

Adopted Minutes
Spanish Fork City Council Meeting
May 6, 2003

The meeting was called to order at 6:00 pm by Mayor Dale R. Barney. Councilmember Kelepolo offered a prayer. The pledge of allegiance was led by Councilmember Johns.

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

Staff Members Present: David A. Oyler, City Manager; MaryClare Maslyn, Assistant City Manager; Kent Clark, Finance Director/Recorder; Emil Pierson, Planning Director; Richard Nielson, Assistant Public Works Director; Dee Rosenbaum, Public Safety Director; Bryan Grace, Utility Technician; Russell Jackson, Utility Technician; Jeremy Anderson, Public Safety Officer; Don Thomas, Emergency Preparedness Officer; and Connie Swain, Deputy Recorder.

Citizens Present: Rodger Hardy, *Deseret News*, Richard Bradford, Alexander Stone, Quinn Stickney, Brandon Knight, Jeremy Knight, Mark West, Chloe G. Lowela, Helen N. Olsen, LeNora Allred, Marlene McBeth, Elaine Hone, Terri Wooton, Janet Goode, Jordan Goode, Russell Vorhees, Brady Nelson, Kent Gifford, Dean Jones, Bruce Hall, Richard Mendenhall, and John Smiley.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the April 15, 2003, city council meeting as presented. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

New Employee Introduction

Mayor Barney introduced the following new Spanish Fork City employees.

- Bryan Grace - Utilities (streets and water)
- Russell Jackson - Utilities (streets and water)
- Jeremy Anderson - Police Officer

Agenda Request - John Smiley - Funding a River Bridge near the New Sports Park

Mr. Smiley reviewed the subdivision he and Bruce Hall are in the process of developing near the new city sports park on the south side of the Spanish Fork River. Mr. Smiley said there will be approximately 100 homes in the development. The adjacent property will also be developed in the future. Because of the development they are creating a future need for an access bridge across Spanish Fork River near the area. Mr. Smiley proposed establishing a bridge fund to which they are prepared to pay 50 percent of the costs to build the required bridge. He

recommended the fund be controlled by the city and the city could require the surrounding property owners to contribute to the bridge fund when property is developed. The city could then determine the time frame for the installation of the bridge. Mr. Smiley said the costs for a basic bridge would be between \$180,000.00 and \$200,000.00.

Mayor Barney asked how they propose two accesses to the property they are currently developing.

Mr. Smiley reviewed the proposed access and the future access to the adjacent property. The Development Review Committee has reviewed the preliminary plat and has recommended approval. The preliminary plat will be presented to the Planning Commission this week.

Mayor Barney said he would like to see plans for the proposed bridge for the area.

Mr. Smiley presented pictures of a possible bridge located in Alpine. The costs for this bridge would be \$200,000 without some of the architectural features.

Councilmember Huff said if the bridge is not built for five or ten years the costs could increase dramatically. Also, how does the bridge connect to the future jogging trail.

Mr. Pierson reviewed the location of the proposed road and jogging trail.

Richard Mendenhall reviewed the boundaries for the Hill property west of the property Mr. Smiley and Mr. Hall are in the process of developing. Mr. Mendenhall said Mr. Hill is prepared to convey the property needed for the development of the roadway.

Councilmember Huff asked staff what areas of the development are in the flood plain.

Mr. Nielson said just the river channel remains in the flood plain.

Councilmember Johns asked how many homes will be in both the Mendenhall and the Smiley developments.

Mr. Smiley said 258 homes within both properties are being planned at this time.

Councilmember Huff asked for the time line for the developments.

Mr. Smiley said he would like to have lots ready to put on the market this fall.

Councilmember Huff asked staff for the sewer capacity for the area in question.

Mr. Nielson said the trunk line sewer has a capacity planned to service the area. He also reviewed the Leland area sewer plans. A portion of the Leland area will be served through Salem City's sewer treatment plant.

Mr. Hall said a bridge designed to span the river at 60 feet will cost approximately \$180,000.00 by his estimates.

Mayor Barney asked for the difference between the bridge being proposed and the bridge at the golf course.

Mr. Hall reviewed the costs and the additional preparations needed for the bridge near the golf course.

Chloe Gardner Lowela, a resident, said she would like to see a traffic study performed.

Councilmember Huff agreed with the need for a traffic study in the area as the properties develop. The bridge may need to be installed as soon as possible.

Mayor Barney said the city owns the property to the north and will be obligated to develop the roadway servicing the bridge.

