

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**September 7, 1994**

The meeting was called to order at 6:30 pm by Mayor Marie W. Huff for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was lead by Dee Rosenbaum.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Jerald M. Chapple, Kim H. Peterson, Clyde A. Swenson, Thora L. Shaw, and Rex Woodhouse.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard J. Heap, Engineer/Public Works Director; Dee Rosenbaum, Public Safety Director; S. Junior Baker, City Attorney; and Heather Frost, Recording Secretary.

Citizens Present: Blaine Evans, Ed Jessen, Lee Shepherd, Donna Pace, Tiffany Jones, Rachel Halverson, Holly Christensen, and Leann Moody, Spanish Fork Press.

**Minutes**

Councilmember Peterson made a **motion** to accept the minutes of the August 3, 1994, and the August 24, 1994, regular city council meetings, with noted corrections, and presented warrants. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

**Lee Shepherd - De-Annexation**

Mr. Heap said Mr. Lee Shepherd and Mr. Ed Jessen have filed with the court for de-annexation from Spanish Fork City. Mr. Heap said they would like to de-annex from the city so they can build on their property.

Councilmember Woodhouse expressed his concern with getting emergency vehicles to the area if it is developed in the county. He said the requirements of roads in the county are different than those of the city. He was especially concerned about winter months and who would be responsible for snow removal.

Mr. Shepherd said the road will be 30-35 feet wide and it will be blacktopped. He said he would be responsible for snow removal.

Mayor Huff asked if Mr. Shepherd and Mr. Jessen had discussed developing in the county with county officials.

Mr. Shepherd said the county had approved the development subject to the de-annexation.

Councilmember Shaw asked Mr. Shepherd why he was requesting de-annexation from the city. Mr. Shepherd said he and two other people own property and would like to develop and build on that property. He said he had been told it would be five to seven years before city utilities were available to that area.

Mr. Heap asked Mr. Shepherd how the city would eventually put a culdesac in if the homes were built now. Mr. Shepherd said he would be willing to put the culdesac in. Mr. Oylar asked if Mr. Shepherd would bond for the culdesac now. Mr. Shepherd said he would be unable to bond for the culdesac at the present time.

Mr. Shepherd said he would install a 20-25 foot asphalted road. There was some discussion regarding condemning the road.

Mr. Baker advised the council if the council contested the de-annexation, Mr. Shepherd may have a difficult time getting the judge to grant the request, he said if the council did not oppose the de-annexation, it would probably be granted within one week.

Councilmember Chapple asked what would be sufficient road requirement for emergency vehicle access. Mr. Heap said 30 feet. Mr. Shepherd agreed to build the road to city standards and to allow Mr. Heap to advise him as to those standards.

Councilmember Swenson made a **motion** not to oppose the de-annexation request of Mr. Lee Shepherd. The **second** was made by Councilmember Shaw, and the motion **passed** with a **majority** vote of 4:1; with Councilmembers Swenson, Shaw, Peterson, and Chapple voting in favor of the motion, and Councilmember Woodhouse voting opposed.

### **Blaine Evans Annexation**

Mr. Evans said he would like to be annexed into the city for fire and police protection. Mr. Heap said electrical hook-ups are available, but water and sewer are not.

There was some discussion on the resolution the city council had recently passed regarding the Strawberry Electric Service District lawsuit. The council passed a resolution stating they would not annex any areas affected by the lawsuit.

Councilmember Swenson made a **motion** to table the Blaine Evans annexation. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

### **630 West Sewer Line Bid Award**

Mr. Heap said Grant Hone's bid in the amount of \$133,604.10 was the low bid. He said the city had received a grant for \$70,000.00 for this project. He said the project is expected to be completed within 60-90 days from the start date.

Councilmember Shaw made a **motion** to award the 630 West sewer line to Grant Hone for the amount of \$133,604.10. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote. Other bids were Green's Excavating, \$157,070.95; K & P Plumbing, \$170,181.00; Badger Construction, \$182,081.55; Ralph Olsen Excavation, \$192,723.85; and Kenny Seng Construction, \$204,957.05.

### **Miscellaneous**

Ms. Tiffany Jones, Spanish Fork, asked the council if sewer repair work was scheduled for Escalante Drive. Mr. Heap told her it is on the list but he is not sure of the date expected to start the repair work. There was some discussion regarding home occupation business licenses.

Ms. Jones then asked the council about requirements of the home occupation business license. She was told retailing is not allowed from the home.

### **Resolution 94-15**

Mr. Oyler reviewed Resolution 94-15.

Councilmember Chapple made a **motion** to adopt Resolution 94-15: RESOLUTION OF THE CITY COUNCIL OF SPANISH FORK CITY AUTHORIZING PAYMENT OF TAX INCREMENT FUNDS FOR THE INSTALLATION AND CONSTRUCTION OF UTILITIES AND ACCESS WHICH ARE PUBLICLY OWNED WITHIN OR WITHOUT THE SPANISH FORK CANYON ECONOMIC DEVELOPMENT PROJECT AREA, SUBJECT TO APPROVAL OF SAID FUNDS IN THE AGENCY'S BUDGET. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Adjournment**

Councilmember Shaw made a **motion** to adjourn the meeting of the city council and convene the meeting of the Redevelopment Agency of Spanish Fork City at 8:30 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

### **Adjournment of RDA**

Councilmember Peterson made a **motion** to adjourn the meeting of the Redevelopment Agency of Spanish Fork City and convene the executive session of the Spanish Fork City Council meeting. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

### **Adjournment of Executive Session**

Councilmember Shaw made a **motion** to adjourn the Executive Session of the Spanish Fork City Council meeting and to reconvene the regular session of the Spanish Fork City Council meeting. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Property Purchase - Fire Station**

Councilmember Swenson made a **motion** to authorize Mayor Huff and Mr. Oyler to negotiate and purchase property from Mr. Memmott, Mr. Brown, and Dr. Ludlow for the construction of the fire station. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

### **Property Purchase - Senior Citizens Center**

Councilmember Shaw made a **motion** to authorize Mr. Oyler to get an appraisal on the Ken England property and to negotiate with Mr. England, and to talk to the property owner south of the senior

citizen center. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

### **Adjournment**

Councilmember Chapple made a **motion** to adjourn the meeting at 10:30 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.