

**Adopted Minutes
Spanish Fork City Council Meeting
September 2, 2003**

The meeting was called to order at 6:00 pm by Mayor Dale R. Barney. The pledge of allegiance was led by Emil Pierson.

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; Kent Clark, Recorder/Finance Director; and Connie Swain, Deputy Recorder.

Citizens Present: Rodger L. Hardy, *Deseret News*, Robert J. Pittelli, Kerry Loveless, Janine Loveless, Claudine Thomas, Richard A. Evans, Jon Miller, Jon Christensen, Brad A. moon, Brian Gabler, and Mike Stewart.

Minutes

Councilmember James made a **motion** to approve the minutes of the August 19, 2003, city council meeting with changes as noted. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request from Ted Livingston - Trail System

Mr. Livingston was not present but represented by Avin Vincent. Mr. Vincent said there are currently two equestrian subdivisions in Spanish Fork. Mr. Vincent and other residents in the two subdivisions are proposing an amendment to the city trail system connecting the two equestrian subdivisions with the city trail system. The first multipurpose trail would run from 1880 East and 1400 South to the riverbottoms. The second multipurpose trial would begin at the north end of 1880 East connecting with Canyon Road. Making the amendments at this time would allow for developers to include the trail property in future developments.

Mayor Barney suggested bringing this item before the Planning Commission.

Mr. Pierson said the request by the citizens is to inquire if the city council would like the matter to receive further consideration. This item will need to be considered as soon as possible since future developments in this area are coming before Planning Commission tomorrow night and in the near future.

Councilmember Huff asked how many properties are in the equestrian zone.

Mr. Pierson said currently the zoning ordinance for the area allows animal rights with properties over ½ acre. There are two subdivisions specifically with equestrian rights.

Councilmember Huff asked how many properties in the area have horses.

Mr. Vincent said there are approximately four homeowners with horses in the two subdivisions and others are interested in owning horses. The multi use trail would allow them access to the river bottoms. He said it would help preserve some of the heritage of Spanish Fork City.

Councilmember Johns asked for the width of the easement needed for the requested multi use trail.

Mr. Pierson said the easement for the trail would need to be a minimum of 12 to 15 feet.

Councilmember Huff asked if the Parks and Recreation committee have seen the request for additional trails.

Mr. Pierson said the request for the additional trails has not been presented to the recreation committee. He also reviewed the developed properties needed for the additional trails. If the city council recommends pursuing the request for additional trails, the property owners in the developed areas will need to be contacted concerning the possibility of easements.

Councilmember Johns said it would need to be determined if the easements could be obtained to complete the additional trails.

Councilmember Huff expressed concerns with maintenance problems in the future for the residential areas.

Councilmember Johns agreed the trail system is needed and will be an asset to the community. However, the priority will be to determine if access is available to complete the trail to the river.

Mayor Bamey said he sees no problem with the request.

Councilmember Huff made a **motion** to approve further study of the request for two additional trails and directed city staff to allow the request to be presented to the proper committees for recommendations. Councilmember Johns **seconded** and the motion **passed** with a unanimous vote.

Annexation Petition

Mr. Pierson said this is a petition made by Fieldstone Partners, LLC requesting to annex approximately 135 acres into Spanish Fork City from Utah County. Fieldstone Partners, LLC represents the Boatman, Murphy, and Galt properties. Other property owners included in the annexation are D Land Investments, Federal Home Loan Mortgage Corp., and Jesse and Christy

Memcott. The property is located at 100 South 920 West. Mr. Pierson recommended asking Bradford and Thomas to be included in the annexation.

Mike Stewart said Fieldstone Partners, LLC has contracts to purchase properties within the annexation area. The purpose of the annexation is to allow Fieldstone Partners, LLC to proceed with a residential development. They have developed properties along the entire Wastach front. Mr. Stewart presented a packet of information concerning Fieldstone Partners, LLC and developments they have produced. A broad choice of homes would be available to home buyers including customized homes. The development would include construction of a portion of the trail system within the development and the possibility of a bridge across the river. Also, Fieldstone Partners, LLC would consider contributing to improvements in the city parks system.

Councilmember Johns asked if a pump station would be needed for the sewer within the development.

Mr. Stewart said a pump station would be necessary and he reviewed the proposed sewer layout.

Councilmember Kelepolo asked if the property north of 100 South belongs to the Thomas's.

Mrs. Thomas was present and said the property south of 100 South belongs to both her and her husband.

Mr. Pierson reviewed the growth boundaries and the areas currently annexed into the city.

Councilmember Huff asked for the time frame to begin selling lots within the development.

Mr. Stewart said it would be mid to late spring of next year before properties would be ready for construction.

Mrs. Claudine Thomas said she and her husband own the property south of 100 south and would like to be included in the annexation.

Mr. Baker said if Claudine Thomas's property is included in the annexation the property west of her will need to be annexed in order to prevent the creation of an island within the annexation.

Mr. Pierson said the property west of Claudine Thomas's is owned by Brenda Bradford.

Mr. Baker said Brenda Bradford could be forced to be included into the annexation due to the size of the property, however, it would be ideal to contact the Bradfords and request they be included into the annexation request.

Councilmember Johns made a **motion** to approve the Fieldstone Partner, LLC Annexation Petition for further study including the Jeff and Claudine Thomas Property and the Brenda Bradford Property. Councilmember Christensen **seconded**, and the motion **passed** with a

unanimous vote.

Change Order #1 - Citywide Pressurized Irrigation Meters

Mr. Heap said the change order includes the replacement of damaged existing pressurized irrigation boxes, changing PVC nipples to brass, labor, and other replacements and repairs. The amount requested for the change order is \$13,769.97. The total costs of the citywide pressurized irrigation meter project, with this and any previous changes, will be \$286,349.97.

Mayor Bamey said a portion of the items purchased will be stored and used later since the items could not be returned and can be used in the future.

Councilmember James asked if any of the costs for damages can be collected from homeowners or builders who damaged the boxes.

Mr. Heap said homeowners and builders will be responsible for damages from this day forward.

Mr. Clark asked why items were purchase.

Mr. Heap said the contractor cannot return those items and they were purchase since they are items we can use in the future.

Councilmember Kelepolo made a **motion** to approve Change Order #1 for the Citywide Pressurized Irrigation Meters Project in the amount of \$13,769.97, for a total project cost of \$286,349.97. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Bid Tabulation - Ambulance Defibrillators

Mr. Clark introduced Brad Moon, Ambulance Captain, to review the bid tabulation. A bid request was necessary since the item exceeded the budgeted amount.

Mr. Moon presented a hand out to the city council. Due to changes in the deficit and the grant process the grant money received was \$6,000 rather than the expected \$12,000. The low bid was received from Zoll Medical who has presented a package deal allowing for one free mobile car defibrillator unit with each ambulance defibrillator unit purchased. Mr. Moon said two lives were saved in the past two years with a mobile defibrillator police car unit. The current defibrillators being used are eight years old. Zoll Medical will also give \$1000 in trade of each old unit. Mr. Moon said the difference in the budgeted amount will be absorbed into training and supplies budget for this year.

Mayor Bamey said the bid appears to be a good deal.

Councilmember Huff said he can see no reason why the bid should not be approved.

Councilmember James made a **motion** to approve the Ambulance Defibrillators bid tabulation received from Zoll Medical in the amount of \$34,800.00. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Other Business

None

Adjournment to Executive Session

Councilmember Huff made a **motion** to adjourn from city council meeting and move into an Executive Session to discuss land acquisitions and personnel issues. Councilmember James **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 7:55 pm.

Connie Swain, Deputy Recorder

Approved: September 16, 2003