

**Adopted Minutes
Spanish Fork City Council Meeting
June 1, 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 Councilmember Clyde A. Swenson.

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; Kent R. Clark, Finance Director/Recorder; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Nate Crow, GIS Specialist, and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Glenn A. James, Roy L. Johns, Kim Turner, Greg Tidwell, Don G. Turner, Greg Magleby, Jesse Conway, and Steve Tanner, *The Daily Herald*.

Minutes

Councilmember Huff made a **motion** to approve the minutes from the May 18, 1999 meeting of the Spanish Fork City Council as presented. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Pleasant Grove Strawberry Days Rodeo Royalty and Rodeo Royalty

Members of the Pleasant Grove Strawberry Days Rodeo Royalty and Junior Rodeo Royalty addressed the Mayor and Council and presented them with a flat of strawberries. Queen Cassie Sweat invited all present to participate in Pleasant Grove City's 79th annual Strawberry Days Celebration from Wednesday June 16, 1999 to Saturday, June 19, 1999. Members of the royalty outlined activities taking place during the week, including the PRCA rodeo.

Public Hearing - FY 2000 Budget

Councilmember Kelepolo made a **motion** to open the public hearings at 7:18 pm. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Oyler reviewed the FY 2000 Budget, including wages, rates and fees. He entertained questions from those in attendance regarding the budget.

Mayor Barney opened the meeting for public comment. None was received.

Public Hearing - Impact Fee Ordinance

Attorney Baker reviewed the proposed increases and decreases in the City's impact fees. If adopted, the proposed changes will take effect July 1, 1999. Mr. Oyler noted the proposed impact fee ordinance has been available to the public for two weeks.

The meeting was opened for public comment. None was received.

Closure of Public Hearing and Adjournment to RDA Session

Councilmember Shaw made a **motion** to exit the public hearing at 8:03 pm and adjourn the meeting of the Spanish Fork City Council to convene the RDA session. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Adjournment of RDA Session

Councilmember Shepherd **moved** to exit the RDA public hearing at 8:11 pm and adjourn the RDA session to reconvene the regular City Council meeting. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Consider Adoption of the Taylor/Turner Zone Change (R-R to R-1-8) and Hunters Crossing Preliminary Plat

This request, submitted by Mr. Kim Turner, is to rezone approximately 12.46 acres at 2425 East Canyon Road from R-R, Rural Residential, to R-1-8, Medium Urban Residential. Hunters Crossing Preliminary Plat approval will create 35 single family lots and 27 townhouse lots from the 12.46 acres for an overall density of 4.98 units per acre.

A decision on the Taylor/Turner Zone Change and Hunters Crossing Preliminary Plat was tabled from May 4, 1999 and again from May 18, 1999 so developers could define details of landscaping, fencing and specifics regarding the streetscape of 2550 East.

Councilmember Shaw expressed disappointment that the landscaping plan did not provide any visualization. She stated the plan looks like a colored map with circles drawn in. Councilmember Huff agreed. He also noted the Planning Commission recommended the minimum home size as 1200 square feet and the developers are still requesting 1000 square feet.

Developer Greg Tidwell reviewed the landscape map and specified types and sizes of trees which are proposed. Mayor Barney asked if Mr. Tidwell received a recommendation from the City's Shade Tree Commission. Mr. Tidwell answered no. Discussion took place regarding trees. Mr. Oyler noted City ordinance requires a 2" caliper tree. After further discussion, Mr. Tidwell stated he would be happy to meet with the Shade Tree Commission or refer to the City's Shade Tree Ordinance.

Mr. Tidwell reviewed fencing concerns stating the pre-cast concrete fence desired by the City is very cost prohibitive. He indicated their willingness to install a block fence to be colored,

painted or stuccoed. Councilmember Shaw stated she would like to see renderings for the proposed fence/wall. Mr. Oyler reviewed several developments planned for the 2300 East area. He asked if the Council wants different types of fencing for each development, or something more uniform.

Mayor Barney feels if the fence meets City ordinance, the City should not get involved in requiring specific styles. Councilmember Huff indicated he would like to see the area done with some degree of conformity in relation to walls. He feels the Council ought to determine some type of standard for the area. Mr. Tidwell stated he could provide several pictures that fit the block fencing type, but it is difficult to meet conformity when opinions vary so much.

Councilmember Huff made a **motion** to table a decision on the Taylor/Turner Zone Change and Hunters Crossing Preliminary Plat until the developers bring back a landscape architectural concept drawing and clear definitions of fencing style and type for review. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Ken Christensen Annexation - Preliminary Approval

The Council reviewed the proposed Ken Christensen annexation on 33.36 acres parallel to State Road 51 just outside the northwest area of Spanish Fork. City Engineer Richard Heap indicated annexing the area may create a peninsula by County definitions. If it did create a peninsula, it would definitely hold up the annexation when it proceeded to recording with the County.

Mr. Greg Magleby from LEI Engineering is sponsoring the annexation petition. He stated the County's peninsula ordinance indicates you cannot create a new peninsula with an annexation unless the new peninsula will be created from an area that is already considered a peninsula. Mr. Magleby cited this was the case with the peninsula issue for the Ken Christensen annexation. He stated he has been working with Clyde Naylor from the County on the issue.

Mr. Heap noted utilities are close to the property, but storm drainage and power may present a problem. He stated utility issues are usually addressed during the annexation study.

Councilmember Huff made a **motion** to table approval of the Ken Christensen annexation petition until LEI Engineering can come back with further information from the County on the peninsula issue. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mayor Barney recommended City staff investigate the availability of utilities.

Upstairs Library Remodel - Change Order #3

Mr. Oyler reviewed change order #3 for the upstairs Library remodel in the amount of \$14,553.25.

Councilmember Swenson made a **motion** to approve the change order for the upstairs Library

remodel as presented. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Resolution 99-11: A Resolution Authorizing Entry Into and Execution of a Chip Spreader Interlocal Agreement

For last couple of years Spanish Fork City has been involved in an Interlocal Agreement for chipseal with several other cities which has proven to be very beneficial. The cities have been using Payson City's Chip Spreader in the past and are now in need of a spreader that is newer and more automated. The new spreader will be housed in Spanish Fork. Mr. Heap recommended the City enter into the agreement. Mayor Barney stated the savings in material alone has been a great benefit to the participating cities.

Councilmember Kelepolo made a **motion** to adopt Resolution 99-11: Authorizing Entry Into and Execution of a Chip Spreader Interlocal Agreement. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Resolution 99-12: A Resolution Authorizing Entry Into and Execution of a Paint Striper Interlocal Agreement

City Engineer Richard Heap explained some cities have had a difficult time getting paint stripers to work on City jobs due to scheduling conflicts. Several cities have determined to jointly purchase a paint striper to facilitate striping needs in those cities. The agreement will involved the same cities as the Chip Spreader Agreement with the exception of Goshen.

Councilmember Huff made a **motion** to adopt Resolution 99-12: Authorizing Entry Into and Execution of a Paint Striper Interlocal Agreement. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Proposed Contract for Flood Plain Study with FEMA

Dominion Engineering has been doing a study to submit to FEMA for a revision of the Flood Plain Map for the property on the south side of the river near the new ballparks. As part of this study, they have already gathered information on the hydrology of the Spanish Fork River. Mr. Heap feels Dominion Engineering should also take a look at the City's property that could be developed along the Bottoms Road. Since the process has already been started with one area, it may be easier to submit two areas to FEMA especially due to the lengthy amount of time FEMA may take. He recommended the Council authorize Dominion Engineering to complete study on the Bottoms Road area.

Councilmember Shaw made a **motion** to enter into a contract with Dominion Engineering for a FEMA flood plain study as proposed. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Resolution 99-13: A Resolution Approving and Authorizing the Execution of an Interlocal

Agreement for the Utah County Major Crimes Task Force

An interlocal agreement for the Major Crimes Task Force was previously approved by the Council in February 1998. Chief Rosenbaum noted the agreement has been amended to make financial control of the Task Force the responsibility of Orem City instead of Provo City. He indicated the participating cities have been really pleased with the accomplishments of the Task Force.

Councilmember Kelepolo made a **motion** to adopt Resolution 99-13: Approving and Authorizing the Execution of an Interlocal Agreement for the Utah County Major Crimes Task Force. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Ordinance 07-99: An Ordinance Creating a Storm Water Drainage Utility

Attorney Baker reviewed Ordinance 07-99 which will create a storm water drainage utility. The anticipated growth in the City will place increased demands on the City's storm drainage system.

The EPA is also proposing regulations that will soon be enforceable against the City. Due to the City's storm water management needs, and the hazards and nuisances created by storm water, staff felt a storm water utility should be established to fund drainage requirements. Attorney Baker outlined how rates are determined on an equivalent service unit (ESU). The rate will be set by the Council each budget year, but is currently proposed at \$1.50 per ESU.

Councilmember Swenson made a **motion** to adopt 07-99: An Ordinance Creating a Storm Water Drainage Utility with the change in section 13.46.030 paragraph (D) to add the word "City" in front of Council. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Impact Fee Ordinance

Councilmember Shaw made a **motion** to table a decision on the Impact Fee Ordinance until June 15, 1999. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Councilmember Swenson expressed his feeling the Council needs to take some time to determine rules and parameters for fencing requirements. Councilmember Shaw suggested the Planning Commission be involved in the decision as well.

Councilmember Shaw complemented the Police Department and citizens for their work to find 5-year old Joey Simpson. She expressed appreciation for the outstanding community.

Adjournment

Councilmember Swenson **moved** to adjourn the meeting of the Spanish Fork City Council at 9:24 pm. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.