

Adopted Minutes
Spanish Fork City Council Meeting
October 7, 2003

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

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; Dennis Sorenson, Treatment Plant Manager; Jason Jarvis, Utility Technician; and Connie Swain, Deputy Recorder.

Citizens Present: Carl Empey, *Zions Bank*, Randy Olson, *Ballard and Spahr*, Robert J. Pittelli, Richard Evans, Andy VanAusdal, Doug Oldham, Jim Prewitt, Patti Prewitt, David Olson, and Taylor Mitchell.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the September 16, 2003, city council meeting as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Johns made a **motion** to approve the minutes of the September 23, 2003, city council meeting as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

New Employee Introduction

Mayor Barney introduced Jason Jarvis. Mr. Jarvis was hired by Spanish Fork City as a part-time employee in October of 2002 and his status was changed to full-time as of July 2003 working as a Utility Technician.

National Guard Presentation

Sgt. First-class Chadwick, on behalf of the service members of the Utah National Guard, presented Spanish Fork City with an award of recognition for the consideration shown to activated service members during Operation "Enduring Freedom, Noble Eagle, and Iraqi Freedom." The watchfulness and care extended to these service members' families allowed them to concentrate on fulfilling their mission: defending freedom.

Mayor Barney thanked the National Guard and the service members for serving our country.

Mrs. Utah County Presentation

Mrs. Cherie Burton was not present and this item was passed.

Mayoral Proclamation Declaring November 10-14, 2003 as Spanish Fork City Heritage Week

Mayor Barney said at the request of the Art's Council the presentation of the Mayoral Proclamation will be presented at the next council meeting.

Councilmember Kelepolo made a **motion** to table the Mayoral Proclamation Declaring November 10-14, 2003 as Spanish Fork City Heritage Week until the October 21, 2003 city council meeting. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Jim Prewitt - Request for Limited Access onto 1400 East

Mr. Prewitt said he purchased a home at 1768 South 1440 East from a builder who advised him he could access 1400 East from the west side of his property since Mr. Prewitt needed a three car garage. Mr. Prewitt said he has found the city would not allow access onto 1400 East from his garage. Mr. Prewitt requested to be allowed to access 1400 East from his property allowing him to pull his boat into his driveway from the east side of his property and exit with his boat on the west side of the property. He said he will only use the exit approximately 20 times a year and this would allow him to exit without backing the boat from a narrow garage and driveway.

Councilmember Johns asked Mr. Prewitt if the access would only be used to exit the garage.

Mr. Prewitt said he would only use the access to exit with his boat approximately 20 times per year.

Councilmember Kelepolo asked Mr. Prewitt if his home was located in a cul-de-sac.

Mr. Prewitt said his home is in a cul-de-sac.

Mr. Heap said there are several subdivision on 1400 East which allow no access onto 1400 East due to the fact it is a collector road and homes backing to 1400 East are required to be fenced. Due to the fencing visibility would not be achieved until the front tires of a vehicle are on the sidewalk. However, there are other homes originally in the area accessing 1400 East.

Councilmember Kelepolo asked if the developer knew there would be no access onto 1400 East.

Mr. Heap said subdivisions are approved based on conditions. Mr. Heap said staff should review the conditions set upon approval of the subdivision Mr. Prewitt purchased a home in. Mr. Heap said if the city council approves limited access on 1400 East for Mr. Prewitt a precedence is being established for other homes on 1400 East.

Councilmember Huff made a **motion** to table Jim Prewitt's agenda request to give staff the opportunity to provide city council with a copy of the conditions approved with his subdivision. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

COPS Grant Update

Chief Rosenbaum said back in the mid 90s the Federal Government began issuing COPS grants to assist with increased policing in communities. Recently, Spanish Fork City Police Department received notice of approval for a COPS grant in the amount of \$150,000 to be used to acquire two additional police officers. The grant will apply \$25,000 per officer each year for a three year period at which time the city agrees to commence paying full salary and benefits for the additional officers to insure continued employment. Chief Rosenbaum thanked the city council for their support of the police department. The city council has previously approved the hiring of one new officer which will take place the first of 2004. He said there is a great need for additional officers in many communities due to an increase in drug problems. All communities are experiencing tragedies due to drug related issues including forgery.

