

**Adopted Minutes
Spanish Fork City Council Meeting
December 16, 2003**

The meeting was called to order at 6:00 pm by Mayor Dale R. Barney. The pledge of allegiance was led by Lukas Besentorter, a member of the Boy Scouts of America.

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; Chris Thompson, Design Engineer; Emil Pierson, Planning Director; Kent R. Clark, Recorder/Finance Director; Dale Robinson, Parks and Recreation Director; Brad Graham, Water Park Manager; and Connie Swain, Deputy Recorder.

Citizens Present: Robert J. Pittelli, Claire Durrant, Chris Wadsworth, Seth Sorensen, Del Robbins, Tanner Holt, Thomas Phillips, Matt Cooper, Jonathan Cole, Lukas Besentorter, Geoff Dupaix, Vince Izzo, Mike Miles, LeAnn Johnson, Mark Wilson, Monica Stamm, August Lehman, Leonard Sorensen, Matthew Cole, Derek Geslison, Adam Lankford, Bret Sorensen, Valene Sorensen, John Higgins, Jeff Berna, Mike Stewart, Julie Carlson, Peter Crookston, Brenda Evans, Kathy Foster, Jeremy Geslison, Mark S. Nelson, Janis Nielson, Jared Orton, Caleb Warnock, and David Olson.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the December 2, 2003, city council meeting with changes as noted. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - UDOT Update, US 6 Environmental Impact Statement - Vincent Izzo

Mr. Vincent Izzo presented an update on the US 6 improvements and environmental impact statement. Utah Department of Transportation (UDOT) held several meetings in order to receive input from other agencies and citizens. Alternative changes improving the safety along US 6 were discussed. Two options were found. The options were to add passing lanes or installing a median to prevent cars from crossing into oncoming traffic. Also, key environmental impact issues were discussed concerning each option. Mr. Izzo said the total number of animal strikes account for many of the accidents recorded along US 6.

Mayor Barney asked if there were any questions for Mr. Izzo.

August Lehman asked if the studies had looked at the areas where there are a high number of animal strikes and focused on those areas.

Mr. Izzo said they studied the number of animal strikes and determined the majority of the strikes occurred in canyon areas. He also said the safety study is available on the UDOT web page at www.udot.ut.gov/us6.

Mark Nelson, a resident of Covered Bridge Canyon, said he and residents in the area are concerned with the design of the improvements and the access from US 6 the Covered Bridge residents will have. He said they have tried to contact UDOT and it has fallen on deaf ears.

Mr. Izzo said UDOT is looking at the design of the project and they have requested input from impacted residents and have scheduled a meeting with the Covered Bridge Homeowner's Association on January 10, 2004 to discuss issues and design.

Mike Miles, UDOT project manager, said UDOT wanted to focus on the safety issues along US 6 and he was assigned to manage the project. There are sections which are more dangerous than others. Next spring and summer there will be approximately six projects under construction on US 6 between Spanish Fork and Price.

Mr. Naylor asked if the projects are State funded or Federally funded.

Mr. Miles said the majority of the funding will come from the State, however, federal funds will also be utilized. The total project cost will be approximately 80 million dollars.

Mayor Barney said the city is anxious to begin the pipe line project between Diamond Fork Canyon and Spanish Fork as soon as possible.

Councilmember Huff asked if a completion date is known for the North Main St. project.

Mr. Dupaix said he will have information concerning the North Main St. project during his presentation.

Councilmember Christensen said he serves on the Ambulance crew and safety issues near the Red Narrows need to be addressed as soon as possible.

Mr. Miles said it may take 3 to 5 years to complete the project and they will address the safety issues requested by Councilmember Christensen.

Mayor Barney thanked UDOT representatives for the update.

Agenda Request - UDOT Update - Main Street Resurfacing From 300 South to I-15 Project - Geoff Dupaix and Craig Haskell

Mr. Geoff Dupaix said next year UDOT is scheduled to complete a re-pavement project along Main St., from 300 South to I-15. They would like approval from the city to perform the work between the hours of 9 pm and 6 am. They feel these hours would be more conducive to the business hours along Main Street. He also said jack hammering can be completed before midnight since it is responsible for the majority of the noise.

