

**Adopted Minutes
Spanish Fork City Council Meeting
November 2, 1999**

The meeting was called to order at 6:30 p.m. by Mayor Dale R. Barney for a preliminary review of the agenda. At 7:00 p.m. the pledge of allegiance was led by a local student.

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; Nate Crow, GIS Specialist; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Jacob Cope, Evan Cope, Kristen Morgan, Ashley Roach, Jodie Reynolds, Rebecca Hawkins, Bret Jackson, Kami Anderson, Joseph N. Santos, Anette Allan, Ryan Eddigton, Jesse Conway, and Greg Magleby.

Discussion on Draft Agreement with Southern Utah Valley Power Project (SUVPP)

Attorney Baker recommended discussion on the SUVPP Agreement be tabled for further staff review.

Councilmember Shepherd made a **motion** to table the agreement until November 16, 1999. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Change Order - FY 2000 Cemetery Project

Mr. Heap reviewed the change order for the FY 2000 Cemetery Project. He reported many positive comments have been received regarding the beautification of the Cemetery.

Councilmember Shaw made a **motion** to approve the change order from D.G. Concrete for the FY 2000 Cemetery Project in the amount of \$1,120. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - LEI Consulting Engineers

Mr. Greg Magleby addressed the Council representing Mr. LeGrande Woolstenhulme, the developer of the Davencourt Subdivision.

Davencourt was given conditional approval contingent on installing additional sidewalk from the site along 400 North to the existing sidewalk at approximately 1000 East. Occupancy would not be granted before completion of the sidewalk. Mr. Magleby indicated plans were completed and submitted to UDOT for the sidewalk. UDOT requested the work not be completed until the

expansion work of U.S. Highway 6 at 400 North is completed next spring. Mr. Magleby requested the City Council allow the sidewalk condition be postponed until after UDOT completes their work on U.S. Highway 6 so occupancy can take place. If UDOT follows schedule, Mr. Magleby felt the sidewalk would be able to be completed next spring.

Councilmember Swenson made a **motion** to delay installation of the sidewalk for the Davencourt subdivision and review the status of the project around May 15, 2000. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - J. Ross Nielsen Zone Change

Councilmember Kelepolo made a **motion** to open the public hearing at 7:23 pm. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Mr. Crow reviewed the J. Ross Nielsen Zone Change request. Mr. Nielsen is requesting a zone change from R-R, Rural Residential, to C-1, Neighborhood Commercial on 2.15 acres at 1700 East Canyon Road. A preliminary plat plan has not been submitted with the request. This request was reviewed by the Development Review Committee and Planning Commission with the petitioner requesting an R-1-8 zoning designation. Both bodies recommended denial based upon the general plan designation of Commercial. Since that time the petitioner has amended the request to commercial to match the general plan. The Development Review Committee and Planning Commission have given favorable recommendations of the commercial request subject to conditions.

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

Discussion took place regarding the access from Canyon Road to Highway 6.

Councilmember Shaw made a **motion** to close the public hearing portion of the zone change at 7:33 pm. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Swenson made a **motion** to adopt the J. Ross Nielsen Zone Change from R-R to C-1 by Ordinance Z09-99 subject to the following conditions:

1. 1700 East be extended to Canyon Road during the first phase of development;
2. Access to the property on 1700 East is restricted to the first 150 feet to the north of Canyon Road;
3. Access from Canyon Road has to be 250 feet east from 1700 East;
4. The entire site will be developed with a theme, with one pole sign allowed for the entire development. At least 25% solid surface is required on the front elevations, excluding glass.

He noted approval is based upon the request being consistent with the general plan and the conditions being placed on the zone change to mitigate adverse impacts on nearby properties. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Agreement for Professional Services - Epic Engineering

Mr. Heap reviewed the proposed agreement with Epic Engineering. The City Council recently adopted a 7% inspection fee to be calculated on the bond amount for new developments. This 7% will be used to provide technical services to assist in inspection and tracking of infrastructure installations in new developments.

Councilmember Swenson clarified the 7% inspection fee which was recently adopted is not actually a “fee”, but rather a “deposit” because a portion of the money may be refunded at final inspection.

Attorney Baker reviewed minor amendments to the proposed agreement and recommended its approval.

Councilmember Shaw made a **motion** to enter into the agreement for professional services with Epic Engineering with noted amendments. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Bid - Jet Machine

Mr. Clark requested the jet machine bid be tabled.

Councilmember Kelepolo made a **motion** to table the bid for the jet machine. Councilmember Swenson **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Molly Flynn

Ms. Molly Flynn has been invited the Governor's Leadership Summit to take place this month. As part of this meeting, each participant was asked to meet with the governing bodies in their areas to determine major events and concerns which are happening. Ms. Flynn indicated she has talked with the County Commissioners as well.

The Mayor and Council reviewed various issues facing Spanish Fork City and Utah County including drugs, growth management, citizen involvement in community issues, and more football players for Councilmember Kelepolo.

Bid - New Ambulance

Chief Rosenbaum indicated bids were received for a new ambulance. The low bid came in from Wheeled Coach in the amount of \$87,760, just under the \$90,000 budgeted. Since that time, the ambulance department has felt it would be beneficial to have a four wheel drive ambulance. Costs for the 4x4 ambulance would bring the total bid to \$91,260. Chief Rosenbaum feels there are circumstances where the four wheel drive vehicle are necessary. Some weather conditions as well as service in Spanish Fork Canyon warrant use of four wheel drive. Concerns in having a 4x4 vehicle were noted as the ambulance crew having a false sense of security. Proper training would help alleviate this concern. The chassis and box are also higher in a four wheel drive vehicle which may make lifting loads more difficult. Ambulance Captain Clint Harwood

indicated the main reason a four wheel drive ambulance is requested is to provide service to everyone in Spanish Fork City. Spanish Oaks is difficult to service in winter weather.

Discussion also took place about keeping the old 1983 ambulance and have a four vehicle rotation, instead of the three vehicle rotation used now. Mr. Oyler indicated staff would like to discuss the issue with the Shop and Public Safety department before a determination is made.

Councilmember Huff made a **motion** to approve the ambulance bid for the four wheel drive vehicle from Wheeled Coach in the amount \$91,260. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Mayors Quit Claim Deed - Bob Bagley

Attorney Baker reviewed the Quit Claim Deed for property near the City ballpark and Spanish Trails. Spanish Fork City had sold property in the area but a small strip was not property deeded and is still owned by the City. Attorney Baker recommended the Council quit claim the property to Mr. Bob Bagley, developer of Wildflower Estates which is adjacent to the property.

A very small triangle portion of property remains to be quit claimed. Staff indicated they need to determine where the property should be quit claimed.

Councilmember Huff made a **motion** to authorize Mayor Barney to sign a Quit Claim Deed to Irewood Estates (Bob Bagley) and a Quit Claim Deed for the small remaining piece to whoever staff and legal counsel determines it should go to. Councilmember Swenson **seconded**, and the motion **passed** with a unanimous vote.

Adjournment to Executive Session

Councilmember Swenson made a **motion** to adjourn the regular session of the Spanish Fork City Council at 8:23 pm and convene the executive session to discuss the sale of property. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Adjournment from Executive Session

Councilmember Huff made a **motion** to adjourn the executive session and reconvene the regular session of the Spanish Fork City Council at 8:58 pm. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Those present waited for the results of the 1999 General Election.

Adjournment

The meeting adjourned at 10:30 pm