



**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SPRINGVILLE, UTAH  
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET  
OCTOBER 18, 2011 – 7:00 PM**

The following are the minutes of the Regular Meeting of the Springville City Council. The meeting was held on **Tuesday, October 18, 2011 at 7:00 PM** in the Springville City Civic Center Council Chambers at 110 South Main Street, Springville, UT. Adequate notice of this meeting, as required by law, was posted in Civic Center, on the city's website, on the State of Utah's Public Notice 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: Councilmember Phillip Bird, Councilmember Ben Jolley, Councilmember Dean Olsen, Councilmember Mark Packard, City Administrator Troy Fitzgerald, City Attorney John Penrod, and City Recorder Venla Gubler. Also present were: Community Development Director Fred Aegerter, Water Superintendent Shawn Barker, Public Safety Director Scott Finlayson, Power Director Leon Fredrickson, Operations Manager Rod Oldroyd, Buildings and Grounds Director Alex Roylance, Public Works Director Brad Stapley, and Library Director Pam Vaughn. Councilmember J. Niel Strong was excused.

**CALL TO ORDER**

Mayor Clyde called the meeting to order at 7:00 PM.

**INVOCATION AND PLEDGE**

Buildings and Grounds Director Alex Roylance offered the invocation. Councilmember Packard led the Pledge of Allegiance.

**APPROVAL OF THE MEETING'S AGENDA**

COUNCILMEMBER OLSEN MOVED TO APPROVE TONIGHT'S AGENDA AS WRITTEN. COUNCILMEMBER JOLLEY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

**APPROVAL OF THE MINUTES**

COUNCILMEMBER BIRD MOVED TO APPROVE THE MINUTES OF AUGUST 16, 2011 AND SEPTEMBER 6, 2011 AS WRITTEN. COUNCILMEMBER JOLLEY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

## MAYOR'S COMMENTS

Mayor Clyde welcomed scouts from Troops 124, 925, and 1459. He also welcomed planning students from BYU. He instructed members of the audience on how to address the City Council during the Public Comment section of the agenda.

## CEREMONIAL AGENDA

### 1. **Presentation of the October 2011 Mayor's Awards** – Suzy Young, ASAP Coordinator

Mayor Clyde noted that the ASAP Coordinator Suzy Young was excused. He introduced Ms. Stephanie Mecham to read the nominations. Ms. Mecham introduced Mr. Bryce Carter as the first nominee for the Mayor's Recognition Award in October. She read the nomination from Librarian Marilee Moon as follows, "Bryce Carter has been volunteering for me for five years, since I was the librarian at Grant Elementary School, when he was in sixth grade. He is an extremely kind, polite, intelligent student, who always has a smile for everyone. He really loves to volunteer, and really goes the extra mile to do whatever is asked of him. Last year, Bryce rode his bike to and from the library twice a week so that he could volunteer for several hours at a time. Luckily, this year he can drive, and he still found time to serve twice a week, even though he is a busy 16-year-old. Bryce is always on time, and always does what he is asked. This year, he became the technology specialist for library programs, and he helped set up all of the computer equipment for those programs. Throughout the years Bryce has helped with many jobs, including helping with program preparation, program counts, and program implementation. This year when I asked Bryce if he was doing anything *fun* for the summer, he replied that the most fun thing he did last summer was to help with the library programs. Bryce really puts his heart and soul into serving, and this year we were even able to get him to wear a silly hat."

The nomination for Ms. Sheldon Boone submitted from Mrs. Niki Fullmer, Student Government Advisor at Merit Academy, was read. "Sheldon is an exemplary student who always strives to be her best in whatever she does. She somehow maintains to keep top-notch grades while being heavily involved in theater, glee, student government, and helping out a lot within the home (she is the oldest of many siblings). As a student body officer, she strives to find ways to include everyone at school, so that they feel like they belong. Teachers know if they assign Sheldon something, it will get done, and done well because of her proactive nature. If Sheldon feels like she needs to improve in certain areas, she will do what it takes to get better. We are lucky to have Sheldon at our school!"