Mayor Bamey said the work along Main St. should be completed at night.

Mr. Dupaix asked if the city is aware of any projects in conflict with the UDOT Main St. project.

Mr. Thompson said he cannot foresee any construction conflicts.

Councilmember Huff asked Mr. Dupaix when the project is scheduled to begin.

Mr. Dupaix said the project has not gone out to bid yet but usually UDOT begins these types of projects in June.

Councilmember Huff reminded Mr. Dupaix of the Springville City Celebration in June and Spanish Fork City Celebration in July.

Mr. Dupaix said they will make sure they will not conflict with city celebrations.

Councilmember Huff said the I-15 interchange on North Main St. indicated over pass adjustments. He asked if these adjustments will still take place and also if there will be an I-15 interchange at the Smith Auto location.

Mr. Dupaix said UDOT will complete an environmental impact study and any modifications associated with I-15 will be determined at that time. It will take several years to complete the study.

Public Hearing - Sorensen General Plan Amendments

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

Mayor Barney reviewed the procedures for a public hearing.

Mr. Pierson said the applicant, Bret Sorensen, is requesting to amend the general plan from Residential 5-12 units to the acre/Residential Office to Residential Office/Commercial Office for the property located at 497 North Main St. Dr. Sorensen would like to build a pediatric dentist office on the property. The Development Review Committee reviewed the request and recommended approval including the property from 400 North Main to 500 North Main including the surrounding streets. The Planning Commission has also reviewed the request and recommend approval.

Mayor Bamey opened the meeting for public comment. No comments were given. The public comment portion of the meeting was closed and the meeting was opened for discussion by the city council.

Councilmember Huff asked if just the Hughes home remains on the Main St. side of the block containing the Sorensen property.

Mr. Pierson said the Hughes home will be the only home remaining on this block along Main St.

Councilmember Kelepolo asked if this property was zoned differently in the past.

Mr. Pierson said he was not with Spanish Fork City prior to the current zoning.

Councilmember Johns said the Planning Commission determined the property in question and the surrounding properties should have similar zoning.

Councilmember Kelepolo said commercial zoning of the property along Main St. conforms with the businesses in the area.

Mr. Pierson agreed with Councilmember Kelepolo.

Councilmember Johns made a **motion** to approve the Sorensen General Plan Amendment at 497 North Main Street from Residential 5-12 units to the acre/Residential Office to Residential Office/Commercial Office from 400 North Main to 500 North Main with the condition Mr. Smith's property at 53 West 500 North be included in the General Plan Amendment. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Sorensen Rezone - 497 North Main Street

Mr. Pierson said with the approval of the General Plan, Dr. Sorensen is now requesting to rezone the property at 497 North Main from Residential Office to Commercial Office. The property contains .45 acres.

Mayor Barney opened the meeting for public comment.

Brett Sorensen said he is a pediatric dentist and he is hoping to build a beautiful pediatric dentist office on the property. There are few pediatric dentist offices in Utah County and he said it will enhance the community. He also thanked the city council for taking the time to review the application and Emil Pierson for his help with the request.

Mayor Barney closed the public comment portion of the meeting and opened the meeting for discussion by the city council.

Councilmember Huff asked Dr. Sorensen for the project time line.

Dr. Sorensen would like to begin construction as soon as possible and the pediatric dentists' office should be complete by late next summer.

Councilmember Christensen said he likes Dr. Sorensen's enthusiasm.

Councilmember James asked Mr. Pierson what was meant by his statement in the Development Review Committee minutes concerning segregation of medical offices.

Mr. Pierson said usually medical related offices will cluster with other medical related offices.

