

**Adopted Minutes
Spanish Fork City Council Meeting
February 1, 2011**

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

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Dale Robinson, Parks & Recreation Director; Kent Clark City Recorder/Finance Director; Dee Rosenbaum, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Caden Hermansen, Ty Christmas, Ryan Wengreen, Chris Hermansen, Mike Mendenhall, Don Nay, Kari Nay, Robert Nay, Nikki Ahlin, Tresa Ahlin, Karl L. Duffield, Jean C. Duffield, Lana Creer-Harris, Richard V. Harris, Glenda Wilson, Steve Wilson, Chris Garcia, Chris Tuttle, Carter Lehmon, Terry Ficklin, Stackie Geroli, Enzo Geroli, Pat Parkinson, Nicole Busch, Janette Kneese.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Councilman Davis led in the pledge of allegiance.

Introduction of New Golf Course Manager/Head Professional

Dale Robinson introduced Ryan Rhees the new Golf Course Manager/Head Professional. We are thrilled to have him on our team.

Ryan Rhees spoke of himself and his experience.

Mayor Andersen thanked Mr. Rhees.

Recognition - Robert Nay

Mayor Andersen recognized Robert Nay who developed the current number one game App for the I-phone.

Robert Nay explained how he made the game.

Mayor congratulated Robert for his knowledge.

Seth Perrins showed how much media attention Robert Nay has received lately.

Recognition - The Moving Wall Committee

Seth Perrins recognized the Committee that brought The Moving Wall to our town. Steve Wilson, Lana Creer-Harris, Tresa Ahlin, Jean Duffield, Councilman Richard Davis, Mayor Wayne Andersen. Lana Creer-Harris thought of this idea and started this great event.

Councilman Leifson said we are excited that we have these types of individuals in our community. They did a great job, a lot of time and effort was put into this event.

Councilman Leifson congratulated the committee and presented them with a certificate of recognition.

Steve Wilson shared some of his experiences with The Moving Wall while it was here.

PUBLIC COMMENTS:

Mike Mendenhall from the Chamber of Commerce announced that the Easter Egg Hunt is coming up. He invited the public to the sack lunch lectures every Thursday. Also, on February 9th there is a Networking lunch at Robarge Collision. For more details go to www.spanishforkchamber.com.

COUNCIL COMMENTS:

Councilman Scoubes announced on Saturday, April 9th from 9 a.m. to 3 p.m. there will be a Household Hazardous Waste Collection Day at Orem Public Works Facility.

Councilman Dart asked Pam Jackson the Library Director, to come up to announce some of the library events.

Pam Jackson reminded the public that February is Library Lovers month. If you have any items that you have forgotten about, please return them. The library will waive all incoming fines during the first three weeks of the month, through February 19.

Councilman Leifson gave an update on the UMPA & SUVPS meetings.

Councilman Davis said they took the youth council to the capital for the Local Officials' Day at the Legislature event. It was a great learning experience for them.

Councilman Davis read an email he received that disappointed him. The council is doing their best and we want to serve our citizens and help them. If you have concerns we have many ways that you can contact us.

Councilman Nielson said at the SUVMWA board meeting we elected new officers and he is now the secretary for this committee.

Mayor Andersen expressed that one of the great experiences of being mayor is representing the city at its many events. Mayor Andersen was called by a citizen to visit an incident. The citizen's home was completely vandalized. The Mayor said that this type of behavior does not represent Spanish Fork and the citizens that live here. Mayor Andersen asked the citizens of this community to help protect our community and to alert officials if they know anything about this.

SPANISH FORK 101:

Junior Baker talked about nonconforming uses and noncomplying structures.

Councilman Davis made a **Motion** to move into Public Hearing to discuss Ordinance #01-11. Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:55 p.m.

PUBLIC HEARING:

Ordinance #01-11 Abandonment of Trail and Easement in Black Horse Run

Chris Thompson stated that months ago we received a request for an easement of open area to be vacated. It was supported by the people in the subdivision. We have no need for the easement and it will be abandoned back to the HOA.

Mayor Andersen welcomed any public comment.

Berry Wilkins from Black Horse Run HOA thanked the council for all they do. He expressed that the HOA was not contacted regarding this issue.

Dave Oyler expressed an apology, and said we understood it had been done.

Pat Parkinson asked that several months ago people in that area were concerned about the run off, was that taken care of?

Chris Thompson reported that the City installed a storm drain line in the road. A line was ran to each home that was having water problems, to help get rid of the water.

Discussion about the Black Horse Run area water problem.

