

Adopted Minutes
Spanish Fork City Council Meeting
August 5, 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 Councilmember Matthew D. Barber.

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; Richard J. Heap, Engineer/Public Works Director; Gregory A. Comstock, City Planner; S. Junior Baker, City Attorney; Kent R. Clark, Recorder/Finance Director; Dee Rosenbaum, Public Safety Director; Janet Bryan, Office Clerk; and Gina Peterson, Deputy Recorder.

Citizens Present: Carin Green, *Daily Herald*; Roxanna Johnson, *Spanish Fork Press*; Sharan Williams, Keith Williams, Cheryl Evans, Tom McHoes, *Daily Herald*; Kimberly Blunck, Karen Blunck, Kacey Blunck, Robert Oldroyd, James Demita, Craig Smith, *Nielsen & Senior*; Scott Ellsworth, *Nielsen & Senior*; Karen Payne, *Chamber of Commerce*; and Morris Forbush.

Minutes

Councilmember Swenson made a **motion** to approve the minutes of the July 15, 1997, and July 22, 1997, meeting of the Spanish Fork City Council with noted amendments. Councilmember Woodhouse **seconded** the motion, and it **passed** with a unanimous vote.

Citizen Recognition

Mayor Huff recognized Kacey Blunck for his outstanding service in the community. Mr. Blunck has been chosen to participate in the Governor's Honor Academy. He also recently received an outstanding citizenship award from Utah Valley State College. Mr. Blunck attends Spanish Fork High School and serves as Mayor of the Spanish Fork Youth City Council.

Authorization of Payment to South Utah Valley Municipal Water Association

The South Utah Valley Municipal Water Association (SUVMWA) was created to protect the current and future water needs of the ten cities, including Spanish Fork City, that make up the Association. City Engineer Richard Heap explained the Board of Directors from SUVMWA would like to purchase 400 acre feet of water from the East Jordan Irrigation Company for the use of SUVMWA member cities. The water rights will remain in the name of the Association, but each city choosing to participate in the agreement will have a number of shares. The seller of the water has asked for ten percent up front of the total \$480,000 for the 400 acre feet of water. The balance would be due when the transfer of the water is complete. Mr. Heap noted Spanish Fork City represents twenty-eight percent of SUVMWA and would therefore be responsible for \$134,400 (28%) of the total cost of water shares. The City's up-front portion would be \$13,440. Mr. Heap recommended authorization of payment in the amount of \$13,440, for the City's up-front portion of the water shares.

Councilmember Woodhouse **moved** to authorize payment in the amount of \$13,440 for Spanish Fork City's up-front portion of the 400 acre feet of water in accordance with the recommendation from the Engineering Department and SUVMWA. Councilmember Huff **seconded**, and the motion **passed** unanimously.

1998 Beautification Bid - Schedule "B"

1998 Beautification Bid - Schedule "C"

Mr. Heap outlined items for completion in the Schedule "B" Beautification project including demolition of the insurance office building west of the Senior Citizen Center, and installation of sidewalk, curb and gutter in the area. After review of the bids, Mr. Heap recommended the low bid in the amount of \$30,260.40 from B.D. Barney Construction.

The Engineering Department also recommended the low bid for Schedule "C" in the amount of \$8,573.10 from Valley Asphalt to complete additional parking for the Senior Citizen Center.

A **motion** was made by Councilmember Swenson to award Schedule "B" of the 1998 Beautification Project to B.D. Barney Construction in the amount of \$30,260.40; and Schedule "C" of the 1998 Beautification Project to Valley Asphalt in the amount of \$8,573.10. The motion was **seconded** by Councilmember Shaw, and it **passed** with a unanimous vote.

Other Business

Mr. Heap reviewed current engineering projects with the City Council.

Van Con is presently working on installation of new infrastructure in the Escalante Subdivision. Mr. Heap asked the Council's direction on installing new sewer and secondary irrigation lines for three additional homes fronting 100 South. (296 West, 268 West, and 250 West on 100 South). 100 South is currently owned by the State, but Mr. Heap feels the street will eventually come into the City's ownership. He stated the total cost of this addition to the Escalante rebuild will be \$21,000. Spanish Fork City would be responsible for \$12,000, with UDOT paying the remaining \$9,000. After consensus to proceed from the Council, Mr. Heap stated a formal change order, for the addition to the Escalante project, will be presented at a future meeting.

