

Adopted Minutes
Spanish Fork City Council Meeting
June 3, 2003

The meeting was called to order at 6:00 pm by Mayor Dale R. Barney. 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; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Richard Heap, Engineering and Public Works Director; Emil Pierson, Planning Director; Dale Robinson, Parks and Recreation Director; Richard Nielson, Assistant Public Works Director; John Bowcut, Information Systems Director; Kent Clark, Recorder/Finance Director; Louise Nuzman, Library Director; and Connie Swain, Deputy Recorder.

Citizens Present: John D. Smiley, Scott Peterson, Steve Maddox, C. E. Ostler, Andrew Herseth, Lance Long, Kevin W. Malouf, Alex Kirry, Richard Bradford, Willie Green, Harry Johnson, Traj Harris, Bruce Hall, Bob Walsh, Zack Harris, Kyle Ostler, Justin Crandall, Wyatt Harris, and Andre Clark.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the May 20, 2003, city council meeting with changes as requested. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Canyon Road Waterline Project

Mr. Nielson reviewed the bids for the waterline project from 1125 East to Highway 6. The low bid was received from Dunn Construction in the amount of \$1,296,403.00. The three-week construction project will begin on September 1, 2003. The State is requiring the replacement due to the age of the existing pipeline.

Mayor Barney said there are two waterlines being installed.

Mr. Nielson said the two waterlines will be for the high pressure system and the low pressure system.

Councilmember James made a **motion** to award the bid for the Canyon Road Waterline Project to Dunn Construction in the amount of \$1,296,403.00. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Asphalt Overlay Bid Schedule #1

Mr. Nielson said funds for fiscal year 2003 and 2004 will be combined to complete the asphalt overlay project, to be completed by July 18, 2003. Mr. Nielson recommended approval of the lowest bid received from Geneva Rock in the amount of \$935,740.00.

Councilmember Kelepolo made a **motion** to award the Asphalt Overlay Bid Schedule #1 to Geneva Rock in the amount of \$935,740.00. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Asphalt Overlay Bid Schedule #2

Mr. Nielson reviewed the asphalt overlays and supplies bid schedule #2. Mr. Nielson recommended approval of the lowest bid received from Staker & Parson according to the unit price as shown.

Councilmember Johns made a **motion** to award the Asphalt Overlay Bid Schedule #2 to Staker & Parson in the amount of \$3,040.00 plus the unit price as shown in the agenda packets for items 1, 2, and 3. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Chipseal Liquid Asphalt, Chipseal Distributor Truck, and Chipseal Chips Bids

Mr. Nielson said Spanish Fork City provides the annual bidding for the group of cities involved in the chipseal project. The chipseal project requires three separate bids consisting of the chipseal liquid asphalt, chipseal distributor truck, and chipseal chips. For the chipseal liquid asphalt bid Mr. Nielson recommended awarding the bid to Crown Asphalt in the amount of \$164,500.00. For the chipseal distributor truck bid Mr. Nielson recommended awarding the bid to R-n-M Transportation in the amount of \$14.59 per ton for 40-50 miles, \$15.29 per ton for 50-60 miles, \$16.76 per ton for 60-70 miles, and \$17.00 per ton for spreading charges. For the chipseal chips bid Mr. Nielson recommended awarding the bid to HE Davis Construction in the amount of \$88,157.50.

Councilmember Huff made a **motion** to award the chipseal chips bid to HE Davis Construction in the amount of \$88,157.50. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Kelepolo made a **motion** to award the chipseal distributor truck bid to R-n-M Transportation in the amount of \$14.59 per ton for 40-50 miles, \$15.29 per ton for 50-60 miles, \$16.76 per ton for 60-70 miles, and \$17.00 per ton for spreading charges. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Councilmember James made a **motion** to award the chipseal liquid asphalt bid to Crown Asphalt in the amount of \$164,500.00. Councilmember Johns **seconded**, and the motion **passed** with a

unanimous vote.

Rate and Usage Adjustment - Pressurized Irrigation and Culinary Water

Mr. Heap said water pressure on the pressurized irrigation system during the evening and morning hours in May was low and has concerned many residents. In the near future the high demand period will be serviced by the reservoir. To be fair to residents who have used the culinary water on yards during the month of May, Mr. Heap recommended a usage and rate adjustment for the month of May only. He recommended no pressurized irrigation usage charges be assessed for May 2003 and all culinary usage billed at the regular rate with no excess usages fees for the month of May 2003.

Mayor Barney asked Mr. Heap if the reservoir will be capable of meeting the peak water usage periods when partially full and he also asked when the second well will be on the system.

Mr. Heap said the reservoir will meet peak usage periods when partially full and the second well will be on line this Thursday or Friday.

Councilmember Johns made a **motion** to approve the pressurized irrigation and culinary water rate and usage adjustment as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Kelepolo made a **motion** to move into the public hearing portion of city council meeting. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Child Rezone - 800 North Highway 51 (Sunset Ponds)

Mayor Barney reviewed the procedures for a public hearing.