Councilmember Huff made a **motion** to approve the Sorensen Rezone request for .45 acres located at 497 North Main Street, from Residential Office (R-O) to Commercial Office (C-O) with no condition(s). Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Wilson General Plan Amendment

Mr. Pierson said this is a request by Mark Wilson to amend the General Plan for the property at 1100 East Expressway Lane from Shopping Center Commercial to General Commercial. Mr. Wilson would like to build a car tuning shop in the area. The requested amendment is conducive with the surrounding property.

Mayor Bamey opened the meeting for public comment. No comments were given. The public comment portion of the meeting was closed and the meeting was opened for discussion by the city council.

Councilmember Huff asked for additional information concerning the business planned for the area.

Mr. Pierson said the business will be an automobile tuneup shop performing minor auto repairs.

Mayor Barney asked Mr. Pierson if there will be a chance for a grocery store in the area.

Mr. Pierson said there is a chance a grocery store could be located in the area, however, it would most likely be north of the Mark Wilson property.

Councilmember Christensen made a **motion** to approve the Wilson General Plan Amendment of 9.81 acres located at 1100 East Expressway Lane from Shopping Center Commercial to General Commercial. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Wilson Rezone - 1100 East Expressway Lane

Mr. Pierson said with the change approved in the general plan Mr. Wilson is now requesting to rezone the property located at 1100 East Expressway Lane from Shopping Center Commercial (S-C) to General Commercial (C-2). Mr. Pierson reviewed the surrounding zones.

Mayor Bamey opened the meeting for public comment. No comments were given. The public comment portion of the meeting was closed and the meeting was opened for discussion by the city council.

Councilmember Kelepolo made a **motion** to approve the Wilson Rezone request for the property located at 1100 Expressway Lane from Shopping Center Commercial (S-C) to General Commercial (C-2). Councilmember Huff **seconded**, and the motion **passed** with a unanimous

vote.

Public Hearing - Zoning Ordinance Amendments - Title 17

Mr. Pierson reviewed the proposed changes to the Zoning Ordinance/Title 17 as follows:

17.20.110. I-1 Light Industrial.

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water, or noise pollution will not be allowed. Residential uses are not allowed.

A. Permitted Uses:

1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those uses listed as conditional uses in the I-2 District.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards construction.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Self-storage warehouses and/or recreational vehicle storage.
9. Trade or business schools.
10. Office supply, copying, printing businesses.
11. Offices.
12. Restaurants.
13. Financial institutions.
14. Retail businesses.
15. Telecommunication towers not taller than sixty (60) feet.
16. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.
17. Municipal facilities required for local service.
18. All permitted uses in the C-2 district except nursing or retirement homes and supervisory care facilities.

B. Uses Subject to Conditions (as described in Chapter 17.28.050):

1. Seasonal sales and special events.
2. Sexually oriented businesses as defined in Chapter 5.28 of the Spanish Fork Municipal Code.

C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):

1. Outdoor commercial recreation facilities.
2. Drive-in theaters.
3. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
4. Telecommunication towers taller than sixty (60) feet.
5. Jails, county and city.
6. Transfer facility
7. Residential Treatment Center (not owner occupied).
8. Rehabilitation treatment facility
9. Shelter care facility
10. Publicly owned and operated recycling centers.
11. Publicly owned and operated compost facilities.

D. Accessory Buildings and Uses (see Chapter 17.28.040):

1. Caretaker's residence.

E. Development Standards (see Table 2):

F. Design Review (see Chapter 17.12.050):

G. Landscaping, Buffering, Walls (see Chapter 17.28.030):

H. Signs (see Chapter 17.28.010):

I. Parking (see Chapter 17.28.020):

(Ord. No. 13_96, Enacted, 11/06/1996); (Ord. No. 22-97, Enacted (B,2) 12/16/1997); (Ord. No. 15-98, Enacted (C,7) 12/01/1998); (Ord. No. 05-02, Repealed & Re-enacted, 08-06-2002)

