

CITY COUNCIL MEETING

6:00 pm

Tuesday, January 6, 2004

I. PRELIMINARY ACTIVITIES

- A. Pledge of Allegiance
- B. [Minutes](#)
- C. Oath of Office - Matthew D. Barber, Seth V. Sorensen, and Chris C. Wadsworth
- D. Appointment of Board, Commissions, and Committee Members*

II. STAFF REPORTS

- A. Emil Pierson - Planning
 - 1. [Boyack/Evans/Brockbank Annexation Petition](#)
 - 2. [Robin s Nest Preliminary Plat \(Tabled from November 18, 2003 City Council Meeting\)](#)
- B. Junior Baker - Legal
 - 1. [Resolution 04-01 - A Resolution Rejecting the Underinsured Motorist Coverage](#)
 - 2. Council Direction on Street Vacation*
- C. Richard Heap - Engineering
 - 1. [Airport Grant Application Approval - Land Acquisition](#)
 - 2. Strawberry Water Users Exchange Application

III. OTHER BUSINESS

() indicates support information, if any, will follow at the Council meeting.*

The public is invited to participate in all Spanish Fork City Council Meetings. If you need special accommodation to participate in the meeting, please contact the City Manager s Office at 798-5000.

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

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

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

5 Staff Members Present: David Oyler, City Manager; S. Junior Baker, City Attorney; Chris
6 Thompson, Design Engineer; Emil Pierson, Planning Director; Kent Clark, Recorder/Finance
7 Director; Dale Robinson, Parks and Recreation Director; Brad Graham, Water Park Manager; and
8 Connie Swain, Deputy Recorder.

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

16 **Minutes**

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

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

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

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

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

31 Mr. Izzo said they studied the number of animal strikes and determined the majority of the strikes

32 occurred in canyon areas. He also said the safety study is available on the UDOT web page at
33 www.udot.ut.gov\us6.

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

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

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

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

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

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

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

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

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

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

56 Mayor Barney thanked UDOT representatives for the update.

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

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

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

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

66 Mr. Thompson said he cannot foresee any construction conflicts.

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

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

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

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

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

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

79 **Public Hearing - Sorensen General Plan Amendments**

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

82 Mayor Barney reviewed the procedures for a public hearing.

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

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

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

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

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

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

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

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

102 Mr. Pierson agreed with Councilmember Kelepolo.

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

108 **Public Hearing - Sorensen Rezone - 497 North Main Street**

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

112 Mayor Barney opened the meeting for public comment.

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

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

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

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

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

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

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

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

130 **Public Hearing - Wilson General Plan Amendment**

131 Mr. Pierson said this is a request by Mark Wilson to amend the General Plan for the property at
132 1100 East Expressway Lane from Shopping Center Commercial to General Commercial. Mr.
133 Wilson would like to build a car tuning shop in the area. The requested amendment is conducive
134 with the surrounding property.

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

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

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

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

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

144 Councilmember Christensen made a **motion** to approve the Wilson General Plan Amendment of
145 9.81 acres located at 1100 East Expressway Lane from Shopping Center Commercial to General
146 Commercial. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

147 **Public Hearing - Wilson Rezone - 1100 East Expressway Lane**

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

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

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

157 vote.

158 **Public Hearing - Zoning Ordinance Amendments - Title 17**

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

160 **17.20.110. I-1 Light Industrial.**

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

165 **A. Permitted Uses:**

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

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

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

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

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

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

- 207 1. Caretaker's residence.

208 **E. Development Standards (see Table 2):**

209 **F. Design Review (see Chapter 17.12.050):**

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

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

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

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

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

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

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

278 **Domain at the Meadows Amended Preliminary Plat and Final Plat**

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

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

283 Mr. Pierson said he was not sure.

284 Councilmember Huff made a **motion** to approve the Domain at the Meadows Amended
285 Preliminary Plat and Final Plat at 300 North 30 West subject to the following condition(s):
286 1. Get the property owners to sign the amended preliminary plat or hold a public
287 hearing to approve the amendment,
288 2. Install a street light toward the west end of the subdivision at a location to be
289 approved by Jeff Foster of the Electrical Department.

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

291 **Fieldstone - Boatman/Murphy Annexation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 330 1. The Development Review Committee review any conditions recommended with
331 the annexation,
- 332 2. The density bonuses are approved as presented with the exception of phase 1 and
333 2 parking lots in exchange for the roadway from Volunteer Drive to the river,
- 334 3. That the D Land Investments and Bradford properties be zoned Rural Residential
335 (R-R),
- 336 4. The Memmott Property be zoned R-1-9,
- 337 5. The Thomas Property be zoned R-1-9,
- 338 6. The Losser property be zoned Light Industrial (I-1),
- 339 7. The Boatman, Murphy, and Galt properties be zoned as per the General Plan
340 Amendment that is proposed with the north portion of the properties being zoned
341 R-1-9 and southern half being zoned R-1-12,
- 342 8. The petitioner enter into an annexation agreement with the City as proposed in the
343 packet submitted to the city. Including but not limited to deeding the 30-foot
344 width trail on the west side of the Boatman property, the 50-foot trail width along
345 the river measured from the north bank, the construction for the road way along the
346 west sports complex property, the construction of a pavilion at the sport complex,
- 347 9. The developer of the Boatman, Murphy, and Galt properties participates in the
348 cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River; to the
349 percent indicated by an updated traffic study,
- 350 10. A 30-foot wide trail along the west boundary of the Thomas property be deeded to
351 the city within 120 days of the approval of the annexation.

