



## CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on January 17, 2012.**

### AGENDA ITEMS:

#### 1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge, led by invitation

#### 2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

#### 3. COUNCIL COMMENTS:

#### 4. SPANISH FORK 101: Support Center – Seth Perrins

#### 5. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. \* Minutes of Spanish Fork City Council Meeting – [January 3, 2012](#)

#### 6. PUBLIC HEARING:

- a. The proposed Spanish Fork City Budget for Fiscal Year 2012 Revision #1
  - i. Revenue and Expenditures/Expenses for all funds, including donations in the form of Cash and Fee Waivers.
  - ii. Economic Incentives provided by the City to help stimulate economic development in accordance with Utah Code §10-8-2(3).
  - iii. Wage changes for Elected and Statutory Officers
  - iv. All fees and utility rates schedules;
  - v. Transfers and expense allocations from Enterprise Funds to other Funds.
- b. \* [Clayson Annexation](#)

#### 7. NEW BUSINESS:

- a. \* [Preliminary Plat Approval Extension Request-White Rail Overlook](#)
- b. Library & Senior Board Appointments
- c. S.U.V.M.W.A Board of Director, Alternate Board of Director Representative and Technical Committee Representative Appointments
- d. Memorandum of Understanding with SESD for the Cherry Grove Hydro-electric Power Project (this is regarding a proposed hydro-electric power plant on the portion of the Crab Creek trunkline that was constructed several years ago)
- e. Resolution # \_\_\_ City Council Rules of Order
- f. \* [Fairgrounds Buildings Notice of Award](#)

### ADJOURN:

\* Supporting documentation is available on the City's website [www.spanishfork.org](http://www.spanishfork.org)

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at [www.spanishfork.org](http://www.spanishfork.org)

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 804-4530.

**Tentative Minutes  
Spanish Fork City Council Meeting  
January 3, 2012**

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

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: Adam Asay, 1LT Mark Buffington, 2LT Mike Williams, Tamara Davis, Karissa Davis, Mike Mendenhall, Hope Tueller, Aaron Stern, Ann Dart, Nick Dart, Nate Dart, Ryan Dart, Randall Gordon, Cary Hanks, Mark Colton, C.J. Wood, Tyson Oswald, Trevor Patey, Matt Seeley, Jarom Jones.

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

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

Tyson Oswald led in the pledge of allegiance.

**Swearing in of Newly Elected Officials**

Mayor Andersen turned the time over to Kent Clark the City Recorder to administer the oath of office to the new council members, Rod Dart, Richard Davis and Brandon Gordon.

**Military Community Covenants – 2LT. Michael Williams**

Mark Buffington gave a presentation for an update on the Community Covenants.

**PUBLIC COMMENTS:**

Cary Hanks, Director of the Spanish Fork/Salem Area Chamber of Commerce welcomed the new council members. Ms. Hanks announced that Wiggy Wash is the January business of the month. Ms. Hanks said that Tabitha's Way had the charity dinner on Christmas Eve. They fed about 300 people and received a lot of donations of food and toys. The turnout was great, and she thanked all the volunteers and support.

**COUNCIL COMMENTS:**

Councilman Scoubes thanked the police and emergency responders over the holidays.

Councilman Davis thanked the citizens for their support this year in the election so they can serve the citizens of Spanish fork.

Councilman Gordon said he is excited to be here.

Mayor Andersen read a thank you letter from the City of Bountiful for our help in restoring power to their city. Mayor Andersen welcomed the new and returning members to the council.

**CONSENT ITEMS:**

49 a. Minutes of Spanish Fork City Council Meeting – December 20, 2011

50  
51 Councilman Gordon made a **Motion** to **approve** the consent items.  
52 Councilman Davis **Seconded** and the motion **Passed** all in favor.

53  
54 **NEW BUSINESS:**

55 **Great Western Park & Playground Change Order – Rodeo Arena**

56 Dale Robinson presented the change order on the new arena. The amount that it would increase  
57 is \$19,630 from original contract amount.

