Minutes of the Work/Study Meeting of the Springville City Council held on May 08, 2018 at 5:30 P.M. in the Multipurpose Room at the Civic Center, 110 South Main Street, Springville, Utah.

Mayor Richard J. Child presided. In addition to Mayor Child, the following were present: Councilmember Christopher Creer, Councilmember Craig Jensen, Councilmember Brett Nelson, Councilmember Mike Snelson, City Administrator Troy Fitzgerald, Assistant City Administrator/Legal Director John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, Deputy City Recorder Jennifer Grigg and City Recorder Kim Rayburn.

Also present were: Administrative Services Manager Rod Oldroyd, Power Director Leon Fredrickson, Public Safety Director Scott Finlayson, Community Development Director Glen Goins, Public Works Director Brad Stapley, Golf Pro Craig Norman, Library Director Dan Mickelson, Recreation Director Corey Merideth, City Engineer Jeff Anderson, Facilities Superintendent Joel Bree, Power Distribution Superintendent Brandon Graham and Buildings and Grounds Director Brad Neel.

Excused: Councilmember Jason Miller and Museum of Art Director Dr. Rita Wright

CALL TO ORDER- 5:30 P.M.
COUNCIL BUSINESS
1. Calendar
   • May 12 – Springville Museum of Art Annual Art Ball – 6:00 p.m.
   • May 15 – Council Meeting Cancelled
   • May 16 – Clyde Recreation Center Ribbon Cutting 7:00 p.m.
   • May 19 – Bike with the Mayor 9:30 a.m.
   • May 28 – Memorial Day Observed (City Offices Closed)
   • Jun 05 – Work/Study 5:30 p.m./Council Meeting 7:00 p.m.

Mayor Child added May 18 as the Police Banquet and May 14 Administration tours the CRC between 5:00 and 9:00 pm.

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.
2. Approval of a Resolution and Agreement with the Hut Group for concessions at CRC
   – Corey Merideth, Recreation Director
3. Approval of a Resolution and purchase of a Digger-derrick Line Truck from Altec
   Industries in the amount of $203,804 – Brandon Graham
4. Approval of a Resolution and contract with Rockin B Rodeo to provide stock for the
   Art City Days Rodeo – Corey Merideth, Recreation Director
5. Approval of a Resolution and contract with Camberlingo – Jeff Anderson, City
   Engineer
6. Approval of a Resolution and agreement for Springville City to purchase two acres of
   property located at approximately 500 North 1500 West, Springville, Utah – Brad
   Stapley, Public Works Director

Mayor Child requested discussion on Consent items 2, 4, 5 & 6.

Director Merideth explained the Hut Group Concession contract. Their products include
power drinks, protein drinks for fitness people. Councilmember Jensen clarified that the
concession stand would sell more than protein drinks. Councilmember Nelson asked about the
Provo Recreation Center concession stand. Director Merideth answered that The Concession
stand at the Provo Recreation Center struggled financially. He added there would be food trucks
for swim meets. The Hut Group has a store in Pleasant Grove and was bought by a British
company. Councilmember Nelson asked about manning it. Director Merideth answered the hours
will be 7 am to 9 pm at night. It will be a satellite store for the brand, with the City receiving 6%
month. His wife spends $300 a month on their product.

Director Frederickson said the Digger-derrick Line Truck will take 300 days to deliver,
with payment due on delivery.

Director Merideth answered the Mayor’s questions about the $7500 total for the contract
with Rockin’ B’ Rodeo to provide stock for the Art City Days Rodeo. He stated that last year’s
contract was $7200 total. Attorney Penrod explained the Hobble Creek Riding Cub provides
volunteers and all insurances fall under the City. The contract is for the stock provider who
indemnifies us.

Engineer Anderson presented on the Camberlingo development project. Quail Valley
Subdivision Plat B, in the general area of 1500 West 300 North, calls for a retention basin. The
plan is for the City to purchase the property and turn it into a regional pond. This contract deals
with frontage improvements. A bore under the railroad tracks is required.

Improvements will include curb and gutter, 6-inch deep sidewalk, a 6-inch PI line, a 10-
inch water line and holding off on road improvements while the development to the north builds
storm drains. The budget is $40,000. Camberlingo will complete some improvements up to
$209,000. We have the balance in impact fees. The agreement states we cover the remainder.

