

**Adopted Minutes
Spanish Fork City Council Meeting
August 19, 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, and Clyde A. Swenson. Councilmember Rex Woodhouse was excused.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Jeff Foster, Electric Department Superintendent; and Janet Bryan, Office Clerk.

Citizens Present: Carolyn Judd, Glenn A. James, Jay Evans, Glen Rex Purnell, Mr. & Mrs. Ray Allen Swenson, Craig Smith, *Nielsen & Senior*; Scott Ellsworth, *Nielsen & Senior*; Roxanna Johnson, *Spanish Fork Press*; and Rodger Hardy, *Deseret News*.

Minutes

Councilmember Shaw made a **motion** to approve the minutes of the August 5, 1997, meeting of the Spanish Fork City Council as presented. Councilmember Huff **seconded** the motion, and it **passed** with a unanimous vote.

Citizen Recognition

Mayor Huff presented Carolyn Judd with a Certificate of Appreciation for her years of service on the Library Board. Ms. Judd has been on the Library Board for 4 years, serving as President of the Board for 2 years.

Ratification of New Board Appointments

Mayor Huff proposed the appointment of Bill Davis to the Library Board and the appointment of Rita Hales as Housing Commissioner (Utah County Housing Authority). All councilmembers ratified the proposed appointees.

Public Hearing: Revisions to Development Standards - Policy 39 (Resolution 97-09)

A **motion** was made by Councilmember Shaw to open the public hearings at 7:05 pm. Councilmember Huff made the **second** and the motion **passed** with a unanimous vote.

City Engineer, Richard Heap reviewed amendments to the Development Standards (Policy 39)

with the Council.

Mr. Heap and Mr. Foster noted the need for an agreement with phone and cable companies to work with the city when trenching for utility lines in developing areas. Simultaneous installation of conduit for phone, cable, and utility lines would prevent confusion in locating lines as well as eliminate the need to retrench for each line as it is needed. Costs for materials for each line would be the responsibility of the service provider. Concerns were expressed that after completion of conduit some lines may remain unused if a company decides not to service the area. It was the generally consensus that some type of agreement would be beneficial to all services providers involved. Mr. Heap and Mr. Foster will move forward to secure such an agreement.

Mr. Heap stated the city will now allow ornamental street lights in subdivisions. In an effort to maintain uniformity, only one type of ornamental light will be allowed per subdivision.

Councilmember Huff made a **motion** to adopt the amendments to the Development Standards, by Resolution 97-09, as presented with the notation that these amendments will affect all future approved plats. Councilmember Barber **seconded** the motion and it **passed** with a unanimous vote.

Public Hearing: A Joint Public Hearing to Consider Revisions to the Proposed Preliminary Plan for the Economic Development of the Swenson Project Area, and To Consider the Proposed Economic Development Project Area Budget

A **motion** was made by Councilmember Shaw to open the joint City Council/Redevelopment Agency public hearing at 7:30 pm. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Mr. Craig Smith from the law firm of Nielsen and Senior felt that the preliminary plan for the Swenson Economic Development Project Area was adequately presented at the previous joint public hearing held on August 5, 1997. Mr. Craig offered to be available immediately following the hearing to discuss any questions or concerns from citizens not present at the August 5, 1997 hearing. There were no notable changes or revisions to the preliminary plan.

Mr. Smith reviewed the proposed budget for the Economic Development Area. Listed in the proposed budget are the 1997 taxable value of the properties within the EDA. It was noted by Mr. Smith that tax increment projections cannot be made until approval of development proposals. When approval is given, the budget will be amended, notice given and a public hearing held. There have been no proposed developments at this time. The estimated expenses of administering the Project Area Plan are \$25,000. Funds to cover these costs will be borrowed from the City until tax increments from approved developments can be utilized to reimburse the City. Mr. Smith continued that the Taxing Entity Committee would need to approve any budget amendments. He said that such a committee was now in place and would convene in approximately one month.

The meeting was opened for public input.

Mr. Glenn James, stating that he had not been to the previous hearing, wanted to know the purpose and goals of the EDA. Mr. Smith explained that it will help to facilitate proper development of areas of the City that lack infrastructure through the tax increment of developments allowed within the area.

Ms. Roxanna Johnson from the Spanish Fork Press asked for specific property owners within the EDA. Clyde, Cleve, and Ray Allen Swenson; the Hanson Family Trust, and Glade Schwartz were noted, as well as Spanish Fork City, Springville City and Utah Power and Light.

Mr. Glen Purnell was concerned about the impact individual developments may have on the accessibility of utility services to landowners. It was determined that even though there is no way to anticipate the utility capacity of future developments within the area, there would be a provision in the City Ordinance for each development to provide adequate utility service for that development. It was also noted that tax increment funds can be used to improve sewer, water and electric lines.

No further questions or concerns were voiced. Mr. Smith restated he would be available for discussion after the meeting.

Resolution 97-08: A Joint Resolution of the Spanish Fork City Council and the Redevelopment Agency of Spanish Fork City Amending and Adopting the Preliminary Plan and Adopting the Proposed Budget for the Swenson Economic Development Project Area

A **motion** was made by Councilmember Shaw to adopt RDA Resolution 97-08: A Joint Resolution of the Spanish Fork City Council and the Redevelopment Agency of Spanish Fork City Amending and Adopting the Preliminary Plan and Adopting the Proposed Budget for the Swenson Economic Development Project Area as presented. Councilmember Huff made the **second** and the motion **passed** unanimously.

Public Hearing Closures and Adjournment to Regular RDA Session

Councilmember Huff made a **motion** to close the public hearings and convene the regular session of the Redevelopment Agency of Spanish Fork City at 8:00 pm. The motion was **seconded** by Councilmember Shaw, and it **passed** with a unanimous vote.

Adjournment of RDA Session

Councilmember Huff **motioned** to adjourn the meeting of the Redevelopment Agency of Spanish Fork City and reconvene the Spanish Fork City Council meeting. Councilmember Barber **seconded** the motion and it **passed** with a unanimous vote.

Electrical Design Contract for New Distribution Substation

Mr. Heap and Mr. Foster presented the contract of Intermountain Consumer Professional Engineers, Inc. for the new distribution substation in the amount of \$62,272. The substation will be situated on approximately 2 acres of land on the old landfill site. The project is scheduled to be completed in one year.

Councilmember Barber made a **motion** to approve the contract for the new distribution substation in the amount of \$62,272 as recommended by the Engineering and Electric Departments. The motion, **seconded** by Councilmember Swenson and **passed** unanimously.

Ordinance 13-97: An Ordinance Dealing with Emergency Purchases

A **motion** was made by Councilmember Huff to table Ordinance 13-97: An Ordinance Dealing with Emergency Purchases for a future council meeting. Councilmember Shaw **seconded** the motion and it **passed** with a unanimous vote.

Adjournment to Executive Session

Councilmember Shaw **motioned** to adjourn the regular session of the Spanish Fork City Council at 8:10 pm and convene the executive session for the discussion of legal issues. Councilmember Barber made the **second**, and the motion **passed** unanimously.

Adjournment of Executive Session

A **motion** was made by Councilmember Shaw to adjourn the executive session and reconvene the Spanish Fork City Council meeting at 8:55 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

Strawberry Electric Service District Agreement

City Attorney, Junior Baker, presented the main points of the proposed agreement to resolve the lawsuit with Strawberry Electric Service District as follows: (1) Payment of \$575,000 for Spanish Fork City to service all customers in the present City boundaries; (2) The right to service customers in areas that are annexed into the city in the future at a cost of \$350 per acre on development (this cost would be recovered in impact fees); and (3) Contingent upon approval of the agreement by Payson City and Salem City.

Councilmember Swenson expressed appreciation for all those involved in working toward settlement of the Strawberry lawsuit. Councilmember Woodhouse was commended for his extra effort and time spent on the issue. Councilmember Swenson feels the conclusion is fair and equitable for all parties involved.

Mr. Oyler stated the tentative date to sign the agreement as August 26, 1997, at 10:00 a.m. in Salem. He added there would be a formal press release at that meeting.

Councilmember Swenson made a **motion** to approve the Strawberry Electric Service District

Agreement, contingent upon the approval of the agreement by Payson and Salem City, and to give Mayor Huff authorization to sign said agreement. The motion was **seconded** by Councilmember Shaw and it **passed** with a 3:1 vote. Councilmembers Huff, Shaw, and Swenson voted in favor of the motion. Councilmember Barber was opposed.

Other Business

Mayor Huff expressed appreciation to all City department heads for their help in answering concerns brought to her attention through the “Dear Mayor” program. She stated many people have been surprised when someone addressed their concern or actually made a visit to review various problems. She has been pleased with this program and felt it is a good way to keep in touch with the citizens and their concerns.

Adjournment

A **motion** was made by Councilmember Shaw to adjourn the meeting of the Spanish Fork City Council at 9:05 pm. Councilmember Huff **seconded** the motion and it **passed** with a unanimous vote.