

Adopted Minutes
Spanish Fork City Council Meeting
March 19, 2002

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda Councilmember Huff offered a prayer. At 7:00 pm the pledge of allegiance was led by Eric Burns, a member of the Boy Scouts.

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Sherman E. Huff, Glenn A. James, Everett Kelepolo, Roy L. Johns, and Paul M. Christensen.

Staff Members Present: David A. Oyler, City Manager; Kent Clerk, Finance Director/Recorder; S. Junior Baker, City Attorney; Richard Heap, Engineering Director; Emil Pierson, Planning Director; Jack Swenson, Recreation Director; Dee Rosenbaum, Public Safety Director; Alex Simonson, Cameraman; and Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, Doug Ford, *Recreation Board*, Rodger L. Hardy, *Deseret News*, Carl Empey, *Zions Bank Public Finance*, Brad Patterson, *Ballard, Spahr & Ingersoll*, John Crandall, *George K. Bonding Company*, Eilene Quintana, *Nebo/Juab Indian Education Program*, Matt Brown, Jim Brown, Curt Archibald, Hayden Archibald, Alan Westenskow, Jenne Crane, Kristin Jensen, Chad Jensen, Lynn Hunter, Cole Hunter, Tyler Peterson, Jeremy Higley, Aaron Scott, Derek Weatherford, Scot LeFevre, Taft Sandbakken, Dan Gillie, Shad LeFevre, Mary Allan, Taylor Nielson, Erik Burns, Russell Hallaway, Shauna Kalua'u, Ethan Kalua'u, Danny Ray, Cammee Baum, Mary Griffiths, Shelly Hicken, Robyn Russon, Chelsey Nelson, Aimee Hardy, Brandi Wilkinson, Tucker Anderson, Mike Anderson, Kara Cloward, Natalie Beal, Suzanne Davis, Aliza Jensen, Angela Barney, Leonore Nelson, Malinda Clayson, Christopher Swenson, Kylee Clayson, Britney Stover, Bryce Oyler, Chris Baert, Sabasastian Tortellie, Bryson William, Kevin Russon, Blake Cherrington, Matt Musil, Trevor Olsen, Brandyn Bennett, and Mark Warner.

Minutes

Councilmember Johns made a **motion** to approve the minutes of the March 12, 2002, meeting of the Spanish Fork City Council with changes as noted. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Eilene Quintana - Nebo/Juab Indian Education

Mrs. Quintana works as a title program coordinator for the Nebo/Juab Cultural Awareness Pow Wow. The pow wow will be held in Payson on April 6, 2002 and Mrs. Quintana was present to invite council to participate. The pow wow will consist of dance contests, traditional costume, food vendors, and more. The purpose of the pow wow is to raise funds for the native american scholarship program. There are approximately 200 native american students participating in the education program with 11 graduating seniors from both districts this year. The scholarship fund

raiser is an essential part in providing continuing education opportunities for native american students.

Resolution 02-02 - A Resolution of the City Council of Spanish Fork City, Utah County, Utah (the “issuer”) Finalizing the Terms and Conditions of the Issuance and Sale by the Issuer of its Water Revenue Bonds, Series (the “Series 2002 Bonds”).

Mr. Clark introduced Mr. Patterson, Mr. Crandall, and Mr. Empey to review the process for the pressurized irrigation bonding request and bonding.

Mr. Empey presented council and staff with water revenue bond packets. He reviewed the bond market process, the interest rate changes over the past three years, and advised council the city’s water revenue bonds have been sold. The purpose of the bonds is to finance the new pressurized irrigation system. Mr. Empey commended staff for the many hours spent to prepare the bond and providing the city with a great bond rating.

Mr. Crandall said the investors were very impressed with the bonds presented and with Spanish Fork City. George K. Bonding Company will offer a firm bid for the remaining bonds and will insure the sale at the current rate. Mr. Crandall congratulated council and the city on a great bond sale. Interest rates are on the way back up and he said the city received a great interest rate.

Mr. Patterson review resolution 02-02, authorizing the issuance and sale of the bonds. He said the sale will be finalized on April 4th and the resolution set the terms for the bond purchase contract.

Councilmember Huff made a **motion** to adopt Resolution 02-02, A Resolution of the City Council of Spanish Fork City, Utah County, Utah (the “issuer”) Finalizing the Terms and Conditions of the Issuance and Sale by the Issuer of its Water Revenue Bonds, Series (the “Series 2002 Bonds”); Awarding and Confirming the Sale of Said Series 2002 Bonds; Authorizing the Execution by the Issuer of a Second Supplemental Indenture of Trust, and Other Documents Required in Connection Therewith; Authorizing and Approving a Preliminary Official Statement and Final Official Statement; Authorizing and Approving a Bond Purchase Contract; and Authorizing the Taking of all Other Actions Necessary to the Consummation of the Transaction Contemplated by This Resolution; and Related Matters. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Recreation Board Presentation - Grand Slam Batting Cages

Mr. Swenson stated Doug and Carol Ford own the Grand Slam batting cages and have offered to allow the city parks and recreation department to run the cages. The city would assume responsibility for the facility, costs for maintenance, and supply employees to run the facility. The revenue last year was approximately \$20,290.00. The recreation committee recommends accepting this offer on a trial basis. The city will charge the same fee but will offer different promotions to teams during the ball season. According to the Fords it takes one person to sale the tokens and run the facility. The grounds need to be maintained as well.

Councilmember Huff said it is a very generous offer and votes in favor of the proposal.

Councilmember Huff made a **motion** to accept the recreation staff’s recommendation and accept the offer from Doug and Carol Ford to allow Spanish Fork City to operate the Grand Slam batting cages subject to establish legal issues and considerations. Councilmember Johns **seconded**, and the motion

passed with a unanimous vote

Recreation Board Presentation - Leasing Ball Fields to Accelerated Leagues

Mr. Ford was present on behalf of the recreation committee. He said several accelerated ball teams have asked if the accelerated ball league could use our ball facilities. The accelerated ball leagues are run as a business for profit. Some of the participants are citizen of Spanish Fork. The recreation committee has reviewed the request and recommends leasing the North and East parks only. The committee also recommended charging \$50 per hour for the first hour, including one field preparation, and \$25.00 per additional hour of use and \$25.00 each for any additional field preparation.

Councilmember Huff expressed concerns that this proposal not jeopardize the existing city ball programs.

Councilmember Kelepolo agrees but said for now we can afford to allow other teams to use the facilities but in the future we may need to discontinue leasing the parks as we reach full capacity.

Councilmember James objects to leasing the parks.

Councilmember Christensen stated it will effect established teams and does not know if he would approve or disapprove.

Mr. Ford stated the recreation committee considered all of these issues. He also said the reason they decided to consider the request for use of public facilities for private profit was the fact that the fairgrounds and other facilities are currently being leased for private profit.

Councilmember Kelepolo said there is a possibility that some citizens will choose the accelerated leagues over the city leagues, but it will give other citizens more opportunities to play or to play more frequently.

Councilmember Christensen stated the population is going up but the city recreation participation is declining.

Mr. Ford stated the committee has spent a lot of time discussing this issue and feels it is there job to make recommendations to council based on the information gathered.

Mr. Swenson stated the accelerated leagues started as a baseball academy, which split off, and started the accelerated leagues.

Councilmember Huff spoke in favor of the recommendations made by the recreation committee appointed by council and feels they are doing their job.

Mayor Barney agreed with Councilmember Huff.

Councilmember Kelepolo stated the accelerated leagues will go forward regardless and is in favor of the programs because it allows every kid the opportunity to play in our city due to the fact that there are more teams playing. The leagues may not want to pay the fees to lease the cities ball fields and may go to other cities.

Councilmember Johns made a **motion** to approve the use of the North and East Parks only to be leased to the accelerated leagues at the rate of \$50.00 for the first hour, including one field preparation, and \$25.00 per hour after that, and \$25.00 each for any further field preparation needed, if the league wants to play and the fields are available. Councilmember Kelepolo **seconded**, and the motion **passed**. Councilmember James voted against the motion.

Other Business - Skate Park

Mr. Ford stated the skate park has been greatly successful, the kids using it are having a great time, and if anything it is not big enough. He also said the recreation committee recommends, in the future, a cement apron around the facility. He has not received any negative reports.

City Wide Pressurized Irrigation Professional Services

Mr. Heap stated tomorrow night is the second pressurized irrigation public information meeting from 7-9 pm at the High Chaparral. There will be an emphasis on conservation.

Mr. Heap reviewed some of the services provided by Gilson Engineering and a \$125,000 grant to buy bond rating insurance. This will save 1.5 to 1.6 million dollars. Mr. Heap also reviewed the Gilson Engineering contract and a short table showing the different contract prices. Mr. Heap said the design work is at very good rates. There will be new wells dug, a reservoir constructed, a transmission line from the reservoir will be bid. Gilson Engineering will help prepare for the bids. There will be some construction observations. The city will inspect and surveying three of the phases. Gilson Engineering will inspect the reservoir and the transmission line. We will have 20 crews working throughout the summer to complete the work. The difficult part will be to blue stake all of the areas. We have some flexibility to bring in more people from Epic and Gilson Engineering if the work load is to high.

Mr. Heap recommended entering into a contract with Gilson Engineering for professional services in connection with the pressurized irrigation project.

Councilmember Kelepolo made a **motion** to approve the grant and enter into a contract for professional services with Gilson Engineering as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote

City Wide Pressurized Irrigation Schedule 1 - Bid Tabulations - Northeast Blocks

Mr. Heap reviewed the low and high bids submitted for the city wide pressurized irrigation schedule 1, Northeast blocks. Mr. Heap recommended awarding the low bid of \$1,454,745.20 received from JW Dirt.

Councilmember Johns made a **motion** to award the bid to JW Dirt for the city wide pressurized irrigation schedule 1, Northeast blocks area, in the amount of \$1,454,745.20, contingent on the bond closing on April 4, 2002. Councilmember James **seconded**, and the motion **passed** with a unanimous vote

City Wide Pressurized Irrigation Schedule 2 - Bid Tabulations - West Blocks

Mr. Heap reviewed the low and high bids submitted for the city wide pressurized irrigation schedule 2, West blocks. Mr. Heap recommended accepting the low bid of \$793,687.90, received from GW Johansen.

Councilmember Huff made a **motion** to award the bid to GW Johansen for the city wide pressurized irrigation schedule 2, West blocks area, in the amount of \$793,687.90, contingent on the bond closing on April 4, 2002. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote

City Wide Pressurized Irrigation Schedule 3 - Bid Tabulations - East Blocks

Mr. Heap reviewed the low and high bids submitted for the city wide pressurized irrigation schedule 3, East blocks. Mr. Heap recommended awarding the low bid of \$1,177,777.99, received from Steve Johansen.

Councilmember Kelepolo made a **motion** to award the bid to Steve Johansen Construction for the city wide pressurized irrigation schedule 3, East blocks area, in the amount of \$1,177,770.99, contingent on the bond closing on April 4, 2002. Councilmember James **seconded**, and the motion **passed** with a unanimous vote

City Wide Pressurized Irrigation Schedule 4 - Bid Tabulations - Southeast Blocks

Mr. Heap reviewed the low and high bids submitted for the city wide pressurized irrigation schedule 4, Southeast blocks. Mr. Heap recommended awarding the low bid of \$1,276,649.40, received from Steve Johansen.

Councilmember Huff made a **motion** to award the bid to Steve Johansen Construction for the city wide pressurized irrigation schedule 4, Southeast blocks area, in the amount of \$1,276,649.40, contingent on the bond closing on April 4, 2002. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote

Mr. Heap said there will be no surface irrigation and the wells will be turned on. The city will be watering some facilities during the day while the wells are on. This information is provided to council to address citizens. A discussion followed concern precipitation. Mr. Heap will print out the current reports and provide them to council.

General Plan Policy Declaration Boundary Discussion

Mr. Pierson provided council with maps for the discussion. The new annexation regulations require all cities to have annexation policy boundaries. Mr. Pierson reviewed the present policy declaration boundaries. Mr. Pierson stated council will need to resolve the Benjamin area exit. Council will need to adopt the annexation policy boundary and decide what areas should be included. A discussion followed.

Mr. Baker stated the policy declaration boundary are required and due by December 2002. Each city will be required to set boundaries. The declaration boundaries may overlap with other city's and are not binding, however it would be difficult to annex any property outside of the boundaries.

Mr. Pierson stated the city should consider providing utilities in areas we would like to annex. This information is provided to council for consideration in determining the annexation policy boundaries for the city in the future.

Mr. Baker stated the development review committee and planning commission will review the boundaries and will make recommendations to council.

Councilmember Huff **motion** to approve the recommendation for development review committee and planning commission to investigation the possibilities for the future annexation policy boundaries and make recommendations to council. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Council reviewed the precipitation report provided by Mr. Heap. Some of the information is not available at this time. Mr. Heap state more precipitation is needed.

Adjournment

Councilmember Huff made a **motion** to adjourn. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 8:55 pm.

Approved: April 2, 2002

Connie Swain, Deputy Recorder