Councilmember Shaw commented on the success of the recent Fiesta Days celebration. She commended City staff, and committee members for their hard work evidenced in various Fiesta Days activities. Councilmember Shaw reported the President of Iceland, Olafur Grimsson, was touched by the welcome that was shown by the citizens of Spanish Fork City.

Public Hearing: A Joint Public Hearing to Consider the Proposed Economic Development Project Preliminary Plan for the Proposed Swenson Economic Development Project Area

A **motion** was made by Councilmember Shaw to open the joint City Council / Redevelopment Agency public hearing at 7:35 pm. Councilmember Woodhouse made the **second**, and the motion **passed** with a unanimous vote.

Attorney Baker introduced attorneys, Craig Smith and Scott Ellsworth from the law firm of Nielsen & Senior. Mr. Smith and Mr. Ellsworth have been working with the City on the Swenson Economic Development Project Area.

Mr. Smith addressed the Council and citizens to explain the purpose of the EDA as well as accomplishments to be gained by an EDA designation. The powers of an EDA will be used in this selected area to promote a specific type of development and growth. Mr. Smith explained the three differences of an economic development area from a redevelopment area as follows:

1. Property in an EDA, using EDA funds, cannot be used for retail sales. Only incidental retail use is allowed;
2. Designation of an EDA does not give the power of eminent domain. All participation in the EDA is voluntary from property owners; and,
3. There is no requirement for finding of blight in an economic development area.

Mr. Smith clarified that an EDA does not control zoning, but follows the general plan and zoning ordinance for that area.

Councilmember Swenson declared for the record that he owns property in the proposed Swenson Economic Development Project Area.

Mr. Smith continued with explanations of an EDA. He noted one reason the area is proposed as an EDA rather than an RDA is because of the flexibility in size of an EDA. Mr. Smith stated a "Taxing Entity Committee" is formed to review the proposed budget of any EDA. The boundaries of the Swenson EDA were further clarified for citizens by Mr. Oyler. Mr. Oyler also noted the two structures already in existence within the EDA boundaries.

Mr. Morris Forbush asked for clarification on annexation boundaries of various areas in the EDA.

Mr. Keith Williams directed questions to the City staff regarding proposed infrastructure in the EDA. Mr. Oyler explained roads will follow the City's General Plan. The City has not yet determined specifics of road locations, but two main roads will go through the EDA starting at Chapple Drive and the old landfill Road near the EDA's south boundary line.

The meeting was opened for additional public input, of which none was received.

Mr. Smith reviewed the schedule for finalization of the Swenson EDA. The Preliminary Plan and proposed Swenson EDA budget will be approved on August 19, 1997, and the Final Plan will be presented for adoption in September or October with an additional public hearing. Mr. Smith stated once the EDA is finalized, proposed projects in the area will be taken before the Redevelopment Agency and then the Taxing Entity Committee.

Councilmember Shaw **motioned** to close the joint City Council / Redevelopment Agency public hearing at 8:08 pm. The motion was **seconded**, by Councilmember Huff, and it **passed** unanimously.

Adjournment to Regular RDA Session

Councilmember Shaw made a **motion** to adjourn the meeting of the Spanish Fork City Council, and convene the regular session of the Redevelopment Agency of Spanish Fork City at 8:09 pm.

Councilmember Barber **seconded**, and the motion **passed** with a unanimous vote.

Adjournment of RDA

A **motion** was made by Councilmember Shaw to adjourn the meeting of the Redevelopment Agency of Spanish Fork City and reconvene the Spanish Fork City Council meeting at 8:14 pm. Councilmember Huff **seconded** the motion, and the motion **passed** with a unanimous vote.

Adjournment to Executive Session

Councilmember Woodhouse **motioned** to adjourn the regular session of the Spanish Fork City Council at 8:14 pm and convene the executive session for the discussion of legal issues. Councilmember Swenson made the **second**, and the motion **passed** unanimously.