

**Adopted Minutes
Spanish Fork City Council Meeting
February 13, 2001**

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

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

Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard J. Heap, Engineer/Public Works Director; Dee Rosenbaum, Public Safety Director; MaryClare Maslyn, Assistant City Manager; Kent R. Clark, Finance Director/Recorder; Richard J. Nielson, Assistant Public Works Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Allen B. Warner, Mike Allen, Earl Stoneman, George D. Atwood, Janis Nielsen, Spanish Fork Press; Wade York, Sandy York, Charles Wixom, Roger Dedrickson, Lynette Dedrickson, Nile Argyle, Ann Tuttle, Mr. and Mrs. Ray Ashworth, Byron Betts, Alice Johnson, Warren J. Johnson, David Bradford, Kent L. Shepherd, Mark Greenwood, S. Fred Pierce, Joseph Brierley, Beth K. Gee, Anne Brierley, Dennis Walton, Chilton W. Jensen, Byron Haskell, Chad Haskell, David F. Nelson, Hal C. Johnson, Madge L. Johnson, Russell Voorhees, Klair Baxter Durrant, Roland Hamilton, Wes Steele, Ray McBeth, Terry Brandon, Lucille Chapple, Howard N. Creer, Glade Grotegut, Tim Green, Janet Hutchings, Paul K. Johnson, Linda C. Jensen, Lola Hall, Raymond Hall, James Hathaway, Darlene Hathaway, Tim Green, LaVoy Christensen, Tim Moran, Paul K. Jensen, Freeman Peck, Rex Taylor, Gerald Hansen, Frank Buffo, Frank Christianson, Rex Henderson, Doug Atwood, Clyde Ostler, Edward Monk, and Darrell Huff.

Agenda Review

The Mayor reviewed each agenda item with the Council. There was no general discussion.

Minutes

Councilmember James made a **motion** to approve the minutes of the January 16, 2001 meeting of the Spanish Fork City Council as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Public Information Meeting - Discussion on the Future of the Surface Irrigation System in Spanish Fork City, and Concerns About Water Waste, Conservation and Related Issues

Mr. Heap addressed the Council to review issues regarding the future of surface irrigation in the City. In the last few years the City's concerns regarding the use of surface irrigation have increased. Water is

becoming an increasingly valuable commodity, particularly during years when the snow pack on the mountains is below normal. Mr. Heap noted the river flow projections this year are approximately 70% of normal.

Mr. Heap gave a brief history of surface irrigation in Spanish Fork City. Surface Irrigation began as early as 1916. Currently, the City has 667 lots using surface irrigation, which is equivalent to 11% of residents, and a total of 144 acres irrigated. Benefits of surface irrigation include deep watering and clean gutters. Some residents are dependent on irrigation to water large gardens and lawn areas. Each lot uses approximately 4.9 acre feet of water per each acre irrigated. Use for flood irrigation should be 2.5 acre feet per acre, or 1.5 acre foot per acre if sprinkled. Mr. Heap maintains flood irrigation is more wasteful than other methods of watering. He also reviewed the following disadvantages to surface irrigation:

- **Wasted Water.** Last year the City used 700 acre-feet of water for flood irrigation. 216 acre-feet of water would have been used with sprinkler irrigation. Therefore, about 480 acre-feet of water was wasted over the year. The potential cost of the water that is wasted each year, at the CUP price of \$153 per acre foot, would be \$73,600 each year. If the City has to purchase additional water rights to cover wasted water, the cost will be about \$1500 per acre foot for a total of \$720,000. (This is a one time cost.) In the 2000 water year Spanish Fork City had to lease 114 ac-ft of CUP water at a cost of \$15,000, pump the Southeast Irrigation Co. well at a cost of \$7,100, and pump the Shop well at a cost of \$18,000, for a total cost of \$40,100 to cover our culinary water use in the City.
- **Sewer Infiltration.** Based on the flow records of the Wastewater Treatment Plant, there is an increase of about 300,000 gallons per day within 2-3 days of the irrigation season start date. There is a corresponding decrease in flow of about 300,000 gallons per day at the end of the irrigation season. This is an added expense to the treatment facility. If the City were to purchase 300,000 gallons of additional capacity, it would cost \$4 per gallon for a total of \$1.2 million. Treating the additional water during the summer months cost the City approximately \$18,000 annually.
- **Road Deterioration.** The continuing practice of damming the ditch and allowing the water to back-up onto the asphalt is also having a detrimental effect on the City streets. The water saturates the base and causes the street section to fail. This causes the life of the pavement to be reduced significantly.
- **Subsidization of the Irrigation System.** Based on the budget for the irrigation utility in FY 94-96 (prior to any pressurized irrigation) the average annual cost to operate the surface irrigation system was about \$63,000, while the annual revenue from the surface irrigation was about \$11,000. This represents an annual subsidy of about \$52,000.

Mr. Heap indicated the City recognizes the use of surface irrigation has been a tradition in Spanish Fork. He has personally used the service, and realizes both the benefits and problems.

Mayor Barney opened the meeting for public input.

