

Adopted Minutes
Spanish Fork City Council Meeting
April 17, 2001

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 Richard Nielson, Assistant Public Works Director for Spanish Fork City.

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

Staff Members Present: Dave A. Oyler, City Manager; Kent R. Clark, Finance Director/ Recorder; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Emil Pierson, City Planner; Richard Nielson, Assistant Public Works Director; and Janet Bryan, Public Safety Secretary.

Citizens Present: Nick Betts, David Owen, Jason Byers, Travis Olsen, Karen Payne, Janice Nielsen, Spanish Fork Arts Council, Janis Nielsen with The Spanish Fork Press and Char'ree Reynolds with The Daily Herald.

Minutes

Mayor Barney noted that the name of Bob Moore had been excluded from the list of citizens present at the April 3rd council meeting and requested that his name be added to the minutes. Councilmember Shepherd made a **motion** to approve the minutes of the April 3, 2001 meeting of the Spanish Fork City Council, with the addition of Bob Moore's name to the list of citizens present. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Arts Council

Although the Arts Council was not on the agenda for this meeting, Mayor Barney requested a moment be given to Councilmember James for an update of their recommendations in regard to the Western Heritage Festival. Mr. James stated that in discussing the situation with the Arts Council, it was decided that a sub-committee should be formed to review all the funding options and come up with a decision to be brought before the city council at the next meeting for approval or disapproval. It was noted that in preliminary discussions sponsorship of the festival was not a favorable option.

Recommended members for this committee were Paul Bliss, Dave Oyler, Glenn James and a member of the Arts Council.

Councilmember James made a **motion** to approve the formation of a sub-committee consisting of Paul Bliss, Dave Oyler, Glenn James and a member of the Arts Council for the purpose of presenting a recommendation to the City Council regarding the funding of the Western Heritage Festival. The motion was **seconded** by Councilmember Kelepolo and was **passed** with a unanimous vote.

Resolution 01-03: A Resolution Proclaiming Arbor Day

The adoption of the Resolution Proclaiming Arbor Day was briefly discussed. Councilmember Huff felt it would be of interest to the citizens to know the origin and history of Arbor Day as stated within the Resolution and made note of some points of interest.

Councilmember Huff made a **motion** to adopt Resolution 01-03: A Resolution Proclaiming Arbor Day on April 28, 2001 in the city of Spanish Fork. Councilmember Kelepolo **seconded** and the motion **passed** unanimously.

Bid - 2001 Road Chips

Mr. Richard Nielson, Assistant Public Works Director, explained that it has been the practice of Spanish Fork City to handle the bidding process for road chips for the south Utah County cities of Springville, Salem, Elk Ridge Payson, Santaquin, Goshen and Bayview, in addition to Spanish Fork. A better price can be obtained when this material is purchased in large quantities. Each city is then billed their share of the cost and reimburses Spanish Fork City the amount owed. Each city also stockpiles the material in its own area. Mr. Nielson briefly reviewed each of the bids. The low bid for the road chips was from Meadow Valley, located in Nephi with a total cost of \$52,414.80. Mr. Nielson recommended that the council approve this bid. It was clarified that the approval is based on the per unit prices.

Meadow Valley Bid

| CITY | UNIT | QTY | UNIT PRICE | TOTAL PRICE |
|--------------|------|-------|---------------|--------------------|
| Springville | ton | 2,500 | \$7.76 | \$19,400.00 |
| Spanish Fork | ton | 1,700 | \$7.38 | \$12,546.00 |
| Salem | ton | 1,000 | \$7.17 | \$ 7,170.00 |
| Elk Ridge | ton | 450 | \$7.24 | \$ 3,258.00 |
| Payson | ton | 650 | \$6.86 | \$ 4,459.00 |
| Santaquin | ton | 300 | \$6.50 | \$ 1,950.00 |
| Goshen | ton | 350 | \$6.86 | \$ 2,401.00 |
| Bayview | ton | 170 | \$7.24 | \$ 1,230.80 |
| | | | TOTAL: | \$52,414.80 |

Councilmember Huff made a **motion** to approve the Meadow Valley Bid at the unit prices shown on the table provided, totaling \$52,414.80. Councilmember Shepherd **seconded** the motion and it **passed** with a unanimous vote.

Bid - 2001 Chipseal Spreader Truck

Mr. Nielson referred to the bid from Spreader Specialists, noting they were the only bidder. The city has dealt with this company for the past several years and have been pleased with the association. The unit price is only 50¢ higher than last year, which was felt to be very reasonable, considering the rise in fuel prices. Mr. Nielson recommended approval of this bid.

A **motion** was made by Councilmember Kelepolo to approve the bid from Spreader Specialists for the use of the chipseal spreader truck in the total amount of \$26,226.75, including transport and spreading charges. The motion was **seconded** by Councilmember Shepherd and **passed** unanimously.

Bid - 2001 Chipseal Liquid Asphalt

Mr. Nielson stated that although the city used Koch Performance Asphalt last year, Crown Asphalt does a good job and the bid is actually a bit lower than it was last year. He recommends the city approve the bid from Crown Asphalt.

Councilmember Shepherd made a **motion** to approve the bid from Crown Asphalt for liquid asphalt in the total amount of \$127,875.00. Councilmember Kelepolo **seconded** and the motion **passed** unanimously.

City Finance Director, Mr. Kent Clark, requested an estimated time frame of when the road work would take place. Mr. Nielson explained the work would begin the first part of July, so funds for the purchases would come from the city's next fiscal year budget.

