



ADDENDUM CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on October 17, 2006**.

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge
- b. Introduction of Executive Director for Spanish Fork/Salem Chamber of Commerce

2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

3. COUNCIL COMMENTS:

4. PUBLIC HEARINGS: 6:30 p.m.

- a. [Staker Parsons/Strawberry Water User Annexation](#)
- b. [Zone Change – Pioneer Ridge](#)

5. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. [Minutes of Spanish Fork City Council Meeting – April 4, 2006, September 21, 2006](#)
- b. [Rodeo Contract – Diamond Fork Riding Club](#)
- c. [Sankey Stock Contract](#)
- d. [Resolution 06-15 – Authorizing the Fiesta Days & Rodeo Committee Chairs to Execute Contracts](#)
- e. [Contract for Culinary Water Reservoir Design](#)

6. NEW BUSINESS:

- a. [Police/Court Building – Construction Management & Design](#)
- b. [Recreation Area](#)
- c. [Resolution 06-16 – Terminating the Mapleton Annexation Boundary Agreement](#)
- d. [Pioneer Ridge Preliminary Plat](#)
- e. [ALA Bond Resolution 06-17 – A RESOLUTION PROVIDING FOR THE FINANCING BY SPANISH FORK, UTAH \(THE “ISSUER”\) OF THE ACQUISITION OF SCHOOL FACILITIES, EQUIPMENT AND LAND LOCATED IN SPANISH FORK, UTAH IN ORDER THAT THE AMERICAN LEADERSHIP ACADEMY \(THE “BORROWER”\) MAY BE PROVIDED WITH FACILITIES TO PROMOTE THE GENERAL HEALTH AND WELFARE WITHIN THE STATE OF UTAH; AUTHORIZING AND PROVIDING FOR THE ISSUANCE BY THE ISSUER OF ITS NOT TO EXCEED \\$26,000,000 CHARTER SCHOOL REVENUE BONDS \(AMERICAN](#)

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.

LEADERSHIP ACADEMY) SERIES 2006 WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES PLEDGED THEREFORE UNDER THE TRUST INDENTURE; AUTHORIZING THE EXECUTION AND DELIVERY BY THE ISSUER OF A TRUST INDENTURE, A BOND PURCHASE AGREEMENT, A LOAN AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; APPROVING THE USE OF AN OFFICIAL STATEMENT; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

f. [Surplus Fire Truck Donation](#)

7. OLD BUSINESS:

a. [Community Standard Resolution](#)

8. OTHER BUSINESS:

a. Executive Session If Needed – To be Announced in the Motion

ADJOURN:

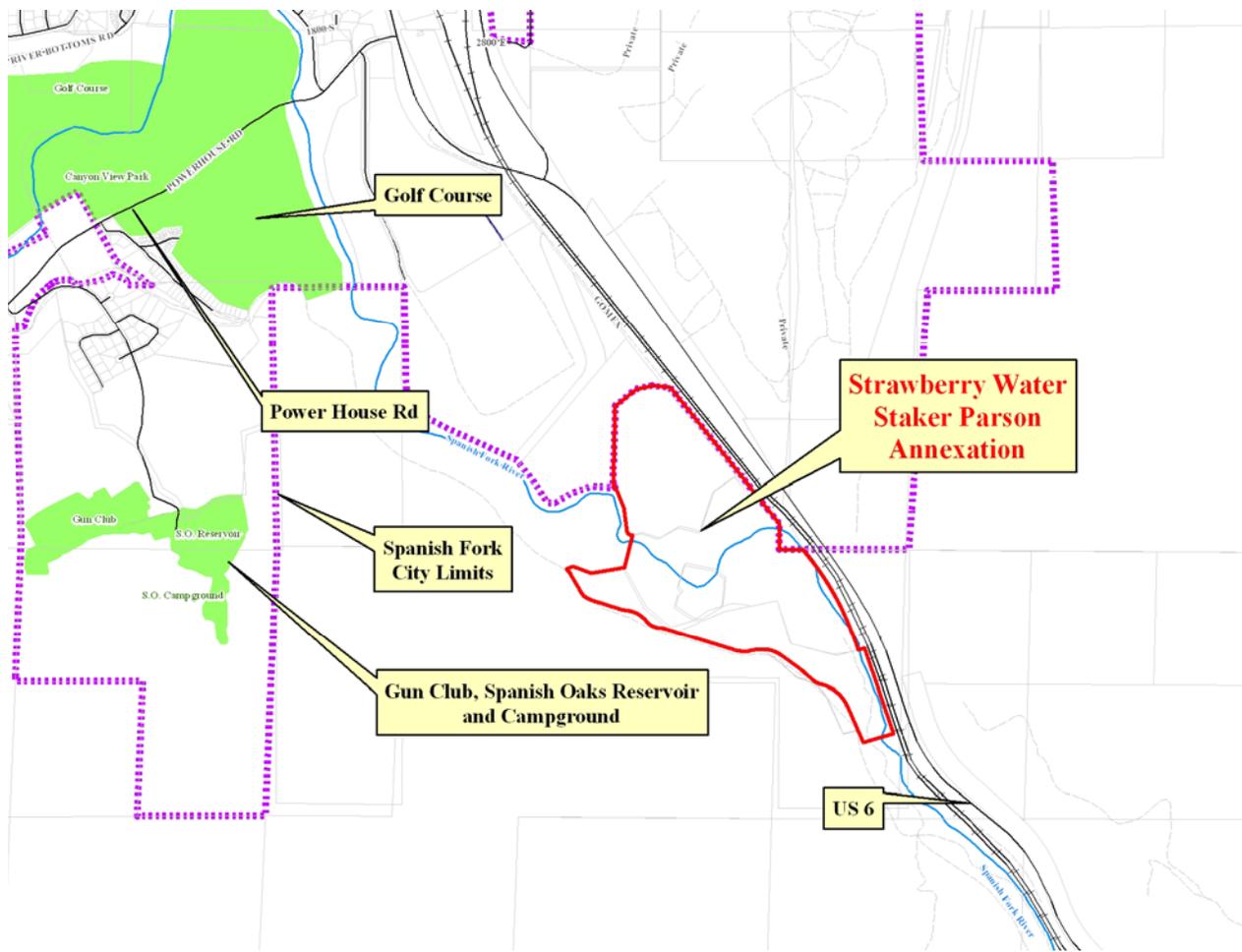
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date:	October 17, 2006
Staff Contacts:	Dave Anderson, Planning Director
Reviewed By:	the Development Review Committee
Subject:	Strawberry Water Staker Parson Annexation

Background Discussion:

Spanish Fork City is proposing to annex lands into the City as is depicted on the image provided below.



Staff understands that the main impetus of the proposed annexation is the development of a Wind Farm. Parcels included in the proposed annexation are owned by Spanish Fork City, Strawberry Water Users and Staker Parson Companies.

This annexation was on the City Council agenda for your September 19 meeting. However, it was determined that all of the requisite notices had not been given and staff requested that the item be continued. Since September 16, the required notices have been provided and, subsequent to holding a public hearing on October 17, the City council may take action on the proposed Annexation.

Development Review Committee

The Development Review Committee reviewed this request in their July 26, 2006 meeting. The following is an excerpt from the minutes of the meeting:

Strawberry Water Staker Parson (2800 South Highway 6)

Mr. Anderson gave background.

Mr. Baker made a **motion** to accept the Strawberry Water Staker Parson Annexation 2800 South Highway 6 being zoned I-2 with no conditions. Mr. Foster **seconded** and the motion **passed** all in favor.

Planning Commission

The Planning Commission reviewed this proposal in their September 6, 2006 meeting and recommended that the annexation be approved and that I-2 zoning be assigned to the property. The following are draft minutes from that meeting:

Annexation – Strawberry Water Staker Parson

Mr. Anderson gave background and explained the proposal.

Commissioner Christianson expressed concern with negligent use and whether the city would be liable.

Mrs. Johnson feels that it would not be the City's problem.

Mr. Anderson feels that the City would not be assuming additional liability in annexing these properties but noted that he would research the issue before the City Council meeting.

Christine Michael

Ms. Michael addressed the Commission with regard to wind turbines.

Commissioner Huff made a **motion** recommending to the City Council approval of the proposed Strawberry Water Staker Parson Annexation located at 2800 South Highway 6 with the Industrial 2 zoning assigned based on the following finding:

Finding:

1. That the proposed Annexation and associated zoning would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.

Commissioner Miya **seconded** and the motion **passed** by a unanimous roll call vote.

Budgetary Impact:

As the development potential of most of the subject properties is rather limited, it is unlikely that the proposed Annexation will have a significant budgetary impact on the City. Nonetheless, the construction of the Wind Farm may generate some revenue for the City and, at a minimum, any industrial development would likely be a net gain to the City in terms of cost versus revenue.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Annexations and in assigning zoning with annexed properties. The Council may approve the proposed Annexation with the Industrial 2 zoning or assign other zoning as you feel is most appropriate.

Recommendation:

Annexation

Staff recommends that the City Council approve the proposed Annexation with the Industrial 2 zoning assigned, based on the following finding:

Finding:

1. That the proposed Annexation and associated zoning would allow for a type of development that is consistent with that which has been constructed in the immediate vicinity.

