

Adopted Minutes
Spanish Fork City Council Meeting
June 17, 2003

The meeting was called to order at 6:00 pm by Sherman E. Huff, Mayor Pro Tempore. The pledge of allegiance was led by Councilmember Johns.

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

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, Helen Olson, Chloe Gardner Laurila, Jerry L. Hadlock. Denise Henderson, Elizabeth Scott, Doug Bayless, Jeremy Stone, Bonnie Stone, Ana Tita, Ine's Endrek, Ivonne Z. Granados, Jonathan Stohel, Drew Merrill, Brendon Guymon, Michael Jackson, Sam Bowcut, Justin Andrew, Douglas Bartholomew, Jason Huntington, Sabin Hinton, Kristie Hinton, and Bruce Hall.

Minutes

Councilmember Kelepolo made a **motion** to approve the minutes of the June 3, 2003, city council meeting with changes as noted. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Daughter's of the Utah Pioneer - Pioneer Cemetery

Mrs. Helen Olsen, new President of the Daughters of the Utah Pioneers. She said as President her focus will be the history of the early Utah Pioneers. She reviewed portions of the early pioneer history. The Pioneer Cemetery has some needs and Mrs. Olson turned the time over to Chloe Gardner, Committee Chairman, to present the request on behalf of the Daughters of the Utah Pioneers.

Ms. Gardner said the Pioneer Historical Cemetery needs water for the landscaping. The Cemetery is owned by the city and the Daughters of the Utah Pioneers are requesting the city extend the new pressurized irrigation system to the Cemetery. Mr. Fred Vincent owns the property adjacent to the cemetery and he has agreed to allow the pressurized irrigation pipeline for the extension to be installed through his property. Mr. Vincent has requested to meet with the

Mayor and Richard Nielson to determine appropriate location for the pipeline. Mt. Loafer Ward has adopted and maintained the cemetery since 1996. Local Boy Scouts have volunteered to help with installation of a sprinkling system.

Councilmember Johns asked who will monitor the sprinkling system.

Jerry Hadlock, a member of the Mt. Loafer Ward, said the sprinkling system will be battery operated and will be automatic.

Councilmember Huff asked Mr. Heap for an estimate of the cost to extend the pressurized irrigation system to the cemetery.

Mr. Heap said Mr. Nielson said the costs will be approximately \$2,500.00 and staff will need to meet to determine if and when the funds will be available.

Councilmember Huff said this request will make more residents aware of the Pioneer Cemetery. The request by the Daughters of the Utah Pioneers to extend the pressurized irrigation system to the Pioneer Cemetery will be consider by city staff and Mrs. Helen Olsen will be contacted with a decision.

Abbie Court Park Update

Mr. Pierson reviewed the history of the Abbie Court Subdivision and the agreement by the developer to include a park and a retention area within the development. The Developer has hydro-seeded the park twice, however, due to a lack of watering the grass has not been established. The expiration of the bond was extended to allow the developer additional time to allow the grass seed to germinate. Mr. Pierson said he met with the developer the first of June, 2003 and sod will be provided to cover the areas surrounding the play ground and the pavilion and the water basin area will be re-seeded and maintained to insure the grass will grow. A sod laying party is scheduled for June 28th and flyers will be delivered to the residents in the area requesting volunteers to help with laying the sod.

Mayor Pro Tempore Huff allowed citizens to address city council with new information only.

Denise Henderson said originally the city would not take the park over until the park was in better condition. Also, what will happen if the portion to be hydro seeded again continues to turn to weeds. Also, she wanted to know if there would be trees and benches and why the bond was not called in earlier.

Mr. Pierson said the bond was due in October 2002 and the developer asked for additional time to allow hydro seed to grow. The city allowed the additional time requested. Mr. Pierson also said if the city had collected the bond at that time the city would not have used sod but would have used hydro seed. The swings were recalled by the manufacturer and new swings will be installed when they arrive. The picnic tables will be installed when the city takes over the park.

He also said after the sod is laid the city will hydro seed the remaining areas and they will be protected by snow fencing. This is the best plan to expedite the solution to the problems at the park.

Sabin Hinton said the area was suppose to be seeded when there were not many children in the area. He said he understands the city to doing the best that is possible. He also asked when the bond will be released.

Mayor Pro Tempore Huff said the bond will not be released until the city is satisfied with the condition of the Abbie Court Park.

