

**Adopted Minutes
Spanish Fork City Council Meeting
December 1, 2009**

Elected Officials Present: Mayor Pro Tem Steve Leifson, Councilman Rod Dart, Richard M. Davis, Jens P. Neilson

Elected Officials Absent: Mayor Joe L Thomas, Councilman G. Wayne Andersen

Staff Present: Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Kent Clark, Finance Director; Richard Heap, Public Works Director; Dale Robinson, Parks and Recreation Director; Chris Thompson, Assistant Public Works; Tyler Jacobson, City Accountant; Dee Rosenbaum, Public Safety Director; Dave Anderson, Community Development Director; Kimberly Robinson, Recorder

Citizens Present: Lana Creer Harris, Rodger L. Hardy, Mike Mendenhall, Namon Bills, Sarah Wilcox, Tyler Jacobson, Greg Lewis, Mandy Law, Daniel Lander, Josh Mathews, Keir Scoubes, Tyler Clement, Tawnia Stephen, Russell Olsen, Kayla Walker, Chris Thompson, Jeremy Falkner

CALL TO ORDER, PLEDGE:

Councilman Dart made a **Motion** to appoint Councilman Steve Leifson as Mayor Pro Tem. Councilman Neilson **Seconded** and the motion **Passed** all in favor.

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

Scout Robby Dickson led in the pledge of allegiance.

PUBLIC COMMENT:

Greg Lewis

Mr. Lewis commented that with the economy as bad as it is he is here tonight asking those who hold public office to make a big movement towards change. He is asking the City Council to stand up and go to the counties and the state to make a pitch to get things turned around.

Mayor Pro Tem Leifson stated they are doing what they can, trying to bring in jobs etc. to help stimulate the local economy.

PUBLIC HEARING:

Councilman Dart made a **Motion** to open the public hearing for the Common Boundary Adjustment with Mapleton (Ensign Bickford Property). Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:03 p.m.

Common Boundary Adjustment with Mapleton (Ensign Bickford Property)

Mr. Junior Baker explained some background regarding the adjustment. Cities with common boundaries may adjust those boundaries by following the procedures set forth in the law that is what is being done. He stated notice of the public hearing has been published we have been made aware that Mapleton will continue their decision until February. He added it would be wise to open the public hearing to take comments from anyone present then continue the public hearing until February in order to work along the same time frame as the Mapleton City Council.

There was no public comment made at this time.

Councilman Davis made a **Motion** to continue the public hearing to February 16, 2010. Councilman Neilson **Seconded** and the motion **Passed** all in favor by a roll call vote.

Councilman Davis made a **Motion** to move out of public hearing. Councilman Neilson **Seconded** and the motion **Passed** all in favor at 6:06 pm

COUNCIL COMMENTS:

Councilman Dart thanked the Chamber for the light parade, it was well attended and he would like to thank the merchants and those involved.

Councilman Davis commented the light parade was a great event. He is thankful for the citizens who came out and participated. He also thanked the airport crew David Bradford and Cris Child for all the work they do. The Youth Council is working hard they are good leaders for their schools. He thanked Alicia Norris and Anita Ward for working with the Youth Council. He thanked the Fiesta Days Committee; they are already working on the Grand Marshal and theme for this next year. He wished everyone a Merry Christmas and Happy New Year and asked that they please support the local businesses.

Councilman Neilson would like to wish everyone a Happy Holiday Season, and he encourages all to attend the Festival of Lights.

Mayor Pro Tem Leifson commented there are new decorations on Main Street. The City was able to save money by waiting to buy them after last season. They had a UMPA Board meeting this last week. He noted there will be a lot of challenges coming in the next years regarding power. The UMPA Board is working to keep electric costs low. He also thanked the National Honors Society who provided meals for 42 families here in Spanish Fork. He added a thanks to all those that rendered service to others during the holidays.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – November 17, 2009
- b. Concessions Contract for Spanish Oaks Golf Course

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

NEW BUSINESS:

Suncrest Fuel Trailer Lease for Airport – Cris Child

Mr. Baker explained this is a lease for an aircraft fueling trailer. This will allow the lessee an additional option for fueling at the airport. The Airport Board is asking both Spanish Fork and Springville to approve the lease.

Councilman Davis explained the lessee runs a helicopter service and are asking to bring a fuel trailer to fuel their aircraft. He noted a portion of the cost of the fuel comes back to the cities in the form of a fuel flowage fee. The amount is currently \$.05 per gallon.

Councilman Davis made a **Motion** to accept the Suncrest Fuel trailer lease for the airport. Councilman Neilson **Seconded** and the motion **Passed** all in favor.

Independent Financial Audit Report FY 2009 – Larson & Rosenberger LLP

Mr. Kent Clark reviewed the city's audited financial statements with the City Council. He explained the Utah State Code requires the financial statements to be audited by an independent auditor.

Russell Olsen, Auditor

Mr. Olsen reviewed the audit opinion, internal controls, and compliance with laws regulations, grants, agreements, state compliance report, and the management letter. In the management letter he stated the findings, one having to do with an entry in the River Reclamation Projects, also the General Fund balance which exceeds the 18% limit in the General Fund. In the City's case there are plans scheduled for that money and the finding will go away when the money is transferred to a capital project fund. He stated Spanish Fork has done very well to prepare them for the downturn in the economy.

Councilman Dart thanked all the staff that work so hard to keep the city in good financial condition.

Councilman Nielson made a **Motion** to accept the Independent Financial Audit Report FY 2009 – Larson & Rosenberger LLP. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Staff Follow Up to Lynnbrook Subdivision Concerns – Richard Heap

Mr. Richard Heap stated there were questions raised at a previous Council Meeting regarding Blackhorse Run and Lynnbrook Subdivisions. He then explained what was approved by Blackhorse Run originally. He noted the intent for the plat approval was that the open space around the ponds be cleaned and mowed three times a year, it never was intended to be a landscaped park with lawn, only natural vegetation. The same stipulation was added when it went to final plat at DRC. He spoke to the management group for Blackhorse Run regarding the cleaning of the property. The bigger concern he has is the drain for the pond on the north. The grate plugs up with debris very often and raises the water level. The management at Blackhorse Run is trying to get some sort of a self cleaning grate to avoid the water backing up. They are only required to clean and cut the area three times a year. The HOA is also worried about trespassers because of the liability, and there was concern whether the ponds were leaking and causing the flooding. Mr. Heap stated there was a drain through the area and he plans to get with the homeowners and work together to find the end of the drain. Ever since Lynnbrook has been developed there have been surface water problems. He wants to follow through on what happened with the drain in the area. He feels it is a matter of the clay soil being tight and the water having no where to go. He will meet with the Home Owners Association and neighbors to work on finding the drain line.

ADJOURN:

Councilman Dart made a **Motion** to adjourn. Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:03 p.m.

ADOPTED: December 15, 2009

Kimberly Robinson, City Recorder