Mr. Smiley said the traffic created by their development will still flow onto Main Street. A discussion followed.

Councilmember James said there is too much in question to make a decision at this time and suggested referring the issue to the Planning Commission to present recommendations to city council.

Mr. Pierson said it meets the general plan for a bridge at this location.

Mayor Barney said the only discussion at this time should be connected with the funding of the bridge only.

Mr. Mendenhall said a functional bridge could be installed at a lower cost. It would not look as nice but would meet the requirements of the general plan. This would allow the development of the property to move forward.

Councilmember Christensen asked if the bridge is planned to have a pedestrian access.

Mr. Mendenhall said yes the bridge would have a pedestrian access.

Mayor Barney said some of the discussion would be better served during the Planning Commission Meeting.

Councilmember Huff said the proposed bridge ultimately meets the future needs of the city, however, costs to build the bridge over the next ten years will increase and a traffic study is needed.

Mr. Nielson said a traffic study should be completed in order to allow city council to determine the trigger point for the bridge construction to begin.

Councilmember Huff said if city council determines the bridge fund would be in the best interest of the city, future developments which impact traffic in the area could be conditioned upon a contribution to the bridge fund.

Mayor Bamey said the city has addressed the road needs in the area and if a developer impacts the needs in the area they should be responsible for their portion of the impact.

Mr. Hall agreed.

Councilmember Christensen said until the property on the North side of the river is developed the road connecting to the north side of the bridge will not exit.

Councilmember Huff said the funding of the bridge should not be part of the Planning Commission's responsibility.

Mr. Oyler said typically funding would not be part of the Planning Commission's discussion.

Councilmember Huff said he is inclined to accept the bridge fund contribution Mr. Smiley and Mr. Hall have offered to pay. The developers in the area will ultimately build the bridge and at least the city will have funds to contribute to the building of the bridge in the future.

Councilmember Huff made a **motion** to approve partial funding of the bridge by the two developers in the amount of 50 percent of the cost of the bridge and as part of future development the balance of the costs will be paid by the future developers.

Councilmember Kelepolo said he has some questions. His questions are the design of the bridge and what will be the actual cost.

Councilmember Christensen said there are no other developers in the area.

Mr. Hall said there are developers on both sides of the bridge.

Councilmember Huff said the traffic coming from the north will flow south to get to the freeway.

Mr. Hall said the costs of the bridge are based on the design. He said he has designed many bridges and he said an inexpensive and functional bridge could be built to meet the requirements.

Councilmember Kelepolo wants to know the measurements and costs of the bridge. He would like to receive more than general information.

Mr. Smiley said he and Mr. Hall have offered to pay 50 percent of the costs of the bridge

depending on the costs of the bridge required.

Councilmember Johns asked how the property owners to the North of the river could be required to contribute to the bridge fund.

Mr. Pierson said it would be made part of the annexation conditions. Also, the city council could require the developer to design the bridge.

Councilmember Kelepolo asked why this issue needs to be addressed at this time rather than when the item returns to city council for approval of the final plat.

Councilmember Kelepolo made a **motion** in favor of the bridge fund and referred the issue to the Planning Commission for guidelines to follow, design recommendations, and traffic study, to be paid for by the developer.

A discussion followed.

Councilmember Huff made a **motion** to table the John Smiley agenda request concerning bridge funding until city council has had the time to consider the total ramification concerning the funding proposal. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Mr. Pierson said he will be prepared to address the traffic analysis with the Planning Commission.

Mayoral Proclamation Declaring Child Care Provider Recognition Day

Lori Taylor, Afton Howard, and MaryClare Maslyn were present representing Child Care Resource and Referral, a program of Utah Valley State College.

Ms. Maslyn addressed city council and communicated the need for quality child care providers in our community and the value they provide.

Ms. Taylor said she has been a licensed child care provider for 23 years and has cared for more than 300 children. She presented city council with a packet of information.

Ms. Howard has worked with Ms. Taylor for many years and appreciated the opportunity to address city council.

Mayor Barney read the Mayoral Proclamation declaring child care provider recognition day as May 9, 2003.

Councilmember Kelepolo made a **motion** to approve the Mayoral Proclamation Declaring Child Care Provider Recognition Day as May 9, 2003. Councilmember James **seconded**, and the

motion **passed** with a unanimous vote.