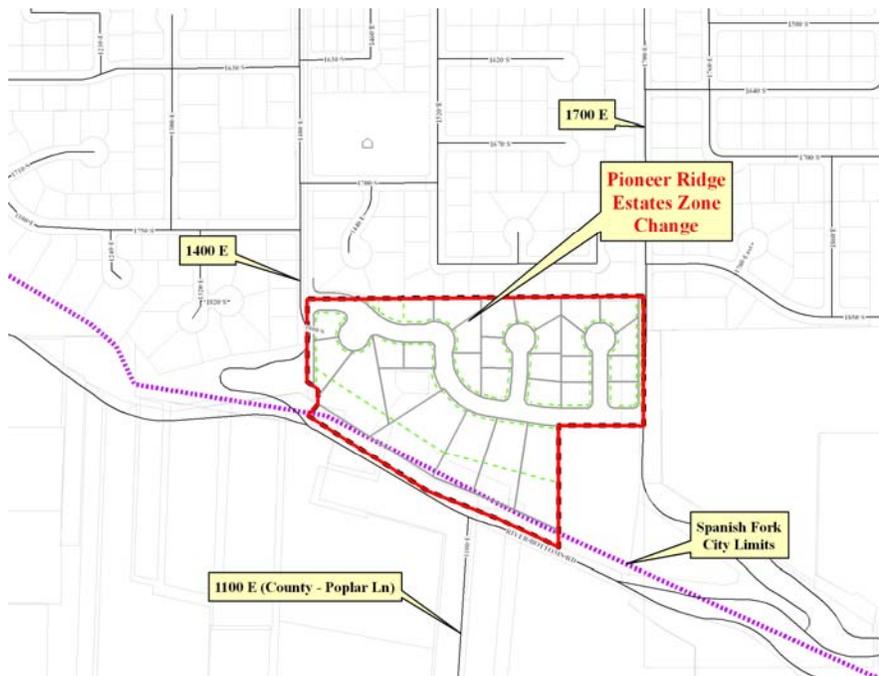
**SPANISH FORK CITY
Staff Report to City Council**



Agenda Date: October 17, 2006
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: Development Review Committee
Subject: Pioneer Ridge Zone Change and Preliminary Plat Approval Request

Background Discussion:

The applicant, Clark Mitchell, is requesting a Zone Change and Preliminary Plat approval for a 20-acre parcel located at approximately 2000 South 1400 East. The property is currently zoned Rural Residential and the applicant has proposed that the zoning be changed to R-1-12. The General Plan designates the property as Residential 1.5-2.5 units per acre.



Details

The proposed Preliminary Plat is a standard subdivision that contains a total of 28 building lots. The subject property is situated such that the building lots would be located above River Bottoms Road. The proposed plat has been prepared so as to convey ownership of the hillside to the individual lot owners, while encumbering the hillside portion of those lots with an easement. Staff understands that access from the

individual lots in the development to River Bottoms Road will not be allowed. All of the proposed lots conform to the City's standards.

One of the more unique features of the subject property is the pioneer cemetery. Encompassed by the subject property is a parcel of land owned by Spanish Fork City which contains a pioneer era cemetery. The applicant's proposal includes plans to dedicate additional acreage for the cemetery (represented as Lot B), the construction of parking spaces adjacent to the cemetery and a monetary contribution to be used for improvements at the cemetery.

Development Review Committee

The Development Review Committee reviewed these requests in their September 27 meeting and recommended that they be approved. Minutes from that meeting are as follows:

Pioneer Ridge Estates – 2000 South 1400 East

Mr. Anderson gave background and explained the proposal.

Discussion was held concerning the public drainage storm drain easement, 90 degree parking, landscaping and fencing for the cemetery, that the Daughters of the Utah Pioneers are to meet with Dale Robinson to prepare a concept plan for the cemetery, right-of-way dedication to the City for the trail, hillside landscape with regard to scenic easements (restrictions), legal language on the Plat (with regard to no storage, no excavation, specific landscape, whether fencing is or is not allowed), access will not be allowed from River Bottoms Road,

Mr. Anderson said that he did receive a copy of the neighborhood meeting attendance and minutes. There were not any concerns raised in the meeting. Developer has satisfied this requirement.

Mr. Baker made a **motion** to the City Council approval of the Preliminary Plat for Pioneer Ridge Estates located at 2000 South 1400 East subject to the following conditions:

Conditions:

1. That the scenic easement be modified in the language to say no outside structures, no fencing within the easement, no storage of materials of any type, no access from River Bottoms Road. No excavation of any type.
2. That the trail be shown as road right-of-way.
3. That the cemetery be dedicated to the City for the Parks and Recreation Department.
4. That the retention basin be removed from private property and work with the City Engineers to put it in under the streets.
5. That the Plat notes concerning the scenic easement be required on the deeds of lot numbers 20-23, 26, and 27.
6. That the applicant work with the Parks and Recreation Department to propose a concept plan with an allotment of funds for the cemetery.
7. That parking for the Cemetery be 90 degree parking as to have access from both directions.

Mr. Banks **seconded** and the motion **passed** all in favor.

Discussion above with Preliminary Plat.

Mr. Baker made a **motion** to the City Council approval of the Zone change request for Pioneer Ridge Estates, located at 2000 South 1400 East, to R-1-12 based on the following finding:

Finding:

1. That the zone is consistent with the General Plan and the proposed lots are larger than those in the vicinity.

Mr. Banks **seconded** and the motion **passed** all in favor.

Planning Commission

The Development Review Committee reviewed these requests in their October 4 meeting and recommended that they be approved. Minutes from that meeting are as follows:

Mr. Anderson gave background and explained the proposals for the Zoning Map Amendment and Preliminary Plat approval requests. He explained that the applicant has proposed that Lot B be dedicated to the City and will provide some funding for the City to install fencing, landscape, and parking. Mr. Anderson then explained the scenic easement (placed on lots 20-23, 26 and 27), River Bottoms Road, the trail, improvements on frontage, Lot C (which will be dedicated to the City) and storm drainage (to be constructed underground).

Discussion was made regarding lot sizes and the plan for the cemetery with regard to fencing and landscape.

Commissioner Miya feels fencing and landscape should be constructed in a way so as to preserve the history of the cemetery.

Commissioner Christianson feels that there should be some verbiage somewhere that holds the City harmless for any seepage or landslide with regard to the springs on the hillside.

Clark Mitchell

Mr. Mitchell addressed the Commission. He explained his intentions with the cemetery funds (fence, sprinklers, landscape) and that if the Daughters of the Utah Pioneers want to have a fundraiser to raise funds for a monument they may do so.

Commissioner Lewis asked about the fencing.

Mr. Mitchell said that the lots are designed so that people will not be looking into people's backyards.

Commissioner Bradford asked who would be taking care of the C. C. & R's.

Mr. Mitchell explained that a homeowner's association would take care of that.

Commissioner Lewis asked about homeowner's creating a trail on their property to get to River Bottoms Road.

Mr. Mitchell explained that a natural trail from them walking up and down the hill would be fine but nothing else.

Commissioner Lewis asked about trees, flowers etc. on the hillside.

Mr. Anderson clarified the verbiage of the scenic easement.

Commissioner Huff asked Mrs. Johnson if there was something that could keep the City held harmless from the seepage on the hill, or if the hill sluffs.

Mrs. Johnson addressed the Commission. Mrs. Johnson feels there can be verbiage on the Plat to address the springs on the hillside.

Mr. Bradford excused Commissioner Robins for not being in attendance.

Commissioner Bradford opened the public hearing.

Glen Bradford

Ms. Bradford addressed the Commission. He is concerned about parking for the cemetery.

Pat Mitchell

Ms. Mitchell addressed the Commission and explained the intent of the Daughters of the Utah Pioneers with regard to the cemetery.

Discussion was made concerning the cemetery.

Vern Dillenbeck

Mr. Dillenbeck addressed the Commission. He is concerned about the need for more green space. He would like to see a park adjacent to the cemetery.

Mr. Mitchell addressed the concerns.

Justin Irvine

Mr. Urbine addressed the Commission. He is concerned with the height of the homes.

Mr. Anderson clarified the height restriction.

Commissioner Miya **moved** to close Public Hearings. Commissioner Christianson **seconded** and the motion **passed** all in favor.

Commissioner Lewis is pleased with the project and the cemetery improvements. He feels lots 23, 24, and 25 need a sensitive excavation site requirement with regard to the cemetery.

Commissioner Miya is pleased with the developer's willingness to preserve the cemetery.

Commissioner Miya made a **motion** recommending to the City Council **approval** of the proposed Preliminary Plat and Zone Change for Pioneer Ridge based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat meets the City's standards for Developments in the R-1-12 zone.
2. That the R-1-12 zone is consistent with the General Plan.

Conditions:

1. That the language of the scenic easement be modified to say no outside structures, no fencing within the easement, no storage of materials of any type, no access from Rivers Bottoms Road. No excavation of any type.
2. That Lot C is dedicated as road right-of-way.
3. That the cemetery be dedicated to the City for the Parks and Recreation Department.
4. That the retention basin be removed from private property and work with the City Engineers to put it in the streets.
5. That the Plat notes concerning the scenic easement be required on the deeds of lot numbers 20-23, 26 and 27.
6. That the applicant works with the Parks and Recreation Department to prepare a concept plan with an allotment of funds for the cemetery.

7. That parking for the Cemetery is 90 degree parking as to have access from both directions.
8. Put a clause on the plat for lot numbers 20-23, 26 and 27 that the City is held harmless for any water seepage or landslide.
9. Prepare a letter for excavators that this is a sensitive area and remind them of the State and Federal Archeology standards.

Commissioner Lewis **seconded** and the motion **passed** all in favor.

Budgetary Impact:

Staff anticipates providing the City Council with a more detailed analysis of the financial impact of residential development in the near future but, for purposes of this report, simply notes that the long term cost to serve residential development generally exceeds anticipated revenue.

Alternatives:

As the proposed Preliminary Plat is consistent with the City's standards for developments in the R-1-12 zone, there are not many options that the City may pursue to require modifications.

Recommendation:

Staff recommends that the City Council approve the proposed Preliminary Plat and Zone Change for Pioneer Ridge based on the following findings and subject to the following conditions:

Findings:

1. That the proposed Preliminary Plat meets the City's standards for Master Planned Developments in the R-1-12 zone.
2. That the R-1-12 zone is consistent with the General Plan.

Conditions:

1. That the language of the scenic easement be modified to say no outside structures, no fencing within the easement, no storage of materials of any type, no access from River Bottoms Road. No excavation of any type.
2. That Lot C be dedicated as road right-of-way.
3. That the cemetery be dedicated to the City for the Parks and Recreation Department.
4. That the retention basin be removed from private property and work with the City Engineers to put it in the streets.
5. That the Plat notes concerning the scenic easement be required on the deeds of lot numbers 20-23, 26, and 27.
6. That the applicant work with the Parks and Recreation Department to prepare a concept plan with an allotment of funds for the cemetery.
7. That parking for the Cemetery be 90 degree parking as to have access from both directions.
8. That a note be added to the plat placing the owners of lots 20-23, 26 and 27 that the City is not liable for any water seepage or landslide.
9. That excavators be provided a letter by the developer clarifying that this is a sensitive area and reminding them of the State and Federal Archeology standards.

attachments: proposed Preliminary Plat
neighborhood meeting minutes

Pioneer Ridge Estates Neighborhood Meeting Minutes

When: 7:00pm Tuesday, September 19, 2006

Where: Veterans Building – Spanish Fork City

Clark Mitchell – 7:11pm

Welcoming comments to those in attendance; feedback encouraged along with comments and questions. Brief explanation of the proposed Pioneer Ridge Estates project – 28 lot subdivision in accordance with Spanish Fork city’s master plan and zoning of R-112 with lots meeting the 12,000 sq/ft minimum. Not seeking density bonuses or PUD zoning. Project includes Pioneer Cemetery which will be expanded and beautified by budget given to Utah Daughters of Pioneers. Also a disclosure of Fred Vincent’s property upon which he herds a 100 head of cattle for a few months of the year. The proposed layout is conducive to a safe and close neighborhood feel bringing a sense of “place”. Project includes 50 ft proposed Trail Dedication running parallel with River Bottoms Road that will be deeded to Spanish Fork City for the future construction of a trail system, shown as lot C on the plat. Above that is a proposed Scenic Corridor with the intent of protecting the hillside from yard waste debris, building or digging, storage of anything. Scenic Corridor will preserve its natural beauty, open space and landscape therefore maintaining a scenic buffer to the homes on the southern boundary adding value to the overall project. Explanation of home design and construction including landscaping proposals and time restrictions contained in the CCR’s. Concluding remarks regarding the project and its unique location.

Questions and Comments

1. Concern over the restrictiveness of time periods in putting in landscaping after home completion. Time frames are to prevent stalling of yard and unsightly property thus subtracting value from the overall project and neighborly, community feel. Time restrictions add to the overall project by providing value and are really in the property owner’s best interest.
2. Question regarding reservation procedure. Names will be taken and entered into a pool which will then be drawn at random and assigned numbers chronologically for placement in picking lots.
3. Comment regarding Catwalk for children heading to school to avoid busy streets.
4. Concern about weed control on the farm ground until construction commences. We proposed cutting down and maintaining weed control till we break down.
5. Lot size concern, perhaps too small. We have dropped lots and lots till we got to this magic number that will allow for the best use of the property on both sides.
6. Proposed wall feature around project? We aren’t interested in this feature as it inhibits un-kept landscaping strips and confinement. Future property owners expressed concern over the wall and felt it wouldn’t be in their best interest.
7. Scenic corridor question and its actual use. Some expressed interest in landscaping in the scenic corridor but we feel it would prove to be spotty and lower the value of having such a naturalscaped buffer.
8. Taxing concerns for southern lots lying in the scenic corridor with much of it being unusable and unbuildable.
9. Water concerns for expressed by Fred Vincent. Water seepage occurs on the lower bluffs on the southern slope and care needs to be taken if there was ever any use allowed there.
10. Land pricing questions were asked. At the due time we will release a price sheet for the lots but until then, given the unique area and prime real-estate of the project, expect the prices to be higher than its relative market value in other areas.

Conclusion– 7:55pm

Conclusion of neighborhood meeting and thanking of participation and comments. Time was then given for to view the maps, plats, and provided additional information to meet the needs and concerns for neighbors and potential buyers. Email addresses were taken and developer information was made accessible for future feedback and comments.

**Tentative Minutes
Spanish Fork City Council Meeting
April 4, 2006**

1 The meeting was called to order at 6:03 p.m. by Mayor Joe L Thomas.

2 Elected Officials Present: Mayor Joe L Thomas, and Councilmembers G. Wayne Andersen,
3 Matthew D. Barber, Steven M. Leifson, Seth V. Sorensen and Chris C. Wadsworth.

4 Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard
5 J. Heap, City Engineer/Public Works Director; Kent Clark, Finance Director; Seth J. Perrins,
6 Assistant City Manager; Dee Rosenbaum, Public Safety Director; Dale Robinson, Parks and
7 Recreation Director; Roy Christensen, Golf Pro; Janice Ottesen, Golf Course Operations
8 Assistant; and Marlo Smith, Engineering Secretary.

9 Citizens Present: Tony Grunander, Gae Grunander, John Stewart, Spencer Stewart, Dennis
10 Mitchell, Jackie Mitchell, Lane Olson, Caleb Russell, McKay Bowcut, Matt Huntsman, John
11 Russell, Jessica Woolsey, Richard Bean, Joe Broderick, Royden Hill, Tom Allen, Michael Moos,
12 Hayden Allen, Kevin Smith, Michael Nelson, Karl Guymon, Nate Guymon, Jake Guymon,
13 Patience Bernards, NaDene Johnson, Carillisa Bean, Kim Williams, Diane Anderson, Randy
14 Anderson, Janet Hutchings, Dennis Johnson, David Pollei, Justin Martin, Allen Riley, Blair
15 Hamilton, Neil Sorenson, and Gary Aitken.

16 **CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:**

17 **Pledge**

18 The pledge of allegiance was led by Councilmember G. Wayne Anderson.

19 **CONSENT ITEMS:**

20 **Minutes of Spanish Fork City Council Meeting - December 26, 2005 and February 21, 2006**

21 Councilmember Sorensen made a **motion** to approve the consent items with changes as noted.
22 Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

23 **PUBLIC COMMENTS:**

24 **Royden Hill**

25 Mr. Hill thanked the mayor and council for the privilege to speak. Mr. Hill said there is a need
26 for a police and court building, but also a need for the people to decide. He said the City should
27 put the bond to a vote. Mr. Hill discussed his concern if the court doesn't pay their lease due to
28 unforeseen problems.

29 Mr. Hill thanked the council for opening the city office building on Fridays and also continuing

30 with the extended hours. He would like to see the opportunity to have the office opened on
31 Saturdays.

32 Mr. Hill commended the great work regarding the windmills. Mr. Hill again emphasized his
33 desire for the public to vote regarding the bonding for the police/court building.

34 **Dennis Mitchell**

35 Mr. Mitchell thanked the council for the opportunity to speak. He spoke in reference to the
36 police/court building. He understands the need for the facility and has no objections regarding
37 the new facility. He does agree with Mr. Hill in regards to allowing the public to vote on a bond
38 issue. He feels this may help cut the expense down. He would like to see cuts in other
39 departments to help pay existing bills so that money can be freed up to pay for the police/court
40 building. He would like to opportunity to decide whether to cut costs or have a lower interest
41 rate on the bond. If not able to decide on the bond issue, he would like to see citizens allowed to
42 decide other options for the police/court building.

43 Mayor Thomas encouraged all citizens to send any comments or input regarding the size of the
44 building and how far to build ahead for expansion. Please email council@sfcn.org, or call and
45 leave a message.

46 Councilmember Andersen said the ad hoc committee researched the different types of bonds.
47 The very least expensive are the sales tax bonds. The most expensive route to take is to allow
48 the vote of citizens. He said saving money is a concern to the council.

49 Councilmember Sorensen explained to Mr. Mitchell that when the city issues a bond, the bond is
50 not callable until a certain date. The city is not able to pay the bond off before the callable date,
51 which makes it difficult to pay a bond off early.

52 Councilmember Andersen said the fire station building will be paid off this year. The liability is
53 no longer there that allows for some flexibility.

54 **Joe Broderick**

55 Mr. Broderick asked the council for any additional comments they may have regarding the 750
56 South road closure.

57 Mayor Thomas said the closure is moving forward, but options are being looked at. A projected
58 plan would show a curvature that will take the frontage road back 300 feet from the intersection
59 allowing for the signal light. This would create challenges for the owners of the property in
60 regards to irrigation issues. He said options are being looked at as the project moves forward.

61 Councilmember Barber discussed the letter from the State regarding the road closure or requiring
62 the intersection to be at least 300 feet from the signal light.

63 Mr. Heap said the City has always planned on the road reopening in the future. How the road is
64 opened will be determined by the property owner as their property develops. There will be some

65 connection that will be at least 300 feet away from the signal light.

66 Mr. Heap discussed the projected start date for the signal light is June 1st. At this time the utility
67 extension on the other side of Highway 6 is being done prior to UDOT starting their project.

68 **NEW BUSINESS:**

69 **Malcom Spring Annexation Petition**

70 This item was passed at this time.

71 **Waste Water Treatment Plant Expansion Bid**

72 Mr. Heap reviewed the bid tabulation for the expansion of the Waste Water Treatment Plant. He
73 said this project would expand the capacity to more than 44,000. The project was estimated to
74 cost \$3,368,250, with the City's share at \$2,595,000. With the bids now in the low bidder is
75 Nelson Brothers Construction with a bid of \$2,915,200. Spanish Fork City's share would then
76 be \$2,244,704. With what is already collected from impact fees, and what we expect to collect
77 by the time the project is complete and the loan from Mapleton City we should not have to
78 borrow any money from reserves to pay for this project. Mapleton City will fund \$950,000 that
79 will be paid back with impact fees over the next three years. Mr. Heap said Nelson Brothers
80 Construction did the work on the waste water treatment plant expansion in 1993. Mr. Heap
81 recommends accepting this bid.

