

**Adopted Minutes
Spanish Fork City Council Meeting
November 18, 2008**

Elected Officials Present: Mayor Pro Tem G. Wayne Andersen, Councilmember's Steven M. Leifson, Rod Dart, Richard M. Davis, Jens P. Nielson

Staff Present: David Oyler, City Manager; Dave Anderson, City Planner; Seth Perrins, Assistant City Manager; Richard Heap, Public Works Director; Dale Robinson, Parks & Recreation Director; Kent Clark, Finance Director; Kelly Peterson, Electric Superintendent; Bill Bushman, Buildings & Grounds Maintenance Supervisor; Richard Nielson, Assistant Public Works Director; Marlo Smith, Engineering Secretary; Trapper Burdick, Design Engineer; John Waters, Utility Technician; Brett Waldron, Utility Technician; Bryan Grace, Utility Technician; Jason Jarvis, Utility Technician; Paul Taylor, Utility Technician; Shawn Beecher, GIS Administrator; Kimberly Robinson, City Recorder

Citizens Present: Nicole Baum, Matt Dale, Jason Udy, Kregg Chidester, Jacob Chidester, Shelley Hawker, Patrick Stephens, Jim Bushman, Phyllis Bushman, Jennifer Bushman, Mark Dallin, M. Troy Richardson, Paul Olsen, Russ Hillman, Lance Wilson

CALL TO ORDER, PLEDGE:

Mayor Pro Tem Andersen called the meeting to order at 6:00 p.m.

Scout Jacob Chidester lead in the pledge of allegiance.

Employee of the Quarter

Mr. Perrins honored the employee of the Quarter Bill Bushman.

Richard Nielson

Council and staff congratulated Richard Nielson and presented him with a computer.

PUBLIC COMMENTS:

There was no public comment given at this time.

COUNCIL COMMENTS:

Councilman Nielson reported two of our city employees have been chosen to move forward to bigger and better things. He feels it pays tribute to our great city staff.

Councilman Davis said Mr. Nielson truly has been an asset to the city, and Mr. Bushman has been great, he has done everything we needed and he appreciates the hard work. The Fiesta Days Committee met yesterday, and asked that the stakes around get involved and build floats this year for the parade.

Councilman Dart reported the Chamber of Commerce Board encourages the citizens to shop in Spanish Fork and support our local businesses. It has been proven every dollar put into our community returns seven times. He urges citizens to support our local businesses. The Chamber of Commerce is sponsoring a social luncheon this Thursday at the High Chaparral, all local businessmen are invited to attend, RSVP to the local Chamber of Commerce. He attended a funeral for a police officer who used to work for Spanish Fork City. He was impressed with the support of the local police, County Sheriff, Salem, Mapleton, Payson, Provo, swat, etc. He was impressed with the camaraderie the police have for each other. We have an impressive group of individuals who help protect and serve us.

Councilman Leifson reported the Festival of Lights starts Thanksgiving night at 6:00. He encourages all to come and see the lights. He attended the UMPA banquet last Friday and was impressed with the people running UMPA it keeps our power rates in line with everyone else. It has been a real asset to our city, we generate our own power and can keep rates in line with everyone else.

Mayor Pro Tem Andersen reported the Spanish Fork City Offices will be closed Thursday and Friday in observance with the holiday. He echoes the sentiments of those that have spoken of the men giving service to the city and those recognized tonight. He reported on Veterans day and appreciates the veterans sacrifice, and hopes that anything the Council does will enhance and help some of the freedoms we have and not take them away.

PUBLIC HEARINGS:

Title 15 Amendment

Councilman Leifson stated Dave Anderson was supposed to have a discussion tonight regarding the changes to Title 15. He will not be able to attend tonight due to family.

Councilman Leifson made a **Motion** to continue this item to the next Council Meeting December 2, 2008. Councilman Neilson **Seconded** and the motion **Passed** all in favor at 6:25 p.m.

Canyon Ridge Estates Preliminary Plat

Councilman Leifson made a **Motion** to open the Public Hearing for the Canyon Ridge Estates Preliminary Plat. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:26 p.m.

There was no Public Comment given at this time.

Councilman Davis made a **Motion** to move out of the public hearing. Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:27 p.m.

Mr. Oyler stated the report from City Planner Mr. Anderson was in the Council Packet.

Councilman Leifson made a **Motion** to approve the Canyon Ridge Estates Preliminary Plat subject to the following conditions:

Conditions

1. That power be connected between the development and 2600 East.
2. That the developer have all of the City utilities stubbed in and the power service on the existing home changed to underground.
3. That the developer receive written approval from the Utah Department of Transportation for the driveways.

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

Budget FY09 Revision

Councilman Dart made a **Motion** to open the public hearing on the Budget. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:28 p.m.

Mr. Clark presented the Budget Revision. He explained how the budget year works and the expenses that were carried forward in order to catch up on some projects.

Councilman Nielson asked what the decline is in the revenue for building permits.

Mr. Clark stated it has dropped \$800,000 for building permit fees.

Councilman Nielson feels they have done a lot of work on the budget keeping it within funds and finding creative ways to not raise the rates as high.

Mr. Clark stated we run the city as being a top quality community and we will not cut the services.

There was no public comment at this time.

Councilman Davis made a **Motion** to move out of the public hearing. Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:51 p.m.

Mayor Pro Tem Andersen explained there are a lot of misconceptions that the cities are funded primarily by property tax. As pointed out in the presentation a very small portion of the property tax ends up with the cities most of it goes to the School District and County. Sales tax however is a larger contributor to the general fund than any other source. He encourages all of us to shop locally to ensure the funds go back to this City. Whenever possible when we can use, generate, and get sales tax it is a positive thing for every citizen. The funds are very frugally managed and the city is in relatively strong shape.

Councilman Davis stated you can see the property taxes and utility bills are the lowest in the county. He thanked Mr. Clark for his work and all the staff for watching their budgets and working together so we don't have to raise property taxes.

Councilman Leifson stated when we transfer money from funds, you have to look at the city as one big corporation, those funds are there to pay for the library, seniors, cemetery etc. Some parts of the City pay for themselves some do not and as a whole we are able to distribute money to help everyone and bring the quality of life higher, and our rates low. He stated the department heads have done a great job and thanked them for what they have done to maintain the quality of life in this city.

Mr. Clark stated the budget revision is posted on the website and the public is able to comment at anytime.

Mr. Oyler mentioned that Mr. Clark has done an excellent job putting the budget together; the department heads have worked hard. He noted this budget also reflects the 2% cap and some positions that have left and not been filled at this time.

Councilman Leifson made a **Motion** to approve the FY09 Budget Revision 1. Councilman Dart **Seconded** and the motion **Passed** all in favor.

CONSENT ITEMS:

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Councilman Dart made a **Motion** to approve the consent items. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

NEW BUSINESS:

Fairway Meadows Street Acceptance from Private to Public

Mr. Heap stated there has been discussion in several different meetings regarding the Fairway Meadows Streets and the City taking over the private streets. There are two HOA's involved. They have met and came back to the Council with some proposals of what they would like to see the Council do.

Lance Wilson

Mr. Wilson is the President of East Fairway Meadows Home Owner's Association; they have met and voted to approve having the roads transferred into the ownership of the City. They met with Richard Nielson and did a walk around in the neighborhood they identified five spots that need to be fixed. They chose to hire a private contractor to do the improvements and gave a time table of June 2009.

Mayor Pro Tem Andersen stated there needs to be some kind of agreement to take over the road and allow them to do the work by June.

Mr. Baker stated the easiest way would be to adopt it by City resolution and not take it over until the work is done.

Mr. Heap stated they propose to enter into an agreement and the roads will not be dedicated until the work is finished.

Mr. Wilson stated they would be happy to fix the projects now and have the city take over soon.

Councilman Leifson wants the roads brought to the city up to standard and then we will accept them.

Councilman Andersen stated they would like them to get it done and come back to the Council.

Shelley Hawker

Ms. Hawker is the Fairway Meadows HOA President. She understood the last time she was here they were to work together with East Fairway Meadows HOA. They are a small association 16 units. She stated they were the ones that said they would pay for 1/2. They have three concrete sections that need to be replaced and the rest is grinding for tripping, Richard Nielson quoted approximately \$1,200 to bring it to standard.

Councilman Nielson lives in the other subdivision that could be taken over. He stated the City has had enough experience to know private roads are not done to City standards. The City has decided to help the citizens that have roads in reasonably good condition. The City is willing to do a good deed and take over the roads, there will be some upfront money in the future but a lot less than the city is going to pay. He stated the City does not need to do this but are willing to do it to help the citizens.

Councilman Davis stated she should talk to Mr. Wilson and see if they can use the same contractor to save a little more money.

Councilman Leifson guessed that the \$1,200 will be cheaper then what they will have to pay down the road. He noted they chose to live in a private community and take care of the roads. It is up to them the City is willing to let them come in.

Mr. Heap stated it will be low on the priority list because it is rural; the other option is for Fairway Meadows to stay private.

Board Appointments

This item was moved to the next council meeting.

Letter to Central Utah Water Conservancy District

Mr. Heap explained there is a letter for the Mayor Pro Tem to sign dealing with power and indicates we will join with the other South Utah County Cities to allow hydroelectric power. Right now all they want to do is show they are in support with the other cities. He would encourage the Council to authorize Wayne as Mayor pro tem to sign the letter.

Paul Olsen

Mr. Olsen was in listening and feels we should know who the people are that decide where the electricity goes.

Mayor Pro Tem Andersen stated part of them will be the cities, Strawberry Water, UMPA, UAMPS. There are already several entities that have signed their support.

Russ Hillman

Mr. Hillman is the former mayor of Payson.

He stated CUP will decide who gets the rights to the power. They want all the power to stay in the southern end of Utah County. He stated this is to get things started.

Councilman Dart made a **Motion** to authorize the Mayor Pro Tem and the Power Superintendent to sign the letter to the Central Utah Water Conservancy District. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Zip Line Presentation

Mr. Robinson stated they presented this idea at a parks and recreation meeting and the committee was interested in having the Council see this concept and that the committee could pursue this further at this point.

Troy Richardson

Mr. Richardson owns a Business in Salem, and felt the reservoir was an ideal spot for a zip line. He then gave a presentation regarding the project. It will be no cost to the city he will have all the liability.

Councilman Leifson stated in the recreation meeting they talked about this being an opportunity to offer group rates etc. and helps add more dimension for that area. He stated the committee is looking for the blessing of the Council and that they are interested in pursuing this so they can put together a contract.

The Council agreed they liked the idea and the committee should move forward.

Independent Audit

Russell Olsen

Mr. Olsen is an Independent auditor from Spanish Fork. He then presented his report and opinion.

Mr. Clark explained the summary of the audit, and that the auditor gave us a clean audit.

Councilman Leifson made a **Motion** to accept and approve the independent audit. Councilman Davis **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Dart made a **Motion** to adjourn to Executive session for sale of property. Councilman Davis **Seconded** and the motion **Passed** all in favor at 8:06 p.m.

ADOPTED: December 2, 2008

Kimberly Robinson, City Recorder