17.20.120. I-2 Medium Industrial.

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

A. Permitted Uses:

1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards construction.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Municipal facilities required for local service.
9. Trade or business schools.
10. Office supply, copying, printing businesses.
11. Offices.
12. Restaurants.
13. Financial institutions.
14. Retail businesses
15. Telecommunication towers not taller than sixty (60) feet.
16. ~~Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock~~

B. Uses Subject to Conditions (as described in Chapter 17.28.050):

1. Seasonal sales and special events.

C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):

1. ~~Manufacture of primary metals, concrete products, asphalt, paper, animal and marine fats, chemical products, and other similar materials or products.~~
2. Outdoor commercial recreation facilities.
3. Drive-in theaters.
4. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
5. Telecommunication towers taller than sixty (60) feet.
6. ~~Jails, county and city.~~
7. Self-storage warehouses and/or recreational vehicle storage.

D. Accessory Buildings and Uses (see Chapter 17.28.050):

1. Caretaker's residence.

E. Development Standards (see Table 2):

F. Design Review (see Chapter 17.12.050):

G. Landscaping, Buffering, Walls (see Chapter 17.28.030):

H. Signs (see Chapter 17.28.010):

I. Parking (see Chapter 17.28.020):

(Ord. No. 13_96, Enacted, 11/06/1996); (Ord. No. 05-02, Repealed & Re-enacted, 08-06-2002)

Mayor Bamey opened the meeting for public comment. No comments were given. The public comment portion of the meeting was closed and the meeting was opened for discussion by the city council.

Mayor Bamey asked Mr. Pierson where metal salvage businesses will be located in Spanish Fork.

Mr. Pierson said at this time there will not be a zone permitting a metal salvage business.

Councilmember Kelepolo asked for clarification of the areas currently zoned as Medium Industrial (I-2).

Mr. Pierson said the properties currently zoned at Medium Industrial are the H.E. Davis property, the old sugar beet factory property, the J.B. Parsons' property, and the Valley Asphalt property.

Councilmember Johns asked Mr. Pierson for the possible uses for the old sugar beet factory property.

Mr. Pierson said the old sugar beet factory property could be used for manufacturing, wholesale trade, and trucking, to name a few. There are many possible uses for the property.

Councilmember Huff made a **motion** to approve the Zoning Ordinance Amendment as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

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

Domain at the Meadows Amended Preliminary Plat and Final Plat

Mr. Pierson said Mike Morley is requesting to amend the preliminary plat and final plat in order to subdivide a lot into two 12,000 square foot lots. The property meets the requirements of the General Plan and is currently zoned R-1-8.

Councilmember Huff asked why the property was not divided when the plat was approved.

Mr. Pierson said he was not sure.

Councilmember Huff made a **motion** to approve the Domain at the Meadows Amended Preliminary Plat and Final Plat at 300 North 30 West subject to the following condition(s):

1. Get the property owners to sign the amended preliminary plat or hold a public hearing to approve the amendment,
2. Install a street light toward the west end of the subdivision at a location to be approved by Jeff Foster of the Electrical Department.

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

Fieldstone - Boatman/Murphy Annexation

Mr. Pierson said this item was tabled from the December 2, 2003 city council meeting.

Mike Stewart was present representing Fieldstone and to answer any questions the staff and city council may have.

Councilmember Kelepolo said he met with Mr. Stewart and his questions concerning the zones were answered. Mr. Stewart has agreed to zone the property R-1-9 instead of R-1-8.

Councilmember Huff said he met with Mr. Pierson, his questions have been answered, and he spoke in favor of the proposed project.

Mr. Pierson said the staff report indicates approval with an additional condition to the annexation agreement include property to the deeded, the Thomas property is to be zoned R-1-9, and the upper property is to be zoned R-1-9.

Mr. Baker said this is the first time the city has proposed an annexation agreement. Modifications have been made to the annexation agreement presented on December 2, 2003 requiring the deeding of property to complete the trail system along the river, deeding a section of the property to complete a future road, and deeding property to complete the trail on the west quarter of the annexation area. There are a number of other things to be added along with the development which will be connected with density bonus percent. He said if the annexation is approved the property will also need to be rezoned. He also said if the annexation agreement is signed it will lock the city into the densities approved.

Councilmember Kelepolo asked for the zones being requested for the Boatman/Murphy property.

Mr. Baker said they are requesting R-1-12 and R-1-9.

Councilmember Huff asked if the trail head park property allows enough space for horse trailers.

Mr. Stewart said the trail head park is designed to accommodate horse trailers. He complemented the city for the use of the annexation agreement providing the city with the stated amenities up front.

Councilmember Johns asked for a time frame for the trail system.

Mr. Stewart said portions of the trail system will be completed when it is linked to various construction phases.

Councilmember Johns asked Mr. Stewart if the lots along the river will be raised two feet.

Mr. Stewart said yes the lots along the river are outside of the flood plain. He said in order to address future flooding concerns they are considering raising the building pads along the river, two feet or building a small berm between the river lots and the trail. The berm would serve a dual purpose by providing flood protection and providing a separation of private property and the trail.

Councilmember Kelepolo asked concerning the L-I and the R-R zones.

Mr. Baker said a less dense zone would be permissible.

Mr. Pierson said he checked the L-I zone and it is consistent with the General Plan.

Councilmember Kelepolo made a **motion** to approve the Boatman-Murphy Annexation on the following condition(s):

1. The Development Review Committee review any conditions recommended with the annexation,
2. The density bonuses are approved as presented with the exception of phase 1 and 2 parking lots in exchange for the roadway from Volunteer Drive to the river,
3. That the D Land Investments and Bradford properties be zoned Rural Residential (R-R),
4. The Memmott Property be zoned R-1-9,
5. The Thomas Property be zoned R-1-9,
6. The Losser property be zoned Light Industrial (I-1),
7. The Boatman, Murphy, and Galt properties be zoned as per the General Plan Amendment that is proposed with the north portion of the properties being zoned R-1-9 and southern half being zoned R-1-12,
8. The petitioner enter into an annexation agreement with the City as proposed in the packet submitted to the city. Including but not limited to deeding the 30-foot width trail on the west side of the Boatman property, the 50-foot trail width along the river measured from the north bank, the construction for the roadway along the west sports complex property, the construction of a pavilion at the sport complex,
9. The developer of the Boatman, Murphy, and Galt properties participates in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River; to the percent indicated by an updated traffic study,
10. A 30-foot wide trail along the west boundary of the Thomas property be deeded to the city within 120 days of the approval of the annexation.

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

Ordinance 12-03 - An Ordinance Vacating an Unimproved Street

Mr. Baker said several meetings ago the proposed vacating of an unimproved street at 435 East Scenic Drive was brought to the attention of the city council. The road was designated as a connecting street to River Bottoms Road. The Engineering Department has determined the ground is unstable and the grade in the area will not meet the street standards. Staff had recommended to begin the process for vacating the 6500 square feet of property and the city council gave approval to begin the process. Mr. Baker said he has followed the legal process and notified the adjacent property owners. Only one of the property owners, Layne Boothe, contacted the city and expressed interest in obtaining the property. Mr. Baker recommended approval of Ordinance 12-03 approving the property vacation, authorizing the Mayor to execute the ordinance, and also the document deeding the property to Mr. Layne L. Boothe. Mr. Baker has explained to Mr. Boothe the limits to the property based on its size. The property is not large enough to be a separate lot.

Mayor Barney asked if Mr. Boothe will buy the property from the city.

Mr. Baker said the law requires the city to give the property to Mr. Boothe since he was the only adjacent property owner expressing interest in obtaining the property.

Councilmember Kelepolo asked if there are any legalities if the other property owner said he was not notified.

Mr. Baker said the required notification was followed and the city has proof of notification.

Councilmember Huff asked for the grade of the vacated area.

Mr. Pierson said 66 feet back from the road the property has a moderate grade and from that point on the grade increases considerably.

