

**Adopted Minutes
Spanish Fork City Council Meeting
February 16, 2010**

Elected Officials Present: Mayor G. Wayne Andersen, Councilman Steve Leifson; Jens Nielson; Rod Dart, Richard M. Davis; Keir Scoubes

Staff Present: David Oyler, City Manager; Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Dave Anderson, Community Development Director; Kent Clark, Finance Director; Dale Robinson, Parks and Recreation Director; Dee Rosenbaum, Public Safety Director; John Bowcut, IS Director; Richard Heap, Public Works Director; Kimberly Robinson, City Recorder

Citizens Present: Shauna Michelsen, Lana Creer Harris, Jen Allen, Trevor Scoubes, Robyn Scoubes, Kayla Walker, Cary Hanks, Karen Felsted, Rodger Hardy

CALL TO ORDER, PLEDGE:

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

Boy Scout Trevor Scoubes led in the pledge of allegiance.

PUBLIC COMMENT:

Ms. Kayla Walker wants to know where they are with the Lynnbrook Subdivision water problems, and if and when they plan to fix them.

Mr. Richard Heap stated they have a meeting with the HOA at Blackhorse Run, to get easements. They have met with Cris Childs and are talking through some options but they cannot go onto private property. Ms. Walker was invited to attend that meeting.

COUNCIL COMMENTS:

Councilman Scoubes commented the Fine Arts Council met and reviewed the different projects they have coming up this spring.

Councilman Dart attended the State Wrestling Championships and congratulated the High School State Championship winners. He noted again how great our students are, one of the champions is also an Academic All-State with a 4.0, and Student Body President at the Spanish Fork High School. In addition to that he is the son of one of the coaches who also won a State Championship and as far as they know they are the first father and son to win State Championships.

Ms. Cary Hanks discussed the silent auction this Thursday at the high schools to raise funds for the scholarships in conjunction with the Chamber and Rotary.

Councilman Leifson reported that the Council took a tour with the staff of the sub stations and electrical facility needs throughout the City.

Councilman Davis met with the Veterans about the Vietnam memorial moving wall, September 8, 2010, the wall will be coming to Spanish Fork. He added that it has not been in Utah for over 6 years and he believes it will bring people into Spanish Fork. He attended the Seniors Valentines Dance. They put on a wonderful meal and dance with the help of the Youth Council to serve and clean up.

Mayor Andersen noted that with the Vietnam wall coming September 8-13, he encourages school classrooms to take advantage to witness it and the history that comes. It is a very moving tribute to those who served in Vietnam and served their country during a difficult time.

PUBLIC HEARING:

Councilman Dart made a **Motion** to open the public hearing. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:14 p.m.

SkyHawk (Hailstone) Zone Change to Commercial 2

Mr. Dave Anderson explained this proposal would change the zoning to Commercial-2, and stated that the current proposed zone change is consistent with the General Plan. He noted the Planning Commission recommends approval of this zone change.

Karen Felsted

Ms. Felsted asked what would be done to help with the traffic in the area.

The Council noted it was already a commercial area and UDOT is currently working on road improvements for that area.

Councilman Leifson made a **Motion** to move out of public hearing. Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:18 p.m.

Councilman Leifson feels this is a good fit and is consistent with the General Plan.

Councilman Nielson agrees this is a good fit for the area.

Councilman Leifson made a **Motion** to approve the proposed Skyhawk (Hailstone) Zone Change to Commercial-2. Councilman Dart **Seconded** and the motion **Passed** all in favor.

Councilman Leifson made a **Motion** to open the public hearing for the Title 15 Amendment. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:20 p.m.

Title 15 Text Amendment: I-3 Zone Creation, I-2 Zone Modification, and Site Plan Development Requirements Text Amendment

Mr. Anderson explained this proposal is to address concerns regarding outdoor storage issues. It will require a new set of criteria for outdoor storage areas. They are concerned about the aesthetics and the impact outdoor storage areas could have on adjacent businesses. In his opinion there really is a need for a heavy industrial zone and asks that they re-adopt the proposed I-3 zoning. They want to ensure they are explicit in regulating the activities of outdoor storage. He noted the next step would be to change the map noting where the I-3 zones will be located.

There was no public comment made at this time.

Councilman Nielson made a **Motion** to move out of public hearing. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Councilman Davis commented that the current concrete company could stay at that location in an I-2 zone, because they do not crush their gravel on site. They bring it in.

Mr. Anderson explained the new standards would be applied to the new developments.

Councilman Nielson made a **Motion** to approve Zone Change Ordinance 02-10. Councilman Davis **Seconded** and the motion **Passed** all in favor.

CONSENT ITEMS:

- a. **Minutes of Spanish Fork City Council Meeting – January 22 & 23, 2010**
- b. **Minutes of Spanish Fork City Council Meeting - February 2, 2010**
- c. **Golf Cart Lease**
- d. **Park Regulation Ordinance**
- e. **False Alarm Ordinance**

Councilman Leifson made a **Motion** to approve the consent items and move the False Alarm Ordinance into consent items. Councilman Dart **Seconded** and the motion **Passed** all in favor by a roll call vote.

NEW BUSINESS:

Discussion on Allowing Chickens in Residential Zones

Mr. Anderson explained if this is an issue the City Council would like staff to explore more they can do so. He can provide regulations from other cities and create a version that is appropriate for Spanish Fork City.

Councilman Leifson stated he likes the regulations of the other cities and noted this idea is moving Statewide for communities.

Mr. Dee Rosenbaum explained Mr. Anderson has done some good research and there are common themes throughout all the other city ordinances. There are two common questions, how many you can have and where do you put them on your property.

Shauna Michelsen

Ms. Michelsen stated there are lots of kinds of chickens available. She wants to have them as a self reliance and to teach her children responsibility also they get back something for their work.

Councilman Leifson asked Mr. Rosenbaum to create some regulations and bring them back to the Council for review.

Councilman Scoubes asked that there be a registration required so there can be monitoring to track an avian flu outbreak and do checks with the CDC if there is a problem.

Mr. Rosenbaum stated there will be registration requirements that will be included in the draft and some other requirements that comply with the department of agriculture.

Telephone Contract for SFCN to Offer Residential Voice Service

Mr. John Bowcut explained the process they have gone through regarding the phone service. They did a survey through BYU, showing 55% said they were likely to purchase the phone service. Then they asked if there was a bundle package 64% agreed they would be likely to participate. They are proposing \$14.95 phone service and you will not be required to have any other services through Spanish Fork City. You keep your own phone number and there is no contract required. He noted there would be a special price for a triple play \$83.95 and this is not an introductory rate it is the actual price for internet cable and phone. They will be doing a slow roll out in order to provide excellent service as it becomes available in the areas. He feels the slow roll out is to protect the quality of the service and project.

Councilman Leifson made a **Motion** to authorize the Mayor to sign the Veracity Communications phone contract agreement. Councilman Dart **Seconded** and the motion **Passed** all in favor.

Impact Fee Study Contract – Tischler Bise

Mr. Kent Clark explained they are requesting to let Tischler Bise do a full review of the impact fees so the City can continue collecting impact fees legally. They presented a proposal to review our impact fees, there are two phases they are asking to review Phase I. The second phase will come later in the year and they will bring that to the Council for approval at that time.

Mayor Andersen noted it is important that we do this impact fee study, it is an issue that comes up every year at the legislature and we do not want to go against the rules of the state.

Mr. Clark stated we want to ensure our city is collecting the correct fees.

Councilman Scoubes asked if the pricing would change for Phase II or if they can chose to do the project.

Mr. Heap stated they can choose to do Phase II in-house if they want at that time.

Councilman Scoubes made a **Motion** to authorize the Mayor to sign the contract with Tischler Bise for the Phase I study of the impact fees. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

Allied Waste Garbage Contract Extension

Mr. Heap explained we have notified Allied Waste of our intent to extend our contract and if you look at comparisons we have one of the lowest prices in the county. We have had extremely great service with them and they propose to go to the new rate effective July 1, 2010. It is staffs recommendation to stay with the 2.5% increase per year and not the consumer price index.

Councilman Dart noted he had an issue with Allied Waste and was very satisfied with how they took care of it.

Councilman Leifson appreciated Allied Waste when they wanted an increase and we told them to stick to the contract. He feels this is a fair contract.

Councilman Leifson made a **Motion** to Authorize the Mayor to sign the Allied Waste garbage contract extension. Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

Water Conservation Plan Update

Mr. Heap noted in 2004 the State required a Water Conservation Plan. The water conservation plan is supposed to be updated every five years. There are a lot of aspects to the plan that help us to know where we are at in our water use and where we need to go. He noted much of our water loss is through leaking pipes.

Councilman Leifson made a **Motion** to authorize the Mayor to sign Resolution 10-02 authorizing the Water Conservation Plan. Councilman Dart **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Dart made a **Motion** to adjourn. Councilman Davis **Seconded** and the motion **Passed** all in favor by a roll call vote at 7:22 p.m.

ADOPTED: March 16, 2010

Kimberly Robinson, City Recorder