

**Adopted Minutes
Spanish Fork City Council Meeting
June 5, 2007**

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

Staff Present: John Bowcut, Kent Clark, Dale Robinson, Richard Heap, Junior Baker, Dave Anderson, Dave Oyler, Seth Perrins, Dee Rosenbaum, Pam Jackson, Kimberly Robinson

Citizens Present: Helen Fish, Elisabeth Stoddard, Mark Stoddard, Janet McManus, Richard McManus, Jeff Foster, Pat Parkinson, Heather Campbell, Jennifer Leigh Mustoe, Brent Jarvis, Don Thomas, Patti Witham, Karen Payne

CALL TO ORDER, PLEDGE, RECOGNITIONS:

Mayor Thomas called the meeting to order at 6:05 p.m.

Pledge

Councilman Barber led in the pledge of allegiance.

Jeff Foster Recognition

Mr. Heap stated electric superintendent Jeff Foster has been with the city for 32 years. He has been a great asset for Spanish Fork City, he has done a tremendous job. He says goodbye with reluctance to see Mr. Foster go, he is thankful for him and for the work he has done.

Mr. Foster thanked the city employees. He said he had a good relationship with them, they work hard and made his job a lot easier, and he appreciates all the comments.

Mayor Thomas thanked Mr. Foster for his years of service, he is sad to see him leave. The entire Council wishes him the best.

The Council thanked Mr. Foster for his work and a standing applause was given.

PUBLIC COMMENTS:

Jennifer Mustoe

Ms. Mustoe is in charge of the art show case and invited all to attend.

Mark Stoddard

Mr. Stoddard lives in the neighborhood below the reservoir. He has been getting e-mails from people in the area. The sand is blowing into their neighborhood from the construction. He stated the problem is not letting the sand leave their property.

Mr. Heap stated the watering so far is not working to keep the dust down; the city will be meeting with them tomorrow and looking at their options.

Mr. Stoddard would like the developer to pay the cost of cleaning all the neighbors' carpets because the dirt cuts half the life out of the carpet and they need to clean up after themselves. They now have to run their air conditioning all the time because they can't leave their windows open. They would like them to figure out how to take care of the problem or else shut the job down until they do figure something out. He thanked Richard Heap and Dave Anderson for returning his calls.

COUNCIL COMMENTS:

Councilman Leifson reported the Parks and Recreation Committee meeting was last Monday. They reviewed the survey at the public meeting. He admonished everyone that has received the survey to fill it out, add their input, and send it in, that is how their ideas will be heard.

Councilman Barber reported Fiesta days is coming up quickly, and feels it will be another great year.

Councilman Wadsworth said they had a trails committee meeting last Wednesday. They covered important items such as the trails master plan. He also talked about a cultural heritage grant that can be used near the reservoir. For community service day they hope to have people clean up segments of the future trail. He noted Chris Thompson secured a grant for a trail by Highway 6. He reported they are now coordinating at a higher level with county and trail organizations in creating a conservative effort for a trails system.

Councilman Sorensen reported the Chamber of Commerce Rotary Club scholarship banquet was held. They awarded scholarships to almost all that applied. Scholarships were given to students that have not gotten any other scholarships. He encourages people to get involved.

Councilman Andersen reported on the 24th of July he looks forward to the celebration. He expressed appreciation to President Chris Shepherd and the Spanish Fork West Stake for committing a float to this year's parade. He thinks it is fitting that some of these organizations participate and be represented. He invites a challenge to any who would like to participate in the parade.

Councilman Leifson talked about the planters on Main Street. He thanked all those that participated in giving service this year. As a Council he wanted to say thank you to all those that helped in the planting on Main Street.

Mr. Heap said this year clean up day will be July 14th, they would like to solicit help from anyone that wants to help.

Mayor Thomas reported Memorial Day the cemetery looked beautiful, he thanked all those involved with the celebration. He commented on the North Park development. There is a lot of misinformation going around but progress continues wonderfully we should see activity there in the next couple weeks and also some announcements. North Park will be enhanced and not gotten rid of, when completed it should be one of the nicest parks in the County. His personal experiences have been about 75% of people not having the full information. Many are delighted with the Spanish Oaks golf course this year he invites all to go up and golf. He was contacted by a foreign exchange student group; please contact him if you are interested in hosting mayor@spanishfork.org

Mr. Perrins announced tentative information for the 1st Charlie Battery 145th National Guard Unit. They will be leaving for deployment and will have over 100 soldiers a majority of which come from South Utah County. They are coordinating a sendoff event Monday at 1:00 p.m. there will be a parade down Main Street to the city park followed with a short function. He invites all the community to show their support as they prepare to deploy.

