

**Adopted Minutes
Spanish Fork City Council Meeting
September 4, 2007**

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

Staff Present: Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Oyler, City Manager; Dave Anderson, City Planner; Richard Heap, Public Works Director; Kent Clark, Finance Director; Kelly Peterson, Electric Superintendent; Kimberly Robinson, Deputy Recorder

Citizens Present: Jake Wood, Harry Johnson, Kimberli Johnson, Kacee Zufelt, Tyler Whitehead, Brian Penrod, Veronica Hancock, Ren Anderson, Dusty Johnson, Ryan Thurston, Melissa Race, Trevor Carter, Colby Bellows, Alexa Beck, Matt Gardner, Richard Wilson, Spencer Barber, Melody Barber

CALL TO ORDER, PLEDGE:

Mayor Thomas called the meeting to order and led in the pledge of allegiance at 6:00 p.m.

PUBLIC COMMENTS:

There was no public comment given at this time.

COUNCIL COMMENTS:

Councilman Leifson encouraged everyone to get out and vote in the primary election on September 11th.

Mayor Thomas agrees everyone should get out and vote for the candidates.

Councilman Andersen asked that people get involved with the election process, to study the candidates and see where they stand. He also expressed condolences to the Barber family, Doug Barber, Councilman Barber's father, passed away today. He has always been an inspiration because he made the most out of what he has been given to work with. Councilman Andersen feels he should be recognized and appreciation given for his life.

Councilman Sorensen expressed his condolences as well, and stated the Council is here for the Barber Family. On a lighter note he too encourages all to come out and vote in the primary election.

Mayor Thomas excused Councilman Wadsworth, he is traveling.

PUBLIC HEARING:

Councilman Sorensen made a **Motion** to move to the public hearing at 6:06 p.m. Councilman Andersen **Seconded** and the motion **Passed** all in favor.

Hatch Annexation and Growth Boundary

Mr. Anderson explained the annexation area. He noted the Council approved the General Plan change for the Old Mill Estates, this parcel was included to allow the development to have access directly onto Arrowhead Trail. The Planning Commission and DRC recommend approval.

This item was opened for public comment.

Berry Whitaker

Mr. Whitaker teaches at ALA and feels there is a lot of development in the area and only one way in and out. He would like to know when they will get more accesses into that area because there is currently so much congestion. He feels it will only get worse with all the development going on in the area.

Mr. Heap stated the roads will join the area through Academy Park. The Old Mill Estates is not a development that has been approved yet, they are requesting an access to the area which will need to be annexed into the city for use.

Councilman Leifson added access is an issue, the Council feels for the problems in that area, but they hope this access will help.

Mr. Heap said they are working to get the light installed. It will probably be another year out until it is installed but it is moving forward through the process.

Councilman Sorensen **Motioned** to approve the proposed Hatch Annexation and accompanying Growth Boundary Amendment assigning R-1-15 zoning to the annexation and that it be subject to the following conditions:

Conditions:

1. That the SESD power buyout be completed before recordation.
2. That a boundary agreement be executed with the neighboring property owner before the plat is recorded.

Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Councilman Sorensen made a **Motion** to close the public hearing. Councilman Andersen **Seconded** and the motion **Passed** all in favor at 6:13 p.m.

CONSENT ITEMS:

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Spanish Fork Grazing Company Real Estate Contract

Councilman Sorensen made a **Motion** to accept the consent items. Councilman Leifson **Seconded** and the motion **Passed** all in favor.

NEW BUSINESS:

Sage Contracting Agreement

Mr. Baker explained this provides water to citizens that are currently on wells and having problems with such. The development cannot start until their bonding and approval are in place,

the contractor and the city has agreed they will let them build the water line before the approval. The financing company will only finance if the city states they will pay the bill if the project does not get approval. Under state law if the development meets our standards we cannot deny it, but this does allow the contractors to get started. Because of the dire need of those in need they recommend this go forward for approval.

Councilman Andersen made a **Motion** to approve the contract with Sage Contracting to go ahead and put the waterline in. Councilman Sorensen **Seconded** and the motion **Passed** all in favor.

Contract with Galloway for Water Line

Mr. Heap explained the contract having to do with the North Park area, the city was going to replace the waterline under Highway 6 and since they are the ones working with north park they can do the design and we will work with them on the bid. This enables all the plans to include the water line for the area. Staff recommends approving the contract with Galloway so this can move along.

Councilman Leifson made a **Motion** to approve the contract with Galloway and Company for the waterlines. Councilman Sorensen **Seconded** and the motion **Passed** all in favor.

Bid for Dons Field Lights – Dale Robinson

Mr. Robinson said the Council received information previously in the packets. They have had two bids submitted and they recommend moving forward with Wilkinson Electrical, they were the lowest bid. He added that in working with Kelly Peterson who has noted some concerns with the installation and the transformer that is already there handling the load. They will need to replace them and the twenty year old wiring. He then handed out some information regarding research done by Kelly Peterson. The staff is currently working 5-10's just to handle the load that is on them right now. They are also recommending the purchase of a transformer and the new wiring that will be needed.

Mayor Thomas thanked Kelly Peterson for even thinking about the idea of doing the job in house.

Councilman Andersen said his biggest concern is they work the guys to the point their safety is jeopardized.

Mayor Thomas feels if they are enthusiastic about doing it, go for it, but if they can't get them done it would be worth the 10% to contract it out.

Councilman Andersen appreciates the concern for the guys and the willingness for them to do it. But the cost difference is so close it is not worth it.

Councilman Leifson made a **Motion** to accept bid for dons field Wilkinson electric. Councilman Sorensen **Seconded** and the motion **Passed** all in favor.

Sign Ordinance Amendment

Mr. Baker explained the changes to the sign ordinance. As a city staff they review the ordinance annually to stay current on the properties. The city wants to remain neutral and all the signs

should be the same. The size they have selected is the typical sign size. It is also important the grounds crew be able to designate the areas for signs so they cause as little interference as possible. They added the city crews can move the signs for maintenance and they will not have put them in a specific order. The city is also not responsible for the content of the signs. He reviewed the eight locations designated:

- Spanish Fork City Library, fronting Main Street
- The Sports Park, posted on the outfield fencing across the street from Riverview Elementary School.
- The Canyon Elementary retention basin, on the fencing along 1700 East.
- The Police Station, between the sidewalk and the parking lot, facing Main Street.
- 1100 East and Center Street.
- 2550 East and Highway 6
- The Sunnyridge storm drain basin along 400 North (approximately 1280 East)
- The island located at 700 East and 300 South.

Mr. Baker explained the different locations and why they chose those specific locations.

Councilman Leifson noted staff will mark the areas of the locations where the signs are permitted.

Mayor Thomas is excited about the signs and feels they have come along way since the last election. He suggested signs the city creates, be on each end of the allowable signage area.

Mr. Baker explained they tried to identify city owned properties located in high traffic areas.

Councilman Sorensen appreciates the work and effort that has gone into this ordinance. He had some concerns last time they discussed this change. He still has some concerns about the information. He feels it still gets the names out and not the information about the values and beliefs the candidates have. He is uncomfortable having them put up a sign that does not tell about them as an individual.

Mayor Thomas agrees with Councilman Sorensen's point.

Councilman Sorensen feels it is about the information for the residents and they can learn about the candidates, not just a name. He feels the ordinance as a whole is done well and has no problem trying it out, but would like to spend more time getting ways to get the information out.

Councilman Andersen made a **Motion** to accept Ordinance 15-07 an ordinance amending sign requirements concerning political signs. Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Mayor Thomas asked staff to look into changing the animal ordinance allowing a rabbit in people's yards.

Councilman Sorensen made a **Motion** to go to executive session for land use and potential litigation issues. Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

The regular Council Meeting reconvened at 7:30 p.m.

Easement Agreement Western Distribution/Spanish Fork Properties

Mr. Baker explained staff recommends agreeing to the easement but not in a set location, leaving the location open for negotiation.

Councilman Sorensen made a **Motion** to grant a 68 ft. right of way easement, the location of which to be determined by staff, this easement does not guarantee approval of this project they will still be subject to laws and processes they have to meet all the other requirements. Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Cingular/AT&T Amendment to Option Lease Agreement

Mr. Baker explained the amendment, offering the city \$500 a month for the lease of the site.

Councilman Andersen made a **Motion** to accept the amendment to the Cingular/AT&T Amendment to Option Lease Agreement. Councilman Sorensen **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Sorensen made a **Motion** to adjourn to executive session to discuss land use and pending litigation. Councilman Andersen **Seconded** and the motion **Passed** all in favor at 7:33 p.m.

ADOPTED: September 18, 2007

Kimberly Robinson, Deputy Recorder