

Adopted Minutes
Spanish Fork City Council Meeting
July 13, 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 Everett Kelepolo.

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

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Kent R. Clark, Finance Director/Recorder; Dee Rosenbaum, Public Safety Director; S. Junior Baker, City Attorney; Jered Johnson, GPS Specialist; Aaron Painter, GPS Specialist; and Heather Frost, Public Safety Department Secretary.

Citizens Present: Roy L. Johns, Roxanna Johnson, *Spanish Fork Press*; Lynn B. Stimpson, Kathy Stimpson, Linda M. Pitelli, Glenn A. James, and Bill Summers.

Agenda Request - Bill Summers, Macey's

Mr. Bill Summers approached the council regarding a letter his grocery store had recently received from the police department. Mr. Summers explained the letter was a reminder to Spanish Fork City businesses of the existing ordinance dealing with the sale of beer. He said Spanish Fork City's ordinance prohibits the sale of beer for off-premise consumption between the hours of 1:00 am and 10:00 am. Mr. Summers requested the council consider changing the 10:00 am time to an earlier hour. He said many people do their grocery shopping in the early morning hours and because of the existing ordinance, they are unable to purchase beer and must make a second trip later in the day to do so. Mr. Summers expressed his concern with losing customers who may go to another city to do their shopping. He then reviewed the hours other cities within Utah County prohibit beer sales as follows: Provo, Orem, Payson and Springville 1:00 am to 7:00 am and Salem 12:00 am to 8:00 am.

Mrs. Linda Pitelli, Spanish Fork convenience store owner, also requested the council consider a change to the existing ordinance. She said she fears losing customers to other cities as well.

Agenda Request - Kathy Stimpson, KatLynn's Supper Club

Ms. Kathy Stimpson also requested the council consider a change to the city ordinance dealing with the sale of beer. She asked the council to consider a change in the existing ordinance which prohibits a private club to sell beer for on-premise consumption on Sundays. Ms. Stimpson explained her club is allowed to sell hard liquor on Sunday, but she is not able to sell beer, which has a lesser alcohol content.

Chief Rosenbaum informed the mayor and council a letter was sent to all businesses in Spanish Fork with a license to sell beer after a business complying with the ordinance reported they were losing customers to businesses not in compliance. He said a copy of the city's existing ordinance was enclosed with the letter and was sent as a reminder to all businesses licensed to sell beer.

Discussion ensued between Mayor Barney, council and staff. Attorney Baker was instructed to draft ordinances as follows: 1) Amend the hours prohibiting the sale of beer from 1:00 am - 10:00 am to 12:00 am - 6:00 am; and 2) To allow a private club to sell beer on Sunday. Mr. Baker said the ordinances will be drafted by the last week in July for the council's review. This issue will be brought before the council at the first council meeting in August.

Agreement - AIM Management Services

Mr. Heap recommended the council enter an agreement with American Innovations, Ltd., for automated metering services. Mr. Heap explained it is difficult for the electric department to measure residential usage, business usage and peak demands. He said this information is needed to project future electrical needs and demands for the city. Mr. Heap recommended the city enter the agreement for a four-month time period, stating they should be able to collect the necessary data in that amount of time. He said if an extension is needed, a request will be made at the end of the four-month period.

Councilmember Huff made a **motion** to enter the AIM Management Services agreement with American Innovations, Ltd. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

Ordinance 10-99: An Ordinance Allowing the Public Works Department to Enforce Fugitive Dust and Emissions Violations by Issuing Citations

Attorney Baker reviewed the proposed ordinance with the council.

A **motion** was made by Councilmember Kelepolo to adopt Ordinance 10:99: An Ordinance Allowing the Public Works Department to Enforce Fugitive Dust and Emissions Violations by Issuing Citations. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Work Session - GPS Demonstration & Library Tour

Jered Johnson and Aaron Painter, GPS Specialists, conducted a GPS Demonstration for Mayor Barney and the council.

Mayor Barney and councilmembers toured the recently remodeled library.

Adjournment

The meeting adjourned at 9:00 pm.