Attorney Penrod presented on the purchase of two acres for the retention pond for the
price of $250,000 total. There is a stumbling block. Mr. Harmer wants to keep a well right
associated with this property. There is also a nice garage, which we get in the current contract,
but he wants to retain it to salvage it. In full discloser, Attorney Penrod stated that Mr. Harmer is
his wife’s uncle and though he will write the agreement, he wants to remove himself for making
decisions. Director Stapley stated the City and Mr. Harmer have negotiated for years. This parcel
is critical because of its location. Continuous negotiations are frustrating. The City does not need the water right, but the garage has significant value. The storm drain is critical to what we are trying to do in the area. If we wait any longer, the terms are going to change again. The garage doors are worth a few thousand each. Administrator Fitzgerald clarified it is premature to decide because the contract is not settled. These two other issues (the water right and the garage) need to be under the jurisdiction of someone other than Attorney Penrod. He asked how much the garage means to the City. Director Stapley stated every day the agreement is delayed, the price goes up. Mr. Harmer wants six months to tear down the garage. Engineer Anderson stated Camberlango will not start for six months. Director Stapley suggested including a six-month deadline in the agreement. Councilmember Jensen stated the garage belongs to the City after six-months.

Administrator Fitzgerald stated that when Council passes the consent agenda, there needs to be a motion to change this item and address it separately. Councilmember Creer asked if Mr. Harmer is responsible to take his garbage out after the salvage. Engineer Anderson suggested the agreement stipulate Mr. Harmer be responsible for hauling out the concrete with the garage.

COUNCILMEMBER SNELSON MOVED TO APPROVE THE CONSENT AGENDA ITEMS 2-5 AS WRITTEN. COUNCILMEMBER JENSEN SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CREER AYE
COUNCILMEMBER JENSEN AYE
COUNCILMEMBER NELSON AYE
COUNCILMEMBER MILLER ABSENT
COUNCILMEMBER SNELSON AYE

CONSENT AGENDA ITEMS #2-5 AND, RESOLUTION #2018-14; RESOLUTION #2018-15; AND RESOLUTION #2018-17 APPROVED.

Mayor and Council decided to come back to item #6 after Attorney Penrod returned with the changes.

DISCUSSIONS/PRESENTATIONS

a) Engineering Standards and Specifications – Jeff Anderson, City Engineer

Engineer Anderson presented a discussion on Engineering Standards and Specifications because new state legislation changed the requirements. Now engineering standards and specs are required to be in the code. Any changes to standards and specifications will be brought before the City Council and added to the City Code. He explained that standards and specifications insure quality. He quoted Director Stapley who says, “We don’t build ruins.” With the standards and specifications in the City code online, contractors will know what is expected. The City also holds our crews to the specs as well. Roadway material is spelled out as well as water and pressurized irrigation. An example is the pipe for pressurized irrigation is purple pipe to avoid cross connects. Councilmember Nelson asked if a developer uses the specifications for culinary pipe. Engineer Anderson answered yes; the developer must meet the standards or be
rejected. Administrator Fitzgerald stated it is important to ask if this is good for the community or too hard on the developer. Councilmember Nelson asked if this idea is standard. Director Stapley answered an example is Springville City has a standard of 6 inch sidewalks instead of 4 inch sidewalks. Engineer Anderson stated a contractor saves money with the one-year warranty inspection with replacements required of the contractor decreasing from 20% to 5%. Springville City requires concrete pipe in our infrastructure and balances requirements with new technology and the construction industry. Mayor Child asked about culinary pipe in the west fields. Engineer Anderson stated there is hot soil out there, so PVC works because it resists corrosion. The east side of town can have ductile iron. Copper pipes can be in the service to the house, but not in the road.

Engineer Anderson stated the City has holistically adopted the APWA (American Public Works Association) specifications as a default when we have not written specifications specific to Springville. APWA publishes updates every few years and we adopt their specifications as a fall back. Updating specifications keeps up with technology and industry changes. An example is Springville City was requiring a one-inch aggregate for road base, which is not available in Utah County. APWA standards require ¾ inch to 1 ½-inch aggregate for road base. UDOT requires 1 ½-inch road base. This cost contractors extra to travel Salt Lake. Staff discussed the 1 ½-inch requirement with the superintendent and UDOT and decided to allow either to make it easier for contractors and our own superintendent. Staff meets with each of the superintendents to check redlines and update specifications once a year. An example of a change is larger radius curves so trucks will not mount the curb and wreck the landscape.

