

**Adopted Minutes
Spanish Fork City Council Meeting
January 28, 1997**

The meeting was called to order by Mayor Marie W. Huff at 7:05 pm.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Matthew D. Barber, Sherman E. Huff, Thora L. Shaw, Rex Woodhouse, and Clyde A. Swenson.

Staff Members Present: David A. Oyler, City Manager; Mary-Clare Maslyn, Assistant City Manager; Richard J. Heap, Engineer/Public Works Director; Richard Nielson, Assistant Public Works Director; and Gina Peterson, Deputy Recorder. Dee Rosenbaum, Public Safety Director arrived at 7:10 pm. Kent R. Clark, Recorder/Finance Director arrived at 7:13 pm.

Citizens Present: Calvin Youd, Barry Drage, Niles Drage, DeeAnn Johnson, Wendy Mickelson, Dana Robinson, Kippy Bishop, Bob Kunyan, Patsy Gilbert, Raymond Hill, Dale Smith, Dorene VanAusdal, Norma VanAusdal, Nathan Campbell, Rusty Q. Campbell, Lana Kaae, Scott Gren, Arvilla Faris, Ann Hutchings, Nadine Staheli, Tadd Thorpe, Jill Thorpe, Ray Ashworth, Marie Ashworth, Allan McClain, Merlene McClain, Duane Bahr, Linda Bahr, Dave W. White, Todd Ashworth, Steve Snow, Garth Prestwich, Warren Johnson, Steven Wyler, Don Bahr, Jeff Hansen, Julia Hone, Lyman Peterson, Travis Wilson, Vernal Shepherd, Kelly B. Christensen, Fred Bentley, Rob Bentley, Bruce Taylor, Jack Topham, Lynette Cornaby, Cindy Topham Mason, Terry Fredericks, Kay Rasmussen, Dean Hendrickson, Clarence Atwood, Koryn Hope, Clair S. Johnson, Lois Johnson, Lola Broderick, Dan Hendersen, Loy "Shady" Chapple, Sally Shepherd, Arlean Shepherd, Wayne Peterson, Christine Chapple, Randy Chapple, Linda C. Koyle, Tamra Jackson, George Beardall, Valorie Beardall, Ruth Ann Nielsen, David F. Biggs, Virginia Biggs, Tamra Norman, Debi Williams, Duane Hutchings, Betty McVey, Joyce Diamond, Janice Healey, Hal Healey, Beth Gee, Marcel Robertson, Roxanna Johnson, *Spanish Fork Press*; William Stoneman, Shauna Stoneman, Sandy Sutton, Helen Evans, Ralph Pinkham, Linda Pinkham, Orpha Tarone, Dorothy Carrasco, William A. Allen, David Purinton, Keith Barber, Edith Barber, Alan F. Sumsion, Bart J. Davis, Mabel Williams, Gayle Valdez, Mike Valdez, Ernst Eichler, Susan Edenfield, Harvey Knuteson, Lawrence J. Weatherspoon, Bernell Smith, Stephen Holloch, Elmo Muir, Bruce Thompson, John Smiley, David Krueger, Leland Jay Binks, René Geacomazza, Arline Hall, David Johnson, Susie Johnson, Mitchell D. Phillips, Michael B. Williams, Al Hobbs, Curtis R. Conger, Kenneth J. Pinegar, Paul Bradford, Cris Child, Diane Butler, J. Lee Butler, Kaye Mitchell, Shirley Uptain, Don Bates, and Rodger Hardy, *Deseret News*.

Groundwater Special Improvement District Discussion

Mayor Huff explained the purpose of the City Council meeting was to gather information regarding possible solutions to the groundwater problems in the northeast section of Spanish Fork City. She stated voting would not take place tonight, but citizens would be given the opportunity to ask questions and address various concerns. Mr. Heap explained the meeting

would benefit citizens and the City by providing information on how to proceed with the groundwater issue. He reviewed concerns of many residents in the northeast part of town relating to the groundwater. A preliminary study was done by Horrocks Engineers to analyze where the groundwater is coming from and what can be done to lower the water table. Mr. Heap asked how many citizens would benefit from groundwater drainage at this location. A small percentage of citizens present raised their hands. Mr. Heap explained if a groundwater drainage system was constructed, the project would be funded under the auspices of a special improvement district, and residents benefiting from the project would be the ones involved in the special improvement district. He stated the City would like to gain an idea of how many people will benefit from a groundwater drainage system, and how many people will be involved in the funding of the proposed project.

