

**Adopted Minutes
Spanish Fork City Council Meeting
May 7, 2002**

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

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 Clark, Finance Director/Recorder; Richard Heap, Engineering Director; Dee Rosenbaum, Public Safety Director; Chris Thompson, Design Engineer; Jolynne Burnell, Accounting Clerk; Clair White, City Treasurer; Janeen Thomas, Receptionist; Travis Reid, Utility Tech. II; and Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, Ann Murdock, Bernell Banks, Ann Banks, Steve Banks, Ann Carolina Banks, Marie Huff, and Arlo J. Mitchell.

New Employee Introduction

Mayor Barney recognized Travis Reid as a new Spanish Fork City employee. Mr. Reed introduced himself and has been hired as "Utility Technician II."

"Recorder of the Year" Utah Municipal Clerk's Association - Kent Clark

Mayor Barney recognized Kent Clark for being nominated and chosen as the "Recorder of the Year" by the Utah Municipal Clerk's Association and thanked Mr. Clark for the great service he provides to the city.

Recognize Ann Banks - Youth Court - Adult Volunteer Supervisor 1972 - 2002.

Mayor Barney recognized Ann Banks for her service from 1972 - 2002 and stated she is a Spanish Fork City icon.

Councilmember Huff read the recognition award and plaque from the city and expressed appreciation on behalf of the city staff and community for the public service Mrs. Banks has provided in assisting the youth of our community and making a difference in people's lives.

Mr. Rosenbaum expressed appreciation to Mrs. Banks and gave a brief overview of the youth court program. The success of this program has required many personal contacts and follow-up visits by

Mrs. Banks. Mr. Rosenbaum thanked Mrs. Banks for her service.

Mayor Barney presented Mrs. Banks with a plaque and a gift from the city.

Agenda Request - Robert J. Pittelli - Sunday Beer Sales

Mr. Pittelli presented a document representing retail loses from several businesses due to the lack of Sunday beer sales. Mr. Pittelli reviewed the buying habits of customers.

Councilmember Kelepolo stated several years ago council increased the hours for beer sales and asked if this effected the volume of sales. Mr. Pittelli stated it did increase slightly.

Councilmember James said he is retired from retail sales . He said some establishments that were closed on Sundays had higher sales than those opened on Sundays. A discussion followed.

Mr. Pittelli said the lose of sales is due to the change in buying habits when customers shop at other stores. He also stated the economy may have had some impact on sales.

Councilmember Huff stated it is the competition of Walmart causing a lose of sales.

Mayor Barney said Mr. Pittelli has a great business of which the Mayor has visited on several occasions.

Councilmember Huff made a **motion** not to change of Sunday beer sales ordinance. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Board of Adjustments Appointment

Mayor Barney stated Kent Shepherd has moved out of Spanish Fork and can no longer serve on the Board of Adjustments. Mayor Barney would like to appoint Jack D. Stoneman to serve on the board of Adjustments for a full five year term.

A discussion followed concerning the appoint, if it can be a new full term appointment, or an appointment to fill the remainder of an existing term, with the option to renew the term when it expires.

This matter was passed shortly to allow time to review the city code.

Resolution 02-07 - Mayoral Proclamation Declaring May as Electrical Safety Month

Mayor Barney reviewed Resolution 02-07, a Mayoral Proclamation Declaring May Electrical Safety Month. Councilmember Johns stated the city has had a great electrical safety program.

Councilmember Kelepolo made a **motion** to approve Resolution 02-07 declaring the month of May Electrical Safety Month. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

ZAP Tax

Mayor Barney review the zoo, arts, and parks tax proposal which has been adopted in Salt Lake County. Several county officials have suggested putting the ZAP tax proposal on the ballot for citizens to decide if they would like to adopt the tax. If the ZAP tax is approved the funds will be distributed to the cities in Utah County.

Mr. Swenson said a group of citizens from Orem came to a recreation committee meeting to discuss the ZAP tax. Mr. Swenson said the recreation directors throughout Utah County are very much in favor of this tax. It would create a lot of revenue for arts and parks. Many recreation centers have been built in Salt Lake County with these funds. The proposal for Utah County will need to be changed since we do not have a zoo. This group has asked for our support and Mr. Swenson asked council to support this proposal. A discussion followed.

Councilmember Huff made a **motion** to support the Utah County Commission in putting the ZAP tax proposal on the ballot this fall for the citizens to approve or reject. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Mrs. Nielson asked if the fees could be use to subsidize the non residence fees. Mayor Barney said the County could use their portion to subsidize fees, however it would be at their discretion.