Agenda Request - Elaine Hansen - 1st Annual Children's Fest

Ms. Hansen presented city council with information concerning the Children's Fest scheduled to take place on June 13th and 14th at the Krishna Temple between Spanish Fork City and Salem City. Salem City is prepared to participate and provide sound, advertising, and one police officer. Ms. Hansen asked for Spanish Fork City's support by advertising the event in the city newsletter, providing other advertising available, and providing one more police officer. Ms. Hansen also asked if it would be possible to have fireworks provided by Salem City and Spanish Fork City.

Mr. Rosenbaum said he would provide a police officer, however, he would need to receive an invitation from the County Sheriff's Department since the event will be held in their jurisdiction.

Mayor Bamey told Ms. Hansen to talk with the cable crew concerning advertising on the cable channel and Ms. Maslyn said information concerning the event could be provided in the city utility billing mailed the first part of June.

Mr. Hansen will contact the County Sheriff's Department to request Spanish Fork City Police Departments be allowed to assist during the Children's Fest.

Agenda Request - Marlene McBeth - Daughter's of the Utah Pioneer Museum

Ms. McBeth said they need additional display space at the Daughter's of the Utah Pioneer Museum and would like to convert a small extra restroom and a closet into a display area. Ms. McBeth was advised by the building inspector to bring the matter before city council for approval.

Councilmember Christensen asked if the closet is currently being used for maintenance.

Ms. McBeth said the closet is not being used at this time. The city owns the toilets, sinks, and other fixtures and may have a need for these items.

Councilmember Huff made a **motion** to approve the proposed changes to the Daughter's of the Utah Pioneer Museum. Councilmember James **Seconded**, and the motion **passed** with a unanimous vote.

Ms. Lowela thanked Spanish Fork City for the support the Daughter's of the Utah Pioneer Museum has received from the city and invited city council to visit the museum.

BFI Fuel Adjustment

Mr. Clark said he received a request from BFI for a small increase in the fees to pick up waste in Spanish Fork City due to the increased cost of gasoline. Mr. Clark recommended approval of

the increase request.

Councilmember Huff asked for the duration of the current contract.

Mr. Clark said the current contract with BFI will be in place for two more years.

Councilmember Kelepolo made a **motion** to approve the Fuel Adjustment in the BFI Contract as presented. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Home Investment Partnership Interlocal Agreement and Resolution 03-05 - A Resolution of Spanish Fork City, Utah, Approving and Authorizing the Execution of an Interlocal Cooperation Agreement to Form a Consortium to Conduct a United States Housing And Urban Development Home Program for Federal Fiscal Year 2004, 2005, and 2006 and Interlocal Cooperative Agreement.

Mr. Pierson said this is a resolution to authorize several cities in Utah Valley to form a consortium to conduct federal funds received for Affordable Housing. Since Provo City is the lead agency, the funds are directed to Provo City to regulate.

Councilmember Huff made a **motion** to approve the Home Investment Partnership Interlocal Agreement and Resolution 03-05. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Economic Development Contract - Richard Bradford

Mr. Bradford said he met with the Mayor, Mr. Oylar, and Mr. Pierson and presented an idea to help bring Spanish Fork City to the next level of Economic Development. He is proposing consulting services to Spanish Fork. He would address marketing of Spanish Fork to outside businesses, strengthening the core of the city, a commercial officer, tourism, and industrial development. He would also address strengthening the tax base for Spanish Fork City. There is a very high birth rate in this area and those individuals will eventually be seeking employment. Accordingly, there is a constant challenge to provide additional employment to meet the growth.

Councilmember Kelepolo, Councilmember Huff and Councilmember Christensen expressed appreciation to Mr. Bradford for the service he provides to Spanish Fork City.

Councilmember Huff made a **motion** to enter into an Economic Development Contract with Richard Bradford as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Change Order #2 - Pump Station

Mr. Nielson said he asked Kent Griffiths to address the pump station change order.

Mr. Griffiths reviewed the change order table for the pump station consisting of six items and he

reviewed each item and the necessity for each item.

Councilmember Johns asked why the issue was not addressed when the bid was originally submitted.

Mr. Nielson said the depth of the sewer line was unknown at that time.

Mayor Barney said there should be some accountability when an item is left off of a bid award.

Mr. Griffiths continued reviewing the items on the change order.

Councilmember Huff made a **motion** to approve change order #2 for the pump station as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Dean Jones apologized to a member of city council for recently being turned away from the reservoir construction site. Due to recent trespassing problems the area is being locked until construction is completed.

Mayor Barney said the public safety department should monitor the area.

Questar Gas Right-of-Way and Easement Grant at the Airport

Mr. Nielson reviewed the Questar Gas right-of-way and easement grant at the airport. The easement is for the gas service line to the new hangers.

