

**Adopted Minutes
Spanish Fork City Council Meeting
April 7, 2009**

Elected Officials Present: Mayor Joe L Thomas, Councilmember's G. Wayne Andersen, Jens P. Nielson, Rod Dart, Richard M. Davis

Staff Present: Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Dave Anderson, City Planner; Richard Heap, Public Works Director; Kimberly Robinson, City Recorder

Citizens Present: Corey Niepraschk, Aaron Tobler, Darwin Russon, Lana Creer Harris, Jen Allen, David Grotegut, John Waters, Matt Barber, Gordon Jones

CALL TO ORDER, PLEDGE:

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

COUNCIL COMMENTS:

Councilman Dart reported the Chamber of Commerce Board of Directors is working hard on the Easter Egg Hunt this Saturday and everyone is invited to attend.

Councilman Nielson reported the Miss Spanish Fork pageant was held. He congratulated those involved and the new Miss Spanish Fork.

Councilman Davis reported on the Easter Egg Hunt this Saturday, he noted the Youth Council will be there to help. The Fiesta Days Committee is going well they have the theme almost figured out, it will run July 17-25. He thanked all the volunteers for their effort this year. The first Phase of North Park will happen tomorrow for the rough grading and curb and gutter. Today they had an interesting trip, he thanked Doug Ford for providing the use of his plane to look at the Ogden airport. He feels we have a jewel in the rough at the Spanish Fork Airport. He again thanked Doug Ford and Chris Childs for getting this together. He thanked the employees in Spanish Fork, with all the rain etc. he watched how hard they worked to unplug drains and clean up the debris. We have some great employees that work hard to provide great services that the citizens enjoy. He stated we have a great staff and the city is sound because of the hard work they do watching and preparing the budget. He commended the staff for what they are doing and feels the city is in great hands.

Councilman Andersen reported that Councilman Leifson is recuperating from an operation and is at home and doing very well.

Mayor Thomas reported they had a trip to Washington D.C. and with all this bail out money it is a little crazy. They had a chance to lobby for some action items for the city. The meetings went well and the information was informative. They also attended UMPA's annual meeting, the energy costs will be going up, we are among the lowest in the state and Utah is one of the lowest in the nation. He encourages all citizens to take the conservation methods they can. The North Park will start moving forward and being built. He noted as far as the economy goes the world is really struggling and Utah is fairing better than the rest so we are fortunate.

PUBLIC COMMENTS:

Bjorn Pendleton

Mr. Pendleton gave an update on the Arts Council and their current events.

NEW BUSINESS:

APPA Report – Matt Barber

Mr. Barber gave some information regarding who he represents and how that helps the city. He gave an update regarding the trip to Washington D.C. and how that affects the city/citizens.

PUBLIC HEARINGS:

Councilman Dart made a **Motion** to open the public hearing for the Gateway Commerce Park Preliminary Plat. Councilman Andersen **Seconded** and the motion **Passed** all in favor at 6:28 p.m.

Gateway Commerce Park Preliminary Plat

Mr. Anderson explained the applicant would like to subdivide the lot an office building is currently sitting on. The DRC has reviewed this project and recommend approval subject to the applicant meeting the conditions.

This item was opened for public comment.

There was no public comment at this time.

Councilman Davis made a **Motion** to approve the Gateway Commerce Park Preliminary Plat subject to the following findings and conditions.

Finding:

1. That the proposed subdivision meets zoning requirements.

Conditions:

1. That the applicant meet all of the City's construction and development standards.

2. That the applicant make all improvements within 30 days except the landscaping; which will need to be done by June 1, 2009.
Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:31 p.m.

Jim Biesinger Zone Change

Mr. Anderson explained the applicant would like to have the portion of the property changed from the existing R-1-6 zone so all of it would be zoned Rural Residential. The DRC and Planning Commission recommend approval.

Councilman Nielson made a **Motion** to approve the Jim Biesinger zone change as shown. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:36 p.m.

Ronald Dallin Zone Change

Mr. Anderson explained the events regarding this zone change. The landowners have stated in a public meeting they want to be included.

Discussion was made regarding the additional land owners.

This item was opened for public comment.

There was no public comment given at this time.

Councilman Andersen made a **Motion** to approve the Ronald Dallin zone change changing the zoning to C-2 and all included properties. Councilman Dart **Seconded** and the motion passed all in favor at 6:44 p.m.

CONSENT ITEMS:

- a. **Minutes of Spanish Fork City Council Meeting – February 17, 2009; March 3, 2009; March 12, 2009**
- b. **Canal Companies Strawberry Water Delivery Contracts**
- c. **Carnival Contract**
- d. **Ad Insertion Contract – SFCN**
- e. **Interlocal Agreement, 2009 Justice Assistance Grant (JAG)**

Councilman Dart made a **Motion** to approve the consent items moving item “d” to new business for discussion. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

NEW BUSINESS:

Ad Insertion Contract - SFCN

Mr. Bowcut explained the process involved in this contract.

