

**Adopted Minutes
Spanish Fork City Council Meeting
March 3, 1998**

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was led by Recorder/Finance Director Kent R. Clark.

Elected Officials Present: Mayor Dale R. Barney; and Councilmembers Sherman E. Huff, Everett Kelepolo, Thora L. Shaw, and Clyde A. Swenson. Councilmember Lillian J. Shepherd was excused.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Kent R. Clark, Finance Director/Recorder; Dee Rosenbaum, Public Safety Director; Jack J. Swenson, Parks and Recreation Director; Dale Robinson, Assistant Recreation Director; Karen Bradford, Assistant Recreation Director; Barbara Hall, Recreation Secretary; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; George Haney, Ron Davis, Matt Barber, Shirley H. Taylor, Ann Hutchings, Nadine Staheli, Francis Milne, Kevin Madson, *KMA Architects*; Robert A. Hutchings, Allen N. Swenson, Doug Ford, Tonya Armistead, Clay Grant, Weldon Hathaway, Joel Nelson, Kyle Melrose, David Purinton, Vern Tanner, Erlynn Morrell, Valerie Shepherd, Randall Wilkinson, Morgan Robertson and Beatrice Wehenkel.

Minutes

Councilmember Shaw made a **motion** to approve with the minutes from the February 4, February 17, February 20, and February 21, 1998, City Council meetings with noted amendments. Councilmember Huff **seconded** the motion and it **passed** with a unanimous vote.

Bid - Northeast Distribution Substation Concrete Foundation

A **motion** was made by Councilmember Huff to approve the bid for the Northeast Distribution Substation Concrete Foundation from RB Construction in the amount of \$18,000. The motion was **seconded** by Councilmember Swenson, and it **passed** with a unanimous vote.

Bids Received: RB Construction - \$18,000; and Warren Construction - \$36,650.

Architect Contract for Library Basement Remodel

Councilmember Swenson made a **motion** to authorize the architect contract with Kevin Madson, of KMA Architects for the Library Basement Remodel. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Bid - Library Basement Remodel

Bids have been submitted for the Library Basement Remodel, including an additional bid for outdoor restrooms at the Library. Mr. Randall Bradford, construction manager for the project reviewed the bids. \$280,000 was budgeted for the project

Councilmember Kelepolo made a **motion** to accept the base bid for the Library Basement Remodel in the amount of \$273,960. Councilmember Swenson **seconded**, and the motion **passed** unanimously.

Much discussion took place on whether to approve the bid in the amount of \$78,000 for the outdoor restrooms. Councilmember Kelepolo feels outdoor facilities are a target for vandalism. Councilmember Shaw agreed, but stressed the inconvenience of families rushing their children home to use the bathroom. Councilmembers felt the bid amount was a high price to pay for a facility. Mr. Madson stated the increased cost for the restrooms relates to the sturdy design enabling the facility to withstand certain effects of vandalism.

After additional discussion, Councilmember Swenson made a **motion** to deny approval of the restroom bids. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Resolution 98-04: Authorizing the Sale of House of Fabrics Stock and Authorizing the City Finance Director to Execute Documents to Effectuate the Sale.

House of Fabrics filed for Chapter 11 Bankruptcy a number of years ago. As a result of a successful reorganization of House of Fabrics, Spanish Fork City received shares of stock in lieu of several thousand dollars in delinquent utility bills. The City has received a tender offer to purchase its shares of stock. Resolution 98-04 would authorize the sale of the stock, and authorize Kent Clark to facilitate the appropriate paperwork.

Councilmember Huff **moved** to approve Resolution 98-04: Authorizing the Sale of House of Fabrics Stock and Authorizing the City Finance Director to Execute Documents to Effectuate the Sale. Councilmember Shaw **seconded** the motion which **passed** with a unanimous vote.

Condemnation of Property for Extension of Chapple Drive

Mayor Barney reported the two parties involved in the property dispute have come to an agreement and condemnation is no longer necessary.

Recreation Committee - Program and Facilities Discussion

Jerald Chapple, Recreation Committee Chair addressed the Council regarding the Committee's recommendations for the recreation program. He reviewed four main issues as follows:

1. **Playground Equipment.** \$50,000 has been budgeted for playground equipment. It was

felt by the Committee the best place for equipment would be the new Centennial Park east of the Cemetery. The new playground will be located north of the parking lot.

2. **Adjustments/Limitations in the Current Recreation Program.** Mr. Chapple stated regardless of whether the recreation bond passed, this issue needed to be addressed. He outlined the high-use of ballfields in previous years causing excessive wear as well as maintenance and risk management problems. The Committee feels the youth programs are most important to preserve and recommend all youth programs remain in place. They recommend the adult programs only run in August and September. If field space is still available after youth registration for the summer months, some co-ed programs could be introduced during June and July.
3. **Fees for Non-Residents.** Mr. Chapple stated in the past non-residents have paid the same fees as residents when registering for recreation programs. Feedback was received from citizens during the bond election of the inequity in the fees non-residents pay. Mr. Chapple emphasized the difficulty of this issue. The Committee suggests the City increase non-residents recreation fees fifty percent for all programs for one year, after which additional study could take place. Because summer registration begins in two weeks, Mr. Chapple stated a decision needs to be made on this issue soon. He also stated the primary reason the fees are recommended to increase is to support finances the City uses to subsidize the program.
4. **New Recreation Facilities.** The Committee also discussed how to proceed with the proposed recreation facility on South Main. It was recommended, with the efforts of volunteers and the portion of money the City has reserved for recreation capital facilities, construction of one four-plex facility begin. A grassy area will be included in the four-plex for football/soccer use. To ensure the field is complete by the year 2000, the Committee also recommended the Council find a funding mechanism in the event volunteer work is not sufficient.

Mayor Barney expressed appreciation to the Recreation Committee for their time and effort spent on the study.

Councilmember Kelepolo **moved** to accept the bid from Miracle Recreation on option II for playground equipment at Centennial Park in amount of \$46,954. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

The meeting was opened for public comment regarding the other recreation issues.

Citizens questioned if a crisis would still occur if the bond had passed. Mr. David Purinton wondered how there could be a deficit in the recreation program with fees people are charged to participate. Mr. Oyler outlined the costs of the recreation program and the amount needed to subsidize it. Elimination of programs which are not profitable to the City was suggested.

Some citizens feel adult programs should not be limited, or youth teams should not play as often

to allow adult play. Citizens felt raising non-resident fees will decrease the participation from non-residents. Concern was expressed with raising fees by both residents and non-residents. Some people did not feel it was fair to raise fees that were already printed in the recreation schedule.

Councilmember Huff **moved** to accept the adjustments to the current recreation participation program as recommended by the Recreation Committee for 1998, by keeping all youth programs; having adult programs in August and September only; and if field space allows after youth registration, some limited co-ed programs can occur. Councilmember Kelepolo **seconded** the motion and it **passed** with a unanimous vote.

Discussion on raising non-resident fees continued. Members of the Council stated they received many phone calls from people who felt it was not fair county residents used City facilities and do not pay.

Councilmember Shaw suggested non-residents address the County Commissioners. Mr. Matt Barber has talked with Utah County Commissioner Jerry Grover. Commissioner Grover stated the County is not willing to participate in an eight million dollar facility, but may discuss the option of contributing the additional cost to allow County residents to participate. It is Mr. Barber's position if the County contributes just operation and maintenance costs, it would be equitable for the City.

Councilmember Swenson made a **motion** to table the increase on the non-resident recreation fee issue until November 1, 1998. Councilmember Shaw **seconded** the motion, and the motion **failed**. Councilmembers Swenson and Shaw voted in favor of the motion, Councilmember Kelepolo, and Councilmember Huff were opposed. Mayor Barney voted in opposition of the motion.

It was suggested the non-resident fees increase for programs not already printed in the recreation program's winter class schedule.

Councilmember Kelepolo **moved** to leave the fees as printed in the winter class schedule of the City recreation program, and offer donations from non-residents. All other programs that have not been published will increase for non-residents by 50% or 1.5. These non-resident fees will stay in effect until such time as another equitable solution is approved. Councilmember Shaw **seconded** the motion and it **passed** with a unanimous vote.

Discussion turned to funding for the four-plex. Mayor Barney has offered to spearhead a volunteer group for grading of the property. Councilmember Shaw feels it will be a good test to see how much volunteerism takes place. Grading will be bid out if it is not completed by May in order for completion within the two year time period. Councilmember Swenson asked who would hold liability for the volunteers. Mr. Oyler stated liability would rest with the City and be covered under workers compensation. Discussion took place regarding volunteer work.

Mr. Bob Hutchings recommended the recreation committee spur a donation committee to help

finance the recreation facility. He stated even kids can donate, making them feel like they have ownership in the facility. Erlynn Morrell, David Purinton, and Valerie Shepherd volunteered to start a finance committee for monetary donations.

Councilmember Huff stated money will be needed to complete projects that do not receive offers from volunteers.

It is the Council's understanding that the architect will complete the design of everything as it relates to the first phase.

Councilmember Huff made a **motion** to proceed with the first phase of the project. The recreation committee will coordinate any sub-committees needed to assist in the development of the project. If volunteer labor and contributions are not sufficient to complete the first phase, the City would have to ensure adequate funding for completion. It should be made known that the intention of the Council is to complete the first phase for planting of grass for the Fall of 1998. Councilmember Kelepolo **seconded** the motion, and it **passed** with a unanimous vote.

Adjournment

A **motion** was made by Councilmember Huff to adjourn the meeting of the Spanish Fork City Council at 9:50 pm. The motion was **seconded** by Councilmember Kelepolo and it **passed** with a unanimous vote.