Ms. Mecham read the nomination for Hannah Collings from her teacher, Robyn Dunn, at Springville High School. "Hannah is currently volunteering her time as president of the Art Guild of the Springville Museum of Art. She is a motivated student who actively participates in her class discussions and other school activities. She has a positive outlook on life and does everything with 100% effort. She is very deserving of this recognition." Ms. Dunn added that she has really enjoyed having Hannah in her class this semester.

Ms. Kirsten Hollinger, counselor at Springville High School, submitted a nomination that was read for the Council, staff, and audience for Mr. David Goodrich as follows: "David is a

dedicated and hard-working student. He puts every effort into completing his goals, whether it be in school or outside of school. He is a masterful pianist and dedicates many hours honing his skills in this area. Anything David does he gives it 110%."

Ms. Mecham reported that Ms. Dolce Oliva as the next nominee for the Mayor's Recognition Award in October. The nomination from her teacher, Mike Johnson, was read as follows: "Dolce is a member of the *Latinos In Action* in our school and will be serving on the ASAP Committee. She maintains excellent grades and serves around school as a translator."

Mr. Jamison Moody was introduced as the next nominee by Ms. Mecham. The nomination from his Honors English teacher at Merit Academy, Mr. Nathan Jones, was read. "Jamison is inquisitive, his work is thorough and insightful, he's proactive about his grade, and he's a hard worker and goes the extra mile in all that he does. He's a great example to all of his peers of academic excellence, which is one of the tenets of our school."

The final nominee, Mr. Jayson Shipley, was introduced by Ms. Mecham. She read the nomination from his Merit Academy teacher, Elizabeth Webster, as follows: "Everyone loves Jayson because he is continually positive, without seeming cheesy; he works hard without sucking up to teachers; and he takes care of his concerns without annoying others. Other students admire his work ethic, his kindness, his talents, and his fashion sense. Jayson keeps up good grades, while still participating in many extra-curricular activities. He is constantly dancing, singing, acting, helping friends, and maintaining good grades. He is an asset to the school because of his good example of accepting others, utilizing talents, and being a good student. He seems mature beyond his years and knows what he wants in life. He also knows the value of kind words to those who may not receive them very often. Every student wants Jayson as a friend and every teacher wants Jayson as a student."

Pictures were taken of the group of award winners with their certificates, and gifts were handed to each one. Mayor Clyde commented that the purpose of the program is to recognize young people for the great things they are doing and to highlight good examples. He introduced part-time interns from BYU, Alicia Faulk and Natalie Lund to talk about the SMART Coalition. The young women reported that the Smart Coalition is sponsoring a Prescription Take Back event on October 29, from 10 AM to 2 PM at Allen's grocery store. They noted that prescription overdoses are the number one cause of unintentional deaths. They invited the Mayor to compete with other communities on the number of prescription pills collected, level of participation, and number of residents who dispose of prescriptions. They noted that a trophy would be awarded on Halloween at the Utah County Courthouse. Mayor Clyde thanked everyone in the audience for coming to see the awards presented, and asked the interns to work with Ms. Young on promoting the take back event. Councilmember Packard noted that the City has a permanent prescription collection site in the lobby of the Police Department.

## **PUBLIC COMMENT**

Mayor Clyde opened the meeting to public comment. Mr. Richard Trethaway commented that he feels the City Council has "blown" the bond election. He commented that he knows the

swimming pool is needed in the City but getting financing is difficult and expensive. He pointed out all of the development projects in the South Utah County area on hold because of the economy. He reported that the Utah County Treasurer has reported more property tax delinquency and more appeals than ever before. Appraised property value is going down. He suggested that the Council should hang on to the City's cash, look at running the City as the business, and not spend others' money. He thanked them for volunteering to improve the City, but he asked them to consider the City's money as their own money and to be frugal. He thanked the Council for listening.

#### **CONSENT AGENDA\***

- 2. Approval of all City purchase orders properly signed** (Springville City Code §2-10-110(5)).

