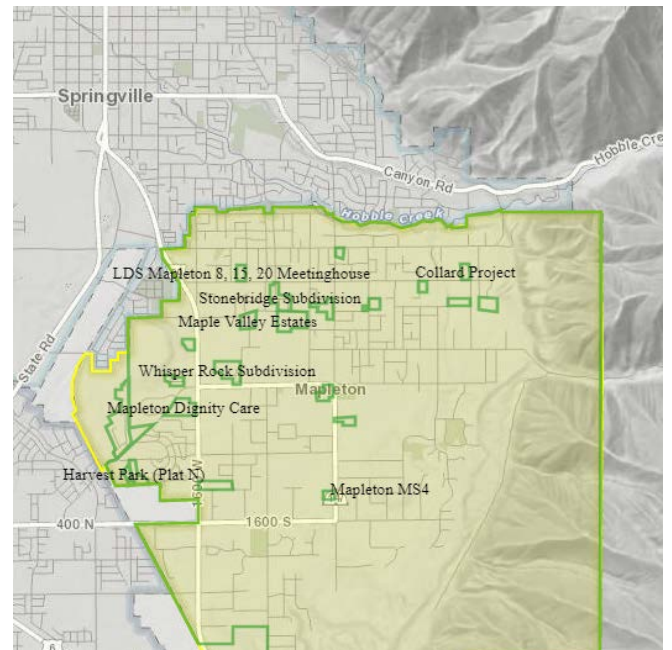
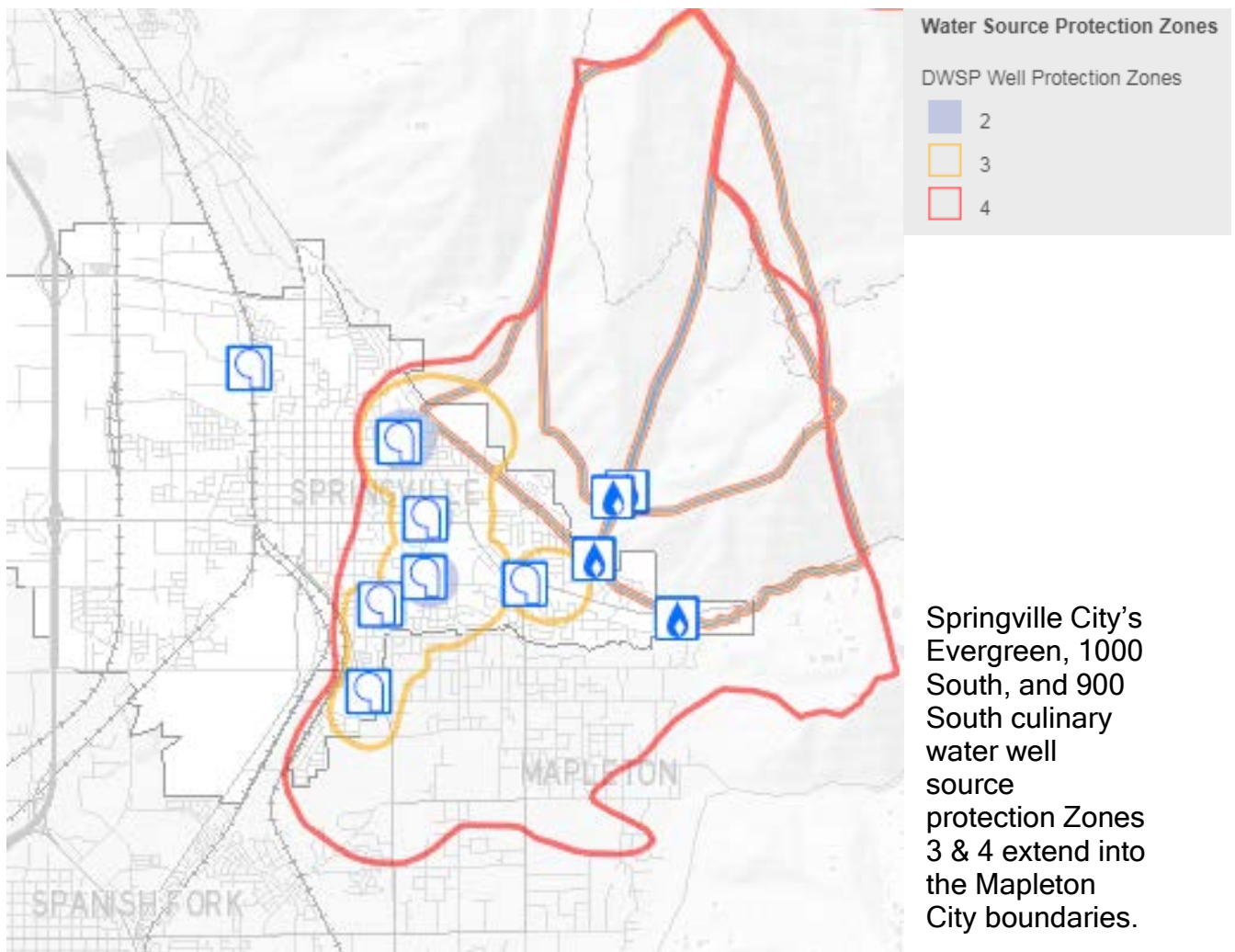


