



## CITY COUNCIL MEETING

### **ADDENDUM**

6:00 pm

Tuesday, December 21, 2004

#### **I. PRELIMINARY ACTIVITIES**

- A. Pledge of Allegiance
- B. Minutes
- C. *Employee of the Third Quarter 2004*
- D. [Agenda Request - Sign Ordinance](#) - Matt Champneys/Spanish Fork Community Theater
- E. [Agenda Request - Jr. Miss Scholarship Donation](#) - Tricia Christensen
- F. [Agenda Request - Hearthstone Development](#) - Whispering Willows Preliminary Plat Extension
- G. [Agenda Request - Michael Nelson](#) - Request to convert property at 115 East 300 North to private physicians office
- H. [Agenda Request - Tami Fenn](#) - Flooding in the Oakview Subdivision
- I. Appointment of Board, Commission, and Committee Members

#### **II. PUBLIC HEARINGS**

- 6:30 pm A. [Ordinance Z07-04 - Hill Property Rezone](#) - 1000 West 900 South

#### **III. STAFF REPORTS**

- A. Emil Pierson - Planning
  - A. [River Cove Amended Preliminary Plat](#) - 700 West 700 South
- B. Junior Baker - Legal
  - 1. [Special Events Policy](#)
  - 2. [Bid Award - Billboards](#)
  - 3. [Ordinance 16-04](#) - Ordinance Authorizing Telecommunications Meetings
  - 4. [Hearthstone Agreement](#)
  - 5. [Smiley/Hall Mediation Agreement](#)
- C. Kent Clark - Finance
  - 1. [Independent Audit Report](#) (Tabled from December 7, 2004)  
(Complete report will be available Dec. 15)
- D. Richard Heap - Engineering
  - 1. [2005 Airport Grant Application](#)

#### **IV. OTHER BUSINESS**

#### **V. EXECUTIVE SESSION IF NEEDED - TO BE ANNOUNCED IN MOTION**

(\* ) 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.

## Connie Swain

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**From:** Contact [contact@spanishfork.org]  
**Sent:** Monday, November 29, 2004 1:41 PM  
**To:** 'Connie Swain'  
**Subject:** Council Meeting Agenda Request

From: Cherry Lane Keepsakes [mailto:mattc@cherrylanekeepsakes.com]  
Sent: Monday, November 29, 2004 1:35 PM  
To: contact@spanishfork.org  
Subject: Council Meeting Agenda Request

Hello! I would like to request to be on the City Council Agenda

Date of meeting requested to attend:  
Tuesday December 21st

Subject of your request:  
Permission for Spanish Fork Community Theater to post signs to promote our annual Fiesta Days Production.

List detailed information regarding your request:  
We spoke with Emil Pierson about this subject. He denied us permission and referred us to the City Council.

Spanish Fork Community Theater is important to Spanish Fork. We feel it brings culture to the area and makes the city a better place to live. Hundreds of Spanish Fork citizens donate thousands of volunteer hours and thousands of dollars every year for our annual production.

The city is growing and we need to be able to promote our productions to those who don't even know we are here.

Most communities along the Wasatch front allow suspended banners over their main street to promote community events like ours. Spanish Fork already

allows the Festival of Lights to post promotional signs along Highway 6 to promote that event. We feel that the Community Theater is just as worthy of the City's support.

Your full name:  
Matt Champneys  
Vice-President of Spanish Fork Community Theater Board

Your e-mail address:

Your physical or mailing address:

Spanish Fork, UT 84660

Your phone Number:

Thanks!

Matt Champneys  
Cherry Lane Keepsakes  
Customer Service & Technical Support

**Connie Swain**

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**From:** Contact [contact@spanishfork.org]  
**Sent:** Wednesday, December 01, 2004 4:18 PM  
**To:** 'Connie Swain'  
**Subject:** Request to be on agenda

-----Original Message-----

**From:** Jon Christensen [mailto:jchristensen@tmc1.biz]  
**Sent:** Wednesday, December 01, 2004 3:46 PM  
**To:** contact@spanishfork.org  
**Subject:** request to be on agenda

December 21, 2004 meeting  
Jr Miss Scholarship donations from the city  
Tricia Christensen

Let me know if you need anything else. Thanks Tricia



# SPANISH FORK CITY

## AGENDA REQUEST FORM

Date of Meeting Requested to Attend:

All forms must be completed and returned by NOON the Wednesday two weeks prior to the Council Meeting requested. (Return no later than: \_\_\_\_\_)  
Thank you.

Name Michael Nelson

Phone  
Number

Address

Please list the subject and detailed information regarding your request:

Property on 115 e. 300N. to be converted to private physicians office. Properties to the west purchased by city and business. Property to South is business (7 chair hair Salon with employees). Property to North is run down.

We want to maintain this property and keep or increase the property value of the surrounding area. There will be ample parking for what we need, on the property. There is already business traffic and parking all around this property and the surround properties.

we will operate office hours from 8-5 Mon-Fri. Quiet business with no disturbances.

we bring ~~the~~ experience into Spanish Fork and offer services not currently here. we would like to stay in Spanish Fork, however we need to move. we would like to keep this property and maintain it, thus preventing neglect that is creeping up all around.



Signature

11-24-04

Date

Request to be on City Council agenda

Date: Tuesday, December 21

Subject: Flooding in the Oakview Subdivision

In February of this year, many homes in our neighborhood flooded. Our home, with a full finished basement, was among the worst. For a period of time, we had over 100 gallons of water per hour coming into our basement. Our basement was ruined and we suffered tens of thousands of dollars worth of damages.

Over the past ten months we have gathered information from the original geotechnical report done for our area, and spoken with engineers including Steve Smith, Earthtek, Phil Gerhart, and city engineers Richard Heap and Richard Nielson. The geotechnical report we obtained from the City clearly outlines that, "Due to high groundwater conditions, construction of basements is not recommended unless an extensive drain field is installed throughout the project (Geotechnical Study, South Ridge, Phase 1, pg.2 , paragraph 1)." Furthermore, "groundwater was encountered at 3 to 25 feet below the surface depending on the location of the test hole (pg. 4 paragraph 1)." The recommendations for the extensive drain field as well as foundation drains around each individual home were not followed, and therefore, we were left with thousands of gallons of water to arrest and expel from our basement.

After nearly ten months of not being able to use half of our home, thousands of dollars, and literally hundreds of man hours, we still do not have a workable solution implemented. City engineers Richard Heap, Richard Nielson, others in the engineering department, City Attorney Junior Baker, and Mayor Barney have been helpful in meeting with us and other residents, and in employing Steve Smith and Phil Gerhart to develop a plan to solve the water problem. That plan included a foundation drain to be installed around the perimeter of my home, to be done by the home-builder. That was done in August of this year. To insure the functionality of the drain, an outlet was necessary which involved a main drain line to be repaired and extended, as the original line ended two houses away from mine. Investigation of this drain line by engineers showed the drain to be poorly constructed with high points which prohibited proper flow. This drain was supposed to be re-laid and extended by the subdivision developer, Hearthstone Development, the same company which originally put in the faulty line. For many months now, we have been hearing that Hearthstone would be repairing the drain, but we have seen no evidence toward such action. The City has worked to obtain an easement to dig on the property and, from what I understand, has provided work for Hearthstone to create a positive cash flow to fund the project. Still, we are well into winter, and I have no security that my home will not flood again as it did last year. In fact, with the projection that this coming year should be an at, if not above normal water year, the outcome may be much worse.

