

**Adopted 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

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

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

Discussion was made regarding the cities banking transfers and processes.

Layne Thomas

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

Mr. Clark explained the financial advisory and bidding processes.

COUNCIL COMMENTS:

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

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

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

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

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

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

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

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

CONSENT ITEMS:

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

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

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

NEW BUSINESS:

Spanish Fork/Springville Airport Board Manager Contract

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

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

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

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

Sewer Capacity Presentation – Bart Boggess

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

**North East Bench Annexation
Christensen Annexation**

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

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

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

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

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

Seniors Parking Lot and Building

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

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

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

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

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

Councilman Wadsworth would like to know more about this idea.

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

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

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

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

Board and Committee Appointments

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

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

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

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

Spanish Trails Final Plat Extension

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

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

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

Financial Advisory Services Agreement – Zion's Bank Public Finance

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

Mr. Clark suggested the Council wait until after the bonding process is complete to bid out the services if the Council chooses to bid them.

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

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

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

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

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

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

OTHER BUSINESS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilman Wadsworth explained the electrical standards are the same across the board; what differs is the implementation. He feels someone qualified could do the position if staff helps with the learning curve.

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

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

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

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

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

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

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

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

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

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

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

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

ADJOURN:

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

ADOPTED: April 3, 2007

Kimberly Robinson, Deputy Recorder