

**Approved Minutes
Spanish Fork City Council Meeting
January 3, 2006**

The meeting was called to order at 6:00 p.m. by Mayor Joe L Thomas. The pledge of allegiance was led by Councilmember Barber.

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

Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Emil Pierson, Planning Director; Richard Heap, Engineering/Public Works Director; Kent R. Clark, Finance Director/Recorder; Seth J. Perrins, Assistant City Manager; Dee Rosenbaum, Public Safety Director; Dale Robinson, Parks and Recreation Director; John Bowcut, Information Systems Director; Pam Bradley, Receptionist; Angie Warner, Office Clerk; and Marlo Smith, Engineering Secretary.

Citizens: Ned Thomas, Hailey Brierley, Tyler Koyle, Melyssa Lindsay, Ann Haymond, Sandra Griffiths, Johanna Flynn, Gerald N. Andersen, Thea J. Andersen, Cody Roberts, Jason Hosebye, Breynn Arima, Grace Ann Thomas, Allan B. Thomas, Connie Thomas, Clint Argyle, Riley Argyle, Robert J. Pittelli, David Olson, Alyn Olson, Charla Andersen, Jade Andersen, Cheryl Leifson, Sean Leifson, Christina Leifson, Ruth Leifson, Mary Jane Nielsen, Jaine Andersen, J. Wyatt Andersen, Sydney Thomas, Kaley Thomas, David Eddington, Humi Eddington, Matt Wellman, Angela M. Ingo, Tim Ingo, Pat Parkinson, Pauline Bell, Devan Bell, and Kari Bell.

Oath of Office to Elected Officials

Mr. Clark conducted the oath of office to Joe L Thomas, Mayor; Steve Leifson, Councilmember; and G. Wayne Andersen, Councilmember

Mr. Clark congratulated each official.

Minutes

Councilmember Barber made a **motion** to approve the minutes of the November 15, 2005 city council meeting as presented. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Wadsworth made a **motion** to take a five minute recess to excuse the audience who was only attending the oath of office. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

6:04 Recess

6:07 Reconvene

Wasatch Wind Lease Agreement

Mr. Baker said this is a lease agreement approval for Wasatch Wind. At the last council meeting it was discussed that the agreement lapsed. The council agreed to allow extending the lease agreement.

Discussion took place that this lease agreement will be for one year commencing on the 1st day of December 2005 and continuing through November 30, 2006.

Councilmember Wadsworth asked if this lease agreement will be a renewed agreement from year to year.

Mr. Baker said he thinks this year will be the last, Wasatch Wind will have enough data.

Councilmember Sorensen made a **motion** to accept the Wasatch Wind Lease Agreement. Councilmember Barber **seconded** and the motion **passed** with a unanimous vote.

Forbush Annexation Request

Mr. Pierson said the applicant Cody Roberts is requesting to annex approximately 91 acres into Spanish Fork City from Utah County. The City boundary is to the south and west of the property. The properties to the north were annexed into Springville City. Most of the property is within Spanish Fork City's policy declaration boundary except for the northeast corner of the northeast corner of the annexation. Springville City also shows this property within its Annexation Policy Plan. The General Plan currently shows the annexation area as Residential 3.5 to 4.5 units per acre or as light industrial. The property owner is requesting the property to be zoned R-1-9. This would also eliminate the Anderson salvage yard.

Mayor Thomas asked Mr. Baker to discuss the overlap in the annexation declarations between Spanish Fork City and Springville City.

Mr. Baker said the overlap is uncommon but if it happens there is a process to follow which starts with a certified letter sent to the Boundary Commission who then gives notice to the affected entities, such as Springville City, Strawberry Power, Utah County, Central Utah Water Conservancy District, etc. These entities have the opportunity to protest, if no protests are filed then the annexation can proceed.

Mr. Pierson said Mr. Roberts has already met with Springville City. He turned the time over to Mr. Roberts.

Mr. Roberts said he petitioned with Springville and they were interested in zoning the property to be five acre lots. This defeats his purpose of residential lots. This stopped the annexation with Springville City. Mr. Roberts said he came and met with Mr. Pierson and is working with the property owners. He was told by Springville City that they will not protest the annexation with Spanish Fork City.

Mr. Roberts discussed the wetlands issues on the property and said only 3-4 acres will be wetlands and will be left as open space.

Mr. Roberts discussed the agreement with Anderson Auto Wrecking that will be phased out of operation as the residential development advances.

Councilmember Andersen asked how long the clean up will take on the Anderson property.

Mr. Roberts said they will continue to operate until the City gives approval of the residential development. After that time it would possibly take 2-3 months.

Discussion took place on the adjoining properties and the future uses.

Councilmember Sorensen made a **motion** to investigate the possibility of annexing the properties and have the Development Review Committee and Planning Commission give a recommendation. Councilmember Leifson **seconded** and the motion **passed** unanimously.

Recycling RFP

Mr. Heap said the council asked for a recommendation from the Utility Board regarding an RFP for a recycling service. The utility board conducted a survey on the City website to receive some response on how the citizens felt about recycling. The results of the survey are in the council agenda packets.

Mr. Heap discussed the different types and costs of recycling programs, such as the mandatory or voluntary programs.

Mr. Heap said he is asking for direction from the City Council on whether to request a formal RFP from different companies.

Mayor Thomas asked Mr. Heap how many people responded to the survey.

Mr. Heap said 116 citizens are against a recycling program. 224 citizens are asking for a mandatory program, but 175 citizens would like a voluntary program and 53 of these individuals checked both boxes.

Mayor Thomas feels that this is a small response and needs more information before submitting for an RFP.

Councilmember Andersen asked what other communities are involved in a recycling program.

Mr. Heap said he was aware that Saratoga Springs, Lehi and three other cities around the Salt Lake area.

Discussion took place regarding the recycling programs will not take plastic bags or glass. Wal-Mart has a recycling container for plastic bags available to all in the fronts of their stores.

Discussion took place regarding other areas that help with recycling.

Councilmember Wadsworth said he doesn't want to force the citizens to with a mandatory recycling program.

Mayor Thomas said he would like to gather more information.

Discussion took place regarding recycling is not what it was in the past.

Moark Junction Industrial Subdivision - Public Hearing

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

Mr. Pierson said Joel Connel is requesting to subdivide a parcel that is approximately 136 acres in size into five industrial lots. The property is located at the mouth of Spanish Fork Canyon and is the location of the existing Fingerhut building. The property is subject to a number of site constraints for example. There are railroad tracks on the east side of the property as well as the Mapleton canal. On the south side of the property is a gravel pit located in the county. To the west there is a sharp drop off that goes into the Spanish Fork River.

Mr. Pierson discussed the existing Fingerhut building and the capacity of the building.

Mr. Pierson said the Planning Commission reviewed this and recommend approval with two conditions.

Councilmember Sorensen asked if this works in conjunction with the master plan.

Mr. Pierson said absolutely there are a lot of companies looking at this area.

Councilmember Andersen asked if another access onto Highway 6 was possible.

Mr. Pierson said it could be discussed with UDOT in the future if traffic problems arise.

Mayor Thomas opened the public comment portion of the hearing.

Mr. Olson asked what type of industrial business' would be located in this area.

Mr. Pierson said most likely it would be a distribution warehouse type.

Mr. Olson expressed his concern for the springs located below this area.

Mr. Heap discussed the springs located by the Darger Springs Pumphouse by the new bridge at the golf course.

Mr. Heap said the pollutants risk from run off would be looked at when the site plan is reviewed for the specific industry.

Mr. Pittelli is in favor of the changes, but does request that a signal light at Powerhouse Road and Highway 6 be investigated.

Ms. Parkinson asked if there would be any problems with visibility pulling onto Powerhouse Road.

Mr. Pierson said there should be no site obstruction.

Discussion took place regarding the utility capacities in this area.

Mr. Pierson said there is a large enough water tank and there was adequate sewer capacity, the electrical may possibly be upgraded on this site.

Councilmember Barber asked Mr. Heap about the traffic study.

Mr. Heap said the road was designed for a number of trucks to access this area. When the road was rebuilt UDOT was petitioned for a signal light but it was not warranted. Maybe with other businesses it will help to warrant a signal light. But, UDOT will determine when signal lights are installed.

Discussion took place regarding what would warrant a signal light.

Councilmember Barber made a **motion** to approve the Moark Junction Preliminary Plat located at 4000 East Highway 6 subject to the following conditions:

1. Include the Mapleton lateral into lots 4 & 5.
2. Developer to add a cross access easement for roads especially to lot 5.

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

Councilmember Barber made a **motion** to move out of the public hearing portion of the meeting and reconvene the regular session of City Council meeting. Councilmember Sorensen **seconded**, and the motion **passed** with a unanimous vote.

Other Business - Mayor Pro Tem

Councilmember Wadsworth made a **motion** to accept Councilmember Barber as Mayor Pro Tem.

Mayor Thomas asked Mr. Baker to explain the duties of a Mayor Pro Tem.

Mr. Baker said in the event that the Mayor is absent, ill or there is a conflict of interest, the mayor pro tem allows business to carry on. There are two ways to approve a mayor pro tem, either make a motion to nominate a councilmember for the position or leave the position open

and appoint on a case by case basis as needed.

Mr. Baker recommends nominating a councilmember to keep things orderly.

Mr. Baker also explained the councilmember acting as Mayor Pro Tem still retains their vote.

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

Other Business - Volunteers for committees

Mayor Thomas invited all citizens to participate in committees and to please take the invitation seriously. He would like to see more participation and see great opportunities to help.

Adjournment to Executive Session

Councilmember Sorensen made a **motion** to move into an Executive Session to discuss personnel issues and economic development. Councilmember Wadsworth **seconded** and the motion **passed** with a unanimous vote. The meeting adjourned at 6:58 p.m.

Marlo Smith, Engineering Secretary

Approved: February 21, 2006