I seek the assistance of the council in getting this drain line installed. I am concerned as to why a sub-standard system was originally approved, and I am concerned that

Hearthstone Development continues to work in this city. I think Spanish Fork is a beautiful community with a reputation they would not want marred by allowing less than adequate construction and development. I appreciate very much the work done thus far by city employees and their professional way of handling a difficult situation. I do, however, seek further assistance in providing an impetus to get this project moving again. I believe we need to apply more pressure to insure a level of quality that cannot be compromised.

I solicit approval to address the City Council regarding this matter on Tuesday, Dec. 21. Thank you for your prompt consideration of this matter.

Sincerely,

Tami Fenn

Spanish Fork, UT 84660

## ORDINANCE NO. Z07-04

ROLL CALL

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

I MOVE this ordinance be adopted: \_\_\_\_\_

I SECOND the foregoing motion: \_\_\_\_\_

**ORDINANCE Z07-04**  
 An Ordinance Amending the Official Plat  
 of the Spanish Fork City Zoning Laws for  
**Hill Property**  
**1000 West 900 South**

WHEREAS, it is desirable to change the zones of the hereinafter described property to Low Urban Residential (R-1-12).

WHEREAS, the proposed zone change has been referred to the Planning Commission for consideration in accordance with law, and

WHEREAS, the Planning Commission has recommended that the zone change be approved; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 21st day of December, 2004, wherein comment was received and conditions to the zoning considered;

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

The following described property is hereby zoned Low Urban Residential (R-1-12). Beginning at the intersection of an existing fence line and the South line of said Section 24, which point lies 713.60 feet South 89°20'15" West from the South Quarter Corner of said Section 24, and running thence South 89°20'15" West 290.99 feet to that certain "Boundary Line Agreement (Fence Line)" recorded in Entry No. 56565:2004 in the Office of the Utah County Recorder; thence along said Boundary Line Agreement the following eight (8) courses: (1) North 58°33'27" East 12.73 feet; (2) North 02°13'08" East 540.35 feet; (3) North 02°56'00" East 885.00 feet; (4) North 03°38'00" East 201.53 feet; (5) North 08°47'00" East 177.88 feet; (6) South 61°40'00" East 140.91 feet to the point of curvature with a 400.00 foot radius curve to the right; (7) Southeasterly 65.51 feet along the arc of said curve through a central angle of 09°23'00" (chord bears South 56°58'30" East 65.44 feet); (8) South 52°16'56" East 150.83 feet; thence South 06°41'10" East 140.91 feet to a gate post; thence along an existing fence line the following four (4) courses: (1) South 26°52'05" East 39.86 feet to an angle point; (2) South 02°39'13" West 631.53 feet to an angle point; (3) South 03°32'33" East 831.15 feet to an angle point; (4) South 04°13'47" West 62.27 feet to a fence running Southwesterly; thence South 69°35'37" West 64.48 feet along said fence to the point of beginning. Contains 13.760 acres, more or less.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 21st day of December, 2004.

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DALE R. BARNEY, Mayor

ATTEST:

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KENT CLARK, City Recorder

# Spanish Fork City Council Staff Report

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|                  |                                       |                        |                   |
|------------------|---------------------------------------|------------------------|-------------------|
| <b>To:</b>       | <b>City Council</b>                   | <b>ID #</b>            | <b>Zone 04-04</b> |
| <b>From:</b>     | <b>Emil Pierson, City Planner</b>     | <b>Current Zoning</b>  | <b>R-R</b>        |
| <b>Date:</b>     | <b>December 21, 2004</b>              | <b>Proposed Zoning</b> | <b>R-1-12</b>     |
| <b>Subject:</b>  | <b>Hill North (River Cove) Rezone</b> | <b>Property Size</b>   | <b>13 acres</b>   |
| <b>Location:</b> | <b>700 South 700 West</b>             |                        |                   |

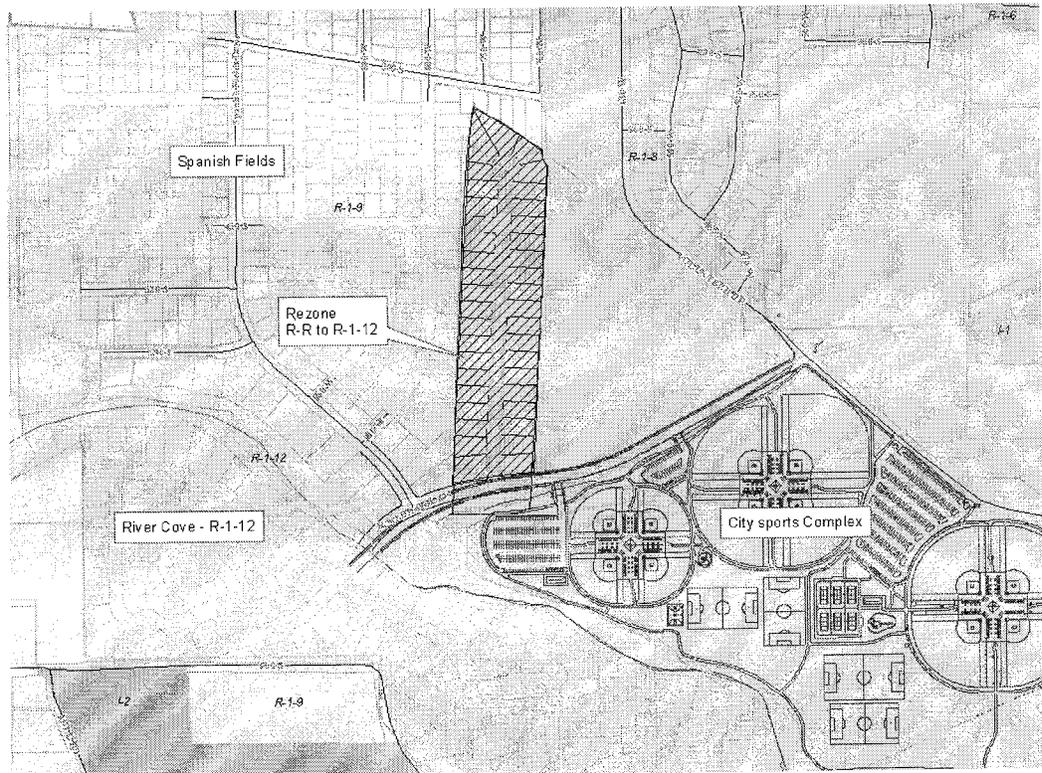
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## **BACKGROUND**

The applicant(s), Gerald Hill with Westfield Development (Richard Mendenhall), is asking for rezoning approval of approximately 13 acres from Rural Residential (R-R) to Low Urban Residential (R-1-12). If approved Westfield Development is planning to subdivide the property into a 38 single family lots and include this property as part of the River Cove subdivision. This property is shown on the General Plan as Residential 1-2.5 u/a and the zoning requested follows the Plan.

