

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

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

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

Citizens Present: Bob Tandler, Joseph Barber, Donovan Kelly, Aaron Brown, Michael Pulsiphire, Wilber Smith, Richard Nelson, Alex Flores, Tyler Collings, Tanner Nielson, Daniel Raleigh, Josh Chingas, Devin Mullins, Ivan Beckstrom, Tyler Platt, Joseph Buck, Andre Beckstrom, Matthew Johnson, Scott Johnson, James Beckstrom, Lana Creer-Harris, Cary Hanks, Richard Heap, Jordan Boyack, Spencer Boyack, Mark Boyack, Collen Harris, Stacie Geroli, Enzo Geroli.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Boyscout Aaron Brown led in the pledge of allegiance.

PUBLIC COMMENTS:

Bob Tandler is the owner of the Arrowhead Center. He thanked the City for helping them put together a phasing agreement for a site plan. This building is a resource for our community for businesses. We would like to get some ideas or let people know that we have space for rent.

Cary Hanks with the Chamber of Commerce invited the public to the sack lunch lecture this Thursday. The Chamber will have two ribbon cuttings on Friday. The first one will be at Rocky's Lube Pros and the second will be at Signs & Wonders Home Décor.

COUNCIL COMMENTS:

Councilman Nielsen said the Miss Spanish Fork pageant was this past weekend. He thanked Raychallene Talbot and her staff for putting on a great event. Congratulations to all the contestants.

Councilman Dart stated the pageant was well attended.

Councilman Scoubes said the SUVSWD Board has decided to study on converting methane gas emitted from their landfill to energy so they can capitalize on that.

Mayor Andersen stated that the census came out and Spanish Fork is ranked 19th largest city in Utah.

SPANISH FORK 101:

Chris Thompson spoke about the Spanish Fork River and the snow pack melt.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – February 15, 2011
- b. Contract with SESD & Legacy Farms to Provide Power to a Railroad Crossing
- c. Golf Course Concessions Agreement
- d. TischlerBise Impact Fee Agreement
- e. Energy Conservation Projects Contracts

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

NEW BUSINESS:

Troy Lilly – Roof Mounted Wind Turbines

Mr. Lilly said he was looking at putting up the roof mounted wind turbines and found out that there is a city ordinance. The City ordinance does not allow roof mounted turbines. Mr. Lilly asked the City Council what their concerns are regarding the roof mounted turbines.

Councilman Dart asked what are the size of the blades.

Mr. Lilly said about 6 foot in diameter.

Councilman Nielsen asked if we discussed this not too long ago.

Mr. Lilly said that the Council only addressed the free standing turbines.

Mayor Andersen asked how far above the roof do they extend.

Mr. Lilly explained a few feet above the rooftop. The newer ones today cut off at a certain miles per hour, they are quiet. Typically you would want to mount 3 to make it worth your while. This is a resource where you run it, and it would be helpful during an emergency situation.

Councilman Dart asked if the energy can be stored.

Mr. Lilly said yes, a couple of different ways.

Councilman Dart asked how much does the turbines cost.

Mr. Lilly said they start about \$600.

Mayor Andersen asked how much power does a roof mounted turbine generate.

Mr. Lilly said about 20% of what you would need.

Councilman Scoubes spoke of the research he had done on roof mounted turbines. He would like to look at the ordinance again and discuss the roof mounted turbines.

Councilman Davis disagrees with Councilman Scoubes but he is willing to look at the ordinance again.

Mayor Andersen asked Dave Anderson to get with Mr. Lilly to gather information and start the process.

Wild West Show Contract – Dale Robinson

Dale Robinson asked the Mayor and City Council to approve the contract for an event that we have coming to Spanish Fork in June. We will have more details on this event at the next City Council meeting.

Councilman Davis made a **Motion** to **approve** the Mayor to sign The Don Endsley Great American Wild West Show Contract.

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

Ordinance #01-11 Abandonment of a Public Utility Easement in Black Horse Run; tabled from February 1, 2011. – Junior Baker

Junior Baker stated that this is a continuation from 4 weeks ago. City staff was asked to look into how the easements came about. The City owns the public utility easement and a trail easement. Research indicated that they were both noted on the plats. The property owners and the HOA don't see eye to eye. Staff recommends the City Council abandon the utility easement but not the trail easement.

Councilman Davis said that we have had some problems in that area of the maintenance of the trail. If the HOA and property owners would sit down and work this out, this could be done. Councilman Davis said we need to keep the trail open for fire hazards.

Chris Thompson stated that if there is a hazard, then the hazard needs to be removed from the wetland, and that can be done.

Councilman Davis is concerned about the fire hazard, and the HOA taking some responsibility for the maintenance of the trail. Councilman Davis is in favor of this ordinance to keep the trail open until the problems are resolved. If we give the easement back to the property owner and they want to put up a fence, they would have to have a gate so the fire department could still get in if needed.

Councilman Scoubes asked the Geroli's their opinion of this ordinance.

The Geroli's replied that this is a step forward to get to the end of this problem.

Councilman Davis asked the Geroli's if they would let the city put gravel at the trail entrance on their property to help with easier maintenance.

The Geroli's agreed and explained that if the City would grant the easement back to them, they would like to put up a fence with a gate.

Discussion about maintenance of the trail.

Councilman Scoubes made a **Motion** to **approve** the Ordinance #01-11 Abandonment of a Public Utility Easement in Black Horse Run.

Councilman Dart **Seconded** and the motion **passed** with a roll call vote all in favor.

Councilman Dart made a **Motion** to **adjourn** to Closed Session to discuss litigation. Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:21 p.m.

ADJOURN:

ADOPTED: March 15, 2011

Angie Warner, Deputy Recorder