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

353 **Ordinance 12-03 - An Ordinance Vacating an Unimproved Street**

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

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

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

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

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

372 Councilmember Huff asked for the grade of the vacated area.

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

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

379 **Jim Baller Consultant Contract**

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

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

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

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

392 **Parks and Recreation Fee Adjustment**

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

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

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

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

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

407 **Water Rate Report - Utility Board - David Tuttle, Chair**

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

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

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

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

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

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

436 Councilmember Johns asked concerning water conservation.

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

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

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

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

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

446 **Wire Crossing Agreement with Union Pacific Railroad**

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

454 Councilmember Huff made a **motion** to approve the Wire Crossing Agreement with Union Pacific
455 Railroad and authorize the mayor to sign the agreement subject to approval by URMMA.

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

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

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

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

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

468 Councilmember Johns made a **motion** to approve Change Order #1 for the Center Street Main
469 Street to 100 East Project in the amount of \$5418.63. for a total project costs of \$256,101.88.

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

471 **Exchange Application - Strawberry Water**

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

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

476 **Other Business**

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

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

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

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

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

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

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

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

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

509 **Adjournment**

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

513
514

Connie Swain, Deputy Recorder

515 Approved:

***SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT***

To: City Council	
From: Emil Pierson, City Planner	Property Size: 83.275 acres
Date: January 6, 2004	General Plan: 1 unit to 5 acres/Res. 2.5-3.5
Subject: Brockbank, Boyack, Evans Annexation	Zoning: Utah County 5 acre
Location: Center Street/400 North 1400 East	

Background

The applicant(s), Wood Springs, LLC , is requesting to annex approximately 83.275 acres into Spanish Fork City from Utah County. Wood Springs is representing the Bona's, Brockbank/Johnsons', Evan's, Boyack's, and Grotegut's properties.

Analysis

The City boundaries are currently on the north and south and west sides of this annexation request. The properties are within Spanish Fork City's policy declaration and inside of the growth boundary. The City's Annexation Plan shows that this area would be annexed into the city over the next five year period. The General Plan currently shows the parcels as Residential 1 unit to 5 acres or Residential 2.5 to 3.5

Recommendation

OPTIONS

One:

Decide if you want to investigate the possibility of annexing the properties into the City and have DRC and Planning give a recommendation.

Two:

Decide that the City Council is not interested in annexation the properties at this time.

Spanish Fork City Annexation Application

40 South Main Street, Spanish Fork, UT 84660
(801) 798-5000 Ext. 20 Fax (801) 798-5085
www.spanishfork.org



Project Information			
Application Date: November 24, 2003		Number (Office Use Only):	
Project Address: 1300 East 400 North		Current Use:	
General Plan Designation:	Inside of Growth Boundaries? Yes	Inside of Policy Declaration Boundaries?	
Current Zone:	Proposed Zone: R-1-12000	Acreage of Property:	
Applicant Information			
Applicant/Sponsor: WoodSprings LLC		Attn: David Simpson	
Address: 407 North Main		Telephone: 801-489-3211 Cell 801-376-1966	
City: Springville	State: Utah	Zip: 84663	Alt. Telephone: 801-489-5320
Email Address: david@landmarkutah.com		Fax: 801-489-3337	
Signatures of Owners of Petition:			
Signature		Brockbank/Johnson	
Signature		Boyack	
Signature		Evans	
Signature		Grotégut	
Signature		Bona	
Engineer, Architect or Surveyor			
Company/Contact: M.W. Brown Eng.		Attn: Barry Andreason	
Address: 663 North 1890 West #48A		Telephone: 801-377-1790	
City: Provo	State: Utah	Zip: 84601	Alt. Telephone: 801-368-4696
Email Address: mwb@mwbengr.com		Fax: 801-377-1789	

Annexation Petitioner

Owners	Parcel#	Acres
Russell W. & Carolyn Boyack 6649 S. Cutbridge Slaint Rd Spanish Fork, Utah 84663	27:29:17	13.09

Russell W. Boyack *Carolyn S. Boyack*

Daniel L. & Jennifer Evans 1555 East Center Spanish Fork, Utah 84660	27:29:75	.39
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Daniel L. Evans *Jennifer Evans*

Blaine & Linda Evans 2987 North 350 East Spanish Fork, Utah 84660	27:29:73 27:29:37	10.02 3
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Blaine Evans *Linda Evans*

David A. & Maris T. Grotegut 1302 East 6400 South Spanish Fork, Utah 84660	27:29:40	6
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David A. Grotegut *Maris T. Grotegut*

Wells Brockbank & Kathryn Johnson 490 North Main Spanish Fork, Utah 84660	27:29:44 27:29:28 27:29:51 27:29:49 27:29:50 27:29:20	1.35 5.03 1.11 7.57 5.04 6.38
---	--	--

Kathryn B. Johnson *Wells Brockbank*

Frances Bona 87 East 300 North Spanish Fork, Ut 84660	27:29:45 27:29:46 27:29:47 27:29:48	1.11 5.04 6.38 7.57
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Frances A. Bona

**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To:	City Council	Zoning:	R-1-6
From:	Emil Pierson, City Planner	Property Size:	13.51 acres
Date:	January 6, 2004	# Lots/Units:	100
Subject:	Robin's Nest Preliminary Plat - Tabled from November 18, 2003	U/A	7.4
Location:	800 North Highway 51		

Background

The applicant(s), James DeMita and Paul Neilson, is requesting preliminary plat approval in order to develop a town-home project at approximately 800 North and Highway 51 (Dr. Paul Robinson's property). The property is shown in the General Plan as Residential 5-8 u/a and zoned R-1-6. The property currently has a residential treatment center and a single family home.