## **ANALYSIS**

The property is 13 acres in size and is currently being farmed. To the north is the Spanish Fields subdivision zoned R-1-9 to the east is the proposed grade school. West is the Spanish Field subdivision zoned R-1-9 and R-1-12. To the south is the Spanish Fork River and an area planned as park.



## **DEVELOPMENT REVIEW COMMITTEE**

The Development Review Committee reviewed this request at their November 17, 2004 meeting and recommended approval subject to the following findings.

**Finding:** The property meets the General Plan requirements for the Low Urban Residential Zone.

Conditions: None

## **PLANNING COMMISSION**

The Planning Commission reviewed this request at their December 1<sup>st</sup> meeting and recommended approval.

### **PC Minutes from December 1, 2004**

Mr. Pierson reviewed the request from Gerald Hill with Westfield Development (Richard Mendenhall). The request is to rezone approximately 13 acres from Rural Residential (R-R) to Low Urban Residential (R-1-12). If approved, Westfield Development is planning to subdivide the property into 38 single family lots and include this property as part of the River Cove Subdivision. This property is shown in the General Plan as Residential 1 to 2.5 units to the acre.

The surrounding properties are zoned R-1-9 and R-1-12 including a proposed school, a park and the Spanish Fork River. The Development Review Committee reviewed this rezone request on November 17, 2004 and recommended approval. The request needs to meet the General Plan requirements for a Low Urban Residential area. There will be a road built from Volunteer Drive to the river know as West Park Road. There will also be a connecting road to Volunteer Drive.

Commissioner Robins asked if any of the lots will be more than 1 acre in size and if those lots will have animal rights. Mr. Perkes said there is only one lot with consisting of 1 acre and animal rights may be utilized. Mr. Perkes said in addition to the building lots there is a small portion of the development consisting of .688 acres that will be donated to the city for a park. Commissioner Shaw asked if another access road is planned south of the development. Mr. Perkes reviewed the current plans for a road to the south which will connect to future development. Chairman Jensen opened the meeting for public comment.

Mr. Christensen asked how his property to the east could develop in the future. Mr. Pierson said the property to the east could be developed as a similar sized development as this 38-lot development.

Commissioner Robins made a **motion** to recommend approval of the Hill North Rezone request from Rural Residential (R-R) to Low Urban Residential (R-1-12) with the following findings:

#### **FINDINGS**

1. The property has been removed from the flood plain,
2. The rezone is consistent with the policies of the General Plan,
3. The property meets the characteristics of the neighborhood on that is surrounding properties are zoned R-1-9, R-1-12 and R-R,
4. The property is within the Growth Management Boundary.

Commissioner Shaw **seconded**, and the motion **passed** with a unanimous vote. Roll call vote: Commissioners Scott, Shaw, Bradford, Robins, Wadsworth and Chairman Jensen voted in favor of the motion.

**RECOMMENDATION**

**APPROVE**

Make a motion to **APPROVE** rezoning the property located at 700 South 700 West known as the Hill North (River Cove) Rezone from Rural Residential (R-R) to Low Urban Residential (R-1-12) with the no condition(s):

**DENY**

Make a motion to **DENY** rezoning the property located at 700 South 700 West known as the Hill North (River Cove) Rezone for the following reason(s):

**TABLE**

Make a motion to **TABLE** rezoning the property located at 700 South 700 West known as the Hill North (River Cove) Rezone for the following reason(s):

# *Spanish Fork City Council Staff Report*

|                  |  |                      |                 |
|------------------|--|----------------------|-----------------|
| <b>To:</b>       | <b>City Council</b>                        | <b>ID#</b>           |                 |
| <b>From:</b>     | <b>Emil Pierson, City Planner</b>          | <b>Zoning</b>        | <b>R-1-12</b>   |
| <b>Date:</b>     | <b>December 21, 2004</b>                   | <b>Property Size</b> | <b>13 acres</b> |
| <b>Subject:</b>  | <b>River Cove Amended Preliminary Plat</b> | <b># Lots/Units</b>  | <b>243</b>      |
| <b>Location:</b> | <b>700 West 700 South</b>                  | <b>Units/Acre</b>    | <b>2.61</b>     |

**Background**

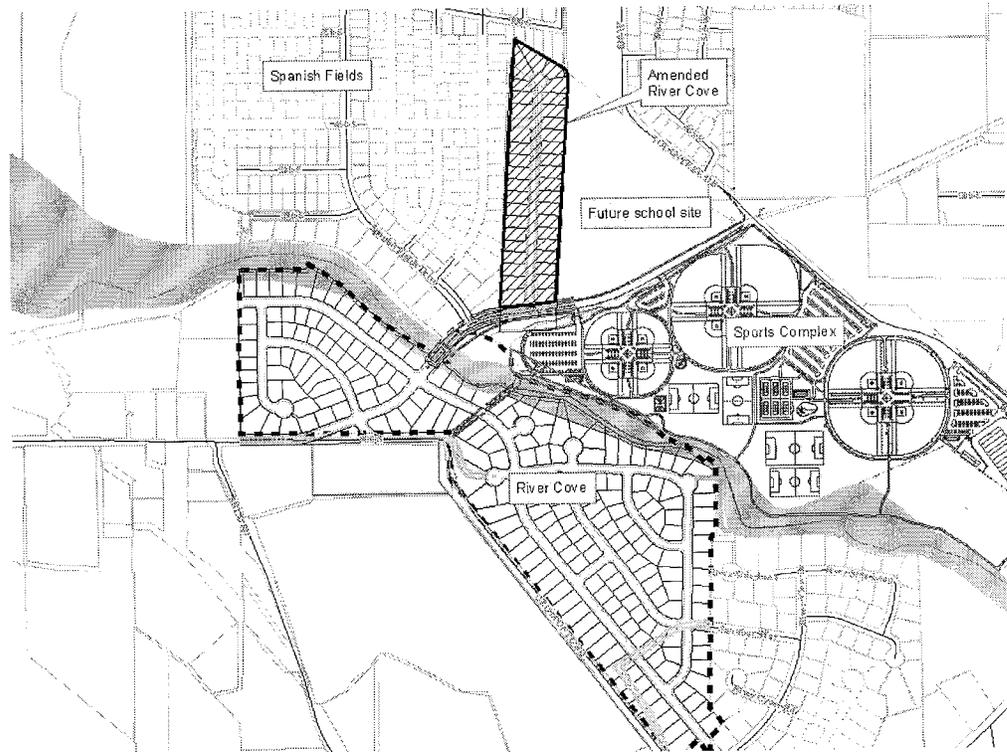
The applicant(s), Westfield Development (Richard Mendenhall), is requesting to Amend the River Cove preliminary plat approval in order to develop an additional 38 lots. The project was approved by the City Council for 205 single family lots and if this approved would bring the number of lots to 243. The property is shown in the General Plan as Residential 1-2.5 u/a. The applicant is requesting to rezone the property to R-1-12 (see earlier item).

**Analysis**

*Lot Sizes:* The single family lots range from 9,500 to 20,000 square feet with most of the lots exceeding 11,000 square feet.

*Homes:* The developer is proposing custom homes with upgraded exteriors and roof lines.

*Access:* Access into the subdivision is shown from a new road (West Park)



that would be constructed from 900 South to Volunteer Drive (Fieldstone is constructing). Another access into the subdivision will come from the west through the Spanish Fields subdivision.

*Density:* The General Plan designates this property as Residential 1-2.5 u/a. The developer is proposing this subdivision at 2.61 u/a. The developer would like this to be a part of the River Cove subdivision as part of his Master Planned Development (MPD).

*Amenities*

**(SEE MASTER PLANNED DEVELOPMENT SPREAD SHEET)**

1. 5.26 acres of open space on the north side of the Spanish Fork river be deeded to the City
2. Constructing the river trail on the north side of the river
3. Cleaning up the fallen trees on the north side of the river.
4. Construct the trail under the bridge which will require the trail to be of concrete
5. Construct the trail between lots 50 & 51 and connect to city trail and Quail Hollow trail
6. Widening the sidewalk to 6 feet coming from 900 South to the river bridge (trail)

***General Plan – Findings of Facts***

The River Cove Preliminary Plat follows and supports the General Plan by meeting the following Goals and Policies:

**Environmental Policies**

**Goal One: To manage development which is compatible with certain environmental limitations in the area.**

**Policies:**

- Severely restrict development within the 100-year flood plain of the Spanish Fork River to minimize potential damage and loss should a flood occur. Allow development in accordance with the alternate densities shown on the General Plan Map west of Main Street if areas can be removed by FEMA from the official flood plain.

**General Land Use Goals and Policies**

**Goal One: To maintain the high quality physical and social environment in Spanish Fork.**

**Policies:**

- Require new development to respect the character of the surrounding area.
- Require that all implementing ordinances (i.e., zoning and subdivision regulations) be consistent with the General Plan.
- Allow development to occur only in areas where adequate streets, public facilities, and services exist or where the developer will provide them

**Residential Policies:**

**Goal One: To provide high quality, stable residential neighborhoods.**

**Policies:**

- Encourage the creation of neighborhood or homeowners’ associations to help maintain the quality of neighborhoods.
- Design local streets in residential areas with discontinuous patterns to discourage through traffic.

**Goal Two: To provide a range of housing types and price levels in all areas of the City.**

**Policies:**

- Allow a variety of lot sizes and housing types in all “Urban Residential” areas.
- Develop an architectural theme that integrates different housing types in mixed-use projects

- Allow residential development projects that provide superior design features and amenities to be developed at the high end of the density ranges as shown on the General Plan Map.

**Goal Three: To ensure that adequate open space, buffering, and landscaped areas are provided in new developments.**

**Policies:**

- Develop an overall landscape concept for all common areas of the project including, entries, street plantings, reverse frontage streets, and park and retention areas.
- Select plant materials that are suited for their proposed use.
- Install street landscaping in significant lengths to develop the desired character and maintain continuity in the project.
- Develop parks within ½ mile of all residences.

**Transportation Goals and Policies**

**Goal One: Provide a safe, convenient, and efficient system for transporting both people and goods.**

**Policies:**

- Develop intersections to obtain Level of Service C or better during peak-hour traffic periods. Reduce the intensity of proposed projects or require traffic improvements to maintain or achieve Level of Service C or better.
- Require new developments to have or to develop appropriate access for the intensity of the development.
- Obtain needed street rights-of-way through property dedication when subdivisions, conditional use permits, rezonings, or design review plans are approved.
- Base street system planning on traffic generated from planned uses. Changes in planned uses are to be accompanied by an analysis of traffic impacts created by those land use changes and what improvements are needed to deal with these impacts.
- Design sidewalks along new streets to be set back from the traveled roadway, thereby providing a safer walking area.
- Design local residential streets with discontinuous patterns to discourage through traffic.
- Discourage partial width streets (half streets) for new, local streets.

**Goal Two: Provide pleasant, safe, and functional non-motorized transportation routes.**

**Policies:**

- Prepare a more extensive bikeway and trails plan that identifies which parts of the system should be paths, routes, or lanes, and what types of non-motorized transportation should occur in each area. Develop detailed design guidelines for each component of the system.
- Require pedestrian walkways between sidewalks along public streets and developments adjacent to those streets. Pedestrians should not have to use driveways or parking lots as the only access points to buildings.

***DEVELOPMENT REVIEW COMMITTEE***

The Development Review Committee reviewed this request at their November 17, 2004 meetings and recommended approval subject to the following conditions:

1. Meet all of the Construction and Development Standards, including the American's With Disability Act requirement for the sidewalks and the conduit size and wiring requirements for meter reading,
2. Meet all prior conditions,
3. Density calculations allow for 242 number of units, but not to exceed 205 buildable total units unless additional sewer capacity credits are acquired,
4. Pay for half of the road known as West Park Drive,
5. The final plat on the North section cannot be recorded until the title issues are resolved.

**ORIGINAL CONDITIONS FOR THE PRELIMINARY PLAT AS PER CITY COUNCIL  
(June 22, 2004)**

1. Install improvements along Del Monte Road with the exception of the sidewalk,
2. Receive approval from the Engineering Department prior to any excavation of hill areas,
3. Provide a flood plain update and a wetlands report to the city,
4. The developer is to bond for a 14-foot asphalt pedestrian access between lots 50 and 51 connecting to the city trail upon the development of 50 percent of the lots,
5. Provide the city with a copy of the covenants, codes and restrictions (CC&R's) for the development to the city,
6. The developer is to sign off on all house plans in the subdivision,
7. Provide the city with a title report for all of the property and work out all boundary issues,
8. Meet all of the construction and development standards,
9. The developer of the Butlers' property is to participate in the cost of constructing a pedestrian/vehicle bridge over the Spanish Fork River to the percent indicated by an updated traffic study,
10. Construct the River Cove Project as per the preliminary plan document contained in the packet,
11. The developer is to provide an engineering study of the stability of the existing river rip rap,
12. Construct no duplicate homes within 120 feet of another,
13. Receive approval of the electrical design for the development from Jeff Foster of the Electrical Department,
14. Construct T-driveways on the lots from Volunteer Drive to 900 South and T-driveways are strongly recommended for side entry garages on homes located on corner lots, especially on 66-foot rights-of-way,
15. Construct no more than 205 units in the development,
16. Pipe or eliminate all irrigation ditches in the development and provide a letter of approval from the irrigation company,
17. Provide a 20-foot access easement along the south side of the river for maintenance purposes,
18. Receive points according to the attached and approved density bonus matrix,
19. Deed all open space areas to the city as part of the first plat,
20. Re-vegetate any graded hillsides,
21. Install the feeder power line from the hill at lot 1 and follow along River Ridge Lane,
22. Locate post office boxes as directed by the US Post Office,
23. Construct a 10-foot pedestrian and equestrian trail on the north side of the river according to the Spanish Fork City Standards,
24. Remove only the trees as determined by the Shade Tree Commission from the park area on the north side of the river, to be removed at the developer's expense,
25. The developer is to pay the cost of connecting the trail through the park area on the north side of the river as well as constructing the trail under the proposed bridge,
26. Provide a right-of-way description to the City Engineering Department prior to the City Council meeting for the River Bridge Roadway,
27. Receive signatures from property owners on a disclosure acknowledging that the area has flooded in the past and the city is held harmless of any flood damage and the wording for the disclosure is to be determined by the developer and the city attorney,
28. Meet the single family home size requirements according to the R-1-12 zoning (1,400 square feet on ramblers and 1,000 square feet on main level for 2-story homes),
29. Build the homes with high quality materials, with at least a 5/12 roof pitch, landscaping within one year, and masonry on front elevations as stated in the CC&R's,
30. Install a 6-foot fence along the west side of the development using material aesthetically pleasing to the property,
31. Construct the river bridge within six months of the completion of the road from Volunteer Drive to the river and provide bonding with phase one of the development,
32. Require all construction traffic to travel on Del Monte Road,
33. Return to the city council with any areas requiring less than a 25-foot rear yard setback.

