



**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SPRINGVILLE, UTAH
COUNCIL CHAMBERS, 110 SOUTH MAIN STREET
DECEMBER 02, 2014 – 7:00 P.M.**

The following are the minutes of the Regular Meeting of the Springville City Council. The meeting was held on **Tuesday, December 02, 2014, at 7:00 p.m.** in the Springville City Civic Center Council Chambers, 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 Pro Tem Creer presided. In addition to Mayor Pro Tem Creer, the following were present: Councilmember Rick Child, Councilmember Dean Olsen, Councilmember Craig Conover, 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, Museum of Art Director Dr. Rita Wright, Public Works Director Brad Stapley, Library Director Pam Vaughn, Community Development Director Fred Aegerter and Recreation Director Charles Keeler. Excused from the meeting, Mayor Wilford W. Clyde.

CALL TO ORDER

Mayor Pro Tem Creer welcomed those present and called the meeting to order at 7:01 p.m.

INVOCATION AND PLEDGE

Councilmember Child gave the invocation and Councilmember Creer lead the audience in 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. ALL VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MAYOR'S COMMENTS

Mayor Pro Tem Creer welcomed those in attendance and explained the process of Public Comment. Mayor Pro Tem Creer opened the Public Comment section of the agenda.

There was none.

CONSENT AGENDA*

1. Approval of all City purchase orders properly signed (Springville City Code §2-10-110(5))
2. Approval of Minutes – November 18, 2014 Regular City Council Meeting
3. Final plan approval for Duck Creek Estates, Phase II, a density bonus development located in the R2/Westfield's Overlay Zones at about 225 South 950 West – Fred Aegerter, Community Development Director
4. Final plat re-approval for the remaining phases of the Brookline Condominiums located at 2600 west 500 south in the RMF-2, Residential Multi-Family Zone – Fred Aegerter, Community Development Director
5. Approve a motion declaring the equipment listed in the attached Exhibit A to be surplus property and authorizing its disposal according to the Surplus Property Policy – Bruce Riddle, Assistant City Administrator/Finance Director

COUNCILMEMBER CREER MOVED TO APPROVE THE CONSENT AGENDA WITH AN AMENDMENT TO ITEM #3; APPROVING CONTINGENT UPON MEETING THE PLANNING COMMISSION'S RECOMMENDATION.

COUNCILMEMBER CONOVER SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

REGULAR AGENDA

6. **Consideration of entering into a Pole Attachment Agreement with CenturyLink** – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod explained the last time Springville City entered into a pole attachment agreement with CenturyLink was over 50 years ago, on January 15, 1959. At that time, Springville and Mountain States Telephone and Telephone Company, CenturyLink's predecessor, used each other's poles on a more equal basis than they do today. Today, CenturyLink is attached to 1619 of Springville's poles, and Springville is attached to 40 of CenturyLink's poles. Furthermore, back in 1959, the going rate per pole was \$3.00, which is extremely low for today's standards. With the agreement the City will receive an increase from \$3 per pole to \$17 per pole that CenturyLink attaches its infrastructure to.

Attorney Penrod noted that Power Department staff has marked all poles owned by the City and those that are CenturyLink's. He informed the Council; CenturyLink has been involved in the discussions and is aware of the changes

COUNCILMEMBER CHILD MOVED TO APPROVE THE PROPOSED POLE ATTACHMENT AGREEMENT BETWEEN SPRINGVILLE AND CENTURYLINK.

COUNCILMEMBER OLSEN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

7. Consideration of entering into a Pole Attachment Agreement with Comcast – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod noted this agreement is similar to the CenturyLink agreement. The purpose of the proposed agreement is to provide the terms and conditions for Comcast to utilize Springville City's utility poles.

COUNCILMEMBER SORENSEN MOVED TO APPROVE THE PROPOSED POLE ATTACHMENT AGREEMENT BETWEEN SPRINGVILLE AND COMCAST.

COUNCILMEMBER CONOVER SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

8. Consideration of a Resolution that is encouraging the State of Utah to address comprehensive transportation funding – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod explained the Utah League of Cities and Towns have asked cities throughout the State to consider the proposed subject resolution to help the League's efforts in promoting comprehensive transportation funding options with the State legislature. Their hope is to have all Cities pass the Resolution by January 2015. Attorney Penrod noted fifteen cities have passed the resolution and it is expected there will be more in upcoming meetings.

Attorney Penrod remarked one of the main concerns the League is trying to address is that, because of a rapidly growing population and aging road infrastructure, cities are using a greater portion of their general funds on road construction, operation and maintenance. This use of more and more general fund dollars is preventing cities from adequately funding other important services.

Councilmember Sorensen stated he is concerned the legislature will take funding.

COUNCILMEMBER OLSEN MOVED TO APPROVE **RESOLUTION #2014-19** THAT ENCOURAGES THE STATE OF UTAH TO ADDRESS COMPREHENSIVE TRANSPORTATION FUNDING.

COUNCIL MEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: COUNCIL MEMBER CHILD-AYE, COUNCILMEMBER OLSEN-AYE, COUNCILMEMBER CREER-AYE, COUNCILMEMBER CONOVER-AYE, AND COUNCIL MEMBER SORENSEN-AYE. THE MOTION PASSED UNANIMOUSLY.

9. Consideration of a Resolution authorizing the execution and delivery of documents in connection with the amendment of certain terms with respect to the Municipal

Building Authority of Springville, Utah Lease Revenue Bonds, Series 2008 – Bruce Riddle, Assistant City Administrator/Finance Director

Director Riddle reported adoption of this resolution authorizes the Administration to take advantage of current bond market conditions and proceed with amendments to the terms of the Springville MBA Lease Revenue Bonds, Series 2008, which will result in a refinancing of the debt associated with the Civic Center.

COUNCILMEMBER CONOVER MOVED TO APPROVE **RESOLUTION #2014-18** AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO MASTER LEASE AGREEMENT AND OTHER INSTRUMENTS REQUIRED IN CONNECTION WITH THE MODIFICATION OF CERTAIN TERMS OF THE MUNICIPAL BUILDING AUTHORITY OF SPRINGVILLE CITY, UTAH LEASE REVENUE BONDS, SERIES 2008

COUNCIL MEMBER CHILD SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS: COUNCIL MEMBER CHILD-AYE, COUNCILMEMBER OLSEN-AYE, COUNCILMEMBER CREER-AYE, COUNCILMEMBER CONOVER-AYE, AND COUNCIL MEMBER SORESEN-AYE. THE MOTION PASSED UNANIMOUSLY.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

City Administrator Troy Fitzgerald reported the City is starting to see some economically positive things happening. He also asked the Mayor and City Council to review the City holiday hours and asked them to arrive before noon on December 18, 2015 for the City employee Christmas lunch.

CLOSED SESSION

10. *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 CHILD MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 7:32 P.M. COUNCILMEMBER CONOVER SECONDED THE MOTION, AND ALL VOTED AYE