



**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SPRINGVILLE, UTAH
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET
JUNE 21, 2011 – 7:00 P.M.**

The following are the minutes of the Work/Study Meeting of the Springville City Council. The meeting was held on **Tuesday, June 21, 2011 at 7:00 p.m.** in the Springville City Civic Center Council Chambers at 110 South Main Street, Springville, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

Mayor Wilford W. Clyde presided. In addition to Mayor Clyde, the following were present: Cl. Phillip Bird, Cl. Benjamin Jolley, Cl. Dean Olsen, Cl. J. Niel Strong, City Administrator Troy Fitzgerald, City Attorney John Penrod, and City Recorder Venla Gubler. Also present were: Community Development Director Fred Aegerter, Public Safety Director Scott Finlayson, Power Director Leon Fredrickson, Recreation Director Charles Keeler, Finance Director Bruce Riddle, Buildings and Grounds Director Alex Roylance, and Public Works Director Brad Stapley. Cl. Mark Packard was excused.

CALL TO ORDER

Mayor Clyde called the meeting to order at 7:01 p.m.

INVOCATION AND PLEDGE

Public Safety Director Scott Finlayson offered the invocation. Cl. Strong led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

CL. BIRD MOVED TO APPROVE THE MINUTES OF JUNE 7, 2011 AS WRITTEN. CL. OLSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

APPROVAL OF THE MEETING'S AGENDA

CL. JOLLEY MOVED TO APPROVE THE MEETING'S AGENDA. CL. OLSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

MAYOR'S COMMENTS

Mayor Clyde excused Cl. Packard, and invited anyone wishing to speak to the Council to fill out a "Request to Speak" form available in the lobby. He noted that there were no scouts or students to recognize.

PUBLIC COMMENT

There was no public comment.

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CONSENT AGENDA*

1. **Approval of all City purchase orders properly signed** (Springville City Code §2-10-110(5))
2. **Approval of a Resolution renewing the utility waiver for military service personnel** – Venla Gubler, City Recorder
3. **Approval of a request by the Housing Authority of Utah County seeking final approval for the Aimonetto Center Condominiums located at 451 South Main Street in the CC – Community Commercial zone** – Fred Aegerter, Community Development Director
4. **Approval of a Resolution adopting a certified tax rate for fiscal year 2011-2012** – Bruce Riddle, Finance Director
5. **Approval of a request by Billings Distribution Inc. for a beer license at the Gas & Go #9, 2009 West 400 South** – Venla Gubler, City Recorder
6. **Approval of revisions to new library landscape plan** – John Penrod, City Attorney
7. **Approval of the appointment of Mr. Frank Young to the Planning Commission (1st Amended Agenda)**

CL. OLSEN MOVED TO APPROVE THE CONSENT AGENDA. CL. STRONG SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. JOLLEY – AYE; CL. OLSEN – AYE; CL. BIRD – AYE; AND CL. STRONG – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

PUBLIC HEARINGS

8. **Public Hearing to consider amending the Springville City 2010-2011 Fiscal Year Budget** – Bruce Riddle, Finance Director

Director Riddle reported that this budget opening of the current fiscal year is to handle housekeeping entries discussed in previous meetings. He noted that the staff report includes a discussion of each item, and directed attention to Exhibit A. He noted that most items have expenditure and associated revenue lines.

Director Riddle noted that the first two items on the list are grant revenue and an associated expenditure for the Library. The second two are a grant for the Fire Department. The next group is claims settlements. He reported that claims were handled in the Legal Department in the past. Now the claims are being expensed to the applicable department, so the budget is being moved from Legal to the other departments in the General Fund. The next item moves a project from the Capital Improvements Fund to the Streets Operations Budget in order to provide consistency. The next item is an appropriation in Urban Forestry to account for a donation for trees from Wal-Mart. The Winter Recreation Program sold some of their inventory of skis and need to replace them from the revenues accrued from the sale in the next item.

Director Riddle reported that the next item scheduled for a budget amendment is a transfer to the Debt Service Fund from the General Fund. He noted that the corresponding entry is listed several lines below the original entry. He explained that the City used “Build America” bonds and received an interest rate subsidy for the Civic Center. The interest rate subsidy is a refund from the IRS, which has now been received. He noted that the interest is being moved to the debt service fund for reserves.

Director Riddle noted that the next four items are reflections of assessments that have been prepaid beyond the bond service payments for Special Improvement Districts. The entries

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will retire the property owners' portion of the debt. The next item reflects match funding appropriated from the Community Theater Capital Improvement Project Fund for the Historical Preservation Grant from the State of Utah that was approved by the Council. He noted that the balance of the match funding was provided by in-kind donations. The next page accounts for a donation to the Ambulance Fund in order to purchase a defibrillator. The next entry regards pool improvements. He reported that the Council budgeted \$50,000 for pool improvements that has been held in the fund. The Council approved using those funds for the design work on the first phase of the recreation center instead. He noted that the next entry corrects the appropriation for the community park project. He explained that the funds have been budgeted in the Special Revenue fund, but the actual cash is accounted for in the Capital Improvement Fund. These entries transfer the funds and the project to one place. The last two are related to water projects—the 2000 West pipe connection and the 400 South well pump project. The savings accumulated from the 2000 West pipe connection were moved to the 400 South well pump project to cover the gap in the estimated cost. The savings have come about because UDOT paid half of the 2000 West pipe connection project. He asked if there were questions.

Mayor Clyde asked what happened to the money donated for the Youth Camp at Jolley's Ranch. Director Riddle reported that this donation was put into the Special Trust Fund. He suggested that the Council discuss this project and how to proceed with similar donations in a pending work meeting. Mayor Clyde suggested that the City put the money raised for the Villa in a Capital Improvement fund, and he feels that the Jolley's Ranch project should have something similar. Director Riddle replied that a Capital Improvement Fund is appropriate for expenditure, but the donations are held in a reserve. Mayor Clyde asked if the pipeline had been installed at Jolley's Ranch. The replied was no. Mayor Clyde asked if there were other questions. There was none. He thanked Director Riddle for the presentation, and opened the public hearing for comment. There was no public comment.

CL. OLSEN MOVED TO CLOSE THE PUBLIC HEARING. CL. BIRD SECONDED THE MOTION, AND ALL VOTED AYE.

CL. OLSEN MOVED TO APPROVE RESOLUTION #2011-13, TO REOPEN AND AMEND THE GENERAL FUND, CAPITAL IMPROVEMENT FUND, SPECIAL IMPROVEMENT FUND, DEBT SERVICE FUND, COMMUNITY THEATER CIP FUND, SPECIAL SERVICE FUND, AND WATER FUND FOR OPERATIONAL AND CAPITAL EXPENSES APPLYING TO THE FISCAL YEAR ENDING JUNE 30, 2011 AS OUTLINED IN EXHIBIT A. CL. BIRD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. OLSEN – AYE; CL. JOLLEY – AYE; CL. BIRD – AYE, AND CL. STRONG – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

REGULAR AGENDA

- 9. Consideration of an Ordinance adopting the Official South Gateway Community Development Project Area Plan, as approved and adopted by the Redevelopment Agency of the City of Springville, Utah, and directing that notice of the adoption be given as required by statute – John Gleave, Community Relations Administrator**

Mayor Clyde explained to the public that the Redevelopment Agency, in a previous meeting, had held a public hearing to consider the adoption of a Community Development Project Area and Budget. There had been very little comment, but the opinions expressed had been positive. Mayor Clyde described the location of the project area and noted that the City had

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received inquiries of interest from commercial developers and businesses. The institution of a Community Development Project Area Plan and budget allows the Redevelopment Agency and City to offer businesses tax incentives. He asked if there was any other discussion or comment. There was none.

