

**Adopted Minutes
Spanish Fork City Council Meeting
August 17, 2004**

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

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 Heap, Engineering/Public Works Director; Emil Pierson, Planning Director; Kent Clark, Finance Director; Dale Robinson, Parks and Recreation Director; Seth Perrins, Assistant City Manager; Dee Rosenbaum; Public Safety Director; Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, Robert Pittelli, Norman Smith, Mark Dallin, Perry Frandsen, Mike Gardner, Max Youd, Cameron Youd, Jill Perrins, Pat Parkinson, Sarah Wadsworth, Dexter Wadsworth, Emma Wadsworth, and Simon Wadsworth.

Assistant City Manager Contract

Mr. Oyler said the Personnel Committee met and completed additional interviews for the position of Assistant City Manager. He turned the time to Councilmember Kelepolo, a member of the Personnel Committee.

Councilmember Kelepolo said the interview process was again completed for the position of Assistant City Manger two weeks ago. The Committee selected Seth Perrins who stood out from the other interviewees. He asked Mr. Perrins to introduce himself.

Mr. Perrins said he has worked at Orem City Office for 3 years with varied experience in the Administration Office working with their Mayor and also working with emergency management. He said he is excited for the opportunity to be part of Spanish Fork City. He introduced his wife Jill Perrins, and said they have two daughters and are expecting a child in October. He said he is looking forward to new challenges.

Councilmember Kelepolo said some of Mr. Perrins' duties will include human resources, risk management, public relations, promotions, and many other services for the city.

Mr. Oyler presented the At-Will Contract for Mr. Perrins as the Assistant City Manager.

Councilmember Kelepolo made a **motion** to approve the At-Will Contract for Seth Perrins, Assistant City Manager, as presented. Councilmember Christensen **seconded**, and the motion **passed** with a majority vote. Councilmember Wadsworth was **opposed** to the motion.

Hawk Landing - Preliminary Plat

Mr. Pierson said Hawk Landing is a straight up subdivision consisting of seven single family lots on 1.73 acres located at 2300 East Canyon Road. The surrounding properties are zoned R-1-8 and R-1-30. The Hawk Landing preliminary plat meets all of the requirements of the R-1-8 Zone.

Councilmember Wadsworth asked Mr. Pierson to address the existing property with driveway concerns.

Mr. Pierson said the lot will stay as it currently exists.

Councilmember Wadsworth said the Planning Commission recommended approval of the preliminary plat.

Councilmember Sorensen made a **motion** to approve the Hawk Landing Preliminary Plat subject to the following conditions:

1. Construct the home on lot 1 facing 2300 East with the garage accessing 1200 South and all other lots are to be constructed with side entry garages when possible,
2. Meet all of the Construction and Development Standards, including the American's With Disabilities Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading.

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

Coyote Cove Preliminary Plat

Mr. Pierson said the applicants, Mike Gardner and Mark Dallin, are requesting a 9-single family lot subdivision. The property is currently zoned R-1-9 and is located at 1410 South 1580 East. The Development Review Committee and the Planning Commission have reviewed the request and both recommended approval with three conditions.

Councilmember Wadsworth asked for the location of the walkway to the school.

Mr. Pierson said the pathway from Aspen Meadows will connect to the back side of the school

Councilmember Wadsworth asked concerning the issue with the fence.

Mr. Pierson said a condition will be listed on the plat requiring open fencing for safety purposes. Also, Mr. Gardner's home will maintain the current animal rights.

Councilmember Wadsworth made a **motion** to accept the Coyote Cove Preliminary Plat located at 1410 South 1580 East subject to the following conditions:

1. Include the existing Mike Garner home in the subdivision,
2. Receive approval of the construction of the storm drain line from the Engineering Department,
3. Meet all of the Construction and Development Standards, including the

American's With Disabilities Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading.

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

Wapiti Cove Preliminary Plat

Councilmember Wadsworth chose to recuse himself from this issue due to the fact the property is near his home.

Mr. Pierson said this is a request by Dale Houghton to develop a 10-lot single family subdivision, including the existing Houghton home. The property is zoned R-1-12 and is located at 1630 South 1400 East. The Planning Commission discussed relocating the access for the development to 1600 East. The Development Review Committee discussed the access at 1600 South. The Development Review Committee and the Planning Commission both recommended approval of the Wapiti Cove Preliminary Plat with three conditions.

Councilmember Barber asked concerning the underground electric lines.

Mr. Pierson said the electrical design will be subject to approval from Jeff Foster of the Electric Department.

Councilmember Kelepolo made a **motion** to approve the Wapiti Cove Preliminary Plat located at 1630 South 1400 East subject to the following conditions:

1. Meet all of the Construction and Development Standards, including the American's With Disabilities Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading,
2. Receive approval of the underground electrical design from the Electric Department,
3. Construct the home on lot 9 facing 1400 East with the driveway accessing 1630 South.

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

Harward Preliminary Plat

Mr. Pierson said the applicant, Randall Harward, is requesting to develop a 5-lot single family subdivision. The property is zoned R-1-9 and is located at 1290 East 1240 South. The Development Review Committee and the Planning Commission reviewed the request and recommended approval with six to eight conditions.

Councilmember Kelepolo asked Mr. Pierson to review the subdivision name change.

Mr. Pierson said Jim Biesinger had a property known as Desert Storm. Mr. Biesinger gave his development rights to Mr. Harward. Mr. Harward picked up the name Desert Storm. He was asked to change the name of the subdivision. Mr. Harward changed the name of the subdivision to Harward Subdivision. Mr. Biesinger will not be able to develop his property until the utility restriction is lifted.

Councilmember Sorensen made a **motion** to approve the Harward Preliminary Plat located at 1290 East 1240 South subject to the following conditions:

1. Change the name for the development from Desert Storm,
2. Meet all of the Construction and Development Standards, including the American's With Disabilities Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading,
3. Meet the requirements for the asphalt overlay or reimbursement for digging in an existing road as outlined in the Construction and Development Standards,
4. Verify the amount of lots with development rights not transferred,
5. Reimburse the city for the construction of the existing road,
6. Reimburse the existing lots in the cul-de-sac if a connector's agreement exists,
7. Construct the home on lot 5 facing 1240 South and access from 1290 East,
8. Construct the home on lot 1 with access from 1290 East.

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

West Gate Manor Preliminary Plat

Mr. Pierson said the applicant, Jed Mitchell, is requesting to develop a 48-lot subdivision. The property is zoned R-1-8 and is located at 400 North 530 West. The plat meets all of the requirements of the R-1-8 Zone. The Construction and Developments Standards require a masonry wall along all major collector roads with trees and tree grates. The Development Review Committee and the Planning Commission reviewed the request and recommended approval with five conditions.

Councilmember Wadsworth asked Mr. Pierson to review the second condition.

Mr. Pierson said some utility stubs where constructed on the property when the road was completed. The stubs will need to be disconnected and relocated.

Councilmember Barber asked where the storm drain connects to the subdivision.

Mr. Heap said the storm drain will be piped west from 400 North and continue along the freeway to the church on 630 West where it connects to the new storm drain line.

Councilmember Barber asked concerning the boundary line on 400 West.

Mr. Heap said boundary line agreements have been signed and any issues have been resolved.

Mr. Pierson said the final plat requires a free and clear title report to be provided.

Councilmember Barber made a **motion** approve the West Gate Preliminary Plat Subdivision located at 400 North 530 West subject to the following conditions:

1. Install the storm drain as directed by the Engineering Department and obtain the necessary storm drain easements,
2. Disconnect utility services in 400 North,
3. Obtain a permit from UDOT for 400 North,

4. Construct a masonry wall along 400 North including 2-inch caliper trees every 30 feet, tree grates, sprinkler system, and stamped concrete,
5. Meet all of the Construction and Development Standards, including the American's With Disabilities Act requirements for the sidewalks and the conduit size and wiring requirements for meter reading.

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

Spanish Fork Association Annexation Petition

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

Mayor Barney reviewed the procedures for a public hearing.

