



**WORK/STUDY AGENDA  
SPRINGVILLE CITY COUNCIL MEETING  
JANUARY 03, 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

- January 10 – Work/Study Meeting 5:15 p.m.
- January 16 – City Offices Closed in observance of Martin Luther King Day
- January 17 – Work/Study Meeting 5:15 p.m., City Council Meeting 7:00 p.m.
- January 24 – City Council Budget Retreat 12:00 p.m.
- January 25 – ULCT Local Officials Day at the Legislature 7:00 a.m. – 2:00 p.m.
- February 7 – 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
  2. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
  3. Approval of the minutes for October 20; November 17; December 01 and December 15, 2015 of the Regular City Council meeting.

3. **DISCUSSIONS/PRESENTATIONS**

- a) Radio Tower Antennae for Public Safety – Scott Finlayson, Public Safety Director
- b) Bartholomew Park Phase II Plan – Brad Neel, Building and Grounds 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 December 30, 2016. Agendas and minutes are accessible through the Springville City website at [www.springville.org/agendasminutes](http://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  
JANUARY 03, 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 20; November 17; December 01 and December 15, 2015 of the Regular City Council meeting.

**REGULAR AGENDA**

3. Consideration of an agreement with the Spanish Fork/Springville Airport allowing commercial operations at the Airport – Bruce Riddle, Assistant City Administrator/Finance Director (Continued from November 15, 2016)
4. Discussion of Southern Utah Valley Power Systems – Troy Fitzgerald, City Administrator

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

**CLOSED SESSION**

5. 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**

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**CERTIFICATE OF POSTING**

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s/s - Kim Rayburn, CMC, City Recorder



MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, OCTOBER 20, 2015, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN  
STREET, SPRINGVILLE, UTAH.

Mayor Pro Tem Craig Conover presided. In addition to Mayor Pro Tem Conover, the following  
were present: Councilmember Rick Child, Councilmember Christopher Creer, Councilmember Dean  
Olsen, 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, Administrative Services Manager  
Rod Oldroyd, Recreation Director Corey Merideth and Museum of Art Director Dr. Rita Wright.  
Excused from the meeting; Mayor Wilford W. Clyde.

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE**

Councilmember Conover offered the invocation, and Councilmember Sorensen led the Pledge of  
Allegiance.

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER CREER MOVED TO APPROVE THE MEETING'S AGENDA AS  
WRITTEN. COUNCILMEMBER CHILD SECONDED THE MOTION, AND ALL VOTED AYE.

**MAYOR'S COMMENTS**

Mayor Pro Tem Conover welcomed the Council, staff and audience. He observed scouts in the  
audience and asked them to stand and introduce themselves. Scouts from Troop #68 and students  
supporting disc golf and writing an essay were recognized.

**PUBLIC COMMENT**

Mayor Pro Tem Conover introduced the Public Comment section of the agenda. He asked if  
there were any requests. No requests

**CEREMONIAL AGENDA**

1. **Wasatch Disc Golf Club** – Sunny Todhunter

Ms. Todhunter introduced herself and provided information regarding Disc Golf in the  
community.

**CONSENT AGENDA**

2. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
3. Approval of Minutes for the September 08, 2015 City Council Work/Study meeting.

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COUNCILMEMBER CHILD MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

COUNCILMEMBER SORENSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

**PUBLIC HEARING**

- 4. Public Hearing to receive input with respect to selling approximately 20 acres of property located at approximately 1300 North 1100 East, Spanish Fork, Utah – John Penrod, Assistant City Administrator/City Attorney CONTINUED FROM OCTOBER 20, 2015 TO DECEMBER 01, 2015

**REGULAR AGENDA**

- 5. **Public meeting to present the arguments in favor and against the ballot proposition authorizing the issuance of approximately \$11,195,000 of General Obligation Bonds, and allowing interested parties, within reasonable time limits, the opportunity to present oral testimony regarding said Bonds** – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported in 2014 transparency of ballot proposition act was passed requiring a public meeting to present arguments in favor and against a ballot proposition. This meeting will allow those wanting to participate to do so. Attorney Penrod explained up to this point the Aquatics Activities Exploratory Committee was formed and they made recommendations to the Council.

Mayor Clyde opened up the meeting for public comment.

Tim Parker, Springville resident; Mr. Parker expressed he was thankful for the Council and for what they do. He stated he was against the Aquatic Center in 2009 and the \$11 million out of pocket for a facility and in 2010, \$11 million and the 2011 \$21 million recreation center was voted down. In 2014 the City spent millions on Bartholomew Pond. He asked does the City have money in hand for a new aquatic center. He stated he would like clarification on the financing and premium expected. Administrator Fitzgerald explained the \$11,195 million will be brought in on construction loan. Mr. Parker stated citizens asked about the 28% tax increase. Cl Conover explained the break down. He asked why the Council is holding a meeting today when voting has started. Attorney Penrod replied the law requires the meeting be held at this time. Mr. Parker commented on operational loss of a new facility and asked if the name Aquatic Center is disingenuous. He stated residents can go to other facilities and believes it is a want not a need. Mr. Parker commented the location is targeted for young people. Citizens should be given a break and not given more bonds.

Jud Harward, Springville resident; Mr. Harward stated he was not doing a big negative no vote campaign this year; he is for city wide recreation and sports. His opinion is the Mayor has his heart into the City and for the betterment of the City. He stated his concern, is the money well spent and spent in the right place. He stated should the \$11 million be spent in other places for kids and adults to use. He asked Attorney Penrod the square footage of the proposed Aquatic Center. Attorney Penrod replied 24,000 for dry and 45000 for aquatic is anticipated. Mr. Harward commented it was very expensive to build and has not been done very well, the expenses on the project and aquatic center is very high maintenance as opposed to the ball fields. He stated baseball, soccer fields, etc. are lacking. The City purchased 50 acres down along Hobble Creek in the Westfield's, it is a shame, and full of weeds. The

86 City needs enough gumption or foresight to get it done, the City has the equipment to do it. Mr. Harward  
88 further expressed to bring the entire City up to level before putting in an aquatic center. Get citizens  
90 behind it and bring the town up to a new level with the Recreation Department. Raising taxes is an easy  
92 way out, a cop out. The hard part is to tell the City and citizens to earn the money. Get citizens to help  
94 and donate and earn it. City is improving on businesses but then they go on 400 south and take the  
96 parking away. Give options on improving more parking, its making it harder for us to do business.

92 Councilmember Conover explained the City is working with CUP to improve Hobble Creek and  
94 working to get funding for Community Park. Mr. Harward replied a full disclosure has not been done on  
96 the facts and figures. The City has not done anything to request arguments against and it is not fair to  
98 represent the citizens of Springville and tell one side of the story.

96 Clint Martin, Springville resident; Mr. Martin stated his understanding of the numbers, is only on  
98 14.9% on tax that part will go up 28% and expressed it is hard to understand the \$11,000,000. He stated  
100 the City has done a good job disclosing information. The amount budgeted for this facility is very  
102 reasonable. The bonding would be at half of capability, and is responsible. He stated he has taken his  
104 family to Provo and it's a long drive, he feels the City has gotten left behind the curve. This shows that  
106 citizens of Springville believe in our community. That Springville is a good place to do business. He  
108 hopes that citizens get out and vote yes.

102 John Turner; Mr. Turner asked if a City wide survey was done. Councilmember Conover replied  
104 a survey is done every two years. Mr. Turner stated there is a vocal group that votes it down, when the  
106 citizens do want it. He stated every city that has put one in has lost money. He expressed, use Provo's  
108 facility, the bonding is for non-essential services.

106 Alan Bird, Springville residents; Mr. Bird stated he asked to serve on the Aquatic Committee and  
108 voted against the previous recreation facility. He expressed the group asked what can the City afford.  
110 The committee agreed a full blown facility was not needed. They looked at nearly 45 years ago the  
112 citizens recognized children needed to learn to swim. It has been said only 13% use the pool, how many  
114 don't know how to swim. The Forefathers voted 40 years ago for a pool. The current pool is  
116 embarrassing; beyond excuses, and needs to be replaced. He stated subsidizing the current pool would  
118 be the same amount as a new pool. The new facility would offer a small fitness area, and would not be  
120 open 24 hours and would not compete with local business. Provo and Spanish Fork have a pool and  
122 Springville should have a pool. He stated information is out there and has been disclosed.

