

**Adopted Minutes  
Spanish Fork City Council Meeting  
May 4, 2010**

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

Staff Present: David Oyler, City Manager; Seth Perrins, Assistant City Manager; Junior Baker, Richard Heap, Public Works Director; Kent Clark, Finance Director; Dee Rosenbaum, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Jenny Stone, Hailey Hall, Kelly Smith, Kinsley Oates, Auan Hutchings, Lana Creer-Harris, Susan B., Morgan Abbot, Blair Abbott, Duane Hutchings, Phyllis Hutchings, Shantel Harrison, Frank Harris, Cory Stone, Tanner Stone, Daniel Smith, Pat Parkinson.

**CALL TO ORDER, PLEDGE, RECOGNITION:**

Mayor Andersen called the meeting to order at 6:03 p.m.

Daniel Smith led in the pledge of allegiance.

**PUBLIC COMMENT:**

Mr. Blair Abbott asked the City Council about our representation for the bridge over Utah Lake, and he had heard that ATV's were allowed on city streets in Spanish Fork.

Mayor Andersen stated that there is a section in the City Code regarding ATV's. They are legal on certain streets as long as they are street legal and licensed the same as an automobile.

Mayor Andersen said regarding the bridge that will be built over Utah Lake, we have not attended because it does not affect Spanish Fork. The bridge enters into the Town of Vineyard. There has been a discussion about a bridge over Mudd Lake and that will be closer to us so when that project arises we will attend.

Mr. Brad Frank Harris asked why the City charges a disconnect fee on the utility bill and he feels this is out of bounds because they can do it right from the city office with technology. They don't send anyone out to the house anymore.

Mayor Andersen said the City will work with citizens to get their bills paid.

Councilman Leifson added that the citizens need to come in prior to being shut off to give staff time to work out a solution so our citizens can get their bills paid.

**COUNCIL COMMENTS:**

Councilman Leifson wanted to share the recognition of Spanish Fork in the Daily Herald's magazine "The best of 2010". Spanish Fork was voted:

- 1<sup>st</sup> place for the best rodeo in the Utah County
- 2<sup>nd</sup> & 3<sup>rd</sup> place for the best Parade in Utah County
- 2<sup>nd</sup> place for the best place to walk your dog at Spanish Fork Walking Trail
- 3<sup>rd</sup> place for the best City to live in Utah County
- 3<sup>rd</sup> place for best fall event the Harvest Moon Hoorah.

Mayor Andersen complimented and thanked the men and women that put on the Junior Livestock Show. Youth from the entire state came to Spanish Fork. This year there were 600 animals entered and 500 exhibitors. Those volunteers are commended for the great job they do. We appreciate the hard work of the fairgrounds crew. The fairgrounds looked and ran great. Thank you to those individuals and businesses who supported the sale and the event.

### **CONSENT ITEMS:**

#### **a. Minutes of Spanish Fork City Council Meeting - April 20, 2010**

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

### **NEW BUSINESS:**

#### **Appointment of the City Recorder**

Mayor Andersen appointed Kent Clark as the City Recorder.

Councilman Nielson made a **Motion** to approve the Mayor's appointment of Kent Clark as City Recorder.  
Councilman Davis **Seconded** and the motion **Passed** all in favor by roll call vote.

Mayor Andersen swore in Kent Clark as the City Recorder.

#### **Qwest Centrex Agreement for Phone Lines – Kent Clark, Finance Director**

Mr. Kent Clark explained that over the past two years the city has switched their phones to Voice Over IP. Some city buildings in remote areas or things that will not work with this technology have not been switched over. This agreement is to keep those phone numbers that are still needed for those locations.

Councilman Leifson made a **Motion** to authorize the Mayor to sign the Qwest Centrex Agreement for Phone Lines.  
Councilman Dart **Seconded** and the motion **Passed** all in favor.

#### **Presentation of Tentative FY 2011 Budget – Dave Oyler, City Manager**

Mr. Oyler explained that we have had two work sessions thus far on the budget. One month from now will be the public hearing for the 2011 budget. Also, in June we will revise and finalize the 2010 budget. Staff has spent a lot of time putting the 2011 budget together. It has been harder to change the budget to match expenditures with revenue. The budget will be available on the website or in print for public tomorrow. Please review and let us know your concerns.

Mayor Andersen asked Mr. Oyler to take a minute and explain the solid waste change.

Mr. Oyler explained that the South Utah Valley Solid Waste District implemented a dollar per house hold increase on solid waste. This happened after the last City Council Work Session meeting. At the last meeting it was recommended that we decrease garbage collection \$0.50, so now we have changed the budget to a \$0.50 increase.

Mr. Oyler highlighted a few of the items in the budget. The Council would like to keep the property tax rate constant. The electric rates will increase, because of federal regulations, by approximately 4.5%. The broadband rates have already been approved for an increase and the rate of the new telephone service is included. There is a proposed Storm Drain fee increase of \$0.50.

Mr. Oyler discussed a few of the city capital projects proposed in the budget.

Mr. Oyler added that we have implemented vehicle replacement back into the budget. The new state requirements for retirement have been implemented into the budget. We would like to thank the staff and volunteers that provide excellent service and help our budget stay stable and save the city money. We encourage the public to contact the City Council or city staff with any questions.

Mayor Andersen encourages the citizens to get involved and please contact us with your questions or opinions.

Councilman Dart made a **Motion** to adopt the FY2011 Tentative Budget. Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Councilman Dart thanked the city staff for their time and efforts for putting this together.

Mr. Oyler further explained the expenditures and revenue, and also the transferring of money between funds within the budget.

### **Legacy Farms Discussion – Dave Anderson, Community Development Director**

Mr. Dave Anderson introduced Greg Magleby from LEI to present this item.

Mr. Duane Hutchings, owner of the property, expressed that a couple of years ago they went to Planning Commission and City Council. In December 2009 land owners decided to put all the property into one LLC, that is when it became Legacy Farms. He said they appreciate the city staff in working with them. Legacy Farms is giving up about 25% of the ground to the city for streets and open space. Legacy Farms are not developers just land owners and would like to see a top notch project for the city. They want to see products that show growth.

Mr. Magleby went over the following items of the project:

- Legacy farms is 480 acres; 295 acres is part of master plan.
- 13 different landowners, 18 parcels
- Legacy farms LLC was created
- City Master transportation plan
- 3 different types of park areas
- Park connection trail

820 units proposed within legacy farms, 30 acres of parks.  
Legacy Farms Parks & Parkway Road dedication to the City  
Phasing Plan  
Design Guidelines  
Architectural Committee

Discussion was held about the standards, character, building height requirements, garages, landscaping, etc. of the homes.

Mr. Magleby asked the City Council for any input or questions?

Councilman Davis thinks this project will really impact our city. He talked with Mr. Hutchings and knows they want something nice and a quality project.

Discussion took place about the entry level homes and step up homes.

Mayor Andersen asked in order for the architectural committee to keep control of the project are the contractors going to be working for the group or selling the parcels of land to developers.

Mr. Magleby stated any plat sold to a developer will have recorded CC&R's.

Mayor Andersen requested that the specifics of the design guidelines need to be clear. The architectural committee that will be handling the project needs to have the knowledge of the design guidelines before hand.

Councilman Davis expressed that he does not want any developer to come in and do what they want, rather to follow what was presented.

Mr. Magleby said they will have all of the elements and requirements defined, before any construction begins.

Discussion took place about having a City Representative on the Committee.

Discussion took place about CC&R's.

Mr. Magleby pointed out some of the phase processes they would like. This process of the home building helps with the financial side of having the money to cover the improvements.

Councilman Dart asked if there has been any interest from developers.

Mr. Magleby replied yes; local to national developers are interested in a project of this size.

Mayor Andersen expressed that he wants the landowners protected and a quality project.

**CLOSED SESSION:**

Councilman Leifson made a **Motion** to adjourn to Closed Session for Real Property Acquisition and Potential Litigation.

Councilman Dart **Seconded** and the motion **Passed** all in favor by a roll call vote at 7:46

p.m.

Councilman Leifson made a **Motion** to adjourn the Closed Session.  
Councilman Dart **Seconded** and the motion **Passed** by a roll call vote all in favor at 8:35  
p.m.

**ADJOURN:**

ADOPTED: May 18, 2010

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Angie Warner, Deputy Recorder