82 Councilmember Wadsworth asked if the funding amount from Mapleton City would change due
83 to the bid being lower than expected.

84 Mr. Heap said the funding from Mapleton would not change.

85 Councilmember Sorensen asked if it was an interest free loan.

86 Mr. Heap concurred.

87 Councilmember Sorensen commended Mr. Heap and Dennis Sorensen in their research to allow
88 for more capacity that also saved money.

89 Discussion took place that Aqua Engineering would be the construction manager for the project.

90 Councilmember Sorensen made a **motion** to award the Waste Water Treatment Plant Expansion
91 to Nelson Brothers Construction in the amount of \$2,915,200.00. Councilmember Leifson
92 **seconded**, and the motion **passed** with a unanimous vote.

93 **Utility Restriction**

94 Mr. Heap said in December 6, 2005, the City Council authorized a conditional lifting of the
95 utility restriction for new development. New preliminary plats could be reviewed by staff, go
96 through DRC and Planning Commission. However, they cannot go to the City Council for

97 approval. The concern was the cost of the treatment plan expansion. Now that the bids are in
98 for the project and the project has been awarded, a decision on lifting the entire utility restriction
99 is needed.

100 Councilmember Wadsworth said the condition was made until certain criteria were met. That
101 criteria has been met and he feels the council needs to continue the commitment.

102 Councilmember Sorensen concurred.

103 Councilmember Barber made a **motion** to remove the Utility Restriction for New Development.
104 Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

105 **Fire Chief and Ambulance Captain Appointment (Change of Ordinance)**

106 Mr. Rosenbaum discussed the different ways the City has appointed a fire chief in the past. He
107 said the mayor and council has appointed the fire chief, The public safety director recommends
108 to the mayor and council and then with the mayor's consent the fire chief is appointed.
109 Currently he public safety director has been given the authority to appoint a fire chief.

110 Mr. Rosenbaum said Jamie Chappel has resigned as fire chief and Brent Jarvis is the acting chief
111 at this time. Mr. Jarvis has been the assistant fire chief for several years.

112 Mr. Rosenbaum said there has been some discussion in regards to amending the budget to allow
113 for a full time fire chief or to keep the position a part time volunteer fire chief. He said the
114 council also has to make the decision as to whether the mayor and council want to be the
115 appointing authority for the new fire chief or if that decision stays with the public safety director.

116 Mayor Thomas said he asked for this item to be on the agenda. Since the resignation of the
117 previous fire chief he has received comments on the appointment for the fire chief to be given
118 back to the mayor and council.

119 Discussion took place regarding the current code authorizing the public safety director to appoint
120 the fire chief.

121 Discussion took place regarding the budget for the public safety department involving the police,
122 fire and ambulance departments.

123 Councilmember Andersen asked if the ambulance captain is chosen the same way.

124 Mr. Baker said at this time the ambulance captain is chosen the same way. It is anticipated that
125 if the fire chief appointment comes back to the mayor and council so will the appointment of the
126 ambulance captain.

127 Councilmember Wadsworth asked if the responsibility of appointing a fire chief was pushed
128 back to the council would it alleviate any political decision for the public safety director.

129 Mr. Rosenbaum said either way is workable and it has functioned under both options.

130 Councilmember Wadsworth asked if this decision would adversely affect morale of the
131 employees.

132 Mr. Rosenbaum said he has never received personal input on that point. He isn't sure if the
133 council has received input to this nature.

134 Mayor Thomas said he has received input, nothing of a negative reaction, but he has received
135 input from firefighters preferring the appointment responsibility be given back to the mayor and
136 council.

137 Councilmember Leifson said this decision should wait until the presentation for a full time or
138 part time fire chief is finished.

139 Councilmember Andersen asked how the personnel committee has functioned in these matters.

140 Mr. Rosenbaum said they have not been involved in the past.

141 **PUBLIC HEARINGS:**

142 **Michael Nelson General Plan Amendment (tabled from March 7, 2006)**

143 **Michael Nelson Rezone (tabled from March 7, 2006)**

144 Councilmember Barber made a **motion** to move into the public hearing portion of City Council
145 meeting. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

146 Mr. Baker said the public hearing for these two items was initially scheduled two meetings ago.
147 At Mr. Nelson's request this item was continued until tonight. Mr. Nelson owns the property
148 located at 115 East 300 North. Currently the property is general planned for Residential 5-12
149 units per acre and the applicant is requesting to amend the general plan at this location to
150 Residential 5-12 u/a and Residential Office. In conjunction with the general plan amendment,
151 Mr. Nelson is also requesting to change the zoning from R-3 to Residential Office to allow for a
152 podiatry office. When the Planning Commission reviewed this request, it recommended denial
153 based on the concern of parking. The Residential Office zoning requires the parking to be in
154 front of the building and side. The ordinance requires 1 parking space for every 150 square feet
155 of building space for a medical or dental office. If the office is not medical or dental the parking
156 space requirement is 1 parking space for every 300 square feet of building space. The Planning
157 Commission felt that a podiatry office is a medical office and therefore does not meet the
158 parking requirement for the Residential Office zone.

159 Mr. Nelson said he is the owner of the property. He said he considered selling this building but
160 since it is an older home he has not been successful in selling the home. At this time he is asking
161 that the general plan amendment and rezone be approved and then he will continue to work on
162 site amendments to meet the zoning ordinance. He has hired an engineering firm to help with
163 the design.

164 Mr. Kevin Smith is a consultant who works for Armstrong Engineering. He is here representing
165 Mr. Nelson. After looking at the property and reviewing staff reports he understands the parking
166 issue. However, a site plan has not been submitted and Mr. Nelson is asking for a change in
167 zoning and the general plan so he may have the opportunity to apply for a site plan. He said due
168 to the fact the Residential Office zone is across the street. It is likely that in the future this area
169 will be zoned Residential Office. He feels as if this zoning is compatible to the surrounding
170 businesses and multi-family dwellings. He said Mr. Nelson will be conducting business three
171 days a week with no weekends and no clients after 5:00 p.m. He thinks modifications can be
172 made to the structure to help with the parking issue.

173 Mayor Thomas asked Mr. Nelson where is current office is at this time.

174 Mr. Nelson said he is currently renting office space at 100 East 800 North. But, due to the
175 HIPA laws he is in need of more storing space, a waiting room, and two treatment rooms.

176 Discussion took place regarding the proposed site in regards to the enclosed patio and porch that
177 could be removed to help with the parking issue.

178 Mr. Baker said one issue that needs to be addressed is if the office is considered a regular office
179 or a medical office which would change the requirement of 1 parking space for every 150 square
180 feet of building space to 1 parking space for every 300 square feet of building space.

181 Councilmember Andersen said he would like to see a floor plan of the changes with the enclosed
182 patio and porch taken off.

183 Mr. Nelson said he has hesitated to have a floor plan drawn due to the cost of engineering he
184 does not want to incur if the rezone is not approved. He said in the past six years Podiatrists
185 have been fighting Washington to be acknowledged as a medical practioner.

186 Councilmember Wadsworth said he works for IHC and IHC considers a podiatrist a doctor.

187 Mayor Thomas said the council is not asking for anything formal, it could be a hand drawn floor
188 plan.

189 Councilmember Andersen concurred and said he would like to see how many square feet the
190 building would have in the end.

191 Discussion took place regarding the parallel parking in the back of the building.

192 Mayor Thomas opened the hearing for public comment.

193 **Richard Bean**

194 Mr. Bean said he is the property owner next door. He doesn't agree with Mr. Nelson that he is
195 not able to sell the property. Mr. Bean knows of two individuals who have approached Mr.
196 Nelson about purchasing the property. He would like to see this property stay a single family

197 home. Mr. Bean said when this was presented to the DRC and PC they chose to deny this
198 request after great lengths of discussion in regards to if the business is considered a medical
199 office, parking issues and other issues. Mr. Bean referred to the zoning ordinance Title 15. He
200 said in the Residential Office zone the business is to be a low intensity scale that is consistent
201 with the surrounding residential structures such as a hair salon. Mr. Nelson's business would be
202 a much higher intensity and is not compatible to the surrounding structures. With all of the
203 modifications Mr. Nelson is proposing it will change the aesthetic look of the home. The
204 landscaping regulations are also an issue. If Mr. Nelson is required to have ten feet for trees and
205 shrubs there will not be enough room for the parking required and the percentage of landscaping
206 that is required. Mr. Bean said if this is approved and Mr. Nelson sells the property how much
207 more will the issues progress. Mr. Bean said Emil Pierson, the city planner at the time, had
208 asked Mr. Nelson to have a foot print prepared for Planning Commission and City Council. It
209 has not been done and Mr. Nelson keeps pushing the issue farther and farther. Mr. Bean
210 presented a petition with 33 signatures from surrounding residents asking for this request to be
211 denied. Mr. Bean said he hopes the council will take in the consideration of the DRC and PC to
212 deny the request from Mr. Nelson due to the multiple issues discussed.

213 **Nadine Johnson**

214 Ms. Johnson said she is the business that Mr. Bean had referred to. She owns a home across the
215 street from Mr. Nelson and has a salon inside her home. Ms. Johnson has had the business for
216 many years. She has met the zoning requirements. She has five off street parking spaces, a
217 separate entrance to the salon from the home. She doesn't have a sign in front of her home. She
218 said you wouldn't notice the salon from the outside of the home. She concurred with Mr. Bean
219 about the neighbors not wanting the podiatry office there.

220 Discussion took place regarding parking in other Residential Office zones throughout the City.

221 Mayor Thomas asked if Mr. Nelson could get with the neighbors and discuss the challenges he is
222 facing and see if alternatives can be made.

223 Councilmember Leifson made a **motion** to table the Michael Nelson General Plan Amendment
224 and the public hearing until April 18, 2006. Councilmember Wadsworth **seconded**, and the
225 motion **passed** with a unanimous vote.

226 Councilmember Leifson made a **motion** to table the Michael Nelson Rezone and the public
227 hearing until April 18, 2006. Councilmember Wadsworth **seconded**, and the motion **passed**
228 with a unanimous vote.

229 Councilmember Wadsworth made a **motion** for a five minute break. Councilmember Sorensen
230 **seconded**, and the motion **passed** with a unanimous vote.

231 *7:25 p.m. - Break*

232 *7:30 p.m. - Reconvened*

233 **OLD BUSINESS:**

234 **RGM LC Proposal for consulting services for the Golf Course**

235 Councilmember Barber said Rob Harris with RGM LC has presented a new propoosal. Once
236 everyone has reviewed the proposal and feels comfortable he would like to see a decision made.

237 Discussion took place regarding the proposal for consulting services. RGM would charge
238 \$1,500.00 per month, 10% of revenue increases over 2005 actuals, expenses that would be
239 limited to mileage, lodging and meals. Most meals would be eaten at the club; or the pricing
240 would be \$2,000.00 per month, 20% of revenue increases over 2005 actuals, and meals at the
241 club.

242 Councilmember Barber said he feels the pricing is low when considering what they are
243 proposing to implement and the result they will generate in three months compared to having a
244 full season.

245 Discussion took place regarding the season that has started and if this proposal is to be
246 implemented it should be done immediately.

247 Councilmember Leifson said he is not comfortable making a decision on a proposal he has just
248 received. He would like to see if improvements are made with the changes the golf course staff
249 has implemented.

250
251 Mayor Thomas said he has talked with the individuals involved and he feels the price is
252 reasonable for the outcome that is proposed. He hates to lose more time when there is not much
253 of a risk. The \$1500 or \$2000 is not much too lose when there is a chance to gain much more.

254 Councilmember Barber said RGM will not manage the golf course they will help with marketing
255 and give new ideas.

256 Councilmember Wadsworth said in the work session regarding the golf course he didn't believe
257 Mr. Robinson or Mr. Christensen had any concerns about receiving help from RGM LC.

258 Mr. Robinson said he remembers saying in the work session that he is open to new ideas. The
259 golf course staff has implemented some changes and he personally feels it would save the city
260 money to see how these changes would improve the golf course. The wording in the proposal
261 has him concerned in regards to leaving staff out. The reports will be given to the mayor and
262 council which will allow the mayor and/or the majority of City Council members to veto any of
263 the recommended changes.

264 Mayor Thomas said he understood that Mr. Robinson would be involved and allow the staff to
265 make decisions.

266 Mr. Robinson said he doesn't want to see staff left out, the staff has been running the golf course
267 for many years. He expressed his concern that this proposal may not be a win-win idea for the

268 staff. If changes are implemented, he doesn't want the mayor and council to think there will be a
269 great increase in revenue if the staff does not agree to all the changes. He doesn't think the golf
270 course needs to be micro managed.

271 Councilmember Leifson said the golf course should not be micro managed. That is why the staff
272 was hired and the council should be it's trust in the staff. He thinks the consulting firm should
273 present ideas and then let the staff implement any changes.

274 Discussion took place regarding marketing.

275 Discussion took place regarding past year's deficit.

276 Mr. Christensen said the golf course has implemented new programs and is doing good things.
277 The revenue is up from the past years.

278 Mr. Robinson said he is fearful that the city would be throwing out money that may not be
279 necessary. RGM is proposing to implement electronic tee sheets, the golf course doesn't need a
280 consultant to implement that idea. Another idea is to alter the season pass holders, but this idea
281 has already been talked about for a year. The customer service and public relations issue is
282 already recognized and changes have been implemented. There is more customer service
283 training that will be happening.

284 Councilmember Barber doesn't agree with the comment about throwing money out because the
285 return proposed is a high amount.

286 Mayor Thomas said a lot of work has been done with this proposal.

287 Councilmember Leifson agreed, but he said the staff has also made a lot of changes and maybe
288 the RGM LC Consulting for Proposal should be started next November. In this case the staff
289 will have the opportunity to show how their changes affect the increased revenue.

290 Councilmember Wadsworth asked Mr. Christensen his opinion on this proposal.

291 Mr. Christensen said his concerns are that some of the other course RGM is consulting is not
292 making money.

293 Councilmember Barber said the mentioned course has a lot of debt.

294 Mr. Christensen agreed, but he said even without the debt the golf course is still not making
295 money. He feels this proposal could be bad for the staff if the ideas are implemented and the
296 increase in revenue doesn't happen that the finger will be pointed at the staff for not doing their
297 job.

298 Councilmember Andersen said if the consultants start at this time it will be hard to determine
299 how much they help versus how much the staff has already implemented.

300 Mr. Christensen said to give the staff a chance to see if they are heading in the right direction.

301 Discussion took place regarding allowing the staff to work with Mr. Harris to come up with a
302 proposal they are all in agreement with and then propose it to the mayor and council for
303 approval.

304 Councilmember Andersen made a **motion** that Councilmember Barber, Councilmember Leifson,
305 Mr. Christensen, Mr. Robinson and Mr. Harris with RGM LC work together to prepare a
306 contract that is acceptable to everyone. Councilmember Wadsworth **seconded**, and the motion
307 **passed** with a majority vote. Councilmember's Leifson and Sorensen were opposed to the
308 motion.

309 **OTHER BUSINESS:**

310 **Work Session**

311 **Strawberry Water Users**

312 Councilmember Anderson made a **motion** to move into the work session portion of City Council
313 meeting. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

314 Mr. Baker said there are guests from Strawberry Water Users Association present tonight to
315 address the council. He introduced Mr. Allen Riley.

316
317 **Allen Riley**

318 Mr. Riley introduced Neil Sorenson, Gary Aitken and Blair Hamilton as members of the board.

319 Mr. Riley gave a brief DVD presentation of the history of the Strawberry Water Project.

320 Mr. Riley presented a complete DVD of the history of the Strawberry Water Project to the
321 Mayor and Council. He said when the tunnel was started at different ends, when the two ends
322 met the tunnel was only off by two inches. Once the tunnels were laser guided the two ends
323 were off by thirty-four feet.

324 **Blair Hamilton**

325 Mr. Hamilton gifted the Mayor and Council with a picture of the old Strawberry Valley Power
326 Plant on behalf of Strawberry Water and Strawberry Power Association.

327 **Future Work Session Schedule**

328 Discussion took place regarding future work session ideas.

329 **Adjournment**

330 Councilmember Barber made a **motion** to adjourn into executive session to discuss land
331 acquisitions and personnel issues. Councilmember Sorensen **seconded**, and the motion **passed**
332 with a unanimous vote. The meeting adjourned at 8:43 p.m.

333
334

Marlo Smith, Engineering Secretary

335 Approved:

Tentative Minutes
Special Meeting of the Spanish Fork City Council
Thursday, September 21, 2006

Meeting convened at 7:00 PM

Elected Officials Present: Mayor Joe L Thomas, Councilmembers Steven L. Leifson, Seth Sorensen, Chris C. Wadsworth, G. Wayne Andersen, Matt D. Barber.

Staff Members Present: David Oyler, City Manager; Dale Robinson Recreation Director; Roy Christensen, Golf Pro; Kent Clark, Finance Director; Seth Perrins, Assistant City Manager.

Citizens: Rob Harris and Chris Briscoe from Resort Golf Management consulting firm. Mr. and Mrs. Stoddard, residents near the golf course area. Scott Baird, Griffen Hill Consulting. Mr. Baird is acting as Moderator.

Work Session: Golf Course Vision Discussion.

Mr. Oyler introduced Scott Baird of Griffen Hill Consulting. Mr. Baird will be acting as moderator for the discussion. Mr. Baird explained the outline for the discussion about the golf course. Mr. Baird asked for each person to list three (3) things they like about the golf course and three (3) things they do not like about the golf course. Mr. Baird went around the room asking the staff first and then the Council and Mayor.

Roy Christensen likes customer service, current personnel, the direction the course is currently going. Roy does not like the current politics against the golf course and the fact that some of the public does not see the golf course as a quality of life service to the residents.

Dale Robinson likes the dedicated staff, the well maintained course, and the better marketing effort over the last. He dislikes the few loud negative comments and the fact there are too many golf courses in the Utah County market.

Seth Perrins likes the beautiful course. He dislikes the fact the course is not breaking even and there are too many empty slots in the tee times. He also thinks hole number 16 is to hard.

Chris and Rob made comments about the marketing of golf courses. They agreed there are more course now and that makes it more of a challenge to win golfers to use your course. They also stated they believed that baby boomers are now getting older and their kids are grown. They believe these baby boomer have now more time on their hands and will start to golf more.

Dave Oyler likes the recreational opportunity at a reasonable fee. He also like the fact there have not been a lot of complaints about the golf course. He dislikes the lack of vision when it comes to the issue of profitability and service to the community.

Kent Clark likes the fact there is no debt owing on the course. He likes how beautiful the course

is kept. He also likes that the prices to golf are low enough to allow the public to enjoy the course. He dislikes the fact the current operation does not break even. He dislikes the wind.

Mr. & Mrs. Stoddard likes living by the golf course. They want the golf course to succeed but have concerns about the safety of those around the golf course. Both those who live there and those that travel by there.

Matt Barber likes the fact the course is owned by the city and there is no debt owing. He likes the look and location of the course. He also likes the quality of food there now. He dislikes the lack of energy to improve the customer service. He dislike the lack of energy to improve the change of marketing effort. He also dislikes the appearance that politics are motivating the change at the golf course.

Seth Sorenson likes the nice way the course has been maintained. He likes the cost of the round of golf. He like the customer service he has had and seen at the golf course. De doesn't like the changes done to the current pass holders options. He disagrees with the suggestion of getting more corporate tournament. He doesn't like the fact that changes that were suggested in prior years were not support and therefore not implemented.

Steve Leifson likes the beautiful course. He like the customer service he has seen and experienced. He also likes the good maintenance of the course. He does not like the wind, the lack of family oriented events at the course and the fact the course operation doesn't break even anymore.

G. Wayne Anderson likes the location of the course. He likes the care and maintenance of the course. He dislikes the location and the wind. He dislikes the fact there has been too much time in this issue. He does not agree with the Return on Investment (ROI) philosophy. He like the thought of Service on Investment (SOI).

Chris Wadsworth likes the better customer service. He likes the better use of signs. He like the location of the golf course. He dislikes the operating loses. He does not like the marketing being done. He dislikes the snack bar. He dislikes how long it has taken to address this issue.

Joe Thomas like the beautiful location. He likes the image of the city having a golf course. He doesn't like hearing complaints about the course. He doesn't like losing money and the empty tee times. He doesn't like to hear the many excuses as to why the course is the way it is today. He doesn't like the lack of creativity. He thinks there are better solutions.

Mr. Baird ask the golf consultants (Rob and Chris) for there option about Golf in Utah County and at the Spanish Fork Course. Rob said he like the course. He said the maintenance people do a good job with the wind. He thinks the course could use some help with customer service. He suggested looking to corporate outings/ tournaments to us up some of the lost tee times. Chris says the course is a very payable course and has a good atmosphere. He didn't like the fact that Roy didn't have a plan or vision for the course.

Mr Baird then summarized that everyone had commented on. He said he could hear the

following items: 1) Everyone liked the course. 2) The course is a good product. 3) Not looking necessarily for profitability but looking for responsibility. The city needs to establish a set of standards to accomplish this.

Joe asked: "What is our Plan?" "We need to give Roy a target and give him the help to reach it."

Mr Baird said he sees the vision of the golf course in NOT to be an elitist or country club course. The course is a municipal course, own by the citizens of the community. Mr. Baird explained the course needs more utilization or use. The word "Utility" was discussed.

Mr. Baird worked through the 5 key things in all organizations to have success:

1. SEP: Strategic Excellence Position. (What you do better than others). {46% }
2. People: Experience, skill and talents. {13.5% }
3. Functional Organization: Maintenance work, processes. {13.5% }
4. ICE: Information, Education and Communication. {6.5% }
5. ExA&A: External, adaptation, Association. {6.5% }

Mr. Baird said the city does have an SEP. The city does have an excellent product. Now the city needs to take the product and develop a vision. Part of the vision would be the fiscal responsibility. Another part of the fiscal responsibility is to maximize the stewardship of the asset (golf course.) The vision will be made up with the following items:

1. Focus on the Unity for the community.
2. Ownership of the asset. Community and employees.
3. Utility or increased use.

An Action Team was selected to work on the vision, stewardship, unity, ownership and utility of the golf course. The committee is made up with the following: Joe Thomas, Matt Barber, Roy Christensen, and Steve Leifson. This committee is to meet and discuss suggestions. Recommendations will be submitted to the City Council for approval.

No motions or actions were made.

Meeting was adjourned at 9:15 PM

**Contract between Spanish Fork City
and
The Diamond Fork Riding Club**

COME NOW Spanish Fork City, a Municipal Corporation of the State of Utah, hereinafter CITY, and the Diamond Fork Riding Club, a non-profit corporation of the State of Utah, hereinafter RIDING CLUB who recite and agree as follows:

1. Each year during a city celebration known as "Fiesta Days", held for approximately one week surrounding the state holiday of July 24th, it has been a tradition to stage a rodeo in the city rodeo arena.
2. Riding Club has performed tremendous public service in producing the rodeo for a number of years.
3. Production of the rodeo greatly benefits the city's celebration and the public at large.
4. There is considerable risk of loss from the production of the rodeo because of the possibility of inclement weather and the rising costs of the production.

WHEREFORE, the parties agree as follows:

1. PRODUCTION & MANAGEMENT. City and Riding Club shall henceforth be the co-producers of the rodeo. The Spanish Fork Rodeo Committee, consisting of two appointees from Riding Club and two appointees from City, shall manage the rodeo.
2. TERM OF AGREEMENT. This agreement shall be for the years 2007, 2008, 2009 and 2010. Riding Club shall be given the first right to accept or reject an offer by the City to co-produce the rodeo for the four years thereafter.
3. RODEO PROGRAMS. Publication and sale of advertisement in printed rodeo programs during the term of this agreement, and any extensions hereunder, shall be the exclusive right and

obligation of Riding Club. Riding Club shall be entitled to all advertising revenue generated from the sale of ads in the programs and to any revenue derived from the sale of the programs themselves, but shall also be responsible for the cost of producing and printing the programs.

4. ARENA ADVERTISING. Riding Club shall have the right to sell advertising, to be placed on the inside top rail in the rodeo arena and receive all revenue pertaining to said sales. The number, location, size, and material of such advertising shall be specified by the City. Advertising signs will be constructed to city specifications by Riding Club at Riding Club expense. City shall have the right to control and sell all other advertising, including box seat advertising, inside and outside of the arena.

5. DUTIES OF RIDING CLUB. Riding Club agrees to perform the following services:
- A. Riding Club shall manage and promote the rodeo queen contest within the constraints of the budget;
 - B. Riding Club shall assist in promoting the rodeo by riding in the Fiesta Days parade, stock parade, rodeo grand entry and trailer race, and by distributing posters in locations throughout the area.
 - C. Riding Club shall provide all necessary people, as determined by the Rodeo Committee, to perform the following functions: park vehicles, sell tickets, take tickets and usher at the fairgrounds the days of the rodeo. These functions shall begin at 6:00 p.m. and continue until the end of the rodeo each night. Adjustments to the time schedule can be authorized by the Rodeo Committee;
 - D. Riding Club shall provide and pay for all arena and chute help during the rodeo and slack;
 - E. Riding Club shall use its best efforts to perform other minor services and functions necessary for the production and presentation of a successful rodeo as suggested by Rodeo Committee.

6. EXPENSES. All expenses for production of the rodeo, with the exception of those involved in the preparation of the programs and riding club arena advertising, shall be borne by City. All said expenses shall be approved by the Spanish Fork Rodeo Committee and budgeted in City's budget.

7. RODEO INCOME. Rodeo net income shall be determined by deducting "rodeo expenses" from "rodeo gross receipts" which are defined as follows:

Rodeo Gross Receipts shall be the total of all sums received from rodeo ticket sales, and any other income from any activities related to the rodeo, other than the sale of rodeo programs, riding club arena advertising, or rodeo food concessions.

Expenses shall include but not be limited to costs for stock contractor, clowns, announcers, Judges, insurance, sales tax, specialty acts, added money, prizes, sound system, advertising and tickets; costs associated with the operation of the queen contest, expenses for the Rodeo Committee and spouses to attend the annual PRCA convention to secure rodeo performers and stock contractor; cost of any unusual preparation of the rodeo arena; the flat fee of \$4,000 to be paid yearly to the Riding Club as specified hereinafter; and any other miscellaneous expenses reasonably associated with the production of the rodeo.

8. PAYMENT TO RIDING CLUB. City shall pay to Riding Club \$4,000 on or before August 1st following the rodeo, plus 10 percent (10%) of rodeo net income, to be paid on or before December 1st following the rodeo.

9. TICKETS TO RIDING CLUB. Riding Club will be given two tickets per rodeo for each Honorary Member. In addition the riding club will receive two tickets per rodeo for each active member who performs their function each night of the rodeo. The Riding Club will purchase ten seats each for rounds one through ten to the NFR on an annual basis, reserving ten Round #1 tickets for the Rodeo Committee to be purchased at face value.

10. USE OF ARENAS. Throughout the year Riding Club shall be entitled to use the outdoor arena for two nights each week, and the indoor arena for one night each month for no charge, provided that if a paying customer desires to rent either arena from City, the paying customer shall have the first right to use of such arena. It is agreed that in the event a paying customer contracts to use an arena on a night regularly scheduled for Riding Club, Riding Club shall be entitled to use that arena on another

night during the same week, if a free night is available. If a free night is not available, Riding Club forfeits its right to use an arena during that week. Riding Club shall further be entitled to use the outdoor arena once every five to six years to hold the District Riding Club Competition.

11. ATTORNEY'S FEES. In the event this agreement is breached, the non-breaching party shall be entitled to recover, in addition to actual damages, attorney fees and costs of court incurred in the enforcement of this agreement.

12. TIME IS OF THE ESSENCE. Time is of the essence in this agreement.

SPANISH FORK CITY

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder

DIAMOND FORK RIDING CLUB

President

ATTEST:

Secretary

**Contract between Spanish Fork City
and
Sankey Rodeo Company**

This rodeo Contract ("Contract") is made and entered into this _____ day of _____, 2006, by and between **SANKEY RODEO COMPANY** ("**SANKEY RODEO**") located at PO Box 609, Joliet, Montana 59041, and **SPANISH FORK CITY** ("**SPANISH FORK**"), a municipal corporation of Utah located at 40 South Main, Spanish Fork, Utah 84660.