Mr. Howard Creer stated the eleven percent of residents that are using the irrigation system are a very important group of people as they are some of the oldest residents in Spanish Fork. He noted that water is the lifeblood of a community. He does not feel it is fair to take flood irrigation away from the residents. He requested the City Council leave flood irrigation in place until pressurized irrigation is available to replace it.

Mr. Paul Jensen questioned why flood irrigation is referred to as wasted water. He doesn't waste water because he only waters once a week and his neighbors water three times a week using culinary water. He stated it is far more costly for his neighbors to use culinary water than for him to use irrigation. Mr. Jensen feels the older residents will suffer if flood irrigation is eliminated. He suggested pressurized irrigation be installed for the long time residents of Spanish Fork before it is given to new residents.

Mr. Freeman "Tony" Peck, 276 North Main Street, stated if pressurized irrigation conserves so much water, it should mean extra water is available as areas with pressurized irrigation come online. This extra water could be used to service flood irrigation. Mr. Peck stated he won't water his park strip anymore if the City takes away his irrigation. He stated if there are problems with the sewer system, a process to gradually replace sewer lines should be instigated.

Mr. Gerald Hansen stated it is natural for the flow records of the Wastewater Treatment Plant to decrease after the irrigation season because Mapleton City residents are harvesting their grain and not using as much water. He questioned why irrigation water was leased to residents of Lake Shore if it is in such high demand. Mr. Heap indicated he is not aware of any water being leased to Lake Shore. Mr. Hansen feels the City should take care of the old standby residents of Spanish Fork by installing pressurized irrigation (P.I.) so they are on equal ground with other residents that have P.I.

Mr. Frank Buffo, 155 East 600 North, stated he cannot imagine doing without irrigation. He noted residents only use water during their turn. He does not feel water is wasted because the City schedules when turns will take place and who can use the water. Mr. Buffo stated a great benefit of flood irrigation is the beautiful results from watering their yards. He asked if the Council would rather have trashy, weedy, yards. Mr. Buffo feels pressurized irrigation should be a top priority for the entire community, and stated he would vote for a bond to install P.I. lines.

Mr. Allen B. Warner, 651 East 200 South, agreed a pressurized irrigation system would be the best thing for the entire City.

Mr. Warren Johnson, 757 East 500 North, reiterated previously stated feelings. He noted he is continually having sewer back-ups. [Mr. Heap took note.] He also stated each year the residents lose one or two turns of water.

Mr. Tim Moran recalled when he served on the City Council the City Engineer was concerned with the

same issues and suggested water be rationed. The Council at that time decided to go against the City Engineer's plan. He feels a program should be started to repair the sewer lines in the City. Mr. Moran feels the Council should work with the residents to come up with another plan to save the water. He suggested water turns be shortened.

Mr. Raymond Hall, 258 East 900 North, expressed agreement with previous comments. He feels pressurized irrigation is wasteful because approximately three years ago the City replaced sewer on 900 North between 200 and 300 East, and didn't install P.I. while they had the road open. Assistant Public Works Director Richard Nielson indicated 900 North in that area had a problem with the sewer main. The City only had funds in the budget to replace the sewer main at that time. Mr. Heap reviewed areas of town that have been converted to pressurized irrigation including many schools and ballparks. He stated many P.I. lines have been installed that are not yet connected to the system. The City has installed approximately \$2 million in pressurized irrigation lines. All recent water and sewer rebuilds have included the installation of P.I. lines. Mr. Heap noted it would cost approximately \$7 million to bond and install P.I. in all the older areas of town.

Mr. Darrell Huff, 311 East 800 North, noted he irrigates all the time. He acknowledged water waste, particularly with the ditch on 400 East.

Mr. Jim Hathaway, 142 West 400 North, lost his water last fall. He was upset because they lost their garden and backyard due to lack of water. Mr. Hathaway stated residents should be allowed to keep their flood irrigation since they don't have pressurized irrigation.

Mr. Roland Hamilton, 271 East 200 South, asked the difference in the price of pressurized irrigation vs. culinary water. Mr. Heap explained how the rates are calculated, and answered that P.I. and culinary rates are about the same. He indicated flood irrigation is considerably less than either pressurized irrigation or culinary water rates. Mr. Hamilton stated the City should allow residents to pay the same rate as they pay for flood irrigation to use culinary water if the City does away with their irrigation.

Mr. Doug Atwood, 890 North 300 East, noted problems with water in the road since a new curb has been installed on 900 North.

Mr. Reed Christmas stated he would like to keep irrigation. He stated the water was given to residents with their land. He asked how the City controls pressurized irrigation use. Mr. Heap answered that pressurized irrigation is not metered at this time. The City hopes people will conserve water and install sprinkler systems with P.I. Mr. Christmas asked for specifics regarding P.I. installation.

Mr. Bob Lewis noted his parents live on 167 North 800 East. He asked the Council to take into consideration that most of the people using flood irrigation are elderly and live on fixed incomes. He questioned how the elderly would be able to afford a sprinkling system or have the capability to drag a hose around their yard to water.

The Mayor asked for additional public input. None was received.

Mayor Barney asked if the City had sufficient water to provide pressurized irrigation to the original blocks if the lines were installed. Mr. Heap stated if all of the City's wells were online, the City would be close to being able to provide P.I. for the original blocks.

Councilmember Shepherd asked the residents, by show of hands, who could take a shorter water turn. Mr. Moran was the only resident to raise his hand, and stated if the water flow is the same as last year he could cut his water turn from 1½ hours to 1 hour.

Councilmember Huff stated since the water goes to waste at the end of the ditches, couldn't the water be monitored and then shut down. Mr. Heap stated there are 2½ to 3 full days when the water in the ditch is not used. Due to logistics, it is almost impossible to shut water off on an hourly basis for different streams. The City has also found a lot of people don't get up to take their early morning turns.

Councilmember Johns asked Mr. Heap to clarify the cost of bonding to install pressurized irrigation everywhere in town. Mr. Heap stated, for a \$7 million bond, the City's annual payment would be approximately \$700,000. Rates or revenue would have to be raised in order to cover the annual bond payment, and the existing culinary water budget would likely double.

Councilmember Huff stated it is necessary for the Council to evaluate the needs of the entire citizenry. Basic economics in the delivery of water is that it costs money. If water is allowed to run down a ditch, not being used, the City is losing water and money. Councilmember Huff feels tearing up all the streets just to install pressurized irrigation would also be a waste of money. The City has a program in place to install P.I. when culinary and sewer lines need to be replaced.

Mayor Barney thanked the public for their input. He stated the City Council has a difficult decision to make, but they are not in a position to make a decision tonight.

Real Estate Purchase Agreement - Daven Engle Property

Mr. Daven Engle owns property south of the Senior Citizens Center at 75 South 200 West. He recently offered the property for sale to the City. The City discussed the matter in executive session, and has now finalized a contract with Mr. Engle for the purchase of his property in the amount of \$87,500. Attorney Baker requested the Council ratify the Real Estate Purchase Agreement with Daven Engle. He noted the agreement does not include the extra amenities requested by Mr. Engle such as the lifetime golf pass.

Councilmember Huff made a **motion** to ratify the real estate purchase agreement with Daven Engle for property located at 75 South 200 West in the amount of \$87,500. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Adjournment to Executive Session

Councilmember Kelepolo made a **motion** to adjourn the regular session of the Spanish Fork City Council at 8:19 pm, and convene the executive session to discuss legal issues. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Reconvening of Regular Session

Councilmember Huff made a **motion** to adjourn the executive session of the Spanish Fork City Council and reconvene the regular session at 9:05 pm. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Continued Discussion on the Future of the Surface Irrigation System in Spanish Fork City; and Concerns About Water Waste, Conservation and Related Issues

Public comment and earlier discussion regarding water issues were reviewed.

Mr. Heap revisited concerns with running irrigation water that isn't used. He restated that 2½ to 3 days each week most ditches have running water when no one is scheduled for an irrigation turn. The City has tried to get East Bench Irrigation Company to only run water in the ditches when turns are taken. East Bench has indicated it is too difficult. Mr. Heap's main concern is to find a solution for the water that is wasted.

Mr. Heap detailed how flood irrigation rates are calculated. Residents using flood irrigation pay an annual fee from \$8.91 to \$30 per year. Flood irrigation revenues total \$9,500 per year.

Councilmember James requested a copy of the Spanish Fork River Decree. He stated the residents perception is they own the water as part of the deed for their property. Mr. Heap noted the decree specifies water is for the use of the residents of Spanish Fork City, but is not tied to specific lots. The fallacy that many residents have is the City will not deliver them water if flood irrigation is stopped. Mr. Heap stated they will still receive their decreed water, just through a different delivery system.

The Council struggled with a concrete suggestion to alleviate flood irrigation concerns. Councilmember Shepherd suggested irrigation rates be raised as much as \$100 per year. Mr. Heap indicated the rates could be raised, although it will not resolve concerns regarding wasted water when the ditch flows for three extra days.

Mr. Heap stated he sympathizes with irrigation users as a friend and neighbor, but from an engineering standpoint surface irrigation is a big waste of water. Conservationists continually encourage doing away with all surface irrigation. Mr. Heap noted he is willing to meet again with representatives from East Bench Irrigation and see if the water could be shut off during the three day period it isn't used.

Conservation of the City's existing water sources was of prime concern to the Council. Mayor Barney stated if there isn't anymore water, there won't be any water to waste.

Councilmembers struggled with a decision regarding the need to increase irrigation rates and the hardship in doing so, due to the fixed income of most senior citizens.

Mr. Oyler stated the simple equation of economics: if you raise the price, you will lose users. He stated staff could present examples of how a proposed rate increase would affect the residents. He also noted a rate adjustment would not address the reality of precious water being wasted, sewer infiltration, and damage to the streets.

Councilmember Shepherd also requested staff demonstrate which residents use both pressurized and flood irrigation.

The Council requested the item be revisited at their next meeting on February 20, 2001.

Adjournment

Councilmember Huff made a **motion** to adjourn the meeting of the Spanish Fork City Council at 10:00 pm. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.