CL. BIRD MOVED TO APPROVE ORDINANCE #13-2011, ADOPTING THE SOUTH GATEWAY COMMUNITY DEVELOPMENT PROJECT AREA PLAN, AS APPROVED BY THE REDEVELOPMENT AGENCY OF SPRINGVILLE CITY, UTAH, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE SOUTH GATEWAY COMMUNITY DEVELOPMENT PROJECT AREA, AND DIRECTING THAT NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY STATUTE. CL. JOLLEY SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. BIRD – AYE; CL. STRONG – AYE; CL. JOLLEY – AYE; AND CL. OLSEN – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

10. Report on Art City Days – Charles Keeler, Recreation Director

Director Keeler and Mr. Craig Conover, Chair of the Art City Days Committee came to the podium. Mr. Conover commented that the event had experienced good weather and good attendance. Director Keeler recognized Cl. Olsen as the third member of the executive committee. He started by thanking everyone for helping to put on a successful event. He noted that every department in the City offered their assistance, and was impacted in some way. He suggested that, “together, we know how to throw a party.”

Director Keeler presented the logo for the event this year and noted that the artist was Mr. James Allen of the Parks Department. He noted that Nestle gave 5,000 candy bars for the event. This year he had extended the celebration to the following Monday to put on a sidewalk chalk art event. They had expected 50 to 60 people and were surprised to have about 250 attend. This year’s event included 36 elements between June 4 and June 16. No events were cancelled due to the weather, and every event experienced great turnouts. The evening events were packed “wall-to-wall.” The carnival turned over \$17,000 in revenues to the City this year. He directed the Council to the City’s Facebook page for pictures, videos, and recaps of the event.

Director Keeler listed the new events added to the schedule this year. Other changes to operations included in-house coordination of booths and more advertising. He noted that the booth sponsored by the City regarding the recreation center was a tremendous success; the City received over 1,000 written comments, and many more verbal conversations occurred. He directed the Council to a YouTube video of the flash mobs that were new this year.

Director Keeler reported that there were some struggles. One is that the carnival would not commit to an opening hour notification. Some of their lack of commitment may be due to the owner’s passing away. Mayor Clyde suggested adding the clause to the contract. Director Keeler replied that the City is three-years into a five-year contract that states rides will open as they become available. He is hoping to have the company commit to 1:00 p.m. on weekdays and noon on Saturday next year.

Another change that did not work as intended was the parade “quiet zone.” Mayor Clyde commented that the zone was set up for a handful of people, but the other several hundred spectators became irritated. They did not feel they got the full effect of the parade. He suggested more explanation to the parade participants. Director Keeler replied that the participants were notified and then told again at the beginning of the parade, but they took it too seriously. He may

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reconsider the quiet zone for next year. Mayor Clyde suggested just going to the participants with loud horns and sirens specifically and not posting signs on the parade route. Director Keeler thanked the Mayor for the suggestion.

Director Keeler reported that he would like to add a second announcer's booth to the parade route, and bleachers. He would also like to experiment with alternating the floats along the island along Main Street. Mayor Clyde observed that the problem with the announcer's booth here at the Civic Center is the Library construction. There was not room for many spectators and the announcer was not being heard. The people may congregate here in greater numbers if they know about the announcer. The Council discussed putting an announcer's booth at the museum and how the completion of the library would affect parade spectator numbers on Main Street.

Director Keeler reported that he would like to give more public recognition to the committee members and the volunteers. He has had a request for a secondary stage at the Arts Park for local talent. Mayor Clyde suggested the girls' soccer field at the high school as a potential location for a second stage. He pointed out that many citizens walk through there to get to the carnival, and it would encourage parking at the high school. He suggested contacting the school district for permission. Director Keeler mentioned selling extra t-shirts to the public as another addition to the celebration.

Director Keeler reported that as far as he has been able to figure out, the Art City Days festival is approaching its 50-year anniversary. He would like to find out the correct date and focus the celebration on this event. The Mayor and Council discussed their memory of the Art City Days beginnings. Cl. Bird suggested going to the Springville Herald files. Administrator Fitzgerald noted that the Library had the Herald back issues for research. Mayor Clyde estimated the starting date at 1962 to 1965.