At the conclusion of Engineer Anderson’s presentation, Mayor Child noted that the Council was waiting on the changes to item #6 and the meeting would continue on to the discussion with department directors.

8. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS
   b) Discussion with Department Directors

Director Riddle stated the final budget will be on the agenda in the first week of June and it will be mostly unchanged. Any changes will be drawn out and discussed.

Director Mickelson stated the library is busy prepping for the summer reading program. Mango Languages is an online service with easy access to 70 languages. The most popular languages in the past few months were Korean, Japanese, Egyptian Arabic, Spanish and French.

Councilmember Nelson commented that he spent a few minutes with Director Mickelson, who has contracted the Food Truck Roundup with an outside agency. The library still gets its money and there are other trucks coming. Director Mickelson is a real creative guy, a good manager and a good leader. Director Mickelson added that Community Development and Urban Forestry attended an activity last Friday with about 400 people and he invited the Council to attend next week.

Chief Finlayson stated the Drug Take Back event collected about 55 lbs. There is a struggle getting rid of drugs and guns. A Layton metal smelter is closed down. Every police agency in Utah used it. Staff is now struggle with where to dispose of illegal drugs and weapons. DEA (Drug Enforcement Agency) has agreed to take all drugs, up to 500 lbs. a year. Staff is still struggling with how to get rid of guns. The law requires staff to sell the guns. Mr. Oldroyd
suggested asking Clair Anderson if the City could use their foundry. USU (Utah State University) built an animal lab by the animal shelter, where there is a crematorium, but they were overwhelmed by the entire county using them and they put an end to that.

There was an armed robbery at Betos this week. Staff assisted Utah County with a suicide at the diversion dam in the canyon, a sad situation.

Councilmember Nelson asked about new police officers. Chief Finlayson stated the newest officer was sworn in today. Staff is still down one officer. Tomorrow is testing with 24 applications, 12 testing and probably six will show up.

Mayor Child brought the Council back to the consent agenda with the changed wording for item #6 leaving the approval of the contract to Administrator Fitzgerald. Director Stapley asked about a deadline.

COUNCILMEMBER NELSON MOVED TO APPROVE A RESOLUTION #2018-16 APPROVING THE PURCHASE OF TWO ACRES OF PROPERTY LOCATED AT APPROXIMATELY 500 NORTH AND 1500 WEST FOR USE AS A STORMWATER RETENTION BASIN. COUNCILMEMBER SNELSON SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CREER  AYE
COUNCILMEMBER JENSEN  AYE
COUNCILMEMBER NELSON  AYE
COUNCILMEMBER MILLER  ABSENT
COUNCILMEMBER SNELSON  AYE

CONSENT AGENDA ITEM #6 AND RESOLUTION #2018-16 APPROVED.

Mayor Child stated he is really happy with the progress of the Clyde Recreation Center and has heard lots of good things. Director Meredith reported there are two meetings left for Art City Days. He continued by reporting the furniture and equipment for the Clyde Recreation Center is arriving and inspections are in process. There will be two days of training then soft openings begin. Mayor Child added soft openings are a good idea.

Mr. Norman announced he received the full amount of County money for the remodel. The Golf Course is busy when sun is out. Director Riddle stated staff held off on the landscaping until the final money arrived. Councilmember Jensen asked about increasing parking. Director Riddle said no. Mr. Norman continued by stating interviews for the new superintendent start tomorrow and the corporate season kicks off with the Clyde event. The course looks great with the changes Golf Course Superintendent Carlyle implemented and it is as good as he has ever seen.

Director Neel reported staff is training on CRC systems. Purchase Orders are in place for two HVAC units in the Whitehead facility including an epoxy pouring, a Fire Alarm system at the Museum and upgrades to the windows at the Museum. Facilities Superintendent Bree is doing a great job. The second phase of Bartholomew Park received asphalt for the west side turnaround as well as sod. Staff is ready for the masses, which are starting already. Parking is
enforced from May 1 to September and signage installed. Residents in the neighborhood were concerned with the number of signs and took half of the signs out. Director Stapley expressed gratitude to Chief Finlayson for his help in this process.

Councilmember Snelson asked about purchasing a nonresident pass on site. Residents are required to come to the Civic Center to get the resident’s pass. Residents are appreciative of the parking restriction. Bird Park playground equipment installation is going well. Mother’s Day Cemeteries preparations are in place and staff is aware of how important that day is. Staff is training on standards of excellence. There are areas where we need some improvement. Some improvements include rearranging schedules and improving processes.

Director Frederickson stated staff is getting ready for summer by making sure the substations, generation and wires are ready.

Director Goins reported on a DRC (Development Review Committee) meeting w/Taco Bell last week. Power Distribution Superintendent Graham attended as well as the Wadsworth property owner to discuss power easements and future development to the north and east. He continued by reminding the Council about discussing the Hobble Creek Trail easements several months ago. Director Neel, City Surveyor Travis Anderson and Director Goins are working on a proposal to bring before the Council. However, property owners, the Bowmans, who instigated the discussion, have a site plan that will not fit because of the trail easement. The Board of Adjustments denied their application for a variance. Engineer Anderson is working with them but they are constantly asking for updates on whether the City is willing to vacate that easement. Director Goins continued by telling the Council that he will come before Council again with a proposal to adjust that portion of the property. It comes down to the Council must decide to get rid of the easement, or call it due where property owners built over top of the City’s easement when the property owner knew the easement exists. If the City exerts its right and builds a trail, it will be within 10-15 feet of the homes. Director Goins stated it becomes political and he does not know the will of the Council. The Bowmans are very vocal and want resolution. Director Goins stated changing the General Plan takes time. Attorney Penrod added it is not a simple process. If the Council wants staff to adjust the location of the recreational trail, it will require a General Plan Amendment, the proposal goes back to the Planning Commission and it is a 3-6-month process if not longer. Councilmember Nelson asked if staff has started building the trail. Director Goins added staff is researching easements along the proposed trail to determine which ones are easy keeps, which ones are a bit difficult and which ones are nearly impossible to call due.

Councilmember Snelson recalled that he attended the Board of Adjustment meeting and the Bowman property has a problem dealing with the flood plan developed by FEMA (Federal Emergency Management Agency.) Attorney Penrod answered it was an issue, but Engineer Anderson will help them to get around the issue. Engineer Anderson met with FEMA several times. FEMA agreed that based on a recommendation from the City Flood Plain Administrator, FEMA feels it could work. It is not a $20,000 option. It just involves the Bowmans installing fill to raise the property, which removes their property from the flood plan, and allow them to build a home with a basement. City staff is giving them whatever support possible, but the trail is a separate issue. Director Goins stated these easements are not called due, so staff needs direction from Council on how to treat these easements where people have built over them. Councilmember Nelson expressed it is the trail, and asked if the City is calling the easements
due. Attorney Penrod answered if Council wants, staff will change the General Plan and present it to the community and the Planning Commission. Director Goins stated our rule is to get the trail easement and preserve it.

Councilmember Nelson asked why this has languished so long. He continued by asking why have people already built fences through the easement assuming it is their property. Administrator Fitzgerald answered the Council has repeatedly left the language in place to leave the easement there. When talking about this specific area in Hunter’s Valley, there are legal questions about how the easement went into play regarding those specific properties. The owners in general know that they have built on the easement. The City has not budgeted to construct the trail. Councilmember Nelson asked when the City says this easement needs to be preserved, does staff tell the owner that they cannot build a fence on the easement. Attorney Penrod answered that where the trail has been installed, staff missed the easement, 15-20 years ago. Several property owners notified the City that the installed trail missed the easement.