Mr. Pierson said Scott Peterson is the applicant on behalf of Cris Child to rezone the property at 800 North Highway 51 from Commercial Office (C-O) to Medium High Residential (R-1-6). The Development Review Committee and the Planning Commission have reviewed the Child rezone request and both recommend approval by city council with no conditions.

Mayor Barney opened the meeting for public input. None was given. Mayor Barney opened the meeting for council discussion.

Councilmember James said he is concerned with public safety in the area and density issues creating heavy traffic.

Mr. Pierson said at city council's request he is prepared to present the preliminary plat at this time.

Councilmember Huff said the only issue before the city council at this time is the rezone request.

Councilmember Kelepolo said the majority of the property in the area is zoned commercial.

Mr. Pierson said the General Plan gives developers rezoning options in the area due to the constraints from the railroad tracks and Highway 51.

Councilmember Johns made a **motion** to approve the Child Rezone at 800 North Highway 51 from Commercial Office (C-O) to Medium High Residential (R-1-6) and finds the zone change meets the General Plan. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Randy Butler Rezone - Del Monte and Arrowhead Trail (Quail Hollow on the River)

Mr. Pierson said the applicants, Randy Butler and Cabin Creek Development, are requesting to rezone the property at Delmonte Road and Arrowhead Trail from Rural Residential (R-R) to Low Urban Residential (R-1-12). Currently this area is included in the Growth Boundary and General Plan. The Development Review Committee and the Planning Commission have reviewed the request and recommend approval. The Planning Commission also recommended the approval on the condition the developer of the property participate in the funding of the bridge across the river.

Mayor Barney opened the meeting for public input. None was given. Mayor Barney opened the meeting for council discussion.

Councilmember James said he is again concerned with flooding in the area. He has seen two floods in the area in his lifetime. How does flooding in the area effect any future development?

Mr. Bruce Hall said it has been addressed on the preliminary plat. After conducting studies of the area the flood zones have been eliminated. None of the area to be developed is in a flood zone.

Mayor Barney asked Mr. Baker if the area being developed flooded in the future will the city be responsible.

Mr. Baker said if areas approved for development are outside of the flood plain the city will not be liable for damages. In the event of a flood residents may request assistance from the city.

Councilmember James said people who purchase property in the area should have a provision to protect themselves in the event of a flood.

Mayor Bamey said since the area is outside of the flood plain citizens will have the opportunity to purchase flood insurance.

Councilmember Kelepolo made a **motion** to approve the Randy Butler Rezone at Del Monte Rd.

and Arrowhead Trail from Rural Residential (R-R) to Low Urban Residential (R-1-12) on the following condition(s):

1. The developer of the property is to participate in the funding of the bridge across the river.

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

Councilmember Huff made a **motion** to move out of the public hearing portion of the meeting. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Airport Road Realignment - Cris Child

Mr. Child said in the process of acquiring land to shift the airport runway away from commercial property the Airport Board determined the airport road should be rerouted at this time. The current Utah County road would be closed. Mr. Child reviewed the proposed airport road realignment that allows for future growth of the airport. It will inconvenience several individuals using the road at this time.

Councilmember Kelepolo said it may take 10 or 20 years before the airport is expanded, however, the funds are available now to purchase land for the road realignment.

Mr. Child said now is the time to realign the airport road before development occurs in the area and prohibits expansion of the road.

Councilmember Huff asked what role the county plays in the road placement.

Mr. Child said he met with the Utah County Planner and the Utah County Engineer and they could not see any problems with the airport road realignment, however, they have not given final approval at this time.

Mayor Barney said the cities should move forward with the most favorable solution.

Councilmember Kelepolo made a **motion** authorizing the Airport Board to pursue the airport road realignment. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff made a **motion** to move back into the public hearing portion of the meeting. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Budget FY 2004

Mr. Oyler said each department head will review the portion of the budget for their department.

Mr. Pierson reviewed the Planning Department portion of the budget.

Mr. Baker reviewed the Legal Department portion of the budget. Additional personnel is needed in the Legal Department at this time. Mr. Baker also represents Salem City and they fund 30 percent of the Legal Department budget.

Mrs. Nuzman reviewed the Library budget. Two additional part time staff members are needed at this also. Also, she is requesting \$10,000 in new books and subscriptions in order to update areas of the Library.

John Bowcut reviewed the Information Systems budget. The GIS specialist's position is being added to the Information Systems budget. He also reviewed the Broadband budget. Construction of the cable and internet information system should be completed by the end of August 2003. Crews and equipment will be retained until additional electrical work is completed.

Chief Rosenbaum reviewed the Public Safety Department budget. A part-time position in the police department will be added, replacement of a rescue truck and a new ambulance will be moved to the next budget year, and a wage increase in the Ambulance Department is being requested. He also reviewed the Animal Control budget.

Mr. Robinson reviewed the Recreation Department budget consisting of Senior Citizens, general buildings, parks and grounds, cemetery, fairgrounds, snack shacks, golf course, swimming pool, and the gun club. He also reviewed major projects, many of which are covered by grants. The projects are the new jogging trail system, parking lots, landscaping, and the new reservoir facilities.