The City Council tabled this request at their November 18, 2003 meeting attached is the minutes from that meeting.

http://www.spanishfork.org/mayorcouncil/meetings/cc/pdf/2003/mins/ccnov18_03.pdf

Analysis

The applicant is proposing the following on the property: 100 total units of with 22 twinhome lots, 9 single family lots (of which 2 are existing), and 69 townhomes. Please see the packet for more detailed information of the design and layout.

The Townhomes:

The design of the townhomes will be similar to the ones shown in the packet of information. I would assume they will also be similar to Somerset Village the gated community on 3000 East Canyon Road. The developer is proposing a Swiss Village look like in Midway, UT.

Construction Materials: The outside of the building is proposed to be EIFS a stucco like material with the color of the units being a dark earth-tone color.

Fencing: They are proposing a chainlink fence along the railroad tracks. Solid white vinyl fence for the backyards adjacent to the Treatment Center and Dr. Robinson's property. A masonry wall matching the one for Whispering Willows and Blackhorse Run (across the street) is required along Highway 51.

Landscaping: the landscaping plan shows that they will have 2-inch caliper trees every 30 feet along the public right-of-ways (Highway 51) as required by ordinance. They are also showing very limited landscaping (trees and shrubs) inside of the development. *staff would recommend that the applicant be required to add landscaping to match 17.28.030 B 4 which states:

- All other landscaped areas shall include at least one (1) tree and three (3) shrubs for each 800 square feet of landscaped area.

They have 2.00 acres of developed open space.

Trash Enclosure: they are showing no dumpsters for the project and one would assume that they are proposing roll-aways for the units.

Amenities: The applicant is proposing a **club house 1,200 sq. ft.** which is shown on the east side of the project (see packet for details). They are also proposing a **sports court** on the east side of the project (see packet for details). A **playground** is being shown in the middle of the development with a concrete curbing (see packet for details). *staff would recommend the applicant also put in a swingset.

Open Space: Two acres of total open space is being shown in the project with most of the property being along the middle of the townhomes and on the east side of the project by the railroad tracks. This does not count the space around the existing home, residential treatment center nor the yard area for the single family and twin homes.

Parking: The ordinance requires that each unit have one covered and one uncovered parking space and one guest parking stall for every three units. The project meets the city parking requirement. The single family homes and twinhomes will have a two car garages and a front setback of 25 feet. The townhomes will have a single car garage with a uncovered space adjacent to the garage. Additional parking is shown on the plat by the masonry wall and by the club house.

Development Review Committee

The Development Review Committee reviewed this request at their October 15th and October 22nd meetings. The DRC discussed the parking, building designs, open space, amenities package and the location of utilities and that it follows the General Plan request. The Development Review Committee recommended approval subject to the following conditions (see DRC minutes below).

October 15th DRC Minutes

Mr. Demita said the Robin's Nest Preliminary Subdivision will contain 100 units consisting of twinhomes, townhomes, and single family homes. He reviewed the building materials to be used, amenities including a club house, extensive landscaping, and open space. The roads will be public roads and the alleys will be privately owned and maintained by the homeowners association.

Mr. Pierson said a stamped concrete wall will be required along Highway 51. Mr. Paul Nelson said UDOT wants the curb and gutter to match up with the existing curb and gutter and have agreed to allowing the wall in the right-of-way since widening of the road will most likely take place many years from now.

10:35 - MaryClare Maslyn arrived

Mr. Pierson began reviewing the density bonus spreadsheet for the Robin's Nest Subdivision.

Fencing

Mr. Pierson said the wall is a requirement and will not be considered as a density bonus regardless of the materials used. Mr. Nelson said they will install chain link fencing along the railroad tracks with the area around the existing structures to be discussed with property owners. Also, they will install privacy fencing in areas within the development.

Mr. Richard Nielson said there needs to be a gate in the fence along the railroad tracks to allow access to the storm drain for maintenance.

Mr. Pierson recommended fencing along the north side of the subdivision from the railroad tracks to Highway 51. With all the fencing discussed Mr. Pierson recommended a density bonus of 2%.

Set Backs

Mr. Pierson said there is no room for an adjustment in setbacks. There will be no density bonus for set backs. Mr. Demita requested to be allowed to eliminate staggering the unit front set backs since a consistent setback is less expensive to construct.

Open Space

Mr. Demita said 2 percent of the property will be left as open space and is usable space. Mr. Oyler said it needs to be determined if the space is usable due to the contours. Mr. Pierson said the density bonus will be determined when more information is received.

Landscaping

Mr. Demita said front yard landscaping and sprinklers will be installed at each unit and landscaping will include trees and shrubs. Mr. Pierson said a 7% density bonus will be recommended.

Lot Size Variation - None requested.

Materials on Front Facades

Mr. Demita said the front doors will be unique, there will be wood shutters around the windows and real brick and river rock. Mr. Pierson said he would like to see a variation in the amount of accent materials use from one unit to the next.

