

**Adopted Minutes  
Spanish Fork City Council Meeting  
September 17, 2002**

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

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

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Kent Clark, Finance Director/Recorder; Emil Pierson, Planning Director; and Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, Dean Jones, *Gilson Engineering*, Robert Moffitt, Mark Dallin, Ivan Hall, Louella Hall, and Bruce Hall.

**Canyon Elementary School PTA - Mayoral Proclamation**

Mayor Barney said he was contacted by Jill Christianson of the Canyon Elementary School PTA. She requested he declare September, 2002 as PTA membership enrollment month. The State PTA has selected Canyon Elementary School as one of ten schools in the state that will receive a special assemble. At the assemble the Mayor has been invited to read the proclamation to the students. Mayor Barney read the proposed proclamation.

Councilmember James made a **motion** to accept the Mayoral Proclamation declaring September, 2002, as PTA membership enrollment month. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

**Agenda Request - Dallin Estates - Mark Dallin**

Mr. Pierson said Mr. Mark Dallin is requesting a six month extension of the improvement bond for Dallin Estates. The improvements are due September 29<sup>th</sup> and there have been some delays concerning the abandonment of the irrigation ditch along 1400 East. Most of the other improvements are completed. The ditch has not been removed and a portion of asphalt is not in. Mr. Dallin is ready to start removing the ditch.

Councilmember Huff made a **motion** to grant a six month extension of the improvement bond for Dallin Estates as requested by Mark Dallin. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

## **Moffitt Annexation**

Mr. Pierson reviewed the annexation petition filed by Bob Moffitt, located at 129 East South Field Road.

Councilmember James made a **motion** to approve further investigation of the annexation petition filed by Bob Moffitt and refer the matter to the Development Review Committee and Planning Commission for recommendations. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

## **Bruce Hall Annexation**

Mr. Pierson said this annexation petition request has been filed by Bruce Hall and Nyle McMullin. The petition includes approximately 597 acres between the golf course to Poplar Lane, and Powerhouse Road to Riverbottoms Road. The area is out of the city growth boundaries and within the annexation boundaries.

Mr. Bruce Hall said he has talked with the property owners along Powerhouse Road and they approve of the annexation. Most of the property owners would like to annex into the city or the county. A similar petition was filed approximately ten years ago and was denied. Mr. Hall said since the property is within the cities annexation boundaries he decided to apply to the city first. If the city annexation is not approved they will approach the County.

Also, Mr. and Mrs. Ivan Hall own the property south of Powerhouse Road. They are present and interested in developing their property.

Mayor Barney said one of the advantages would be to allow the city to finish the trail along the river, however, there are many items to be discussed and considered before this area could be annexed.

Councilmember James asked for information concerning the plans along the riverbottoms.

Mr. Bruce Hall said the development plans would include cluster developments and open areas.

Mayor Barney said he would like to see the petition investigated further. A discussion followed.

Mr. Ivan Hall addressed council and said he has talked to many of the property owners and they would like to see the property annexed.

Mr. Bruce Hall does not have a master plan developed at his time.

Councilmember Huff was not confident with moving forward on the investigation of the petition until some of the concerns are addressed.

Mr. Oyler asked city council, if the property is annexed, would city council like the property to remain outside the growth boundaries until other areas with priority could be developed.

Mr. Pierson referred to the recommendations from staff. Mr. Pierson and Mr. Bruce Hall do not agree on the future development plans for this area.

Mr. Bruce Hall said he helped put in the sewer line and there should be a lot of capacity available. He recalls its capacity to include service for approximately 30,000. A discussion followed.

Mr. and Mrs. Ivan Hall said they presently have city water and they installed five fire hydrants extending to the Brigham Young University property.

Mr. Bruce Hall said if they annex into the county. Strawberry Water Users will provide power and water.

Councilmember James would like to see the area annexed but feels the city is not prepared to provide service to a development at this time.

Councilmember Huff asked Mr. Pierson if the Development Review Committee and Planning Commission would address all of the concerns presented.

Mr. Pierson said the Development Review Committee and Planning Commission would need to see a master development plan and a zone would need to be created addressing a cluster development.

Councilmember Kelepolo made a **motion** to accept the annexation petition filed by Bruce Hall and Nyle McMullin for further investigation and recommendations from staff, Development Review Committee, and Planning Commission. Petitioners are to provide a master plan and a utility plan with capacities available. Councilmember James **seconded**. Councilmember Huff was opposed to the motion. The motion **passed** with a majority vote.

### **Crosswinds Plaza Commercial Preliminary Plat**

Mr. Pierson said this is a request by Jim Nelson to subdivide the individual units of the Crosswind Plaza building and to sell those units to business owners. If council approves the request staff recommends amending item 2 of the Planning Commission recommendations to read. "Common areas to be maintained by the business owners in perpetuity." A discussion followed. Maintenance of the common areas will be required in the homeowners association documents.

Councilmember Johns said the conversion provides business owners the opportunity to purchase property rather than rent.

Councilmember Johns made a **motion** to approve Crosswind Plaza Preliminary Plat subject to the following condition(s):

1. Meet the building codes as approved by the building official, and,
2. Common areas are to be maintained by the building owners association in perpetuity.

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

### **Change Order #3 - Well Projects**

Mr. Dean Jones present from Gilson Engineering and said the new state engineer is requiring changes and will not allow drilling of the well at the Canyon Elementary School unless a monitoring well is installed. The monitoring well will be approximately 100 to 150 feet north of the canyon school well. Mr Jones reviewed change order no. 3 for the 16-inch water well project. The change order is to install a monitoring well for an increase of \$52,500.00. The total adjusted contract price to date with this increase will be \$759,227.50.

Councilmember Huff asked if the purpose of the monitoring well is to monitor the affect of the canyon school well on downstream water.

Mr. Jones said yes, the purpose is to monitor the canyon school well for its impact on downstream water.

Councilmember Huff made a **motion** to approve change order no. 3 for the 16-inch water well project in the amount of \$52,500.00 to Bob Beeman Drilling, bringing the total project to \$759,227.50. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

*Mr. Richard Heap arrived at 8:00 pm.*

### **Change Order #2 - Pressurized Irrigation Transmission Line**

Mr. Dean Jones reviewed change order no. 2 for the pressurized irrigation transmission line project. Mr. Jones said there were utility conflicts in the areas of Canyon Crest Dr. and Stoney Hill Way. In order to pass through the numerous utilities in ground it was decided to raise the 36 inch main line using flowable fill. The change order is for flowable fill in roads with less than 24" of cover over the pipe, for an increase of \$3,637.50. The total adjusted contract price to date with this increase will be \$3,477,125.15.

Mayor Barney would like to have line items on future bids for projects this large.

Councilmember Huff asked if this will change the elevation.

Mr. Jones said it will increase the elevation by one foot, however, by making this change the city is avoiding the costs of looping several utility lines.

Councilmember Kelepolo made a **motion** to approve change order no. 2 for the pressurized irrigation transmission line project in the amount of \$3,637.50, bringing the total project to

\$3,477,125.15. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

### **Other Business**

None

### **Adjournment**

Councilmember James made a **motion** to adjourn. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 8:20 pm.

Approved: October 1, 2002

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Connie Swain, Deputy Recorder