Doug Bayless said the park was to have a baseball field. He wanted to know what things are going into the park.

Mayor Pro Tempore Huff said there are no provision for a baseball field at the park, however, there is a basketball court.

Mr. Pierson said the city will schedule T-ball games only in the grassy area of the park.

Mayor Pro Tempore Huff thanked the residents for their input and asked them to advise city council or staff if there are problems in the future.

Public Hearing - Budget FY 2003 Revision

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.

Mayor Pro Tempore Huff reviewed the procedures for a public hearing.

Mr. Oyler reviewed the budget adoption process. He reviewed some of the main areas of change in the fiscal year 2003 budget revision.

Mayor Pro Tempore Huff opened the meeting for public comment. None was given. The meeting was opened for city council discussion.

Mr. Clark clarified the enterprise fund earnings and shortages.

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

Councilmember Johns made a **motion** to move into the Redevelopment Agency Meeting. Councilmember Christensen **seconded**, and the motion passed with a unanimous vote.

Councilmember Kelepolo made a motion to move out of Redevelopment Agency meeting and reconvene city council meeting. Councilmember James seconded, and the motion **passed** with a unanimous vote.

Fiscal Year 2003 Budget Revision - Adoption

Mr. Oyler requested the adoption of the fiscal year 2003 budget revision as presented.

Councilmember James made a **motion** to adopt the fiscal year 2003 budget revision as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Fiscal Year 2004 Budget - Adoption

Mr. Oyler requested city council adopt the fiscal year 2004 budget with changes concerning the waterline bid as presented since the public hearing held on June 3, 2003.

Councilmember Johns made a **motion** to adopt the fiscal year 2004 Budget as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Fiscal Year 2004 Airport Budget - Adoption

Mr. Oyler reviewed the airport budget submitted by Springville. Springville City and Spanish Fork will both adopt the budget as presented. There have been no changes to the fiscal year 2004 airport budget since the public hearing on June 3, 2003.

Councilmember Kelepolo made a **motion** to adopt the fiscal year 2004 Airport Budget as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Mayor Pro Tempore Huff said city council relies on city staff to research and prepare an appropriate budget and he commended Mr. Oyler for the work provided.

Quail Hollow by the River - Preliminary Plat (tabled from June 3, 2003)

Mr. Pierson said this item was tabled on June 3rd to allow the developer to provide a proposal, a traffic study, and an appropriate exchange of property. Mr. Pierson recommended the city and the developer trade property to allow the city to own the property north of the river and the developer to own the property south of the river.

Councilmember Kelepolo asked concerning the amount of property exchanged.

Mr. Pierson said the map in the packet indicates the portions of property to be exchanged. He also said the costs of the clean up outweigh the value of the property to be exchanged. Mr. Heap and Mr. Nielson studied the development in the area and determined the percentage of usage by future traffic in the area. Mr. Pierson reviewed the surrounding properties and the possible traffic

flow.

Councilmember Johns asked if some property owners did not participate at this time and the bridge is needed who will pay their portion of the funds.

Mr. Pierson said city council will need to determine if the city would provide the funds and require property owners to contribute at the time they develop their property.

Councilmember Johns asked concerning easements on and around the river.

Mr. Pierson recommend a 20-foot access and easement from the riverbank. The future jogging trail will be on the North side of the river in the area near the Quail Hollow on the River development.

Mayor Pro Tempore Huff asked Mr. Smiley if the State is required to approve utilities running under the river.

Mr. Smiley said approval for the utilities under the river will need to be received from the State Engineering Department.

Councilmember Johns asked concerning the depth of the sewer line.

Mr. Heap reviewed the installation and the design of the sewer line under the river.

Mayor Pro Tempore Huff asked if a portion of the easement and access will be the storm drain retention area.

Mr. Smiley said a portion of the access easement will be considered as a retention area.

Mr. Heap said concrete has been dumped in some areas of the river and he reviewed the required cleanup procedures.

Councilmember James said he is concerned with the environmental impact of the Quail Hollow by the River development. He would like some kind of insurance to require the developer to complete all of the requirements.

Mr. Heap said the concrete is on the river banks and not in the river channel.

Councilmember James asked for a time frame in which several of the conditions are to be met.

