



CITY COUNCIL MEETING

ADDENDUM

6:00 pm

Tuesday, June 21, 2005

I. PRELIMINARY ACTIVITIES

- A. Pledge of Allegiance
- B. *Employee Retirement Recognition - Louise Nuzman*
- C. [Agenda Request](#) - Ray Morley - Mill Road Traffic Study (Tabled from May 17, 2005)
- D. New Planning Commission Member Appointment and Definition of Terms
- E. Icelandic Committee Sesquicentennial Presentation

II. PUBLIC HEARINGS

- 6:30 pm
- A. [Fiscal Year 2005 Budget Final Revision](#)
 - B. [Gerald Hill Annexation](#) - 1000 North 300 West

III. STAFF REPORTS

- A. Emil Pierson - Planning
 - 1. [Utility Restriction](#)
- B. Dee Rosenbaum - Public Safety
 - 1. Public Safety Report -Lt. Steve Adams*
- C. Kent Clark - Finance
 - 1. BFI Contract*
- D. Richard Heap - Engineering
 - 1. Blue Stakes Contract*
 - 2. Selling of Property to Charter One*
 - 3. [Crack Seal Machine Interlocal Agreement](#)
- E. David Oyler - Administration
 - 1. [Fiscal Year 2005 Budget Final Revision Adoption](#)
 - 2. [Fiscal Year 2006 Budget Adoption](#)

IV. OTHER BUSINESS

V. ADJOURN TO REDEVELOPMENT AGENCY AGENDA

VI. 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.

**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



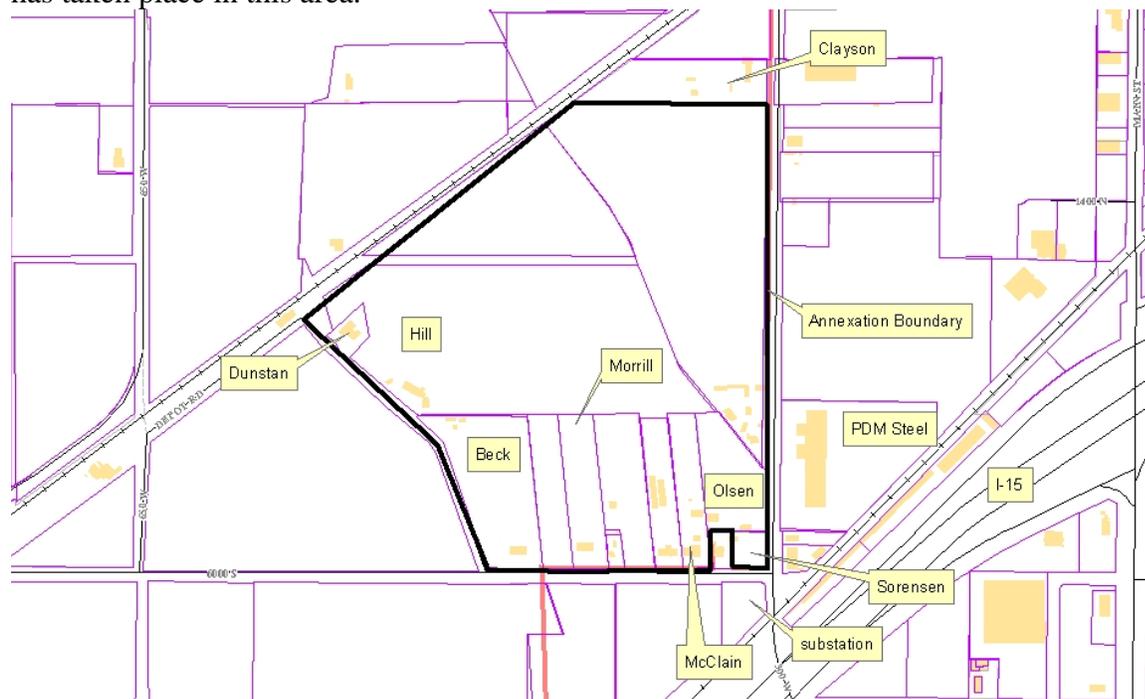
To: City Council
From: Emil Pierson, City Planner
Date: June 21, 2005

Property Size: 66.7 acres
General Plan:
Residential 1 unit per 5 acres &
Light Industrial
Recommended Zoning: R-R

Subject: Gerald Hill (Depot) Annexation
Location: 1000 North 300 West

Background

The applicant(s), Gerald Hill, is requesting to annex approximately 66.7 acres on the west side of town into Spanish Fork City from Utah County (see attached map). Some of the annexation is located within the City Growth Boundary and all of the annexation is within our Policy Declaration Boundary. According to the Annexation Plan adopted on December 17, 2002 this area is to be annexed within the next 20+ years and the Plan stated that no real general planning has taken place in this area.



The General Plan shows that this area is Rural Residential 1 unit per five acres and also light industrial. This matches up to the Rural Residential (R-R) zoning and the I-1 zoning.

Analysis

The applicant is requesting to annex into the City so a home can be constructed on the north 5+ acres. Staff requested that the applicant ask the adjoining neighbors in the area to annex at the same time. A few of the property owners didn't sign the annexation petition. Since the Planning Commission meeting the applicant is in discussion with the property owners. The city can not annex just the properties that have signed the petition because it would leave an island therefore, they would need to be force into the city as part of the annexation.

Utilities

Water, sewer, pressurized irrigation, and power are located in 300 West. The City has a power substation on the corner of 1000 North and 300 West. A number of the residents are already on the City water. The east side of 300 West has a number of business including PDM steel, A&B Industrial, and Smash Athletics.

Development Review Committee

The DRC reviewed this annexation request on June 1st and recommended annexing the properties subject to the following conditions:

1. The properties be zoned Rural Residential (R-R)
2. The initial home to be built on the Hill property is to be built on the northeast corner as mandated by an annexation agreement.
3. The homes within the annexation be assigned city addresses.

Planning Commission

The Planning Commission reviewed this annexation request at their June 1st meeting and discussed the request. They discussed why certain property owners didn't sign the petition and if they were against annexing into the city.

The Planning Commission members recommended approval subject to the conditions listed.

RECOMMENDATION

Finding(s):

1. The annexation is consistent with the Annexation Plan of Spanish Fork City; the General Plan; Policy Declaration Boundaries and is shown to be within the City's growth boundary and follows the Capital Facilities Plan.
2. Adequate public facilities are located in the area (300 West).

Approve:

The City Council APPROVE the Depot (Gerald Hill) Annexation at 1000 North 300 West subject to the following condition(s):

1. The properties be zoned Rural Residential (R-R)
2. The initial home to be built on the Hill property is to be built on the northeast corner as mandated by an annexation agreement.
3. The homes within the annexation be assigned city addresses.

Table

Make the motion that to Table the Depot (Gerald Hill) Annexation at 1000 North 300 West for the following reason(s):

Deny:

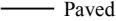
Make the motion to deny the Depot (Gerald Hill) Annexation at 1000 North 300 West for the following reason(s):

Depot Annexation Map

1 Inch equals 529 Feet
June 1, 2005

Legend

Roads

-  Not Paved
-  Paved
-  Railroad
-  Rivers
-  Buildings
-  Property Lines
-  County_SF_Parcels
-  Spanish Fork Boundary



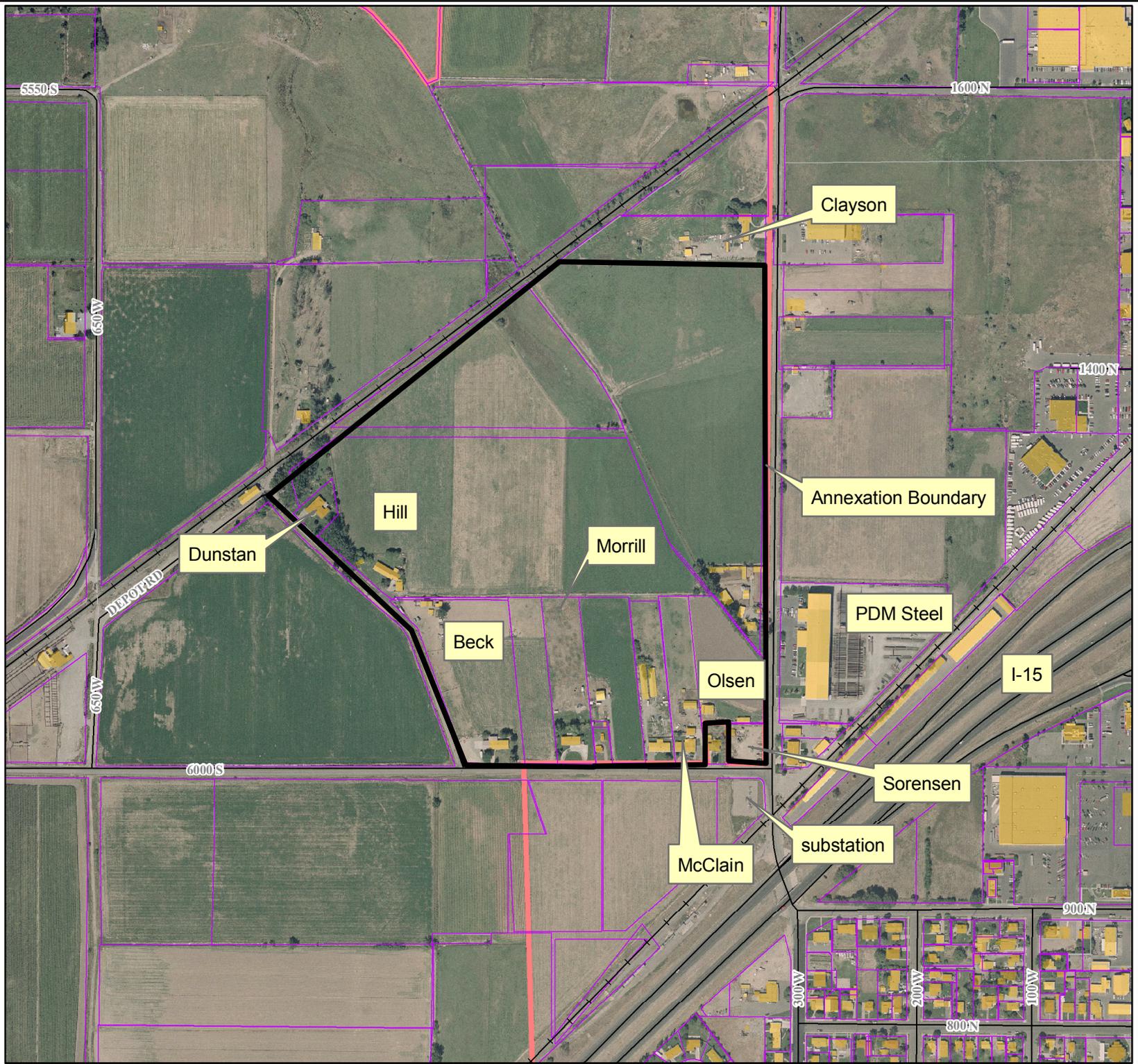
9/29/2004



Geographic Information Systems

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

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



**SPANISH FORK CITY
CITY COUNCIL
STAFF REPORT**



To: City Council
From: Emil Pierson, City Planner
Date: June 21, 2005
Subject: Lifting the Sewer (Utility) Restriction
Location: City Wide

Background

In May of 2004, the City Council placed a Sewer (Utility) Restriction on accepting any new preliminary plats and additional building permits other than what was already approved. The Restriction was instigated because of the limited sewer capacity at the plant.

Analysis

The City Council recently entered into an agreement with Mapleton City on how to finance the Sewer plant upgrades. At this time, the upgrades to the plant are being designed and will be put out for bid in the near future.

Staff has fielded many questions from many developers as to when the Restriction will be lifted. Developers are aware of the financing and Mapleton has lifted their restriction and are now accepting new plats. Therefore, staff is requesting directions as to when will the utility restriction be lifted?

The four different options were presented to the City Council in a work session. The options were:

1. Lift the Utility Restriction immediately
2. Lift the Utility Restriction when upgrades are designed and more accurate cost estimates are available (Late fall 2005)
3. Lift the Utility Restriction when the project is bid (Winter 2005-06)
4. Lift the Utility Restriction when the upgrade to the plant is completed (Winter 2006-07)

The proposed upgrade would take the plant from 4.9 mgd to around 6.4 mgd allow the city to go to a population around 44,380 if we stay at our current 77% of ownership.

RECOMMENDATION

Staff recommends lifting the Sewer Restriction at this time because:

1. It would allow subdivisions to be submitted over a longer time frame allowing staff not to be over loaded all at one time.
2. Even if a new subdivision was submitted at this time it would take 6 months to go through the approval process and another 3-4 months to be installed. Therefore, home permits would not be submitted until late winter to next spring. Home permits cannot be submitted until all improvements are installed and approved.
3. It would allow for developments already within the Growth Boundaries to be submitted first prior to amending the Growth Boundary with the General Plan.
4. It would allow the Council to re-allocate units from projects that were vested but since have not been constructed (100 units - Robin's Nest).

CRACK SEAL MACHINE INTERLOCAL AGREEMENT

WHEREAS, the Utah Interlocal Cooperation Act (Utah Code Ann. §11-13-1 et seq) allows public entities, including municipalities, to enter into mutually advantageous agreements; and

WHEREAS, the Cities of Mapleton, Salem, and Spanish Fork, have crack seal projects which are needed as part of their road and street maintenance; and

WHEREAS, a joint crack seal project among the Cities has proved beneficial; and

WHEREAS, a crack seal machine is needed; and

WHEREAS, by sharing the proportionate cost of a crack seal machine, each City can more economically complete its crack seal projects; and

WHEREAS, it is fair and equitable that each City receive the value of its investment in the crack seal machine;

NOW THEREFORE, Mapleton, Salem, and Spanish Fork hereby enter into this interlocal agreement and hereby contract, covenant, and agree as follows:

1. The Cities agree to jointly purchase a crack seal machine for the sum of \$25,988.00. Spanish Fork City will purchase the equipment and will store and maintain it.
2. Each City will pay to Spanish Fork City their pro-rata share of the costs of the crack seal machine. Spanish Fork's share shall be \$17,423.15, Mapleton's share shall be \$5,080.22, and Salem's share shall be \$3,484.63. Payment is due from Mapleton and Salem to Spanish Fork by the end of July, 2005.
3. Maintenance costs incurred for the crack seal machine shall be divided among the

Cities based upon these percentages: Spanish Fork, 67.04%; Mapleton, 19.55%; Salem, 13.41%. Spanish Fork shall perform the maintenance and bill the other Cities for their share. Invoices shall be due within 30 days of their receipt.

4. This Interlocal Agreement shall become effective on July 1, 2005 and continue in effect for the life of the crack seal machine, not to exceed fifty (50) years from the date hereof.
5. This agreement shall not be deemed to create or establish a separate legal entity, but each City shall maintain its own separate legal status.
6. This agreement shall be interpreted pursuant to the laws of the State of Utah.
7. In the event that any party should be required to retain an attorney because of the default or breach of any other party or to pursue any other remedy provided by law, then the non-breaching or non-defaulting party shall be entitled to a reasonable attorney fees, whether or not the matter is actually litigated.
8. This agreement may not be modified or otherwise amended without a signed written document executed by all of the parties hereto.
9. The invalidity of any portion of this agreement shall not prevent the remainder from being carried into effect. Whenever the context of any provision shall require it, the singular shall be held to include the plural and vice versa and the use of any gender shall include any and all genders.
10. Should any provision of this agreement require judicial interpretation, the court interpreting or construing the same shall not apply the presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of

construction that the document is to be construed more strictly against the person who himself, or through his agents, prepared the same; it being acknowledged that all parties have participated in the preparation hereof.

11. This agreement is not assignable, it being specific to the parties hereto.

DATED this _____ day of _____, 2005.

MAPLETON CITY by:

DEAN ALLAN, Mayor

ATTEST:

DEBRA WALSER, Recorder

Approved as to form:

ERIC JOHNSON, Attorney

SALEM CITY by:

RANDY A. BRAILSFORD Mayor

ATTEST:

JEFFREY D. NIELSON Recorder

Approved as to form:

S. JUNIOR BAKER, Attorney

SPANISH FORK CITY by:

DALE R. BARNEY, Mayor

ATTEST:

KENT R. CLARK, Recorder

Approved as to form:

S. JUNIOR BAKER, Attorney

SPANISH FORK^{CITY}

40 S. MAIN ST. • SPANISH FORK, UT 84660

REDEVELOPMENT AGENCY

Notice is hereby given that the Redevelopment Agency of Spanish Fork City will hold a meeting on June 21, 2004 at 6:30 pm, 40 South Main Street, Spanish Fork City, Utah. All interested citizens are invited to attend.

AGENDA

6:30 pm

- I. Roll Call**

- II. Disbursements**

- II. Minutes**

- III. Public Hearings**
 - A. FY 2005 Budget Final Revision

- IV Other Business**

- V. Adjournment**

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