Mr. Pierson said Spanish Fork Associates is requesting to annex 87.72 acres located at 2400 East 7600 South into Spanish Fork City. They are represented by Perry Frandsen, who is present. A gravel pit previously on the site was operated by H.E. Davis. Currently, the property is outside of the city's Growth Boundary. On December 17, 2002 the property was included in the city's Annexation Boundary. Spanish Fork Associates is requesting the property to be zoned Light Industrial. In this zone gravel pits, concrete batch plants, and asphalt batch plants are not allowed. Both the Development Review Committee and the Planning Commission have reviewed the annexation request at length and recommend approval subject to the conditions provided. Part of the recommendation also includes the execution of an annexation agreement. The Development Review Committee also discussed at length the options for providing utilities to the site.

Mayor Barney opened the hearing for public comment.

Pat Parkinson asked if the red line on the map indicated the Growth Boundary.

Mr. Heap said the red line is the current City Boundary.

Mr. Pierson said the red line is also the location of the Growth Boundary. He pointed out a line to the north which is the Declaration Boundary. The Declaration Boundary is a line Spanish Fork City and Mapleton City agreed upon as the lines to which both cities would develop.

Ms. Parkinson pointed out what she thought to be the Somerset Subdivision and asked if the residents have been contacted concerning the annexation request.

Mr. Pierson said the area pointed out by Ms. Parkinson is a proposed commercial area. The Summerset Subdivision is to the west.

Councilmember Kelepolo said Highway 6 creates a dividing line between the areas. He said there are no other possible uses for the property at this time. Light Industrial is the ideal use for the property.

Ms. Parkinson asked if property owners have been notified that there may be factories on the land rather than just bare land.

Councilmember Kelepolo said there is dust created on the property and most surrounding property owners would rather see the property developed.

Mr. Pierson said the State Law requirements for an annexation request were followed and the citizens to the west of the property were notified. They appeared at the Development Review Committee meeting and were in favor of the annexation and also requested to be included in the annexation request. There were problems created by including the additional property in the annexation and the idea was dropped. A business park area was favored by both the Planning Commission and the Development Review Committee. The property is currently in the County. Also, there are very large power lines over the property which would discourage any residential development of the property. The property is also adjacent to railroad tracks. Notification requirements were followed. The property Ms. Parkinson referred to is more than 1000 feet away. Mr. Pierson said a rezone would require notification to property owners within 300 feet. However, notification is not required with an annexation request.

Councilmember Barber asked if notification is required since the property will be changed to a specific zone.

Mr. Pierson said notification is not required. He also said he is not aware of any city who provides notification with annexation requests, especially when the properties are 1000 feet away.

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

Councilmember Barber asked what the plans are for the property to the west.

Mr. Pierson said the property to the west is planned for homes with 5-acre lots.

Councilmember Barber asked if there is a need to create a buffer around the Spanish Fields Property.

Mr. Pierson said a 5-acre lot is a buffer. Also, if a large industrial user acquires the property, most likely an EDA would be created and there would be an additional buffer developed.

Mayor Barney said the large power lines are also buffers.

Mr. Pierson said there will be extensive costs involved to get improvements in the area.

Councilmember Kelepolo said if the property remains in the county they can allow certain uses. With the annexation the city will have the ability to control the use of the property.

Mr. Pierson said the county has approached the city council three times requesting heavy

industrial use of the property. The city made it clear they would not want heavy industrial use of the property.

Mayor Barney said a Light Industrial Zone is the best use of the property.

Mr. Frandsen said the purpose of the Light Industrial Zone is to create jobs and develop the property. The zoning complies with the General Plan for the city. He said this property can be rail served. The impact on surrounding areas will be minimal. The dust issue will be eliminated with development of the property. There is commercial property fronting the opposite side of Highway 6.

Councilmember Kelepolo asked concerning the adjacent property owner, Mrs. Baum.

Mr. Frandsen said he contacted Mrs. Baum on several occasions. She requested to be included in the annexation, however, it was not possible at this time. She is concerned with the dust created from the property and would like to see the property developed.

Councilmember Wadsworth asked for the height of the berm around the area.

Mr. Frandsen said there is a railroad track elevated by a 12-foot berm. Also, the property is surrounded by another berm of topsoil which was to be used when the property was restored. The county failed to enforce the reclamation requirement. The property also sits more than 10 feet below the natural elevation level. Mr. Frandsen said any soil moved on the property will remain on the property.

Councilmember Kelepolo said there were concerns when the county proposed the batch plant.

Mr. Frandsen said a batch plant is desired since the soil is extremely rich in aggregate.

Councilmember Wadsworth asked concerning the condition requiring the realignment of 2400 East to Highway 6.

Mr. Frandsen said the realignment would be based on the user and the use of the property.

Councilmember Wadsworth asked what organizations need to be involved with the road realignment.

Mr. Frandsen said Utah Department of Transportation and Union Pacific Railroad.

Mayor Barney said this is a dangerous intersection.

Councilmember Wadsworth asked for the timing of the road realignment once the property develops.

Mr. Frandsen said the property first needs to be annexed and zoned. When the property develops a condition can be imposed requiring the time frame for the realignment.

Councilmember Kelepolo made a **motion** to approve the Spanish Fork Associates request to annex 87.72 acres located at 2400 East 7600 South into the city subject to the following conditions:

1. The property is to be zoned Light Industrial (L-I),
2. Enter into an annexation agreement pertaining to the property not being allowed to be used for gravel extraction in the future,
3. Include the sewer capacity as directed by the Engineering Department,
4. Realign 2400 East at Highway 6 and the railroad crossing at a time to be determined by the Engineering Department, after the first project for the property is approved,
5. Leave the property undisturbed until such time as the first project is approved with only the property involved in the project being disturbed,
6. Provide a review of the storm drain with the first project to determine if the storm drain will have any impact on the Oakview area,
7. The developer is to construct a feeder line to the electric substation along with any related improvements, if more than 100 amps of power are needed for the projects, if less than 100 amps of power are needed on the property, access the power on the south side of 2400 East and Highway 6,
8. Enter into an agreement with Strawberry Power for the city to assume service of power to the Olsen Well.

Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote. The votes were polled and the unanimous vote was confirmed.

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

Pool Replastering

Mr. Robinson said the pool replastering in the shallow area was successful. As discussed, there is a need to replaster the remainder of the pool. The purpose of this item on the agenda, is to inform the city council of the need to replaster the pool. He proposed the project start as soon as the pool closes in September. When the pool was drained, it was evident the plaster needs to be replaced. The pool was plastered ten years ago when it was constructed. One reason the plaster lasted for ten years is the pool is not drained during the winter. There is a high water table in the area and the pool needs to remain full. This item was not included in the budget since the Recreation Department was unaware of the need for replastering until the pool opened and complaints from patrons were evaluated. The cost for replastering the entire pool was estimated at \$100,000. A portion of the pool was replastered this summer with approximately 70-80 percent of the work remaining. A bid process has begun. The life span of the plaster is determined by the treatment of the pool.

Councilmember Barber said portions of future replastering cost need to be included in the budget each year.

Mr. Oyler said typically each department reviews upcoming major projects yearly. When the

time comes to replaster the pool again, the full amount can be budgeted rather than carry over funds every year.

Councilmember Wadsworth asked what could be done to prevent this from sneaking up on us again.

Mr. Oyler said a determination could be made to review the need to replaster the pool in 5 to 8 years. The conditions of the pool will need to be observed. We do not want to replaster the pool prematurely.

Councilmember Kelepolo asked Mr. Robinson if replastering the pool is a difficult process.

Mr. Robinson said the process is labor intensive. Grinding is completed around the tile in the swimming lanes by hand and they also dig out damaged pockets. The preparation time is much greater than the plastering time.

Mayor Barney asked how many bids were received for replastering the shallow section of the pool.

Mr. Robinson said two qualified bids were received. The current bid has been posted in the newspaper and the bids are due back next week. The bid tabulations will be presented during the September 7, 2004 city council meeting.

Mr. Oyler said the bids can be reviewed during the next city council meeting and the city council can approve or reject the balance of the replastering project.

Councilmember Christensen asked concerning the Festival of Lights. He said the structures need to be reviewed and needed repairs or replacements should be determined.

Mr. Oyler will have Mr. Robinson review the structures and the life span.

Mr. Robinson said he has a list of the structures for the Festival of Lights. They have been reviewed extensively and he will be meeting next week to discuss needed repairs.

Mr. Oyler said the structures need to be maintained rather than add new structures.

Councilmember Wadsworth asked how the pool replastering project will affect retained earnings.

Mr. Oyler said there are adequate funds available for this project.

Councilmember Wadsworth asked what the funds are potentially earmarked for.

Mr. Oyler said retained earnings are there for emergency type projects. If the pool is not replastered, it will be shut down next year or we will be providing many more band-aids.

Councilmember Wadsworth asked Mr. Oyler if he could perceive the funds being needed for other areas.

Mayor Barney said now is the time to prepare the pool for next year.

Mr. Oylar said he cannot perceive any major projects. Some areas for need cannot be predicted. All other major projects are included in the budget.

Councilmember Wadsworth said he approves with proceeding with the bidding process.

Councilmember Sorensen said he and his family use the pool and it is quite bad. He agreed with the need to replaster the pool now.

Councilmember Kelepolo concurred.

Councilmember Christensen also concurred.

Councilmember Barber said he would like to see the bid figures first.

Mayor Barney directed staff to move ahead with the bidding process.

Bid Tabulation - Sports Park River Trail Project

Mr. Heap reviewed the proposed trail along the Spanish Fork River near the Sports Park. Areas of the trail are 10 feet wide. The trail also ties into Volunteer Drive.

Councilmember Wadsworth asked if the funds include the \$35,000 grant.

Mr. Heap said the budgeted amount includes the grant funds. This section will give a good start to the proposed trail system.

Mr. Robinson said there was also \$2,000 included in the bid for the installation of a 36-inch irrigation pipe. The city will be installing the pipe which will eliminate \$2,000 of the cost. This project will be completed before winter this year.

Councilmember Kelepolo said once the project is completed the city can apply for the grant funds.

Mr. Pierson confirmed.

Mr. Robinson said the city is also receiving a \$5,000 grant from Alcoa. They and the city participate in a grant program each year. Alcoa is very active in our community and the grants provide additional amenities for the community.

Councilmember Wadsworth said the completion of this project might help the city's case with the appropriation request for federal grant funds. He said he has been told if a project has already begun then the Federal Government is likely to help assist in completing projects.

Councilmember Barber suggested providing an estimated annual operations and maintenance cost with proposed projects.

Mr. Heap can add the information to the next bid on the agenda.

Councilmember Kelepolo made a **motion** to accept the bid received from Morgan Asphalt in the amount of \$140,128 for the Sports Park Trail Project. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

Bid Tabulation - Asphalt Overlay Project

Mr. Heap said this bid is for an asphalt overlay project at the North Park and the Golf Course. It also includes a small asphalt jobs our crews are currently laying down. Schedule 1 of the bid tabulation included items related to the overlays and reconstruction at the North Park and the Golf Course totaling \$376,312.12, received from Geneva Rock, the lowest bidder. A map of streets and areas proposed to be overlaid was provided to the city council. The Golf Course has requested overlays of up to \$4,000. The North Park trail was built in 1979 and has only been slurry sealed. There are not a lot of maintenance costs on the trails. Schedule 2 of the big tabulation includes patching and small jobs totaling \$70.64 also received from Geneva Rock, the lowest bidder. The work is being completed prior to rising asphalt prices.

Councilmember Barber asked how the Engineering Department determined the priority of the roads to be overlaid.

Mr. Heap said several years ago the city had students from Utah State University complete a detailed investigation of the condition of the roads within the city and created a street inventory. In some cases there have been modifications made to the priority list but usually they follow the inventory results.

Councilmember Barber said he observed 1000 North to have pitted areas and other roads to be even worse.

Mr. Heap said the priority depends on the road condition and the amount of traffic using the road.

Councilmember Barber requested a copy of the updated list. He also suggested the Golf Course receive as much of the funds as possible to allow more work to be completed while the trucks are there.

Mr. Heap said the Golf Course will be using the full \$4,000 budgeted.

Councilmember Kelepolo asked if Mr. Heap is requesting to use the full \$479,000 budgeted.