Councilmember Huff made a **motion** to approve Ordinance 12-03, an Ordinance vacating an unimproved street as presented and authorize the mayor to sign an agreement deeding the vacated street property to Layne L. Boothe. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Jim Baller Consultant Contract

Mr. Baker said Jim Baller is a nationally recognized attorney connected with telecommunications. Provo City has requested to use a signal from Spanish Fork City's head end until Provo City builds a head end. An interlocal agreement will be prepared between the two cities. Mr. Baker thought it best to have an expert advise the city concerning the agreement with Provo City. Mr. Baker has received and reviewed the letter of agreement from Mr. Baller for consulting services. He recommended the city council approve the letter and authorize Mr. Baker to sign the letter of agreement.

Mayor Barney said Mr. Baller is not authorized to practice law within Utah State.

Mr. Baker said Mr. Baller will be providing consulting services only.

Councilmember Kelepolo made a **motion** to approve the Jim Baller Consultant Contract as presented and authorized Junior Baker to sign the letter of agreement. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Parks and Recreation Fee Adjustment

Mr. Robinson said Doug Ford could not appear and asked to be excused. Mr. Robinson reviewed the proposed changes to the Parks and Recreation fees as recommended by the Recreation Committee. The information concerning a rate change in connection with the water park was prepared by the water park manager, Brad Graham. Mr. Robinson reviewed the proposed changes to the water park admission prices. Also, proposed minor adjustments in swim lesson length are recommended, along with a proposed increase for the Swim team registration fee.

Councilmember Christensen asked how the use of the tennis courts is being monitored.

Mr. Robinson said Steven Money, Fairgrounds Manager, and his staff have been monitoring use of the tennis courts on a regular basis. This has proved to be an effective way to insure only those people who have paid for a membership are using the facility.

Councilmember Kelepolo serves on the Recreation Committee and he said the city provides a great service and nice facilities for the public to use.

Councilmember Kelepolo made a **motion** to approve the Parks and Recreation fee adjustment as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Water Rate Report - Utility Board - David Tuttle, Chair

Mayor Barney thanked Mr. Tuttle for his services on the Utility Board.

Mr. Dave Tuttle said the utility board has been reviewing the pressurized irrigation rates and considering the best long term plan. Planning began several years before bonding and construction began. He gave a visual presentation containing the following information:

- Water and pressurized irrigation bonding, process, and requirements
- Debt service terms and commitments and coverage
- Revenue Sources
- Base rates and usage rates
- Impact fees
- Billing the city departments for usage of water
- Annual water allowances before a penalty increase
- Rate increase recommendations
- Replacing old culinary water lines
- Changes for multi-unit lots.
- Utility Board Recommendations:
 - Set rates to reach minimum coverage in rate structure
 - Use impact fees to cushion the risk
 - Funding capital improvement requirements
 - Fund early debit retirement
 - Uniform rate decline
 - Increase annual water consumption from 30 inches to 37 before a penalty
 - Change rates on the July billing cycle each year

He reviewed the projected water and pressurized irrigation rates from fiscal year 2004 to fiscal year 2007. The review is very preliminary and will continue to be reviewed.

Councilmember Johns asked how much time has been spent to determine the rates.

Mr. Tuttle said the Utility Board meet on several occasions to review the rates and make recommendations. The city staff has spent a lot of time to determine the appropriate rates required to meet the bond payments.

Councilmember Johns asked concerning water conservation.

Mayor Barney said the purpose for designing and building the pressurized irrigation system was to conserve water.

Councilmember Christensen said the city cannot take money from the Electric Department and put it towards water.

Mr. Tuttle said the project also needs to be maintained and maintenance will require funds.

Councilmember Kelepolo said the city cannot use funds from one account to pay another account.

Councilmember Huff said he would like to go on record verifying the efforts put in by the Utility Board. They spend a lot of time reviewing the fees and setting rate. He thanked the Board and Mr. Tuttle.

