

**Adopted Minutes  
Spanish Fork City Council Meeting  
December 7, 2010**

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

Staff Present: Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Richard Heap, Public Works Director; Chris Thompson, Assistant Public Works Director; Dale Robinson, Parks & Recreation Director; Kent Clark City Recorder/Finance Director; Dee Rosenbaum, Public Safety Director; Shelley Hendrickson, Planning Secretary; Elaine Hansen, Special Events Coordinator; Dave Oyler, City Manager.

Citizens Present: Richard V Harris, Monica Rawlings, Janet Sidman, Marcelo Vidolin, Jan Lyman, Dorothy McAfee, Nicole & Jake Norris, Trey Cook, Christian Tanner, Charlie Olsen, Cody Dorins, Phillip Olsen, Shawn Jensen, Maran Kelly, Skyler Clark, Nate Matis, Thad Jensen, Glen Bradford, Brendon McConnell, Jacob Hardman, Freddy Jimenez, Kyle Quist, Tyler Wangsgard, Cary Hanks.

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

Mayor Andersen called the meeting to order at 6:02 p.m.

Skylar Clark, from Scout Troop 1537, led in the pledge of allegiance.

**Employee of the 3<sup>rd</sup> Quarter**

Not addressed.

**School/Recreation Coloring Contest Winners**

Elaine Hansen explained that the City had launched a children's coloring contest and announced the winners of the contest. She had them stand before the City Council and introduce their name and the Elementary School that they attend.

Mayor Andersen congratulated all of the winners and said it was a great way to start off the season and thanked everyone for their participation.

**Citizen Request: Veterans Facility**

Glen Bradford

Mr. Bradford addressed the City Council. He said he was representing the Veterans Council and was present to update the City Council on the Veterans Facility and solicit their help. He further explained the process for obtaining funding, where other cities were in the process and what the State Legislature was willing to do. He said he felt the impact a Veteran's Facility would have on the community would be very good and that they bring in very influential people. The facility will cost between 17 and 18 million dollars. He said he needed help financially and explained how

members of the community could donate. He said for every \$30,000 dollars that is raised the federal government would match.

Mayor Andersen thanked Mr. Bradford for his efforts and asked him to give him a call so they could get together.

Thad Jensen

Mr. Jensen gave the City Council a short report on the situation with the land in Spanish Fork City that would be donated for the Veteran's Facility. He thanked the City for their support and said that there were over 24, 000 veterans in Utah county.

### **Citizen Request: Snow Removal in the Oaks**

Jan Lyman

Ms. Lyman introduced herself and said she was the President of The Oaks HOA. She explained the issues with the snow removal on Green's Lane, explained she was aware of the City standards and that Green's lane was not wide enough to meet City standards but that they were in need of help She explained the Oaks subdivision plat by using the overhead.

Richard Heap explained that Fairway Lane was not dedicated and was part of the open space for the HOA. Discussion was held between the Lyman's and Mr. Heap about snow removal.

Mayor Andersen explained that the City Council could not make a decision during the meeting. He furthered explained that he did not know what the engineering issues were as to whether or not the City would take the street over. That there were a number of areas in the City that are like this and associations that would like to have the City take them over and that he did not want to set a precedence. He said that he would get with staff and address it.

Councilman Nielson explained a situation in the Spanish Trails Subdivision and how the HOA handled their issue.

Mr. Heap explained that another issue was that the setbacks from the street to the front of the houses did not meet City standards.

Mayor Andersen said it looked like there were some challenges but that he would discuss them with City staff.

### **PUBLIC COMMENTS:**

Carie Hanks

Ms. Hanks thanked the City Council for participating in the lights parade and thanked the City for there help.

### **COUNCIL COMMENTS:**

Councilman Scoubes said that the Nebo Chorale and Harmonic would be holding their Christmas program. He pledged his support for the Veterans home and said that the Solid Waste District

would be holding their meeting next week where they would have a decision as to who would be hired or at least have a board to review the names for hiring.

Councilman Dart said that he was watching the news and reported that in Salt Lake City it was \$50 fine for not clearing snow. He encouraged citizens to help one another to clear the snow. He thanked Officer Harding for performing a good deed and extended a thank you to the Police Chief for his efforts in making our City a better place to live.

Councilman Leifson  
No comment

Councilman Davis explained that he had been to an Airport board meeting. He said that they discussed the financial report, wetland mitigation, annexation of the west side of the airport, the closure of roads and expanding the runway to make it a B2 airport. He expressed his appreciation to Matt Taylor, Doug Ford, Cris Childs and David Bradford. He encouraged the citizens to attend the Festival of the Lights and also explained what Tabitha's Way, run by Wendy Osborn, was all about. He explained where it was located in the City and said he was amazed at what Ms. Osborne was doing. He also commented on snow removal.

Councilman Nielson expressed his support for the Veteran's Facility.

Mayor Andersen expressed that he supports the Veteran's Facility as well, that he was aware that the land was secured but that they would need to look into the infrastructure and what was involved with that. He encouraged citizens to support the Festival of Lights. He said he felt that the light parade was a success and appreciated the Chamber and Ms. Hanks. He reported that he had been to Las Vegas with the rodeo committee and that they were very successful in getting some specialty acts for 2012 and already had them arranged for 2011. He read a note from the Police Chief on the annual shop with a cop and thanked the chief and the officers.

### CONSENT ITEMS:

#### a. Minutes of Spanish Fork City Council Meeting - November 16, 2010

Councilman Leifson made a **motion** to **approve** the consent items.  
Councilman Scoubes **seconded** and the motion **passed** all in favor.

### NEW BUSINESS:

#### Wetland Mitigation

Mr. Childs explained the agreement and said that part of the project was mitigating the wetlands on the airport. He said it did not establish a price but the funding to acquire would be from Federal and State funding. He further explained what wetland mitigation was and that the wetlands on the airport were marginal and the parcel of land in Provo would be much better.

Councilman Neilson made a **motion** to **authorize** the mayor to sign the wetlands mitigation contract. Councilman Davis **seconded** and the motion **passed** all in favor.

## Power Line Tree Trimming Ordinance – Junior Baker

Mr. Baker explained we have a power system in our City and regularly trim trees by power lines. He explained a major outage that came about from tree limbs in the power lines. He said he felt it was wise to put together an ordinance about safety and liability not aesthetics. He said that the City would try to work with the citizens but ultimately our goal was to get trees out of the lines. He said this was the only way to have a safe and reliable power system.

Councilman Davis said he felt that the guys trimmed the trees pretty good.

Councilman Dart made a **motion** to **approve** the Power Line Tree Trimming Ordinance. Councilman Leifson **seconded** and the motion **passed** all in favor by a roll call vote.

## Fritzi Building Site Plan Phasing Agreement – Junior Baker

Mr. Baker explained this was a proposed contract that would allow the phasing of Site improvements. He said the building was in rather poor condition and had sat vacant for quite some time. He said that the owner made it clear that if he could not phase the improvements that the building would sit vacant and that Staff felt that it would be better to phase the improvements than to have it sit vacant. He explained that it was a three phase agreement and what was required at each phase with the first phase being electrical improvements (any other use above 40,000 square feet would trigger a wall), second phase improvements would be along Arrowhead Trail and the third phase being improvements on Cal Pac. He further explained that the neighbors felt that the improvements should be done. Staffs recommendation is to phase it.

Councilman Dart asked if he knew the electrical cost that had already been installed. Mr. Andersen said that from what the owner said it was around \$250,000. Discussion was held regarding a masonry wall, number of employees for the business coming in and whether or not there was adequate parking.

### Clint Argyle

Mr. Argyle said he was a concerned and involved neighbor and his biggest concern was that it could be several years before the building would look nice. He said that the owner had made some landscape improvements with regard to tree trimming and mowing of weeds. He said he felt that it was not a cost issue but a business decision to defer costs. He explained that he felt that there had been many additions made without any improvements being made. He said he would like the Council to consider landscape to be at the beginning of the phasing and not the end. He said he felt that if the phases don't get triggered we may never get the end result and asked the Council to consider a time limit. He also felt that the owner should have to bond.

Mr. Baker said that the first phase for electrical improvements was finished and that the owner would be required to bond on the other improvements.

Councilman Nielson asked if landscape was an existing requirement and not anything new. Mr. Baker explained the standard and that it was not a tough standard to meet. Mayor Andersen said he felt it would be easier to keep the building looking nice if a tenant was in it.

Discussion was held regarding landscape, new construction improvements versus existing structures and whether or not the agreement could negotiate when the improvements would be made.

Mr. Argyle said that he felt the Council had the citizens' best interest in mind and that the front part of the building should be done. He explained he didn't feel that it was asking too much.

Tom Scribner

Mr. Scribner said he was the attorney for Fritzi Development. He said at DRC Mr. Argyle had two complaints. He said that the owner had taken action at the site, obviously cannot plant shrubs and trees until the spring, but was cleaning up the site. He said that he had driven by the site and he said it was looking much better.

Councilman Neilson asked how he felt about the approach of a time limit. Mr. Scribner said the problem was that the building was unique. He said that because of the age of the structure that for warehousing purposes it did not have the height and due to the economy would be better to approach it on the tenant phasing. Councilman Davis said he felt the masonry wall would need to go in and have a timeframe.

Councilman Scoubes asked about the phased timeline and said that landscape was on its own. He said in order to facilitate the land owner but also the tenants was it possible to do landscape in a pro-rated phasing with the phasing (100 feet of lawn, 200 feet of sprinklers etc.) then in phase one you do a portion of the landscape.

Mr. Scribner said he felt that that was the attempt with the phasing.

Mayor Andersen explained that if the agreement was too cumbersome that it would collapse and that simpler most of the time was better.

Mr. Scribner credited the staff in coming up with a common sense approach.

Councilman Davis asked about the landscape for the first phase. Mr. Oyler explained the masonry wall was part of the first 70,000 square feet. The second phase being Arrowhead Trail and the third phase everything on Cal Pac. He explained that the second phase may never be triggered.

Discussion was held regarding the company that is wanting to occupy the structure.

Councilman Leifson made a **motion** to **approve** the Fritzi Building Site Plan Phasing Agreement. Councilman Neilson **seconded** and the motion **passed** all in favor.

### **Sanitary Sewer System Model – Chris Thompson**

Mr. Thompson explained that there were a lot of old sewer lines in town and that they had budgeted money to fix them. He further explained that he would like to use some of the money to update the sewer model in order to know what areas to focus on. He said there was an immediate need to provide some developers with information on some sewer issues.

Councilman Nielson asked what the issues were. Mr. Thompson said it was from leaking pipes. Infiltration.

Councilman Nielson made a **motion** to **approve** the Sanitary Sewer System Model bid from Bowen and Collins. Councilman Davis **seconded** and the motion **passed** all in favor.

#### **Golf Pro Shop Inventory Purchase** – Dale Robinson

Mr. Robinson explained the Golf Pro Inventory Contract and said that as the Council was aware they were in a transition with the golf course. He said that Aaron Brown was running the pro shop as a business. He said he had done extensive inventory and felt that purchasing it for \$30,000 (which was substantially less than the cost) would be okay.

Councilman Dart made a **motion** to **approve** the contract for the purchase of the Golf Pro Shop Inventory at the Golf Course. Councilman Leifson **seconded** and the motion **passed** all in favor.

#### **ADJOURN:**

Councilman Davis made a **motion** to **adjourn** to Closed Session to discuss Land Purchase and Personnel. Councilman Nielson **seconded** and the motion **passed** all in favor at 7:15 p.m.

**ADOPTED: December 7, 2010**

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Shelley Hendrickson, Planning Secretary