Mr. Nielson reviewed the Public Utility Department budget consisting of streets, culinary water, sewer collection, and solid waste collection.

Mr. Heap reviewed the Engineering Department budget. The GIS specialists position is being removed from the Engineering Department budget. He also reviewed the Building Inspection Department and Waste Water Treatment Plant budgets.

Mr. Foster reviewed the Electric Department budget.

Mr. Clark reviewed the General Government budget, Administration budget, general fund revenue, utility rates, and sales tax on cable TV.

Mr. Oyler reviewed the six-year plan.

Redevelopment Agency Meeting

Councilmember James made a **motion** to move into the Redevelopment Agency meeting. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff made a **motion** to close the Redevelopment Agency meeting and return to

city council meeting. Councilmember Kelepolo **seconded**, and the motion passed with a unanimous vote.

Sunset Ponds Preliminary Plat

Mr. Pierson reviewed the Sunset Ponds Preliminary Plat.

Mr. Scott Peterson presented the project to the city council.

Councilmember James asked concerning public safety, density, and traffic.

Mr. Peterson and Mr. Pierson addressed the concerns.

Councilmember Johns made a **motion** to approve the Sunset Ponds Preliminary Plat on the following condition(s):

1. Develop the property as shown on the preliminary plat site plan, Development Review Committee packet, and drawing,
2. Have at least 10 feet of space between buildings,
3. Phase one is to include all of the improvements along Highway 51 including curb, gutter, sidewalk, and the wall,
4. Adjust lot 65 to include all of the open space delineated with cross hatching to indicate non-buildable areas and wetland areas,
5. Ponds and water channels are to be shown as storm drain easement areas,
6. Receive approval from Mr. Foster concerning electrical service installation and bring the power from the Willowbend Subdivision,
7. Provide a free and clear preliminary title report prior to the approval of the final plat,
8. Provide a letter from UDOT approving improvements along Highway 51,
9. Install trees and grass along Highway 51 and 800 North which is to be maintained by the Homeowners Association,
10. A total of 93 - 2 inch caliper trees are to be installed throughout the project and be approved by the shade tree commission as they review and approve the landscaping plan. The trees on 800 North are to be extended across lots 62-63,
11. A stone/brick element is to be added to the front elevation of each building as well as a variety of materials (EIFS, and hardy plank) and articulation on the front facades to create variety,
12. A swing set with at least two swings is to be added to the tot-lot (playground) area,
13. The open space around the ponds is to be cleaned, mowed at least three times a year, and maintained by the Homeowners Association,
14. The trail system around the ponds is to be constructed as per Spanish Fork City standards,
15. The project is to be constructed as shown on the preliminary plat, landscaping plan, and the packets as submitted by the developer,
16. The fence on lot 65 along Highway 51 is to be an open vinyl fence with no gates,

17. The developer/builder are to have variations on the colors, windows, and roof lines of the buildings, and,
18. Implement a connector's agreement with adjacent properties owners or developers when the properties are developed.

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

Quail Hollow by the River Preliminary Plat

Mr. Pierson reviewed the Quail Hollow by the River development. He also discussed the pedestrian bridge in the area.

Mr. Smiley reviewed the future phases of the development, the traffic study, the time line for the traffic bridge and the pedestrian bridge, ground water problems, adjacent zoning, and plans to clean up the river bank with the first phase of the development.

Mr. Hall asked the city council to eliminate the condition requiring a water line through lot 57. He also asked to establish the river as the property line.

Councilmember Huff made a **motion** to table the Quail Hollow by the River Preliminary Plat until June 17, 2003. Councilmember James **Seconded**, and the motion **passed** with a unanimous vote.

Ordinance 05-03 - An Ordinance Amending the Plan Review Fee Set Forth in the Municipal Code

Mr. Baker reviewed Ordinance 05-03, an Ordinance Amending the Plan Review Fee Set Forth in the Municipal Code. The Ordinance will amend the city code to conform with State Law.

Councilmember Huff made a **motion** to accept Ordinance 05-03, an Ordinance Amending the Plan Review Fee Set Forth in the Municipal Code. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Contract with Modern Display for the Construction of a Float

Mr. Baker reviewed the contract with Modern Display to construct a new city float in the amount of \$10,000.00.

Councilmember Kelepolo made a **motion** to accept the Contract with Modern Display for the construction of a float. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Mapleton Waste Water Treatment Interlocal Agreement (tabled from May 20, 2003)

Councilmember Kelepolo made a **motion** to table the Mapleton Waste Water Treatment Interlocal Agreement until June 17, 2003. Councilmember Christensen **seconded**, and the

motion **passed** with a unanimous vote.

Other Business

Councilmember Kelepolo asked if it would be possible to have a 9th grade football club similar to the baseball club. He also discussed a possible eagle scout project.

Adjournment

Councilmember Kelepolo made a **motion** to adjourn from city council meeting. Councilmember Huff **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 10:00 pm.

Connie Swain, Deputy Recorder

Approved: June 17, 2003