

**Adopted Minutes
Spanish Fork City Council Meeting
January 18, 2005**

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

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; Emil Pierson, Planning Director; Richard J. Heap, Engineering/Public Works Director; Kent R. Clark, Finance Director; Dee Rosenbaum, Public Safety Director; Seth J. Perrins, Assistant City Manager; Connie Swain, Deputy Recorder.

Citizens Present: Sherman Huff, Dana Robinson, Doug Ford, David Mathis, Brad Wilkinson, Katie Newren, Jessica Nielson, Natalie Nielson, Allison Swain, Jeffrey Lowell Kealii Swain, Brandon Swain, Greg Swain, Robert J. Pittelli, Jeni Cowden, Karen Payne, Sharon S. Brown, Royden G. Hill, Dr. Rex L. Facer II, Kimberly Smith, Tyler Palmer, and Lane Hendricks.

Agenda Request - Jr. Miss Scholarship Donation - Tricia Christensen

This item was removed from the agenda.

Sesquicentennial Celebration Information

Mr. Robinson, on behalf of Arts Council, invited the City Council and all Spanish Fork City residents to attend the opening ceremony for the year long Spanish Fork City Sesquicentennial Celebration. The ceremony will begin at noon tomorrow at the city office building. The current and past mayors since 1970 will be in attendance. The ceremony will consist of two brief speeches, ribbon cutting, and the ringing of the city bell. Information was also given concerning the main sesquicentennial program scheduled for April 1, 2005. Information concerning the scheduled events and volunteer opportunities is available on the city's web page at www.spanishfork.org, on SFCN Channel 17, and in the Spanish Fork Press. Mr. Robinson also thanked Paul Christensen, Seth Perrins and David Oyler for their assistance in preparing for the scheduled events.

Mayor Barney thanked Mr. Robinson and a round of applause was given.

Employee of the Quarter

Mayor Barney introduced Connie Swain, Deputy Recorder, as Employee of the Quarter.

Billboard Agreement with Simmons Outdoor Media

Mr. Baker said during the last City Council meeting a proposal for maintenance of the billboards was approved. The billboard agreement has been drafted. Mr. Baker asked for a vote to approve the agreement based on the approval of the proposal reviewed during the last meeting.

Councilmember Sorensen made a **motion** to approve the Billboard Agreement with Simmons Outdoor Media as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Ordinance 16-04 (Renamed Ordinance 01-05) - An Ordinance Authorizing Telecommunications Meetings

Mr. Baker said this is an ordinance presented to the City Council during the last meeting. He said he has received no comments concerning the ordinance. The purpose of the ordinance is to allow a member of the City Council to participate in a meeting from another location when ill or out of town.

Councilmember Wadsworth asked concerning the reference to static received during a video transmission. He said static cannot be controlled during a video conference transmission.

Mr. Baker said the ordinance was modeled after a sample ordinance received from URMMA. The section of the ordinance referred to by Councilmember Wadsworth allows the video transmission to be terminated in the event that the static disturbs or interrupts the meeting.

Councilmember Wadsworth asked concerning the section of the ordinance indicating that the city may elect to pay the cost of the video conference. He said he would not want to be responsible for the cost of a lengthy transmission from a hotel room.

Mr. Baker said in most instances of a telecommunication meeting the city will pay the costs. If the participant were to be responsible for the cost of the telecommunication, they would be made aware of that fact in advance. This would only take place on rare occasions.

Councilmember Kelepolo asked if participating in the meeting from a remote location, could the participant elect to be involved in only a portion of the meeting.

Mr. Baker concurred and said as long as a quorum still exists after the participant is removed from meeting.

Councilmember Barber said concerns have been expressed to him of the potential for abuse of this ordinance. He said members of the City Council will not dodge important issues and he does not think the ordinance will be abused.

Councilmember Wadsworth asked if the member participating in the meeting from a remote location will participate via instant messenger or email.

Mr. Baker said the outside participant will need to have audio and/or audio with visual exchange.

Councilmember Kelepolo made a **motion** to approve Ordinance 01-05, An Ordinance Authorizing Telecommunication Meetings. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

Pedestrian Bridge

Mr. Pierson said this is a request from the city staff on behalf of the developers of the Quail Hollow Subdivision, Bruce Hall and John Smiley. He reviewed the past pedestrian bridge location proposals and approvals. After researching the latest approved bridge location, it was determined the bridge could cause a lot to devalue. After talking with Mr. Hall and Mr. Smiley an alternative site was determined and is shown on the map provided as site E. Mr. Pierson reviewed the location of sites A through E. He said Mr. Hall provided a drawing of the proposed bridge and he presented the drawing to the City Council. The proposed bridge will consist of a 195-foot span, will be in 3 sections and will cost approximately \$100,000. Mr. Pierson asked the City Council to consider approval of the alternate site for the pedestrian bridge location shown as site E.

Mr. Oyler said as part of the previous bridge location approval the city agreed to pay for the trail connection and the right-of-way acquisition. With the proposed site E the city has agreed to contribute \$25,000 to the bridge in lieu of the previous trail connection and right-of-way cost.

