

**Adopted Minutes
Spanish Fork City Council Meeting
July 20, 2004**

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

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Matthew D. Barber, Paul M. Christensen, Everett Kelepolo, Seth V. Sorensen, and Chris C. Wadsworth.

Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard Nielson, Assistant Public Works Director; Emil Pierson, Planning Director; Kent Clark, Finance Director; Dave Peay, Utility Technician; Cade Harding, Police Officer; Tony Lunceford, Police Officer; Justin Gordon, Police Officer, Zack Adams, Police Officer; Blake Nielsen, Police Officer, Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, Robert Pittelli, April Porter, Kelly Porter, Barbara Nielsen, Jori Nielsen, Roy Johns, Don Barney, Nadine Barney, James C. Biesinger, Gayla Muir, and Norman Smith.

Minutes

Councilmember Barber made a **motion** to approve the minutes of the June 8, 2004 city council meeting with changes as noted. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Kelepolo made a **motion** to approve the minutes of the June 15, 2004 city council meeting with changes as noted. Councilmember Barber **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Fiesta Day Rodeo Queen and Attendants

The Fiesta Days Rodeo Queen and attendants introduced themselves and invited everyone to attend the Fiesta Days Rodeo on July 21, 22, 23, and 24. Calli Jo Ashita of Pleasant Grove is the Rodeo Queen, and Micki Music of Spanish Fork and Josey Carter of Levan are the Rodeo Royalty Attendants.

Councilmember Wadsworth congratulated the Rodeo Royalty.

Mayor Barney thanked the Fiesta Days Rodeo Royalty and a round of applause was given.

Agenda Request - Retired Senior Volunteer Program Update

Norman Smith reviewed the progress of the Retired Senior Volunteer Program from March 2003

to March 2004. There were 134 senior volunteers which provided the city with 17,475 hours of service. They provide service to many different areas of the city and to the school district in their reading program.

Mayor Bamey thanked Mr. Smith and the senior volunteers for their time and effort.

Agenda Request - Preliminary Plat Extension (Desert Storm Subdivision)

Mr. Pierson reviewed the request by Jim Biesinger. He said last year the Preliminary Plat for the Desert Storm Subdivision was approved by the city council. The subdivision consists of nine lots and is located at 800 North Highway 51. In the last year Mr. Biesinger went through the process and determined the cost of the improvements for the subdivision. He requested a six-month extension of the Preliminary Plat. There were no prior extensions granted for this subdivision.

Councilmember Kelepolo said he visited the site today. He asked Mr. Pierson concerning the completion of the connecting road.

Mr. Pierson said the improvements to the access road will occur at a later time.

Mr. Biesinger said the improvements for the access road will be completed in phase two of the development.

Mr. Nielson reviewed the temporary design for the access road until the improvements are made.

Mr. Pierson said Mr. Biesinger would also like to transfer a portion of his development rights to Randall Harward to allow Mr. Harward to complete his development. Mr. Pierson said the transfer will have no effect on the capacity available since the same number of units will exist, only the location will change.

Councilmember Wadsworth asked for the location of the Harward development.

Mr. Pierson said the Harward property is located at 1240 East and 1230 South. Once Mr. Biesinger transfers the development rights he will not be allowed to complete his development until the utility restriction is lifted.

Mayor Barney asked if another type of development was previously approved for the Biesinger property.

Mr. Pierson said a senior housing unit was previously approved and was found not to be financially feasible. Mr. Biesinger determined a residential subdivision was more feasible.

Mr. Biesinger said when the moratorium is lifted he will develop the remainder of his property.

Councilmember Kelepolo made a **motion** to approve the request by Jim Biesinger to grant a six-month extension of the Desert Storm Preliminary Plat. Councilmember Christensen **seconded**,

and the motion **passed** with a unanimous vote. A roll call vote was taken and the unanimous vote was confirmed.

Employee Retirement Recognition - Blake Nielsen

Mayor Barney recognized Blake Nielsen for 26 years of service to the city before his recent retirement.

Mr. Nielsen said he is glad he made it. He thanked Spanish Fork City and said it is a good place to work.

Mayor Barney presented Mr. Nielsen with a certificate of appreciation and a round of applause was given.

Employee of the Second Quarter

Councilmember Kelepolo made a **motion** to table this item. Councilmember Sorensen **seconded** and the motion **passed** unanimously.

New Employee Introduction

Mayor Barney introduced Zachary Adams, Justin Gordon, Tony Lunceford, and Cade Harding as new members of the Spanish Fork Police Department.

Mr. Adams said he was raised in Elk Ridge, has been married to Stacy Smith for 4.5 years and has one daughter. He said he always wanted to be in law enforcement and work for Spanish Fork City.

Mr. Gordon said he grew up in Lakeshore. He married Brittney Geslison and he has one six-month-old child. He just graduated from the Police Academy and he wants a career with Spanish Fork City.

Mr. Lunceford said he has five years experience working as a police officer for Mapleton City. He was raised in Springville and always wanted to work for Spanish Fork City. He has been married for thirteen years, has three children, and lives in Spanish Fork.

Mr. Harding said he was raised in Spanish Fork, is married and has one daughter. He recently graduated from the Police Academy and getting a job with Spanish Fork City is a dream come true. He said he is excited to be here and thanked the city for the opportunity.

Mayor Barney said the city will be well served and he welcomed each new employee.

Recognition - Roy L. Johns

Mayor Barney thanked Mr. Johns for his recent work performed at the gun club and the many other projects he has participated in. He presented Mr. Johns with a certificate and a round of

applause was given.

Public Hearing - Houghton Property Rezone - 1630 South 1400 East

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

Councilmember Wadsworth disqualified himself and disclosed Dale Houghton is a neighbor of his.

6:30 - Councilmember Wadsworth left the meeting

Mayor Barney reviewed the procedures for a public hearing.

Mr. Pierson said this is a request by Dale Houghton to rezone 4.76 acres located at 1400 East 1630 South from Rural Residential (R-R) to Low Urban Residential (R-1-12). The surrounding properties are zoned R-R and R-1-12. The request meets the General Plan. The Development Review Committee and Planning Commission both reviewed the request and recommended approval with no conditions.

Mayor Barney opened the meeting for public comments. None were given. The public comment portion of the meeting was closed. The meeting was opened for city council discussion.

Councilmember Barber asked where this development hooks to the storm drain.

Mr. Nielson reviewed the storm drain layout.

Mr. Pierson said this request is addressing the rezone only.

Councilmember Barber made a **motion** to accept the Houghton Property Rezone of 4.76 acres located at 1400 East 1630 South from Rural Residential (R-R) to Low Urban Residential (R-1-12) with no conditions. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote. A roll call vote was taken and the unanimous vote was confirmed.

6:38 p.m. - Councilmember Wadsworth returned to the meeting

Public Hearing - Kelly and April Porter General Plan Amendment

Mr. Pierson said Kelly and April Porter are requesting a General Plan Amendment approval of approximately 4.5 acres from 1 unit to 5 acres to General Commercial. If approved, the Porter's would like a commercial building in the future. The property is located at 8256 South Main Street. Mr. Pierson said he reviewed the surrounding area plans for neighboring cities. Salem City and Woodland Hills are also planning commercial development in the area. Woodland Hills Drive is proposed to come through the area and extend to Arrowhead and Circle V Meats. The staff analyzed the most beneficial width for the commercial zone by reviewing the width of other commercial properties in the city such as Fakler Tire and businesses along Main Street. It was

determined a 400-foot width would meet the commercial building and parking lot requirements. Also, the proposed commercial area follows the existing contours of the properties.

Mayor Barney opened the meeting for public comments. None were given. The public comment portion of the meeting was closed. The meeting was opened for city council discussion.

Councilmember Kelepolo asked for clarification of the location of the Porter home.

Mr. Porter pointed out the location of their home.

Councilmember Barber asked if the surrounding property owners were notified of the proposed change.

Mr. Pierson said a rezone requires the notification, however, a General Plan amendment does not.

Councilmember Wadsworth asked what the Porters will manufacture on the property.

Mr. Porter said he has owned Porter Heating since 1990. The business was originally located in Salem and came to Spanish Fork City about 4.5 years ago. His business is not open to the public. He would like to put in a sheet metal shop and storage area.

Mr. Pierson said after an extensive review of the request the Planning Commission determined the General Plan amendment should also apply to the surrounding area.

Councilmember Sorensen said he met with Salem City and they are focusing on developing the area.

Mr. Nielson said Utah County is currently working on the Woodland Hills Drive extension. Approximately two months ago Spanish Fork City received and approved a proposal from the County for the extension. He said it will take approximately 12 to 18 months to finalize the project.

Councilmember Kelepolo asked if commercial development is approved what utilities can the city provide.

Mr. Pierson said water is already there.

Mr. Porter said during the previous city council meeting a septic tank and power through Strawberry Electric was approved.

Councilmember Wadsworth made a **motion** to approve the Kelly and April Porter General Plan Amendment as presented. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote. A roll call vote was taken and the unanimous vote was confirmed.

Councilmember Kelepolo made a **motion** to move out of public hearing and reconvene the

regular session of city council meeting. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Bid Tabulation - Dump Truck Bed (Tabled from June 22, 2004)

Mr. Nielson reviewed the dump truck bed bid tabulation. The bed is for the new truck ordered to replace the city truck hit by the train last winter. He reviewed the bids received and the options. The two options are 1) equip the truck with a standard dump body and 2) equip the truck with a roll-off system for the dump body. Both options include the hydraulics, tarp, and salter. Option one would be purchased through the State in the amount of \$36,000. He was advised today option two is increased to approximately \$52,000 for the roll-off system for a difference of \$16,000. There are advantages to the roll-off system, however, Mr. Nielson is unsure if it warrants the additional cost discovered today.

Councilmember Wadsworth asked how the roll-off system works.

Mr. Nielson provided a picture of a roll-off bed system. The roll-off bed system allows a truck bed to be delivered at any location and provides a more efficient use between the water, street and other departments. The truck has already been purchased, just the type of bed needs to be determined. Also, a snow plow was recently approved for the same truck.

Mayor Barney said it seems the city could get a used truck with a spreader and load it with salt and leave it in the truck.

Mr. Nielson said the city has a great need for an additional truck and almost every truck the city owns is used throughout the summer. He said another option is to wait and order the roll-off system with a smaller truck to be ordered in the future. He said the standard bed could be ordered for the larger truck at this time.

Mayor Barney requested Mr. Nielson's recommendation.

Councilmember Christensen said when an incident such as a water main break occurs it would save time and man power with the option of the roll-off bed system. The extra expense would be recovered over time.

Mr. Nielson said the roll-off bed system is a more efficient use of equipment. He was notified today there would be additional costs associated with the roll-off bed system.

Councilmember Kelepolo asked how often the needs change and everything must be dropped to address main waterline breaks.

Mr. Nielson said main waterline breaks occurred twice in the last two years. He also said additional beds can be purchased at a cost of \$4,000. This would allow a bed to be dropped off at locations such as the Fairgrounds for loading and picked up later. The truck was ordered six to eight weeks ago.

Councilmember Christensen said the increase in the bid amount for option one is \$10,000.

Councilmember Kelepolo asked if the item could be tabled until August 3 to give Mr. Nielson additional time to determine the value of the roll-off system and if it warrants the additional cost.

Mr. Nielson said the truck manufacturer needs to know at this time to prepare the truck for the approved bed. Mr. Nielson said he can see a lot of benefit in the roll-off bed system but is not sure if the extra funds warrant the benefits of the system.

Councilmember Wadsworth said he agrees with tabling the item to allow for more research.

Mayor Bamey said delaying the bed approval will delay the truck order by six to eight weeks.

Dave Peay said the decision needs to be made as soon as possible. International must know the type of bed ordered within two to three days.

Councilmember Barber asked for the results of a two-week delay.

Mr. Nielson said if International is experiencing a high production load it could delay the truck delivery date by eight weeks.

Mr. Peay said currently the city has one ten-wheeler dump truck and is hurting for an additional truck. The roll-off bed system will handle more weight and will plow more snow. The larger truck is more stable.

Councilmember Kelepolo made a **motion** to approve option one for the standard truck bed in the amount of \$36,000. Councilmember Wadsworth **seconded**, and the motion **passed** with a majority vote. Councilmember Christensen and Councilmember Barber were **opposed** to the motion.

Recreation Software Agreement

Mr. Oyler said the agreement is not ready and requested this item be tabled.

Councilmember Wadsworth made a motion to table the Recreation Software Agreement until further notice. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Councilmember Christensen asked Councilmember Wadsworth concerning his statement in the June 15 minutes, "he is waiting to get permission to use the name of the person he quoted from the Utah Retirement System Office."

Councilmember Wadsworth said he spoke with Todd Rupp, Deputy Director of the Utah Retirement System. After reviewing with him the information he received from an anonymous employee of the Retirement System Office he was informed by Mr. Rupp that the official policy for the Utah Retirement System is this: No body up there, no employee whatsoever should advise

on enticement plans, retirement plans, or contribution amounts. Also, they should not give investment advice. This is absolutely not appropriate. They are considered bureaucrats and this is a political issue. It should be left to us. Mr. Rupp will go to the employees Councilmember Sorensen talked to and correct them. Mr. Rupp is adamant about this. Councilmember Wadsworth said in the future we need to be careful how we handle these issues.

Councilmember Sorensen said the employees of the Retirement System gave statistics and not advice.

Councilmember Wadsworth said their job is to manage the system and nothing else.

Councilmember Christensen asked concerning the request by Councilmember Wadsworth for information from the Utah Retirement System concerning the tax base and Councilmember Sorensen's information concerning the tax base. This was discussed during the July 15, 2004 city council meeting.

Councilmember Wadsworth said it is a moot issue.

Councilmember Christensen asked if information was received concerning the tax base.

Councilmember Sorensen said he has the information and will provide copies to the councilmembers.

Councilmember Christensen said the Flag Retirement Ceremony was great and hopes more will attend next year.

Councilmember Barber said he has been involved with the Fiesta Days Committee for a long time. The Fireside at the Library Park was attended by approximately 200 individuals and movie night at the North Park was greatly attended. The Historical Committee is discussing the upcoming 150-year anniversary. The committee will be expanded this coming year. Councilmember Barber said the committee has been working with Mr. Pierson to create incentives to preserve old homes. Utah Municipal Power Agency is concerned with the possibility of no more electricity generated at Lake Powell if we continue to receive below average rain accumulations.

Councilmember Christensen said the Arts Council just completed the summer month's activities with a great number of sign-ups. Whitney Banks did a television production with the children and it was shown last week. This program is great for the community. The Senior Center will reopen next month. The South Utah Valley Water Conservancy District is also concerned with water. The Central Utah Water Project is coming along. The EPA standards may cause surrounding cities to upgrade their water treatment facility at a high cost to the communities. He also thanked our many volunteers.

Mayor Barney said the Solid Waste District provided a tour of the facility recently. We have a place to store waste for many years. The Transportation Committee is looking at possible funding for Highway 6 and I-15 improvements and has appointed a task force. Mayor Bamey said he received a letter concerning the Utah Conference on Children. They have requested a

volunteer to represent Spanish Fork City in the area of children's mental health. He requested possible names for the volunteer.

Councilmember Kelepolo said the Airport Board is still negotiating property purchases. The Personnel Committee is aware the new Assistant City Manager took another job with a much higher salary. We are back to the drawing board.

Councilmember Sorensen said the Chamber of Commerce has changed its name to the Spanish Fork/Salem Chamber of Commerce. On July 24 they will be providing the ping pong ball toss for prizes. The Utility Board is reviewing the pressurized irrigation rates for the larger agricultural users. The new City Youth Council was recently selected. The Waste Water Treatment Plant meeting will take place this Thursday.

Councilmember Wadsworth said the Library Board recently held their annual social. The well-organized reading program is currently taking place with prizes to be awarded to participants. The Planning Commission talked at length concerning the Master Plan changes to take place. Ideas to engage the citizens in the process and organizing neighborhood groups were included in the discussion. The Risk Management Committee meets quarterly and will meet again soon. The Finance Committee discussed expenses and travel policies. They will prepare to present a policy in the near future. He and Mr. Pierson worked with the N.R.C.S. and provided the plan and a tour of the proposed trail system. They were impressed with what they saw and the appropriate application is in Senator Bennett's office. If funds are approved, it will not take place until December, after the elections.

Adjourn to Redevelopment Agency Meeting

Councilmember Kelepolo made a **motion** to move into the Redevelopment Agency meeting. Councilmember Barber **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 7:31 p.m.

During the Redevelopment Agency meeting the city council adjourned to the Executive Session of City Council to discuss legal and property acquisition issues.

Adjournment

Councilmember Wadsworth made a **motion** to adjourn the regular session of city council meeting. Councilmember Kelepolo **seconded**, the motion **passed** unanimously, and the meeting adjourned at 9:20 p.m.

Connie Swain, Deputy Recorder

Approved: August 3, 2004