PUBLIC HEARINGS:

Councilman Sorensen made a **motion** to move to the public hearing. Councilman Andersen **seconded** and the motion **passed** all in favor at 6:31 p.m.

Sale of Surplus Property

Mr. Clark explained in order to go through statutory requirements they must declare the items as possible surplus property.

Councilman Barber recused himself from discussion and voting on this item because a client of his is involved with the sale of this property.

Mr. Rosenbaum explained master planning the growth they are anticipating. He noted when the fire station was originally built they expected expansion. The bottom line concern of his is there needs to be some additional effort put into master planning for the fire department over the next few years. Some of the discussion was when the fire department was built it was done so in the future they could expand to the north. They knew eventually this building would be full and have to expand.

Mr. Don Thomas the ambulance captain commented that as long as this area will be used for functions and as long as the memorial building is used as such they will continue having parking problems.

Mayor Thomas stated there are options to possibly trade the property for a bigger nicer building over the next number of years.

Brent Jarvis, Fire Chief.

Chief Jarvis said in his opinion they feel the property is not surplus until everyone is on the same page and they know what the master plan is. They do not have enough parking and there are issues with the main roadway. In his opinion they need to draw a straight line and keep it for training and parking.

Councilman Andersen said in light of what they are talking about and some of the things that are coming up it would be wise not to declare any of that as surplus until they consider their options and decide what's going to happen.

Councilman Sorensen would agree to wait if they need that for parking the way it is right now, he can see some major problems down the road.

Mr. Rosenbaum thinks there are a lot of options they have not even considered yet and they need to get the master plan for the fire department and figure out what they need in the future.

Councilman Wadsworth asked about using the Ad-hoc committee to discuss these issues.

Mr. Rosenbaum agreed that was an option, also to have input from the fire fighter at the state, he will give his opinion.

Patty Witham

Ms. Witham is the executive director of the chamber of commerce. This affects the chamber because they are currently in the home considered as surplus, they still have so many years on their contract and are concerned about having no parking, she would like to propose the chamber be moved to the police building because it is high profile and they can put the DUP museum there, hopefully that could be considered.

Marvin Banks, neighbor and firefighter.

Mr. Banks lives straight across from the chamber building. The other day he counted 25 cars parked on his street. He feels he should have some parking in front of his own house. He personally thinks they would regret selling one inch of the property. He thinks it should not even be entertained to let that property go, fire fighting is about location and they need to be in the hub, that's where the response time comes. He thinks they need to take a good hard look at their property before they make any decisions.

Councilman Leifson likes Mr. Rosenbaum's idea of bringing someone in and talking about their needs and discussing how their needs have grown. Until they have a plan of attack they feel they need to sit back and figure out what the best use for that is. Until a survey or study is done they need to table this item until they know exactly what they are looking at.

Mayor Thomas said there are parking issues that need to be addressed. He thinks the option should be open to trading the property for a newer better building. He feels there

should be all the options on the table. He feels there is no urgency and they are not looking to make money.

Councilman Andersen made a **motion** to not declare the property excess at this time and take no action on this property at this time. Councilman Sorensen **seconded** and the motion **passed**. Councilman Barber abstained from voting for the reasons stated before.

Mayor Thomas opened this item for public comment. There was none given at this time.

Mayor Thomas would like to see a sign for sale on the 2550 East Highway 6, property, and would rather see something done with it then let it sit vacant and unused.

Councilman Sorensen lives up in that neighborhood. The majority of people that have talked to him want to see it commercial in that area.

Councilman Leifson said as he looks at the property he does not see it as a city use for anything the city needs and should let it go to surplus.

Councilman Wadsworth made a **motion** to put this parcel located at 2550 E. and Highway 6, on the commercial market for sale. Councilman Leifson **seconded** and the motion **passed** all in favor.

Budget FY08

Mr. Clark gave a presentation on the budget. He listed the donations the city will contribute to this next fiscal year.

Councilman Barber clarified that the Chamber of Commerce is not considered a donation it is a contract arrangement. The goal of the chamber is to be autonomous but it is hard to do.