## PLANNING COMMISSION

The Planning Commission reviewed this request to amend the River Cove Preliminary Plat at their December 21<sup>st</sup> meeting and recommended approval.

### PC minutes from December 21, 2004

Mr. Pierson said this is a request by Richard Mendenhall of Westfield Development to amend the River Cove preliminary plat to include and develop an additional 38 lots. The River Cove project was approved by the City Council for 205 single family lots. If the amended preliminary plat is approved, it will increase the development to 243 lots. The zoning matrix for River Cove included up to 245 units. The lots in the development will range from 9,500 to 20,000 square feet. The Development Review Committee reviewed this amended preliminary plat and recommended approval with 5 conditions. The sewer capacity needed will be taken from other approved development rights. They will not exceed the sewer capacity.

*7:20 p.m. - Dee Rosenbaum arrived.*

Chairman Jensen asked concerning the 22 sewer credits acquired. Mr. Schmidt reviewed the adjustments made to acquire the sewer credits needed. Gerald Hill provided 19 of the sewer credits and Jim Biesinger provided 3. Chairman Jensen asked what is the result on Biesinger and Hill and if they pass on developing their properties.

Mr. Pierson reviewed the process and results of transferring development rights. The property owned by Jim Biesinger and Gerald Hill cannot be developed until they again acquire available development rights. Mr. Pierson also reviewed the location of the trail and the trail bridge crossing the river.

Mr. Perkes said the issue of the bridge location is still being discussed. They want to determine the best location for the bridge to service the resident's needs without requiring an extensive bridge span. Commissioner Robins asked which irrigation ditches are to be piped and remain in use. Mr. Perkes said only one ditch will be piped and remain in use and he reviewed the ditch location. Commissioner Robins asked for the elevations and expressed concerns with possible ditch flooding. Mr. Perkes said the road will be cut down into the area and some fill will be brought in to elevate the building lots. The piped ditch will be on the opposite side of the road and the road will provide a barrier against flooding.

*7:40 p.m. - Christine Johnson arrived.*

Commissioner Scott said only he and one other property owner use the irrigation ditch. There will be limited use of 2 or 3 hours every 21 days. He would like to see the pressurized irrigation system in the area and the ditch abandoned. Commissioner Shaw asked if the developer where unable to get the remaining 16 sewer credits needed, which area would not be developed. Mr. Perkes said the southern area of River Cove would not develop if the sewer credits are not acquired. If they only lack 2 or 3 credits, they will mostly likely restructure and eliminate a few lots and make other lots larger. Commissioner Shaw asked if it is a total of 243 lots to be developed in the River Cove Subdivision. Mr. Perkes concurred.

Mr. Pierson said one lot is open space.

Commissioner Shaw made **motion** to give a positive recommendation for the River Cove Amended Preliminary Plat with the following conditions:

1. Meet all of the Construction and Development Standards, including the American's With Disability Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading,
2. Meet all prior conditions.
3. Follow the density calculations allowing for 242 units, but not to exceed 205 buildable total units unless additional sewer capacity credits are acquired,
4. Pay for 1/2 of the West Park Drive, (this condition was amended by the next motion)

5. The final plat on the north section of the property cannot be recorded until the title issues are resolved.

Commissioner Scott **seconded**, and the motion **passed** with a unanimous vote. Roll call vote: Commissioners Scott, Shaw, Bradford, Robins, Wadsworth and Chairman Jensen voted in favor of the motion.

Mr. Perkes asked for clarification concerning the portion of the West Park Drive they are to pay for.

Commissioner Shaw amended the motion relating to the following condition:

4. Pay for 1/2 of West Park Drive for the portion which borders this development.

Commissioner Bradford **seconded**, and the motion **passed** with a unanimous vote. Roll call vote: Commissioners Scott, Shaw, Bradford, Robins, Wadsworth and Chairman Jensen voted in favor of the motion.

## **RECOMMENDATION**

### ***Approve***

Make the motion to Approve the River Cove Amended Preliminary Plat located at 700 South 700 West subject to the following condition(s):

1. Meet all of the Construction and Development Standards, including the American's With Disability Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading,
2. Meet all prior conditions.
3. Follow the density calculations allowing for 242 units, but not to exceed 205 buildable total units unless additional sewer capacity credits are acquired,
4. Pay for 1/2 of West Park Drive for the portion which borders this development.
5. The final plat on the north section of the property cannot be recorded until the title issues are resolved.

### ***Deny***

Make the motion to **DENY** the River Cove Preliminary Plat located at 700 South 700 West for the follow reason(s):

### ***Table***

Make the motion to **TABLE** the River Cove Preliminary Plat located at 700 South 700 West for the follow reason(s):



# **SPECIAL EVENTS POLICY**

## **PURPOSE**

The purpose of this policy is to designate those public facilities where special events may take place, impose appropriate conditions, establish a fee, and establish a permitting process in order to protect the health, safety, and welfare of the residents of the City.

## **DEFINITION**

A special event is defined as a non-city sponsored event which uses City owned facilities in order to accommodate the expected number of participants/spectators. An event which requires additional accommodations, whether or not supplied by the City, such as tents, temporary buildings, etc. is considered a special event. Examples are dances, concerts, company parties, large church gatherings, and similar events. A special event is not a private social gathering (family reunion etc.) which uses a public park, pavilion or other facility at or below its posted occupancy level. An event which anticipates attendance of 200 or more persons will generally be considered a special event.

## **FACILITIES**

Special events which include concerts, dances, or which involve the presence of animals are limited to those facilities located at the Fairgrounds.

## **APPLICATION PROCESS**

A special events application shall be fully completed and submitted to the Parks and Recreation Department at least 30 days prior to the scheduled event. Each

application will be reviewed by each appropriate city department. Each involved department may impose appropriate conditions and requirements to protect the health, safety, and welfare of the public.