Wire Crossing Agreement with Union Pacific Railroad

Mr. Thompson said the wire line crossing agreement with Union Pacific Railroad is required in connection with UDOT running a city power line across the railroad tracks to US 6. The agreement is to insure the city will continue to maintain insurance coverage and the line. Mr. Thompson said city staff recommended authorizing the mayor to execute the agreement conditioned upon approval of the agreement from URMMA. This agreement is similar to the center street agreement. Mr. Thompson said UDOT will pay the costs of the cross and the city needs to sign the agreement.

Councilmember Huff made a **motion** to approve the Wire Crossing Agreement with Union Pacific Railroad and authorize the mayor to sign the agreement subject to approval by URMMA. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Change Order #1 - Center Street Main Street to 100 East Project

Mr. Thompson said this change order is for the Center Street Main Street to 100 East project. Additional parking at the library, replacing old utilities, and rebuilding the road are included in the project. During the construction the following items were added to the project: 1. Adding a fire hydrant, 2. Tie into the existing water line, 3. Storm drain replacement was removed from the project, 4. Tearing out sidewalk, curb, and gutter. The total cost of the change order was in the amount of \$5,418.63, for a total project cost of \$256,101.88.

Councilmember Johns said he has received complaints concerning the loss of the right turn lane for traffic facing west.

Mr. Thompson said the lane modification was discussed, however the benefits of creating additional parking out weighed the loss of a right turn lane.

Councilmember Johns made a **motion** to approve Change Order #1 for the Center Street Main Street to 100 East Project in the amount of \$5418.63. for a total project costs of \$256,101.88. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Exchange Application - Strawberry Water

Mr. Thompson said Richard Heap met with the River Commission, Strawberry Water, and others and has received verbal approval of the exchange application. Final approval should be received within the next couple of weeks.

Mayor Barney said the ability to use the pipeline water will be a great opportunity.

Other Business

Mayor Barney said gifts are being given inasmuch as this is the last city council meeting. Councilmembers Huff, James, and Johns will be attending as members of the city council.

Councilmember Kelepolo said he and the other councilmembers have become close friends and have grown to respect each other. He expressed appreciation for the opportunity to forge friendships and thanked Councilmembers Huff, James, and Johns for a job well done.

Councilmember Christensen said he was impressed with Councilmembers Huff's, James's, and Johns's dedication to the city and the citizen and for the time, effort, and accomplishments over the past four to eight years. He expressed appreciation for their time and effort making sure the city progressed. Some things were not popular but had to be done. He thanked them for teaching him and their friendship and said they have been a big influence in the city and to him.

Councilmember Huff, Councilmember James, and Councilmember Johns were each presented with a gift of appreciation from the city for their time, efforts, and sacrifices made serving this community.

Councilmember Huff said serving on the city council has been a growing and learning experience. He also said all citizens should be involved in their communities. Things happen with commitment from people. He also said he respects the city staff and nothing happens without their support and leadership. The friendships he gained will be eternal and he expressed appreciation to staff.

Councilmember James expressed his appreciation to the city staff. He learned there is strength in unity. He encouraged citizens to come forth and express their desires and give support to the city officials. He appreciated the city council members, the friendships forged, and the opportunity to serve.

Councilmember Johns said he appreciated the city staff. Once he became involved in the community by serving on the city council he began to understand how a city runs. He said he loves the city council and thanked them for their support. The city council made decisions based on what was right and he hoped the residents realized it. He thanked the city staff and city council.

Mayor Barney thanked anyone who decides to serve on the city council and hoped they will continue to make Spanish Fork a better place for all the citizens. He wants to see more citizens involved in the community by providing input to the city council and staff.

Councilmember Christensen reminded citizens of an information meeting sponsored by South Utah Valley Municipal Water Association on February 12, 2004 at 7:00 pm.

Adjournment

Councilmember Huff made a **motion** to adjourn from city council meeting. Councilmember Kelepolo **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 8:44 pm.

Connie Swain, Deputy Recorder

Approved: