

**Adopted Minutes
Spanish Fork City Council Meeting
April 17, 2007**

Attend: Mayor Pro Tem Councilman Matt Barber, Councilman Steven M. Leifson, and Councilman Chris Wadsworth.

Staff: Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Dave Anderson, City Planner; Richard Heap, Public Works Director; Dee Rosenbaum, Public Safety Director; Kent Clark, City Recorder; Shelley Hendrickson, Planning Secretary.

Citizens: Brooklyn Birch, Harold C. Ostler, Allan Davis, Steve Meyer, G.J. Labonty, Allyson Voran, Charlese Voran, K. Snyder, John C. Thomas, Ashley Harward, Val Simmons, Heather Campbell, Beth Buckway, Greta Trujillo, Tucker Anderson, Mike Ballif, Kayla Neves, Helen Evans, Kelcie Kiracofe, Natasha Sanborn, Karen Ritchie, Geoff Dupaix, Ron Clegg, Merrell Jolley, Carl Empey, Adan Carrillo, Will S. Jones, Olivia Darling, Bryan Redd, Annette Redd, David Isaac, Allison Isaac, Jim Garside, Kevin Baadsgaard.

CALL TO ORDER, PLEDGE:

Mayor Pro Tem Barber called the meeting to order at 6:02 p.m.

Seth Perrins led in the pledge of allegiance.

Mayor Pro Tem Matt Barber excused Mayor Joe Thomas, Councilman Wayne Anderson, and Councilman Seth Sorensen.

PUBLIC COMMENTS:

Kevin Call

Mr. Call addressed the council. He said his purpose in coming was to raise awareness about the issues related to the growing problem of affordable housing. He feels that real estate values have increased. He said that statistically sixty percent of families can afford only 6 percent of the homes available. He feels that due to the increase in land value that multifamily housing is one way to lower costs. In closing he asked the council to please be mindful of the issues during their decision making processes.

Discussion was held regarding affordability, supply and demand, and affordable housing within the community.

Aaron Brown

Mr. Brown addressed the council. He said the meet the pro event date has been changed. The new date is May 7, 2007, at 1:00 p.m.

Mayor Pro Tem Barber said that tee times are now accessible electronically on the Spanish Fork City webpage and for people to take advantage of the services on the webpage. He feels it would be a good idea to have the Spanish Fork Cable network cover the meet the pro event.

COUNCIL COMMENTS:

Councilman Leifson said that a Parks and Recreation survey will be mailed out towards the end of the month. He expressed the importance of the survey and for all who receive one to please fill it out and return it.

PUBLIC HEARINGS:

Councilman Leifson **moved** to **open** into public hearing. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 6:15 p.m.

Abandonment of Hatfield Subdivision

Mr. Anderson gave background and explained the proposal.

Mayor Pro Tem Barber opened for public comment. There was none.

Discussion was held regarding the parcel that the city owns that is adjacent to the subdivision, and the abandonment being condition upon closings on the property for the development of the North Park.

Councilman Leifson made a **motion** to **accept** the abandonment of the Hatfield subdivision subject to the following conditions:

Conditions:

1. To closings on the property for the development of the North Park.
2. That the North Park development moves forward.
3. That the utility companies are notified.

Councilman Wadsworth **seconded** and the motion **passed** all in favor. Mayor Pro Tem Barber voted yes, Councilman Wadsworth voted yes, and Councilman Leifson voted yes.

Vacation of 560 East Street

Councilman Leifson made a **motion** to **vacate** 560 East Street subject to the following conditions:

Conditions:

1. To closings on the property for the development of the North Park.
2. That the North Park development moves forward.
3. That the utility companies are notified.

Councilman Wadsworth **seconded** and the motion **passed** all in favor. Mayor Pro Tem Barber voted yes, Councilman Wadsworth voted yes, and Councilman Leifson voted yes.

Public Facilities Zone – Citywide

Mr. Anderson gave background and explained the purpose of the proposal.

Councilman Barber opened for public comment. There was none.

Councilman Wadsworth made a **motion** to accept the Public Facilities Zone Ordinance. Councilman Leifson **seconded** and the motion **passed** all in favor.

Councilman Wadsworth **moved** to close public hearing. Councilman Leifson **seconded** and the motion **passed** all in favor at 6:35 p.m.