## **CONDITIONS**

Conditions imposed may include, but are not limited to, the following:

- A. Conditions relating to safety such as :
  - 1. Emergency vehicle access;
  - 2. Fire protection;
  - 3. Use of barricades, cones, no parking signs etc.;
  - 4. Internal security, crowd control;
  - 5. Lighting, special electrical needs;
  - 6. Traffic and parking regulations, and safety;
  - 7. Other public safety issues.
  
- B. Conditions relating to health and sanitation such as:
  - 1. First aid supplies and assistance;
  - 2. Emergency medical services, including ambulance and minimum number of medical personnel;
  - 3. Trash containers;
  - 4. Toilet and sanitary facilities;
  - 5. Minimum number of police officers, security officers, and other concerns of public safety;
  - 6. A security plan to be approved by the Public Safety Director/designee;
  - 7. A Requirement to provide supervisors of at least 21 years of age as determined by the Public Safety Director/designee;
  - 8. Other health and safety issues.
  
- C. Conditions relating to the environmental concerns such as:
  - 1. Mitigation, control, elimination, or prevention of odors, noise, lights, or similar concerns.
  
- D. Conditions relating to risk management such as:
  - 1. Proof of workers compensation coverage;
  - 2. Indemnification agreement;

3. Safety/loss control precautions;
4. Other risk management issues.

## **INSURANCE**

Liability insurance, with minimum limits of \$1,000,000.00 per occurrence, shall be provided by the applicant of the following types of special events. The City, its officials, officers, employees, and agents shall be named as additional insureds:

1. Concerts;
2. Dances;
3. Events involving animals;
4. Events when the applicant brings its own equipment such as trampolines, rides, games, etc.;
5. Carnivals;
6. Other events as determined on a case by case basis by the Parks and Recreation Director to protect the health, safety, and welfare of the City or its residents.

## **FEE**

The applicant shall pay a rental fee, due with the application, as established by the City.

An additional fee shall be paid if an ambulance and emergency medical technicians are needed, if police officers are needed, if barricades are needed, if special lighting and/or electrical work is needed, or if other goods/services are needed and are to be supplied by City. Additional fees are due a minimum of seven days prior to the event. Fees for special lighting, electrical work, or for other goods/services must be paid prior to the commencement of the work for the special needs. These fees shall be assessed to applicant based on City's actual cost.

## **DEPOSIT**

In addition to the fee imposed, a deposit in an amount established by the City is

also required to be paid, at the time of application. If the premises are returned without damage, in as good of a condition as when obtained, clean, all conditions having been met, and no City crew or police assistance has been requested or dispatched to keep the peace, enforce the criminal laws, or respond to conditions caused by the event, or by the applicant/attendees/participants, the deposit shall be returned.

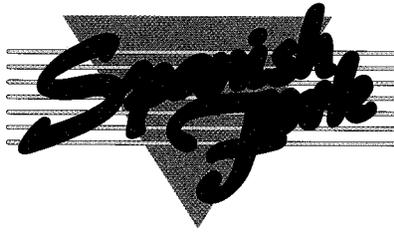
### **PROHIBITIONS**

No alcohol nor tobacco, in any form, may be possessed nor consumed at City facilities during special events. No lighted candles, flammable materials, explosives, or fireworks may be brought into nor used in any city indoor facilities. Applicant shall be required to comply with and obey all laws, rules, regulations, and ordinances, whether Federal, State, or City, including the City noise ordinance.

Occupancy limits for the Facilities used must be obeyed.

Drinking water for the event is to be supplied by the applicant, if not present at the facility.

Concessions require a City Business License and Utah State Sales Tax Certificate and number. Food concessions also require a Food Handlers Permit, issued by the Utah County Health Department, in addition to the other permits.



To: Mayor and City Council  
From: Seth Perrins, Assistant City Manager  
Date: December 6, 2004  
RE: BILLBOARD RFP

We have completed the competitive proposal process for our 3 bulletin boards along the Interstate and Highway 6. We received two bids from area companies and I have summarized them below. It is our recommendation that we enter into an agreement with Simmons Outdoor Media.

### **Simmons Outdoor Media**

#### Option #1

- 25% Advertising revenue paid to the City or trade for discounted radio spots for City functions on any of their 4 radio stations
- \$150 for Vinyl changes per occurrence (done within 3 days of request)
- \$0.60 / sq. foot for vinyl production
- No storage fees for unused Vinyls

OR

#### Option #2

- No revenue to the City
- No fee for Vinyl changes (done within 3 business days of request)
- \$0.60 / sq. foot for vinyl production
- No storage fees for unused Vinyls

Simmons estimates the monthly revenue to be \$600 for the South face of the sign North of Spanish Fork and our portion of the fee (under option 1) would equal \$1,800. Likewise, if we were to change our 3 signs four times a year, we would pay Simmons \$1,800. A benefit could be had if the monthly fee were more than the estimated \$600, otherwise, Option 2 would be easier to administer.

### **Evans Grader and Paving, Inc**

- \$1,500 to the City for sign lease or 25% of gross revenue (vinyl replacement fee may be exchanged for payment to City)
- \$250 existing vinyl replacement (done with 2 weeks notice)
- \$1695 to create and hang a new vinyl sign
- 10 year contract

**ORDINANCE NO. 16-04**

ROLL CALL

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

I MOVE this ordinance be adopted: \_\_\_\_\_  
SECOND the foregoing motion: \_\_\_\_\_

**ORDINANCE NO. 16-04**  
**ORDINANCE AUTHORIZING TELECOMMUNICATIONS MEETINGS**

WHEREAS, Spanish Fork City is a public entity subject to the Utah Open and Public Meetings Act; and

WHEREAS, the Act provides for electronic meetings by following the requirements of Utah Code Annotated §52-4-7.8 (1953 as amended); and

WHEREAS, Spanish Fork City has the capability to hold meetings using telecommunications technologies; and

WHEREAS, it is in the best interest of the City to allow telecommunications meetings when a council member or staff is out of town, ill, or otherwise able to attend at the regular location; and

WHEREAS, the telecommunications industry is changing rapidly, with technological

advances, which advances Spanish Fork City should take advantage of without the necessity of amending this ordinance with each technological advance;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork Municipal Code §2.08.035 Telecommunications Meetings is hereby created as follows:

**2.08.035 Telecommunications Meetings.**

A. DEFINITIONS

As used herein, the following terms shall have the following meanings:

ANCHOR LOCATION means Spanish Fork City offices, or such other place where a public meeting is held, as established by law;

CITY means Spanish Fork City;

COUNCIL means the Spanish Fork City Council;

MEMBER means an individual who serves either on the Council or as staff of City;

REAL TIME: means instantaneous communications such as speaking face to face, without undue delays, hearing and/or seeing what is being said or done;

REMOTE LOCATION: means any place other than the anchor location, where a Member is at who participates in a telecommunications meeting;

TELECOMMUNICATIONS MEETING means a formal meeting of the City where one or more Members participates from a remote location via-telephone, internet, television, or other telecommunication means now known or yet to be developed.

B. TELECOMMUNICATIONS MEETINGS AUTHORIZED

- i. Members may participate in meetings via telecommunications media.
- ii. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.
- iii. Members who desire to participate in a meeting of the City via telecommunications should notify the City of their intent at least one week in advance of the meeting so that appropriate arrangements can be made to conduct the meeting via telecommunications. The one week notice may be waived by the City in the event of emergency conditions which preclude the ability to give one weeks notice.
- iv. Any member(s) participating from remote locations shall make contact with the City 15 minutes prior to the start of the meeting to ensure the equipment to be used is in proper working order.

#### C. NOTICES

- i. Notices of meetings are to be given in the manner and within the time frame set forth by law.
- ii. Public notices, to the extent applicable, are to be given according to law, listing the anchor location as the site of the meeting.

#### D. QUORUM

- i. Members participating via telecommunications are to be considered present for purposes of establishing a quorum, as defined by law.
- ii. In the event of failure of equipment, or other factor, which causes a lack of communications with a member(s) causing lack of a quorum, no additional business may be conducted until the quorum can be reconstituted. Continuances may be granted as set forth by law. Business already conducted remains valid and binding.

## E. LOCATION

i. Whenever a meeting is to be held with a member(s) via telecommunications, the anchor location, identified in all notices, shall be the City offices, 40 South Main Spanish Fork, Utah or such other location as determined by the Council in accordance with law.

ii. Public participation is limited to the anchor location.

iii. Members participating via telecommunications may do so from any location where access can be had and the criteria of this section met.

## F. METHOD

i. Any telecommunications method now known or hereafter developed may be used to conduct a telecommunications meeting, so long as the criteria set forth herein can be met.

ii. All persons at the anchor location shall be required to have real time video and/or audio contact with member(s) participating from remote locations, so as to know the entire discussion and deliberations of the Council.

iii. Members participating from remote locations shall have the obligation to use appropriate equipment or take other precautions to eliminate static or other disturbances to the orderly conduct of the meeting.

iv. If available, and not cost prohibitive, an audio and video feed is the preferred method of conducting a telecommunications meeting.

## G. COSTS

i. The City may elect to pay the costs of a telecommunications meeting.

ii. If the City is paying the costs, it may make the arrangements and initiate the contact in order to conduct the meeting.

## II.



## CONTRACT

COME NOW, Spanish Fork City (City) and Hearthstone Development, Inc (Hearthstone) and hereby agree as follows:

### RECITALS

1. Hearthstone owes city \$70, 000.00 for park open space converted into building lots used by Hearthstone.
2. Hearthstone needs to replace a faulty storm drain line in the Spanish Oaks Subdivision and has contracted with an excavator to do the work for the sum of \$30, 000.00.
3. The City has an interest in replacing the faulty drain line to protect its citizens from flooding.
4. Hearthstone has been and is currently unable to make the payments identified in paragraphs one and two until it can sell all or a portion of one of its current projects, which negotiations are underway.

NOW THEREFORE, the parties hereby contract, covenant, and agree as follows:

1. City will pay, as the work is completed and invoices become due, the excavator for replacing the faulty drain line.
2. Hearthstone will pay to City the actual amount of the cost to replace the storm drain line, estimated at \$30, 000.00, plus the additional \$70,000.00 previously owed to City, for a total estimated sum of \$100, 000.00.
3. Hearthstone will make the payment due to City on the earlier of the sale of all or part of its project known as Whispering Willow, or June 1, 2005. In the event a sale occurs first, payment is due fifteen days after closing.
4. If the payments are not made when due, interest shall accrue at the rate of 12% per annum.
5. Hearthstone shall secure this obligation with a trust deed in favor of City against the Whispering Willow project.
6. In the event of default, the non-defaulting party shall be entitled to recover reasonable attorneys fees.

7. This contract represents the entire agreement between the parties and supersedes all prior agreements, understandings, or negotiations related to the subject matter hereof.

8. This contract is binding on the heirs, successors, and assigns of the parties hereto.

DATED this \_\_\_\_ day of December, 2004.

SPANISH FORK CITY

By: \_\_\_\_\_  
DALE R. BARNEY,  
MAYOR

ATTEST:

\_\_\_\_\_  
KENT R. CLARK,  
RECORDER

HEARTHSTONE DEVELOPMENT INC.

By: \_\_\_\_\_  
DAVID OLSEN  
PRESIDENT

LAW OFFICES OF  
**WILLIAMS & HUNT**  
A PROFESSIONAL CORPORATION

257 EAST 200 SOUTH, SUITE 500  
P.O. BOX 45678  
SALT LAKE CITY, UTAH 84145-5678

JODY K BURNETT

TELEPHONE (801) 521-5678  
FAX (801) 364-4500  
E-MAIL [jburnett@wilhunt.com](mailto:jburnett@wilhunt.com)

December 7, 2004

Junior Baker  
Spanish Fork City Attorney  
40 S. Main  
Spanish Fork, UT 84660

J. Craig Smith  
Benjamin T. Wilson  
Smith Hartvigsen  
215 S. State Street #650  
Salt Lake City, UT 84111

Re: *Possible Mediation of Parkside Estates Development Agreement Dispute*  
Our File No. 1161.0001

Gentlemen:

This letter will acknowledge my recent telephone conversation with Junior Baker requesting that I serve as a mediator in trying to resolve a dispute between the developer of the Parkside Estates Project and Spanish Fork City.

As a preliminary matter, all parties should be aware that I discussed these issues briefly with Junior Baker a few weeks ago. If either party is uncomfortable having me participate based on that limited historical involvement, please let me know immediately.

Otherwise, I would be willing to act as a mediator and would suggest we consider the dates of January 12, 13 or 14, 2005 for such a proceeding. Please let me know your respective availability for those dates. My hourly rate for this service is \$250 per hour. In my experience, it is customary for such fees in a mediation context to be jointly shared on an equal basis by both parties.

You are all as experienced as I am in these matters, but your respective clients should understand that as a mediator I would not be representing any of them nor giving them legal advice. The parties will be represented by their own counsel in connection with the mediation proceedings. The parties would further agree that the mediation sessions are settlement negotiations which are inadmissible, to the extent allowed by law, in any

future litigation or arbitration of their dispute. The parties agree not to subpoena or otherwise require me as the mediator to testify or produce settlement memoranda, records, notes, or other information in any future proceedings.

To assist me in preparing for the mediation of this dispute, I request that the parties submit a mediation position statement and copies of any exhibits they believe are necessary to assist me in understanding and evaluating their respective positions. I will assume all such mediation briefs are confidential unless otherwise advised. I request that the briefs be submitted to me a least one full week in advance of the date of the mediation in order to give me adequate time to prepare.

It should also understood that the attorneys are expected to bring their clients and/or individuals with settlement authority to the mediation.

If these arrangements are acceptable, please sign and return a copy to me. Please do not hesitate to give me a call if you have any questions.

