

**ADOPTED MINUTES
SPANISH FORK CITY COUNCIL MEETING
AUGUST 19, 1992**

The meeting was called to order at 7 pm by Mayor Marie W. Huff. Local boy scout Michael Hansen lead the pledge of allegiance.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Jerald M. Chapple, Sheldon W. Gordon, Rex Woodhouse and Clyde A. Swenson. Councilmember Kim H. Peterson arrived at 7:05 pm.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director; Richard J. Heap, City Engineer; Dee Rosenbaum, Public Safety Director; Junior Baker, City Attorney; and Mary-Clare Maslyn, Administrative Assistant.

Citizens Present: Shirley A. Johnson, J. Robert Johnson, Harry Davis, Mr. Frank, Mr. Fish, Michael Orona, J. D. Tarone, Michael Hansen, Aaron Davis, Lynn Coray, Chris Coray, Jake Hall, and Daniel Olson. Transit Consideration Committee members: Errol Smith, Jack Stoneman, Karen K. Payne, Karen Clayson, Diane Miller, Lane Henderson.

Minute Passage

Councilmember Woodhouse made a **motion** to accept the minutes of the August 5, 1992, regular city council meeting. The **second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote. Councilmember Peterson was not present for this motion.

Councilmember Peterson was present for all motions listed below.

Interlocal Cooperation Agreement with Springville

Mr. Oyler discussed the details of the interlocal cooperation agreement with Springville, mentioning the equal sharing of road maintenance for 2700 North (Spanish Fork). After review, Councilmember Gordon made a **motion** to accept the Interlocal Cooperation Agreement as presented. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

Citizen Request - Shirley A. and J. Robert Johnson

Mr. Johnson approached the council with concerns regarding noise, dirt particles, emissions and trash being burned at night by H.E. Davis Company. Mr. Johnson played a cassette tape recorded from his property fence depicting noises from the Davis property. He asked the council to assist in rectifying the problem.

Mr. Davis approached the council and said that he didn't want to create any problems. He mentioned his contacts with the state and the county fire marshall. He stated that the fire marshall said that burning should not occur after 8 pm; Mr. Davis said his company has complied with this rule. Mr. Davis said the noise should be reduced by having doors closed to the shop and a fan would be placed in the shop for the comfort of his employees. He has asked his employees to not

use machinery with backup beepers at night. He mentioned he was glad to what is necessary to keep good relationships with the neighbors.

Mr. Frank somebody. He mentioned that the machinery with the backup beepers ran late at night and on Sundays. He said that when this was mentioned to Harry, the running of the machinery stopped. He mentioned that Mr. Davis has done a lot to clean up the area.

Mr. Fish stated that his property borders H.E. Davis, but that his actual home is away from the operations. He mentioned that the Davis property had been cleaned up and improved. He said that he would rather see Harry on the property than others because he takes care of it.

Mayor Huff acted as a mediator and asked that the gentlemen make an appointment and meet together to work out the situation. Councilmember Woodhouse asked that a list be provided with each party's concerns and listed attempts to improve the situation.

Country Cove Subdivision Final Plat "B"

Councilmember Gordon made a **motion** to accept Country Cove Subdivision Final Plat "B" with the understanding that a temporary turn around will be provided. The **second** was made by Councilmember Chapple and the motion **passed** with a unanimous vote.

Knollcrest Subdivision Final Plat "A"

A thorough discussion occurred regarding the Knollcrest Subdivision drainage situation. Councilmembers expressed concerns regarding drainage, and whether the city or the developer should be responsible. Considering consistency with the current policy, Councilmember Woodhouse made a **motion** to accept Knollcrest Subdivision Final Plat "A" with the understanding that a portion of lot 13 be a retention pond, and that the city sign a connectors agreement with the developer two collect \$100.00 fee per lot to be reimbursed to the developer. The **second** was made by Councilmember Gordon, and further discussion ensued regarding consistency with the policy. The motion **passed** with a **majority** vote with Councilmembers Chapple, Gordon, Woodhouse, and Swenson voting in favor; Councilmember Peterson voted in opposition.

Resolution 92-07: Authorizing a Public Election of Funding a Public Transportation System in Spanish Fork City

Councilmember Swenson, along with the members of the transit system feasibility committee reviewed the results of surveys with the council. They mentioned that they travelled to Logan to see their system, and told of the citizen interest and questions. They recommended the council place the item on the ballot. After discussion, Councilmember Chapple made a **motion** to accept Resolution 92-07: A Resolution Authorizing a Public Election of Funding a Public Transportation System in Spanish Fork City to state: *Shall the City of Spanish Fork, Utah County, Utah, impose a sales and use tax of 1/4% of 1% (0.0025) to fund a public transportation system?* This would be placed on the November ballot. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

Highland Estates Final Plat "A"

Councilmember Gordon made a **motion** to accept Highland Estates Final Plat "A". The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

Airport Change Orders - Schedule Number 1 and Schedule Number 2

Mr. Heap explained the reasons for the change orders with the airport construction. Councilmember Peterson made a **motion** to accept Schedule Number 1 change order in the amount of **\$1,485.00** with H.E. Davis and to accept Schedule Number 2 change order in the amount of **\$11,425.00** with H.E. Davis. The **second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote.

Main Street Beautification Bids

Mr. Heap reviewed the bids previously received for North Main Street beautification. Councilmember Swenson made a **motion** to accept the bid of R.B. Construction in the amount of **\$15,097.00** for Schedule 1 - Safeway; R.B. Construction in the amount of **\$4,907.00** for Schedule 2 - Glass Hospital; and R.B. Construction in the amount of **\$16,379.00** for Schedule 3 - Big "O" Tires. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote. Other bids received were from Barney Inc.: Schedule 1: \$16,041.60; Schedule 2: \$5,295.46; and Schedule 3: \$16,322.10.

Resolution 92-05: Utah Municipal Finance Cooperative Agreement

Attorney Baker reviewed the proposed Resolution 92-05 and explained the purpose of the resolution. Councilmember Peterson made a **motion** to accept Resolution 92-05: A Resolution of the Governing Body of the City of Spanish Fork, Utah (the "Member") approving the second amended and restated agreement; and related matters. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Resolution 92-06: Membership Withdrawal Utah Municipal Finance

Attorney Baker reviewed the proposed Resolution 92-06 and explained the purpose of the resolution. Councilmember Peterson made a **motion** to accept Resolution 92-05: A Resolution of the Governing Body of the City of Spanish Fork, Utah, ("member") withdrawing its membership in the Utah Municipal Finance Cooperative No. II; and related matters. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Adjournment to Redevelopment Meeting

Councilmember Chapple made a **motion** to adjourn the meeting at 8:57 pm and to go into the Redevelopment Meeting. The **second** was made by Councilmember Gordon, and the motion **passed** with a unanimous vote.