1. Sankey Rodeo agrees to produce four rodeo performances for the Spanish Fork Fiesta Days PRCA Rodeo commencing on Friday, the 20th day of July, 2007, and ending Tuesday, the 24th of July, 2007. Performances will begin at 8:00 pm and will be held at the Spanish Fork Fairgrounds.
2. Sankey Rodeo agrees to be responsible for and provide the following items for the Spanish Fork Fiesta Days PRCA Rodeo:
 - a. Livestock including: Saddle Bronc Horses, Bareback Horses, Bulls, Roping Calves, Steer Wrestling Cattle, Saddle Horses, and Team Roping Cattle;
 - b. Pick-up men;
 - c. Arena Director;
 - d. PRCA Secretary
 - e. PRCA Timekeepers
 - f. All necessary equipment for staging of said rodeo;
 - g. Grand entry under direction of rodeo committee.
3. Spanish Fork shall be responsible for, and agree to provide the following:
 - a. Ambulance at the rodeo during all contests;
 - b. Added money to the PRCA Secretary;
 - c. PRCA Judges;
 - d. PRCA Clowns;
 - e. PRCA Bullfighters;
 - f. Contract and/or Specialty Acts;
 - g. All arena and chute help;
 - h. Announcer(s);
 - i. Veterinarian;

- j. Sound system;
- k. All feed for Sankey Livestock and a safe place to house the livestock;
- l. PRCA Approval Fees.

4. In consideration for the above, Spanish Fork shall pay Sankey Rodeo the sum of Forty THOUSAND DOLLARS (\$40,000.00) at the conclusion of the last performance. This contract is for the year of 2007 and Spanish Fork has the right to extend said contract for three additional years with a five percent (5%) increase each year.
5. Sankey Rodeo agrees to maintain liability insurance against property damage and personal injury in the minimum amount of \$1,000,000.00 and to name the Spanish Fork City as an additional insured thereunder. Sankey Rodeo shall provide Spanish Fork City with a certificate of insurance. Spanish Fork City agrees to maintain liability insurance against property damage and personal injury in the minimum amount of \$1,000,000.00 and shall provide Sankey Rodeo with a certificate of insurance and to name Sankey Rodeo Company as an additional insured thereunder.
6. Any disagreements between the parties shall be settled with binding arbitration according to the rules of the American Arbitration Association and the prevailing party shall be entitled to recover all costs and actual attorney fees. This Contract shall be interpreted according to the laws of the State of Utah.

7. This Contract represents the entire agreement between the parties. Any amendments must be in writing signed by the party sought to be bound by the amendment. This Contract is to be binding upon the heirs, successors, and/or the assigns of the parties.

Dated the date and year first above written.

SANKEY RODEO COMPANY

**SPANISH FORK CITY,
A Municipal Corporation of Utah**

President of Sankey Rodeo Company

Mayor Joe L Thomas

ATTEST:

Kent R. Clark, City Recorder

RESOLUTION NO. 06-15

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: Councilmember

I SECOND the foregoing motion: Councilmember

RESOLUTION NO. 06-15

A RESOLUTION AUTHORIZING THE CHAIR OF THE RODEO AND FIESTA DAYS COMMITTEES TO EXECUTE STANDARD AGREEMENTS

WHEREAS, Spanish Fork City sponsors an annual celebration known as Fiesta Days, which includes a number of events, including a PRCA rodeo; and

WHEREAS, the City has created a Fiesta Days Committee and Rodeo Committee to help organize, plan, and produce the annual celebration; and

WHEREAS, a number of standard contracts are required to successfully conduct Fiesta Days, many of which are negotiated by the Fiesta Days Committee and Rodeo Committee; and

WHEREAS, to hold a quality PRCA rodeo, a rodeo stock producer contract and entertainment program contracts must be negotiated and executed at the PRCA rodeo finals,

which allows no time to obtain City Council approval; and

WHEREAS, in order to obtain certain events for Fiesta Days, contracts must be obtained when negotiated, which allows no time to obtain City Council approval; and

WHEREAS, in order to obtain a top rodeo stock producer and entertainment shows, and to efficiently allow for a quality Fiesta Days celebration the Chairs of the Fiesta Days and Rodeo Committees should be authorized to execute appropriate standard contracts without prior approval of the City Council;

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

1. The Rodeo Committee Chair of Spanish Fork City is hereby authorized to execute contracts for a rodeo stock producer and rodeo entertainment programs, previously approved by the Rodeo Committee, without bringing each individual agreement before the City Council.
2. The Fiesta Days Committee Chair of Spanish Fork City is hereby authorized to execute standard contracts, previously approved by the executive committee of the Fiesta Days Committee, for various entertainment, food, or other events taking place during the Fiesta Days celebration, without bringing each individual agreement before the City Council.
3. This Resolution is effective immediately upon passage.

This resolution adopted this 17th day of October, 2006, by the City Council of Spanish Fork City, Utah.

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder



**MEMO
SPANISH FORK CITY
PUBLIC WORKS DEPARTMENT**

DATE: October 11, 2006

TO: Mayor Thomas and City Council

FROM: Richard J. Nielson, Assistant Public Works Director

RE: Design contract for new culinary water reservoir

The Engineering Department sent out a request for proposals for the design and construction management of the proposed 5 million gallon culinary water reservoir to be located in Sterling Hollow, adjacent to the existing 3 million gallon reservoir. RFP's were received from 3 qualified consulting firms, Epic Engineering, Gilson Engineering, and Horrocks Engineers. The proposals were reviewed by the Engineering Department and we recommend that the City Council award the design and construction management contract to Horrocks Engineers and authorize the Mayor to sign the contract. Horrocks Engineers is a well qualified engineering firm with considerable experience in water reservoir design. The total cost presented in the proposal for the design and construction management of this project is \$149,994.00

RESOLUTION 06-16

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: _____

I SECOND the foregoing motion: _____

RESOLUTION 06-16

A RESOLUTION TERMINATING THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SPANISH FORK CITY AND MAPLETON CITY CONCERNING THE ANNEXATION BOUNDARY LINE

WHEREAS, Spanish Fork City has entered into an interlocal cooperation agreement with Mapleton City dated the 2nd day of January 1996, which agreement establishes an annexation line between the two cities; and

WHEREAS, a number of property owners on the Mapleton side of the annexation line have indicated a desire to annex into Spanish Fork City; and

WHEREAS, Spanish Fork City Council believes that property owners desire to be in one city or the other should be honored so long as it is not adverse to the interest of the city involved; and

WHEREAS, the interlocal cooperation agreement between Spanish Fork City and Mapleton City allows the agreement to be terminated with sixty days notice to the other city;

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

1. Notice is hereby given that the interlocal cooperation agreement dated January 2, 1996 between Mapleton City and Spanish Fork City determining an annexation boundary line is terminated effective the 2nd day of January 2007 .
2. The Mayor is authorized to send notice to Mapleton City notifying them of the termination.

DATED this 17th day of October, 2006.

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder

RESOLUTION 06_17

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(Votes only in case of a tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE M. LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this ordinance be adopted: Councilman

I SECOND the forgoing motion: Councilman

RESOLUTION NO. 06-17

A RESOLUTION PROVIDING FOR THE FINANCING BY SPANISH FORK, UTAH (THE “ISSUER”) OF THE ACQUISITION OF SCHOOL FACILITIES, EQUIPMENT AND LAND LOCATED IN SPANISH FORK, UTAH IN ORDER THAT THE AMERICAN LEADERSHIP ACADEMY (THE “BORROWER”) MAY BE PROVIDED WITH FACILITIES TO PROMOTE THE GENERAL HEALTH AND WELFARE WITHIN THE STATE OF UTAH; AUTHORIZING AND PROVIDING FOR THE ISSUANCE BY THE ISSUER OF ITS NOT TO EXCEED \$26,000,000 CHARTER SCHOOL REVENUE BONDS (AMERICAN LEADERSHIP ACADEMY) SERIES 2006 WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES PLEDGED THEREFORE UNDER THE TRUST INDENTURE; AUTHORIZING THE EXECUTION AND DELIVERY BY THE ISSUER OF A TRUST INDENTURE, A BOND PURCHASE AGREEMENT, A LOAN AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; APPROVING THE USE OF AN OFFICIAL STATEMENT; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the “Act”), Spanish Fork, Utah (the “Issuer”) is authorized to issue its revenue bonds to finance the costs of any “project” as defined in the Act to the end that the Issuer may be able to promote the general health and welfare within the State of Utah; and

WHEREAS, the Act provides that a city or county may issue revenue bonds for the purpose of using substantially all of the proceeds thereof to pay or to reimburse a user for the costs of the acquisition or construction of the facilities of a project and that title to or in such facilities may at all times remain in the user, and in such case the bonds of the city or county may be secured by a pledge of one or more notes, debentures, bonds or other secured or unsecured debt obligations of the user; and

WHEREAS, as a result of negotiations between the Issuer and the American Leadership Academy, Incorporated (the “Borrower”), a nonprofit corporation organized under the laws of the State of Utah and authorized to do business in the State of Utah, contracts have been or will be entered into by the Borrower for the acquisition of certain school facilities located at approximately 898 West 1100 South in Spanish Fork, Utah consisting of (i) an elementary school facility, (ii) a middle school facility, (iii) a high school facility; and (iv) land on which such facilities sit, to be owned and used by the Borrower (the “Project”); and

WHEREAS, the Project will be of the character and will accomplish the purposes provided by the Act, and the Issuer is willing to issue its charter school revenue bonds to finance the Project upon terms which will be sufficient to pay the costs of the Project as evidenced by such bonds, all as set forth in the details and provisions of the Loan Agreement (the “Loan Agreement”) between the Issuer and the Borrower in substantially the form attached hereto as Exhibit B; and

WHEREAS, pursuant to the provisions of the Loan Agreement, the Borrower will promise to pay amounts sufficient to pay, when due the principal of, premium, if any, and interest on the Bonds, all in accordance with the requirements of the Act; and

WHEREAS, pursuant to the provisions of the Act, the Issuer proposes to enter into (i) the Loan Agreement with the Borrower in connection with the financing of the Project, and (ii) a Trust Indenture (the “Indenture”), the form of which is attached hereto as Exhibit C, with Zions First National Bank, as trustee (the “Trustee”) pursuant to which the Issuer will issue its not to exceed \$26,000,000 Charter School Revenue Bonds (American Leadership Academy) Series 2006 (the “Bonds”); and

WHEREAS, the City Council of Spanish Fork, Utah (the “Council”) deems it necessary and advisable to authorize the issuance sale of the Bonds and to authorize the execution and delivery of the Loan Agreement, the Indenture, a Bond Purchase Agreement among the Issuer, the Borrower and D.A. Davidson & Co. (the “Underwriter”) (the “Bond Purchase Agreement”) in substantially the form attached hereto as Exhibit D which provides for the sale of the Bonds, and other related documents required for the sale of the Bonds and to approve the use of an Official Statement (the

“Official Statement”) in substantially the form attached hereto as Exhibit E relating to the Bonds; and

WHEREAS, on October 3, 2006 the Issuer adopted a resolution authorizing the issuance of the Bonds within certain parameters set forth therein; and

WHEREAS, the Act and the documents to be signed by the Issuer provide that the Bonds shall not constitute nor give rise to a general obligation or liability of the Issuer or be a charge against its general credit or taxing powers and that the Bonds will be payable from and secured only by the revenues arising from the pledge and assignment under the Indenture of the Loan Agreement to the Trustee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Spanish Fork, Utah as follows:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein.

Section 2. The Issuer is authorized to issue the Bonds for the purpose of lending the proceeds thereof to the Borrower to finance the costs of the Project, all pursuant to the provisions of the Act. All action heretofore taken by the officers of the Issuer directed toward the issuance of the Bonds is hereby ratified, approved and confirmed.

Section 3. The Issuer is authorized and directed to issue the Bonds as fully registered bonds, in the aggregate principal amount of not to exceed \$26,000,000. The Bonds shall initially bear interest at a rate or rates not to exceed 7% per annum, shall be payable on the dates, shall be subject to redemption prior to maturity, and shall mature on or before October 1, 2038, all as set forth in the Indenture.

The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, tender and number shall be as set forth in the Indenture. The Mayor or Mayor Pro Tem and Recorder or Deputy Recorder are hereby authorized and directed to execute and seal the Bonds and to deliver said Bonds to the Trustee for authentication. The signatures of the Mayor or Mayor Pro Tem and Recorder or Deputy Recorder may be by facsimile or manual execution.

The form of Bond is set out in the Indenture, copies of which were before the Council at this meeting, which form is incorporated herein by reference and made a part hereof.

Section 4. The Bonds are to be issued in accordance with and pursuant to, and the Issuer is authorized and directed to execute and deliver, the Indenture, the Loan Agreement and the Bond Purchase Agreement, in substantially the same forms presented to the Council at the meeting at which this resolution was adopted. The Indenture provides for the issuance of the Bonds solely for the purpose of financing the cost of acquiring and equipping the Project and for paying expenses incidental thereto. The

Bonds shall not constitute nor give rise to a general obligation or liability of the Issuer or a charge against its general credit or taxing powers. Recourse on the Bonds executed and delivered by the Issuer pursuant to the Indenture may be had only against the security for the Bonds as provided therein and in the Indenture. The issuance of the Bonds shall also be subject to the approval of bond counsel.

Section 5. The Project will constitute school facilities to be used in the Borrower's non-profit business as contemplated in the Act consisting of the buildings and equipment and related property and improvements, including any modification thereof, substitutions therefor and amendments thereto.

Section 6. The Indenture and Loan Agreement, in substantially the forms presented to the Council at this meeting, with such changes as are authorized by Section 8 hereof, are hereby approved in all respects, and the Mayor or Mayor Pro Tem and Recorder or Deputy Recorder are hereby authorized to execute each of the same on behalf of the Issuer and to affix the seal of the Issuer thereto and the acts of the Mayor or Mayor Pro Tem and Recorder or Deputy Recorder in so doing are and shall be the act and deed of the Issuer. The Mayor or Mayor Pro Tem and Recorder or Deputy Recorder and all other proper officers and employees of the Issuer are hereby authorized and directed to take all steps on behalf of the Issuer to perform and discharge the obligations of the Issuer under each of said instruments.

Section 7. The sale of the Bonds to the Underwriter in accordance with the Bond Purchase Agreement and as contemplated by the Official Statement, are hereby authorized, approved and confirmed. The Mayor or Mayor Pro Tem and Recorder or Deputy Recorder are hereby authorized to execute and deliver the Bond Purchase Agreement all for and on behalf of the Issuer. The Issuer hereby authorizes the use and distribution of the Official Statement.

Section 8. The Mayor or the Mayor Pro Tem is hereby authorized to make, either prior or subsequent to the execution thereof, any alterations, changes or additions in the Indenture, the Loan Agreement, the Bond Purchase Agreement and the Bonds herein authorized which may be necessary to correct any errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the agreement of the Borrower and the Underwriter, to the provisions of this resolution, or any other resolution adopted by the Issuer, or the provisions of the laws of the State of Utah or the United States as long as the rights of the Issuer are not materially adversely affected thereby.

Section 9. Pursuant to Section 11-17-13, Utah Code Annotated 1953, as amended, the Issuer includes herein the pledge and undertaking of the State of Utah that the State of Utah will not alter, impair or limit the rights vested hereunder or in the Bonds, the Loan Agreement, the Indenture or any of the documents contemplated hereby until the Bonds, together with all interest thereon, have been fully paid and discharged and all obligations of the Issuer thereunder and under the Loan Agreement are fully performed.

Section 10. It is hereby declared that all parts of this resolution are severable and that if any section, paragraph, clause or provision of this resolution shall, for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this resolution.

Section 11. The Mayor or Mayor Pro Tem and Recorder or Deputy Recorder and other officers of the Issuer are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. All action heretofore taken by the Issuer, its officers and employees, with respect to the issuance and sale of the Bonds is hereby ratified and confirmed.

Section 12. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 13. This Resolution shall take effect immediately upon its approval and adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF SPANISH FORK, UTAH OF UTAH COUNTY, UTAH THIS 17th DAY OF OCTOBER, 2006.

Mayor

(SEAL)

ATTEST:

Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Kent Clark, the duly qualified and acting Recorder of Spanish Fork, Utah (the "Issuer"), do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, there was given not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the October ____, 2006, public meeting held by the Issuer as follows:

(i) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the Issuer's offices at 40 South Main Street, Spanish Fork, Utah on October ____, 2006, at least twenty-four (24) hours prior to the convening of said meeting, the Notice having continuously remained so posted and available for public inspection until the completion of said meeting; and

(ii) By causing a copy of such Notice to be delivered to the Spanish Fork Press on October ____, 2006, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2006 Annual Meeting Schedule for the City Council of Spanish Fork, Utah (attached hereto as Schedule B) has been posted (and has remained posted) and provided to local media correspondents as required by Section 52-4-202(2), Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this ____ day of October, 2006.

Recorder

(SEAL)

SCHEDULE A

MEETING NOTICE

SCHEDULE B

2006 ANNUAL MEETING NOTICE

EXHIBIT B

LOAN AGREEMENT

EXHIBIT C

TRUST INDENTURE

EXHIBIT D

BOND PURCHASE AGREEMENT

EXHIBIT E

OFFICIAL STATEMENT

Dear Mayor and Council of Spanish Fork City,

Oct. 10th, 2006

I would like to make a request for the brush fire truck I understand is no longer going to be used by our city fire department.

This truck would be a large asset for a small community across the United States border into Mexico. The name of the town is Creel; it is about 300 miles South-west of El Paso Texas. This community does not have a fire truck to fight fires; it relies on towns further away to assist them. Creel is located near a town called Cuauhtémoc, where a Utah County group of plastic surgeons and nurses (Hershey Smiles Foundation) have been going each year to fix disfigured young children with birth defects.

I had an opportunity to transport supplies with this medical group a couple of times, and met some fine people from the local Lions and Rotary clubs. Our city fire department donated on one of these trips sets of used fire gear to the local fire department in Cuauhtémoc. The Rotary club kind of looks out for the fire department there, and they really appreciated the gear.

If the city is willing to make this large donation to our neighbors in this small town of Mexico, I would be willing to transport it and deliver it to these fine people on behalf of our city of Spanish Fork.

Thanks for your consideration in this matter.

Sincerely,

Brad Tanner
Spanish Fork resident



P.S.

I approached the prior council and mayor about a year ago in this matter; they seemed to be in agreement it was a worthy cause. At that time there was quite a delay in getting this brush truck replaced. This is why I am approaching you now.

RESOLUTION NO. 06-18

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: _____

I SECOND the foregoing motion: _____

RESOLUTION 06-18

RESOLUTION PROMOTING A CHILD APPROPRIATE STANDARD IN SPANISH FORK CITY

WHEREAS, The Spanish Fork City governing body is concerned about the proliferation of written and photographic material that is placed in the public view and access, which may have a degrading effect on a wholesome child rearing and family environment; and

WHEREAS, local business, schools, and other public institutions can establish their own guidelines on what materials to have available to the public and in what manner to display them; and

WHEREAS, Spanish Fork City wishes to encourage each business, school, or public

institution to establish a child appropriate standard and make changes needed in their operations or public displays to uphold that standard;

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

1. Spanish Fork City promotes a community standard, which includes the “ indecent public display” provisions found in Utah Code Ann. §§ 76-10-1227 and 1228 that reflect a wholesome environment for children and families.
2. Spanish Fork City commits to uphold this community standard at all City sponsored events and activities.
3. Spanish Fork City strongly encourages local businesses, schools, and public institutions to adopt and implement child appropriate standards.
4. Spanish Fork City encourages all of its citizens to become aware of the child appropriate standards for each of the above listed enterprises and to promote them for the good of the entire community, particularly for the good of our children.

DATED this ____ day of _____, 2006.

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder