

# RESOLUTION NO. 05-11

## ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>	X	
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>		X
CHRIS C. WADSWORTH <i>Councilmember</i>	ABSENT	

I MOVE this resolution be adopted: Councilmember Barber

I SECOND the foregoing motion: Councilmember Christensen

## RESOLUTION 05-11

### A RESOLUTION MODIFYING THE BUILDING RESTRICTION BASED UPON LACK OF SEWER CAPACITY

WHEREAS, Spanish Fork City is experiencing extremely rapid growth; and

WHEREAS, an analysis conducted by the City has revealed that, with the number of lots already submitted for plat approval, the Spanish Fork City publicly owned treatment works (sewer treatment plant, or POTW) is nearing capacity; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City the City Council has adopted Resolution 04-06, which prohibits the City from accepting residential subdivision plats until the sewer capacity is resolved; and

WHEREAS, the City has obtained an engineer to prepare plans to upgrade the POTW to provide additional capacity, which plans have been submitted to the State of Utah for approval, and which should be ready to go to bid in January, 2006; and

WHEREAS, the City has contracted with Mapleton City to provide the expansion and the financing for the expansion project; and

WHEREAS, the expansion to the POTW will provide the capacity in the sewer system to accept and approve new plats ; and

WHEREAS, Unless the bids far exceed the engineer's estimate such that a bid is not awarded, the POTW will have the needed capacity by the time any new plats are ready to receive certificates of occupancy; and

WHEREAS, in the event the project is not awarded, the City needs the ability prevent overcapacity, which can be managed through the plat approval process;

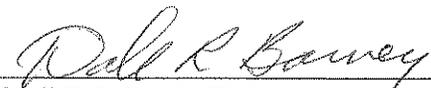
NOW THEREFORE, Resolution 04-06 is hereby modified as follows:

1. Spanish Fork City will accept preliminary residential subdivision plat applications for review, effective immediately.
2. In order to ensure that the POTW is not overburdened in the event the anticipated expansion project does not happen, no subdivision waiver may be approved by the Planning Commission, nor may any preliminary subdivision plat be approved by the City Council until the POTW expansion project has been awarded to the low bidder pursuant to state law and City ordinances.
3. City staff is hereby directed that they may accept and review plats, but that no subdivision waiver applications are to be placed on any Planning Commission

agenda for approval, nor shall any preliminary subdivision plat be placed on the City Council agenda for approval until the POTW expansion project has been awarded.

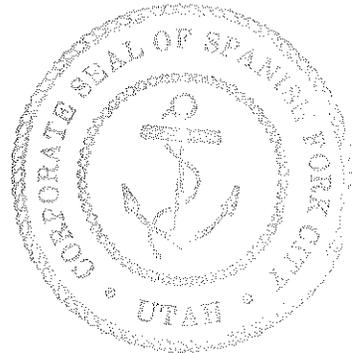
## SECTION II

This resolution adopted this 6<sup>th</sup> day of December, 2005, by the City Council of Spanish Fork City, Utah.

  
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DALE R. BARNEY, Mayor

ATTEST:

  
\_\_\_\_\_  
KENT R. CLARK, City Recorder



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