Councilman Sorensen talked about some ways the chamber is trying, they have been doing the ribbon cuttings, and they created a directory for all the residents in town to help them shop locally. They have been working with the city to put some maps together for shopping and city facilities.

Councilman Barber would like to see more effort for the Chamber to become autonomous.

Councilman Sorensen said they have had numerous discussions to work towards bringing in more funds. They are trying to increase membership and have links to different websites for more information.

Councilman Barber would like the chamber to be a little more proactive towards working with the businesses and not be afraid to work with the city.

Councilman Wadsworth said the Council wants to see more outcomes for the businesses.

Janet McManus

Ms. McManus lives at 1704 fairway.

They moved here a couple of years ago; they drove down Main Street and said this is their town. They feel the Chamber of Commerce needs to look like a Chamber not just an old house down a side street.

Mr. Clark explained the reason for the notice was electric transfers since they will not be used in the fund they were collected in. Some of the funds are used for the cemetery, swimming pool, golf course, senior center etc.

Ms. McManus said it seems to her there is an overabundance of funding that goes to the golf course, not everyone golf's and swims, so why don't they cut the electric funds instead.

Mayor Thomas feels the same way she does there were several that put pressure on the golf course to break even; they are doing great with the new management. His goal is that the course breaks even and that it will not have to be subsidized.

Councilman Andersen said one of the items in the budget this year makes the funds higher than usual, because they have to replace a pump, they are not replaced cheaply.

Councilman Wadsworth said on the bright side they have privatized the pro shop and it will no longer be a liability to the city. They are looking at data and monitoring this closely because the goal is to have the enterprise funds be self funded, the pool is one that they are doing everything they can to be self funded.

Mayor Thomas feels the primary users of the pool are the youth. He feels it is important to keep them active.

Councilman Andersen said to help put their mind at ease on electrical rates, Spanish Fork has some of the lowest rates in the state because of the actions of some wise people years ago in joining an organization the power we get is basically our own, because of that Spanish Fork has been put in favorable situations and allows the city to fund some things where normally they wouldn't, also everyone uses power so everyone pays a portion and participates.

Ms. McManus is not complaining about rates and property taxes they love it here they have declared this city as a piece of heaven.

Councilman Sorensen said the people that run our power agency do a fantastic job. They have been able to purchase the power and sell it on the open market. They have been able to accumulate a rainy day fund so when they have power stations go down for maintenance they can go out on the open market and purchase the power and not have to pass the extra cost onto the users.

Mayor Thomas would like people to be able to see where their electric rates are going.

Mr. Clark commented that one of the benefits the city has being a member of the co-op is it allows the profits of the power company to stay in our city, the other companies big power profits go to business owners.

Joe Broderick

Mr. Broderick said many of the streets are lacking, and asked if there is going to be a budget to resurface the road. He also commented on the 750 closure, he would like it opened back up.

Mayor Thomas asked the public to please send questions or comments about the budget to council@spanishfork.org

Mr. Heap addressed the road overlay issues. They have to keep in mind there are other utilities in the roads they have to see if there is anything involved in those sections of the streets that will have to be dug up in the near future. They are not going to overlay the road if they have to dig it back up.

Councilman Andersen asked Mr. Heap to explain to the public their course for maximizing the ability to chip seal the roads.

Mr. Heap explained we have worked with other cities and we use their equipment and ours to do the chip seals it saves the cities 35% - 40%.

Councilman Barber asked about the philosophy for the vehicle purchases.

Mr. Heap explained the vehicles are analyzed by mechanics each year and they put a life span on them. We are at the point trucks do not get moved around like they used to.

Mayor Thomas asked why they are all trucks and 4-wheel drive.

Mr. Heap explained where the inspections have to be made the inspectors require access to the property. They have purchased extended cab instead of the crew cab trucks, but in talking with the inspectors they need to be able to get where they need to be and on time.

Mayor Thomas is concerned about the 97-5 he does not see that happening in the budget.

Mr. Heap stated they will still monitor the system and see where they are at; they will still be using some of it. This number reflects what has already been paid.

Councilman Sorensen stated the amounts reflect what will still be used and still going on. He sees it as a fairly accurate description of what is going on.

Councilman Barber does not understand the cost to run the actual fiber and the city services they will be using.

Councilman Sorensen stated the utilities will be paying a portion of those lines, they are calculating the system to the percentage of cable and usage.