58  
59 Councilman Leifson made a **Motion** to **approve** the Great Western Park & Playground Change  
60 Order – Rodeo Arena in the amount of \$19,630.

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

62  
63 **Ed Clark Demolition and Waterline 2011**

64 Chris Thompson said that this bid proposal is for the demolition and relocating a waterline at the  
65 North Park Development Project. Staff recommends the bid be awarded to the lowest bid that  
66 was received by All Services LLC in the amount of \$14,760.

67  
68 Councilman Dart made a **Motion** to **approve** the Ed Clark Demolition and Waterline 2011 in the  
69 amount of \$14,760.

70 Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

71  
72 **Horrocks Engineering Presentation – MAG Springville/Spanish Fork Area Transportation Study**

73 Tracy Conti with Horrocks Engineering presented the transportation study that was done.

74  
75 **ADJOURN:**

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

77 Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:44 p.m.

78  
79 **ADOPTED:**

80  
81 \_\_\_\_\_  
Angie Warner, Deputy Recorder



# ANNEXATION

## REPORT TO THE CITY COUNCIL CLAYSON ANNEXATION

- Agenda Date:** January 17, 2012.
- Staff Contacts:** Dave Anderson, Community Development Director.
- Reviewed By:** Development Review Committee, Planning Commission.
- Request:** Jay and Starlene Clayson have proposed to annex some 6 acres into Spanish Fork City.
- General Plan:** Industrial.
- Project Size:** 5.94 acres.
- Number of lots:** Not applicable.
- Location:** 1500 North 300 West.

### Background Discussion

This proposed annexation involves approximately 6 acres located west of PDM Steel on 300 West.

The request has been reviewed by both the Development Review Committee and the Planning Commission. Those bodies have both recommended that the Annexation be approved and that the property be zoned Industrial 1. The Annexation Feasibility Study accompanies this report.

### Development Review Committee

The Development Review Committee reviewed this request on December 21 and recommended that it be approved. Draft minutes from that meeting read as follows:

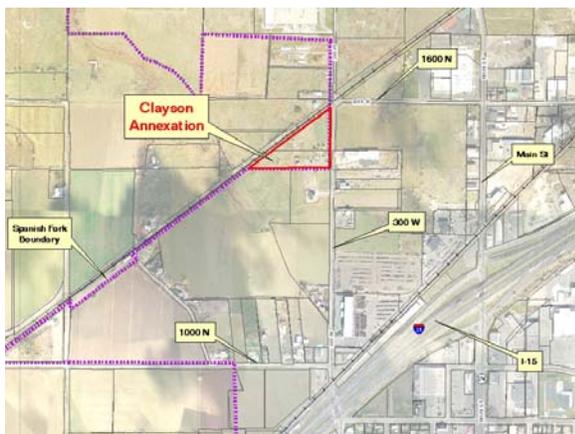
#### Clayson

Applicant: Starlene Clayson  
General Plan: Light Industrial  
Zoning: Industrial 1  
Location: Approximately 300 West 1500 North

Discussion was held regarding the General Plan designation which is to be designated as Light Industrial.

Mr. Anderson explained that the petitioners did not have any immediate plans to develop and there was not a time table for extending services to the property. He said that there was not going to be an impact on existing or proposed streets, that there would be no negative impact on the configuration of the City boundary, revenue would not change and the signatures on the application did comply with State law.

Mr. Thompson explained that the applicant would have to follow the master planned construction standards and said that utility capacity is not reserved at annexation. He said that the water line would need to be a 12-inch line and would need to be installed before the street is widened. Sewer will not be a problem because there is a sewer



trunk line in the street. Storm drain is a big issue for this property because the line would need to run under the railroad. They could do all the retention on site but would use up valuable property. Either way, they would need to run storm drain with development. Pressurized irrigation is not in the area.

Discussion was held regarding road dedication and master plans for trails.

Mr. Peterson said that there were not any power issues.

