MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, AUGUST 02, 2016, 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 Jason Miller, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle and City Recorder Kim Rayburn.

Also present were: Public Safety Director Scott Finlayson, Buildings and Grounds Director Alex Roylance, Public Works Director Brad Stapley and Operations Manager Rod Oldroyd.

CALL TO ORDER

Mayor Clyde welcomed everyone and called the meeting to order at 7:05 p.m.

INVOCATION AND PLEDGE

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

APPROVAL OF THE MEETING’S AGENDA

COUNCILMEMBER CONOVER MOVED TO APPROVE THE MEETING’S AGENDA WHILE POSTPONING ITEM NUMBER (3) PUBLIC HEARING UNTIL THE NEXT REGULAR MEETING.

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 was none.

CONSENT AGENDA

1. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
2. Approval of the minutes for July 14, 2015 combined Work/Study and Regular meeting; August 04, 2015 Work/Study meeting; May 17, 2016; June 07 and July 12, 2016 Work/Study meetings.
COUNCILMEMBER CHILD MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.
COUNCILMEMBER SORENSEN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING
3. Public Hearing to consider a proposed amendment to the Land Use Map of the General Plan from Commercial/Residential Option 1-3 to Medium and Medium-High Density Residential; and an amendment to the Official Zone Map from HC-Highway Commercial and L-IM – Light Industrial Manufacturing to the RMF-2, RMF-1 and R1-5 Multi- and Single-Family zones, for 45.5 acres of property in the area of 750 North 1750 West – Fred Aegerter, Community Development Director

Public Hearing continued to the next regular meeting on August 16, 2016.

REGULAR AGENDA
4. Consideration of the Hobble Creek Restoration Project plans in Community Park – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported on a previous agreement with the US Government regarding the Hobble Creek Restoration Project. Attorney Penrod cautioned once the agreement is approved it is done and they are planning to start work next week.

Councilmember Child asked what happens if they do not live up to their end of the agreement. Attorney Penrod replied it can be binding, but to keep in mind once approved it is done.

Attorney Penrod turned the time over to Building and Grounds Director Alex Roylance. Director Roylance provided information on the restoration project and the new proposed channel. He explained they will be using native plants and materials similar to what is up the canyon. Grasses will be similar to mountain meadows but not tall grasses as well as low maintenance plants.

Councilmember Child asked who will maintain the weed problem. Director Roylance replied if that happens the City will take care of the weeds. Grasses in the stream bed will be low growing and can be mowed down if needed. He then provided information on the types of trees and shrubs to be used while being interspersed with wildflowers. The property will be enhanced and will allow access to the creek as well as trail space on both sides of the creek.

Attorney Penrod asked about the sprinkling system. Director Roylance stated they were given an option to use pumps from the creek and would need to pay the City for the irrigation, at this time they have not confirmed to use the irrigation. He explained the species should be fine without water once established. Part of the project includes the time for establishment of plants.

Attorney Penrod commented there is a verbal approval from the power company and asked if there was something in writing regarding plantings under the power lines. Director Roylance replied the power company specified it could only be a certain height and will need to get it in writing.

Mayor Clyde thanked Director Roylance for his time with the City and wished him the best in his retirement.
COUNCILMEMBER CONOVER MOVED TO APPROVE THE PLAN OF THE
RESTORATION OF HOBBLE CREEK BY COMMUNITY PARK AS PRESENTED IN THIS
MEETING.
COUNCILMEMBER MILLER SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

5. Consideration of a franchise agreement with UTOPIA – John Penrod, Assistant City Administrator/City Attorney

City Attorney Penrod reported the Franchise Agreement up for approval tonight is different compared to the previous types of franchise agreements presented to the Council. He described the type of franchise agreement UTOPIA is seeking will provide for individual customers and the infrastructure will underground.

Attorney Penrod then introduced Roger Timmerman with UTOPIA. Mr. Timmerman explained their process of underground infrastructure and possible future pole attachments when available. He reported they will not be disturbing roads or sidewalks and will not require any excavation permits. Public Works Director Stapley commented over time it can affect roads because it requires cutting a hole in the road.

Councilmember Child asked how many fiber companies are in Springville. Attorney Penrod replied approximately five and explained if UTOPIA pulls out the fiber then becomes Springville’s.

Councilmember Sorensen asked to explain how this differs from other cities as it relates to UTOPIA. Attorney Penrod reported the City does not have the risk other than use of the right of way.

Councilmember Sorensen clarified the City was not joining UTOPIA. Mr. Timmerman replied this is treated as another telecommunication company. The city is not joining UTOPIA and they have many agreements with other cities that are not UTOPIA customers. He went on to explain last fall UTOPIA broke even last year and is covering their debt while connecting several hundred customers. However this is not that discussion.

Attorney Penrod stated a concern staff has is the City may not see anything fee wise out of this agreement and may be something to think about. Mr. Timmerman reported any service providers are required to follow the state requirements for fees and it’s hard to say what fees will come in, because it is a moving target.

Councilmember Creer asked if they want to come back will they need another agreement. Attorney Penrod replied they will need to get the required permits. Mr. Timmerman stated they are interested in expanding and feel it will be a good thing for the City and they are willing to work with the City.

Councilmember Sorensen commented it is important we understand everything and ask staff of any concerns. Administrator Fitzgerald stated this will continue as we add more and more providers, as a part of growth and will need to consider the road impact.

Councilmember Conover stated he was fine with the agreement. Administrator Fitzgerald observed others are required to connect, where this does not. They will receive access to the right of way and provide for their customer.

Administrator Fitzgerald commented he would like to discuss access to high speed internet in a future work session.
COUNCILMEMBER CREER MOVED TO APPROVE THE FRANCHISE AGREEMENT WITH UTOPIA.
COUNCILMEMBER SORENSEN SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS
Councilmember Conover suggested a second mailing to those affected by the PI (Pressurized Irrigation) metering. Councilmember Stapley replied they have not given a specific date while council agreed to September 30, 2016. His staff has been tracking who calls in and any complaints, the website has received 2500 hits and over 400 have been connected to the PI system with very few complaints.

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 CREER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 8:00 P.M. COUNCILMEMBER CONOVER SECONDED THE MOTION, AND ALL VOTED AYE.

This document constitutes the official minutes for the Springville City Council Regular meeting held on Tuesday, August 02, 2016.

I, Kim Rayburn, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday, August 02, 2016.

Kim Rayburn, CMC
City Recorder