



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 April 3, 2007**.

AGENDA ITEMS:

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

- a. Pledge
- b. Commissioner Gary Anderson

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 – March 6, 2007](#)
- b. [Resolution Proclaiming Arbor Day](#)

5. NEW BUSINESS:

- a. Larson Stewart Myrick and Link Proposal

6. OLD BUSINESS:

- a. Allied Waste
- b. Boards and Commission Assignments

7. OTHER BUSINESS:

- a. Work Session - Capital Budget Review
- 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
Spanish Fork City Council Meeting
March 6, 2007

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

Staff Members Present: Dave Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Kent Clark, Finance Director; Dave Anderson, City Planner; Jeff Foster, Electric Superintendent; Kimberly Robinson, Deputy Recorder

Citizens Present: Wyatt Mathews, Steve Fox, Randall Marshall, Tory Christensen, Mike Davis, June Christensen, Kimberly Dewey, Jonathan Reid, Ben Jessen, Gabe Miller, Jared Ford, Jeremy Twitchell, Ashley Harward, Kacie Johnson, Todd Harrison, Lane Thomas, John Hafen, Floyd Richey, Eric Terry, Kristen Swensen, Jennifer Swensen, Adam Hunter, Milanie Hunter, Robert Lowe, Ethan Lowe

CALL TO ORDER:

Mayor Thomas called the meeting to order at 6:00 p.m.

PLEDGE:

Mr. Hafen led in the pledge of allegiance.

PUBLIC COMMENTS:

Tory Christensen

Ms. Christensen lives on 800 north. She said they have a day care in their area that is illegal. The people say they live there but they don't. The neighbors watch them leave every day. She does not think its right that they have a home occupation when they do not live in the home.

Mayor Thomas said he has been dealing with this situation and asked Mr. Baker what needs to be done to correct it.

Mr. Baker stated there will have to be a hearing, where the Council is the jury.

The Council agreed to move forward and hold the hearing.

Eric Terry

Mr. Terry is with Morgan Chase Bank, they would like to submit a bid for financial advisory services.

Todd Harrison

46 Mr. Harrison is with Bank of American Fork, he asked what the banking relationship can
47 be and what the bid process is.

48
49 Mr. Clark explained the agenda item is for financial advisory services, dealing with bond
50 council, managing debt and those types of services. The banking services would be a
51 separate bid.

52
53 Discussion was made regarding the cities banking transfers and processes.

54
55 Layne Thomas

56 Mr. Thomas does not see a conflict with the financial advisory role and the bank. He
57 explained one of the things a financial advisor does is select an underwriter, they cannot
58 use their own company as an underwriter so there is no potential for conflict.

59
60 Mr. Clark explained the financial advisory and bidding processes.

61
62 **COUNCIL COMMENTS:**

63
64 Councilman Leifson reported he has met with the parks and recreation committee. He
65 noted the soccer fields are coming along, they want to get the grass planted so they can
66 use the fields next spring. The Airport Board met last week and are moving forward, they
67 will be discussing the contract for a new Airport Board Manager later in the meeting.

68
69 Councilman Wadsworth reported they held a risk management meeting, he is happy to
70 report they have decreased the amount the city has to pay out. He appreciates the work
71 staff has done managing the problems they are faced with. The trails committee meeting
72 was held last week. He has been in Washington lobbying for appropriations for trails, and
73 noted staff did a wonderful job preparing the packet they took back to Washington telling
74 the city's story.

75
76 Councilman Sorensen gave a reminder that Saturday 7:00 p.m. is the Miss Spanish Fork
77 Pageant, he would like everyone that can come to attend. He also reported the library is
78 getting ready to start their summer reading programs. They are looking for any local
79 businesses interested in donating prizes for kids that meet their goals.