Stacy Geroli a homeowner next to the easement has concerns. She said that the HOA is supposed to be maintaining the trail by her property and have not been doing so. The Geroli's have been maintaining the area by their property. If the City is going to abandon the easements to the HOA, are they going to now maintain it? We have been promised on multiple occasions by the Code Enforcement Officer and the HOA that it will be done. If they do not want to maintain it we would want to close off our property and that is what they don't want us to do.

Berry Wilkins said we do have the easement to maintain the trail but not the Geroli's property.

Councilman Leifson made a **Motion** to move out of Public Hearing.

Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:21 p.m.

Mayor Andersen asked if the easement is owned by the HOA, shouldn't the HOA maintain it?

Junior Baker said if the easement is abandoned to the HOA it will be between the home owner and the association. We do have the City Code standards for the weeds.

Councilman Nielson asked when the Black Horse Run plat was approved if the trail was included.

Junior Baker stated that it included the public utility easement and a public trail access easement. We feel that the City does not need this easement and are willing to abandon the public trail access easement.

Discussion about the easement.

Mayor Andersen stated that if the city approves this ordinance then the easement would be abandoned to the HOA.

Councilman Scoubes asked how do we know who to abandon the easements to? How do we know if it's the property owner or the HOA? There are two owners in this area, the HOA and the Geroli's. Why should we abandon this to one when there are two owners involved?

Discussion about owners of the easements.

Councilman Scoubes made a **Motion to Table** this Ordinance #01-11 Abandonment of Trail and Easement in Black Horse Run for further research to March 1st.

Councilman Davis **Seconded** and the motion **Passed** all in favor by a roll call vote.

Councilman Davis made a **Motion** to move into Public Hearing to discuss FY 2011 Budget Revision 2.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:44 p.m.

FY 2011 Budget Revision 2

Kent Clark explained that our budget is always changing and getting updated. The general fund is run by taxes. Sales tax in the city has declined over the years. Building permits are down. Property taxes have increased over 10 years. The current budget is \$59 million and the proposal is for \$62 million. The \$62 million is what is being proposed for approval.

Mayor Andersen welcomed any public comment.

There was no public comment.

Councilman Leifson made a **Motion** to move out of Public Hearing.

Councilman Dart **Seconded** and the motion **Passed** all in favor at 8:01 p.m.

Discussion about the budget.

Councilman Leifson made a **Motion** to **approve** FY 2011 Budget Revision 2.

Councilman Nielson **Seconded** and the motion **Passed** all in favor by a roll call vote.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting - January 18, 2011; January 14 & 15, 2011.
- b. Proposed Agreement for services to prepare environmental studies as part of National Park Service park conversion process.
- c. 800 North CDBG Grant, Change Order #3 Ratification
- d. Impact Fee Consultant Contract with TischlerBise for Phase #1
- e. I-15 ICORE Waterline Relocation Supplemental Agreement

Councilman Leifson made a **Motion** to **approve** the consent items.

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

NEW BUSINESS:

Resolution #11-02 Making Appointments to the South Utah Valley Municipal Water Association Board and Technical Committee

Mayor Andersen stated that this Resolution appoints Councilman Nielson to serve on the board and Chris Thompson as the alternate.

Mayor Andersen appointed Chris Thompson to serve on the Technical Committee.

Councilman Dart made a **Motion** to **approve** Resolution#11-02 Making Appointments to the South Utah Valley Municipal Water Association Board and Technical Committee.
Councilman Leifson **Seconded** and the motion **passed** all in favor by roll call vote.

Windward Engineering Lease

Junior Baker stated that Windward Engineering wants to build a building on our property they are leasing from the City. UMPA is leasing it from the City and they are subleasing to Windward Engineering. They are going to pay us \$550.00 per month. At the end of the lease we get the building, they will have to remove the towers or turbines.

Councilman Scoubes made a **Motion** to **approve** the Windward Engineering Lease.
Councilman Dart **Seconded** and the motion **Passed** all in favor.

Board Appointments

Mayor Andersen appointed Don Graham & Shauna Warnick to the Library Board.

Councilman Dart made a **Motion** to **approve** the Mayor's appointment of Don Graham & Shauna Warnick to the Library Board.
Councilman Davis **Seconded** and the motion **Passed** all in favor.

Mayor Andersen appointed Dan Degraw, Ruth Peay & Shirley Oberg to the Senior Citizens Board.

Councilman Dart made a **Motion** to **approve** the Mayor's appointment of Dan Degraw, Ruth Peay & Shirley Oberg to the Senior Citizens Board.
Councilman Leifson **Seconded** and the motion **Passed** all in favor.

Councilman Nielson made a **Motion** to **adjourn** to Closed Session to discuss Legal.
Councilman Dart **Seconded** and the motion **Passed** all in favor at 8:15 p.m.

ADJOURN:

ADOPTED: February 15, 2011

Angie Warner, Deputy Recorder