COUNCILMEMBER PACKARD MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN. COUNCILMEMBER BIRD SECONDED THE MOTION, AND ALL VOTED AYE.

#### **REGULAR AGENDA**

- 3. Consideration of a property purchase agreement** – Brad Stapley, Public Works Director

Director Stapley reported that this item is to consider the purchase of property for an existing sanitary sewer lift station. He brought up an aerial photo on the overhead and pointed out the parcel on old South Main. He reported that the sewer lift station had been built in the 1960s on property that was not owned by the city. The sewer lift station was rebuilt in the 1980s. He noted that access is needed to the site as well as expansion room for the future. The property owner has agreed to split off .27 acres for the City. Councilmember Olsen asked if the pumps in the lift station are handling current loads. Director stably replied yes but that a larger wet well would be needed soon. Councilmember Jolley asked about the acreage needed. Director Stapley reported that .27 acres would be adequate. Councilmember Olsen asked how this situation had been found. Director Stapley reported that an audit of the sewer lift stations had uncovered the lack of ownership for this property. He added that the owners have agreed to sell for a good price.

COUNCILMEMBER JOLLEY MOVED TO APPROVE THE PURCHASE OF 0.27-ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1396 SOUTH MAIN, SPRINGVILLE, UTAH IN THE AMOUNT OF \$15,600, WHERE THE SOUTH SEWER PUMPING STATION IS LOCATED. COUNCILMEMBER OLSEN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

- 4. Consideration of an amendment to the Facility Use Policy** – Troy Fitzgerald, City Administrator.

Administrator Fitzgerald reported that the current facility use policy provides three classes of users. The intent of this amendment is to provide for use of the new library. He pointed out information from other cities was included in the package given to the Councilmembers. He pointed out suggested use rates for the multiuse room and conference room, as well as cleaning rates for when food is allowed. He noted that the suggested rates are below the actual cost to promote use by the public. Councilmember Jolley verified that Class II is the nonprofit users. This was confirmed. Mayor Clyde pointed out that the policy says Class I users will be charged amounts set city regulation. He asked if those regulations have been created. Administrator Fitzgerald replied yes, and noted the budget included a comprehensive fee schedule.

Councilmember Packard noted that the upstairs room in the library had not been included in the policy. He suggested that this room be included, and noted that many people will want to use such a nice space. Administrator Fitzgerald agreed but noted that this is future expansion area for the library. The library staff would like to see how the library programs are functioning before they include this space for rental possibilities. Councilmember Packard asked the recommended rental fee if this space was included. Administrator Fitzgerald commented that minimum blocks of time have been used in order to help pay supervisory and maintenance staff. He also noted that this rental space would be competing with the Museum. Councilmember Packard asked the rental fees at the Museum. Administrator Fitzgerald replied \$1000, with discounts possible.

Mayor Clyde suggested that the public should have the opportunity to use rooms in library. He pointed out that many community groups do not have cash, but they freely volunteer their time. He commented that he feels if a group is doing something for the good of the community, they should have use of public rooms. He suggested that an interesting approach could be something similar to the Salt Lake City policy. If the public is invited, there is no fee. He would like to see rental space used for the good of the public and not priced out of their range.

Administrator Fitzgerald commented that the city would need a good definition for "good of the public." He offered as an example the Quilters Association meetings that are "open to the public." He also pointed out that the free time offered in City Hall on Tuesday nights is very popular. Other open rental time, where the city charges, is not as popular. He also noted heavy use by quasigovernmental agencies. He added that there are not many that want to pay for their use. Director Vaughn reported that Salt Lake City has hired three full-time workers to schedule public rooms in their library, even with recommendations to do their own set up and take down and not provide the use of technical support.

Mayor Clyde suggested that he would like to see community use of city facilities built into departmental budgets. He agreed that the defining "public" and "good of the public" could be a challenge. He suggested that city facilities should only be free if the public at-large is invited. Director Vaughn agreed that a piano recital should be treated differently than a gathering for the education of the public.

Mayor Clyde pointed out that the multipurpose room on the main floor is designed to be used while the library is closed. The upstairs is different because there is no way to close the library and allow use of that room. An attendant would be needed, and noise may become a problem. He added that there is no kitchen upstairs either. However, it is a beautiful room. He asked if the Council had any feeling or discussion on the suggested rates. Councilmember Jolley replied that he feels the suggested rates are reasonable. He noted, though, that the upstairs room is two and half times the size of the downstairs room. He also understands the librarian's desire to see how the new library operates before opening the upstairs to rentals. Councilmember Bird indicated his willingness to adopt the current resolution, without the upstairs room. He suggested that this rental rate can be considered later. The Council discussed size, use, and functionality differences for the rooms on the main level and the second level in the library. Mayor Clyde suggested \$800 for the upstairs library room since the museum was \$1000. Councilmember Bird suggested that it was important to allow the librarians time to move in and adjust to the new library. He noted that fees can be adjusted later.

Administrator Fitzgerald pointed out features of the facility use policy. He noted that rooms may be scheduled only three months in advance in order to allow City use of facilities as well. Discussion was held on insurance requirements, discounts for residents, use of technology, and maintenance. Administrator Fitzgerald reported a concern about maintenance, and suggested a sinking fund in the general reserves to pay for scheduling staff, cleaning, and other maintenance. Mayor Clyde asked if the rental money would go into the library fund. He suggested that the rental money could be used to address Administrator Fitzgerald's concerns.

COUNCILMEMBER PACKARD MOVED TO ADOPT THE UPDATED SPRINGVILLE FACILITY USE POLICY AND TO ENACT RESOLUTION #2011-26 ESTABLISHING FEES FOR THE USE OF CERTAIN FACILITIES, INCLUDING THE NEW LIBRARY WITH MODIFICATIONS AS FOLLOWS: DO NOT ALLOW THE USE OF THE UPSTAIRS ROOM IN THE LIBRARY WHEN CLOSED; THE CLASS I RATE SET PER CITY REGULATIONS; THE CLASS III RATE AT \$800 PER BLOCK OF TIME; AND THE CLASS II RATE SET AT \$640 WITH AN ADDITIONAL 20% DISCOUNT FOR RESIDENTS. COUNCILMEMBER BIRD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: COUNCILMEMBER BIRD – AYE; COUNCILMEMBER JOLLEY – AYE; COUNCILMEMBER PACKARD – AYE; AND COUNCILMEMBER OLSEN – AYE. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT (COUNCILMEMBER STRONG).

**5. Approval of a bid award and contract with KGB Construction, LLC for the Bartholomew Chlorination Station Project in the amount of \$89,639.00 – Shawn Barker, Water Superintendent**

Water Superintendent Shawn Barker reported that a sample had tested positive for coliform bacteria in spring of 2010. A temporary chlorinator had been installed at that time. Plans have been made for a permanent solution but budget restraints have put off the project until

this year. He reported that costs have been cut by preparation work completed by his staff. He presented an aerial view of the project area, and the site plan. Administrator Fitzgerald reported that this project is for Hobble Creek Canyon water users only. Water coming into Springville City is already chlorinated. Superintendent Barker reviewed the site plan with the Council. Mayor Clyde noted that there were only two bids received for the project. Superintendent Barker confirmed that only two bids have been received by the City.

COUNCILMEMBER BIRD MOVED TO AWARD THE BARTHOLOMEW CHLORINATION STATION PROJECT TO THE LOWEST RESPONSIBLE BIDDER, KGB CONSTRUCTION, LLC, AND AUTHORIZE THE SIGNING OF A CONTRACT IN THE AMOUNT OF \$89,639. COUNCILMEMBER JOLLEY SECONDED THE MOTION, AND ALL VOTED AYE.

### **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

Mayor Clyde asked if there were any reports. There was none.

### **CLOSED SESSION**

6. *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**

COUNCILMEMBER PACKARD MOVED TO ADJOURN THE MEETING AT 8:04 PM. COUNCILMEMBER JOLLEY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.