80
81 Councilman Barber reported Fiesta Days planning is in full swing and they should be
82 announcing this year's theme soon. The risk management committee met and created a
83 list of roles for elected officials in case of emergency. This last week they hired a new
84 golf professional they received over 40 top notch applicants, and Spanish Fork now has a
85 great golf professional named Aaron Brown from Salem, Utah. He added they should be
86 watching for new programs this year and many great changes. He addressed Pat
87 Parkinson's comments at the last meeting where she raised the issue about the Council's
88 treatment of a resident. He publicly apologized for his role in that treatment and
89 apologizes to those who felt the citizen was not treated fairly. The last thing he wants to
90 do is create an atmosphere where citizens are afraid to come speak to the Council. He

91 attended the UMPA meetings where the city buys power and distributes it. He stated they
92 have done everything they can to keep the power costs as low as possible.

93
94 Councilman Andersen attended the State Water Meetings in St. George. The legal aspects
95 were discussed, and they reviewed the new laws passed through the legislature this year.
96 Because Spanish Fork is a part of the Colorado River Basin there is a great deal of
97 pressure on the water resources and they need to be diligent in taking care of those things.

98
99 Mayor Thomas reported the Economic Development Committee met and has some ideas
100 to promote business in Spanish Fork. They are working on getting information to the
101 citizens of what is available in Spanish Fork. They have a theme of “when you shop in
102 Spanish Fork it benefits Spanish Fork”. The North Park project is coming along he is
103 getting between 20 and 30 positive feedback to one, and wants to thank the citizens for
104 the project feedback. He stated again he does not have anything extra to gain from this
105 project the offer is the same as what they offered his father several times before.

106 The new golf pro is on board and looks to see great things in the future at the golf course.
107 Mr. Wadsworth is working with a lobbyist for the area to obtain funds. The Council just
108 met with the Nebo School District and he feels it was a positive meeting they are looking
109 for the best way to serve the citizens. He had an opportunity to visit Atlanta and
110 explained they organized their city with NPU’s (Neighborhood Planning Units) and use
111 them to get feedback. Each of the Council have been aggressive in taking on projects to
112 help build communities. The windmill projects continue to move forward. There’s a
113 company proposing to give the city energy options with the trash, they turn the trash into
114 energy. He would also like the Council’s feedback on the position that is currently open
115 to the staff and asked if it should be made available for the public.

116
117 **CONSENT ITEMS:**

- 118
119 a. **Minutes of Spanish Fork City Council Meeting – January 16, 2007, February**
120 **2, 2007, February 3, 2007, February 6, 2007, February 20, 2007**
121 b. **Saddle Dusters Contract Renewal**
122 c. **Financial Advisory Services Agreement – Zion’s Bank Public Finance**

123
124 Councilman Barber asked to move item “C” Financial Advisory Services Agreement –
125 Zion’s Bank Public Finance out of the consent items for more discussion.

126
127 Councilman Barber made a **motion** to approve the consent items “A” & “B”. Councilman
128 Wadsworth **seconded** and the motion **passed** all in favor.

129
130 **NEW BUSINESS:**

131
132 **Spanish Fork/Springville Airport Board Manager Contract**

133
134 Mr. Baker explained the process of the contract, and stated it would not be valid until
135 approved by both cities governing body.

137 Councilman Leifson made a **motion** to approve the Spanish Fork/Springville Airport
138 Board Manager Contract, appointing Floyd Richey as the airport manager, and
139 authorizing the Mayor to sign the contract. Councilman Sorensen **seconded** and the
140 motion **passed** all in favor.

141

142 **A Resolution Ratifying an Amended Publication of a Notice of Public Hearing and**
143 **Bonds to be Issued with Regard to the Proposed Issuance and Sale of not more than**
144 **\$22,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 2007,**
145 **of Spanish Fork City, Utah; and Related Matters**

146

147 Councilman Andersen made a **motion** to adopt a Resolution Ratifying an Amended
148 Publication of a Notice of Public Hearing and Bonds to be issued with Regard to the
149 Proposed Issuance and Sale of not more than \$22,000,000 Aggregate Principal Amount
150 of Sales Tax Revenue Bonds, Series 2007, of Spanish Fork City, Utah; and Related.
151 Councilman Sorensen **seconded** and the motion **passed** all in favor.

152

153 **Sewer Capacity Presentation – Bart Boggess**

154

155 Mayor Thomas moved this item to a later meeting when Mr. Boggess is ready to make
156 the presentation.

157

158 **North East Bench Annexation**

159 **Christensen Annexation**

160

161 Mr. Anderson explained the annexation proposals and stated some of the acreage is
162 currently located within the cities growth boundary. Given that the area has been
163 considered to be added into the cities growth boundary, staffs recommendation is to
164 accept this petition for further study. He explained this formally starts the review process,
165 but does not bind the city in any way, it also starts the petition process.

166

167 Councilman Barber asked how much this would use of the available capacity acreage.

168

169 Mr. Anderson said it would be approximately 400 acres of the capacity available. There
170 will be a need for infrastructure planning particularly if continuing Expressway Lane. His
171 recommendation is for the Council to accept them for further study.

172

173 Councilman Sorensen said the proposals fit within the designated areas Council and
174 Planning Commission agreed on. He added it is an area the market has chosen as being
175 available for development at this time.

176

177 Councilman Sorensen made a **motion** to accept both the North East Bench and
178 Christensen Annexation petitions for future study. Councilman Leifson **seconded** and the
179 motion **passed** all in favor.

180

181 **Seniors Parking Lot and Building**

182

183 Councilman Andersen explained at the last meeting he suggested the idea about building
184 a new seniors center by the police/court building. The idea is to invite contractors to
185 provide ideas of what they would provide for the seniors center and that it would allow
186 them to build condominiums above it, which would ultimately help pay for the project. It
187 would allow the city to take the seniors center and create offices for the parks and
188 recreation department. The city would get needed facilities with this proposal.

189

190 Mayor Thomas feels this would be a great deal for the city, he also suggested the
191 Daughters of the Utah Pioneers are out of room and might want to do a joint facility.

192

193 Councilman Andersen feels this would be good to put out to bid and let the contractors
194 bring back the proposals.

195

196 Councilman Wadsworth thanked Councilman Andersen for his innovative thinking. He
197 asked if this would be a mixed use with a retail type set up.

198

199 Councilman Andersen said it would not have retail but it would be part of the city
200 campus facility.

201

202 Councilman Wadsworth would like to know more about this idea.

203

204 Councilman Leifson thinks it is a great idea, he would like to send the project out and see
205 what is proposed, and be able to review and discuss the proposals.

206

207 Mr. Baker explained the Council would need to put out an RFP, from there they can
208 decide if they want to go any further with the project.

209

210 Mr. Anderson explained they would first need to put out an RFP for feasibility proposals
211 of how to make the project work.

212

213 The Council Agreed they like the feasibility ideas and want to move forward with
214 approving an RFP when it is ready.

215

216 **Board and Committee Appointments**

217

218 Mayor Thomas apologized, he is not ready to make all the committee appointments, he
219 has some conflicting names and will be ready at the next meeting. He would like to
220 appoint to the Parks and Recreation Committee Doug Snell and Ken Bell.

221

222 Councilman Leifson made a **motion** to accept the appointments of Doug Snell and Ken
223 Bell to the Parks and Recreation Committee. Councilman Sorensen **seconded** and the
224 motion **passed** all in favor.

225

226 Councilman Barber suggested the committee appointments include some background
227 submitted with the names nominated for appointment.

228

229 Councilman Andersen feels the committees should have an opportunity to nominate
230 people as well.

231

232 **Spanish Trails Final Plat Extension**

233

234 Mr. Baker explained this is a preliminary plat extension and explained the situation,
235 because they made a timely submission of a final plat the Council can extend this for an
236 additional 12 months.

237

238 Councilman Barber made a **motion** to extend the Spanish Trails Preliminary plat for 120
239 days. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

240

241 Mr. Hess represents Central Bank he thanked the Council for working with American
242 Leadership Academy (ALA) on the bonding, and would like to bid the cities checking
243 services. They also have a CPA on staff and would like a chance to bid for the financial
244 consulting services as well.

245

246 **Financial Advisory Services Agreement – Zion’s Bank Public Finance**

247

248 Councilman Barber asked about the financial advisory contract and if they can approve it
249 for a limited amount of time.

250

251 Mr. Clark suggested the Council wait until after the bonding process is complete to bid
252 out the services if the Council chooses to do so.

253

254 Mayor Thomas feels it is healthy for everyone to have competition for financial advisory
255 services.

256

257 Mr. Clark explained the banking can be sent out for bid as long as they can meet the day
258 to day banking services required.

259

260 Mayor Thomas would like to see the services put out to bid.

261

262 Mr. Oyler suggested they should use the finance committee to determine the services
263 needed and requirements for a bid.

264

265 Councilman Wadsworth suggested bidding out both the services for financial advisory
266 and banking services. He feels it helps foster more of the accountability they are looking
267 for.

268

269 Councilman Barber made a **motion** to approve the financial advisory service agreement
270 for July 1, 2007. Councilman Andersen **seconded** and the motion **passed** all in favor.

271

272 **OTHER BUSINESS:**

273

274 Mr. Baker stated the annual Land Use Training is due again, they will have the state
275 property rights ombudsman teach on April 10, 2007 they will conduct a training similar
276 to last years.

277

278 Councilman Barber made a **motion** to take a break. Councilman Andersen **seconded** and
279 the motion **passed** all in favor at 7:30 p.m.

280

281 The meeting was called back to order at 7:40 p.m.

282

283 Mayor Thomas explained about a position that is open in-house and wants to discuss the
284 replacement process.

285

286 Mr. Perrins explained they spent a week analyzing where they need to go, and do they
287 have the potential for qualified individuals that could take over that position in-house. It
288 creates an incredible morale among the employees to apply themselves knowing that a
289 position could come up in-house. They will analyze any position and decide if there are a
290 number of qualified candidates that can fill the position. They will offer it in-house and if
291 there are a limited number of qualified candidates that apply then they will open it up. If
292 they open it in-house and determine they don't fit what is needed it will also be opened
293 up to the public.

294

295 Councilman Andersen asked if there is any advantage in-house for someone that already
296 knows the system than someone from the outside.

297

298 Mayor Thomas stated everything he has heard about Mr. Foster has been complimentary.
299 When the position was posted internally he was told there would not be enough qualified
300 employees to fill it. He feels there should be competition for the position.

301

302 Councilman Leifson asked how long Mr. Foster had been working with the city.

303

304 Mr. Foster has been with Spanish Fork City just under 32 years and has worked his way
305 up to his current position.

306

307 Councilman Leifson noted that Mr. Foster worked his way up.

308

309 Mr. Foster feels there are several qualified candidates in-house that could fill this
310 position.

311

312 Mayor Thomas feels there is a benefit for competition with this position.

313

314 Councilman Leifson feels when a guy knows he can start at the bottom and show his
315 potential and work his way up he is more loyal. He feels the city's employees are assets
316 and that they should first look in-house and if they can't find a qualified person then by
317 all means they should open it up.

318

319 Councilman Sorensen agrees there is a benefit if someone knows they can work up
320 through the ranks, it will create a lot of benefits with someone who knows the system, He
321 feels the city will be far better served. If there are qualified people in-house it doesn't
322 make sense to look outside.

323
324 Mayor Thomas feels it benefits the city to look as broad as they can and still be qualified
325 for the position.

326
327 Councilman Andersen thinks if there is an atmosphere of some employees that feel there
328 are not enough qualified applicants he would challenge them to put their application in
329 and see what they can bring to the table.

330
331 Mr. Oyler said they determined the person they want for this position is a hands on day to
332 day person where they can handle the lineman and superintendent levels with the day to
333 day operation.

334
335 Councilman Leifson asked if when Mr. Foster came to this position he had ideas he
336 noticed while working with the city to implement.

337
338 Mr. Foster stated there were definitely some things he noticed.

339
340 Mr. Perrins explained they discussed changing the position and concluded they were not
341 ready to do so yet.

342
343 Mayor Thomas thanked Mr. Foster for his work and stated he would like to see the
344 position open to the public.

345
346 Councilman Wadsworth explained the electrical standards are the same across the board
347 it is just the implementation. He feels someone qualified could do the position if staff
348 helps with the learning curve.

349
350 Councilman Barber feels with this and some of the other topics tonight, some people
351 have a problem with the public verses private sector. He feels that staff keeps disagreeing
352 about it.

353
354 Mayor Thomas feels competitive positions should be looked at outside the city as well as
355 inside.

356
357 Councilman Wadsworth would like to see positions open to the public so they have a
358 larger pool of candidates, for the superintendent levels and above.

359
360 Mayor Thomas feels this is healthy for the city and supports opening positions at the
361 supervisory level and above to the public.

362

363 Councilman Wadsworth supports opening the position to the public for a larger pool of
364 candidates. He would like the topic to come back to the personnel committee for more
365 discussion.

366
367 Councilman Sorensen doesn't think it should be open to the public he feels they need to
368 look in-house first for all the reasons he stated before, and he feels current employees
369 should be rewarded.

370
371 Councilman Andersen thinks from a supervisory level down it should open in-house first.
372 They need to be able to have an incentive for people that have been loyal to the city, they
373 need to give first consideration for those that are here at the city. Once applications are in
374 they have a good feel for whether they can fill and do the job or not. He feels supervisor
375 levels and down should be open in-house first.

376
377 Councilman Barber said he thinks the Council brings different perspectives. He directed
378 that supervisory level positions and up be open to anyone.

379
380 Councilman Leifson thinks on supervisor level positions the city has professionals hired
381 to make the best decisions. He feels Mr. Foster is a prime example of working up through
382 the system, his feeling has always been to reward those that have dedicated themselves to
383 the city. He feels supervisory level positions on down should be open in-house. That is
384 the direction he thinks they should go.

385
386 Mr. Perrins feels there should not be a set line, they should be allowed the freedom of
387 deciding if they have qualified individuals or not. It allows staff to do what is in the best
388 interest of the city.

389
390 Mr. Foster is completely in agreement that if you don't find someone in-house you go out
391 to the public.

392
393 Mayor Thomas is in favor of competition, he agrees that the employees should be
394 rewarded and the employees definitely should have the upper hand but still thinks it
395 should be open to the public.

396
397 **ADJOURN:**

398
399 Councilman Barber made a **motion** to adjourn to executive session for potential sale of
400 land. Councilman Leifson **seconded** and the motion **passed** all in favor at 8:32 p.m.

401
402
403 **ADOPTED:**

404
405 _____
Kimberly Robinson, Deputy Recorder

RESOLUTION NO. 07-03

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>		
STEVEN M. 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 07-03

A RESOLUTION PROCLAIMING ARBOR DAY

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, 2007 is the 135th anniversary of the holiday and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut

heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewal resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and,

WHEREAS, Spanish Fork City has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices

NOW, THEREFORE, I, Joe L Thomas, Mayor of the City of Spanish Fork, do hereby proclaim Friday, April 27, 2007 as Arbor Day in the City of Spanish Fork, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

This resolution adopted this 3rd day of April, 2007, by the City Council of Spanish Fork City, Utah.

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder