

**Tentative Minutes**  
**Spanish Fork City Council Meeting**  
**February 15, 2000**

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

3 Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Sherman E. Huff, Glenn A.  
4 James, Roy L. Johns, Everett Kelepolo, and Lillian J. Shepherd.

5 Staff Members Present: David A. Oyler, City Manager; Richard J. Nielson Assistant Public Works  
6 Director; Kent R. Clark, Finance Director/Recorder; Emil Pierson, City Planner; S. Junior Baker, City  
7 Attorney; Dee Rosenbaum, Public Safety Director; Nate Crow, GIS Specialist; and Gina Peterson,  
8 Deputy Recorder.

9 Citizens Present: Richard Johnson, Laura Cummings, Haley Teichert, Katelynn Richards, Rebecca  
10 Cole, Rynda Partida, Kaitlyn Wilson, Rachel Cole, Kris Chapman, Callie Chapman, Rachel Bohne,  
11 Macy Chapman, Emeral Cummings, Darcy Ann Whittle, Melanie Larsen, Merin Christensen, Rachel  
12 Hamilton, Whitney Anderson, Q. Reid Hunter, Ernest M. Hales, and Marilyn Hales.

13 **Agenda Request - Ernest Hales/Logan Hunter**

14 Ernest Hales and Logan Hunter have petitioned the Council for an annexation of their property near the  
15 City water tank at the mouth of Spanish Fork Canyon. The City Council approved the annexation  
16 conditioned upon Mr. Hales and Mr. Hunter granting a written easement to the City for the water line  
17 which crosses their property, among other conditions. Mr. Hales and Mr. Hunter approached the  
18 Council requesting a water connection hook-up each, in exchange for the easement. Mr. Hales feels  
19 the easement seriously compromises the value of property. He indicated he has owned the property for  
20 over 27 years, and had no knowledge of the water line at the time of purchase.

21 Councilmember Huff disagreed the property has been devalued. He stated by action of annexation, the  
22 property value has increased. Councilmembers asked the cost for a water hook-up. Attorney Baker  
23 indicated it could range from \$1,500 to \$30,000 depending the size. Staff has assumed Mr. Hales is  
24 asking for a for waiver of the impact fee.

25 The water line has been in place since the 1950's, and Attorney Baker feels the City already has a  
26 prescriptive easement for the continued use of this water line. Mr. Oyler noted other areas where the  
27 City has prescriptive easements and not recorded easements. Councilmember Huff expressed concern  
28 in setting a precedence if the hook-up was granted, particularly since a prescriptive easement already  
29 exists.

30 Councilmember Huff made a **motion** to deny the request for water connection made by Mr. Hales and  
31 Mr. Hunter. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

32 **Resolution 00-04: A Resolution Agreeing to the Provisions of the 21<sup>st</sup> Century Communities**  
33 **Program**

34 Tony Widowski from Mountainland Association of Governments presented the 21<sup>st</sup> Century  
35 Communities Program to the Council on February 1, 2000. The Council was favorable to action being  
36 taken regarding the program. The Governor's Office anticipates the 21<sup>st</sup> Century Communities  
37 Program will assist communities in assessing needs and opportunities, improve leadership skills and  
38 knowledge, and develop strategies to resolve problems and achieve community goals. MAG will  
39 provide technical assistance to achieve these goals.

40 Councilmember Kelepolo made a **motion** to adopt Resolution 00-04: Agreeing to the Provisions of  
41 the 21<sup>st</sup> Century Communities Program. Councilmember Shepherd **seconded**, and the motion **passed**  
42 with a unanimous vote.

43 **Resolution 00-05: A Resolution Authorizing the Use of Spanish Fork City's 2000 Allocation of**  
44 **Home Funds in the Amount of \$89,130.73 to Assist in the Development of Affordable Housing**  
45 **Projects Located in Several Utah County Communities**

46 The Utah Valley Consortium of Cities and County (UVCCC), of which Spanish Fork City is a  
47 member, receives an annual formula allocation of HOME funds from the Department of Housing and  
48 Urban Development for the purpose of addressing homelessness, and expanding the supply of  
49 affordable housing. UVCCC has requested Spanish Fork City allocate it's share of 2000 Home funds,  
50 in the amount of \$89,130.73, to be used in the development of Utah County Housing Authority and  
51 Rehab, Neighborhood Housing Services, Habitat for Humanity, and the Provo City Housing Authority.

52 Councilmember Huff made a **motion** to approve Resolution 99-05: Authorizing the Use of Spanish  
53 Fork City's 2000 Allocation of Home Funds. Councilmember James **seconded**, and the motion  
54 **passed** with a unanimous vote.

55 **Resolution 00-06: A Resolution Authorizing Mayor Barney to Enter into a Cooperative**  
56 **Agreement with UDOT for the Bridge Off System at the Spanish Fork River Powerhouse**  
57 **Road**

58 Mr. Nielsen review the project of re-building of the golf course bridge where it cross Spanish Fork  
59 River. The project will be funded by B& C road funds. Agreement for design engineering.

60 Councilmember Johns **moved** to approve Resolution 00-06: Authorizing Mayor Barney to execute a  
61 contract with UDOT for the bridge off system at the Spanish Fork River Powerhouse Road.  
62 Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

63 **Resolution 00-07: A Resolution Authorizing The Mayor to Convey a Non-build Easement with**  
64 **Longview Fibre Company**

65 Mr. Oyler reviewed a proposed 52 foot no-build easement with Longview Fibre. Longview Fibre,  
66 located at approximately 1300 North Main, is expanding their building 8 feet to the east. In order to  
67 meet fire code and insurance requirements a 60 foot separation is required between buildings. The no-  
68 build easement on 52 feet of the adjacent Spanish Fork City property would satisfy the fire code  
69 requirements. The City will continue to use this area for storage. Longview Fibre will be responsible  
70 for costs to relocate the railroad spur, power and fibre optic lines in the area.

71 Mayor Barney feels it is beneficial to work with Longview Fibre because of the revenue they generate  
72 for the City. He stated this will serve as a dramatic increase in the production of their plant.

73 Councilmember Shepherd made a **motion** to adopt Resolution 00-07: Authorizing The Mayor to  
74 Convey a Non-build Easement with Longview Fibre Company. Councilmember Johns **seconded**, and  
75 the motion **passed** with a unanimous vote.

76 **Johnson Bros Commerce Park - Preliminary Plat**

77 Robert and Richard Johnson are requesting preliminary plat approval to create four industrial lots at  
78 1900 North Main Street. One of the lots will house Dickerson Automotive which is already under  
79 construction. The property is zoned I-1, Light Industrial.

80 The Development Review Committee and Planning Commission reviewed the request and  
81 recommended approval subject to conditions.

82 Councilmember Kelepolo made a **motion** to approve the preliminary plat subject to the following  
83 conditions:

- 84 1. The subdivision abide by all plans and profiles approved by the City Engineering  
85 Department;
- 86 2. Dedication of ½ the road plus a maximum of ten feet on 1900 North. 10 feet may not  
87 be available to dedicate, but the developers must dedicate the full amount available;
- 88 3. A temporary turnaround shown on the plat at the southwest corner of Lot 4;
- 89 4. The developer provide a preliminary title report prior to final plat approval.

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

91 **Other Business**

92 Mr. Richard Johnson stated Spanish Fork City is one of the oldest Icelandic communities in the United  
93 States. Several historical monuments are being constructed in Iceland to serve as a history of Icelandic  
94 settlers. The monuments will cost around \$125,000 each, and Mr. Johnson would like the City to be a  
95 part of this history. He stated financial assistance will be needed, but it is fitting for the City Council.

96     **Adjournment**

97     Councilmember Huff made a **motion** to adjourn the meeting at 8:11 pm.