Mr. Heap said they need to complete full blocks but insured they will not exceed the budgeted amount.

Councilmember Kelepolo asked why the city council is involved in the bid process if the funds have already been approved in the budget.

Mr. Heap said they want the city council to see why the funds are being expended.

Councilmember Barber made a **motion** to approve schedule 1 and 2 of the 2004 Asphalt Overlays and Supplies Bid Tabulation to Geneva Rock in an amount not to exceed the total budgeted amount. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

Contract with Central Utah Water Conservancy District (CUWCD) for CUP Water

Mr. Heap said at this time the CUWCD contract is brought to the city council for review. The contract will be presented for approval at a later date. Mr. Heap reviewed the contract and the status of the project. This water is not for immediate water needs and will probably be utilized beginning in approximately 2026.

Mayor Bamey complemented Mr. Heap for the work he has done on the CUWCD. He is greatly respected for his experience.

Councilmember Christensen said he has attended the meetings and also commended Mr. Heap for the work and his expertise.

Councilmember Kelepolo said there are always concerns when dealing with water resources. He asked if there are any legal aspects to take away some of the city's water rights.

Mr. Heap said in studies that have been done the existing water rights will last until at least the year 2050 and 2070. There will be adequate water for all of the cities at full population. There may be additional cities added to the area. This covers all cities in the south end of the county. The final draft will be presented on September 7, 2004. Every city involved is currently reviewing the contract.

Cooperative Agency Agreement Ratification - UDOT, Aeronautical Operations Division

Mr. Baker said several months ago a property purchase agreement was brought before the city council for the airport expansion project. The majority of the funds for the project are to be received from the Federal Government. It was discovered a sponsor was needed in order to receive the grant funds. The agreement for the sponsorship was signed by Mayor Bamey and needs to be ratified by the city council.

Councilmember Kelepolo said he serves on the Airport Board and he said the city should observe the FAA guidelines.

Councilmember Kelepolo made a **motion** to ratify the signing of the Cooperative Agency Agreement with the Aeronautical Operations Division of the Utah Department of Transportation. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Mr. Oyler said during the last city council meeting he was asked to check on the possibility of obtaining students to perform a survey of residents in the community concerning the 4-10 work

week. He talked with Professor Facer at Brigham Young University and students are available next semester.

Councilmember Barber said on the next meeting agenda he is aware of a citizen proposing a similar option. He suggested waiting until the other proposal is presented.

Mr. Oyler said a decision is not needed tonight. The information was just provided as requested by the city council during the last meeting.

Councilmember Kelepolo said both surveys options should be looked at.

Councilmember Barber clarified he did not object to the pool replastering he just wanted to review the bid tabulations prior to making a decision. He is in favor of proceeding with the bidding process.

Mr. Heap said the budget includes \$125,000 for sidewalk replacement. Also, a sidewalk has been requested from Powerhouse Road to the Oaks Subdivision. The city council needs to consider installing the sidewalk to the Oaks Subdivision rather than replacing old areas of sidewalks throughout town.

Mayor Barney said the city council will complete further studies concerning the sidewalk needs and will provide direction to the city staff during the September 7, 2004 meeting.

Mr. Heap said the only design on a sidewalk to the Oaks Subdivision will be steep and will be longer than the distance of the road. The bus stops at the bottom of the hill to pick up children for school.

Mayor Barney also expressed concerns with who will keep the snow off of the sidewalk during the winter months.

Councilmember Barber asked how many more lots are expected to develop in the area.

Mr. Heap said there are 50 or 60 acres remaining to be developed.

Councilmember Barber asked Mr. Heap if the report requested during the previous city council meeting concerning the amount of culinary water and pressurized irrigation water used was available.

Mr. Heap said the July readings are in. Nancy Johnson, Utility Billing Clerk, still needed to finish compiling the report. It will be available at the next meeting.

Adjournment to Executive Session

Councilmember Kelepolo made a **motion** to adjourn to an executive session of city council meeting to discuss land and legal issues. Councilmember Barber **seconded**, the motion **passed** unanimously, and the meeting adjourned at 8:20 p.m.

Connie Swain, Deputy Recorder

Approved: September 7, 2004