Mr. Anderson **moved**, based on the annexation meeting the State Code requirements for annexations, that the city **approve** the annexation of the property subject to the following condition:

#### Condition

1. That the petitioners dedicate the planned right-of-way for 300 West.

Mr. Baker **seconded** and the motion **passed** all in favor.

#### Planning Commission

The Planning Commission reviewed this request on January 4, 2012 and recommended that it be approved. Draft minutes from that meeting read as follows:

#### Clayson Annexation

Applicant: Spanish Fork City  
General Plan: City-wide  
Zoning: City-wide  
Location: City-wide

Mr. Anderson explained the City's process for reviewing annexation petitions, where the proposal was located, the General Plan designation which is Light Industrial, that when the property develops that the developer will bear the cost of installing utilities, that 300 West will need to be expanded in the future to an 85-foot right-of-way and that the Development Review Committee as part of their recommendation included as a condition that the applicant dedicate some additional land so that should 300 West be expanded in the future the City would own the land.

Commissioner Gull asked if Jerry Hill's house had been annexed into the City. Mr. Anderson said that his house was annexed into the City.

Discussion was held regarding the uses in the City's Light Industrial zone and that the current residential use of the proposed property would become a legal non-conforming use upon annexation. The Commission asked the applicants if they were aware that they would not be able to expand their residential use and Jay and Starlene Clayson acknowledged that they were aware.

Discussion was held regarding why the expansion of 300 West would impact the west side of the street more than the east side. Mr. Burdick explained that it was due to a major power line on the east side.

Commissioner Evans asked if there was a way to ensure that as long as the Claysons were residing at the home that the road could not be expanded. Mr. Anderson said no. Mr. Anderson explained that at some point in the future the City would need to expand the road.

Discussion was held regarding the affect the right-of-way would have on the Clayson parcels and that if there was not an immediate need for the right-of-way then why require it at this time. Mr. Anderson said that he felt it was prudent relative to the annexation to require the dedication of the right-of-way.

Chairman Christianson asked if requesting the 300 West right-of-way, as part of the annexation agreement, was corridor preservation.

Commissioner Stroud explained to the applicant's that he felt that being annexed into the City was a benefit to them because City utility services were already in place if they chose to hook on and that their property would be zoned Light Industrial which would increase the value of their land.

Commissioner Sorensen agreed with Commissioner Stroud and explained that he felt that typically development is what causes infrastructure to change and that he felt it would be several years before the expansion of 300 West had an effect on the Clayson's property.

Commissioner Evans expressed that he did not discount anything that had been discussed in the meeting and asked the petitioner's that if a condition of annexation was to dedicate the right-of-way would they still want to be annexed.

Mr. Anderson said that between now and the City Council Meeting discussion can take place between staff and the applicants.

Ms. Clayson said that she would like to know some more information in order to make a decision and also asked if there would be compensation for the extra property that they would have to give compared to the properties on the East side of the street.

Commissioner Sorensen asked if there were any connector's agreements that the applicant's would need to reimburse.

Mr. Anderson and Mr. Burdick were not aware of any connector's agreements and that they would have to look into the issue.

Mr. Clayson asked if the City would be willing to pay the impact fees, if they wanted to tie into the City sewer and water, in lieu of the extra property given for the right-of-way.

Mr. Anderson said that that was an appropriate question to pose to the City Council.

Commissioner Stroud **moved** to recommend that the City Council **approve** the Clayson Annexation, zoning the property Industrial 1 and subject to the following conditions:

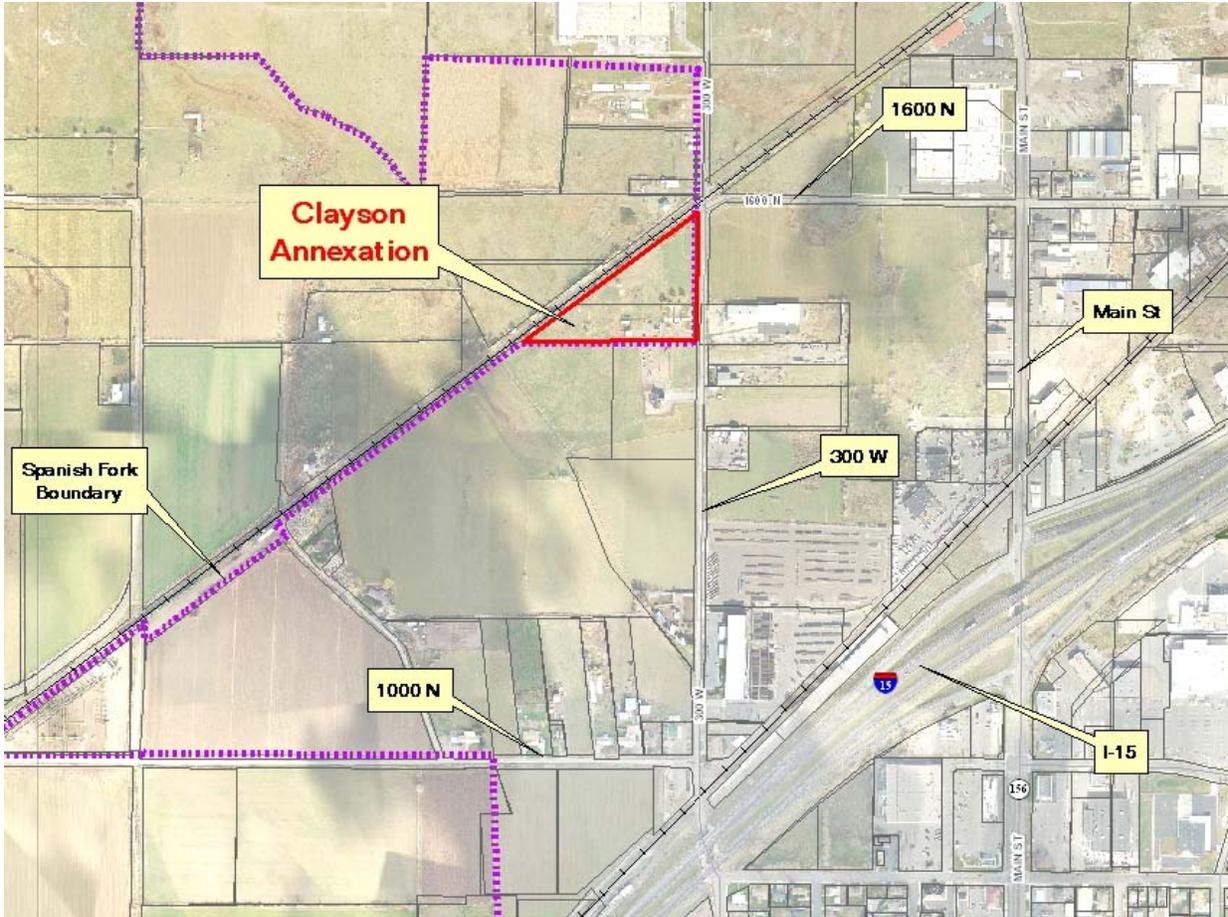
#### **Conditions**

1. That the right-of-way be dedicated to the City.
2. That the City Council waive the Claysons impact fees.

Commissioner Evans **seconded** and the motion **passed** all in favor.

#### **Recommendation**

Staff recommends that the proposed Clayson Annexation be approved.







## SECTION 2

**Development Review Committee recommendation date:** December 21, 2011

**Planning Commission recommendation date:** January 4, 2012

**City Council meeting date:** January 17, 2012

## SECTION 3

In accordance with 15.3.08.030 (B) of the Municipal Code, the following items are addressed in Section 3 of the Annexation report:

**1. Whether the proposed property is within the Growth Management Boundary of the General Plan.**

The proposed property is within the Growth Management Boundary of the General Plan.

**2. Present and proposed land use and zoning.**

Present land uses include a residential and agricultural uses. Aside from one dwelling, all of the property is vacant. At present, the properties are all zoned RA-5, an agricultural zone that permits residential construction on lots of 5-acres or larger. It is proposed that the properties be zoned Light Industrial upon annexation. It is not anticipated that land uses will change with the annexation.

**3. Present and potential demand for various municipal services.**

Presently, there is very little demand for municipal services in the annexation area. Spanish Fork City has provided power service to the subject lands for a number of years. The City plans to serve the area with water, sewer, storm drain, communications and pressurized irrigation at some point in the future. These services will be provided as development occurs and the area will eventually be served by facilities that are described in the City's Capital Facility Plans.

**4. Distances from existing utility lines, public schools, parks, and shopping areas.**

Detailed information is provided in Section 4 of this report relative to the proximity of the proposed annexation to utility lines.

**5. Specific time tables for extension of services to the area and how these services would be financed.**

It is anticipated that utility services will be extended to the area as development occurs. As such, it is expected that the utilities shall be funded by property owners or the development community. All utilities sizes will match Spanish Fork City Master Plans and/or meet the requirements and sizes approved by the Spanish Fork City Engineer. At present, the City has no plans to extend utilities to the area or to make upgrades to City facilities that would serve the Annexation Area.

**6. Potential impact on existing and proposed streets.**

It is not anticipated that the proposed annexation will have any impact on proposed or existing streets.

**7. The effect that the annexation will have upon City boundaries and whether the annexation will create potential for islands, or difficult service areas.**

The proposed annexation does not create an island or peninsula that would make the provision of services difficult. Furthermore, the proposed annexation creates a boundary that is manageable and otherwise functional for the City.

**8. An estimate of potential revenue verses potential service costs.**

Simply put, it is estimated that very little revenue will be generated for the City in the foreseeable future with the annexation of these lands. Also, it is anticipated that the annexation of these lands will result in very little additional need for the provision of City services and therefore should result in little expense for the City.

**9. Requirements imposed by state law.**

Staff is aware of no requirements imposed by State Law, aside from following the requisite procedure for annexation that would impact the annexation area.

**SECTION 4**

In order to evaluate the City's ability to provide municipal services to the proposed annexation, the following information is provided:

**1. Conformity to Master Plans for public utilities and facilities.**

As the area develops, all changes or improvements to the utilities shall be reviewed by the City Engineering Office. The improvement designs for development will need to meet the requirements of the City Master Plans and construction standards. The transportation, drinking water, pressurized irrigation, waste water and storm drain Master Plans have all recently been revised and will soon be presented to the City Council. Improvements will need to conform to the Master Plans approved at the time of development.

Capacity in utility systems, including that found in trunklines, tanks, plants, substations, reservoirs, etc. is reserved when a final residential plat is recorded. Often areas do not develop until a long time after they are annexed. We cannot guarantee what the capacity will be in our utility systems once development actually occurs. We have, however, made an effort to indicate whether there are existing capacity issues at the time of annexation.

**Drinking Water**

In accordance with State regulations, the minimum size for drinking water mains in new or improved roads proposed in the annexation area is 8 inches in diameter. At present, there is an 8-inch water line in 300 West which eventually will need to be upgraded to a 12-inch line according to the proposed Master Plan. Currently, there is adequate storage capacity in the water system for typical new development in this annexed area.

**Sanitary Sewer**

The minimum size for sanitary sewer mains in new or improved roads proposed in the annexation area is 8 inches in diameter, according to state regulation. At present, the City's sanitary sewer system services the immediate area of the proposed annexation. Two existing sewer trunklines run along the proposed annexation. An 18-inch sewer trunkline runs along the railroad tracks to the north of the proposed annexation and a 36-inch sewer trunkline is located in 300 West along the east of the proposed annexation. The trunklines and treatment plant currently have capacity for typical new development in the proposed annexation area. The proposed Master Plan indicates that a redundant siphon needs to be installed at the railroad crossing adjacent to the Waste Water Treatment Plant on the trunkline coming from this area. The City currently plans to install this siphon in 2012.

**Storm Drain**

The minimum size for storm drain lines in new or improved roads proposed in the annexation area is 15 inches in diameter to accommodate some blockage and better facilitate cleaning. The proposed Master Plan requires a 30 inch storm drain trunkline to be installed along 300 West along the area to be annexed to 2050 North Main Street.

**Pressurized Irrigation**

The minimum size for pressurized irrigation mains in new or improved roads proposed in the annexation area is 6 inches in diameter. The City's pressurized irrigation system is not in the immediate area. The nearest pressurized irrigation line to the proposed annexed area is located in Main Street at 1600 North, 1600 feet away. Pressurized irrigation is also located at 300 West 900 North, 3000 feet away. The proposed Master Plan requires a 12-inch pressurized irrigation line in 300 West along the annexation. Currently there is adequate storage capacity in the water system for typical new development in this annexed area

### **Streets**

The minimum streets classification that can be built in the annexed area is the commercial local road with a 64-foot right-of-way. As per the proposed transportation element of the general plan, 300 West along the area to be annexed is to be improved as a collector street with an 85-foot right-of-way.

### **Surface Irrigation**

The Spanish Fork Westfield Irrigation Company has existing ditches that run through the proposed annexation and continue beyond to existing users. Existing ditches in the area will need to be piped or abandoned as the area develops. This work will need to be coordinated and approved by the Spanish Fork Westfield Irrigation Company and the City Engineering Office.

### **Parks and Trails**

There are no trails in the trails plan along or through this annexation area.

### **Power**

The minimum size for major electrical distribution circuits is 200 amps. The electrical Master Plan calls for a 600-amp circuit along 300 West which is already in place.

### **Communications**

It is expected that all communications facilities will be installed at the time of development.

### **Gas**

Questar Gas provides natural gas in the area.

## **2. Presence of unique utility/facility needs or requirements.**

Aside from what has been noted in this report, the railroad crossing on 300 West is the only unique facility in the area.

## **3. Presence of irrigation or other ditches and related facilities.**

Aside from what has already been described in this report, there are no noteworthy ditches or irrigation facilities.

## **4. Public Safety evaluation.**

The City anticipates that the development of this and other annexations in the area will generate the need for additional police officers. However, there is no reason to believe the City will need to hire additional law enforcement staff to serve this annexation.

## **5. Presence of Sensitive Lands or Watershed Protection issues.**

Staff is aware of no sensitive lands or watershed protection issues relative to the proposed annexation. The City does not delineate or track where sensitive lands exist on private property.

**6. Concept Plan's conformity with proposed zoning.**

To date, no concept plan has been formally reviewed for the proposed annexation.

**7. Annexation Agreement.**

There is no Annexation Agreement to accompany this annexation.





**TO:** Honorable Mayor and Esteemed City Council  
**FROM:** Dave Anderson, Community and Economic Development Director  
**DATE:** January 17, 2012  
**RE:** Preliminary Plat Approval Extension Request

Accompanying this memo is a letter from Lewis Bankhead requesting that the Preliminary Plat approval for White Rail Overlook, a 99-lot subdivision located at approximately 800 North State Road 51, be extended for six months. The following is an excerpt from Title 15 that addresses this issue:

**15.4.04.090 Duration of Preliminary Approval**

A preliminary plat expires if it is not approved by the Council within twelve months from the time its application is submitted and accepted. Approval of the preliminary plat by the city council shall be valid for a period of twelve months after approval unless, upon application by the developer, the city council grants an extension. An extension may not exceed six months. A preliminary plat remains active if a final plat is recorded at least every twelve months. If a final plat has not been recorded within the twelve-month period or an extension granted, the preliminary plat must again be submitted to the city council for re-approval.

The Preliminary Plat was approved on February 15, 2011 and is set to expire on that same date in 2012. I recommend that the Council grant Mr. Bankhead's request and extend the project's approval for six months to August 15, 2012.

