

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**July 15, 1997**

The meeting was called to order by Mayor Marie W. Huff at 6:30 pm for a preliminary review of the agenda. At 7:00 pm, the pledge of allegiance was led by local boy scout Steven Miner.

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

Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Kent R. Clark, Recorder/Finance Director; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Frances Larsen, Roxanna Johnson, *Spanish Fork Press*; Brian Gabler, Greg Tidwell, Rob McGovern, Steven Miner, Travis Miner, Janet Miner, Ellis Taylor, Kevin Pritchett, Diana Pritchett, and Tom McHoes, *Daily Herald*.

**Minutes**

Councilmember Huff made a **motion** to approve the minutes of the July 1, 1997, meeting of the Spanish Fork City Council as presented. Councilmember Barber **seconded** the motion, and it **passed** with a unanimous vote.

**Agenda Request - Kevin Pritchett (1240 South Road)**

A new elementary school has been constructed on 1240 South between 1400 and 1700 East. 1240 South Street does not extend west beyond 1400 East. Mr. Oyler explained residents in the area have expressed concern for the safety of their children walking to the new school on this old, unimproved County road. The City has planned construction of roads in the area as development takes place, but development near 1240 South and 1400 East cannot resume until the Strawberry litigation has been resolved.

Mr. Kevin Pritchett was present to submit a petition to the Council requesting the City accelerate improvements on the road. Mr. Oyler stated the City has been working with property owners where the road will need to be constructed. The property owners are not willing to provide access for just foot traffic, but they are willing to work with the City on construction of sidewalk and road. Mr. Oyler proposed an agreement which states the City will front the money to build the road including curb, gutter, and sidewalk. The property owners, Rob McGovern and Randall Harward, in turn will reimburse the City for construction costs once the Strawberry lawsuit is resolved and they are able to develop their property. Mr. Oyler feels the only penalty to the City by entering into such an agreement would be the loss of interest earnings the City could have made on the money fronted for construction of the road. Comments from Councilmembers noted the positive aspects of the agreement.

Mr. Pritchett expressed appreciation to the City's awareness of this issue. Discussion took place on the timetable for construction of the road. Attorney Baker will draft an agreement to be signed by the

Mayor and property owners regarding construction of the road.

### **Bid - Utility Line Replacement Schedule "C"**

Mr. Oyler reviewed the bids for the final utility replacement schedule. The Engineering department recommends the low bid from VanCon in the amount of \$292,599.10. Mr. Oyler stated the City has received positive reports regarding VanCon's work on the Escalante Subdivision.

A **motion** was made by Councilmember Woodhouse to award the bid for Utility Line Replacement Schedule "C" to VanCon in the amount of \$292,599.10. The motion was **seconded** by Councilmember Huff, and it **passed** with a unanimous vote.

### **Change Order #1 - Utility Line Replacement Schedule "A"**

The first change order for Schedule "A" of the City's utility line replacement was discussed. Mr. Oyler explained the Schedule "A" bid from H.E. Davis did not include the 415 feet of twenty-four inch storm drainage pipe, as requested on the change order, because it was thought this diameter of pipe was already installed. When the pipes were exposed it was found the size of the existing pipe was only eighteen inches. The Engineering Department recommends approval of the change order in the amount of \$10,621 to upgrade the eighteen inch storm drainage pipe to twenty-four inch.

Councilmember Huff **motioned** to approve the H.E. Davis Change Order #1 for Utility Line Replacement Schedule "A" in the amount \$10,621. Councilmember Shaw **seconded**, and the motion **passed** unanimously.

### **Madison Business Park - Preliminary Plat**

A site plan for the Madison Business Park, located east of Albertson's and west of U.S. Highway 6, has previously been approved. Mr. Oyler explained the business park owners wish to sell the offices individually, requiring a condominium subdivision. All improvements are currently in place and have been reviewed and approved during the site plan process. Mr. Oyler stated the Development Review Committee and Planning Commission have recommended approval of the Preliminary Plat. Comments were heard from the Council regarding congestion of traffic in the area.

Councilmember Woodhouse made a **motion** to approve the Madison Business Park Preliminary Plat as presented. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

### **Other Business**

Chief Rosenbaum updated the Council on the status of the new County Jail. The opening of the jail is slated for July 19, 1997. The Council was also informed of future training with the Comprehensive Emergency Management Organization.

Chief Rosenbaum reviewed a recent speed study conducted by UDOT for speed limits on Canyon Road. Due to complaints noting the high rate of speed along Canyon Road, Spanish Fork Officers have spent approximately twenty-one hours running vehicle radar along this road. Chief Rosenbaum

reported only eleven citations were issued. UDOT recommends the area posted 35 mph go *up* to 40 mph; the area posted 45 mph go *up* to 50 mph; and the area posted 55 mph go *down* to 50 mph. The State will determine how to proceed with the speed study information.

Chief Rosenbaum noted a traffic signal study will be done on the intersection at 800 East and 400 North. He reported on school flashers and a crosswalk recently installed at the Jr. High School. The Council was informed of other recent activity involving the Police Department.

Mayor Huff provided positive comments regarding the "Dear Mayor" section in the City newsletter. She commended Assistant City Manager Mary-Clare Maslyn for her help instigating the program.

### **Adjournment**

Councilmember Shaw **moved** to adjourn the regular session of the Spanish Fork City Council at 8:00 pm and convene the executive session to discuss legal and personnel issues. Councilmember Woodhouse **seconded**, and the motion **passed** with a unanimous vote.