Roof Pitch

Mr. Demita said there will be a variation in the roof pitch from 8-12 to 10-12.

Mixture of housing types

Mr. Paul Nelson requested a density bonus for a variation in house sizes. Mr. Pierson recommended a 2% density bonus for a mixture of housing types.

Miscellaneous

Mr. Paul Nelson requested a 3% density for the unique plan and theme of the project.

Mr. Pierson made a **motion** to table Robin's Nest Preliminary Subdivision until the Development Review Committee on October 22, 2003 meeting at which time the following items are to be provided:

1. The plat indicates the areas of open space,
2. The plat is to show the 6-foot planter strip with 2" caliper trees every 30 feet and other improvements along Highway 51 (street cross section),
3. The plat is to show the existing gas line easement,
4. The plat is to show the existing home connecting to city utilities,
5. The map is to show the existing treatment center connecting to city utilities,
6. The map is to show a 20-foot storm drain easement,
7. The plat is to show the proposed fencing, with the gate for the storm drain and areas to be fenced, and type of fencing with exhibits,
8. Detailed plans and pictorial representations for the playground, curbing, and softfall,

9. Plans to convert existing units to underground electrical services,
 10. Pictorial representations of the proposed club house, pavilion, and front facades of units, and
 11. The plat needs to show the residential treatment center with a 50-foot width minimum.
- Mr. Foster **seconded**, and the motion **passed** with a unanimous vote.

October 22nd DRC Minutes

Mr. Demita provided copies of the preliminary plat with changes as requested by the Development Review Committee. He also reviewed pictures of the proposed club house, play ground, and front facades of the homes with examples for doors and shutters.

Mr. Baker said a condition placed upon the approval of the residential treatment facility was for the facility to be owner occupied by Paul Robinson. Mr. Baker said it cannot be owner occupied if the facility and the home are on separate lots.

Mr. Paul Nelson said the property consisted of two parcels since 1998 and also when the property was annexed into the city.

Mr. Pierson asked if lots 78-87 will have covered parking or garages. He said garages would allow the properties to be more marketable. Mr. Demita said the parking will be covered with a very nicely designed structure matching the development.

Density Bonus - Active Recreation

Mr. Pierson said he is concerned with the maintenance and durability of a wood play ground. He recommends a commercial grade play ground with a swing set in order to allow the full 10% density bonus.

Density Bonus - Open Space

Mr. Pierson said 16 percent of the property will consist of open space totaling 2.44 acres. He recommended a density bonus of 5% for open space.

Density Bonus - Front Facades and Miscellaneous

Mr. Pierson said there should be a 0% density bonus for the materials used on the front facades within the development, however, there should be a 3% density bonus for the overall look of the development creating the feel of a well blended neighborhood.

Mr. Biesinger asked for a review of the storm drain layout. Mr. Nielson reviewed the layout of the storm drain within the development and connected to the development.

Density Bonus - Landscaping

Mr. Oyler said the full landscaping density bonus should be based on the use of water wise landscaping.

Mr. Pierson made the following **finding(s)**:

1. The development will provide a more pleasant living environment by providing 16% open space, a club house, fencing, a sports court, a play ground, and garages for the townhomes.
2. The development will not be detrimental to the area due to the fact it will provide access onto public streets and will be similar to other developments in the area,
3. The development will not create an increased hazard to the health, safety, and traffic in the area, and
4. The development meets the general plan by providing extensive landscaping, a coordinated approach, high quality materials, usable open space, and three types of structures including twinhomes, townhomes, and single family homes.

Mr. Pierson made a **motion** to approve the Robin's Nest Preliminary Plat on the following condition(s):

1. Install the wall and landscaping along Highway 51 as shown on the plat,
2. Provide a 50-foot frontage for the residential treatment center,

3. Submit a water wise landscaping plan for the development, to be approved by the Shade Tree Commission,
4. Install commercial grade playground equipment with a swing set,
5. Submit drawings of the awning for lots 78-87 to the city planner for approval,
6. Construct the development as shown on the approved preliminary plat, and
7. To receive density bonus points as reflected in the packet submitted.

Mr. Baker **seconded**, and the motion **passed** with a unanimous vote.

Planning Commission

The Planning Commission discussed this request at their November 5th meeting. They covered the amenity package and discussed the design of the units both inside and outside of the homes. They recommended approval subject to the conditions listed below.

RECOMMENDATION

Approve

Make a motion to Approve the Robin’s Nest Preliminary Plat located at 800 North Highway 51 subject to the following condition(s):

Condition(s):

1. Install a wall, stamped concrete (with tree grate) and stained to resemble stone, and trees every 30 feet,
2. Provide a 50-foot frontage for the residential treatment center,
3. Submit a water wise landscaping plan for the development, to be approved by the Shade Tree Commission,
4. Install commercial grade playground equipment with a swing set,
5. Submit drawings of the (parking) awning for lots 78-87 to the city planner for approval,
6. Construct the development as shown on the approved preliminary plat,
7. Receive density bonus points as reflected in the packet as corrected,
8. Have at least 10 feet of space between buildings,
9. Phase one include all of the improvements along Highway 51 including curb, gutter, sidewalk, and the wall.
10. Provide a letter from UDOT approving improvements along Highway 51, and,
11. A total of 108 – 2-inch caliper trees be installed throughout the project and be approved by the shade tree commission and they review and approve the landscaping plan.

Deny

Make a motion to Deny Robin’s Nest Preliminary Plat at 800 North Highway 51 for the follow reason(s):

Table

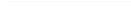
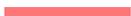
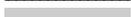
Make a motion to Table Robin’s Nest Preliminary Plat located at 800 North Highway 51 for the following reason(s):

Robin's Nest Map



1 inch equals 238.6 feet

Legend

-  Site Pictures
- Roads**
-  Other Roads
-  Not Paved
-  Paved
-  Rivers
-  Schools
-  Buildings
-  Spanish Fork Boundary
- LineMeasurements**
-  A-E
-  C-1
-  C-2
-  C-D
-  C-O
-  I-1
-  I-2
-  I-3
-  R-1-12
-  R-1-30
-  R-1-6
-  R-1-8
-  R-1-9
-  R-1-6
-  R-3
-  R-O
-  R-R
-  S-C
-  UV-C
-  Biesinger_Subdiv
-  RobinsNest_2ndVersion

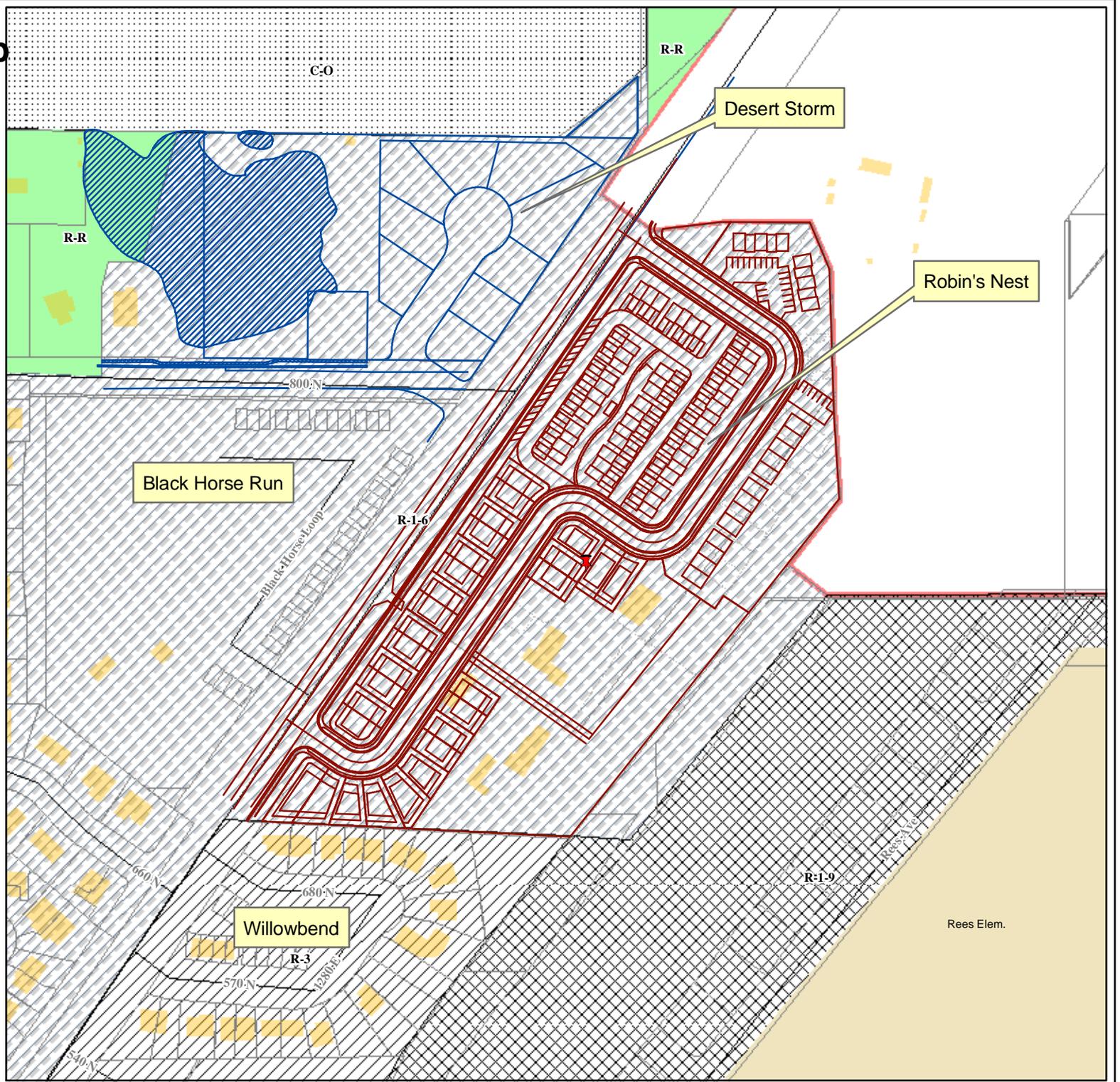
January 6, 2004



Geographic Information Systems

Spanish Fork City GIS
40 South Main Street
Spanish Fork, UT 84660
(801) 798-5000

Disclaimer: Spanish Fork City makes no warranty with respect to the accuracy, completeness, or usefulness of these maps. Spanish Fork City assumes no liability for direct, indirect, special, or consequential damages resulting from the use or misuse of these maps or any of the information contained herein. Portions may be copied for incidental uses, but may not be resold.



Rees Elem.



Additional townhouse pictures





PLAYGROUND EQUIPMENT

A very large, very safe, and very fun play center is part of the development. This model allows for numerous children to safely play at the same time. The play area will include a “soft fall” to help prevent any serious injury.

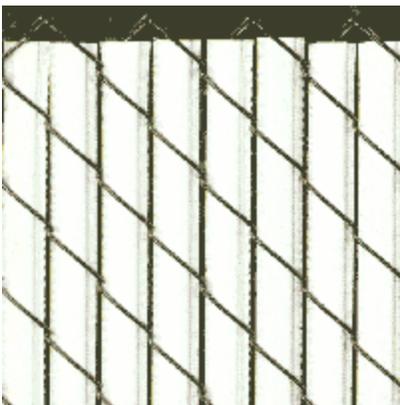
Fencing



Vinyl privacy

There will be four types of fencing used in the project, Vinyl privacy fence, concrete, chain-link with privacy straps, and regular chain link. The location of each is called out on the engineering plans

Concrete



Chain-link straps



EXERCISE EQUIPMENT

The club house will include a weight room. Residents can lift weights on a universal weight set, exercising every major muscle group, or have a cardiovascular workout with the treadmill. The exercise room is large enough to allow growth as needed.



CLUBHOUSE

For the first time in Spanish Fork, a planned unit development will include an actual club house. The club house will be consistent with the Swiss/European theme. The club house will include a large meeting area, an exercise room, kitchen area, and the home owner association president's office. Residents can have family parties, get-togethers, association meetings, exercise, or just visit at the common building.



TOWNHOUSE UNIT

Here is the European style townhouse that will be built. Multiple units appear as one large unit. Although costing much more to build than all other townhouses designs in Spanish Fork, it is worth the expense for the superior esthetic appearance than the typical rigid townhouse design. Included will be solid knotty alder entry doors, authentic wood shutters around applicable windows, and steep Dutch hip roofs. There are just a few examples of the quality building materials and design used for the subdivision.



Single family homes in the development will be required to be built with the same Swiss/European design. They will also be required to have solid wood entry doors , and authentic wood shutters, etc.





SPORT COURT

A multifunction sport court will also be a part of the planned unit development. Allowing for basketball, tennis, and other activities. Residents will be able to enjoy active recreation without having to leave the development. The quality of this style of sports court is also new to Spanish Fork.



Keeping with the Swiss/European design, the twin home models will also appear as one large unit instead of appearing as two small rigid units. These homes will also have solid knotty alder entry doors and authentic wood shutters, etc.





December 23, 2003

MEMO

To: URMMA Board Members

From: Dean Steel, CEO

Re: Underinsured Motorist Coverage

Utah State law UCA 31A-22-305 (9)(g)(ii) requires that a named insured (the City) be offered underinsured motorist coverage with specific policy limits not less than the minimum limits required by law unless the coverage is rejected. (See rejection of underinsured motorist coverage form attached.)

The URMMA Board of Directors unanimously voted to eliminate underinsured motorist coverage from the Joint Protection Program. They did so because if an eligible party had insurance coverage, the minimum limits provided by the URMMA policy provided no additional coverage. If the party had no insurance coverage, then a different policy for uninsured motorist coverage is applied. Therefore the underinsured policy is unnecessary.

In the spirit of compliance with the State Code, would you have your City Council also reject the underinsured motorist coverage and authorize the appropriate signature on the enclosed document.

We appreciate your prompt response to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Steel", is written over a horizontal line.

Dean Steel
CEO

RESOLUTION NO. 04-01

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
EVERETT KELEPOLO <i>Councilmember</i>		
PAUL M. CHRISTENSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: _____

I SECOND the foregoing motion: _____

RESOLUTION 04-01

A RESOLUTION REJECTING THE UNDERINSURED MOTORIST (UIM) COVERAGE

Pursuant to Utah Code Unannotated Section 31A-22-305(9)(g)(i) the undersigned, on behalf of Spanish Fork City formally rejects underinsured motorist coverage under the Utah Risk Management Mutual Association's Joint Protection Program.

URMMA's Board of Directors unanimously voted to reject underinsured motorist coverage. This signed rejection of underinsured motorist coverage will serve as compliance of Utah Code Unannotated Section 31A-22-305(9)(g)(ii).

Utah law requires that the Named Insured be offered underinsured motorist coverage with policy limits equal to the lesser of (1) the bodily injury liability limits of your policy, or (2) the

maximum limits available for your type of policy. However, underinsured motorist coverage cannot be lower than the minimum limits specified in Utah law, unless you reject the coverage entirely. By executing this document, your city formally rejects underinsured motorist coverage.

Underinsured motorist coverage generally pays for losses incurred by covered persons who are legally entitled to recover damages from bodily injury, sickness, disease, or death, caused by owners or operators of motor vehicles that have insufficient liability coverage to compensate fully the injured parties.

Pursuant to Utah Code Unannotated Section 31A-22-305(9)(g)(iii) the above rejection of underinsured motorist (UIM) coverage continues until your city, in writing, requests underinsured motorist coverage.

NOW, THEREFORE, be it resolved by the Spanish Fork City Council, as follows:

1. The Mayor of Spanish Fork City is to reject Underinsured Motorist (UIM) Coverage, as attached hereto.

DATED this 6th day of January, 2004.

DALE R. BARNEY, Mayor

ATTEST:

KENT R. CLARK, City Recorder

F:\ORDBOOK\RES\2004.

Basin wide percent of average 106 115

ESCALANTE RIVER

CLAYTON SPRINGS	10000	5.1	-M	*	6.0	-M	*
DONKEY RESERVOIR	9800	2.3	3.9	59	4.4	4.6	96
WIDTSOE #3	9500	4.2	4.2	100	6.4	5.8	110
				-----			-----
Basin wide percent of average				80			104

VIRGIN RIVER

MIDWAY VALLEY	9800	10.8	8.7	124	6.7	8.4	80
KOLOB	9250	8.8	6.6	133	7.4	7.6	97
WEBSTER FLAT	9200	6.3	5.8	109	7.0	7.4	95
LONG FLAT	8000	-M	2.6	*	-M	5.7	*
HARRIS FLAT	7700	3.4	2.4	142	5.5	5.5	100
LONG VALLEY JCT	7500	3.2	1.7	188	4.4	5.5	80
LITTLE GRASSY	6100	-M	2.0	*	6.9	6.3	110
				-----			-----
Basin wide percent of average				129			93

-M = Missing data

* = Data may not provide a valid measure of conditions.

Units = inches for the Current and Average Snow Water Equivalent and Total Precipitation values

If the Basin wide percent of average value is flagged as potentially invalid, care should be taken to evaluate if the value is representative of conditions in the basin.

The SNOW WATER EQUIVALENT Percent of Average represents the snow water equivalent found at selected SNOTEL sites in or near the basin compared to the average value for those sites on this day.

The TOTAL PRECIPITATION Percent of Average represents the total precipitation (beginning October 1st) found at selected SNOTEL sites in or near the basin compared to the average value for those sites on this day.

Contact your state water supply staff for assistance.

Reference period for average conditions is 1971-2000.

Provisional data, subject to revision.

PRICE-SAN RAFAEL

SEELEY CREEK	10000	6.7	6.2	108	6.3	6.3	100
BUCK FLAT	9800	8.5	6.9	123	9.1	8.9	102
RED PINE RIDGE	9200	7.1	6.5	109	9.6	8.5	113
MAMMOTH-COTTONWOOD	8800	8.8	7.3	121	7.3	7.4	99
WHITE RIVER #1	8550	6.2	5.0	124	6.9	6.8	101

Basin wide percent of average				117			103

DIRTY DEVIL

DONKEY RESERVOIR	9800	2.3	3.9	59	4.4	4.6	96
BLACK FLAT-U.M. CK	9400	5.0	3.7	135	6.2	5.3	117
DILL'S CAMP	9200	6.8	5.3	128	8.7	7.1	123

Basin wide percent of average				109			114

SOUTH EASTERN UTAH

LASAL MOUNTAIN	9400	5.6	4.5	124	8.0	9.2	87
CAMP JACKSON	8600	4.9	5.4	91	7.0	8.8	80
EAST WILLOW CREEK	8100	4.1	2.8	146	4.9	5.1	96

Basin wide percent of average				115			86

SEVIER RIVER

CLAYTON SPRINGS	10000	5.1	-M	*	6.0	-M	*
MIDWAY VALLEY	9800	10.8	8.7	124	6.7	8.4	80
BOX CREEK	9800	7.2	5.1	141	7.9	6.3	125
FARNSWORTH LAKE	9600	8.6	7.8	110	9.3	8.5	109
PICKLE KEG	9600	7.3	6.0	122	9.4	8.1	116
CASTLE VALLEY	9580	6.0	4.7	128	7.1	6.3	113
WIDTSOE #3	9500	4.2	4.2	100	6.4	5.8	110
KIMBERLY MINE	9300	-M	5.8	*	-M	8.9	*
AGUA CANYON	8900	3.8	2.8	136	4.6	6.5	71
PINE CREEK	8800	10.7	8.6	124	10.2	8.1	126
MAMMOTH-COTTONWOOD	8800	8.8	7.3	121	7.3	7.4	99
GOOSEBERRY R.S.	8000	5.3	3.4	156	8.1	7.7	105
BEAVER DAMS	8000	4.1	4.1	100	8.0	7.6	105
HARRIS FLAT	7700	3.4	2.4	142	5.5	5.5	100
LONG VALLEY JCT	7500	3.2	1.7	188	4.4	5.5	80

Basin wide percent of average				125			103

BEAVER RIVER

BIG FLAT	10290	7.2	7.4	97	8.8	7.8	113
MERCHANT VALLEY	8750	6.1	5.2	117	7.8	6.6	118

TRIAL LAKE	9960	10.1	10.2	99	11.5	10.9	106
SNOWBIRD	9640	17.0	12.8	133	18.5	18.0	103
CLEAR CREEK #1	9200	9.1	7.4	123	9.9	8.7	114
MILL-D NORTH	8960	12.5	10.0	125	11.8	12.6	94
BRIGHTON	8725	10.6	10.6	100	12.7	13.1	97
BEAVER DIVIDE	8280	4.5	4.5	100	7.1	8.2	87
LOOKOUT PEAK	8200	16.3	9.6	170	19.0	14.6	130
TIMPANOGOS DIVIDE	8140	12.5	8.9	140	13.6	11.3	120
PAYSON R.S.	8050	8.3	7.0	119	8.9	7.6	117
DANIELS-STRAWBERRY	8000	9.1	6.3	144	10.7	9.5	113
CLEAR CREEK #2	8000	7.2	5.8	124	7.8	7.0	111
CASCADE MOUNTAIN	7768	11.4	-M	*	12.9	-M	*
PARLEY'S SUMMIT	7500	8.9	6.9	129	12.3	10.5	117
DRY FORK	7160	8.7	6.7	130	10.3	10.6	97
LOUIS MEADOW	6700	13.3	-M	*	15.9	-M	*

Basin wide percent of average				126			108
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TOOELE VALLEY-VERNON CREEK

ROCKY BASIN-SETTLEME	8900	9.8	9.7	101	9.4	11.7	80
MINING FORK	8000	10.7	5.3	202	10.3	10.0	103
VERNON CREEK	7500	8.4	3.8	221	10.0	7.1	141

Basin wide percent of average				154			103
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GREEN RIVER

STEEL CREEK PARK	10100	5.7	6.5	88	6.2	7.4	84
HEWINTA	9500	4.1	4.0	102	5.9	6.9	86
TROUT CREEK	9400	5.2	4.1	127	7.5	6.4	117
HOLE-IN-ROCK	9150	3.3	2.6	127	4.1	3.8	108
HICKERSON PARK	9150	3.0	2.8	107	4.9	4.1	120
KING'S CABIN	8730	6.9	4.9	141	7.4	5.9	125

Basin wide percent of average				113			104
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DUCHESNE RIVER

LAKEFORK BASIN	11100	8.3	8.0	104	10.0	10.0	100
FIVE POINTS LAKE	11000	8.3	6.8	122	8.4	9.1	92
BROWN DUCK	10600	5.6	7.5	75	9.5	8.7	109
CHEPETA	10300	6.5	5.8	112	7.7	7.4	104
LAKEFORK #1	10200	6.1	5.4	113	6.5	6.8	96
TRIAL LAKE	9960	10.1	10.2	99	11.5	10.9	106
MOSBY MTN.	9500	7.4	5.0	148	8.1	6.7	121
INDIAN CANYON	9100	6.1	4.2	145	7.3	6.9	106
STRAWBERRY DIVIDE	8400	9.2	7.1	130	9.9	10.0	99
DANIELS-STRAWBERRY	8000	9.1	6.3	144	10.7	9.5	113
CURRANT CREEK	8000	6.2	4.0	155	8.0	7.2	111
ROCK CREEK	7900	4.7	3.6	131	6.1	6.0	102

Basin wide percent of average				119			105
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United States Natural Resources Water and Climate
Center
Department of Conservation Portland,
Oregon
Agriculture Service

S N O W - P R E C I P I T A T I O N U P D A T E

Based on Mountain Data from NRCS SNOTEL Sites
As of TUESDAY: DECEMBER 30 , 2003

BASIN Data Site Name	ELEV. (Ft)	SNOW	WATER	EQUIVALENT %	TOTAL PRECIPITATION		
		Current	Average	Avg	Current	Average	Avg
UTAH							
BEAR RIVER							
TRIAL LAKE	9960	10.1	10.2	99	11.5	10.9	106
HAYDEN FORK	9400	5.6	6.1	92	-M	9.7	*
LILY LAKE	9050	5.6	5.3	106	6.9	8.4	82
MONTE CRISTO	8960	11.0	10.6	104	11.3	11.8	96
TONY GROVE LAKE	8400	15.1	13.8	109	15.0	16.3	92
FRANKLIN BASIN	8040	10.3	9.7	106	13.4	13.9	96
BUG LAKE	7950	8.1	8.0	101	8.9	9.0	99
TEMPLE FORK	7406	7.7	-M	*	9.2	-M	*
LITTLE BEAR	6550	7.7	5.0	154	11.7	10.8	108
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Basin wide percent of average				107			97
WEBER-OGDEN RIVERS							
TRIAL LAKE	9960	10.1	10.2	99	11.5	10.9	106
THAYNES CANYON	9200	10.4	8.7	120	12.1	10.9	111
CHALK CREEK #1	9100	9.4	9.8	96	10.1	12.0	84
MONTE CRISTO	8960	11.0	10.6	104	11.3	11.8	96
DRY BREAD POND	8350	8.0	8.8	91	9.7	9.8	99
BEAVER DIVIDE	8280	4.5	4.5	100	7.1	8.2	87
HORSE RIDGE	8260	9.5	8.9	107	11.5	11.3	102
CHALK CREEK #2	8200	6.8	6.5	105	6.6	8.2	80
BEN LOMOND PEAK	8000	20.3	13.9	146	20.6	19.2	107
FARMINGTON	8000	21.4	12.6	170	20.6	14.9	138
PARRISH CREEK	7740	16.4	-M	*	17.4	-M	*
SMITH & MOREHOUSE	7600	5.3	5.5	96	7.1	9.0	79
PARLEY'S SUMMIT	7500	8.9	6.9	129	12.3	10.5	117
HARDSCRABBLE	7250	12.6	6.2	203	14.2	14.0	101
BEN LOMOND TRAIL	6000	13.4	8.2	163	11.8	13.9	85
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Basin wide percent of average				125			101

PROVO R.-UTAH LAKE-JORDAN R.