Please feel free to contact me with any questions about this request or my recommendation.

enclosure: January 4, 2012 Lewis Bankhead letter



January 4, 2012

**To: David Anderson**  
**Spanish Fork City Council**

**From: Lewis Bankhead**  
**Whiterail Overlook LLC.**

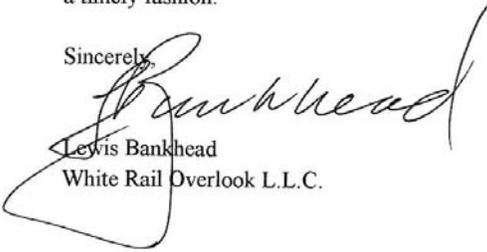
David,

I am writing this letter on behalf of White Rail Overlook, L.L.C. (White Rail). White Rail is the Owner of approximately 24 acres located at approximately 1300 East 800 North in Spanish Fork City (Property). This Property has been granted "Preliminary and Final Site Plan Approvals" by the Spanish Fork City Council. These approvals are set to expire on \_\_\_\_\_.

Due to economic conditions and financial restraints, White Rail has not proceeded with recordation of the above referenced preliminary and final plats. Accordingly, White Rail is requesting Spanish Fork City grant an extension of not less than 6 months but preferably 1 year for the entitlements currently in place, including Preliminary and Final Plat Approval for Plats "A" thru "F" of the White Rail Property referenced herein.

Thank you for your consideration of the above request as well as help in the development of this Property. Please let me know of any additional information that may be required to process this request in a timely fashion.

Sincerely,

  
Lewis Bankhead  
White Rail Overlook L.L.C.



## Staff Report to City Council

<b>Agenda Date:</b>	January 17, 2012
<b>Staff Contacts:</b>	Dale Robinson, Trapper Burdick, Lua Saluone
<b>Subject:</b>	Fairgrounds Arena Buildings Notice of Award

### **Background Discussion:**

We sent out an RFP for the construction of the buildings at the new fairgrounds arena. These buildings will house the restrooms, concessions, storage and electrical. There were fourteen companies that responded to the request for proposals. All of their individual costs can be reviewed on the attached bid tabulation sheet. The three lowest proposals were as follows:

Hales Construction	\$1,088,000.00
R4 Construction	\$1,119,100.00
Ascent Construction	\$1,132,200.00

### **Recommendation:**

Staff recommends the council authorize the Mayor to sign the notice of award and enter into an agreement with Hales Construction to provide the indicated services for the proposed amount. Hales Construction is a local reputable company. Staff is confident that they will do an excellent job in the construction of these facilities.

### **Attachments:**

Bid Tabulation. Notice of Award was not able to be prepared in time for the packet deadline. Staff will bring it to the city council meeting.

**SPANISH FORK CITY**  
**Spanish Fork Arena Restrooms and Concessions - 2012**  
**January 5, 2012**  
**Bid Tabulation**

Note: Bids shall include sales tax and all other applicable taxes and fees.

				Hales Construction	R4 Construction	Ascent Const	Broderrick & Henderson	Wadman Corp	Hogan & Assc	Harward & Rees	J. Lyne Roberts	Homland	Brubaker Const	Valley Design	CSM Const	North Ridge Const	Bailey Builders	AVG	
NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE														UNIT PRICE	UNIT PRICE
1	Arena Restrooms & Concessions	1	LS	\$1,088,000	\$1,119,100	\$1,132,200	\$1,138,700	\$1,152,000	\$1,181,995	\$1,219,353	\$1,239,675	\$1,246,500	\$1,247,000	\$1,248,000	\$1,265,562	\$1,390,735		\$1,479,316	\$1,224,866.86
<b>GRAND TOTAL:</b>				\$1,088,000.00	\$1,119,100.00	\$1,132,200.00	\$1,138,700.00	\$1,152,000.00	\$1,181,995.00	\$1,219,353.00	\$1,239,675.00	\$1,246,500.00	\$1,247,000.00	\$1,248,000.00	\$1,265,562.00	\$1,390,735.00		\$1,479,316.00	