Mr. Pierson reviewed the improvements along Del Monte Road and the time frame for the improvements. He also reviewed the installation of the pedestrian access and pedestrian bridge across the river.

Mr. Smiley reviewed the lay out for storm drain system and the time frame for the second access to the property. There will be a temporary emergency access until the second access is available.

7:30 pm - Mr. Hall arrived

Mr. Pierson said the Fire Department met and requested an all weather surface on the emergency access. Mr. Pierson also recommended a 20-foot access easement with no fencing to allow the concrete clean-up along the river bank.

Mayor Pro Tempore Huff asked for the properties being exchanged to be spelled out specifically.

Mr. Heap will provide a legal description to clarify the property exchange.

Councilmember Kelepolo made a **motion** to approve the Quail Hollow by the River Preliminary Plat on the following condition(s):

1. Install a masonry wall behind lots on Arrowhead Trail as applications for various phases are received and bonding is approved and install a solid vinyl or monster wood fence along lots 13-15,
2. Install, with phase one, improvements along Del Monte Rd., with the exception of sidewalk being required only along lot 1,
3. Provide a temporary emergency access into the development behind lots 13-16 and lots 52-56 until a second entrance is accessible,
4. No hill area excavation is to take place without approval from the city engineer,
5. Provide a flood plain update and a wetlands report to the city,
6. Provide cross sectioning of lots 24-27, and 33-35 to the city,
7. Upon development of 50 percent of the lots, a 14-foot asphalted pedestrian access between lots 96 and 97 and then to the river; and a pedestrian bridge over the river that will connect to the city trail is to be bonded for and installed at the developers expense,
8. Submit a plat conforming to all the preliminary plat standards,
9. Install an 8-inch water line connection through lot 57,
10. Submit covenants, codes, and restrictions for the development to the city,
11. The developer is to sign off on all house plans in the subdivision,
12. Provide the city with a title report,
13. Construct the road layout as shown on map (option 1) that was submitted to the Development Review Committee,
14. The project is to meet all of the construction and development standards,
15. The development is to follow the same covenants, codes, and restrictions as the Aspen Meadows Subdivision,
16. The developer of the Butler property is to participate in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River in an amount according to the percent of usage as determined by an updated traffic study,
17. The emergency access is to be installed with an all weather surface, and,
18. An exchange of property with the city is to take place on the north and south banks of the river in accordance with a legal description to be provided by the city

engineering department and is to include a 20-foot easement for the use of depository and removal of the cleanup material.

Councilmember Johns **seconded**, Councilmember James **objected** to the motion, and the motion **passed** with a majority vote.

Mapleton Waste Water Treatment Interlocal Agreement (tabled from June 3, 2003)

Mr. Baker presented copies to city council of the most current proposed agreement for the Mapleton Waste Water Treatment and reviewed the Agreement. He also reviewed the capacity available to both cities.

Councilmember Huff asked if the agreement will effect Spanish Fork City's bonding ability.

Mr. Baker said the agreement with Mapleton City should not effect Spanish Fork City's bonding capability.

Councilmember Kelepolo made a **motion** to approve the Mapleton Waste Water Treatment Interlocal Agreement as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Mayor Pro Tempore Huff expressed his condolences to the Kim Peterson family for their loss. Kim Peterson served as a member of city council in the past.

Agreement with Central Utah Water Conservancy District - 207 Grant

Mr. Heap reviewed the contract with the Central Utah Water Conservancy District for the 207 Grant in the amount of \$5,000,000.00.

Councilmember James made a **motion** to approve and authorize the Mayor Pro Tempore Huff to sign the Central Utah Water Conservancy District Agreement for the 207 Grant. Councilmember Kelepolo **seconded**, and the motion passed with a unanimous vote.

Boundary Line Agreement - Adjacent to the Technology Building

Mr. Heap said this property is next to the former Utah Department of Transportation property now owned by Spanish Fork City and across the street from the Technology Building. Mr. Heap recommended city council authorize the Mayor to sign the boundary line agreement.

Councilmember Johns made a **motion** to approve and authorize the Mayor to sign the Boundary Line Agreement for the Memmott property as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Other Business

None

Adjourn to Executive Session

Councilmember Kelepolo made a **motion** to adjourn from the regular session of city council meeting and into Executive Session to discuss a land transaction. Councilmember James **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 8:05 pm.

Connie Swain, Deputy Recorder

Approved: July 1, 2003