Figure 1 – Mapleton City Class V Injection Well Locations

The purpose of the proposed Code changes is to protect Springville City's groundwater sources from possible contamination by storm water sumps (Class V Injection Wells) located within Springville City's Groundwater Source Protection Zones.

Note: groundwater protection zones are NOT bound by city boundaries, rather underground geologic features.

Springville City's groundwater source protection zones are defined below and shown in the adjacent figure.



Title 4, Chapter 10-106.2 currently prohibits use of storm water infiltration structures in Zones 3 & 4 of Springville City's Drinking Water Source Protection Plan. Springville and Mapleton currently operate and maintain storm water structures (sumps) in Zones 3 & 4.

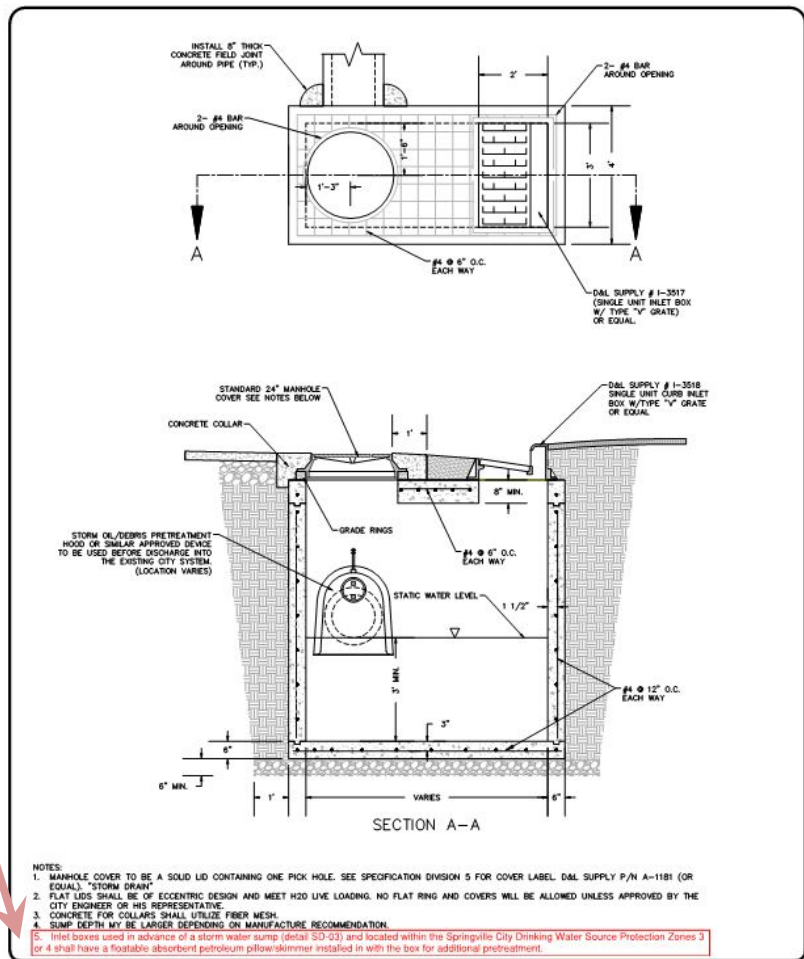
Proposed Code changes include:

