



## **CITY COUNCIL MEETING**

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 November 21, 2006**.

### AGENDA ITEMS:

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

- a. Pledge
- b. Employee of the Quarter

#### **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. 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 – October 19, 2006](#)
- b. [Workers Compensation Coverage Bid](#)

#### **5. NEW BUSINESS:**

- a. [Arts Council Programs](#)
- b. Accessory Building Setbacks
- c. Independent Auditors Report FY 2006

#### **6. OTHER BUSINESS:**

- a. CC&R and Restrictive Covenants Training
- b. Executive Session If Needed – To be Announced in the Motion

### ADJOURN:

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.

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**Tentative Minutes of the  
Spanish Fork City Council and Planning Commission  
October 19, 2006**

Elected Officials Present: Mayor Joe L Thomas, Councilmember's Seth V. Sorensen, G. Wayne Andersen, Mathew D. Barber, Steven M. Leifson, Chris C. Wadsworth, Commissioner's Sharon Miya, Chairman Paul Bradford, Del Robins, Dave Lewis, Mike Christianson

Staff Members Present: Junior Baker, City Attorney; Dave Oyler, City Manager; Dave Anderson, City Planner; Dale Robinson, Parks and Recreation Director; Seth Perrins, Assistant City Manager; Dee Rosenbaum, Public Safety Director; Kent Clark, Finance Director; Kimberly Robinson, Deputy Recorder

Citizens Present: Richard V. Harris, Lana Creer Harris, Bryan L. Redd

The meeting was called to order at 6:13 p.m.

**WORK SESSION**

Mr. Anderson explained Spanish Fork is growing at a rate faster than ever. He gave a building permit report stating we are just under 700 total building permits for this year. In previous years we have never issued more than 300 permits for new dwelling units. We are growing at twice the rate we were. He then gave a presentation regarding the topics to be discussed this evening.

**UTILITY CAPACITIES**

As of October 12, 2006 our population is approximately 29,356.

**Water rights:**

The city has enough water rights (culinary and secondary) to serve a population of 65,000.

**Culinary Water Sources:**

The city has enough water to serve a 90,000 population.

**Culinary Water Storage:**

Existing water storage can serve a population of 31,400. The new 5 million gallon reservoir scheduled to be built in 2007 will provide for 54,000. Mr. Anderson also stated that the Central Utah Water Project is an option, also the usage of the rivers or the wells. They do not foresee these issues limiting growth in the future.

**Pressurized Irrigation:**

With upgrades the system is scheduled to serve a 65,000 population.

47 **Wastewater treatment:**  
48 The current expansion will provide for a population of 44,379 population. The maximum  
49 population the plant can serve is 55,000.

50  
51 Mr. Anderson noted that 55,000 will be the first real threshold on how big Spanish Fork  
52 can get in the next 10 -15 years.

53  
54 **Power:**  
55 Upgrades to the cities electrical system can be made without any great hardship to  
56 provide for a population of over 62,000 people.

57  
58 **Regional wastewater treatment plant:**  
59 Discussion was made regarding the increase in construction prices.

60  
61 Mayor Thomas asked if it is feasible to adjust the impact fees to help cover the cost of  
62 these upgrades.

63  
64 Commissioner Lewis said if they change the impact fees annually it works the best.

65  
66 Commissioner Christianson said state code outlines what you can and cannot do with an  
67 impact fee study.

68  
69 Discussion was made regarding the impact fee study process.

70  
71 Commissioner Robins asked if there were pent up demands for building permits because  
72 of the moratorium.

73  
74 Mr. Anderson said that Spanish Fork growth is not out of character from that which other  
75 cities are experiencing.

76  
77 Mr. Oyler stated that the financing for the 6.5 million dollar expansion of the plant would  
78 have to be addressed.

79  
80 Mr. Anderson feels we need to plan on a high end of growth to plan for the future.

81  
82 **GROWTH STRATEGIES**

83  
84 *Mayor Thomas excused himself early at 7:03 p.m.*

85  
86 Councilman Wadsworth asked Mr. Anderson to explain the process of how the  
87 boundaries are determined.

88  
89 Mr. Anderson stated Spanish Fork is the only city in Utah that still has a growth  
90 boundary.

91

92 Commissioner Robins feels the number of units per acre they figure should be four (4)  
93 instead of three (3). He feels three (3) units per acre is too conservative.

94

95 **ANNEXATION OBLIGATIONS**

96

97 Mr. Anderson asked that they decide a few options and determine what restrictions they  
98 want to go forward with. He then explained the sub-areas they need to determine the  
99 different areas and upgrades that need to be done.

100

101 Option 1

102 Do not expand the growth boundary and apply utility restrictions when capacities are  
103 allotted.

104

105 Option 2

106 Do not expand the growth boundary and commence the planning and then construction of  
107 utility upgrades to increase capacity. Apply utility restrictions as needed. Consider  
108 expanding the growth boundary once additional capacity is created.

109

110 Option 3

111 Expand growth boundary in sub-area "A" and apply utility restriction when capacities are  
112 allotted. As utility upgrades are required to accommodate growth in sub-area "A",  
113 expansion of the growth boundary should be accompanied by scheduled capitol projects.

114

115 Option 4

116 Expand growth boundary in sub area "B" and apply utility upgrades when capacities are  
117 allotted. As utility upgrades are required to accommodate growth in sub-area "B",  
118 expansion of the growth boundary should be accompanied by scheduled capitol projects.

119

120 Option 5

121 Expand growth boundary in sub-area "C" and apply utility restriction when capacities are  
122 allotted. As utility upgrades are required to accommodate growth in sub-area "C",  
123 Expansion of the growth boundary should be accompanied by scheduled capitol projects.

124

125 Option 6

126 Remove growth boundary and accept annexation and/or development applications on a  
127 first come/first serve basis.

128

129 Councilman Andersen asked if they went with option #4 would that put the city in a place  
130 of litigation.

131

132 Mr. Baker said he feels it should not affect that decision, as long as they are in their  
133 legislative role they will be ok, but he can't say for sure.

134

135 Councilman Wadsworth asked that because they followed the state code shouldn't they  
136 be ok since they are following the process that they are supposed to.

137

138 Mr. Anderson stated he feels they need to stay somewhere in between the two extreme  
139 options.  
140  
141 Mr. Oyler said they need to analyze where our revenue sources are to be able to continue  
142 to increase the sales tax revenue along with the population.  
143  
144 Commissioner Lewis asked if a developer wanted to add in and was willing to pay for the  
145 utilities even though it is more than they need.  
146  
147 Mr. Anderson stated it is not completely untypical and they sometimes do that but the big  
148 projects like the wastewater treatment and power and water are not usually what they  
149 would do.  
150  
151 Commissioner Lewis stated there are many barriers we can potentially hit but the top out  
152 number is the 55,000 at this point.  
153  
154 Councilman Andersen explained that in the meetings he has attended the regional  
155 wastewater treatment facility has only been talked about, nothing has been drawn up.  
156  
157 Discussion was made regarding the areas with the highest potential for growth, outside  
158 the growth boundary. They also discussed the needs for sewer and water and the potential  
159 growth.  
160  
161 Councilman Sorensen said he feels the areas shared by Salem need to be master plan  
162 developed together because of the factors involved.  
163  
164 Mr. Oyler stated once one community starts to develop commercially the other one needs  
165 to be ready to go.  
166  
167 Mr. Baker stated they probably need to have some sort of joint planning meeting with  
168 Salem to discuss the areas involved.  
169  
170 Mr. Anderson feels the direction of discussion needs to go towards what areas are more  
171 pressing to expand. There are options, but he suggests and recommends that they  
172 seriously consider the limited ability that they have to expand and to be selective about  
173 the areas they choose to expand. He suggests that within the year they amend the growth  
174 boundary proactively.  
175  
176 Commissioner Lewis stated they need to make it a priority to do whatever they need to  
177 get the commercial development going. He also feels that the river bottoms are our  
178 legacy and need to be addressed.  
179  
180 Commissioner Robins said the Commission felt they want to leave the river bottoms area  
181 a rural setting.  
182

183 Mr. Oyler said there are many different issues that will need to be looked at so the  
184 property can be left as a rural setting but that the property values are held high enough.

185  
186 Councilman Wadsworth stated some of the river reclamation/trail project issues are being  
187 covered to maintain the rural setting of the river bottoms. He stated that the vision is to  
188 maintain that area.

189  
190 Mr. Anderson discussed options for transferring property rights so they are able to  
191 develop but that the lands remain as open space.

192  
193 Councilman Barber asked that the next round of discussions be placed on the agenda and  
194 they can discuss the issues.

195  
196 Chairman Bradford said an important issue is transportation he does not want to face the  
197 same problems that Orem and St. George have had to deal with.

198  
199 **GROWTH IMPACTS AND IMMEDIATE NEEDS**

200  
201 Mr. Anderson stated some examples such as creating a public safety impact fee, and a  
202 street impact fee to help cover the costs. He also stated the need for a Parks and  
203 Recreation Master Plan. They need to identify what the needs are going to be in the new  
204 development areas. He would like to get ideas of what they would like staff to prepare for  
205 the next meeting.

206  
207 Councilman Wadsworth feels they need to focus on the key areas that they are having  
208 now, he feels one of the two areas is the river bottoms, especially because of what they  
209 are doing as a trail committee.

210  
211 Commissioner Lewis feels one thing that would help them is when the city caps out at  
212 55,000 that staff gives them a growth idea listing out what they will need to  
213 accommodate that size and still be able to offer the same amount of service.

214  
215 Mr. Oyler stated this is the most critical time for this community, the City cannot wait  
216 until all the open space is gone to find open space. They need to make sure we look to the  
217 future and things are being put in place now.

218  
219 Councilman Andersen feels they need to look at some of these things on the impact fees  
220 they have not been implementing. It is easy to talk now about doing all of these projects  
221 but they need to figure how they will fund them.

222  
223 Commissioner Lewis said he agrees impact fees are needed but they need to be careful  
224 how much they set them at, you don't want to have them too high.

225  
226 Councilman Andersen understands they don't want to go overboard on impact fees. He  
227 wants all the good projects and amenities but they have to get the money from  
228 somewhere.

229

230 Councilman Sorensen feels he paid his fees when he moved in for a certain level of  
231 service and feels that those moving in should also pay for the level of service in order to  
232 maintain it, but he does not feel he should have to pay for it after they already paid to  
233 build.

234

235 Mr. Anderson said he understands the impact fees need to be adjusted and that it is a  
236 concern.

237

238 Mr. Oyler said the land use issues are ones that need to be addressed, where do they want  
239 to grow and what do they want to have there. What he noted in the discussion tonight is  
240 what priorities they want to have when dealing with the growth.

241

242 Councilman Barber said he would like to hear and see the pros and cons of the areas "A",  
243 "B", and "C" from the staff. He feels that he would like to see this happen sooner rather  
244 than later.

245

246 Councilman Andersen would like some information on the areas for commercial  
247 development like what the cost of infrastructure would be, he feels it would help them to  
248 prioritize.

249

250 Commissioner Lewis asked that November 16, 2006, be the next joint meeting to discuss  
251 these issues.

252

253 Commissioner Miya asked that they add information of what they will need for the  
254 police/fire and transportation as well.

255

256 Commissioner Robins asked for a timeline to know what is needed and when.

257

258 Councilman Andersen also asked for man power ideas on what is needed in the  
259 departments at the different levels of population.

260

261 Mr. Anderson stated he feels a big part of the discussion has to do with updating the  
262 General Plan before they can move forward with the other issues.

263

264 Mr. Robinson said for the Parks and Recreation department they need a plan in place to  
265 know what direction to go and what their vision for the future is. They feel a real urgency  
266 to get that plan in place so they have direction to go. They do not want to miss out on  
267 open space and getting things into effect now when it is available.

268

269 Councilman Leifson stated he feels they understand the issues and the problems and they  
270 will be able to break it up over time. He hopes they can focus on one issue each time and  
271 then move on.

272

273 **ADJOURN**

274

275 Councilman Andersen made a **motion** to adjourn the meeting. Councilman Leifson  
276 **seconded** and the motion **passed** all in favor at 9:00 p.m.

277

278 ADOPTED:

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Kimberly Robinson, Deputy Recorder

DRAFT

# Worker Compensation Bids for calendar year 2007

Bids were submitted by Utah Local Governments Trust and Workers Compensation Fund  
 We have been with Utah Local Governments Trust since April 2004.

Based on payroll figures of \$8,423,512.00 the following bids were submitted.

	Bid Amounts
Utah Local Governments Trust	\$128,368.61
Workers Compensation Fund	\$181,815.26
Difference	<b>(\$53,446.65)</b>

Class Codes	Class Description	Utah Local Trust		Workers Comp Fund	
		Rates	Fee	Rates	Fee
5509	Streets	1.99	\$ 12,615.97	2.14	\$ 13,566.94
7704	Firefighters	2.57	\$ 2,748.46	2.76	\$ 2,951.65
8810	Clerical	0.24	\$ 3,902.81	0.26	\$ 4,228.04
9417	Municipal	2.68	\$ 162,312.30	2.88	\$ 174,425.16
			\$ 181,579.54		\$ 195,171.79
Discounts			\$ (53,210.93)		\$ (23,033.09)
Empr Liability			\$ -		\$ 5,464.81
Terrorism			\$ -		\$ 2,527.05
Domestic Terr			\$ -		\$ 1,684.70
<b>Total</b>			\$ 128,368.61		\$ 181,815.26

Utah Local's terrorism and domestic terrorism are included in their figures.  
 Workers comp terrorism and domestic terrorism is a separate charge.

We are recommending **Utah Local Governments Trust**.

Bid Amount:	<b>\$128,368.61</b>
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Request for Spanish Fork Community Theater to move  
under the Spanish Fork Arts Council

Presented to the Spanish Fork City Council on November 21<sup>st</sup> 2006

- The Spanish Fork Community Theater (SfCT) provides musical theater opportunities to the people of Spanish Fork. These opportunities are both performing and theater attendance.
- The SFCT provides a “theater” opportunity for the City of Spanish Fork, offering positive PR and image.
- Auditions, rehearsals, and performances are held in the Spanish Fork High School auditorium.
- The SFCT presents its productions each July during Fiesta Days, further suggesting a tie to the City.
- The liability for a SFCT production is around \$20,000 per year (an itemized budget is available if requested)
- In the past years, revenues have covered costs and the SFCT has broken even, utilizing donations, sponsorships from businesses, and ticket sales to cover its costs.
- Attached is a letter a recommendation from the Arts Council requesting that the SFCT be combined under the Arts Council.

November 14, 2006

From:  
Bjorn Pendleton  
President, Spanish Fork Arts Council

To:  
Dave Oyler  
City Manager

**Re: Request to be included on City Council agenda for November 21, 2006**

**Item 1: Request approval by City Council for the *Spanish Fork Community Theater* to become an official group within the Spanish Fork Arts Council.**

- 2 minute presentation on why the Spanish Fork Community Theater should become part of the Arts Council: Miranda Duke, Theater President.
- 1 minute response by Bjorn Pendleton, Arts Council president, stating the Arts Council's approval of this move
- Request that the City Council approve this move with all the implications of budget adjustments, insurance liabilities, etc., as well as recognition of benefits to the city and community by having this group be an official city entity.

**Item 2: Request approval by City Council for the *Spanish Fork Children's Theatre* to become an official group within the Spanish Fork Arts Council**

- 2 minute presentation by Meg Grierson & Anna Murdock stating reasons why the Children's Theatre should become part of the Arts Council
- 1 minute response by Bjorn Pendleton, Arts Council president, stating the Arts Council's approval of this move
- Request that the City Council approve this move with all the implications of budget adjustments, insurance liabilities, etc. as well as recognition of benefits to the city and community by having this group be an official city entity.

Specifics of budgets for both groups are available upon request. It should be noted that both groups are self-sustaining financially and are expected to turn a profit each year.

Thank you.

Bjorn Pendleton  
798-0792  
1025 E. 1050 S.  
Spanish Fork, UT 84660