

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

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

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

Citizens Present: Aaron Stern, Morgan Smith, Ammy Trujillo, Kira Burton, Shandee Jackson, Angie Jackson, Jaxson Olsen, Tara Silver, Ashley Silver, Angela Nuila, Brandi Adams, Austin Vincent, Shea Haskell, Mike Neilson, Carolyn Sorensen, Allutina Nuila, Silvia Nuila, Daniela Nuila, Cary Robarge, Cary Hanks, Amber Mendenhall, Mike Mendenhall, Jesse Dix, Nate Cook, Benjamin K. Winkler, Druis ?.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Jaxson Olsen led in the pledge of allegiance.

Councilman Davis welcomed the 2011-2012 Youth City Council. Councilman Davis turned the time over to the Youth City Council Mayor Morgan Smith.

Morgan Smith introduced the council and chairmen.

Mayor Andersen swore in the Youth City Council.

Carolyn Sorensen & Benjamin Winkler with the Nebo Philharmonic invited citizens to their concert "Lest We Forget" on November 11, 2011 at the National Guard Armory.

PUBLIC COMMENTS:

Cary Hanks & Cary Robarge with the Spanish Fork Salem Area Chamber of Commerce thanked everyone who attended the Trick or Treat on Main Street. They also thanked the police for their assistance. The Scarecrow winner went to "puppy love" submitted by South County Animal Shelter. They invited the public to the Winter Lights Parade that will be November 25th, anyone is welcome to enter a float into the parade.

COUNCIL COMMENTS:

Councilman Nielson reminded the citizens to get out and vote next week on Tuesday, November 8th.

Councilman Davis spoke of how great the Youth City Council has turned out. Councilman Davis thanked the City Staff for their hard work in cleaning the gutters of all the leaves. He also reminded the citizens to get out and vote.

Councilman Leifson thanked the City workers for their quick actions today and taking care of the situation at Park School. The SUVPS board announced that the Dry Creek substation is up and running. On November 10th they would like the City Officials to come for a tour of the substation at 4:00pm.

Councilman Scoubes said at the Solid Waste meeting they are looking at adjusting their hours based on the weather. Councilman Scoubes encouraged the public to attend the Nebo Philharmonic event.

SPANISH FORK 101: Chris Thompson – Utility Master Plans

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – October 18, 2011
- b. Mountain Land Collections, Inc. Contract
- c. Easement Agreement with Perry Enterprises Ltd
- d. Easement Agreement with Strawberry Water Users Association

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

NEW BUSINESS:

Proposed modifications to the Legacy Farms CC&R's and Design Guidelines (Table from October 18, 2011)

Councilman Davis said he and Councilman Leifson looked at the rustic design material for the fencing and they agree with the change.

Mayor Andersen also agreed.

Councilman Leifson made a **motion** to **approve** the proposed modifications to the Legacy Farms CC&R's and Design Guidelines.

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

Legacy Farms Water Lease Back Agreement

Junior Baker said Legacy Farms of Spanish Fork project has a lot of Strawberry Water. This project is estimated to take 18 – 20 years to build out. Legacy Farms dedicated the water in the development to the City. This agreement leases the water back to Legacy Farms to continue to farm until it is developed. Then as each plat comes in for approval then the City will take the water back.

Councilman Davis made a **motion** to **approve** the Legacy Farms Water Lease Back Agreement.
Councilman Nielson **seconded** and the motion **passed** all in favor.

Economic Development Agreement with Tenedor

Junior Baker said Tenedor is the developer of the North Park area project. Tenedor is courting a large retailer and staff recommends approval of this contract that the City bid and fill the lot so it is buildable. The City will also be paying the developer just under \$4 million to help buy down the price of the land.

Councilman Nielson made a **motion** to **approve** the Economic Development Agreement with Tenedor.

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

Proposed contract for TischlerBise, Inc. to provide Impact Fee Facilities Plans and Impact Fee Analysis for culinary water, sanitary sewer, storm drain and pressurized irrigation.

Dave Anderson said this is a contract that was presented a couple of years ago and it is time to do it again. This will give the City information to update the impact fees.

Councilman Dart made a **motion** to **approve** the proposed contract for TischlerBise, Inc. to provide Impact Fee Facilities Plans and Impact Fee Analysis for culinary water, sanitary sewer, storm drain and pressurized irrigation for the amount of \$42,320.00.

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

North Park Fill Contract

Chris Thompson said the City will need to prepare the ground for construction at North Park. Staff recommends approval of the bid to lowest bidder, which was Sunroc in the amount of \$872,540.00.

Councilman Leifson made a **motion** to **approve** the North Park Fill Contract.

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

Councilman Davis made a **motion** to adjourn to Closed Session to discuss Legal.

Councilman Scoubes **seconded** and the motion **passed** all in favor at 7:18 pm.

ADJOURN

ADOPTED: November 15, 2011

Angie Warner, Deputy Recorder