- Add a paragraph (e) to Title 4, Chapter 10 - 106.2, which allows conditional approval for the use of Class V Injection Wells within Zones 3 & 4:
 - After review by City Engineer, and
 - With implementation of mitigation measures through engineering design, pretreatment options, best management practices, inspection of the Class V Injection Well(s), implementation of a maintenance schedule, and
 - Final review by City Water & Storm Water Divisions
- An addition to Springville Standard Drawing SD-06 states:

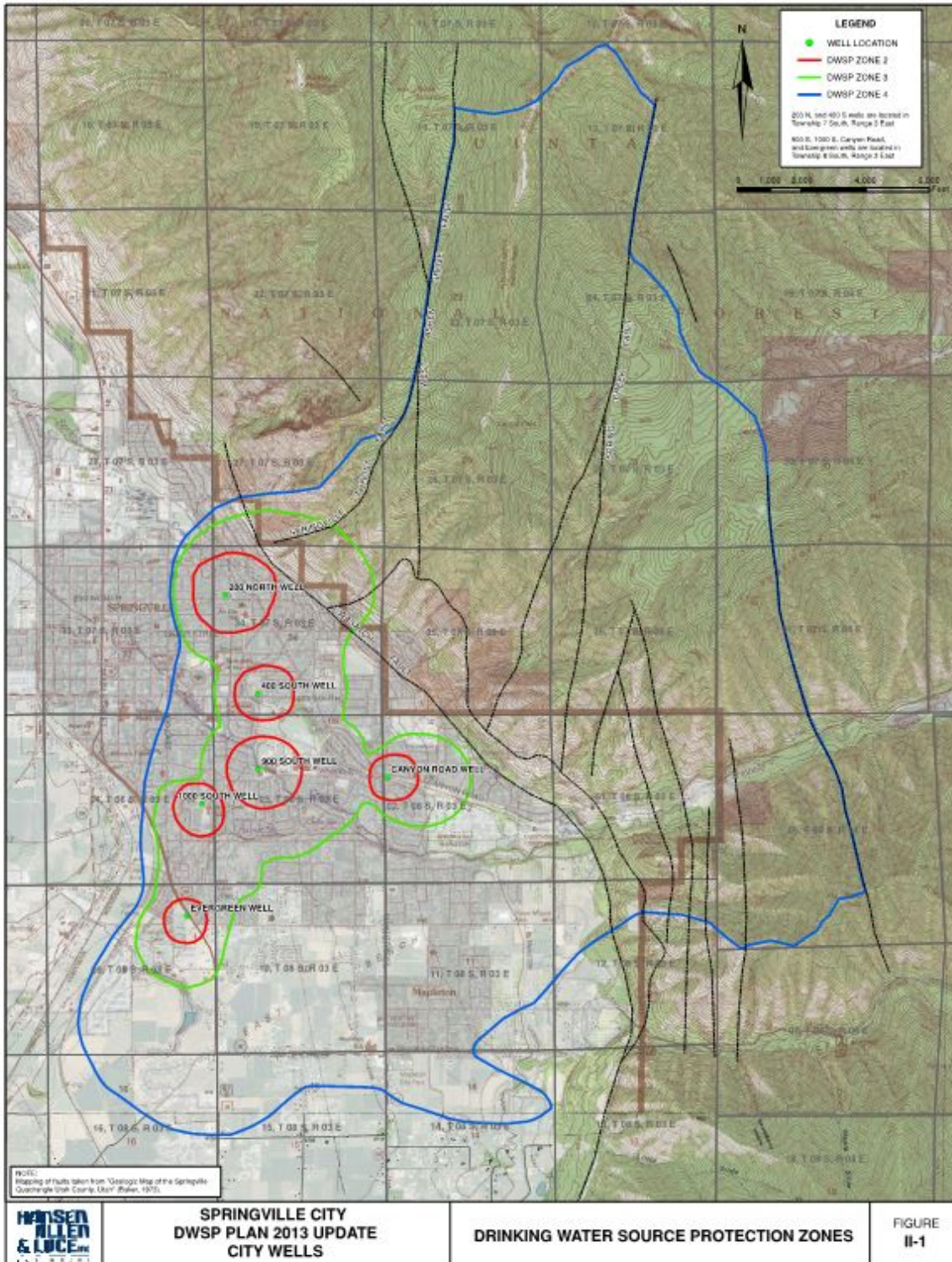
"Inlet Box's used in advance of a storm water sump (detail SD-03) and located within the Springville City Drinking Water Source Protection Zones 3 or 4 shall have a floatable absorbent pillow/skimmer installed within the box for additional treatment"