CONSENT ITEMS

Councilman Leifson made a **motion** to **accept** the consent items as listed. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

NEW BUSINESS

Consideration for adoption of a resolution of the City Council of Spanish Fork city, Utah, (“the issuer”) finalizing the terms and conditions of the issuance and sale by the Issuer of this Sales Tax Revenue Bonds, Series 2007, in the aggregate principal amount of approximately \$22,000,000; and related matters.

Kent Clark introduced Carl Empey.

Carl Empey

Mr. Empey addressed the council. He explained the exchange agreement and its advantages to the city, the winning bidder, the true interest cost, debt service schedule, the coupon, and the anticipated closing date.

Discussion was held regarding AAA population growth, medium household income, and the gross bond insurance.

Mr. Clark explained the funds for the construction fund projects, and the debt service schedule.

Councilman Leifson made a **motion to adopt** resolution of the city council finalizing the terms and conditions of the issuance and sale by the Issuer of this Sales Tax Revenue Bonds, Series 2007, in the aggregate principal amount of approximately \$22,000,000. Councilman Wadsworth **seconded** and the motion **passed** all in favor. Mayor Pro Tem Barber voted yes, Councilman Wadsworth voted yes, and Councilman Leifson voted yes.

PUBLIC HEARING

Councilman Wadsworth made a **motion to open** into public hearing. Councilman Leifson **seconded** and the motion **passed** all in favor at 7:00 p.m.

Old Mill Estates General Plan Amendment and Zone Change – 1503 Mill Road

Mr. Anderson gave background and explained the proposal. He said that staff and the applicant ask council to not take action on this item tonight but that it is continued for two weeks.

Wayne Niederhauser

Mr. Niederhauser addressed the council. He gave a presentation of the project and discussed the following: notable projects, past projects, restrictive covenants, HOA, site information, subdivision plan, past meetings, issues, proposed Mill road solutions, proposed sewer solution (committed to put \$17,000 in escrow account for maintenance, and the lift station would serve up to 500 homes), three phase power, storm water retention, and entry features.

Discussion was held regarding infrastructure for adjacent property owners in the area.

Mayor Pro Tem Barber opened for public comment.

Val Simmons

Mr. Simmons said the sewer lift station will be right across the street from his home. He feels it will smell horrible. He also feels that he will have problems with kids playing in his irrigation ditches and will throw debris in the ditches. He is opposed to this proposal.

Discussion was held regarding the sewer lift station, and traffic on Mill road.

Harold Ostler

Mr. Ostler is not opposed to development in the area. He expressed his concerns in an email that he sent to the council members. He would like to see ½ acre lots or greater. He feels if the development is allowed to happen that there will be higher density than what the residents want. He is opposed to changing the General Plan. He is concerned with access onto Arrowhead Trail and safety.

Discussion was held regarding the zones of neighboring properties.

Allen Davis

Mr. Davis is opposed to the higher density. He would like to see a more rural setting. He feels gating Mill road is a good idea. He feels if access onto Mill road is allowed that it will set precedence for other developers to obtain access to Mill road. He also feels that if access to Mill road was denied for the Charter School than what will happen if access is approved now for this developer. He feels that if the kids are not bused to the new elementary school than Mill road will not be safe for them to be walking on.

Discussion was held regarding the noise with the sewer lift station, and maintenance.

Kevin Baadsgaard

Mr. Baadsgaard feels this development is a little premature. He feels ingress and egress should be on Del Monte. He is opposed to changing the General Plan. He feels that the people who live on Mill road, at the most unsafe area, do not own enough property that a developer would want to purchase; thus, Mill road will not be fixed.

Discussion was held regarding traffic on Del Monte, and how unsafe Mill road is or is not.

Bryan Redd

Mr. Redd feels that Mr. Niederhauser has done a good job. He would like the proposal to be tabled for various reasons. He asked if the application to UDOT has been done for access onto Arrowhead Trail.

Mr. Niederhauser explained the UDOT application process and said that Arrowhead Trail would be a viable access.

Mr. Redd feels that until UDOT has approved the proposal's application for the development access; that the project be tabled. He has safety issues with Mill road. He feels that Mr.

Simmons is not interested in developing his property anytime soon and does not want the General Plan approved. He feels that there are a lot of wetland issues and gravity fed sewer issues. He feels canal safety would have to be addressed.

Discussion was held regarding the canal, sewer gravity flow, sewer lift stations, UDOT and access onto Arrowhead Trail, possible access through the Tingey property, and density within the proposal.

Mr. Niederhauser expressed appreciation for the neighbor's feelings. He feels that they are trying to solve the issues and are open to solutions. He said that if there is an irrigation ditch adjacent to the proposal than they would pipe it.

Councilman Wadsworth made a **motion** to **continue** the public hearing for Old Mill Estates until May 1, 2007. Councilman Leifson **seconded** and the motion **passed** all in favor.

NEW BUSINESS

Preliminary Plat Re-approval of East Meadows Plat B

Mr. Anderson gave background and explained the reason for the re-approval.

Councilman Leifson made a **motion re-approving** the East Meadows Preliminary Plat. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

Annexation Acceptance – W. Jones Annexation Annexation Acceptance – Envision Annexation

Mr. Anderson explained the annexation acceptance process and where the proposed annexations are located. He also said that staff is thoroughly analyzing the infrastructure for property's being annexed into the city; thus, the process is taking longer.

Councilman Leifson made a **motion** to **accept** the W. Jones and Envision Annexations for further study. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

Annexation Acceptance – CW Annexation

Mr. Anderson explained the proposal.

Councilman Leifson made a **motion** to **accept** the CW Annexation for further study. Councilman Wadsworth **seconded** and the motion **passed** all in favor.

UDOT/UTA I-15 Project Update – Merrell Jolley

Merrill Jolley

Mr. Jolley addressed the council. He said his purpose in coming was to give an update and timeline on the I-15 corridor. He said they will be going public with the proposal in May 2007. He gave an overhead presentation on the project timeline for transit and roadway transportation. He also noted that anyone wishing to receive emails with regard to this proposal may do so by signing up on a sheet he sent around, or he said people can go to the UDOT webpage and sign up.

G.J. Labonty

Mr. Labonty addressed the council. He explained the commuter rail project timeline, current construction, and potential stations in Lehi, American Fork, Pleasant Grove, Vineyard, Orem, and Provo.

Merrell Jolley

Mr. Jolley addressed the council. He explained the I-15 corridor, proposed number of lanes, interchange reconstruction, conceptual layouts, Spanish Fork main street reconstruction, Benjamin interchange reconstruction, the Carter Burgess study, justification for interchanges, and the schedule.

Discussion was held regarding whether or not UDOT will build an interchange at Center street or 2700 North in Spanish Fork. Mr. Jolley said that these two options are not included in their current study.

Discussion was held regarding funding, interchange reconstructions in Utah County, when they will be constructed, whether or not they will be one project or individual projects, cash flow requirements, when the study will be done, and sound walls.

Discussion was held regarding having a link on our webpage for the UDOT webpage.

Jim Garside

Mr. Garside addressed the council. He said he has been a water developer for development and economic growth in Utah County for about 6 years. He feels that Salt Lake County is a monopoly. He explained why he feels this way. He said that area 57 is one of the only areas that have not been adjudicated. He is here today requesting the council's support in signing a letter that area 57 be adjudicated. He feels that Utah County should control their water rights.

Mr. Heap told the council that we are in area 51. He feels that we need to be really careful with regard to our underground water rights. He agrees with Mr. Garside that area 57 is oversubscribed by Salt Lake. He does not feel that the rights from area 57 need to be transferred to south Utah valley underground water rights. He explained what he feels should be legislated.

Discussion was held regarding support and a potential letter for Mr. Garside.

Declaration of Surplus Property (2550 East Hwy 6) (300 North 100 East)

Mr. Baker explained the declaration of surplus property and what action is needed.

Mr. Oyler showed the council members a map of the property.

Councilman Leifson made a **motion to declare surplus properties** and schedule a public hearing. Councilman Wadsworth **seconded** and the motion **passed** all in favor. Mayor Pro Tem Barber voted yes, Councilman Wadsworth voted yes, and Councilman Leifson voted yes.

OTHER BUSINESS

Councilman Leifson made a **motion to adjourn** to executive session for real estate issues. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 8:32 p.m.

ADOPTED: May 1, 2007

Shelley Hendrickson, Planning Secretary