Councilmember Johns asked Chief Rosenbaum how he felt about public safety in our community.

Chief Rosenbaum said public safety in our community is very good and adding an officer will contribute to the safety. He also said services offered by ambulance, fire fighters, and emergency preparedness volunteers contribute greatly to the community.

Councilmember Huff asked if two new officers will be added as indicated by the grant and if there is a time limit associated with the grant.

Chief Rosenbaum said the police department will hire two new officers and the implementation dates are flexible. The second officer will be hired into the next budget year. Each three year period covered by the grant will begin as each officer is hired.

Councilmember Christensen thanked Chief Rosenbaum for the information provided and for his service to the community.

Resolution No. 03-08 - A Resolution Authorizing the Defeasance of a Portion of the City's Water Revenue Bonds Series 2002; the Execution and Delivery of an Amendment to the Second Supplemental Indenture of Trust, an Escrow Deposit Agreement and Related Documents in Connection Therewith; and Related Matters

Mr. Clark reviewed the bond documents prepared by Ballard and Spahr. He said 1.5 years ago when the water revenue bond was issued it was based on interest rates. Since the city was aware grant money was going to be received the rates were lowered at that time. The city has now received the 5 million dollar grant money and a portion of the debt now needs to be defeased. The defeasance will lower the debt each year from this point forward until the debt is paid in full. Also, an amendment to the second supplemental indenture of trust to open an escrow account is included.

Randy Larson from Ballard and Spahr presented the resolution.

Mr. Empey said it will defease only a portion of the debt obligation. All the funds received will be used towards the Water Revenue Bond only.

Mr. Clark reviewed the amendment in the debt service amounts each year.

Councilmember Huff made a **motion** to adopt Resolution No. 03-08 - A Resolution Authorizing the Defeasance of a Portion of the City's Water Revenue Bonds Series 2002; the Execution and Delivery of an Amendment to the Second Supplemental Indenture of Trust, an Escrow Deposit Agreement and Related Documents in Connection Therewith; and Related Matters as presented and authorize the Mayor to sign the Resolution. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Change Order #1 - Centennial Park West Parking Lot and Filter Building Project

Mr. Heap said the Centennial Park West Parking Lot and Filter Building Project is almost complete and the project is one month ahead of schedule. He said change order #1 for this project is to change the driveway curb, reroute the well drain line, parts for 4" meter vault, regrade a section of the parking lot due to survey problems, and provide power to the new sprinkler clocks located in the storage area of the filter building. The Centennial Park West Parking Lot and Filter Building Project change order #1 is for an increase in the amount of \$9,657.42 for a total of \$228,586.40 for the entire project.

Councilmember Johns made a **motion** to approve Change Order #1 for the Centennial Park West Parking Lot and Filter Building Project in the amount of \$9,657.42 for a total of \$228,586.40 for the project. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Change Order #1 and #2 - Waste Water Treatment Plant

Mr. Heap said, concerning change order #1, the contractor had to reroute some pipe shown in the 1983 drawings indicating a manhole along the line. The manhole was not as per the plans and the line had to be installed and cored through the wall of the screw pump wet well. The contractor also added several fittings to account for the line to the existing clarifier as shown.

Also, the line size was changed from 18" to 12, which was shown as a credit. Mr. Heap said change order #2 was to re-angle to existing line to the scum box on the clarifier, reducing many hours of previously required maintenance to clean the line.

Councilmember James asked Mr. Sorensen to explain change order #2 to the city council.

Mr. Sorensen reviewed the recommended changes in the project with respect to change orders #1 and #2.

Councilmember Kelepolo made a **motion** to approve change order #1 for the Waste Water Treatment Plant in the amount of \$6,615.00. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff made a **motion** to approve change order #2 for the Waste Water Treatment Plant in the amount of \$1,838.00. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Mayor Barney invited anyone who is interested to return to city council chambers later in the evening for election results.

Adjournment

Councilmember Kelepolo made a **motion** to adjourn from city council meeting. Councilmember James **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 7:05 pm.

Connie Swain, Deputy Recorder

Approved: October 21, 2003