FISCAL IMPACT

Minimal



 SPRINGVILLE CITY 110 SOUTH MAIN STREET SPRINGVILLE UTAH 84403 ENGINEERING OFFICE (801)489-2780	STORM DRAIN COMBO BOX WITH PRETREATMENT	DRAWING # SD-06 ADOPTED DATE APRIL 2018
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Shawn Barker Water Superintendent
Public Works
TITLE 4 AMMENDMENT
February 8, 2019

ORDINANCE #2019-XX

AN ORDINANCE AMENDING TITLE 4, CHAPTER 10, OF THE SPRINGVILLE CITY CODE DRINKING WATER SOURCE PROTECTION ZONES

WHEREAS, the Springville General Plan, Section 7, Community Facilities & Services has a goal to, *“Provide functionally effective community facilities and services to support a safe, healthy, and vibrant community life;”* and

WHEREAS, the Springville General Plan’s Goals, Objectives, and Strategies, Objective 4 is to *“Provide a process for planning and constructing capital improvements that meet the current and future needs of Springville City;”* and

WHEREAS, the Springville General Plan’s Goals, Objectives, and Strategies, Objective 5 is to *“Provide a water system that is safe, economical, and meets the needs of Springville City now and in the future;”* and

WHEREAS, The Safe Drinking Water Act of 1974 requires the EPA to determine minimum requirements to protect underground sources of drinking water. It requires injections wells not endanger underground drinking water sources and establishes a process of delegating primary enforcement to the states, and

WHEREAS, Springville City’s Source Protection Plan requires the City to identify potential contamination sources and mitigate their effect on the City’s groundwater supply, and

WHEREAS, Section 4-10-101 (2) of the Springville City Code States,

“The purpose of this ordinance is to ensure the provision of a safe drinking water supply to the residents of the City Springville by the establishments of drinking water source protection zones surrounding the wellheads and springs for all wells and springs used by public water systems and by the designation and regulation of property uses and conditions that may be maintained within such zones.”

NOW, THEREFORE, BE IT RESOLVED by the City Council of Springville, Utah that:

SECTION 1: Title 4, Chapter 10, Section 106 is hereby amended and adopted as follows:

4-10-106 New Uses.

(1) All new uses within the established DWSP zones shall be reviewed by the City's Design Review Committee. Any use which, in the opinion of the City, cannot meet design standards or cannot develop a management plan to adequately protect the groundwater system from contamination shall be prohibited.

(a) The City restricts ground source heat pump wells drilled in source protection zones one through four.

(i) Wells are prohibited in zones one and two, and restricted to a maximum thirty feet (30') deep in zones three and four.

(ii) Wells greater than thirty feet (30') deep are prohibited within DWSP zones one through four.

(2) The following uses are prohibited within the drinking water source protection zones:

(a) Zone One. All uses that fall within the definition in this Chapter of "pollution source" or "potential contamination source," including but not limited to the following, are prohibited in zone one:

(i) Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are used in fanning applications within strict compliance of the manufacturer's recommendations of use, subject to inspection by local officials).

(ii) Sanitary landfills.

(iii) Hazardous waste or material disposal sites.

(iv) Septic tanks/drain field systems.

(v) Sanitary sewer lines within one hundred fifty feet (150') of a wellhead or spring collection area.

(vi) Underground storage tanks.

(vii) Storm water infiltration structures, including storm water sumps.

(viii) Any pollution source as defined herein or in Rule 309-113-101, as amended, of the Division of Drinking Water's drinking water source protection regulations.

(ix) Agriculture industries including but not limited to intensive feeding operations such as feed lots, dairies, fur breeding operations, poultry farms, etc.

(b) Zone Two. All uses that fall within the definition in this Chapter of "pollution source" or "potential contamination source," including but not limited to the following, are prohibited in zone two:

(i) Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are

used in fanning applications within strict compliance of the manufacturer's recommendations of use, subject to inspection by local officials).

- (ii) Sanitary landfills.
- (iii) Hazardous waste or material disposal sites.
- (iv) Septic tanks/drain field systems.
- (v) Sanitary sewer lines within one hundred fifty feet (150') of a wellhead or spring collection area.
- (vi) Underground storage tanks.
- (vii) Storm water infiltration structures, including storm water sumps.
- (viii) Any "pollution source" as defined herein or in Rule 309-113-101, as amended, of the Division of Drinking Water's drinking water source protection regulations.
- (ix) Agriculture industries including but not limited to intensive feeding operations such as feed lots, dairies, fur breeding operations, poultry farms, etc.

(c) Zone Three. All uses that fall within the definition in this Chapter of "pollution source" or "potential contamination source," including but not limited to the following, are prohibited in zone three:

- (i) Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are used in fanning applications within strict compliance of the manufacturer's recommendations of use, subject to inspection by local officials).
- (ii) Sanitary landfills.
- (iii) Hazardous waste or material disposal sites.
- (iv) Septic tanks/drain field systems.
- (v) Use of storm water infiltration structures, including storm water sumps, may be allowed in this zone but will require additional approval from the City as described in subsection (e) below.

(vi) Agriculture industries including but not limited to intensive feeding operations such as feed lots, dairies, fur breeding operations, poultry farms, etc.

(d) Zone Four. All uses that fall within the definition in this Chapter of "pollution source" or "potential contamination source," including but not limited to the following, are prohibited in zone four:

- (i) Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are used in fanning applications within strict compliance of the manufacturer's recommendations of use, subject to inspection by local officials).
- (ii) Sanitary landfills.

- (iii) Hazardous waste or material disposal sites.
- (iv) Septic tanks/drain field systems.
- (v) ~~Storm water infiltration structures, including storm water sumps as outlined in the City's Construction Standards and Specifications, Chapter 7 – Storm Water Sumps, Subsection 2.3.~~ The uses of storm water infiltration structures, including storm water sumps may be allowed in this zone but will require additional approval from the City as described in sub-section (e) below.

(e) Zone three and four conditional approval – The risk of contamination is moderate in zones three and four. The use of storm water infiltration structures, including storm water sumps may be permitted only after review and approval by the City Engineer and applicable public utility providers. Approval is subject to design of and implementation of pretreatment, best management practices, an inspection and maintenance schedule, and compliance with other reasonable conditions as may be established by the applicable public utility providers.

SECTION 2: This ordinance will become effective one day after publication hereof in the manner required by law.

SECTION 3: The City Recorder shall cause this ordinance or a short summary hereof to be published in the Daily Herald, a newspaper published and of general circulation in the City.

Adopted by the City Council of Springville, Utah, this 19th day of February, 2019.

Richard J. Child, Mayor

Attest:

Kim Crane, City Recorder



STAFF REPORT

DATE: February 12, 2019
TO: Honorable Mayor and City Council
FROM: Bruce Riddle, Finance Director
SUBJECT: FY 2019 BUDGET AMENDMENT

RECOMMENDED MOTION

The Finance Department recommends adopting Resolution _____ to open and amend the General CIP Fund, Water Fund, Sewer Fund and Storm Water Fund budgets for capital expenses applying to the Fiscal Year ending June 30, 2019 as outlined in Exhibit A (attached).

SUMMARY OF ISSUES/FOCUS OF ACTION

The Uniform Fiscal Procedures Act for Utah Cities sets forth the procedures for the governing body to review and increase or decrease the appropriations in operating and capital budgets of the city. The resolution will provide the budget authority for the city to proceed with the projects detailed in the report.

BACKGROUND

Unexpected revenues and expenses have emerged since the beginning of the budget year. In order to proceed with addressing the variations from the original budget, The Council will need to take action through amending the budget.

DISCUSSION

In response to new developments and after reviewing the various fund budgets the Finance Department recommends a number of budget appropriations. Requests for appropriation as well as the funding sources are summarized in Exhibit A (attached). Brief descriptions of the recommended actions are as follows:

- *General CIP Fund (Streets).* As a result of unanticipated development, construction of Phase 1 of the 1200 West roadway project needs to begin in the current budget year. Phase I includes 1200 West from 400 South to 1600 South. This project has been approved for reimbursement through MAG funding and also includes construction of a portion of the roadway that is the responsibility of the developers of the Bach Homes Subdivision. The developer will pay the City for their share of the project costs, but the City will manage the total construction

project. The total project budget is \$2,459,092 with \$137,588 coming from Bach Homes and the balance (\$2,321,504) coming from MAG grants.

- *Water Fund.* Amendments to Water Fund for projects as follows:
 - Due to bids being higher than the engineer's estimate and existing funds in GL 51-6190-130 (Flowserve and Spring Creek Place Pipeline Replacement project), the Water Department requests additional funding through a budget amendment in the amount of an additional \$62,000 to fund the water portion of the contract price and any contingencies that may require a change order. The Water Department proposes postponing the 1750 W Pipe Replacement project and reducing this project's current budget of \$225,750 by \$62,000 in order to fund the Flowserve Pipeline project. Funding to replenish the 1750 W project will be proposed in a future budget.
 - Associated with the unanticipated development along the 1200 W corridor, there is now a need for funding water pipelines in 1200 West for the Bach homes section (approximately 1150 S to 1350 S and 700 S to 900 S), which requires an additional \$168,000 for secondary pipe installation and an additional \$50,702 for culinary pipe installation. The developer, Bach Homes, will fund \$97,352 of the project with the balance (\$121,350) being funded by the reduction of the 1750 W pipeline project sinking fund being reduced and replenished in a future budget.
- *Sewer Fund.* Amendments to the Sewer Fund for projects as follows:
 - The Spring Pointe Lift Station has been in the planning stages for some time and is now ready for construction. The Sewer Department is proposing upsizing consistent with the master plan as part of the developer's construction of the project. The Sewer Department will be responsible for \$200,000 of the total project costs and proposes funding their portion of the costs by reducing the existing sinking fund for the Oak Brook Lift Station (current funded budget of \$400,000). Replenishing the Oak Brook Lift Station project budget will be proposed in a future budget.
 - Associated with the unanticipated development along the 1200 W corridor, sewer line improvements are required in the amount of \$24,481 and will be paid by the developer, Bach homes.
- *Storm Water Fund.*
 - As part of the 1200 W roadway project, storm drain pipeline improvements are required. A portion of the project (\$87,619) will be paid by the developer and the balance (\$60,240) will be paid by a MAG grant.
 - Associated with the Flowserve/Spring Creek Pl. water project, storm drain pipe improvements are required at prices above engineer's estimates. This project will be funded by reducing the Quail Hollow project sinking fund. Replenishment of the Quail Hollow project will be proposed in a future budget.



ALTERNATIVES

The Council has the alternative of considering different funding sources than those recommended by staff in Exhibit A. However, taking no action at all on the resolution will leave the staff without the budget authority to proceed with these projects and services.

FISCAL IMPACT

The fiscal impacts of the proposed appropriations are included in Exhibit A.



**Exhibit A
City of Springville
Budget Amendment Form**

Fiscal Year Ending June 30, 2019

<i>Item</i>	<i>Fund</i>	<i>Dept.</i>	<i>Acct.</i>	<i>Description</i>	<i>Beginning Budget</i>	<i>Increase</i>	<i>Decrease</i>	<i>Amended Budget</i>	<i>Purpose and Funding Source</i>
Revenues									
	45	3600	360	Grants	2,310,000	2,321,504		4,631,504	Grant funding for 1200 W roadway construction
	45	3600	642	Developer Contribution	0	137,588		137,588	Bach Homes contribution to 1200 W roadway project
	51	3700	800	Developer Contribution	0	97,352		97,352	Bach Homes contribution to 1200 W roadway project
	52	3700	800	Developer Contribution	0	24,481		24,481	Bach Homes contribution to 1200 W roadway project
	55	3600	New	Grants	0	60,240		60,204	MAG funding for 1200 W Storm Drain pipe
	55	3700	800	Developer Contribution	0	87,619		87,619	Bach Homes contribution to 1200 W roadway project
	Utilize Reserves								
	Total Revenue Amendments					2,728,784			
Expenditures									
	45	4410	New	1200 W Roadway	0	2,459,092		2,459,092	1200 W roadway construction using developer contributions and MAG funding
	51	6190	005	1750 W Pipeline Replacement	225,750		183,350	42,400	Reduce project budget to fund Flowserve/Spring Creek PI project and 1200 W water line projects
	51	6190	130	Flowserve/Spring Creek PI. pipeline replacement	236,145	62,000		298,145	Increase budget to fund bid amount above engineer's estimate and budget
	51	6800	New	1200 W Culinary Line	0	50,702		50,702	1200 W pipelines using developer funding and budget from 1750 W project
	51	6900	New	1200 W PI Line	0	168,000		168,000	1200 W pipelines using developer funding and budget from 1750 W project



	52	6190	159	Oak Brook Lift Station	400,000		200,000	200,000	Reduce budget to fund Spring Pointe Lift Station upsizing
	52	6190	New	Spring Pointe Lift Station	0	200,000		200,000	City's portion of upsizing Spring Pointe Lift Station per master plan
	52	6190	New	1200 W Sewer Pipeline	0	24,481		24,481	Roadway project pipeline funded by developer
	55	6190	New	1200 W Storm Drain Pipe	0	147,859		147,859	Roadway project pipeline funded by developer and MAG grant
	55	6050	020	Quail Hollow Drain Pipe	100,000		35,000	65,000	Reduce budget to fund Spring Creek PI project
	55	6050	New	Spring Creek PI. Storm Drain pipe	0	35,000		35,000	Storm drain improvements as part of Spring Creek PI project
	Total Expenditure Amendments					3,147,134	418,350		



RESOLUTION #2019-XX

A RESOLUTION OPENING AND AMENDING THE GENERAL CIP FUND, WATER FUND, SEWER FUND AND STORM WATER FUND BUDGETS FOR CAPITAL EXPENSES APPLYING TO THE FISCAL YEAR ENDING JUNE 30, 2019 AS OUTLINED IN EXHIBIT A.

WHEREAS, the City Council has received a recommendation from the Administration that the Springville City General CIP Fund, Water Fund, Sewer Fund and Storm Water Fund budgets be opened and amended for capital expenses; and,

WHEREAS, on February 19, 2019 the City Council held a duly noticed regular meeting and ascertained the facts regarding this matter, which facts and comments are found in the hearing record; and,

WHEREAS, after considering the Administration's recommendation and facts and comments presented to the City Council, the Council finds the proposed appropriations reasonably further the health, safety, and general welfare of the citizens of Springville City.

NOW, THEREFORE, be it resolved by the City Council of Springville, Utah as follows:

PART I:

The Budget Officer is hereby authorized and directed to amend the budgets of the General CIP Fund, Water Fund, Sewer Fund and Storm Water Fund for capital expenses as outlined in Exhibit A.

PART II:

This resolution shall take effect immediately.

END OF RESOLUTION.

PASSED AND APPROVED this 19th day of February 2019.

Richard J. Child, Mayor

ATTEST:

Kim Crane, City Recorder