Councilmember Kelepolo made a **motion** to approve the right-of-way and easement grant to Questar Gas Company as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Airport Hanger Landlord Consent and Certificate

Mr. Nielson reviewed the airport hanger landlord consent and certificate. The Bank is requiring these documents for financing of the airport hanger with the owner.

Councilmember Johns made a **motion** to approve the Airport Hanger Landlord's Consent and Landlord's Estoppel Certificate with Susan Edenfield-Wilson and Steven Wilson.

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

John Smiley - Previous Agenda Request

Mr. Nielson requested clarification of the previous issue concerning Mr. Smiley's agenda request for the bridge funding. Mr. Nielson recommend a traffic study with respect to Arrowhead Trail, Main Street, north and south of the river, and when will the bridge be required.

Councilmember James requested Volunteer Drive also be included in the traffic study.

FY 2004 Budget

Mr. Oyler presented city council with a copy of the fiscal year 2004 tentative budget and reviewed a portion of the tentative budget and major expenses for the coming fiscal year.

Councilmember Huff commended Mr. Oyler and staff for preparation of the budget now and in the past and thanked city staff for their commitment.

Councilmember Huff made a **motion** to accept the fiscal year 2004 tentative budget for further study prior to the public hearing in June 2003. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

C.E.R.T. Fund Raiser

Mr. Rosenbaum and Don Thomas addressed city council concerning the Community Emergency Response Team (C.E.R.T.). C.E.R.T. involves the training of citizens in the community and Mr. Thomas has trained hundreds of citizens. Mr. Thomas is present to review the possibility of a fund raiser to help support the C.E.R.T. program.

Mr. Thomas said the C.E.R.T. program is an ongoing training and maintenance training process. The purpose of the training is to prepare citizens in all areas of the community in the event of many types of emergencies. Another purpose is to motivate families to be self prepared for emergencies. Training includes medical assistance, search and rescue, fire fighting, and other emergencies. Additional funds are needed to maintain the C.E.R.T. program and Mr. Thomas proposed offering first aid kits for purchase. Many residents have requested first aid kits and Mr. Thomas said quality first aid kits are difficult to find. The price for the quality first aid kit is reasonable and the C.E.R.T. program would keep a portion of the funds collected. Mr. Thomas requested to send flyers to residents with the city bills.

Mayor Barney attended a Homeland Security Conference and he said Spanish Fork is ahead of many of the cities in emergency preparedness and he supported the fund-raising project.

Councilmember Huff asked if the city police cars are equipt with these same first aid kits.

Chief Rosenbaum said due to the training officers received from Mr. Thomas the city police cars are equipt with the police first aid kits. The first aid kits are intended to be personalized by each individual family's needs.

Councilmember James made a **motion** to allow the Spanish Fork Emergency Preparedness Team to activate the first aid kit fund raiser. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember James and Councilmember Christensen commended Mr. Thomas for the C.E.R.T. program and the first aid kit fund raiser project.

Other Business

None was given.

Councilmember Huff made a **motion** to move out of city council meeting and into Redevelopment Agency Meeting. Councilmember Kelepolo **seconded**, the motion **passed** with a unanimous vote, and the Redevelopment Agency Meeting began at 8:35 pm.

Councilmember Huff made a motion to move out of the Redevelopment Agency Meeting and back into city council meeting. Councilmember Kelepolo **seconded**, the motion **passed** with a unanimous vote, and the city council meeting resumed at 8:40 pm.

Other Business

Mr. Oyler directed city council to page 71 of the Fiscal Year 2004 Tentative Budget which shows the joint airport budget between Spanish Fork City and Springville City

Councilmember Huff made a **motion** to accept the Fiscal Year 2004 Tentative Joint Airport Budget between Spanish Fork City and Springville City for further study prior to the public hearing in June 2003. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Readdress of the Agenda Request by John Smiley

Mr. Smiley said he is prepared to present city council with a cost estimate and a design for the bridge if city council requests it. He said he is seeking guidance from city council as to the information needed to allow a decision to be made.

Mayor Barney said the item was addressed by city council already. A discussion followed.

Councilmember Kelepolo said his questions relate to bridge design, costs, and the traffic study as previously requested.

Adjournment

Councilmember Huff made a **motion** to adjourn from the city council meeting. Councilmember Kelepolo **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 8:50 pm.

Connie Swain, Deputy Recorder

Approved: May 20, 2003