Construction and Development Standards

Mr. Thompson pointed out the changes with the most impact on developers and citizens. Mr. Thomson reviewed five major change consideration as follows: 1) Pay factors, 2) As Built, 3) Payment Design, 4) Bonds, and, 5) Building Permits. There will be a public hearing at a future city council meeting to open public discussion on the proposed changes.

Return to: Board of Adjustments Appointment

Mr. Oyler has talked with Mr. Baker and Mr. Pierson and the appointment to the Board of Adjustments can be made for remainder of an existing term, with the option to reappoint Mr. Stoneman for a full term after the end of this year.

Councilmember Johns made a **motion** to approve the appointment of Jack D. Stoneman to the Board of Adjustment to replace Kent Shepherd and to continue his term through 2002. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Change Order - Pressurized Irrigation Schedule 1 Northeast Blocks Area

Mr. Thompson reviewed the proposed change orders. In reviewing the standards and metering option it was found that a touch read option would be the most costs effective way to read the meters. Since schedules 1 and 2 did not include the installation of the touch read option it was opened for bid. J.W. Dirt submitted a bid of \$885.50 to install 1,610 touch read devices for pressurized irrigation schedule 1. Mr. Thompson recommended accepting the bid submitted by J.W. Dirt.

Councilmember Huff made a **motion** to approve the change order bid submitted by J.W. Dirt totaling \$885.50 to install 1,610 touch read devices in pressurized irrigation boxes for schedule 1.

Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote

Change Order - Pressurized Irrigation Schedule 2 West Blocks Area

Mr. Thompson said George W. Johansen Construction submitted a bid of \$1,353.00 to install 902 touch read devices for pressurized irrigation schedule 2. Mr. Thompson recommended accepting the bid submitted by George W. Johansen Construction.

Councilmember Christensen made a **motion** to approve the change order bid submitted by George W. Johansen totaling \$1,353.00 to install 902 touch read devices in pressurized irrigation boxes for schedule 2. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote

9:40 pm - Mr. Heap and Mr. Thomson left.

FY 2003 Budget

Mr. Oyler presented council with copies of the budget during the agenda review. He reviewed the budget approval and revision process and also reviewed the budget. Mr. Oyler discussed several of the budget issues, rate structure, and utility rates changes. Mr. Oyler asked council to review the FY 2003 budget presented and provide feed back in preparation of the public hearing for budget approval.

Spanish Fork City Parade Float

Mr. Swenson advised council it will cost approximately \$5,000 to refurbish the city float this year. Next year the costs will be approximately \$10,000. Mr. Swenson said it is difficult to transport the float to be refurbished and suggested a new float with a smaller chaise to allow for an easier transport. The current float is 65 feet in length.

Mayor Barney asked why the float cannot be built using volunteers. Mr. Swenson said it has been approximately 20 years since volunteers built the city float and he said it is very expensive and very difficult to coordinate.

Mr. Swenson wanted to make council aware of the float situation for future reference.

Councilmember Huff made a **motion** to refurbish the float this year in the amount of \$5,000 to prepare the float for the parades this year and council will consider a new float for next year. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Purchasing Ordinance Amendment - Ordinance 01-02

Mr. Clark stated the city has a purchasing ordinance including bidding for the city's independent audits each year. This amendment is to change the purchasing ordinance. Currently the ordinance states after five years the current auditor can no longer provide services and the city is required to bid the service out to another provider. The existing ordinance is restrictive on the time limitation to obtain a new auditor. The State auditor recommends changing the purchasing ordinance to allow the city the option to keep the auditor or bid the service out to someone else.

Councilmember Kelepolo made a **motion** to approve the proposed changes to the purchasing ordinance. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Councilmember Christensen said since the Daily Herald purchased J-Mart Publishing the costs of advertising has increased. He suggested advertising upcoming events at the entrances into town. It has been suggested that a marquee be installed in town to advertise upcoming events.

Mr. Swenson stated if the event information is printed in an article for the newspaper there is no charge. If the event information is presented as a flyer there is a charge.

Mayor Barney authorized staff to investigate the increase in advertising costs and other options including the possibility of a marquee. After the information is gathered staff is to present the information to council with suggestions.

Adjournment

Councilmember Johns made a **motion** to adjourn from the regular session of city council meeting and move into the executive session. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 9:05pm.

Connie Swain, Deputy Recorder

Approved: May 14, 2002