Councilman Nielson made a **Motion** to approve the ad insertion contract subject to Mr. Bowcuts final review. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Councilman Dart made a **Motion** to move out of Public Hearing. Councilman Andersen **Seconded** and the motion **Passed** all in favor at 6:49 p.m.

Arbor Day Resolution

Mr. Robinson announced they will be celebrating Arbor Day April 24th. The Park School students will be involved and everyone is invited out to attend.

Councilman Andersen made a **Motion** to adopt RES 09-05 proclaiming Arbor Day. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Water Slide at Swimming Pool Refurbishing

Mr. Robinson explained the water slide at the water park is 15 years old and has a life expectancy of 10 years. They talked about this item at the budget meeting in January and have done some research. They found a company Astrotech that will refurbish the slide and give them a ten year warranty on the materials for approximately \$18,000 dollars.

Councilman Nielson made a **Motion** to approve expenditures to refurbish the waterslide at the Spanish Fork City waterpark with the noted exception for authorization to commit that funding prior to the full budget approval. Councilman Andersen **Seconded** and the motion **Passed** all in favor.

Custodial Contract Public Safety Building

Mr. Robinson explained the background regarding this item, this program allows kids that are challenged mentally or physically to go out and get some work experience. They will be doing our custodial work and it will be overseen by an adult. We will be entering into a contract with Nebo School District for a 12 month period with clauses as a month to month basis.

Councilman Davis made a **Motion** to approve the contract with the Nebo School District and authorize the Mayor to sign. Councilman Andersen **Seconded** and the motion **Passed** all in favor.

Pressurized Irrigation Service Ordinance

Mr. Baker explained this ordinance and what it involves, he is asking for approval for this item. He recognized the water department staff for all their hard work on this item.

Councilman Nielson made a **Motion** to adopt ordinance 03-09 the pressurized irrigation service ordinance. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Extension of Time to Complete River Cove Plat “E” Development

Mr. Heap explained this was a subdivision that was recorded a year ago, they have been working with the developer because our ordinance states the improvements must be completed within the year. He recommends the extension of the completion date for up to six months as per the ordinance.

Mayor Thomas feels we should be supportive of a developer especially with the economic times.

Councilman Andersen made a **Motion** to extend six months on the River Cove Plat “E”. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

Amherst Meadows Preliminary Plat

Mr. Anderson explained this project was approved but the second phase was not recorded. He stated this process was a formality, but noted in a different case if our requirements had changed it is a needed formality. They do not see any reason to make any changes since the improvements are already installed etc.

Councilman Davis made a **Motion** to re-approve the Amherst Meadow Preliminary Plat with the following conditions:

Conditions:

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the north side as piped.
3. That they get the redlines and phasing to the electric department so they can design the system.
4. That they provide a temporary turn around on the lots at the end of the road to the Finley property.
5. That they construct a masonry wall on 2300 East.

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

Christensen Annexation Denial

Mr. Anderson explained the applicants are not ready to meet the expectations we expect for annexing the properties into the city. The city has every intention of annexing those properties, it is a matter of time, but staff does not feel the applicants are prepared to meet those requirements. He stated they have not had

very many meetings or communication regarding these properties and property owners.

Councilman Davis made a **Motion** to deny the Christensen Annexation. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

Resolution Authorizing Condemnation of Easement

Mr. Baker stated this item can be removed it has been taken care of.

Water Development Resolution

Mr. Baker stated they feel this is an item that can be taken care of while things are slower. In order to make sure they have adequate resources/rights for water, they have come up with the amount of water they need for single family, multi family, and commercial residents. Prior to the PI system they did not have a way to segregate the culinary and PI sources, now that they have the PI in place they need to update our policy and ask for the full allotment of water to be transferred to us instead of cash.

Councilman Andersen stated they have the full support of the canal companies.

Councilman Dart made a **Motion** to approve Resolution 09-06 a resolution amending the transfer of water requirements upon development. Councilman Andersen **Seconded** and the motion **Passed** all in favor.

Appointments to Boards and Committees

Mayor Thomas explained the formation of a new committee the Spanish Fork East Bench Canal Company Water Advisory Board. He would like to appoint G. Wayne Andersen and Richard Heap as committee members.

Councilman Dart made a **Motion** to appoint G. Wayne Andersen and Richard Heap to the Spanish Fork East Bench Canal Company Water Advisory Board. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

ADJOURN TO RDA MEETING:

Councilman Andersen made a **Motion** to adjourn to the RDA Meeting. Councilman Nielson **Seconded** and the motion **Passed** all in favor at 7:23 p.m.

Councilman Andersen made a **Motion** to adjourn out of the RDA Meeting back to the regular meeting. Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:26 p.m.

ADJOURN:

Councilman Dart made a **Motion** to adjourn at 7:27 p.m. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

ADOPTED: May 5, 2009

Kimberly Robinson, City Recorder