

**Adopted Minutes  
Spanish Fork City Council Meeting  
May 17, 2011**

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

Staff Present: Junior Baker, City Attorney; Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Dave Anderson, Community Development Director; Chris Thompson, Public Works Director; Dale Robinson, Parks & Recreation Director; Dee Rosenbaum, Public Safety Director; Kent Clark City Recorder/Finance Director; Angie Warner, Deputy Recorder; Pam Jackson, Library Director; Sue Griggs, Children's Librarian; Brent Jarvis, Fire Chief.

Citizens Present: Marvin L. Wharton, Chet Olsen, Cary Hanks, Lana Creer Harris, Jed R. Mitchell, Janet Jenson.

**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.

**Pleasant Grove City Royalty**

The Pleasant Grove City Royalty & Strawberry Days Rodeo Royalty highlighted some of the events that will be going on at Strawberry Days in June.

**PUBLIC COMMENTS:**

Cary Hanks with the Spanish Fork/Salem Area Chamber of Commerce thanked all volunteers & sponsors that helped with the Easter Egg Hunt.

**COUNCIL COMMENTS:**

Councilman Nielson thanked all the volunteers that are helping sandbag for those citizens that live near the river.

Councilman Davis said on Mother's Day he went down with the volunteers that were helping fill sandbags near the river. Councilman Davis thanked all those volunteers.

Councilman Leifson & Councilman Dart also thanked the volunteers.

Mayor Andersen turned the time over to Dave Oyler for an update on the river flow.

Dave Oyler presented a graph of the flow in the river for the past week.

**SPANISH FORK 101:**

**Pam Jackson – Library Programs**

Pam Jackson announced that, starting May 23<sup>rd</sup>, citizens can come to the library to sign up for the summer programs. The Library has programs for all ages and invited anyone to come join their book clubs and programs. Ms. Jackson turned the time over to Sue Griggs to speak about Children's programs at the library.

Sue Griggs announced the children's summer reading program. The library offers programs for the entire family. Last year the Library had over 1,300 children that signed up and 500 that completed the program. Ms. Griggs thanked the Library Board and the sponsors that support the children's programs.

Councilman Dart commented that the Library Board and Library Staff are doing a great job.

Councilman Dart made a **Motion** to move into Public Hearing at 6:37 p.m. to discuss the FY 2012 City Budget.

Councilman Davis **Seconded** and the motion **passed** all in favor.

**PUBLIC HEARING:**  
**FY 2012 City Budget**

Kent Clark highlighted and presented the FY 2012 Budget. Mr. Clark stated that compared with surrounding cities Spanish Fork City still has the lowest property tax. The cost of living in Spanish Fork is less than other cities in Utah County.

Mayor Andersen welcomed any public comments.

Janet Jensen commented that she thinks the City is doing a good job other than one thing. Ms. Jensen does not like that the City pulls money from the electric fund to fund the golf course.

Marvin Wharton agrees with Janet Jensen. The budget looks great and he is proud to be a resident in Spanish Fork. Mr. Wharton said he read an article that was in the Dailey Herald a couple of weeks ago regarding the budget and thinks our rates are reasonable but cannot see why we subsidize the golf course.

Councilman Davis made a **Motion** to move out of Public Hearing at 7:02 p.m.

Councilman Nielson **Seconded** and the motion **passed** all in favor.

Mayor Andersen said there are several purpose for communities and local government. The City provides services for people that they wouldn't be able to provide for themselves. If you have programs and events, the citizens come together and do things to become a community. The City generates funds through taxation, through services that are created, participation type funds. But many of these activities are not self-sustaining. We have to subsidize those services that we feel are valuable to the citizens. The City has some of the lowest rates in the county. If we don't use that source then we would have to raise property tax.

When we use the funds from the Electrical everyone can contribute to the community. Some of the non-profit entities don't pay property taxes.

Councilman Davis commented how great it is to live here. On the budget comparison with surrounding cities it showed the low rates that Spanish Fork citizens pay. Spanish Fork has so many qualities of life. If the City didn't have these qualities of life then our crime rate would go up.

Councilman Dart said that when the City hired the golf pro he was asked to try to raise revenue and decrease costs of the golf course.

Councilman Scoubes expressed that the citizens are asking the biggest question of why and the concern is accountability. The City has the golf course in the enterprise section because it is makes revenue but not enough to run it.

Councilman Leifson said the City is transparent; we are not trying to hide anything.

Kent Clark stated that budgeting can be done different ways. The past and current City Council has chosen to budget funds from the Electric Fund to supplement its operation.

Councilman Leifson commented that you look at most cities around here and they have golf courses, it is a quality that is valuable to our citizens.

Mayor Andersen thanked those citizens for voicing their concerns.

Councilman Leifson made a **Motion** to move into Public Hearing at 7:31 p.m. to discuss the proposed annexation of approximately 140 acres located in the vicinity of 3300 North 1000 West. Councilman Davis **seconded** and the motion **passed** all in favor.

**Proposed annexation of approximately 140 acres located in the vicinity of 3300 North 1000 West.** Dave Anderson said this area is located west of the airport. There are a handful of property owners that are included and all but one property owner has signed the annexation proposal. The property owner that does not want to annex is in the middle and would be swept in with the annexation. The zoning is industrial on the East side and Agricultural on the West side. There are plans to extend the runway at the airport and annexing these properties could help with that project.

Councilman Dart asked if the expansion of the airport would affect the veterinarian clinic location.

Dave Anderson replied no.

Mayor Andersen welcomed any public comment.

No public comment.

Councilman Scoubes made a **Motion** to move out of Public Hearing at 7:36 p.m. Councilman Dart **seconded** and the motion **passed** all in favor.

Councilman Nielson made a **Motion** to **approve** the proposed Lindbergh annexation of approximately 140 acres zoned industrial on the East side and Agricultural on the West side, located in the vicinity of 3300 North 1000 West.

Councilman Davis **Seconded** and the motion **passed** all in favor.

Councilman Davis made a **Motion** to move into Public Hearing at 7:38 p.m.

Councilman Nielson **seconded** and the motion **passed** all in favor.

**Proposed Amendment to Title 15, the Amendment would authorize the adoption of a Public Safety Impact Fee.**

Junior Baker stated that in accordance with State law this Ordinance would authorize the City to collect impact fees and public safety is not included. These fees will assist in the future projects of new fire stations and also to continue helping with the new public safety building. Adding Public Safety into the Ordinance to be able to collect impact fees would allow the City to change a Public Safety impact fee in the future.

Dave Oyler clarified that this is not an impact fee adoption.

Junior Baker concluded that Public Safety is being added to the Ordinance so in the future the City can choose to collect impact fees.

Mayor Andersen welcomed any public comment

Councilman Leifson made a **Motion** to move out of Public Hearing at 7:41 p.m.  
Councilman Dart **seconded** and the motion **passed** all in favor.

Councilman Davis made a **Motion** to **approve** the Ordinance 07-11 Authorizing the Collection of Impact Fees for Public Safety.  
Councilman Nielson **Seconded** and the motion **passed** all in favor with a roll call vote.

#### **CONSENT ITEMS:**

- a. Minutes of Spanish Fork City Council Meeting – May 3, 2011.
- b. Mapleton Sewer Agreement Amendment
- c. Utility Write Off of Non-Collectable Accounts
- d. Termination of Water Parking Agreement & Termination of Water Parking Assignment Agreement; Strawberry Water Deed.
- e. 2011 Sanitary Sewer & Waterline Upgrades
- f. Streets Seal Coat Projects 2011
- g. Fairgrounds Building Concrete Bid & Excavation

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

#### **NEW BUSINESS:**

##### **Lease Agreement between Spanish Fork City and Woodland Hills City.**

Chief Jarvis explained that the City utilizes Woodland Hills City when there are fires or emergencies in the county. The Spanish Fork Fire Department receives compensation from the County when we provide the services but Woodland Hills does not. If Woodland Hills fills in for Spanish Fork Fire Department they should receive compensation for their service. This agreement allows the City to pass money from the County to Woodland Hills.

Councilman Scoubes made a **Motion** to **approve** the Lease Agreement between Spanish Fork City and Woodland Hills City.  
Councilman Leifson **Seconded** and the motion **passed** all in favor.

Junior Baker said we need to go back to the consent items. Mr. Baker brought to attention that RM Davis Construction that is owned by Councilman Richard Davis was awarded the bid for the

Fairgrounds Building Concrete Bid & Excavation. Mr. Baker suggested that Council revisit this item by itself.

Mayor Andersen stated that this is a low bid process and you get what you pay for.

Councilman Davis declared himself out of the vote.

Councilman Leifson made a **Motion to approve** the Fairgrounds Building Concrete Bid & Excavation.

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

Mayor Andersen noted that Councilman Davis did not vote on this item.

**Proposed Preliminary Plat for property located at approximately 700 West 1000 North, the proposal would create a two lot industrial subdivision.**

Dave Anderson reported that this proposal would subdivide the property into two lots. This property was annexed in 2009 and is addressed as the Kelly Annexation. When the property was annexed in the agreement it stated that when it develops everything would have to be fully developed to city standards. Things have changed in the past few years. The applicant would like to put a fertilizer business on one lot. Where this property is in the far west remote area, we as staff, feel it would be a waste to follow all standards where the area around the property is not up to city standards. Staff recommends approval of the plat with the following conditions:

1. That Spanish Fork City's Engineering Department review the Construction and Development Standards to make sure that the proposal to operate with a septic tank meets the City standard for subdivisions.
2. That the applicant either pay the city for future improvements in the 1000 North right-of-way or install improvements in accordance with the City's master plans.
3. That the City Council amend the Kelly Annexation agreement to allow for the delay of infrastructure improvements.
4. That the applicant meet any other conditions provided by the Engineering Department.
5. Construct and Install a culinary water line running to the property on 1000 North.

Councilman Dart asked Mr. Olsen the property owner, if he had any problems with this proposal.

Mr. Olsen replied no.

Councilman Nielson made a **Motion to approve** the Proposed Preliminary Plat for property located at approximately 700 West 1000 North, the proposal would create a two lot industrial subdivision with the following conditions:

1. That Spanish Fork City's Engineering Department review the Construction and Development Standards to make sure that the proposal to operate with a septic tank meets the City standard for subdivisions.
2. That the applicant either pay the city for future improvements in the 1000 North right-of-way or install improvements in accordance with the City's master plans.
3. That the City Council amend the Kelly Annexation agreement to allow for the delay of infrastructure improvements.
4. That the applicant meet any other conditions provided by the Engineering Department.

5. Construct and Install a culinary water line running to the property along 1000 North.

Councilman Davis **Seconded** and the motion **passed** all in favor.

**Proposed Preliminary Plat for property located at approximately 310 North 450 West, the proposal would reapprove a subdivision that was originally approved in 2004.**

Dave Anderson reported that this is the Westgate Manor that was approved years ago and now has expired. The developer is interested in starting another phase. Staff recommends the Council reapprove the preliminary plat.

Councilman Leifson made a **Motion to approve** the Proposed Preliminary Plat for property located at approximately 310 North 450 West.

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

**Waiving of Fence Height Requirement as per Section 15.4.16.130.g-1 of the Spanish Fork City Municipal Code for Young Living Warehouse located at 142 East 3450 North.**

Junior Baker stated that this is located at the far north of Spanish Fork. They would like to build an 8ft wall. The City standard is 6ft. The council can waive this 6ft wall to allow them to build an 8ft wall.

Councilman Scoubes made a **Motion to approve** the Waiving of Fence Height Requirement as per Section 15.4.16.130.g-1 of the Spanish Fork City Municipal Code for Young Living Warehouse located at 142 East 3450 North from 6ft to 8ft.

Councilman Leifson **Seconded** and the motion **passed** all in favor.

Kevin Schultz, the architect for Young Living, explained that this a screen wall for a patio area where employees can eat.

Councilman Dart made a **Motion to adjourn** to Redevelopment Agency Meeting.

Councilman Davis **Seconded** and the motion **Passed** all in favor at 8:07 p.m.

**ADJOURN:**

ADOPTED: June 7, 2011

---

Angie Warner, Deputy Recorder