Mayor Thomas said the new radio meters will be put on new construction and will be replacing faulty meters.

Mr. Heap stated they are planning on eventually replacing all the power meters in the next few years.

Mayor Thomas does not think it is a good idea.

Councilman Sorensen feels as a user it is a savings, he is able to track his use and know where and how much he is using.

Mayor Thomas understands fiber optics were originally for meter reading.

Mr. Clark said they were first linking it around the city and then they linked it to cable and internet.

Mayor Thomas does not want to spend money on meters prematurely.

Councilman Andersen asked what they should do, keep speculating or get the numbers and then decide.

Councilman Wadsworth stated there are philosophical differences and at least this is part of the process of the due diligence of everyone. He appreciates the input. He has struggled over the years because he can't see it as government's obligation to become one to ensure competitive pricing.

Councilman Sorensen sees the same things they are doing with SFCN as they are with their power and feels there were individuals that saw foresight to do so.

Councilman Wadsworth feels it is not similar because power is an essential service, all have to have it but not all have to have cable and internet.

Councilman Andersen feels it could go from one extreme to the other and they will have to determine what a value to the citizens is and what adds to the quality of life sometimes there are things that need to be considered more than just dollars and cents all the time.

Councilman Sorensen noted the curb and gutter that was installed the citizens received no dollar return on that but the citizen's benefit because of it.

Mayor Thomas said his point is if they are going to blend their meters, he thinks it is financially not responsible because of the pay out when the meters are not faulty to replace them. He thinks it should make a natural replacement.

Councilman Barber asked for a lights update at Dons Field.

Mr. Robinson said the bottom line is they are 50 year old towers; they cannot and will not work on those lights. The lights must meet the standards for candles and the proper ones are very expensive.

Mr. Heap stated the amount budgeted is just an estimate, they will be bidding it out for an actual cost.

Councilman Leifson said they met with some lighting companies and the lights required are not cheap.

Mayor Thomas would love to explore options.

Councilman Wadsworth read an article from governing magazine, January 2007. *"Everybody knows that government workers receive benefits that are increasingly rare in the private sector: generous defined-benefit pensions and health coverage after retirement. And then there's job security, which also is all but gone in corporate America. But this is part of the bargain, municipal unions say. After all, government workers are paid a lot less than employees in business, right? A new study says perhaps not. The study compared government paychecks in New Jersey with those in private industry and found that public sector workers are now paid more than those in business. Add in benefits, and the value of a government pay packet would be much greater. Thirty years ago, government workers were paid less in New Jersey than private workers and may still be in other parts of the country. In 1970, men working for New Jersey state and local governments made about 13 percent less than those working for companies, Rutgers University Professor William M. Rogers III found in his study. By 2000, men in government had passed their private-sector counterparts. (Interestingly, women in government have long made more than women in business.) Rogers thinks two things caused government wages to catch up. First, business pay stagnated. Second, unions remained strong among public employees, and their bargaining has boosted government paychecks."* (Source: Otis White's Urban Notebook, Governing Magazine/January 2007)

They discussed a data set of private sector data and he wants to make sure the same thing that has happened in New Jersey is not happening here. He supports the Hay study and all he is asking for is creating a data set that they can use to compare to the private sector. It is an important point to him, if that can be settled he will feel better about the budget.

Mr. Perrins said historically the study has been done in August or September and they were not able to get started on it yet. Mr. Dave Jackson told him he was able to give blind data and get it easily and accurately. Mr. Perrins feels that would be a better way to go.

Councilman Wadsworth realizes it is difficult but if they can get the information it would settle his mind.

Mr. Perrins feels if they can get it easily and accurately they can do so. He also noted the article discussed bargaining because of the union, Utah does not have that.

Councilman Wadsworth feels good about what they are doing, and thanked them for their effort.

Councilman Leifson sent an e-mail to the Council about the spook alley, wondering if they want to keep funding it or if it is something that needs to be in the private sector. He asked Mr. Robinson if the spook alley would be something they want to do.

Mr. Robinson stated the new special events coordinator has done an analysis to find out where they are at, he would guess within a week they would have some numbers available and could decide from there.

Councilman Sorensen made a **motion** to close the public hearing. Councilman Andersen **seconded** and the motion **passed** all in favor at 8:49 p.m.

Councilman Barber looks at the spook alley similar to the golf course, if it will be an enterprise it needs to break even. He feels the spook alley is similar to the festival of lights, he is fine to see what Elaine, the special events coordinator has to show.

Mayor Thomas feels if it can't break even it is done, it bothers him that they lost money, he told Elaine it has to make the money back that they lost. He does not think the city should lose money and hopes they can make money. He is supportive of it.

Councilman Andersen feels comfortable with allowing them to do the research and bring some numbers back to the Council. In all fairness he does not have a problem giving it another year or so seeing what develops.

Councilman Sorensen feels they can make a decision when they get the data back.

Councilman Wadsworth thinks the spook alley should be self sufficient and needs to be treated as an enterprise fund. He also asked John Bowcut about hiring a full time developer and where they were on that.

Mr. Bowcut stated for the IS side of it there has been no progress other than the demands continue to stack up. He promised that the items will be brought before the Council with the options asking for the Councils direction.

Councilman Barber said it came to his attention the police officers have an 86 hour pay period verses the other employees that have an 80 hour. He feels the personnel committee really needs to look at that and make an adjustment if that needs to be done.

Mr. Oyler said they reviewed the hour work week with the officers and met with Mr. Rosenbaum and Mr. Johnston, they analyzed other cities in the county. We are one of two that do not do the 40 hour work week for public safety. Administratively they will proceed with the 40 hour work week as of July. He explained they have adjusted their shifts so they will not be in overtime.

Councilman Sorensen had quite a bit of feedback, it has been greatly appreciated. The budget time is more taxing on the Council meeting with staff and working through it on their own. The ULCT talk about the budget being a reflection of the Councils priorities and he feels this budget is.

Councilman Sorensen made a **motion** to adopt the FY08 budget. Councilman Leifson **seconded** and the motion **passed** by a roll call vote. Councilman Barber stated he is philosophically and strongly opposed to the fiber optics but is voting Aye, Councilman Andersen voted Aye, Councilman Sorensen voted Aye, Councilman Wadsworth voted Nay for items stated before.

CONSENT ITEMS:

Minutes of Spanish Fork City Council Meeting – May 1, 2007; May 15, 2007; May 24, 2007

**Interlocal Agreement Utah County Sex Crimes Task Force
Golf Pro Shop Contract**

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

ADJOURN TO RDA MEETING:

Councilman Barber made a **motion** to move to RDA. Councilman Sorensen **seconded** and the motion **passed** all in favor at 9:05 p.m.

Councilman Sorensen made a **motion** to adjourn the RDA meeting back to the Council Meeting. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 9:15 p.m.

NEW BUSINESS:

Airport Assessment \$34,000

Mr. Heap explained Spanish Fork City's portion of the airport budget is \$34,000.

Councilman Sorensen made a **motion** to approve the airport assessment of \$34,000. Councilman Leifson **seconded** and the motion **passed** all in favor.

Development Agreement Tenedor LLC

This item was tabled for the next meeting.

Sterling Hollow Water Tank Bid Tabulation

Mr. Heap stated this item was on the agenda at an earlier meeting but they needed more information. This is before the Council because it is over budget from what they had last year. Staff recommends awarding the bid to Build Incorporated.

Councilman Sorensen made a **motion** to award the bid for the Sterling Hollow Water Tank to Build Incorporated in the amount of \$3,195,000.00. Councilman Andersen **seconded** and the motion **passed** all in favor.

Councilman Wadsworth said Mr. Neiderhauser asked for direction where they need to go. He asked Mr. Anderson about Old Mill Estates.

Mr. Anderson said Mr. Neiderhauser has been working with Mr. Glen Way to make Del Monte road the access.

Councilman Andersen said they have come to an agreement. There is strip of property between them owned by Mr. Muhlstein. He told Mr. Neiderhauser he was willing to work with Mr. Muhlstein.

Mr. Anderson stated they have had a very positive discussion with Mr. Way.

Mr. Heap stated they would not want to close off Mill Road permanently.

OTHER BUSINESS:

Mr. Perrins said from the last growth meeting they would like to meet with Mapleton City, the last part of June, the date preferences are the 21st, 19th, and the 23rd.

ADJOURN:

Councilman Leifson made a **motion** to adjourn to executive session for land use. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 9:25 p.m.

ADOPTED: July 17, 2007

Kimberly Robinson, Deputy Recorder