

**Adopted Minutes
City Council and Planning Commission Work Session
May 24, 2007**

Elected Officials Present: Councilmember's G. Wayne Andersen, Chris C. Wadsworth, Seth V. Sorensen, Steven M. Leifson, Commissioner's Sherman Huff, Paul Bradford, Del Robbins

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

Citizens Present: Lee Kapaloski, Bart Boggess, Trent Boggess, Duane Hutchings, Kimberly Dewey, Jonathan Reid, Dan Ford, Brian Bird, David Meyer

WORK SESSION:

Discussion on Growth and Development

Mr. Oyler called the meeting to order at 6:00 p.m.

Mr. Oyler explained that when they accept an annexation for study there are timelines that must be met and the Council needs to be aware of them.

Mr. Anderson gave a presentation regarding items that need to be addressed.

Mr. Heap explained that on the water rights issues they have decided to go back to connections and not units. The Water Master Plan has main lines designated where the larger lines need to be. The pressurized irrigation system for the new areas has the line sizes laid out. The Street Master Plan, mentioned a street impact fee for some of the streets, involving railroad crossings, and roads that connect into the river bottoms road. We will need to decide how to fund those roads. The Storm drains Master Plan; know where it is all going and how it will be treated. The Sewer Master plan with a trunk line through river bottoms, Mapleton trunk line, they go into the plant. There is actually capacity in the river bottoms line for approximately 4,000 units, the Mapleton line they installed, and Spanish Fork paid 43% of the cost for installing the line. Those are two of the areas they need to look at close, there are ways they can be handled but they will have to decide what is best or not.

Mr. Anderson stated there is a Master Plan for trails. There is a need for a Master Plan for Power, Parks, and Recreation. The specific areas of attention would be the river bottoms and northeast bench area, those are the big areas that will require some type of a change. He then discussed if the Council and Commission want to create a new Master Plan for the river bottoms especially

when the plan was created not long ago. He added the city currently has five annexations in the process now.

Conformity to Master Plans for public utilities and facilities:

1. Water.
2. Sewer.
3. Storm Drain.
4. Pressurized Irrigation.
5. Streets.
6. Parks and Trails.
7. Power.
8. Communications.
9. Gas.
10. Presence of unique utility/facility needs or requirements.
11. Presence of irrigation or other ditches and related facilities.
12. Public Safety Evaluation.
13. Presence of Sensitive Lands or Watershed Protection issues.
14. Concept Plan's conformity with proposed zoning.
15. Annexation Agreement.

Items to consider:

1. Whether the proposed property is within the growth management boundary of the General Plan.
2. Present and proposed land use and zoning.
3. Present and potential demand for various municipal services.
4. Distances from existing utility lines, public schools, parks, and shopping areas.
5. Specific time tables for extension of services to the area and how these services would be financed.
6. Potential impact on existing and proposed streets.
7. The effect that the annexation will have upon the city boundaries and whether the annexation will create potential for islands, or difficult service areas.
8. An estimate of potential revenue verses potential service costs.
9. Requirements imposed by state law.

Mr. Anderson explained that in order to look at the issues and be dedicated to the projects he would recommend outsourcing.

Mr. Oyler said the Council will have to review the annexation fee in the future in order to cover the costs to review the applications.

Mr. Anderson explained the issues with the development outside the annexation declaration area. Speaking from a planning perspective he does not want to see

situations where it would cause Spanish Fork to not be able to provide efficient services.

Development outside growth boundary:

1. Leland area.
2. Northeast bench.
3. River bottoms.
4. Westside.

Mr. Anderson believes the orderly development in and around Spanish Fork, is due to the growth boundary. He also stated the Planning Commission and City Council have the east side of I-15 set as a developmental priority. It is his opinion the big question deals with the river bottoms, should they amend the growth boundary or should they keep it the same. His main questions are would they like to see the Growth Boundary and General Plan change for the river bottoms area. Development west of I-15 is moving along, there is a development that will bring infrastructure to the area which would make it easier to develop in the future.

Mr. Oyler asked with the Boggess annexation that the Council and Commission give direction on what they want to do.

Direction:

1. Annexation Declaration – Mapleton Heights.
2. Growth Boundary – Is it relevant.
3. Growth Boundary Amendments – What is needed.
4. General Plan – Is it time for change.
5. Should the city adopt a street impact fee.

Councilman Andersen explained the City Planner in Mapleton gave the impression that Mapleton would not want to annex the Boggess property. They have since hired a new City Planner.

Bart Boggess

Mr. Bart Boggess explained the presentation for the Boggess Annexation.

Councilman Leifson stated the consideration to annex both parcels was the reason for their decision.

Councilman Andersen explained that it was decided to change the interlocal agreement with Mapleton in order to leave the options open for both projects.

Trent Boggess

Mr. Trent Boggess expressed they are motivated to come to the City of Spanish Fork and not Mapleton. They have set aside approximately \$4 million for capital projects.

Dave Meyers

Mr. Meyers noted he owns part of the property involved with the Geneva Rock gravel pit and the BYU compost site.

Mr. Trent Boggess feels they are an opportunity being handed to the city of Spanish Fork.

Councilman Andersen asked why they would penalize the rest of the bench area for something that could possibly not happen anyway. It concerns him that they will get themselves into a situation where people can buy their right to develop by giving cash incentives; he takes that as some sort of bribe and is not comfortable with that type of feeling.

Mr. Oyler said they need to address, the density issues. Where do they want high density, sewer can be made available and substations can be built, but politically they need to decide where they want their high density areas to be.

Discussion was made regarding the density for the area between the railroad tracks currently General Planned as one unit per five acres.

Commissioner Robbins does not think they should change the General Plan for the river bottoms; he wants to preserve the look and feel of that area. He feels if this annexation can be a benefit to the city it is worth looking at.

Councilman Sorensen stated when they were first approached they were told that presidio would be part of the annexation. The reason they stopped their agreement with Mapleton was to keep their options open. He feels now that Mapleton is willing to bring this property into their city, which should be the route they go.

Mr. Bart Boggess explained if there are specific issues they can split the annexation.

Councilman Andersen was in a meeting with the Mapleton City Mayor and there was no doubt left in his mind they would protest this annexation; it was their idea the whole time this would include both properties. His disposition is if they came into Spanish Fork he is not sure we would be willing to develop any more density than Mapleton offered them before.

Commissioner Huff feels it is a great development, but to go through Spanish Fork and Mapleton is to cut up infrastructure, it makes it hard to furnish the

utilities and roads to the property. He feels it is a good situation if they can handle the extra cost.

Lee Kapaloski

Mr. Kapaloski represents the Boggess Group; he stated one of the annexation protests would be to say they did not conform. He stated they have been very transparent with both cities and he has pushed hard to work with both cities. He does not see the money as a bribe it is for the demands that will be placed on the city. Another reason they wanted to come to Spanish Fork is they have better water rights; they are not trying to bargain one city to the other. They have come in good faith and have been loyal.

Commissioner Huff is of the opinion this needs to have other consideration given it needs to address the other areas and units per acre, they need to discuss what services can be serviced there, he is not opposed to discussing the issues.

Councilman Barber agrees with Commissioner Huff, it needs to be discussed more and there needs to be full attention given to this project and the issues.

Mr. Anderson suggested they hold be a joint meeting with Mapleton City to discuss the issues.

Councilman Barber likes the idea of getting everyone involved to sit down and work out the issues.

Mr. Oyler stated the property owners have a right to choose where they want to go, but they as elected officials have the duty to do what is right for Spanish Fork.

Councilman Barber wants to bring Mapleton in and have a discussion regarding this project.

Mr. Anderson stated the commercial development for this project is rather compelling, but commercial development goes where it wants, they can't will it to a specific location and the Council and Commission needs to keep that in mind.

Mr. Kapaloski stated a dialogue with Mapleton could help, but there is nothing in the law that says they cannot accept a petition for further consideration. To be honest they are tired of the meetings too, and if a joint meeting gets everything on the table they would favor a joint meeting, but with the context of all this information they are still not clear on what Mapleton's capacity is. He feels they put burdens on the Spanish Fork Council by meeting with both cities, going back and forth, it is probably a good idea to discuss it together.

Councilman Sorensen said when they first came with the project they all agreed because they wanted them to have an opportunity to develop, he would like to find out for sure if Mapleton is willing to bring them in or not.

The direction is to have a joint meeting with Mapleton before the next Planning Commission meeting if possible.

Kimberley Dewey

Ms. Dewey represents one of the five annexations that are pending. She asked that a consideration of the pending annexations be done. What amount of time will be spent getting them the information, they need to know how long things are going to take and at what point the city will feel comfortable to consider annexation on a case by case basis.

Mr. Oyler stated again there are other issues that have to be addressed now before they can move forward with annexations.

ADJOURN:

Councilman Andersen made a **motion** to adjourn. Councilman Sorensen **seconded** and the motion **passed** all in favor at 8:07 p.m.

ADOPTED: June 5, 2007

Kimberly Robinson, Deputy Recorder