116 Harold Davis, Springville resident; Mr. Davis expressed he has been away for a little bit, and  
118 thought about how much the Council and City does for the community. Others have stated we should go  
120 to Provo. He referred to the cost of a vehicle and family pass for non-citizen to go once a week to Provo.  
122 The family would save \$100 in gas alone by going to Springville not including the time to go to Provo.  
124 He asked about the expense of remodeling the old pool. How many would drive their car from 40 years  
126 ago at that cost. He said by helping one child, one child would stay out of a detention center. Statistics  
prove recreation activities, reduce delinquency, there is less violence, and improves education and self-  
confidence. It's worth it to save children and youth. We don't have a bowling alley or movie theater,  
what do we have to offer to our youth, what is the value of our youth.

124 Jeremy Hafen, Springville resident and business owner; Mr. Hafen stated in jest if Mr. Harward  
126 will get on board and support vocally, his local business will cover the \$40,000 it would cost him. He is  
for the aquatic center. Citizens need to step back and give back to the good of the community.

128 Lee Measom, Springville resident; Mr. Measom stated he would like to thank all of the Council  
and staff. The old pool was built years ago. He was president of the Seal Swim team when it moved  
from Park Ro She to the new pool and agrees with Mr. Davis, it's worth saving kids.

130 Ruth Fuller, Springville resident; Ms. Fuller stated she commended Mr. Parker and Mr. Harward  
for their comments, the increase of 28% is on the city website and asked if other taxes would be raised.  
132 She expressed bigger families will pay more and small business owners are required to pay so much  
more for wages and taxes. Nebo School District will have their taxes go up to cover the \$2million. She  
134 expressed only property owners should be allowed to vote and a private entity should put in the facility.  
She stated she purchased passes for her entire family for seven peaks for \$49 a pass. Fixed income  
136 families cannot afford it and feels she is taxed to the max.

Laura Gurney, Springville resident; Ms. Gurney asked if this was a substitution for a recreation  
138 center that was voted down a couple years ago. Councilmember Sorensen replied one of the complaints  
was the previous bond request was too much. He had received comments that we need a pool but not as  
140 much. He stated he agrees something needs to be done with the old pool, should it be demolished or will  
it be enough years from now if it can be added upon. Councilmember Conover expressed it can be added  
142 on to. Councilmember Sorensen replied to build on to the facility it will cost more. Ms. Gurney stated  
she is looking at the future for her children and grandchildren.

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**6. Consideration of Recertification and approval of a Resolution for the Springville City  
Justice Court – John Penrod, Assistant City Administrator/City Attorney**

148 Attorney Penrod reported a Resolution is before the Council to recertify the Justice Court and is  
done every four years. He stated the Springville Justice Court is a Class II court and explained case  
150 filing numbers are approximately 252 per month. He further explained the Springville Court was getting  
close to becoming a Class I Justice Court back in 2011 and has since dropped. The type of case filings  
152 the court receives are Class B misdemeanors and traffic violations. The hours of operation are based on  
case load and it is unsure when they will go up or down. City Administrator Fitzgerald reported the  
154 Council should consider on a cold basis the Court is running at a profit, but public safety is providing  
coverage to the court and is not running at a profit. Attorney Penrod pointed out some costs are their  
156 either way. Attorney Penrod reported House Bill 362 will go into effect and will lower all penalties for  
drug crimes and could cause the amount of cases for the court to go up.

158 COUNCILMEMBER OLSEN MOVED TO APPROVE RESOLUTION #2015-17, WHICH IS  
A RESOLUTION REQUESTING THE RECERTIFICATION OF THE SPRINGVILLE CITY  
160 JUSTICE COURT.

COUNCILMEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS  
162 FOLLOWS:

164	COUNCILMEMBER CHILD	AYE
	COUNCILMEMBER CONOVER	AYE
	COUNCILMEMBER CREER	AYE
166	COUNCILMEMBER OLSEN	AYE
	COUNCILMEMBER SORENSEN	AYE

168 **RESOLUTION #2015-17 APPROVED**

170 **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

172 **CLOSED SESSION**

174 *7. 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*

176 There was no closed session.

178 **ADJOURNMENT**

180 COUNCILMEMBER CREER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT  
8:27 P.M. COUNCILMEMBER CHILD SECONDED THE MOTION, AND ALL VOTED AYE.



MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, NOVEMBER 17, 2015, AT 7:00 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 Dean Olsen, 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, Administrative Services Manager  
Rod Oldroyd, Buildings and Grounds Director Alex Roylance, Public Works Director Brad Stapley,  
Community Development Director Fred Aegerter, Recreation Director Corey Merideth, Power Director  
Leon Fredrickson, Library Director Pam Vaughn and Museum of Art Director Dr. Rita Wright.

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE**

City Administrator Fitzgerald offered the invocation, and Councilmember Child led the Pledge  
of Allegiance.

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER CHILD MOVED TO APPROVE THE MEETING'S AGENDA AS  
WRITTEN. COUNCILMEMBER OLSEN SECONDED THE MOTION, AND ALL VOTED AYE.

**MAYOR'S COMMENTS**

Mayor Clyde welcomed the Council, staff and audience.

**PUBLIC COMMENT**

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

**CEREMONIAL AGENDA**

1. Presentation of the Mayor's Awards – Shannon Acor, CTC Coordinator

Mayor Clyde turned the time over to Ms. Shannon Acor to conduct the Mayor's Award  
presentation. Ms. Acor announced that the young people here tonight were nominated by their teachers  
for exemplifying high standards. Councilmember Olsen assisted Ms. Acor with the awards.

Ms. Acor asked Alek Hajdo to come forward and she read Alek was nominated by his second  
grade teacher Kelli Giles. Mrs. Giles wrote Alek is a great student. He always tries his best and he  
encourages others in the class to do their best also. Alek treats everyone fair and likes to include all his



42 classmates. He is aware of his classmates that don't seem have many friends and makes an effort to  
make them apart of the activities. Alek is a great example and a great young man.

44 Ms. Acor asked Kenlee Hone to come forward and she read Kenlee was nominated by Cherry  
Creek Elementary Principal, Mike Duncan and her Fifth Grade Teacher Cheryl Nielsen. Mr. Duncan  
46 wrote Kenlee is one of the happiest children in our school. Each day, she comes up and says hi to me  
with a big smile. She has made many friends and is thriving at Cherry Creek. Ms. Nielsen wrote, every  
48 time I see Kenlee she has a big smile on her face! That smile is a reflection of how much Kenlee  
genuinely loves to serve those around her. She is patient and willing to help anyone she sees as well as  
reach out to be a friend to those who need one the most.

50 Ms. Acor asked Alan Bird to come forward and she read Alan was nominated by Merit School  
Counselor Scott Jenkins. Mr. Jenkins wrote, Alan is an exceptional student and has shared his talents as  
52 an actor in our theater department at Merit Academy. He is a strong leader and I have been impressed  
with his dependability in serving on Student Council and initiating the junior class activities.

54 Ms. Acor asked Abigail Rowe to come forward and she read Abigail was nominated by  
Mapleton Junior High Counselor Kirsten Hullinger. Mrs. Hullinger wrote she has worked with Abi on  
56 HOPE Squad last year and this year. Abi was nominated by her peers for being kind, trustworthy, and  
concerned about those around her. The students at MJHS certainly chose well as I have witnessed Abi  
58 being all of these things and more.

60 **CONSENT AGENDA**

- 62 2. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
- 64 3. Approval of Minutes for the February 5, 2015 Council Retreat and the February 17, March 3 and  
10, 2015 City Council Work/Study meetings.
- 66 4. Approval of a **Resolution** adopting the 2016 Annual Meeting Schedule – Kim Rayburn, City  
Recorder
- 68 5. Approval of Revised Airport Hangar Ground Lease Agreements – Bruce Riddle, Assistant City  
Administrator/Finance Director
- 70 6. Approval of Landlords Release and Consent “A” form being requested by the Lender on the new  
Airport Hangars being built by Jim Mellor – Bruce Riddle, Assistant City Administrator/Finance  
72 Director
- 74 7. Approval of Morgan Asphalt Change Order on the recently completed Airport Apron Rehab  
project – Bruce Riddle, Assistant City Administrator/Finance Director
- 76 8. Approval of Evidence, Found or Seized Property Converted to City Use – Scott Finlayson,  
Public Safety Director
9. Approval of a Cooperative Agreement with UDOT for the SR-51 and 1600 South intersection  
improvements – Brad Stapley, Public Works Director

78 COUNCILMEMBER CONOVER MOVED TO APPROVE THE CONSENT AGENDA AND  
**RESOLUTION #2015-18**, ADOPTING THE 2016 ANNUAL MEETING SCHEDULE.

80 COUNCILMEMBER OLSEN SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS:

82	COUNCILMEMBER CHILD	AYE
	COUNCILMEMBER CONOVER	AYE
84	COUNCILMEMBER CREER	AYE

COUNCILMEMBER OLSEN AYE

86 COUNCILMEMBER SORENSEN AYE

**RESOLUTION #2015-18 APPROVED**

88

**PUBLIC HEARING**

90 10. **Public Hearing to Consider an Ordinance adopting the Parks, Trails and Recreation**  
92 **Master Plan, the Impact Fee Facility Plan and Impact Fee Analysis; establishing an Impact**  
94 **Fee Calculation Methodology and enacting a Parks, Trails and Recreation Impact Fee –**  
John Penrod, Assistant City Administrator/City Attorney and Alex Roylance, Building and  
Grounds Director

96 Attorney Penrod reported the following item involves three different plans the Impact Fee  
98 Facility, the Impact Fee Analysis and Fee Enactment Ordinance. Attorney Penrod reviewed the Park  
100 Impact Fees and pointed out the numbers do not include site improvements and the impact fees may not  
102 cover them also the level of service will not be increasing. Councilmember Sorensen asked if school  
playgrounds can be considered as parks with interlocal agreements. Attorney Penrod replied it was not  
something the City can rely on and have developed a plan to include those the City can rely upon.  
Attorney Penrod commented the Ordinance allows for some adjustment.

104 Councilmember Creer asked if it needs to be for six years. Attorney Penrod replied it can be  
changed.

106 Councilmember Olsen asked if the terrain affects other cities and their ability to install parks.  
Attorney Penrod replied it is variable and each city is different.

108

Mayor Clyde opened the public hearing for comment.

110

112 Lisa Willey, Springville resident; Ms. Willey stated she was a member of the Parks and  
114 Recreation Board. She asked if the 5.5 acre requirement is consistent with the master plan. Attorney  
116 Penrod replied four acres of the nine acres in the master plan are for regional parks and they have been  
taken down to 5.5 for impact fee consideration.

118 COUNCILMEMBER CHILD MOVED TO CLOSE THE PUBLIC HEARING.  
120 COUNCILMEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR  
122 OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

124 COUNCILMEMBER CREER MOVED TO APPROVE ORDINANCE #16-2015 ADOPTING  
126 THE SPRINGVILLE CITY PARKS, TRAILS, AND RECREATION IMPACT FEE FACILITIES  
128 PLAN, THE PARKS, TRAILS, AND RECREATION IMPACT FEE ANALYSIS, AND ENACTING  
PARKS, TRAILS, AND RECREATION IMPACT FEES.

124 COUNCILMEMBER SORENSEN SECONDED THE MOTION. THE VOTE IS RECORDED  
AS FOLLOWS:

126 COUNCILMEMBER CHILD AYE

COUNCILMEMBER CONOVER AYE

128 COUNCILMEMBER CREER AYE

COUNCILMEMBER OLSEN AYE

COUNCILMEMBER SORENSEN AYE



**REGULAR AGENDA**

174 **12. Canvass of the 2015 Municipal General Election and the Special Bond Election held on**  
175 **November 03, 2015 – Kim Rayburn, City Recorder**

176 Recorder Rayburn reported this year’s Municipal Election had three City Council seats up for  
177 election. Four Declarations of Candidacy were filed, therefore, not requiring a Primary Election. This  
178 year Springville City contracted with Utah County to assist with the 2015 Springville Municipal General  
179 Election. There was a very good turnout and the election went well.

180  
181 COUNCILMEMBER SORENSEN MOVED TO APPROVE RESOLUTION #2015-19, TO  
182 ACCEPT AND CERTIFY THE RESULTS OF THE 2015 MUNICIPAL GENERAL ELECTION FOR  
183 CITY COUNCIL POSITIONS HELD IN SPRINGVILLE CITY, UTAH ON NOVEMBER 03, 2015.

184 COUNCILMEMBER CONOVER SECONDED THE MOTION. THE VOTE IS RECORDED  
185 AS FOLLOWS:

- |     |                        |     |
|-----|------------------------|-----|
| 186 | COUNCILMEMBER CHILD    | AYE |
|     | COUNCILMEMBER CONOVER  | AYE |
| 188 | COUNCILMEMBER CREER    | AYE |
|     | COUNCILMEMBER OLSEN    | AYE |
| 190 | COUNCILMEMBER SORENSEN | AYE |

**RESOLUTION #2015-19 APPROVED**

192  
193 And furthermore;

194  
195 COUNCILMEMBER CONOVER MOVED TO APPROVE RESOLUTION #2015-21,  
196 FINDING AND DECLARING THE RESULTS OF A SPECIAL BOND ELECTION HELD IN  
197 SPRINGVILLE CITY, UTAH ON NOVEMBER 03, 2015 TO DETERMINE THE ISSUANCE OF  
198 \$11,195,000.00 IN GENERAL OBLIGATION BONDS OF THE CITY TO ACQUIRE, CONSTRUCT,  
199 AND IMPROVE THE AQUATICS AND ACTIVITY CENTER FACILITIES AND RELATED  
200 IMPROVEMENTS AND FACILITIES; RATIFYING AND CONFIRMING ACTS DONE IN  
201 CONNECTION THEREWITH; AND PROVIDING FOR RELATED MATTERS.

202 COUNCILMEMBER CREER SECONDED THE MOTION. THE VOTE IS RECORDED AS  
203 FOLLOWS:

- |     |                        |     |
|-----|------------------------|-----|
| 204 | COUNCILMEMBER CHILD    | AYE |
|     | COUNCILMEMBER CONOVER  | AYE |
| 206 | COUNCILMEMBER CREER    | AYE |
|     | COUNCILMEMBER OLSEN    | AYE |
| 208 | COUNCILMEMBER SORENSEN | AYE |

**RESOLUTION #2015-21 APPROVED**

210  
211 **13. Consideration of Amendments to Title 11, Chapter 6, Article 3 of Springville City Code**  
212 **pertaining to Sign Regulations – Fred Aegerter, Community Development Director**

213 Community Development Director Aegerter commented some items included in the ordinance are pylon  
214 signs to be included as it relates to Smith’s. He stated off premise signs have been addressed and a  
215 unified sign agreement clarifies the changes in the ordinance.

218 COUNCILMEMBER CONOVER MOVED TO APPROVE ORDINANCE #17-2015,  
AMENDING VARIOUS SECTIONS OF TITLE 11, CHAPTER 6, ARTICLE 3 OF SPRINGVILLE  
CITY CODE AS RECOMMENDED BY THE PLANNING COMMISSION.

220 COUNCILMEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS:

222	COUNCILMEMBER CHILD	AYE
	COUNCILMEMBER CONOVER	AYE
224	COUNCILMEMBER CREER	AYE
	COUNCILMEMBER OLSEN	AYE
226	COUNCILMEMBER SORENSEN	AYE

**ORDINANCE #17-2015 APPROVED**

228  
230 **14. Consideration of approving a water credit agreement with Property Reserve Inc.** – John  
Penrod, Assistant City Administrator/City Attorney

232 Attorney Penrod reported Property Reserve, Inc. ("PRI") owns several acres in Springville. PRI  
is in the process of selling portions of its property their affiliate entity Suburban Land Reserve, Inc.  
234 ("SLR"), which will allow SLR to sell or develop the property. Prior to PRI selling property to SLR, PRI  
wants to tender shares of stock in Springville Irrigation Company to Springville City in return for  
allowing PRI to use the water as a credit that could be applied towards future development water  
236 tendering requirements. The Water Credit Agreement will allow the City to receive at this time water  
rights and shares that have historically been used within Springville to be credited towards future  
238 development. This should help keep water in Springville and not allow it to be subject to an application  
to be transferred elsewhere.

240 Councilmember Sorensen asked about shares versus rights and if dollars could be used for water,  
and do they need rights or shares. Councilmember Child asked how many water shares are involved.  
242 Attorney Penrod replied approximately 26.

244 COUNCILMEMBER CHILD MOVED TO APPROVE A WATER CREDIT AGREEMENT  
BETWEEN SPRINGVILLE CITY AND PROPERTY RESERVE, INC. CONTINGENT UPON THE  
246 CITY ATTORNEYS APPROVAL OF THE FINAL FORM OF THE AGREEMENT.

248 COUNCILMEMBER OLSEN SECONDED THE MOTION, AND ALL VOTED AYE.

250 **15. Consideration of approving the Smith's Development Agreement** – John Penrod, Assistant  
City Administrator/City Attorney

252 Attorney Penrod reviewed the development agreement with the Council. He explained Smith's  
will put in the road and the City will reimburse them.

254 Councilmember Sorensen asked if the City could "piggyback" on the road project at 1200 west.  
City Administrator Fitzgerald replied there have been discussions and it would save the city funding. He  
stated the expected opening is sometime in 2016 they will be turning dirt in January 2016.

256  
258 COUNCILMEMBER CHILD MOVED TO APPROVE A DEVELOPMENT AGREEMENT  
BETWEEN SMITH'S FOOD AND DRUG CENTERS, INC. AND SPRINGVILLE CITY  
CONTINGENT UPON THE CITY ATTORNEYS APPROVAL OF THE FINAL FORM OF THE  
260 AGREEMENT

COUNCILMEMBER OLSEN SECONDED THE MOTION, AND ALL VOTED AYE.

262

16. **Consideration of approving the Nebo School District and Springville City Master Facility Use Interlocal Cooperation Agreement** – John Penrod, Assistant City Administrator/City Attorney

264

266 Attorney Penrod reported Nebo School District approved the revisions and agreed to revise the agreement. The provisions of the agreement were discussed.

268 Councilmember Creer asked if the contract has been substantially changed. Attorney Penrod replied no, there have been a few changes. Council discussed football fields for 5<sup>th</sup> and 6<sup>th</sup> graders and determined City fields will be used.

270

272 Mayor Clyde suggested to keep Community Park in mind and commended the School District and the City for working together.

274 COUNCILMEMBER CREER MOVED TO APPROVE THE EXECUTION OF A REVISED NEBO SCHOOL DISTRICT AND SPRINGVILLE CITY MASTER FACILITY USE INTERLOCAL COOPERATION AGREEMENT.

276

COUNCILMEMBER CONVOER SECONDED THE MOTION, AND ALL VOTED AYE.

278

17. **Consideration of an Ordinance adopting the Springville North Community Development Project Area Plan** – John Penrod, Assistant City Administrator/City Attorney

280

282 Attorney Penrod reported in accordance with Section 17C-4-105, after the Redevelopment Agency approves the Plan by resolution, the City Council is required to adopt an ordinance that designates the approved project area in the Plan as the official community development plan of the project area. If the City Council approves the proposed ordinance, the City Recorder will publish a summary of the ordinance and provide a thirty day notice for rejection. He noted the project area has enlarged from 100 acres to approximately 200 acres.

284

286

288 Councilmember Sorensen asked if any other taxing agency will need to approve. Attorney Penrod replied sales tax will be provided without going to the taxing entity committee.

290 COUNCILMEMBER CONOVER MOVED TO APPROVE **ORDINANCE #14-2015** THAT APPROVES THE SPRINGVILLE NORTH COMMUNITY DEVELOPMENT PROJECT AREA PLAN AS THE OFFICIAL COMMUNITY DEVELOPMENT PLAN OF THE PROJECT AREA DESCRIBED IN THE PLAN.

292

294 COUNCILMEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

296

COUNCILMEMBER CHILD AYE

COUNCILMEMBER CONOVER AYE

298

COUNCILMEMBER CREER AYE

COUNCILMEMBER OLSEN AYE

300

COUNCILMEMBER SORENSEN AYE

**ORDINANCE #14-2015 APPROVED**

302



348 COUNCILMEMBER CONOVER AYE  
COUNCILMEMBER CREER AYE  
350 COUNCILMEMBER OLSEN AYE  
COUNCILMEMBER SORENSEN AYE

THE MOTION PASSED UNANIMOUSLY.

352

**ADJOURNMENT**

354 COUNCILMEMBER CHILD MOVED TO ADJOURN THE CITY COUNCIL MEETING AT  
9:23 P.M. COUNCILMEMBER CONOVER SECONDED THE MOTION, AND ALL VOTED AYE.





**MINUTES**  
**Springville City Council Regular Meeting – December 01, 2015**

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MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, DECEMBER 01, 2015, AT 7:00 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 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, Administrative Services Manager  
Rod Oldroyd, Buildings and Grounds Director Alex Roylance, Community Development Director Fred  
Aegerter, Recreation Director Corey Merideth, Power Director Leon Fredrickson, and Museum of Art  
Associate Director Natalie Peterson. Excused from the meeting; Councilmember Dean Olsen

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE**

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

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER SORENSEN MOTIONED TO MOVE ITEM #3 ON THE CONSENT  
AGENDA TO THE REGULAR AGENDA AND APPROVE THE MEETING'S AGENDA AS  
WRITTEN. COUNCILMEMBER CREER SECONDED THE MOTION, AND ALL VOTED AYE.

**MAYOR'S COMMENTS**

Mayor Clyde welcomed the Council, staff and audience. He observed scouts and students in the  
audience and asked them to stand and introduce themselves.

**PUBLIC COMMENT**

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

**CONSENT AGENDA**

1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
2. Approval of Minutes from the September 15, 2015 regular City Council meeting
3. ~~Approval of a bid award to Wheeler Machinery Co. for installation of two Natural Gas Engine  
Generators—Leon Fredrickson, Power Director~~ Moved to the Regular agenda

- 40 4. Approval of a bid award to Souvall Brothers Construction Co. in the amount of \$94,928.00 for  
42 construction of a dry parts storage building for the Power Department – Leon Fredrickson,  
Power Director
- 44 5. Approval of a Preliminary Plan for the Quail Valley Subdivision located in the area of 300 North  
1500 West in the R1-8 and R1-10 Single-Family Residential and WF-1 Westfield Overlay Zones  
– Fred Aegerter, Community Development Director

46 COUNCILMEMBER CREER MOVED TO APPROVE THE CONSENT AGENDA AND  
48 MOVING ITEM #3 TO THE REGULAR AGENDA.

COUNCILMEMBER CONOVER SECONDED THE MOTION. THE MOTION PASSED  
50 UNANIMOUSLY.

52 **3. Approval of a bid award to Wheeler Machinery Co. for installation of two Natural Gas  
Engine Generators** – Leon Fredrickson, Power Director

54 Power Generation Superintendent Matt Hancock reported on the recent power generation project  
being done at the Whitehead Power Plant. He explained Springville Power has identified the need for  
56 intermediate power in the range of 2 to 4 megawatts (MW) of capacity and energy. Springville power  
has determined that two natural gas engine generators will best meet this need based on capacity size,  
58 cost and efficiency. In addition these power units will be utilized for heat, energy and emergency backup  
power for the Waste Water Treatment plant. He noted the primary goal of the project will be to complete  
60 it without debt and explained over the last few years funds were set aside for this project.

Superintendent Hancock stated he would like to recognize both bidders on the project Haskell  
62 Corporation and Wheeler Machinery; each estimate submitted was well documented, informative and  
professional. Wheeler was the low bidder on project with a projected completion of 32 weeks.

64 Councilmember Child asked what the timeline was for Haskell Corporation. Superintendent  
Hancock responded with three months longer.

66 Councilmember Sorensen asked about previous pricing on natural gas. Councilmember Child  
commented by purchasing it when they did it stabilized the risk.

68 COUNCILMEMBER CONOVER MOVED TO APPROVE AND AWARD A CONTRACT TO  
70 WHEELER MACHINERY COMPANY TO SUPPLY AND INSTALL TWO CATERPILLAR G3520H  
ENGINE GENERATORS FOR THE SUM OF \$4,008,273. THE ENGINE GENERATORS WILL BE  
72 INSTALLED AT THE WHITE HEAD POWER PLANT IN ACCORDANCE WITH A PROPERLY  
SIGNED AND EXECUTED CONTRACT.

74 COUNCILMEMBER CREER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

76 **PUBLIC HEARING**

78 **6. Public Hearing to receive input with respect to selling approximately 20 acres of property  
located at approximately 1300 North 1100 East, Spanish Fork, Utah** – John Penrod, Assistant  
80 City Administrator/City Attorney CONTINUED FROM OCTOBER 20, 2015

82 Attorney Penrod reported on the proposed property for sale for an additional 1.8 acres. He  
explained Spanish Fork was not interested in the additional property only the twenty acres.

84 Attorney Penrod explained since September there was a purchase agreement now Spanish Fork  
86 would like an option agreement dated February 2016. Because of the range of appraisal prices, some  
remediation will need to be done and would be an as is sell. Attorney Penrod stated Staff recommends,  
not agreeing to an option agreement and allow the City to entertain other options.

88 Mayor Clyde opened the public hearing for comment. There was no comment.

90 COUNCILMEMBER CHILD MOVED TO CLOSE THE PUBLIC HEARING.  
92 COUNCILMEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR  
OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

94 COUNCILMEMBER CONOVER MOVED TO CONTINUE THE ITEM TO AN INDEFINITE  
DATE:

96 COUNCILMEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS  
98 FOLLOWS:

100	COUNCILMEMBER CHILD	AYE
	COUNCILMEMBER CONOVER	AYE
	COUNCILMEMBER CREER	AYE
102	COUNCILMEMBER OLSEN	Absent
	COUNCILMEMBER SORENSEN	AYE

104 THE MOTION PASSED UNANIMOUSLY.

## 106 **REGULAR AGENDA**

108 **7. Consideration of approving an agreement with VCBO** – John Penrod, Assistant City  
Administrator/City Attorney

110 Attorney Penrod explained as part of the process with preparing for the Aquatic Center several  
112 architect firms were interviewed. Springville went through a Request for Proposals process to obtain  
114 architectural services for the Aquatic and Activities Center. The RFP asks for qualified architects to  
116 provide proposals for design services prior to the bond election and architectural services after the bond  
election should the bond pass. As part of the selection process, a committee of staff members and city  
council members reviewed and interviewed several qualified architectural firms that submitted proposals  
and selected VCBO. Attorney Penrod reviewed with the Council the agreement and fees. He explained  
before additional services are done the Council will be made aware of them for approval.

118 Councilmember Sorensen asked if a construction management agreement would be used.  
120 Attorney Penrod replied it is not mandated and the City will use a CMGC (Construction  
Manager/General Contractor).

122 COUNCILMEMBER SORENSEN MOVED TO APPROVE AN AGREEMENT WITH VCBO  
TO PROVIDE ARCHITECTURAL SERVICES FOR THE SPRINGVILLE AQUATIC AND  
124 ACTIVITIES CENTER. CONTINGENT UPON THE CITY ADMINISTRATOR AND CITY  
ATTORNEYS APPROVAL OF THE FINAL FORM OF THE AGREEMENT.

126 COUNCILMEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

128 **8. Discussion of possible land exchange with Suburban Land Reserve (SLR) and Property**  
130 **Reserve Inc.(PRI) – Troy Fitzgerald, City Administrator**

130 City Administrator Fitzgerald asked the Council how they would like to proceed with the  
possible land exchange with SLR and PRI. He reviewed the sites including the proposed site for the  
132 Aquatic Center and explained they are within close proximity of each other.

134 Administrator Fitzgerald explained the proposal from SLR and PRI, for approximately 4.82 acres  
on 400 South and the 1200 West intersection and noted the City would give the five acres proposed for  
the Aquatic Center site and change the zoning to more density. Other sites have been reviewed in the  
136 area and the Village Center area has the densest and clearly the most valuable by zoning. Administrator  
Fitzgerald asked the Council what they would like staff to do and explained it will significantly affect  
138 the start date of the Aquatic Center; it would also take a very valuable piece of property out of  
commercial zoning. He asked how far the Council would like staff to work on the information.

140 Mayor Clyde commented the visibility would be nice on 400 south, but it is not needed.  
Administrator Fitzgerald replied the 400 south property would be difficult to access unless they  
142 negotiate more property and access.

144 Councilmember Sorensen noted the five acres designated for the Aquatic Center has an  
additional two acres of undesirable property that the church does not want and the City would be  
responsible for the property.

146 Mayor Clyde stated he was concerned if they were offering less than five acres, the City would  
like up to eight acres or there would not be enough ground for the design.

148 Administrator Fitzgerald and Attorney Penrod provided rough drafts from the architect of  
possible site configurations for the current site for the Council to review.

150 Councilmember Conover and Creer expressed they did not like the 400 south property option.

152 Mayor Clyde stated a road would need to be installed for the Smiths development and  
elementary school. Administrator Fitzgerald explained options of extending 1200 South to 1200 West  
while 950 west has only one access and could see impacts in the next couple of years.

154 Administrator Fitzgerald expressed he would work with the committee before the next Council  
meeting and talk through potential issues.

156 **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

158 **CLOSED SESSION**

160 *9. The Springville City Council may temporarily recess the regular meeting and convene in a*  
162 *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.

164 **ADJOURNMENT**

166 COUNCILMEMBER CONOVER MOVED TO ADJOURN THE CITY COUNCIL MEETING  
AT 8:05 P.M. COUNCILMEMBER CHILD SECONDED THE MOTION, AND ALL VOTED AYE.

168



**MINUTES**  
**Springville City Council Regular Meeting – December 15, 2015**

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MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, DECEMBER 15, 2015, AT 7:00 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 Dean Olsen, 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, Administrative Services Manager  
Rod Oldroyd, Public Works Director Brad Stapley, Community Development Director Fred Aegerter  
and Recreation Director Corey Merideth

**CALL TO ORDER**

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

**INVOCATION AND PLEDGE**

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

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER CHILD MOVED TO APPROVE THE MEETING'S AGENDA AS  
WRITTEN. COUNCILMEMBER CREER SECONDED THE MOTION, AND ALL VOTED AYE.

**MAYOR'S COMMENTS**

Mayor Clyde welcomed the Council, staff and audience. He observed scouts in the audience and  
asked them to stand and introduce themselves.

**PUBLIC COMMENT**

Mayor Clyde introduced the Public Comment section of the agenda. He asked if there were any  
requests. There were no requests.

**CEREMONIAL AGENDA**

- 1. Presentation to Outgoing Councilmember Dean Olsen** – Troy Fitzgerald, City Administrator

Mayor Clyde took a few moments to congratulate Councilmember Olsen for his service the past  
eight years.

Administrator Fitzgerald presented a look back to Councilmember Olsen's accomplishments  
with the City. He stated Councilmember Olsen served as the Springville City Justice Court judge prior  
to serving on the City Council and was named Justice Court Judge of the Year. Administrator Fitzgerald  
commented how he appreciated Councilmember Olsen's philosophy of "he always learned more by

42 listening, than talking.” Administrator Fitzgerald ended by saying Councilmember Olsen was fantastic  
to work with, he listens with great effort to understand, he is supportive and he wished him the best, and  
thanked him for his service.

44 Mayor Clyde commented Councilmember Olsen’s helped make this community the best and he  
was proud to work with him. Mayor Clyde stated he is the perfect gentleman, a team player, supportive  
46 and took his assignments very seriously and we wish him the very best.

48 Councilmember Olsen stated he wanted to thank his wife and citizens, he enjoyed his service on  
the Council and Springville is a wonderful city.

50 **2. Presentation of the Mayor’s Awards – Shannon Acor, CTC Coordinator**

Mayor Clyde explained that the Mayor’s Recognition Awards were instituted to award students  
52 for being good examples to their peers, and to encourage young people to avoid involvement in drug  
use. He noted that the young people here tonight were nominated by their teachers for exemplifying high  
54 standards. He introduced CTC Coordinator Shannon Acor and asked Councilmember Child to help with  
presenting the awards.

56 Ms. Acor asked Ms. Cathay Poulsen to come forward and she read Ms. Poulsen was nominated  
by her 7<sup>th</sup> grade teacher at Springville Junior High, Ms. Tara Pina. Ms. Pina stated Cathay sincerely  
58 cares about her education as well as others. She is also an ally to those in need by going out of her way  
to include and involve them. She is a hard worker and is always looking for ways she can go above and  
60 beyond.

Ms. Acor asked Mr. Juan Patino to come forward and she read Mr. Patino was nominated by his  
62 9<sup>th</sup> grade teacher at Springville Junior High, Ms. Lori Caras. Ms. Caras wrote she commends Juan for  
serving and working hard on the Student Council. He is a friend to everyone he comes in contact with.  
64 He is very conscientious in his work. He is always smiling and is polite and respectful to others. He is  
such a great kid!

66

**CONSENT AGENDA**

- 68 3. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
- 4. Approval of Minutes for the April 21, 2015 and September 15, 2015 Work/Study meeting.
- 70 5. Approval of a **Resolution** creating the Aquatics and Activities Center Design Ad Hoc  
Committee
- 72 6. Approval of the appointment of Mark Brewer, Marcie Harris, Alan Bird, Lorraine Morris, Harold  
Davis, Marylyne Whitney, Katie Sosa, Shari Eves, Alyssa Oman and Braydon Bird to the  
74 Aquatics and Activities Center Design Ad Hoc Committee
- 7. Approval of the appointment of Mark Lamoreaux to the Power Advisory Board.

76

78 COUNCILMEMBER SORENSEN MOVED TO APPROVE RESOLUTION #2015-22 AND  
THE CONSENT AGENDA AS WRITTEN.

80 COUNCILMEMBER CREER SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS:

82	COUNCILMEMBER CHILD	AYE
	COUNCILMEMBER CONOVER	AYE
	COUNCILMEMBER CREER	AYE
84	COUNCILMEMBER OLSEN	AYE

COUNCILMEMBER SORENSEN AYE

86 THE MOTION PASSED UNANIMOUSLY.

88 **PUBLIC HEARING**

89 **8. Public Hearing for consideration of amendment of the Fiscal Year 2015-2016 Springville**  
90 **City budget** – Bruce Riddle, Assistant City Administrator/Finance Director

91 Finance Director Riddle reviewed the proposed amendment and turned the time over to Public  
92 Works Director Stapley who explained the sewer treatment plant expansion in 2008 was expected to last  
93 ten years before any major maintenance was required, they are coming up on eight years and need some  
94 maintenance on the bearing system. It is running slower than normal and would cost about \$250,000 to  
95 fix. Director Stapley explained there are two different funds that are sinking funds, for replacement of  
96 pumps, and backup power and the budget amendment would allow for the repair.

97  
98 Mayor Clyde opened the public hearing for comment. There was no comment.

100 COUNCILMEMBER CONOVER MOVED TO CLOSE THE PUBLIC HEARING.  
101 COUNCILMEMBER CHILD SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF  
102 THE MOTION. THE MOTION PASSED UNANIMOUSLY.

104 COUNCILMEMBER CREER MOVED TO APPROVE ADOPTING **RESOLUTION #2015-**  
105 **23** TO OPEN AND AMEND THE GENERAL FUND, SPECIAL IMPROVEMENT FUND, SPECIAL  
106 REVENUE FUND, SEWER FUND, AND ELECTRIC FUND, FOR OPERATIONAL AND CAPITAL  
107 EXPENSES AND APPLYING TO THE FISCAL YEAR ENDING JUNE 30, 2016 AS OUTLINED IN  
108 EXHIBIT A

109 COUNCILMEMBER CONOVER SECONDED THE MOTION. THE VOTE IS RECORDED  
110 AS FOLLOWS:

111	COUNCILMEMBER CHILD	AYE
112	COUNCILMEMBER CONOVER	AYE
113	COUNCILMEMBER CREER	AYE
114	COUNCILMEMBER OLSEN	AYE
115	COUNCILMEMBER SORENSEN	AYE

116 THE MOTION PASSED UNANIMOUSLY.

118 **REGULAR AGENDA**

119 **9. Consideration for adoption a Resolution of the City Council of Springville City, Utah,**  
120 **authorizing the issuance and sale of not more than \$11,195,000 aggregate principal amount**  
121 **of General Obligation Bonds (Aquatics and Activities Center), Series 2016; and related**  
122 **matters** – John Penrod, Assistant City Administrator/City Attorney

123 Attorney Penrod explained the resolution sets certain parameters that must be followed in the  
124 issuance and sale of the bonds in order to move forward on the project. Attorney Penrod explained the  
125 process of selling and issuance of bonds.

126 Councilmember Conover stated there was someone interested in the bond bid. Director Riddle  
127 replied he would notify the individual and follow up.

128

130 COUNCILMEMBER CONOVER MOVED TO APPROVE ADOPTING RESOLUTION  
131 #2015-24 THAT AUTHORIZES THE ISSUANCE AND SALE OF NOT MORE THAN \$11,195,000  
132 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS FOR THE  
AQUATICS AND ACTIVITIES CENTER, SERIES 2016, AND RELATED MATTERS

133 COUNCILMEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS  
134 FOLLOWS:

135	COUNCILMEMBER CHILD	AYE
136	COUNCILMEMBER CONOVER	AYE
	COUNCILMEMBER CREER	AYE
138	COUNCILMEMBER OLSEN	AYE
	COUNCILMEMBER SORENSEN	AYE

140 THE MOTION PASSED UNANIMOUSLY.

142 **10. Presentation of the Springville City Annual Audit and the Spanish Fork/Springville**  
**Airport Audit** – Bruce Riddle, Finance Director

143 Director Riddle introduced Greg Ogden whom the City has retained to prepare the City's  
144 financial statements and perform an independent audit. Mr. Ogden reviewed the audit report.

145 Councilmember Creer asked how concerned should the City be about the oversites. Mr. Ogden  
146 replied one employee got missed for retirement; check in six months that all new employees are  
147 included. The others are easy fixes, watch invoices and budget closely, and year end. Overall the City is  
148 in great shape.

149 Mr. Ogden explained a pension change in the GASB law that took away \$5million to account for  
150 the change in pension for the City share of what the state pension has promised. He explained this will  
151 be a one year adjustment; however as the market goes up and down it will change. Administrator  
152 Fitzgerald explained the City is aggressively over contributing to the pension and would expect the  
153 numbers to shrink and get smaller unless something out of the ordinary like 2007 should happen.

154 Mr. Ogden reported on the Airport audit and stated it was in good shape, the continued funding  
155 from federal grants have helped with the runway expansion. Because the grants exceeded \$500,000 it  
156 required a federal audit. As he understood in 2016 the runway expansion should be coming to an end.

157 Mayor Clyde asked if the project has been completed at the Airport. Airport Operations Manager  
158 Child stated yes.

159 Mr. Ogden thanked the council and stated Springville City is well run and has dedicated  
160 personnel that care about doing their jobs right.

161  
162 COUNCILMEMBER SORENSEN MOVED TO APPROVE (1) ACCEPTING THE  
163 SPRINGVILLE CITY FY 2015 INDEPENDENT AUDITOR'S REPORT AS PRESENTED; (2)  
164 AUTHORIZE THE CITY RECORDER TO ADVERTISE AND MAKE AVAILABLE FOR PUBLIC  
165 INSPECTION THE INDEPENDENT AUDITOR'S REPORT; AND (3) AUTHORIZE THE FINANCE  
166 DIRECTOR TO SUBMIT THE INDEPENDENT AUDITOR'S REPORT TO THE STATE AUDITOR  
167 AS REQUIRED BY LAW.

168 COUNCILMEMBER CREER SECONDED THE MOTION. ALL PRESENT VOTED IN  
169 FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY

170  
171  
172 And furthermore;



174 COUNCILMEMBER OLSEN MOVED TO **APPROVE** (1) ACCEPTING THE **SPANISH**  
176 **FORK/SPRINGVILLE AIRPORT FY 2015** INDEPENDENT AUDITOR'S REPORT AS  
PRESENTED; (2) AUTHORIZE THE CITY RECORDER TO ADVERTISE AND MAKE  
AVAILABLE FOR PUBLIC INSPECTION THE INDEPENDENT AUDITOR'S REPORT; AND (3)  
178 AUTHORIZE THE FINANCE DIRECTOR TO SUBMIT THE INDEPENDENT AUDITOR'S  
REPORT TO THE STATE AUDITOR AS REQUIRED BY LAW.

180 COUNCILMEMBER CONOVER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY

182  
11. **Spanish Fork/Springville Airport Ground Lease Agreement with Imsar Inc.** – Bruce Riddle,  
184 Assistant City Administrator/Finance Director

Airport Manager Cris Child reported IMSAR Manufacturing is a company that manufactures  
186 synthetic aperture radar systems. They are currently operating out of building in Springville and would  
like to use the Spanish Fork/Springville Airport to test their devices. An agreement was put together to  
188 assist them with the use of the airport. Mr. Child explained IMSAR is looking to lease a building at the  
airport that would include a three cent per square foot premium over what other rentals at the airport are  
190 billed for a building on the main street that would be adjustable as the other leases. The Airport Board  
has recommended approval with six conditions. Mr. Child stated Spanish Fork City approved the lease  
192 at their meeting tonight.

Administrator Fitzgerald asked if Spanish Fork City approved the lease with the six conditions,  
194 as the lease would need to be modified to include those conditions. Mr. Child said yes it was approved  
with the six conditions.

196 Mayor Clyde asked what the six conditions entailed. Administrator Fitzgerald replied, the staff  
report did not include the conditions and provided the council with information received from Mr. Child.  
198 The conditions would include a credit proposed in the lease agreement for any cost improvements,  
offsite improvements estimated to be \$100,000 and \$200,000 and taxiways to also be used by other  
200 patrons with an unknown cost at this time. No lease payments would be forthcoming until those options  
were satisfied. Administrator Fitzgerald also provided information from the Airport Board requesting  
202 the following; the general location should have a narrower frontage and the total land area should be  
limited to 3.8 times the building footprint, with approximately an 85000 square foot building. This  
204 would limit the land to 7.4 acres. The agreement would need FAA approval and is not to jeopardize  
federal and state grants. Also, the cities would be able to impose limitations on the lease price, and allow  
206 the cities not to renew the lease without cause after the initial forty year term, and ending with credits for  
constructing taxiways would be limited to portions that would benefit other current and future users.

208 Mayor Clyde commented a forty year lease is a long time and asked why it is so long. Mr. Child  
replied the financing for IMSAR and for them to be able to utilize their investment. Mayor Clyde  
210 expressed they should be able to recoup their investment sooner and questioned the three cents per  
square foot while other areas are thirty-four cents per square foot and they will have frontage on Main  
212 Street.

Councilmember Sorensen asked if the credit includes infrastructure. Mr. Child replied it will  
214 make the airport land more valuable.

216 Councilmember Child commented this will benefit Spanish Fork and not Springville. Airport  
Manager Child responded Spanish Fork City has stated they provide fire and police protection. IMSAR  
has a goal to be in their plant by November.

218 Mayor Clyde commented he didn't see why their lease should be reduced when the taxiway and  
infrastructure benefits them. They receive a credit and the city pays for the taxiway. It is not the cities  
220 responsibility to pay for a taxiway, no lease benefit and free rent for forty years.

222 Mayor Clyde stated it doesn't sit well when we are given information on Thursday; it changes on  
Friday, and then wants it approved by Tuesday. The Company has been working with Spanish Fork City  
for quite some time and didn't discuss with Springville City who is a 50% owner.

224 An IMSAR representative David Trent commented they make radar systems and currently they  
are in Afghanistan literally saving lives, by integrating all systems to one area they will be able to  
226 provide faster service. Mayor Clyde replied what they are doing is amazing work and we want to see  
them grow. He apologized for them being in the crossfire. Mayor Clyde stated we run an Airport and we  
228 have expenses, we need to justify those expenses to our citizens.

230 IMSAR representative Doug Yerington stated timewise we may not have time to wait. Mayor  
Clyde stated there needs to be discussion about the agreement the City is not prepared to participate in  
the infrastructure. The amount of seven acres for an 80,000 square foot building is giving three times as  
232 much real estate than what we have given other tenants. Mr. Yerington commented the overall lease  
rate, if it doesn't make sense, maybe there is no deal to be had, and it would make a more viable  
234 opportunity to have it on an airfield. Mayor Clyde stated we haven't been in the loop and just got the  
information we need time to review the information in order to make a decision and will need to meet  
236 with Spanish Fork City. Mr. Yerington replied we need to move forward and will need to have a  
decision tonight or explore other options. Mr. Trent replied we will have to put a hold on everything. He  
238 commented representatives on the Airport Board have been in the discussions.

240 Mayor Clyde expressed the need to meet with Spanish Fork and make our piece with them;  
IMSAR didn't have numbers until last week

242 COUNCILMEMBER CHILD MOVED TO CONTINUE THE ITEM WITH NO DATE.  
COUNCILMEMBER OLSEN SECONDED THE MOTION. ALLPRESENT VOTED IN  
244 FAVOR OF THE MOTION. THE MOTION PASS UNANIMOUSLY.

246 Councilmember Olsen asked if there was a time frame IMSAR could live with. Mr. David Trent  
stated they need to break ground by March and asked if Spanish Fork will also need to run it past their  
248 Council. Mayor Clyde responded they will need to do their approval process.

250 **12. Discussion of the 950 West Railroad Crossing** – Brad Stapley, Public Works Director

252 Director Stapley reported on the student, school bus access to Meadow Brook Elementary and  
provided information on the future of the Tintic Railroad Line.

254 Director Stapley reported he has spoken with UTA (Utah Transit Authority), MAG (Mountainland  
Association of Governments), Nebo School District, Spanish Fork Public Works and UDOT (Utah  
Department of Transportation) they have all given a favorable response to further discussions on  
256 abandoning the Tintic Line and eliminating six crossings with joint benefits of the UPRR/UTA spur to  
be used for the UPRR Tintic deliveries until Front Runner is initiated and would allow the spur as future  
258 alignment to Front Runner. The six railroad crossings would be abandoned eliminating the need to

maintain 8,100 feet of track. This would also remove the Tintic track from residential areas. Director Stapley reported there are plans to meet with UPRR (Union Pacific Railroad) next week for further discussions.

Director Stapley asked the Council for feedback and direction. He stated they are trying to get the 950 West railroad crossing opened before school starts.

Administrator Fitzgerald asked the Council what they are willing to do and suggested sending a letter to UDOT agreeing to bus children to school and no pedestrian access to the railroad crossing and a letter of support from key agencies. Director Stapley expressed they are looking at funding; MAG likes the project and asked to have it put on the TIP (Traffic Improvement Plan). Administrator Fitzgerald suggested this would be a good project to have before the South County Mayors. Mayor Clyde could present the information.

270

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

Councilmember Sorensen asked about closing the tubing hill and stated there are advertisements out about great tubing hills and Jolley’s Ranch is included. Administrator Fitzgerald commented more snow is needed to open the tubing hill. In his talks with staff, they need more equipment, all previous equipment is non-working and a snow mobile is needed to pack down the snow. Mayor Clyde asked if any other equipment is available in the City. Administrator Fitzgerald replied staffing and equipment was removed from the budget. Mayor Clyde commented if there is enough snow, we should pack down and use the hill.

**CLOSED SESSION**

*13. 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*

284

COUNCILMEMBER CONOVER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 9:26 P.M. AND CONVENE IN A CLOSED SESSION TO DISCUSS PROPERTY.

COUNCILMEMBER CHILD SECONDED THE MOTION AND THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CHILD	AYE
COUNCILMEMBER CONOVER	AYE
COUNCILMEMBER CREER	AYE
COUNCILMEMBER OLSEN	AYE
COUNCILMEMBER SORENSEN	AYE

THE MOTION PASSED UNANIMOUSLY.

**ADJOURNMENT**

COUNCILMEMBER CONOVER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 10:00 P.M. COUNCILMEMBER SORENSEN SECONDED THE MOTION, AND ALL VOTED AYE.

300



## SPANISH FORK-SPRINGVILLE AIRPORT

*Cris Child/Manager*  
2050 N 300 W  
Spanish Fork, Utah 84660  
(801) 420-8888

November 1, 2016

### Staff Report

**To:** Honorable Mayors and City Councils

**From:** Cris Child Airport Manager on behalf of the Spanish Fork/Springville Airport Board

**Subject:** Agreement allowing commercial operations at the Airport

**Recommended Motion:** Approve the attached Commercial Operations Agreement for use at the Airport.

**Background/Discussion:** The City Ordinance governing the Airport requires that commercial operations conducted out of hangars at the airport be approved by each City Council and also that the person's conducting said businesses have an agreement to do so with the cities. The attached agreement has been reviewed and is being recommended for implementation by the Spanish Fork City Legal Department and the Airport Board.

**Alternatives:** We could create multiple leases for the different commercial operations at the Airport however many of the businesses sub-lease from hangar owners and would require additional agreements. We believe that the attached agreement represents a less onerous solution.

**Fiscal Impact:**  
None.



# Letter of Recommendation to City Council

Springville City Board Name: Airport Board

<b>Applicant:</b> Airport Staff	<b>Request:</b> Approve the attached Commercial Operations Agreement for use at the Airport.	<b>Date of Meeting:</b> 10-6-2016
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<b>Motion by:</b>		<b>Second by:</b>	
<b>RECOMMENDATION</b>	<b>APPROVE</b>	<b>DISAPPROVE</b>	<b>OTHER:</b>
<b>CONDITIONS OF APPROVAL:</b>			

### Voting Record:

Member Name	APPROVE	DENY	ABSTAIN
<i>David Park</i>	✓		
<i>Jack Chisholm</i>	✓		
<i>Matthew Taylor</i>	✓		
<i>Brick Fulmer</i>	✓		

*[Signature]*

Chair

10/6/16  
Date

**Spanish Fork/Springville Airport**

**Agreement Allowing The Use of Hanger \_\_\_\_ to Include Commercial Operations**

COMES NOW the Spanish Fork/Springville City Airport (Owner), and \_\_\_\_\_  
\_\_\_\_\_ (Business) and hereby enter into this agreement on the \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_.

RECITALS

WHEREAS, there exists an agreement titled "Spanish Fork/Springville Airport Hanger Lease"  
(the Lease) dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ on Hangar #\_\_\_\_; and

WHEREAS, Section VI of the Lease prohibits commercial uses of the Hanger except by an  
additional agreement; and

WHEREAS, Owner and Business desire to enter into an agreement to allow for commercial use  
at the Spanish Fork/Springville Airport.

NOW THEREFORE, the parties hereto hereby contract, covenant, and agree as follows:

1. Business's principal place of business at the Spanish Fork/Springville Airport is described as Hanger \_\_\_\_\_.
2. Business's commercial activities are described herein as:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
3. Business acknowledges and agrees that if the Business desires to add to the commercial operations described above, Business must obtain prior written approval by the Spanish Fork City and Springville City Councils.
4. Business declares that they have signed and executed a standard airport lease agreement for the hanger listed above or that they have signed and executed a sublease with the hanger Lessee and such commercial activities are authorized by the hanger Lessee.
5. Business acknowledges and agrees that it has reviewed and met both the Spanish Fork/Springville Airport Lease requirements and the minimum airport standards set forth at the time of this addendum.
6. Concurrent with the execution of this agreement and as partial performance of the obligations assumed under this Agreement, hereof, the Business shall, have from a reliable insurance company or companies authorized to do business in the State of

Utah, liability insurance in the minimum amount of \$1,000,000.00 per occurrence and \$2,455,000.00 per aggregate.

The above insurance policy or policies shall contain an endorsement which provides that the Owner is named as an additional insured. Business shall provide Owner with written evidence of said insurance at all times this agreement is in effect.

All insurance policies secured by the Business providing the coverages which affect the leasehold premises required under this agreement shall require each insurer to notify the Owner by registered or certified mail of any modification, termination or cancellation of any policy of insurance that affects the leasehold premises no less than thirty (30) days prior to the effective date of such modification, termination or cancellation. Notice by the insurer shall be effective upon the receipt of said notice by the Owner. In addition to any other requirements of this agreement, the Business shall notify the Owner of any modification which affects the leasehold premises, termination or cancellation of any policy of insurance secured by the Business pursuant to this paragraph as soon as the Business learns of any such modification, termination or cancellation. Each of said policies shall stipulate that the policy provided coverage is not subordinate to nor contributing with any other insurance coverage held or maintained by the Owner. The procuring of such policy or policies of insurance shall not be construed to be a limitation upon the Business' liability or a waiver of performance on the Business' part of the indemnification and hold harmless provisions of this agreement and the Hanger Lease; and the Business understands and agrees that notwithstanding any policy or policies of insurance it remains the Business' obligation to protect, indemnify and hold harmless the Owner hereunder for the full and total amount of any damage, injuries, loss, expense, costs or liabilities, including attorneys fees, caused by or in any manner connected with or attributed to the negligent acts or omissions of the Business, its officers, agents, employees, licensees or the operations conducted by the Business, or the Business' use, misuse or neglect of the premises described herein.

7. Business acknowledges and agrees that it has met the standards set forth in Spanish Fork City Code 7.12.050 (F)(1) for general commercial activities and, if applicable 7.12.050 (F)(2) for fixed based operators, public aviation fuel sales, private aviation fuel sales, aircraft engine and airframe accessory sales or maintenance and flight training and Springville City Code 4-8-106(6)(a) for general commercial activities and, if applicable 4-8-106(6)(b) for fixed based operators, public aviation fuel sales, private aviation fuel sales, aircraft engine and airframe accessory sales or maintenance and flight training.
8. Business has applied for and been granted a Spanish Fork City business license.
9. Owner agrees that the Business may operate in Hanger \_\_\_\_ as described and approved in the Spanish Fork business license.

10. Owner may terminate this agreement in the event any of the provisions of the airport hanger lease are broken or Business violates any FAA regulation or Federal, State or Local rules. Otherwise, this agreement shall terminate at the end of the lease or at the termination of the sub-lease or when the business ceases to operate. The Business shall notify the airport manager within 10 days if the Business either changes location on the Airport or terminates commercial activities on the Airport.
11. Business expressly agrees to defend, protect, indemnify and hold harmless the Owner, its officers, agents and employees free and harmless from and against any and all claims, demands, damages, expenses, losses or liability of any kind or nature whatsoever which the Business, its officers, agents or employees may sustain or incur or which may be imposed upon them for injury to or death of persons or damages to property arising out of or resulting from the negligent acts or negligent omissions of the Business, its officers, agents or employees use or misuse of the premises. Business agrees to defend at its own cost, expense and risk all claims or legal actions that may be instituted against either the Business or the Owner, which arise out of the negligent acts or omissions of the Business. If any claim or legal action is brought arising out of the negligent acts or omissions of the Business and is also brought against the Owner, the Owner agrees to cooperate with the defense of the claim or legal action. In such claim or legal action wherein the defense of Owner is in conflict with the defense of Business, the Owner may have its own attorney to defend such action. If after written notice of such conflict Business is unable or unwilling to defend such claim or legal action the Owner may defend such a claim or legal action at the expense of the Business. Any settlement of any claim or lawsuit made by the Owner or Business that results in liability against either party is subject to written approval of the Business or Owner and will not affect the claims or lawsuits still pending against the against the other party. Business agrees to pay any settlement entered into and satisfy any judgment that may be rendered against either the Business or the Owner as a result of any negligent injuries or damages which have resulted from or are connected with this agreement or the occupancy or use of the premises by the Business, or its officers, agents, employees or licensees, including reasonable attorney fees.

This indemnity clause is not valid wherein the loss or claim is the result of actions the Business took at the Direction of the Owner or the loss or claim is the result of a negligent act or omission made by the Owner.

12. Business recognizes and understands that it is a separate entity from Owner and may not utilize the airport's name or logo for the promotion of its business.
13. Except as modified herein, the Spanish Fork/Springville Hanger Lease dated \_\_\_\_\_ shall remain in full force and effect.



IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed, in triplicate, with all the formalities required by law on the respective dates set forth opposite their signatures to be effective the day and year first above written.

SPANISH FORK CITY, by

\_\_\_\_\_ Date: \_\_\_\_\_  
STEVE LEIFSON, Mayor

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_  
KENT CLARK, Recorder

RECOMMENDED FOR APPROVAL

\_\_\_\_\_ Date: \_\_\_\_\_  
CRIS CHILD, Airport Manager

SPRINGVILLE City by,

\_\_\_\_\_ Date: \_\_\_\_\_  
WILFORD W. CLYDE, Mayor

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_  
KIM RAYBURN, Recorder

Business

\_\_\_\_\_ Date: \_\_\_\_\_  
**TITLE**