2300 East Connectors Agreement II - Hearthstone Development

City Attorney Junior Baker briefly reviewed the Connectors Agreement with Hearthstone Development. When Hearthstone developed their property, the water, irrigation, and sewer lines as well as the road improvements were completed at Hearthstone Development's expense. This Connectors Agreement would allow for the collection of money, without interest, from future property owners to the east of the Hearthstone property who wish to connect to these improvements. The amount collected would cover the new property owners share of the costs of the construction of these improvements originally incurred by Hearthstone. The Agreement would be in effect for ten years.

Mr. Baker noted the required payment by future property owners is shown in the agreement as \$88.04. This figure should be \$79.47 and will be changed. He recommended approval of this Connection Agreement, with the noted change in the payment amount.

A **motion** was made by Councilmember Huff to approve the Connectors Agreement with Hearthstone Development as presented with the noted change in payment from \$88.04 to \$79.47. Councilmember Shepherd **seconded** and the motion **passed** with a unanimous vote.

Cooperative Agency Agreement with UDOT Regarding the Spanish Fork/Springville Airport

Mr. Baker stated that the airport will be seeking to obtain Federal grant money to carry out some planned improvements to the airport facilities. The Cooperative Agency Agreement states that Spanish Fork and Springville cities agree to have the Aeronautical Operations Division of the State of Utah, Utah Department of Transportation to act as agent for the purpose of accepting, receiving, receipting for, and dispersing Federal monies and other public monies made available to finance the improvement of the airport. The agreement shall remain intact until the project is completed or abandoned. Mr. Baker recommended approval of the agreement.

Councilmember Kelepolo made a **motion** that the city enter into the Cooperative Agency Agreement appointing the Aeronautical Operations Division of the State of Utah, Utah Department of Transportation to act as agent for Spanish Fork and Springville Cities for the accepting and dispersing of the monies obtained from the Federal grant being sought for airport improvements. The motion was **seconded** by Councilmember James and **passed** unanimously.

Airport Hangar Lease Agreement - Utah County Sheriff

Mr. Baker explained that in connection with the improvements and upgrading of the airport facility, the airport will be adopting a standardized Hangar Ground Lease Agreement for owners of hangars on airport property. The Airport Board has reviewed several lease agreements and have decided to use the format of the Ogden Airport Lease Agreement. Mr. Baker referred to the copy of the agreement, noting a change needed on page five under Rental, Fees, and Charges, paragraph A. The per square foot rate showing is 10¢. The rate should be 14¢ per square foot of hangar space per year.

Mr. Baker suggested the council may desire to adopt a resolution that would allow the airport management to be able to approve future leases, without all of them needing to come to the City Council for approval. Since the County Sheriff's Department requires a lease agreement for a plane and hangar they have purchased, it was felt that submitting this particular agreement for approval would give the Council an opportunity to examine the lease agreement the airport will be using. It was recommended by Mr. Baker that the lease agreement be approved.

A **motion** was made by Councilmember Kelepolo to approve the Hangar Ground Lease Agreement between the Airport and the Utah County Sheriff's Department with the change on Page 5, Paragraph A, replacing the 10¢ per square foot rate with a 14¢ per square foot rate. Councilmember Huff **seconded** the motion and it **passed** unanimously.

Appointment of SUVPS Boardmember

Mr. Baker recommended that a member of this governing body, Mayor Barney, be appointed as a member of the South Utah Valley Power System (SUVPS) Board with Jeff Foster, Electric Superintendent, serving as an alternate board member. If appointed Mayor Barney would need to attend the meeting being held on Friday, April 26, 2001 at 6:30 a.m. in Payson.

Councilmember James made a **motion** to appoint Mayor Barney as a member of the SUVPS Board, with Jeff Foster, Electric Superintendent, as an alternate member. Councilmember Kelepolo **seconded** and the motion **passed** with a unanimous vote.

Resolution 01-04: A Resolution Authorizing the Use of Spanish Fork City's 2001 Allocation of Home Funds and Community Housing Development Organization Funds to Assist in the Development of Affordable Housing Projects Located in Utah County

City Manager, David Oyler stated that each year the City allocates its HOME funds for various projects. Jed Mitchell, who is serving as the city's board member on the Utah Valley Consortium of Cities and County, has recommended that Spanish Fork City's 2001 funds be allocated to the Housing Authority of Utah County (HAUC) and the Rural Housing Development Corp (HDC) for a Springlake Farm Labor Housing Redevelopment Project in the total amount of \$500,000. The total amount of funds available from Spanish Fork City is \$82,196.75.

Mr. Oyler explained that the project in Springlake is a 13-unit farm labor housing project currently owned by USDA-Rural Development. This is a seriously dilapidated complex over 50 years old and is experiencing structural and mechanical problems that are not cost effective to remedy through rehabilitation. HAUC and HDC propose to acquire the property from RD with appropriate clearances to demolish the existing structures and replace the dwellings on a one-for-one basis. The property will continue to be used for farm labor housing. Terms requested are "negotiable" depending upon the need to make the project feasible. Reconstruction will result in no less than 13 units.

Mr. Oyler pointed out that various entities submit projects to the Utah Valley Consortium of Cities and County and they decide what projects to support. In the past most funds have gone to projects located to the north. It was felt that authorizing these funds to be used specifically for this project in our area would be appropriate.

A **motion** was made by Councilmember Kelepolo to adopt Resolution 01-04: A Resolution authorizing the use of Spanish Fork City's 2001 allocation of HOME funds and Community Housing Development Organization funds to assist in the development of affordable housing projects located in Utah County. Councilmember James **seconded** the motion and it **passed** unanimously.

Adjournment to Executive Session

Councilmember Shepherd made a **motion** to close the regular session of the Spanish Fork City Council Meeting at 7:35 p.m. and move into the Executive Session to discuss legal issues. Councilmember Kelepolo **seconded** and it **passed** with a unanimous vote.