Mr. Shane Sorenson from Horrocks Engineers presented the preliminary groundwater study for the Council and citizens. Through various tests, they were able to determine the level of the groundwater which varied from six inches to eight feet in some areas. Soil samples were taken every couple of feet in the area to determine how the groundwater flows through the soil. Mr. Sorenson stated clay is the most common type of soil in this area of town. The study identified three major sources of groundwater in the area: 1) The top of 400 North, west of Highway 214; 2) Just north of #1; and, 3) 700 East 400 North. Mr. Clay Walker stated the two major things they wanted to accomplish with the preliminary study was 1) To identify where the sources of water were coming from; and, 2) To determine where the groundwater level is in relation to the homes, as well as determining how deep the drainage line would need to be to get the water. Mr. Walker then stated their proposed solutions to the problem as follows:

1. On a smaller scale, a solution could be exercised in each individual home by installing small pumps to lower the groundwater.
2. Dealing with the problem on a larger scale, deep lines could be constructed for drainage of the groundwater.

Mr. Walker felt, because the problem existed in a such large area and in so many homes, the second solution would resolve the greatest amount of problems. He noted the area that would benefit from the proposed construction. He then discussed costs associated with construction of the groundwater system as follows:

PHASE I	\$475,000 (approximate)
<u>PHASE II (if needed)</u>	<u>\$175,000 (approximate)</u>
TOTAL	\$650,000

Mr. Walker stated the system would address the major groundwater problem, and not just each specific home. Mr. Heap stated the costs were still preliminary, and individual lot costs were not yet known. The money would be paid back by the special improvement district over a ten to fifteen year period. Mr. Heap opened the meeting up for public comment.

Mr. Don Bates, 575 North 800 East, discussed the drainage system installed at Albertson's grocery store. He feels the groundwater issue has gotten worse since Albertson's installed their system. He also feels the line installed by the City by the apartments near his house have increased the problem. Mr. Heap noted that neither of these solutions should have added to any

additional groundwater problems.

Mr. Clarence Atwood, 600 East 600 North, discussed a drain pipe in his area. Mr. Heap stated he was not aware of any storm drain at the location discussed. He noted it possibly might be an irrigation ditch.

Mr. Al Hobbs, 800 East, stated developers should have been required to fix groundwater problems initially, before building permits were issued. He feels developers should now pay for the proposed groundwater drainage system.

Mr. Ken Pinegar, 450 North 500 East, explained he is not burdened with groundwater problems, but he is located in the proposed district and does not want the large cost associated with the proposed system. He feels if the system is installed, it should be paid for by the entire City. Mr. Heap explained the City is gathering information from the citizens, and the special improvement district is not yet in place.

Mr. Wayne Peterson, 555 North 800 East, noted several open drains that previously existed, but have now been covered. Mr. Peterson stated these drains were constructed by the pioneers, who knew what they were doing. He feels covering these drains created a majority of the groundwater problems in the area.

Mr. Barry Drage asked how the City would determine who was included in the special improvement district, especially if he had no problems with groundwater, but lived in an area that did. Mr. Heap stated isolated areas may be determined. He noted if fifty percent of the area votes against the special improvement district, it will not pass.

Mr. Harvey Knuteson, 709 North 600 East, feels preliminary engineering needs to be done before new residences are built. He explained his home is seventy years old, and has never had a problem with groundwater. Mr. Heap said various new homes have been built without any problems as well. He explained the location of the groundwater depends on different cycles. He stated the groundwater problem is not a new problem.

Mr. Cris Child expressed a comment in defense of developers. He explained before he developed the Lynnbrook subdivision, thousands of dollars were spent on engineering drainage lines which completely surround the development. Since that time, any problem that has arisen with surface water in Lynnbrook has been able to be solved.

Mr. Randy Chapple, 540 East 700 North, asked if the groundwater system was guaranteed to work, and what liability the City would accept if the groundwater drainage system did not fix all groundwater problems. Mr. Heap stated liability issues have not yet been addressed, but Phase II of the groundwater drainage system is designed to pick-up areas that may continue to have problems. Mr. Chapple feels, at this time, construction costs are extremely high. He suggested constructing the groundwater drainage system at the same time the secondary irrigation system is installed. This would alleviate some construction costs for the groundwater drainage system.

A citizen stated three sewer back-ups have occurred in her home over the last five years. She asked if groundwater is causing these sewer backups. Mr. Heap answered in the negative. He stated most sewer back-ups occur from plugs in the lines. Mr. Heap also explained the sewer lines are not overloaded, and the City provides ongoing maintenance on the lines. Discussion took place on sewer back-up concerns.

A citizen expressed her concern about groundwater and wondered if the City would provide a written guarantee that the system would work.

Mr. Loy "Shady" Chapple stated he has groundwater in his crawl space 365 days a year. He feels the City should take care of this problem. Mr. Walker, Horrocks Engineers, stated he is confident Phase I will remedy the majority of groundwater problems. He reiterated Phase II will catch anything Phase I does not.

Mr. Warren Johnson, 757 East 500 North, stated he had a drainage system constructed around the perimeter of his home. He stated a trench was dug 21 feet down to install this drainage system and never encountered any groundwater.

Mr. Barry Drage asked the feasibility of converting the groundwater into culinary water. Mr. Heap stated due to strict standards required of culinary water, the groundwater could be used in the secondary irrigation system, but not the culinary system.

Ms. Mabel Williams, 1000 East 358 North, felt the drainage system should be extended beyond U.S. Highway 6.

Ms. Gayle Valdez, stated she was concerned the groundwater would be diverted in the wrong direction and would back up into the residences in the area.

Mr. Loy "Shady" Chapple made additional comments about previous locations of ditches and drains.

Mr. Dave Purinton, 485 East 700 North, stated he does not have a basement, nor is there water in his crawl space, but he feels the system would benefit him. He explained due to excess water in the ground, it is difficult to grow a lawn or garden. Mr. Purinton questioned the financial practicality of the system. He stated he would rather deal with the groundwater than be required to pay \$2,000 to have it fixed.

Ms. Dorothy Carrasco, 900 North 450 East, stated she has groundwater at her home, but some people on 800 North do not. Mr. Heap stated the questionnaires will be reviewed to determine what percentage of homes have problems with groundwater.

Mr. Dean Hendrickson stated he does not have groundwater questions, but wondered when various sewer lines would be replaced. Discussion took place on this topic.

Mr. Kelly Christensen, 800 North, asked if the City paid for the water line installed on Highway 6. Mr. Heap stated the line was bonded for, but the City is in the process of refunding the money collected by Impact Fees from new developers.

A citizen stated the groundwater comes from higher elevations in the City and she does not feel it is fair to require citizens from the northeast section of town to pay for the entire drainage system. She feels a larger area of town should contribute to the funding of the project. Mr. Heap reviewed the requirements to activate a special improvement district. If sixty percent of the citizens disagree, creation of the district will not take place.

Ms. Arline Hall, 600 North 600 East, expressed her feelings in favor of the system.

A citizen asked what time of year holes were drilled to examine the groundwater. Mr. Walker stated the holes were drilled in June and July but are continually being reevaluated.

Mr. Dave Johnson, 600 East, discussed a lawsuit involving Mr. Rick Salisbury on the groundwater drainage issue.

Mr. Paul Bradford, 500 East 400 North expressed his concern with a citizen funding the project when they do not have any problem with groundwater. Mr. Heap stated the questionnaires will be reviewed to determine what areas have problems. Mr. Bradford asked if the cost for the proposed system was accurate. Mr. Walker stated costs were reviewed with various contractors, and everyone felt comfortable with the price.

Mr. Randy Chapple stated the City should combine installation of the groundwater drainage system with the new sewer system to make construction more cost effective.

Mr. John Smiley, 500 North 900 East, wondered if development of the East Bench might solve the groundwater problems. Mr. Heap stated it was possible, but it would not be seen for 25 to 30 years.

Mr. Garth Prestwich, 600 North 700 East, stated he would benefit from installation of the groundwater drainage system.

Ms. Lois Johnson, 300 East 700 North, stated if the groundwater drainage was constructed with the new sewer lines, it would not only be more cost effective, but then construction costs for the drainage system could be assessed to citizens Citywide. Mr. Wayne Peterson feels having the system will benefit the entire City therefore, the costs should be distributed throughout the City. Mr. Heap stated it would be difficult to get a bond to pass on this project Citywide, because citizens on the other side of town do not have a problem with groundwater.

Mr. Chapple stated the biggest issue of the system is the cost. He asked if businesses in the area will be required to pay for a portion of the system. Mr. Heap explained all properties benefiting from the system will be required to participate in funding of the project. Fees assessed will most likely be based on square footage.

Mr. Ray Hill, 543 East 400 North, stated it will be difficult for citizens on a fixed income to contribute any money to the project.

Mr. Drage felt the majority of citizens present were against the system for various reasons. He asked how practical it would be for individuals to drill wells on their properties. Citizens could use the well water for drinking or to irrigate lawns, he felt over time this would save water. Mr. Heap stated due to EPA regulations for wells, this solution would not be very realistic.

A citizen asked if the groundwater problems could extend to other parts of the City. He previously lived on 300 South just off Escalante, and had major problems with groundwater. Mr. Heap stated the City has not had any recent problems in that area.

A citizen at 667 North 700 East, stated certain homes need immediate action. He asked what kind of time frame citizens would be looking at for the installation of the drainage system. Mr. Heap explained the City will know within the next month if the proposed project is feasible, or if they need to look at a temporary fix.

Mr. Dana Robinson, 774 East 700 North, expressed concern with settling of homes after the water table has been lowered. Mr. Walker stated that based on the type of soil and the length of time groundwater has been in the area, his firm anticipates minimal consolidation.

A citizen stated Rick Salisbury was going to install a drain during construction of his development. He asked why installation of the drain hasn't taken place. Mr. Heap explained the City did not have a feasible plan for groundwater drainage because there was nowhere to take the water. He said they wanted to look at the overall area to see if Mr. Salisbury's money could help in a larger project.

A citizen asked what regulations would be instigated to eliminate future problems. Mr. Heap stated three things would most likely take place as follows:

1. Development in areas with high water tables would not take place.
2. If development occurs in areas with a high water table, sites will need to be raised above the level of the water.
3. Developers may install their own drainage system. (Like Albertson's)

Mr. Heap asked for further public comment. None was received. Mr. Heap stated the questionnaires would be reviewed to see how the proposed drainage system will proceed.

Truck Bed Bids

Mr. Clark reviewed recently received truck bed bids for the Recreation Department's 1 ton truck, and the City Shop's service truck. He recommended awarding both bids to the low bidder, H & K Truck from Salt Lake City.

A **motion** was made by Councilmember Swenson to award the bid for a dump and cover bed, and a service body bed for the City's new cab and chassis trucks to H & K truck for the total amount of \$10,559. The motion was **seconded** by Councilmember Huff, and it **passed** unanimously.

BIDS RECEIVED:	DUMP	COVER	SERVICE BODY	TOTAL
H & K Truck	\$4,489	\$880	\$5,190	\$10,559
Holland Equipment	\$5,433	\$834	\$5,518	\$11,785
Western Truck Bodies	NO BID	NO BID	\$6,871	N/A

FY 1997 Budget Review

Mr. Oyler reviewed proposed revisions in the FY 1997 Budget. He noted public review of the budget would take place at the Public Hearing on February 18, 1997 at 7:00 pm.

Other Business

The council discussed earlier comments made by citizens regarding the proposed special improvement district for groundwater drainage.

Chief Rosenbaum reviewed a Federal law recently enacted prohibiting anyone who has ever been, or is ever in the future, convicted of a domestic violence crime to possess or own a firearm.

This not only includes citizens, but police and military personnel as well. Chief Rosenbaum stated the law is infinitely retroactive and police officers in various cities, including Salt Lake City, have had their firearms taken away. He wanted to make the Council aware that Spanish Fork City does not have any officers affected by this recent law. He also stated there has been constitutional challenges regarding the law being retroactive.

Mr. Oyler stated he received a call from Smith Auto regarding the possible purchase of their land near the new public safety building. The Council discussed this property.

Adjournment

Councilmember Huff made a **motion** to adjourn the meeting of the Spanish Fork City Council at 10:00 pm. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.