

**Adopted Minutes  
Spanish Fork City Council Meeting  
May 11, 1999**

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 City Manager David A. Oyler.

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

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; Louise Nuzman, Library Director; Jack J. Swenson, Parks and Recreation Director; Jay Rindlisbacher, Swimming Pool Manager; Maureen Rindlisbacher, Recreation Secretary; and Gina Peterson, Deputy Recorder.

Citizens Present: Gregory A. Comstock, Glenn A. James, Roy L. Johns, and local high school students.

### **Minutes**

Councilmember Huff made a **motion** to approve the minutes of the January 15, 1999 City Council retreat with the noted corrections. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff **moved** to approve the minutes of the January 16, 1999 City Council retreat with noted changes. Staff was directed to review the policy on fishing at the Canyon View Park Pond and determine if the name of Mr. Greg Fowkes on line 42 is correct. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Swenson made a **motion** to approve the minutes of the April 29, 1999 meeting of the Spanish Fork City Council with noted corrections. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

### **Employee Recognition**

Mayor Barney and the Council recognized City Planner Greg Comstock for his contributions to the City. Mr. Comstock is moving to Arizona and will no longer be employed with the City. The Council extended best wishes to Mr. Comstock in his future endeavors.

### **Agenda Request - Cris Child/Prestige Properties**

Mr. Child was not present at the meeting. Attorney Baker reviewed the facts stated in Mr. Childs agenda request.

Resolution 99-06 was recently approved by the Council which states prior to final approval of any development, the land owner or developer must convey to the City the water rights, or combination of water and cash in lieu. Fifty percent of the water obligation must be in actual water rights, or shares of water stock acceptable to the City, which must be transferred to the City. The other fifty percent may be met by paying cash in lieu of the water. The new fee set by the resolution for cash in lieu of water is \$1,500 per acre foot. The Council determined the new fee would apply to all developments receiving final plat approval on May 1, 1999 and beyond.

Mr. Child received final plat approval on his Willowbend development prior to the deadline and will be required to pay the old in lieu fee of \$615 per acre foot at recording. He has determined, due to market changes, to split his project into two final plats to enable him to work more conservatively. Mr. Child is requesting the City Council allow him to split his final plat into two plats while still allowing him to pay for water at the previous rate of \$615 per acre foot. The difference in prices of water shares amounts to over \$20,000. In his letter, Mr. Child states he will be forced to proceed with the original approved plat if his request is not authorized.

Much discussion took place regarding the issue. Councilmember Huff expressed the concern if this request were granted, other developers in the community would want to take similar action. He stated the cost of water has nothing to do with the sale of lots.

Councilmember Shaw feels the City needs to be firm in implementing the fees. She stated the City is not here to make developers rich and the Council has a commitment to look out for the needs of the community and every citizen in it.

Councilmember Swenson made a **motion** to deny Cris Child's request of allowing payment of the old cash in lieu of water fee if his plat is split. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

### **Work Session - FY 2000 Budget Review**

Mr. Oyler indicated Department Directors were present to address specific budget questions for each department.

#### ***Library***

Mr. Oyler reviewed the library budget in detail and indicated there are no proposed changes in the library fees.

Councilmember Kelepolo asked about the number of non-resident cards issued. Fees charged for lost books and late returns were reviewed. Library Director Louise Nuzman stated she is comfortable with the \$25 non-resident fee.

#### ***Public Safety***

Public Safety rates, fees and revenues were reviewed in detail, including the Animal Control, Court, Emergency Preparedness, Ambulance and Fire departments.

### ***Recreation***

Mr. Oyler outlined the Parks and Recreation budget.

Councilmember Shaw questioned why the City is charged for use of the small and large auditorium at the High School when the school district is not charged for use of Fairgrounds arena. Mr. Swenson indicated use of the High School for theater arts activities usually requires a fee be paid.

### ***Review of Swimming Pool Fees***

Parks and Recreation Director Jack Swenson reviewed the swimming pools fees. A question was raised last week by Councilmember Shepherd about the possibility of increasing general admission prices to include use of the waterslide. Mr. Jack Swenson stated the Recreation Department did a lengthy study four years ago to come up with the current program. He stated a large number of people do not use the slide and the City felt the people using the slide should pay an additional fee. The waterslide generates approximately \$40,000 in annual revenue. Mr. Swenson stated they have tried to make the cost of the swimming pool break even by using slide fee revenue. He indicated the general admission price would have to be increased by nearly \$1 to recoup costs if the slide fee were eliminated.

Councilmember Shepherd stated some citizens have approached her and have become very emotional when they discuss children not able to use the slide because they cannot afford the additional fee. These citizens do not feel it is fair to the kids that can't use the slide.

Councilmember Swenson sympathized, but stated the issue is a lesson in life just as not everyone can afford the same kind of shoes and clothes.

Swimming Pool Manager Jay Rindlisbacher noted other options of using the slide at a reduced rate including family night. He also stated he would donate slide money to kids that are in need.

Councilmember Kelepolo feels the program has been working well. He said he can't always afford to send his kids down the slide but kids can work to earn the money to use the slide. Councilmembers Shaw and Huff stated they are comfortable with the current swimming pool fees.

### ***Public Works***

The Public Works budget was discussed. Mr. Oyler noted a Storm Drain Utility will soon be created.

### **Adjournment**

Councilmember Shaw made a **motion** to adjourn the meeting of the Spanish Fork City Council at 8:40 pm. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.