

**Adopted Minutes
Spanish Fork City Council Meeting
January 7, 1997**

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 offered by Mr. Paul Lofgren.

Elected Official Present: Mayor Marie W. Huff, and Councilmembers Matthew D. Barber, Sherman E. Huff, and Rex Woodhouse. Councilmember Clyde A. Swenson arrived at 7:40 pm. Councilmember Thora L. Shaw was excused.

Planning Commission Members Present: Chair Doug Barber, and Commissioner J. Wayne Nelson.

Staff Members Present: David A. Oyler, City Manager; Mary-Clare Maslyn, Assistant City Manager; Richard J. Heap, Engineer/Public Works Director; Kent R. Clark, Finance Director; S. Junior Baker, City Attorney; Gregory A. Comstock, City Planner; Jack J. Swenson, Parks and Recreation Director; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Clair Johnson, Bryan Kessinger, Stewart Talbot, Chris Wallace, Zac Robinson, Eugene Colledge, Ryan Rosenbaum, Chris Jackson, Chris Miller, Andrew Johnson, Brady Mattinson, Mary Anne Peterson, Ross Peterson, Sandra Rasmussen, Kay Rasmussen, Terry Jones, Fran Jones, Clarence Mattinson, and Pat Mattinson.

Minutes

Councilmember Barber made a **motion** to approve the minutes of the December 18, 1996 meeting of the Spanish Fork City Council as presented. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Citizen Request - Sewer Back-Ups

Mr. Terry Jones was present to discuss sewer back-ups that occurred in his and three other homes on the evening of January 5, 1997. He related the incident step by step for the council.

Mr. Jones said he and the other neighbors were immediately contacted by the City. Stone Flood and Fire was called to begin the clean-up process. He expressed concerns with the way clean-up was being handled. Mr. Jones stated they were told by the Board of Health to get tetanus shots and to stay out of their homes. He expressed the main concern of the citizens was the catastrophe be rectified. They want their homes replaced exactly as they were before the back-up, and do not feel depreciation should be taken on damaged items.

Mr. Richard Heap explained recent sewer line construction on 500 North. He stated the sewer line involved in the back-up was not the one recently replaced. Attorney Baker expressed the City's sympathy to the residents. He stated legally the City is not responsible to do anything, but because the City understands the situation is unpleasant, they have made a policy to try and help instead of waiting to see who is liable. Attorney Baker explained one reason the sewer back-ups are turned over to the insurance adjuster is to avoid conflict between citizens and the City. He stated damaged items are replaced at fair market value. Councilmember Woodhouse stated the City will be as fair as policy allows. He felt the residents should wait and see if the outcome is unsatisfactory. Councilmember Huff asked Mr. Jones what he would have the City do differently. Mr. Jones stated they are not concerned with what the City has done. He explained they became concerned due to comments heard from citizens in similar situations and feelings received from the insurance adjuster. Mayor Huff invited the citizens to return if they were not satisfied with the outcome of their claims.

Ordinance 01-97: Ordinance Amending the Council Meetings

Attorney Baker explained Ordinance 01-97 would amend City ordinance to reflect the recent motion made by the Council regarding the schedule of Council meetings. A **motion** was made by Councilmember Woodhouse to adopt Ordinance 01-97: Ordinance Amending the Council Meetings. The **second** was made by Councilmember Huff, and the motion **passed** unanimously.

Future City Council meetings will be held on the first three Tuesdays of every month.

Ordinance 02-97: Ordinance Amending the Requirements of Beer Licenses

The State recently amended their alcohol ordinance to prohibit the sale of alcoholic beverages between the hours of 1:00 am and 10:00 am. The ordinance previously prohibited sale of alcohol from 1:00 am to 8:00 am. Attorney Baker stated, in accordance with the State, Ordinance 02-97 will amend the Spanish Fork City's alcohol ordinance in the same manner.

Councilmember Huff **motioned** to adopt Ordinance 02-97: Ordinance Amending the Requirements of Beer Licenses. Councilmember Barber **seconded**, and the motion **passed** with a unanimous vote.

Senior Citizens Center - Change Order #2

Mr. Heap stated as the Senior Citizens remodel has progressed, Kathleen Nielsen, the Senior Citizen Director, would like to have space previously designated as storage converted into an office. The change order will include cutting for the window and a change in wallcoverings. Mr. Heap recommended acceptance of the change order from Kevin Madson & Associates in the amount of \$1,380.

Councilmember Woodhouse made a **motion** to approve the change order for the Senior Citizens Center remodel from Kevin Madson & Associates in the amount of \$1,380 to convert storage space into an office. The **second** was made by Councilmember Huff, and the **motion** passed with a unanimous vote.

Bid - Replacement of Bleacher Seats

Mr. Jack Swenson, Parks and Recreation Director, told the Council the fiberglass seats at various ballparks have been there since the bleachers were built. He stated despite yearly sealing, people wearing shorts in the summer get slivers from sitting on the bleachers. The bid will not replace all bleachers, but the ones in the worst condition. Mr. Swenson explained only the seating on the bleachers will be replaced, not the entire bleacher.

***Note: Clyde A. Swenson arrived at 7:40 pm.*

Mr. Swenson recommended the low bid in the amount of \$7,803 from Alpine Recreation. He said this item is included in their budget.

A **motion** was made by Councilmember Huff to approve the bid from Alpine Recreation in the amount of \$7,803 for replacement of bleacher seats at various ballparks. He stated replacement of the bleachers is extremely necessary. Councilmember Barber **seconded**, and the motion **passed** unanimously.

Other Business

Mayor Huff welcomed the scouts and thanked them for their attendance.

Adjournment

Councilmember Woodhouse made a **motion** to adjourn the regular session of the Spanish Fork City Council and convene the executive session at 7:45 pm. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.