

**Adopted Minutes  
Spanish Fork City Council Meeting  
July 5, 2011**

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

Staff Present: Junior Baker, City Attorney; Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; 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; John Bowcut, IS Director; Pam Jackson, Library Director; Suzanne Christensen, Library; Steve Money & Elaine Hansen, Event Coordinators.

Citizens Present: Joe Broderick, Shaw Eliot, Mary Ann Fraughton, Craig Fraughton, Suzanne Christensen, Cary Hanks, Susan Barber, Cary Robarge, Stacy Beck, Sarah Stern, Anton Kadomtscv, Dimtry Kadomtscv, Brad & Tina Gonzales, Lew & Diane Woolford, Mike & Amber Mendenhall, Hanna Nilson, Jessica Carson, Brandy Mortensen, Aaron Stern, Sarah Stern.

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

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

Councilman Scoubes led in the pledge of allegiance.

**Miss Salem Royalty**

Miss Salem, Rachel Fitzgerald, introduced her royalty and highlighted their events at their city days in August.

**Fiesta Days Committee**

Councilmember Davis introduced the Fiesta Days committee, Mike & Amber Mendenhall, Brad & Tina Gonzales, Lew & Diane Woolford. They highlighted the events at Fiesta Days for 2011.

**Fiesta Days Rodeo Royalty**

Fiesta Days Rodeo Queen, Hanna Nilson, introduced her attendants Jessica Carson & Brandy Mortensen. They encouraged the public to get their tickets to the Fiesta Days Rodeo.

Joe Broderick with the Spanish Fork Community Theater invited everyone the show "Hairspray". It will be going on during Fiesta Days and the times are in the brochure or on the website.

**Recognition of the Employee of the 1<sup>st</sup> Quarter 2011**

Pam Jackson, Library Director, recognized Suzanne Christensen for receiving the employee of the 1<sup>st</sup> quarter.

**PUBLIC COMMENTS:**

**Agenda Request**

Cary Hanks with the Spanish Fork/Salem Area Chamber of Commerce asked the Council to amend the ordinance regarding the sidewalk sales. They would like to clarify that "weekend" means Friday & Saturday. Ms. Hanks also said that the Chamber would like to find some small entertainment to draw the citizens to Main Street.

Mayor Andersen asked Junior Baker to draft an amended ordinance with the request.

Mayor Andersen said the entertainers would have to go through the process of applying for an event permit.

Cary Robarge thanked the Council for all the support they give to the Chamber of Commerce. He also reminded the citizens to come to the sidewalk sales along Main Street during the Fiesta Days celebration.

Mary Ann Fraughton explained that they own two properties close together. They built a shop for storage on the second lot that they do not live at. At the second location, sometimes they have that home as a rental, currently their son lives there. They asked the City if they could put a meter on the shop & was denied. The City said they cannot have two meters on one lot unless it a duplex or multi dwelling units. Since the home is so old, it cannot serve the shop too. Also, if they have tenants again, the tenant would not have to pay the power bill on the shop.

Dave Anderson said he spoke with the Fraughton's earlier today on the phone. When the shop was built it had some zoning violations. The City recognizes the building as an accessory building. It is on the second property that the Fraughton's do not live on. So the shop needs to be connected to the home that is on the same property. With accessory buildings it is common that they are for or become a commercial business. The City does not allow for commercial businesses in residential areas.

Councilman Davis asked Mr. Fraughton about the history of the shop.

Mr. Fraughton explained that he started the structure for storage around 20 years ago. There was nothing that specified enclosing, flooring, etc. About 4 years ago they completed the shop and now it needs electricity. The old power from the home cannot handle the additional load.

Mayor Anderson said we will get back with you within two weeks.

### **COUNCIL COMMENTS:**

Councilman Leifson said he attended the APPA convention. Councilman Leifson received compliments on the pretty flowers & trees on Main Street and how great the new North Park is.

Councilman Dart thanked Cary Hanks with the Chamber of Commerce for all she does.

Mayor Andersen reminded the citizens that the redistricting is going on. Right now Spanish Fork City is divided into two districts. The new proposal is for three districts. South County Mayors passed Resolutions and took those to a meeting to help convince the state that we cannot be split into three. The Resolution proposed that South Utah County be one district. It has adequate population to support its own district.

### **SPANISH FORK 101:** Kent Clark - Elections

Kent Clark discussed many items involved with elections. He reviewed the steps of filing for candidacy, what to do to register to vote, and the dates for the elections.

## **CONSENT ITEMS:**

- a. Minutes of Spanish Fork City Council Meeting – June 21, 2011
- b. Cable Agreement with Black Jacks
- c. SFCN Garage RFP

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

## **NEW BUSINESS:**

### **Mountainlands Association of Governments (MAG) Interchanges Study Presentation – Horrocks Engineering**

Shawn Eliot & Tracy Conti said that MAG has started a study looking at a new interchange and commuter rail at Center Street in Spanish Fork and an interchange at 1600 South in Springville (2700 North in Spanish Fork). MAG presented a video and then asked the Council for any comments or questions.

### **Salem Sewer Agreement**

Junior Baker said this document was adopted three years ago. This will allow some of Spanish Fork City north of 8000 South to flow to the Salem Sewer plant. This will accommodate the Old Mill Estates Development.

Councilman Davis made a **Motion** to **approve** the Salem Sewer Agreement.  
Councilman Nielson **Seconded** and the motion **passed** all in favor.

### **UDOT Storm Drain Agreement, PIN 5753: Main Street and Volunteer Drive**

Chris Thompson said recently UDOT upgraded South Main Street. Part of the agreement was to allow them to use our storm drain system with UDOT installing improvements to the storm drain. Staff has determined that the improvements could wait until the area develops out.

Councilman Dart made a **Motion** to **approve** the UDOT Storm Drain Agreement, PIN 5753: Main Street and Volunteer Drive  
Councilman Davis **Seconded** and the motion **passed** all in favor.

### **Real Estate Purchase Agreement, Spanish Fork City proposes a contract to purchase 5.31 acres from MDF Estate Planning Services, Inc., Trustee of the MD & SK Forbush Investment Trust Dated December 1, 2003.**

Junior Baker said the City has this opportunity to buy approx 5 acres to be able to develop a road to connect from East part of the City to the north of the Kmart shopping facility. The owner now is requesting an addendum that they can continue to farm the land until the road is built.

Councilman Nielson stated that he will not vote because he will be doing the title work on this transaction.

Councilman Davis asked if there are any wetland issues.

Junior Baker replied no.

Councilman Leifson made a **Motion** to **approve** the Real Estate Purchase Agreement, Spanish Fork City proposes a contract to purchase 5.31 acres from MDF Estate Planning Services, Inc., Trustee of the MD & SK Forbush Investment Trust Dated December 1, 2003 with the addendum that the City will allow the them to continue to farm the land until the road is built. Councilman Davis **Seconded** and the motion **passed** all in favor. Councilman Nielson did not vote

**Proposed Amendment to Title 5, the Amendment would allow the issuance of Itinerant Merchant and Solicitor Licenses to charitable organizations without paying a fee.**

Dave Anderson the City received a request from a citizen to waive the solicitor license fee. Mr. Anderson asked the Council that we will continue this item at the next meeting after some direction tonight.

Junior Baker said his concern is in the wording regarding "has a permanent and substantial tie to the community". Mr. Baker also has concern about verifying the organizations.

Discussion regarding verifying organizations and whether to accept some and not others.

Mayor Andersen requested that staff word the ordinance making it easy for an organization to obtain a business license.

**Council Information Update**

Dave Oyler said there have been some concerns about receiving adequate information. Staff has prepared some ideas of better communicating and informing the Council. Staff would like direction of what the Council would like to do. Mr. Oyler reviewed the options: Provide copies of staff meeting minutes; Provide copies of boards & committees meeting minutes; Provide notices of events; Staff can assist with using Facebook; Staff will be available from 5:00 p.m. – 6:00 p.m. the nights of City Council meetings; On a regular basis take the City Council on tours of current City projects.

Mr. Oyler scheduled a tour for July 12, 2011 at 1:00 p.m. Please meet at the City Office.

Councilman Dart made a **Motion** to **adjourn**.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 8:17 p.m.

**ADJOURN:**

ADOPTED: July 19, 2011

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Angie Warner, Deputy Recorder