Mayor Barney said he viewed the area and the new proposed site. The bridge will be in a wider portion of the river, however, he feels it is the best location.

Councilmember Wadsworth asked where the trail will connect to the bridge.

Mr. Pierson reviewed the trail connection location.

Councilmember Christensen asked for the height of the bridge.

Mr. Hall said the bridge will be at the height of the land at the sewer easement. The bridge structure will be well above the river. There will be 2 bridge abutments in the river channel to be located near the edge of the river on both sides. The distance from the river bank to the bridge columns will be minimal. He referred to the bridge drawing.

Councilmember Kelepolo asked for the main issue with some of the other proposed bridge sites.

Mr. Smiley said the issues were related to the span of the bridge.

Mr. Pierson said Mr. Hall has completed a number of bridge designs.

Mr. Hall said the bridge will be well above the river flow. If the river ever washes the bridge out, it is built to break away and remain in the location without blocking the river flow. The bridge is designed with the ability to be restored if washed away.

Councilmember Barber made a **motion** to approve the proposed pedestrian bridge as presented with a \$25,000 contribution by the city. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote. A roll call vote was taken confirming the unanimous vote.

Pressurized Irrigation Rates

Brad Wilkinson, Chairman of the Utility Board, said the board met on January 6 and discussed the pressurized irrigation rates and sewer laterals. The Board voted unanimously to recommend an adjustment in the pressurized irrigation base rate from \$16.00 per month to \$15.00 per month to be effective on the February bills. The second item discussed by the Utility Board was the sewer lateral policy. The current policy indicates the city is responsible for the lines from the meter and away from the property while the property owner is responsible for the line from the meter to the house. Since the sewer lines do not have meters, this has been an issue. On a couple of occasions property owners have experienced problems with sewer lines relating to structural damage. The Utility Board determined it may be appropriate for the city to be responsible in these few instances. It is recommended that the city be responsible for the structural sewer line problems under the roadway and the property owner be responsible for the sewer line from the road to the home.

Mayor Barney thanked Mr. Wilkinson and the Utility Board for their service. He said the property owner should not pay for sewer line problems they are not responsible for.

Councilmember Sorensen said when the Utility Board discussed the pressurized irrigation rates they also focused on maintaining the funds needed for capital project improvements and upgrades.

Councilmember Wadsworth said he met with Richard Heap and discussed the lowest possible rate reduction.

Mr. Heap said the Utility Board determined the pressurized irrigation base rate could be as low as \$14.00 per month. However, the Utility Board wanted to make sure the bond payment is met and will recommend another reduction in July if appropriate. The different adjustments were reviewed showing the contingency funds remaining.

Councilmember Barber asked for the ratio needed to meet the bond payment.

Mr. Heap reviewed the coverage needed to insure the bond payment is made.

Councilmember Barber agreed that funding the capital projects is wise. We need to be cautious that the perception is not that this is a revenue source.

Mr. Heap also clarified that the capital project budget will be adjusted with new projects.

Councilmember Barber asked concerning water conservation and asked for the conservation target.

Mr. Heap said the goal is a 25 percent reduction in water usage. Water use has currently been reduced by 15 percent. Residents need to continue to conserve even with the increased moisture being received.

Councilmember Sorensen made a **motion** to approve the recommended reduction in pressurized irrigation base rates to \$15.00 per month. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote. A roll call vote was taken confirming the unanimous vote.

Sewer Lateral Policy

Mr. Heap said it is being recommended by the Utility Board that the city take over the responsibility for structural problems of sewer lines under the streets. And the property owner is responsible for the line from the street to the home. Mr. Heap said the city now has equipment which makes it possible to view inside the pipe and determine the cause of the problem before excavation or other costs are incurred. It has also been requested that the sewer lateral policy, if approved, be retroactive for 6 months since a couple of property owners have experienced sewer problems resulting in high costs. After the excavation of the sewer lateral line related to one of the problems, scrapes could be seen on the lateral line. This problem was out of the property owner's hands. Mr. Heap made a drawing indicating the recommended section of the sewer lateral to be the city's responsibility and the section to be the property owners' responsibility.

Mayor Barney said if a resident has no authority to say what happens to utility lines in the street they should not have to pay for problems caused by those lines. He also asked if the policy becomes retroactive for 6 months, how many incidents are involved.

Mr. Heap said 2 or maybe 3 incidents occurred during the past 6 months which will be affected by the new policy.

Councilmember Kelepolo made a **motion** to approve the sewer lateral policy as presented. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote. A roll call vote was taken confirming the unanimous vote.

2005 Airport Grant Application

Mr. Heap said as part of the long term plans for the airport expansion some county roads must be relocated. The road relocation involves wetlands. The Federal Aviation Agency has approved the project dealing with the wetlands. The Airport Board reviewed the application and recommended approval. Federal funds will pay 90 percent of the cost, State funds will pay 5 percent, and Spanish Fork and Springville will pay 5 percent.

Councilmember Kelepolo made a **motion** to approve the 2005 Airport Grant Application as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Airport Grant Agreement for the Fencing and Gate Project

Mr. Heap said the city received a State grant from the Utah Department of Transportation for a fence and automatic gate project at the airport. The State will pay \$72,000 of the costs and Spanish Fork City and Springville City will pay the balance. The fencing and automatic gate project will allow control of the access into the airport. The Airport Board reviewed the agreement and recommended approval.

Mayor Barney said the city's address needs to be corrected on the application.

Councilmember Kelepolo made a **motion** to approve the Airport Grant Agreement for the Fencing and Gate Project. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

BYU 4/10's Survey Report

Mr. Perrins introduced Dr. Rex Facer and students who conducted the 4/10's survey.

Dr. Facer said the students have done much of the work providing a 4/10's survey at the request of the City Council. They are present and prepared with a slideshow presentation of their findings. The students will not make a recommendation. They will present the information and data to the City Council. The following is a brief overview of the information presented.

- *Kimberly Stewart, Literature Review* - Compressed work schedules have been implemented in the private and public sector. Many cities in Utah have implemented a compressed work week. Potential advantages and disadvantages were discussed. Other issues: employees should have a choice, flexibility, periodic review, a creative five-day work week with partial staffing on Mondays and Fridays.

Councilmember Barber said the research did not address the issue from the consumer's point of view.

Ms. Stewart concurred.

- *Lane Hendricks, Employee Survey* - 132 surveys were received from all full-time and part-time benefitted employees. Five percent of the employees work more hours with the 4/10 work week and 11 percent work fewer hours. Seventy-seven percent of the employees strongly agreed the 4/10 work week has been positive. The majority agreed they are more productive with the 4/10 work week. Twenty-five percent of the employees were interested in a modified 5-day work week.
- *Tyler Palmer, Citizen Survey* - Recipients of the survey were randomly selected from the utility database. 1,459 surveys were mailed out and 440 completed surveys were returned. The majority of the respondents have lived in Spanish Fork for more than 21 years and are homeowners between the ages of 25 and 54. The respondents also had a diverse level of education. The citizen survey conclusion indicated the respondents prefer

the extended hours but also want the city office to be open 5 days a week. Approximately 40 percent of the respondents were indifferent.

Councilmember Christensen asked if information could be provided concerning the areas of the city from which the surveys were returned.

Mr. Palmer said the addresses of the respondents are not available. Information concerning the areas where the surveys were mailed is available.

Councilmember Barber asked Ms. Smith what the other alternative work schedules are as indicated in the previous research.

Ms. Smith said much of the information being requested by the City Council will be included in the final report, however, the information may be somewhat vague.

Dr. Facer concluded by saying there are no easy answers. He said the city should be applauded for taking the time to survey the citizens. Some of the citizens expressed appreciation for being asked to provide their opinion. A final report will be prepared and made available to the city as soon as possible. He thanked the City Council for the opportunity to conduct the survey.

Mayor Barney thanked Dr. Facer and the students for taking the time to conduct the survey and present the information.

Dr. Facer said the final report will be available within the next few weeks.

Councilmember Kelepolo said if members of the City Council have questions, they can contact Mr. Perrins.

Other Business - Chamber Office Use

Mr. Oyler said additional space is needed in the city office and proposed relocation the Chamber of Commerce currently in the city office to the house recently acquired by the city. The house is located on the south side of the fire station block and is zoned appropriately for use by the chamber. Rather than donating the property for use by the chamber, it is proposed that a contract be drawn up between the city and the chamber. The contract will indicate the services to be provided by the chamber in exchange for the use of the house owned by the city.

Karen Payne expressed appreciation to the city for keeping the chamber's best interest at heart. She said she visited the proposed house and said it is very well taken care of.

Mr. Oyler said the house was inspected by Doug Short. If the chamber employs a disabled individual, a ramp will need to be installed and a doorway widened.

Mrs. Payne said the Executive Chamber Committee has met and they are in favor of the proposed relocation. She requested that the entire Chamber Board be allowed to review and approve the contract if drafted.

Mayor Barney said he approves of the proposal based on the number of volunteer hours contributed by the Chamber of Commerce and the great service they provide to the community.

Councilmember Christensen concurred.

Councilmember Kelepolo asked if a vote is needed now or wait until a contract is presented.

Mr. Oyler said the staff needs direction from the City Council if an agreement with the Chamber of Commerce should be drafted concerning their relocation to the house indicated.

Councilmember Kelepolo said he would rather see the property utilized while also providing a service to the community.

Councilmember Sorensen said he approves of the idea.

Mayor Barney called for a motion.

Councilmember Kelepolo made a **motion** to pursue the contract with the Chamber of Commerce to relocate to the house indicated. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Christensen again reminded the citizens of the sesquicentennial celebration opening ceremony tomorrow at noon at the city office building.

Adjournment

Councilmember Sorensen made a **motion** to adjourn. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 7:43 p.m.

Connie Swain, Deputy Recorder

Approved: February 1, 2005