Administrator Fitzgerald added that staff needs to present the full history of Hunters Valley. Attorney Penrod stated the discussion started in November, staff will bring it back to a work session. Councilmember Nelson asked that there be a recommendation from staff. Administrator Fitzgerald answered the challenge is this is a hot issue and most the staff is on opposite sides of the fence considering this dilemma. Some ideas are letting go of what the City owns and has built. One idea is creating a 30-50-90 year plan for the trail. Another idea is using eminent domain. The public feels very strongly about the trail. Attorney Penrod added that the State law just changed, removing the use of eminent domain for trails. Provo got all property for trails and parks along the Provo River before the imminent domain law changed. Administrator Fitzgerald explained that the current General Plan counted on using the imminent domain law. There are places along the proposed trail where one house is blocking half a mile of trail on both sides. The law could change again, depending on the legislature.

Councilmember Nelson stated there is no sense in kicking the ball down the road. Administrator Fitzgerald argued that the can has not been kicked down the road. Council has said here is our policy and position on this matter. In the past, the Council decided to keep easements, for the long-term, waiting for the law to change, and property to go for sale. Councilmember Nelson disagreed, stating the City needs to put a stake in the ground because it is not fair to the citizens, who built knowingly, Mayor Child added that there are people who want the trail. Administrator Fitzgerald stated staff will definitely bring this back to Council after some time to gather data.

Director Stapley reported on new sidewalks around town, center-flashing lights on Main Street and the spring flows are down. UDOT suggested a 5-foot bike lane to McDonalds from Center Street it would involve an expanded buffer zone for bikes with no street parking north of Center Street. He asked if Council wanted him to battle with UDOT to require a buffer. Councilmember Snelson stated the law requires 3 feet between a car and cyclist. He asked if there is enough space in the current travel lane. Director Stapley told UDOT Council would want to keep the parking. Administrator Fitzgerald stated staff can get back to Council when UDOT returns with more data. Councilmember Jensen asked about the trail on 1200 West and if UDOT would fund the bike lane from Spanish Fork to Provo. Director Stapley answered this funding is from 400 South to 1600 South. If MAG finds more money, it could run to Spanish Fork and to
550 North in Provo. Director Neel stated Heritage Park relies on street parking. Administrator Fitzgerald clarified that the Council wants to continue parking on Main Street north of Center.

Councilmember Snelson question parallel parking in front of residence. Chief Finlayson noted his request. Administrator Fitzgerald noted other locations where it is a problem. Councilmember Jensen asked for public education concerning water shares, water rights purchasing water. He continued with questions on accessory apartments. Attorney Penrod stated four unrelated people, who share a common household can live in your home. Five or six years ago the Planning Commission recommended allowing accessory apartments, but the Council declined.

Councilmember Nelson asked if the letter to the solid waste district went out. Director Stapley answered Administrator Fitzgerald will get a draft out tomorrow morning.

Councilmember Nelson reported that Youth City Council is up and running and helped at the Police Banquet. He told a cute story about a group of teenagers that asked for the speed limit in Brookside to be changed to 45 mph because of the short time for lunch.

Engineer Anderson answered traffic studies and results are coming to Council soon.

a) Commission, Board, and Committee Minutes
   i. Emergency Preparedness Committee minutes for February 15, 2018
   ii. Springville Public Library Board minutes for March 08, 2018
   iii. Spanish Fork/Springville Airport Board minutes for March 01, 2018
   iv. Water Board minutes for January 09, 2018

d) Mayor and Council Reports

10. CLOSED SESSION, IF NEEDED – TO BE ANNOUNCED IN MOTION

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

COUNCILMEMBER CREER MOVED TO ADJOURN THE CITY COUNCIL WORK/STUDY MEETING AT 6:42 P.M. AND CONVENE IN CLOSED SESSION TO DISCUSS PURCHASE OF REAL PROPERTY. COUNCILMEMBER SNELSON SECONDED THE MOTION AND THE VOTES IS RECORDED AS FOLLOWS:

COUNCILMEMBER CREER AYE
COUNCILMEMBER JENSEN AYE
COUNCILMEMBER NELSON AYE
COUNCILMEMBER MILLER ABSENT
COUNCILMEMBER SNELSON AYE

ADJOURNMENT

COUNCILMEMBER CREER MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 7:00 P.M. COUNCILMEMBER SNELSON SECONDED THE MOTION, AND ALL VOTED AYE.
This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, May 08, 2018.

I, Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting Deputy 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, May 08, 2018.

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Jennifer Grigg
Deputy City Recorder