

**Adopted Minutes  
Spanish Fork City Council Meeting  
December 5, 2006**

Elected Officials Present: Mayor Joe L Thomas, Councilmember's G. Wayne Andersen, Mathew D. Barber, Seth V. Sorensen, Steven M. Leifson, Chris C. Wadsworth

Staff Present: Seth Perrins, Assistant City Manager; Dave Oyler, City Manager; Dale Robinson, Parks and Recreation Director; Dave Anderson, City Planner; Junior Baker, City Attorney; Kent Clark, Finance Director; Richard Heap, Public Works Director; John Bowcut, SFCN; Kimberly Robinson, Deputy Recorder

Citizens Present: Randy Wilkinson, Chad Wilkinson, Angel Wolfe, Hannah Felter, Sydney Renner, Terri Renner, Ken Wilkins, Brent Jones, Jonna Lewis, Harley McNeil, McKay Lewis, Carson Oates, Jesse Stoneman, Doug Bennion, Raelynn Smith, Samantha Ford, Cord Olsen, Jeff Robbins, Scott Carson, Pat Parkinson, Angie Perkins, Chris Grow, Bart Bogess, Dan Ford

**CALL TO ORDER, PLEDGE**

Mayor Thomas called the meeting to order at 6:05 p.m. and led in the pledge of allegiance.

**PUBLIC COMMENTS:**

Scott Carson

Mr. Carson is an administrator at the Junior High School. He asked for clarification on the North Park Development area, regarding the presentation given last week. He feels the message sent at the last meeting if they do not trade North Park is that we stand to lose valuable tax dollars in this community. In talking to other people the development is already in the works, whether north park is there or not. There were discussions to develop north park where it is. He wants clarification on whether we have development in the works and the development will move forward.

Mayor Thomas stated that if we don't trade that park we will lose on tax dollars, we will also lose stores that we shop at. There are many companies that are looking in this area to come. He feels they will not come if this is not reconfigured.

Mr. Carson asked why there is not more public input on this topic.

Councilman Leifson stated he did not think the development would come without reconfiguring the park.

Councilman Sorensen said on both sides of the park the property is zoned commercially. Someday it would eventually be developed commercially. The other issue is the park and whether they leave it in its present configuration or change it. When developments come

there are other retailers that do come with them and in leaving the park where it is that would not be able to happen.

Mayor Thomas said if the question is would this development come if the park was left in its present configuration. The answer would be no they would not locate here.

Councilman Andersen stated that the comment made before this was made public was that they would like to have that area upgraded.

Mr. Carson said he feels it is a widespread concern about the loss of green space.

Mayor Thomas said there has been positive feedback, for the most part, on this project.

Mr. Carson said the only option he sees is to leave the park where it is at.

Mayor Thomas stated that the reason this has not been made public was that the land was not ready.

Mr. Anderson stated they have talked about having another meeting Tuesday at 6:00 for the purpose of gathering input.

Mr. Lewis said that he feels this proposal is great.

Pat Parkinson

Ms. Parkinson feels that putting a park in an industrial area is not a good idea.

Mayor Thomas said that the 65 plus acres would be a positive option to benefit everyone that travels there.

Mr. Oyler stated the property immediately east of the 65 acres is general planned as residential.

Chris Besinger

Mr. Besinger recognizes that the good of the many outweighs the good of the one but it is the Council's responsibility, life will change for them and they would like some buffer for their needs between the commercial development.

Angie Perkins

Ms. Perkins asked about the rumor of the city buying the charter school. (American Leadership Academy)

Councilman Sorensen explained that the opportunity came for ALA to be purchased by the board from the owners, the group needed someone to sponsor the bond. Normally the County would sponsor it. The bond was taken out and paid for by the school, the city is not at risk. The city is just a name on a paper they are not responsible to make the payments.

Mayor Thomas explained that the opportunity came for ALA to buy the property.

Discussion was made regarding the location of the parks.

### **COUNCIL COMMENTS:**

Councilman Leifson reported the Recreation Board met Monday and presented names they would like appointed to the board.

Councilman Barber reported if anyone is interested in serving on boards they should contact the Council. The next Council meeting will have some rate discussions and proposals from the Golf Committee.

Councilman Andersen reported they had a successful time in securing the Fiesta Days Rodeo and have signed contracts with bull fighters, clowns, etc.

Councilman Wadsworth reported the trails committee meeting was held and they are excited about moving forward with it.

Mayor Thomas reported the senior's bus is moving forward.

### **CONSENT ITEMS:**

Minutes of Spanish Fork City Council Meeting – November 7, 2006  
UDOT 400 North Contract  
Questar Gas Supplemental Easement Agreement  
Amended Exhibits to Wind Energy Ground Lease  
Sky Properties Property Exchange Agreement

Councilman Sorensen made a **motion** to approve the consent items. Councilman Andersen **seconded** and the motion **passed** all in favor.

### **NEW BUSINESS:**

#### **SUVMWA Regional Wastewater Treatment Facility**

Councilman Andersen said the south county mayors have organized a group called the South Utah Valley Water Users Association they are responsible to do some studies. This resolution asks that we as Spanish Fork support the SUVMWA group in pursuing this. If we do not address it as a group the cities will have to handle it on their own and the costs would be astronomical. Councilman Andersen also said there are grant opportunities that can be obtained, they will have a lot more opportunity to achieve grants if they are united as a group. One of the big concerns is the level of phosphates being allowed back into Utah Lake, none of the cities treatment facilities can handle the requirement.

Mayor Thomas complimented Dennis Sorensen that runs the wastewater treatment facility.

Councilman Sorensen made a **motion** to adopt resolution #06\_19, a Spanish Fork City Resolution Supporting and Encouraging a Regional Wastewater Treatment Plant. Councilman Andersen **seconded** and the motion **passed** with a roll call vote all in favor.

Mayor Thomas noted the shop with a cop program will be this Saturday at 6:00 a.m. and he wants to ask that all citizens smile and recognize that this is a good cause. They apologize for the noise so early in the morning.

### **River Reclamation Trail Project**

Cody Stewart

Mr. Stewart met with Councilman Wadsworth last week and is here to update the city on what is happening in Washington D.C. There was a change in Congress with the past election, hence there will be changes in funding and possibly additional opportunities for Spanish Fork that could arise. The funding schedule has been thrown askew. Their firm has helped a number of cities and counties of similar size and they have a good working relationship. They also have some good Utah ties. Those communities that want to receive congressional or federal funds need to have the best representation in order to acquire them.

Councilman Wadsworth asked whether there are other funds that the city is not aware of that they can help acquire funds for.

Mr. Stewart said the funds are being spread thinner since more communities are applying for them.

### **Accessory Buildings Setbacks**

Mr. Anderson explained the main standards the city has in place at this time. Setback requirements have come about for two main reasons. The building code defines how structures need to be constructed on property lines, for property protection. The other reason for the standard is aesthetics. This standard has varied from community to community and has changed over the years in Spanish Fork. He believes the current standard is appropriate. The suggested change he would offer has to do with buildings under 200 square feet and less than 10 feet in height. He suggests for structures that are less than 200 square feet and ten feet in height there be a zero setback allowance. He feels structures larger than that should not be changed.

Councilman Sorensen asked if they need to define swimming pool setback requirements.

The Council is in agreement that buildings under 200 square feet and less than 10 feet in height be allowed a zero property line setback.

Councilman Leifson made a **motion** to direct Mr. Anderson to research options on setbacks for pool structures and to research structures less than 200 square feet and 10 feet in height have a zero setback. Councilman Barber noted that the enforcement will need to be uniform throughout the city and he **seconded** the motion. The motion **passed** all in favor.

Mr. Anderson said there is a problem with code enforcement in the city, and there is a tremendous task that will need to be addressed.

Councilman Leifson commented that the standards have changed and there are structures that have been grandfathered in.

Mayor Thomas asked staff to look into an option for citizens to see if building permits have been issued.

Councilman Andersen said he has a hard time when someone ignores the rules and does their own thing. He feels enforcement needs to be taken care of.

Mr. Jones is the shed owner, he acknowledged that he made mistakes while building, but feels he did not do anything in blatant disregard for the rules. He feels he was not aware of the rules required of him to build his shed.

Councilman Wadsworth appreciates Mr. Jones working with the city staff to take care of this issue.

Mr. Wilkins lives next door to Mr. Jones and doesn't believe that Mr. Jones didn't know he needed to get a permit from the city to build.

### **Discussion Spanish Fork Joining Corporate Alliance**

Mayor Thomas stated there are opportunities for Spanish Fork to do commercial development. He would like to have a membership with Corporate Alliance, Provo cities feedback has been positive they own 5 memberships. [www.thehub.com](http://www.thehub.com) is the website, they offer information and they are all about building relationships. They are trying to reach out to government.

Councilman Barber recommended the Council research the information.

### **EXECUTIVE SESSION:**

Councilman Sorensen made a **motion** to adjourn to executive session to discuss Land and Personnel Issues. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 7:50 p.m.

### **OTHER BUSINESS:**

Attend: Paul Bradford, Dave Lewis, Del Robins, Mike Christianson,

### **Growth Discussion with the Planning Commission**

The meeting was called back to order at 8:30 p.m. Mr. Anderson gave a status report since the last meeting and outlined the goal for the meeting.

The Culinary water has a capacity of a population of 50,000 which is not as hard a point as the sewer.

The Wastewater Treatment Plant capacity is a population of 55,000 it is a strong fill point without costly upgrades.

We need to be considerate of commercial development and of the city's needs as it becomes appropriate over time.

The amount of 670 acres is important that is the amount that we as a city can work with in amending the growth boundary.

The Growth boundary is to allow for organized orderly growth.

Ensign Bickford area would take up approximately ½ of the allowable acreage.

The Council commented on the ability to impose growth and building restrictions when necessary.

Mr. Baker stated that when a restriction is put in place by a city they have to be working towards solving the issues.

Discussion was made regarding the river bottoms area.

Mr. Anderson feels planning for the future for the river bottoms is a high priority but for the purposes of this meeting tonight they need to focus on areas they want to promote growth in.

Mayor Thomas asked working with the county on the river bottoms area and giving direction that is complimentary to the future annexation of the area that should be looked into.

Mr. Heap stated they are a few years out before a master plan developing the river bottoms area would be completed.

Councilman Andersen pointed out that Area 11 is the only open area on an interchange along I-15 in Utah County.

Mr. Anderson said the advantage is if the growth boundary is amended the residential development will prepare the area for commercial development.

Comments were made that Area 15 has a great potential for residential growth.

Mayor Thomas asked for ranking based on sewer, power, economic development for the different areas.

Mr. Heap stated if they include the Ensign Bickford property they will need to size their lines through area 1 and 2 differently.

Discussion was made regarding Area 11. The consensus was that commercial development is where they are lacking and it needs to be the #1 priority.

Commissioner Lewis suggested meeting once a year and discussing the direction they are going and what they discussed in the past meetings.

The priority order is Areas, 11, 9, 1, 2, and commercial for 12.

Councilman Andersen added that South County can come together and start the process on the regional wastewater treatment facility it could change the whole dynamic of what they are discussing at this meeting.

Councilman Leifson likes the idea of doing this every year, to be able to change the areas of growth as the conditions change that drive where growth is going to extend.

Commissioner Lewis feels a formal study be done every five (5) years for impact fees and that it be updated every year.

Mayor Thomas would like to have the market be a key factor in the information and direction they want to go.

Mr. Anderson said to let staff figure the areas to work with this direction on these areas and see what they can come up with. The next discussion they have will be with the Planning Commission on the amendment.

They were in agreement to let staff refigure and fine tune the areas they feel are priority and bring some options back for them to make a decision.

**ADJOURN:**

Councilman Sorensen made a **motion** to adjourn to executive session for personnel. Councilman Leifson **seconded** and the motion **passed** all in favor at 10:26 p.m.

ADOPTED: January 2, 2007

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Kimberly Robinson, Deputy Recorder