

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**April 16, 2002**

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 Emil Pierson.

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: S. Junior Baker, City Attorney; Richard Heap, Engineering Director; Emil Pierson, Planning Director; Jack Swenson, Recreation Director; Dee Rosenbaum, Public Safety Director and Marlo Smith, Engineering Secretary.

Citizens Present: Rodger L. Hardy, *Deseret News* and Jed Morley, *Property Brokers*.

**Minutes**

Councilmember James made a **motion** to approve the minutes of the April 9, 2002, meeting of the Spanish Fork City Council as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

**Domain at the Meadows Plat A - Plat Amendment (PUD Only)**

Mr. Pierson addressed the council about the amendment to the Domain at the Meadows Plat A. The applicant, MTM, is requesting to vacate lots 8-27 and subdivide the lots. When the preliminary plat was approved on July 18, 2000, it showed pads for the homes with the rest of the area in the subdivision as common open space. The developer has been marketing this approach and considerable interest has been shown but the interested buyers are interested in owning a lot and have a private yard with a garden. The common area would still be developed as originally designed. A homeowners association would maintain the common open space and own the pressurized irrigation system throughout the subdivision.

Mr. Pierson stated that the Planning Commission and the Development Review Committee gave a positive recommendation for the amendment to be approved with the condition that the HOA own and maintain the pressurized irrigation system that is located in the park strip.

Mayor Barney questioned how the individuals purchasing the homes are aware of the HOA and the fee that is associated. Mr. Pierson stated that the individual is required to sign an agreement that is recorded with the County at the time of closing.

Mr. Morley discussed that in the real estate purchase agreement an addendum has to be disclosed to give any information of a HOA.

There was concerns from the City Council of the HOA failing and becoming a bother for the City.

Mr. Morley stated that this is the same plat that was approved before and the amenities will be the same that the only thing requested is to vacate the individual lots.

Councilmember Johns asked Mr. Morley who would own the park? Mr. Morley stated that until the development is 70% sold the common area is owned by MTM. After that point the HOA would own the common area.

Discussion took place regarding the pressurized irrigation system. Mr. Heap explained that when the development was built the sprinkler system would operate throughout the whole development and designed for one 4" line. If the lots are vacated, this design will no longer be acceptable. But, the roads are new and are requested not to be excavated into. The PI is ran to the individual lots in the planter strip by the developer but will only have on main line with one city owned meter. The HOA will own the lines that are ran through the planter and be billed for any water used through the 4" line. Discussion took place regarding individual meters installed by the developer or HOA for easier billing.

Councilmember James made a **motion** that the City Council approve the Plat Amendment for Domain at the Meadows Plat A for lots 8-27 subject to the following condition(s):

1. That all of the original conditions approved by the City Council on July 18, 2000 be met for the development.
2. That the pressurized irrigation be owned and maintained by the Home Owners Association.

Councilmember Johns **seconded**, and the motion **passed** unanimously.

### **Utah Division of Park and Recreation Motorized and Non-motorized Trail Matching Fund Program Agreement**

Mr. Pierson discussed the grant for the asphalted trail system starting at the New Sports Complex. The agreement would match the City's funds to equal \$72,688.54. Mr. Pierson asked the City Council to authorize the Mayor to sign the agreement.

Councilmember Kelepolo asked if the trail was to be extended, if the City could apply again for the grant? Mr. Pierson stated that the grant could be applied for every year.

Mayor Barney commented that he would like to see picnic areas along the trail.

Councilmember Johns asked if the money could be used in other places if there was any remaining? Mr. Pierson doesn't think the money could be used anywhere else, but also didn't foresee that there would be any money remaining. The trail will be 12 feet wide, 10 feet of asphalt and a 2-foot shoulder on each side.

Councilmember Kelepolo made a **motion** to authorize the mayor to sign the Utah Division of Park and Recreation Motorized and Non-motorized Trail Matching Fund Program Agreement for \$36,344.27; Thirty Six Thousand Three Hundred Forty-Four Dollars and Twenty-Seven Cents. Councilmember James seconded, and the motion **passed** with a unanimous vote.

### **Development Agreement - Domain at the Meadows**

Mr. Baker addressed the council. Morley's have installed improvements which benefit other properties and are asking for pro-rata reimbursement when those properties develop. Mr. Baker stated that only principal amounts will be collected without interest charges. The development agreement will not have a time limit. Discussion took place regarding the storm drainage ditch that was piped as per Westfield Irrigation's request. Councilmember Johns questioned if the property owner to the West didn't agree to pay the agreement what would be done. Mr. Baker stated that a condition would be placed on the development to pay and if it wasn't done, it wouldn't develop.

Councilmember Huff made a **motion** to approve the development agreement with Domain at the Meadows as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

### **Resolution 02-06 - A Resolution Adopting the Uniform Building Code Fee Schedule**

Mr. Baker discussed that the Building Inspection Department does all of the plan check's on building permits and now uses the International Building Code which doesn't allow a plan review fee, but the Uniform Building Code, that was currently used allowed a plan review fee. The State does allow the City's to adopt the fee schedule from the Uniform Building Code.

Councilmember Huff made a **motion** to adopt Resolution 02-06, A Resolution Adopting the Uniform Building Code Fee Schedule. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

### **Saddle Dusters Contract Approval**

Mr. Swenson discussed the contract with the Saddle Dusters, who are the ladies riding club. The contract will allow the use of the arena on Wednesday nights. The Saddle Dusters would provide the organization of the stock parade for the Fiesta Days celebration. Mr. Swenson stated that it is the same format as the Diamond Fork Riding Club's contract.

Councilmember Kelepolo made a **motion** to approve the Saddle Dusters Contract. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff asked if the contract was only valid for one year. Mr. Swenson stated yes. Mayor Barney asked Mrs. Smith to coordinate with the Deputy Recorder to have the contract put on the calendar for next year.

### **City Wide Pressurized Irrigation Wells - Bid Tabulations**

Mr. Heap reviewed the low and high bids submitted for the city wide pressurized irrigation wells. Mr. Heap recommended awarding the low bid of \$698,000.00 received from Bob Beeman Drilling.

Councilmember James made a **motion** to award the bid to Bob Beeman for the city wide pressurized irrigation wells, in the amount of \$698,000.00 subject to the approval from the State Engineer's Office and the Division of Drinking Water. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote

#### **Darger Springs Pump House Relocation - Bid Tabulations**

Mr. Heap reviewed the low and high bids submitted for the Darger Springs Pump House Relocation. Mr. Heap recommended accepting the low bid of \$255,516.00, received from Vancon, Inc.

Councilmember Christensen made a **motion** to award the bid to Vancon, Inc. for the Darger Springs Pump House Relocation, in the amount of \$255,516.00. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote

#### **Change Order - SR 198**

Mr. Heap reviewed the proposed change order consisting of the following changes:

- Installing two 12" tees at \$1,045 each
- PI Box assembly for display at City Office
- Install 3 yd of concrete to seal an existing manhole at Main St & Volunteer Dr
- Install 165 touch read devices in PI boxes at \$1 each
- Install 165 drains in PI boxes at \$3.70 each
- Install a drop manhole at 700 S Main St instead of three services
- Water main connection at 3400 E Canyon Rd
- Install a 4" metal electric conduit wrapped with 2" tape across Main St
- Install 90' of 30" ductile iron pipe across Canyon Rd at 2600 E at \$88.23 a ft

Councilmember Johns made a **motion** to approve the change order bid submitted by Steve Johansen Construction totaling \$16,568.67 as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote

#### **Adjournment**

Councilmember Kelepolo made a **motion** to adjourn. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 8:10 p.m.

---

Connie Swain, Deputy Recorder

Approved: May 14, 2002