Very truly yours,

WILLIAMS & HUNT

  
Jody K Burnett

JKB/bap

Dated: \_\_\_\_\_

\_\_\_\_\_  
Junior Baker  
Spanish Fork City Attorney

Dated: \_\_\_\_\_

\_\_\_\_\_  
J. Craig Smith/Benjamin T. Wilson

# GILBERT & STEWART

CERTIFIED PUBLIC ACCOUNTANTS  
A PROFESSIONAL CORPORATION

RANDEL A HEATON, C.P.A.  
LYNN A. GILBERT, C.P.A.  
JAMES A. GILBERT, C.P.A.  
BEN H PROBST, C.P.A.

SIDNEY S. GILBERT, C.P.A.  
JAMES E. STEWART, C.P.A.

190 WEST 800 NORTH  
SUITE 100  
PROVO, UTAH 84601  
TELEPHONE (801) 377-5300  
FAX (801) 373-5622

November 29, 2004

Honorable Mayor and City Council  
Spanish Fork City  
Spanish Fork, UT

We have completed our audit of the general purpose financial statements of Spanish Fork City for the year ended June 30, 2004 and have issued our report thereon dated November 29, 2004. We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. The financial statements are the responsibility of the City's management. Our responsibility is to express an opinion on those statements based on our audit.

The following are items noted during our audit that are required to be reported to you:

## Utah State Compliance Findings - Current Year

### 04-1 General Compliance - General Fund Balance

**Finding:** Utah State Law requires that the maximum fund balance in the general fund not exceed 18% of the estimated revenues of the general fund. The City's general fund balance exceeded the 18% requirement.

**Recommendation:** We recommend the City make budgetary adjustments to bring the general fund balance into compliance with state law.

**City's Response:** We concur with the finding and have adjusted the budget accordingly. We would like to note that some projects budgeted in 2004 were incomplete or had not yet started as budgeted. We will continue to work toward being in compliance.

### 04-2 General Compliance - Cash Management

**Finding:** Utah State Law requires every public treasurer to secure a fidelity bond based on the previous year's budget gross revenue in the amount under rule 4 of the Utah Money Management Council. (Utah Code 51-7-15 and Rule 4 of the Utah Money Management Council). We noted that the treasurer bond amount was for \$1,200,000. However, based upon the prior year budgeted revenue, the amount should be approximately \$1,300,000.

**Recommendation:** We recommend the City to maintain the bond amount to reflect 3 percent of prior years's budgeted revenue.

**City's Response:** We concur with the finding. However we would like to note that the 2003 budgeted revenue showed a large one time revenue item received from a grant that was recognized in the 2003 fiscal year end. We feel that this occurrence was a one time event.

Utah State Compliance Findings - *Prior Year*

03-1 **General Compliance - General Fund Balance**

**Finding:** Utah State Law requires that the maximum fund balance in the general fund not exceed 18% of the estimated revenues of the general fund. The City's general fund balance exceeded the 18% requirement.

**Status of Prior Year Finding:** See Current Year 04-1

We wish to express our appreciation to the City personnel for the friendly and enthusiastic help extended to us during the course of the examination. They were very helpful in locating records and documentation during our audit. If you have any questions regarding this letter or the audit report please call.

Sincerely,



GILBERT & STEWART

*Certified Public Accountants*

**APPLICATION FOR FEDERAL ASSISTANCE**

|  |  |                                    |                              |
|--|--|------------------------------------|------------------------------|
| 1. TYPE OF SUBMISSION:<br>Application<br><input checked="" type="checkbox"/> Construction<br><input type="checkbox"/> Non-Construction |  | 2. DATE SUBMITTED                  | Applicant Identifier         |
| Preapplication<br><input type="checkbox"/> Construction<br><input type="checkbox"/> Non-Construction                                   |  | 3. DATE RECEIVED BY STATE          | State Application Identifier |
|  |  | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier           |

**5. APPLICANT INFORMATION**

|  |  |
|--|--|
| Legal Name:<br><b>Spanish Fork City – Springville City</b> | <b>Organizational Unit: Respective City Councils</b>   |
| Organizational DUNS: <b>80-222-8304</b>                    | Department:  |
| Address:<br>Street: <b>405 S. Main</b>                     | Name and telephone number of person to be contacted on matters involving this application (give area code)<br>Prefix: <b>Mr.</b> First Name: <b>Cris</b> |
| City: <b>Spanish Fork</b>                                  | Middle Name: <b>n/a</b>  |
| County: <b>Utah County</b>                                 | Last Name: <b>Child</b>  |
| State: <b>UT</b> Zip Code: <b>84660</b>                    | Suffix: <b>n/a</b>   |
| Country: <b>USA</b>  | Email:   |

**6. EMPLOYER IDENTIFICATION NUMBER (EIN):**

|                     |   |   |
|---------------------|---|---|
| 2 0 - 1 9 2 8 2 9 7 | Phone number (give area code):<br><b>801-420-8888</b> | FAX number (give area code):<br><b>801-798-5005</b> |
|---------------------|---|---|

|   |   |
|---|---|
| 8. TYPE OF APPLICATION:<br><input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision<br>If Revision, enter appropriate letter(s) in box(es):<br>(See back of form for description of letters) | 7. TYPE OF APPLICANT: (See back of form for Application Types)<br><b>C</b><br>Other (specify) |
|---|---|

|  |  |
|--|--|
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER<br>2 0 - 1 0 6<br>TITLE: <b>Airport Improvement Program</b>                              | 9. NAME OF FEDERAL AGENCY<br><b>FAA-Denver ADO</b>   |
| 12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):<br><b>Cities of Spanish Fork and Springerville, UT<br/>Utah County, UT</b> | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:<br><b>1. Environmental Mitigation (Wetlands)</b> |

|  |   |
|--|---|
| 13. PROPOSED PROJECT<br>Start Date: <b>3/1/05</b> Ending Date: <b>9/1/05</b> | 14. CONGRESSIONAL DISTRICTS OF<br>a. Applicant: <b>1</b> b. Project: <b>1</b> |
|--|---|

|                                  |  |
|----------------------------------|--|
| 15. ESTIMATED FUNDING            | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS  |
| a. Federal \$ <b>650,000.00</b>  | a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON |
| b. Applicant \$ <b>17,105.00</b> | DATE:  |
| c. State \$ <b>17,105.00</b>     | b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372   |
| d. Local \$ <b>.00</b>           | <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW  |
| e. Other \$ <b>.00</b>           |  |
| f. Program income \$ <b>.00</b>  |  |
| g. TOTAL \$ <b>684,210.00</b>    |  |

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?  
 Yes If "Yes" attach an explanation  No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

|  |  |
|--|--|
| a. Authorized Representative<br>Prefix <b>Mr./Mr.</b> First Name <b>Dale/E.</b> Middle Name <b>R./Fritz</b>      |  |
| Last Name <b>Barney/Boyer</b> Suffix <b>n/a</b>  |  |
| b. Title <b>Mayor-Spanish Fork/Mayor-Springville</b> c. Telephone number (give area code)<br><b>801-798-5000</b> |  |
| d. Signature of Authorized Representative e. Date Signed <b>12/15/04</b>   |  |