Director Keeler presented attendance numbers for the festival. He noted that about half of the events doubled their participation rates. He attributed the increases to the weather, the work done by the volunteer coordinators, and the advertising done by the Daily Herald, Springville Independent News, and Channel 4 TV. Mayor Clyde thanked him for the work done and the very successful festival. He commented that it seemed more people were at the parade than ever before. Director Keeler noted that last year's spectators were about 8,000. This year was about 10,000.

Administrator Fitzgerald reported that some of the booth vendors have called the City about next year's festival location. He suggested that the Council have a discussion this fall about the location, and participation numbers. Director Keeler reported that he would be coming back next month with a contract for next year's fireworks display. The City has fared well with settling this contract in advance. The company has held the rate at \$11,500 for the same number of shells other festivals pay \$20,000 to get. Mr. Conover added that the display had been shortened in time this year, but not in the number of shells. The display had been condensed, which resulted in a spectacular show. Mayor Clyde asked Director Keeler and Mr. Conover to convey the Council's thanks to all those involved.

11. Consideration of a Resolution establishing rates and fees for use of the Springville City Municipal Culinary Water System – Brad Stapley, Public Works Director

Director Stapley reported that the Water Board has been working over the last year on the water rate structure and have given some recommendations to the Council. These recommendations were discussed by the Council two weeks ago. The Board suggests

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establishing an industrial rate class and a new rate for this class of user. The class is defined as a user with over 10,000,000 gallons per month through their water meter. He explained that there is a significant jump in the City's costs to maintain and operate a system with this huge demand. The recommended rate is 20-percent higher than the current commercial rate. The Board also recommends raising commercial user rates 4-percent. The Board does not recommend raising residential rates. The rate increase will result in about \$70,000 in additional revenues to the City for the industrial classification and \$24,000 for the commercial classification.

Cl. Strong asked why the proposed Resolution addresses residential rates if they are not changing. Administrator Fitzgerald replied that this helps administration and finance track the most recent rate schedule. Cl. Strong asked about the threshold for the industrial classification at 10 million gallons. Director Stapley replied that this does not indicate a tiered rate, just a way to classify a user. The user in this class will pay the rate for any amount used through their water meter, not just the gallons used over 10 million. Cl. Strong reported that the Water Board has concerns about certain users in the commercial class that may be impacted up to 40-percent if they are changed to the residential class. Director Stapley replied that the users being referred to by Cl. Strong are master meter users, and they are looking at a 4-percent rate increase as specified in this Resolution. They will remain at the commercial rate until the Water Board has had a chance to review the options. Administrator Fitzgerald reported that the Council had asked the staff to implement a 20-percent increase to commercial users over a period of several years.

Cl. Strong reiterated that the Water Board feels that a 40-percent increase over current rates indicates a huge user on a master meter. Mayor Clyde agreed and noted that master meter users are generally residential users and are getting a bargain because their rate is not tiered like the other residential users. Director Stapley observed that it is his intention to complete the staff investigation, address this issue with the Water Board and bring their recommendation to the Council. Cl. Strong asked if the Council wants to go ahead with the rate increase knowing that some users will experience a 40-percent rate hike. He sees several options for the City—monitoring of water usage by master meter users, a stepped increase from the commercial rate to the current residential rates, or reclassifying these users to the residential class and letting their homeowners association manage and discover the problems. Mayor Clyde asked the Water Board to compare master meter users with rate users in the residential class. He asked how many master meters are currently on the water system. Director Stapley replied that there are about 20 master meters that represent a lot of units. Cl. Olsen asked if the number of occupants make a difference in the rate being charged. The reply was no.

Cl. Strong reported that another issue for the Water Board is the rates for users outside of the city limits. He suggested that the Council needs to review the spreadsheet on the components of canyon water delivery and decide which components are the responsibility of the general city population and what percentage can be charged to canyon users. If this is decided, a canyon water rate can be established. Director Stapley reported that the Water Board has formed a subcommittee to review the information with a target date of January 2012 to bring a recommendation to the Council. Cl. Strong observed that the difficulty for the Water Board is deciding the percentage of responsibility. The Council discussed this issue. Mayor Clyde asked if there was other discussion. There was none.

CL. BIRD MOVED TO APPROVE RESOLUTION #2011-14, ESTABLISHING AN INDUSTRIAL CULINARY WATER CLASS AND CORRESPONDING BILLING RATE; AND APPROVING A PROPOSED 4-PERCENT RATE INCREASE FOR COMMERCIAL

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CULINARY WATER USERS WITHIN THE CITY. CL. JOLLEY SECONDED THE MOTION.

Cl. Strong commented that he wanted to clarify his vote against this action before he makes it. He feels that the City should wait to pass a rate increase until the entire package is complete, including the study of rates for canyon users, and master water meter users.

THE VOTE IS RECORDED AS FOLLOWS: CL. STRONG – NAY; CL. BIRD – AYE; CL. JOLLEY – AYE; AND CL. OLSEN – AYE. THE MOTION CARRIED 3-1 WITH ONE ABSENT (CL. PACKARD).

12. Consideration of a Resolution establishing rates and fees for use of the Storm Sewer Utility and Storm Water System – Brad Stapley, Public Works Director

Director Stapley reported that the storm water utility was formed in 2007 after about a year of analysis. Its purpose was to fund the operation and maintenance costs associated with the federally mandated storm water system. He noted that the requirements the City is mandated to enforce are still federally driven, but the operational costs are not covered by the approved rates. A 14-percent rate hike is recommended to help take care of storm water issues. He noted that some projects have already been delayed three years for lack of funding, and will be delayed again as the funds accumulate. He reported that the rate increase is across the board for all residential, commercial, and industrial users. Cl. Strong reported that the Water Board supports the recommended rate increase.

Mayor Clyde noted that the recommended rate is \$4.97 per ERC. Director Stapley replied that ERC stands for Equivalent Residential Connection. It was calculated by selecting 50 random houses in Springville and calculating the average impervious surface. In Springville, this is 3,800 square feet. Every resident pays the same amount, but businesses are required to measure their impervious surface and divide that amount by 3,800 to determine their ERC. Their payment is based on the number of ERC's as determined by this calculation. Mayor Clyde asked if most of the City's storm water is collected off streets. Director Stapley replied that this is one component, but storm water is also collected from parking lots and other paved areas.

Director Stapley reported that the increase is expected to net the City \$103,000 in one year, which does not cover the cost of one project. However, no other cities funded the entire cost in their rates either. Mayor Clyde commented that the federal government mandates the enforcement measures taken by the utility, and the City has to raise the money to comply. He asked if there were other comments. There was none.

CL. JOLLEY MOVED TO APPROVE RESOLUTION #2011-15, APPROVING A 14-PERCENT RATE INCREASE FOR ALL RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL STORM WATER USERS WITHIN THE CITY. CL. STRONG SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. BIRD – AYE; CL. JOLLEY – AYE; CL. OLSEN – AYE; AND CL. STRONG – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

13. Consideration of a Resolution establishing rates and fees for use of the Springville City Sanitary Sewer System – Brad Stapley, Public Works Director

Director Stapley reported that this action will form an industrial sewer class like the water class. He explained that the City has to treat the water used, and industrial users are running more than 10 million gallons per month through their processes. He noted that the rate is 6-

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percent higher than the current commercial rate. He expects the rate increase to bring about \$23,000 to the fund. Mayor Clyde asked if the industrial user is the only one using the pretreatment plant. Director Stapley replied yes. He explained that the company leases the pretreatment plant from the City at \$1 per year. The City does not have an extra sewer rate for pretreatment. Administrator Fitzgerald observed that the company does get charged for discharging more than their permitted amount. Director Stapley noted that excess discharges are covered in the Resolution. Mayor Clyde asked if there was other discussion. There was none.

CL. BIRD MOVED TO APPROVE RESOLUTION #2011-16, ESTABLISHING AN INDUSTRIAL SEWER CLASS AND CORRESPONDING RATE FOR INDUSTRIAL CULINARY WATER USERS WITHIN THE CITY. CL. STRONG SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. JOLLEY – AYE; CL. OLSEN – AYE; CL. STRONG – AYE; AND CL. BIRD – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

Cl. Strong reported that Mr. Lynn Panter of Nestle expressed concern at the last Water Board meeting about being billed at the culinary rate for the secondary water they are using. They are asking the City to consider a rate decrease for secondary water. Administrator Fitzgerald commented that he had met with Mr. Panter and committed to take a look at this rate. Mayor Clyde observed that the Water Board would be working on the master meter question, and canyon and secondary water rate questions. Director Stapley agreed.

14. Consideration of a Change Order for the Community Park parking lot – Alex Roylance, Building & Grounds Director

Director Roylance reported that the last year has presented some challenges for the construction of the community park. He would like to have permission to move forward on a solution. He offered the Council some background on the construction challenges. He reported that the record moisture and changes in ground water levels have made stabilization of the parking lot and 950 West hard to accomplish. The contractor has completed mitigation work—over-excavation, filling with cobblestone, placing of a fabric barrier, and replacement of the sub-base and compaction. The mitigation has worked for 950 West and this street is now paved. However, the compaction for the parking lot is still at 80-percent. Moving the equipment on the surface causes the ground to move and roll, like being on Jell-O. The required compaction is 95-percent.

Director Roylance reported that he has met with engineering staff, the architect, and the geotechnical consultant to try and find a solution. They have offered four solutions.

1. Leave the parking lot alone until a later date (perhaps August or September) And see if the soft areas dry and stabilize.
2. Over-excavate the entire parking lot and attempt to stabilize it with large cobblestones, replace the sub-base and base, then continue with paving the parking lot.
3. Add an additional 12-inch layer of base material to the entire parking lot and then pave.
4. Add less base material and concrete the parking lot instead of paving.

Director Roylance reported that option #1 would be the least expensive. However, the City is gambling with the weather and the ground water conditions. The engineers cannot predict if the ground water will subside in the next few months, and there is no guarantee that waiting

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will allow the City to pave the parking lot in a few months without resorting to one of the other options. The second option is to over-excavate the entire parking lot and rebuild it. The estimated cost is \$25,000 to \$30,000. Option #3 is to add an additional 12-inch later of road-base material to bridge the soft spots. The estimated cost for this option is around \$40,000 or more. The final option for concrete paving is the most expensive, and the City runs the risk of the base settling and cracking the concrete. He reported that the contractor will not warranty the concrete if it is put on the current base. Installing a concrete parking lot will cost up to \$50,000.

Director Roylance reported that he has a meeting set for tomorrow with the engineers and contractor. They plan to retest the compaction. The project has extra charges in change orders. The stabilization of 950 West, installation of more pipeline and electrical conduit, stabilization of the restroom and the attempt to stabilize the parking lot were accomplished. Options for funding the stabilization are drawing on park impact fees, deferring the purchase of a playground, or using reserves.

Cl. Jolley expressed concern about dipping into reserves. He asked if this action would impact the bond payment. Director Roylance replied that the City has enough in the reserves to make the payment this year, but there would not be enough for future years if the economy did not rebound soon. Cl. Olsen asked if there was any assurance from geotechnical experts that a delay would solve the issue. Director Roylance replied no. He reported that the geotechnical report done last May showed a ground water level of 4.7 feet below the surface. The ground water level has risen to 2.5 to 3 feet over the course of the winter, and no one knows when it may return to former levels. Cl. Strong asked about draining into the creek. Director Roylance replied that the groundwater is currently 2-feet higher than the water in the creek. Cl. Jolley observed that he prefers to fix the soft spots for the \$20,000 to \$25,000. He suggested that if the project exceeds that amount, he would suggest deferring the playground. Cl. Strong commented that he would rather forego the playground now and not touch the impact fees or reserves. Cl. Bird agreed. Cl. Jolley reported that the neighborhood is excited to have the playground and will feel the loss. Mayor Clyde agreed and noted that parents like a nearby playground for younger children while their older children are playing sports.

Administrator Fitzgerald observed that the playground is component-based, so portions of the playground may still be purchased after the change order. Director Roylance reported that the proposed playground has an interactive play element that creates a game where children move around and push buttons. It is only the second such playground planned for Utah. Administrator Fitzgerald suggested that the change order may be less and still allow the purchase of portions of the playground. The playground can be finished when more funding is available.

Mayor Clyde suggested that he can see two problems. One, the geotechnical firm did not do complete research for this property; and two, the contractor opened the soil in the wet season and then covered a ground-water-soaked-base layer with cobble, fabric and granular materials so that it cannot dry out. He suggested that the two firms need to take some responsibility for the challenges faced. Director Roylance disclosed that the issues of responsibility and cost sharing would be part of the discussion tomorrow. Mayor Clyde commented that he agrees that the parking lot needs to be dug out and the soft spots fixed, rather than a fix with concrete. He asked if a motion is needed. Administrator Fitzgerald replied that the general direction of the Council is to stay within the current budget, so a motion is not needed.

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15. Consideration of a Resolution concerning proposed Redistricting Plans for the Utah State Senate – Troy Fitzgerald, City Administrator (2nd Amended Agenda)

Mayor Clyde prefaced Administrator Fitzgerald's comments by reporting that he had received a call from Mayor Anderson of Spanish Fork. He had pointed out that the top proposal for redistricting splits South Utah County out into 4 surrounding districts. Administrator Fitzgerald displayed the map proposals on the screen. Mayor Clyde commented that South Utah County could have four separate (basically zero) representatives from other areas. He suggested that the cities in South Utah County have issues in common, and they lose representation on those issues by splitting them up. There is a hearing in Provo tomorrow, and each South Utah County city is being asked to pass a resolution, asking as a united group, to have one representative.

The Council examined the map. Cl. Strong asked what logic is being used in the map's creation. Mayor Clyde replied that the lines are moved based on population, but the conservatives in South Utah County are being moved to other, more democratic counties. Administrator Fitzgerald displayed some of the other proposed maps and explained that a district's target population is about 95,000. The Council discussed the representation issue. Mayor Clyde commented that creating evenly distributed population blocks is hard, but he wonders why South Utah County is becoming the cutting block. Cl. Strong suggested that the logic does not hold up if it is just based on population. Cl. Bird commented that politics are being played. Mayor Clyde observed that the target appears to be dividing ultra-conservative South Utah County. Administrator Fitzgerald noted that the website allows comments. Most of the comments at the site are along the line of the thoughts expressed here tonight. Administrator Fitzgerald reported that the late notice of this item was at the request of the Spanish Fork Mayor. He would like the Council to make a statement in Resolution format. Mayor Clyde read the proposed Resolution to the Council and asked if they were willing to support it.

CL. BIRD MOVED TO APPROVE RESOLUTION #2011-17, CONCERNING PROPOSED REDISTRICTING PLANS FOR THE UTAH STATE SENATE. CL. STRONG SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: CL. OLSEN – AYE; CL. JOLLEY – AYE; CL. BIRD – AYE; AND CL. STRONG – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (CL. PACKARD).

Mayor Clyde invited the Council and citizens to attend the meeting in Provo at 305 East 2320 North at 6:00 p.m.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

Administrator Fitzgerald reported that he had one more item to bring to the Council's attention. The subject is year-end revenues for the golf course and a question on fees. He informed the Council that all of the Resolutions regarding fees are silent on sales tax. Golf fees are set by the Council, and the sales tax paid as if the tax was included in the fee. Staff is wondering if more discussion is needed about adding the tax to the fees instead of including it. Cl. Strong replied that he would leave it "as is." He agreed that the City could get more revenue. Director Riddle asked if the Council would like to adjust the rate to accommodate the tax. Mayor Clyde replied that this suggestion is a way of raising rates without raising rates. He would also rather leave the rate "as is." Administrator Fitzgerald replied that he just wanted the discussion on record so that the Council is aware of the sales taxes. Mayor Clyde asked if there were other reports. There was none.

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CLOSED SESSION

16. *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*
There was no closed session.

ADJOURNMENT

CL. BIRD MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 8:51 P.M.
CL. STRONG SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.