

**Adopted Minutes
Spanish Fork City Council Meeting
June 9, 1998**

The meeting was called to order at 6:05 pm by Mayor Dale R. Barney. At 7:00 pm the pledge of allegiance was led by Councilmember Everett Kelepolo.

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Sherman E. Huff, Everett Kelepolo, Thora L. Shaw, and Lillian J. Shepherd. Councilmember Clyde A. Swenson arrived at 6:55 pm.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Gregory A. Comstock, City Planner; Kent R. Clark, Finance Director/Recorder; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Carl Empey, Zions Bank Public Finance; Roxanna Johnson, Spanish Fork Press; Karen Payne, Spanish Fork Chamber of Commerce; Nancy Lew, Roy Johns, John Smiley, Elsie Thomas, Jeff Thomas, Paul Nelson, and Doug Barber.

Financing Information - Presented by Carl F. Empey, Zions Bank Public Finance

Mr. Empey led a general discussion regarding financing options available to the City.

***Note: Councilmember Swenson arrived at 6:55 pm.*

Minutes

A **motion** was made by Councilmember Huff to approve the minutes of the June 2, 1998, meeting of the Spanish Fork City Council as presented. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

Appointment of Senior Citizen Director

Mayor Barney recommended the Council appoint Ms. Joyce Webb to serve as the new Senior Citizen Director.

Councilmember Swenson **moved** to appoint Joyce Webb as the Senior Citizen Director as recommended by the Mayor. Councilmember Shaw **seconded** the motion, and it **passed** with a unanimous vote.

Jeff Thomas Annexation

An annexation petition has been received for approximately five acres west of the Sunset Park

subdivision. City staff feels comfortable proceeding with annexation requirements.

Councilmember Huff **moved** to authorize staff to proceed with the Jeff Thomas Annexation. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Adjournment to RDA

Councilmember Shaw **moved** to adjourn the regular session of the Spanish Fork City Council and convene the RDA meeting. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Adjournment from RDA

A **motion** was made by Councilmember Shaw to adjourn the meeting of the Spanish Fork Redevelopment Agency and reconvene the City Council meeting at 7:15 pm. The motion was **seconded** by Councilmember Shepherd, and it **passed** with a unanimous vote

Resolution 98-14: A Resolution Approving the Annual Contribution Agreement Relating to the North Industrial Project Area, by and Between the City and the Redevelopment Agency of Spanish Fork City, and Related Matters

Councilmember Huff **moved** to adopt *Resolution 98-14: A Resolution Approving the Annual Contribution Agreement Relating to the North Industrial Project Area, by and Between the City and the Redevelopment Agency of Spanish Fork City, and Related Matters*. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Resolution 98-15: A Resolution Approving the Annual Contribution Agreement Relating to the Kirby Lane Project Area, by and Between the City and the Redevelopment Agency of Spanish Fork City, and Related Matters

A **motion** was made by Councilmember Kelepolo to adopt *Resolution 98-15: A Resolution Approving the Annual Contribution Agreement Relating to the Kirby Lane Project Area, by and Between the City and the Redevelopment Agency of Spanish Fork City, and Related Matters*. The motion was **seconded** by Councilmember Shaw and it **passed** with a unanimous vote.
**Note: Councilmember Clyde A. Swenson abstained from voting.

Bids - 1998 Chipseal Projects

Bids have been received for material to do chipseal projects with other south county cities. The interlocal agreement for chipseal projects states Spanish Fork City will bid the materials for the entire project. The City will be reimbursed by other participating cities for their share of the materials. Total estimated cost for the project is \$98,000 with Spanish Fork City's share being \$38,000.

Councilmember Swenson **moved** to approve the bids for the chipseal projects as presented.

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

Bids Received:

Bid #1 - Type A Chips - Steve Hutchison Trucking - Delivered at \$12 per ton
Approximately 3,000 tons

Bid #2 - Distributor Truck Services - Spreader Specialist - Delivery at \$15.29 per ton
Spreading at \$15.50 per ton (of liquid asphalt). Approximately 300 tons

Bid #3 - Latex Modified Asphalt Emulsion - Koch Materials - \$175 per ton
Approximately 300 tons

Adjournment to Executive Session

Councilmember Huff **moved** to adjourn the regular session at 8:00 pm, and convene the executive session to discuss legal issues. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Adjournment from Executive Session

A **motion** was made by Councilmember Shaw to adjourn the executive session and reconvene regular session of the Spanish Fork City Council at 9:03 pm. The **second** was made by Councilmember Huff, and the motion **passed** unanimously.

Legal Issue - Condemnation of Property

Mayor Barney was pleased to report the City will not condemn property to ensure completion of 1100 East for future development. He stated the two parties have reached an agreement regarding right-of-way for the road.

Other Business

City Engineer Richard Heap reviewed the proposed agreement with Ensign-Bickford Company (EBCo) for pumping contaminated water from their property. He noted the agreement will be on the June 16, 1998 Council agenda for formal approval. Details of the agreement are as follows:

Spanish Fork City will install a larger pipe deeper in the ground on the secondary irrigation large user project. The additional cost of approximately \$45,925 for this pipe will be paid by EBCo. EBCo will donate \$221,563 of the \$640,000 needed for the Canyon Road Phase. The remaining portion of the cost will be fronted by EBCo to be paid back by the City over a period of ten years, interest free. EBCo will give the City their well, equipped and connected to the City's system, when it is not needed for clean-up. EBCo will construct a building near the City Booster Pump Station to house Granulated Activated Carbon (GAC) filters. At the end of clean-up, this building will become City property. The City will use Spring Creek water rights to cover EBCo's pumped water which ends up in Hobble Creek or Spanish Fork River, and when either stream is dry dammed.

Mr. Heap and Councilmembers expressed the feeling the agreement would be a win-win situation for both EBCo and the City.

Adjournment

Councilmember Swenson **moved** to adjourn the meeting of the Spanish Fork City Council at 9:26 pm. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.