



## AMENDED 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 April 3, 2012.**

### AGENDA ITEMS:

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

- a. Pledge, led by invitation
- b. Employee of the Quarter

#### 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. 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 – [March 20, 2012](#)
- b. \* [Utah County Municipal Recreation Grant Application](#)
- c. \* [UDOT I-15 and Main Street Bridge Replacement LOMR Agreement and Bowen, Collins and Associates Task Order 6](#)
- d. \* [Anderson Salvage Contract](#)

#### 5. NEW BUSINESS:

- a. \* [Request for Golden Eagle Drive Signs](#)
- b. Personnel Action Regarding Police Chief/Public Safety Director

#### 6. CLOSED SESSION:

- a. Personnel
- b. Potential Land Purchase

### 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  
March 20, 2012

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

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Trapper Burdick, Assistant City Engineer; Kent Clark City Recorder/Finance Director; Angie Warner, Deputy Recorder.

Citizens Present: Shannon Anderson, John Anderson, Selina Swelsey, Zach Forbush, Cary Hanks, Cary Robarge, Mike Mendenhall, Chase James.

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

Mayor Pro Tem Leifson called the meeting to order at 6:00 p.m.

Collin Anderson led in the pledge of allegiance.

**PUBLIC COMMENTS:**

None

**COUNCIL COMMENTS:**

Councilman Dart said the Senior Citizens Center is holding a bake sale on March 30<sup>th</sup> from 2-6pm. They will only be selling cinnamon rolls and all the proceeds will go to furnishing a room in the Veteran's Hospital that is being built in Payson.

Councilman Gordon reminded the public to attend the Miss Spanish Fork Pageant this Saturday night. The Youth City Council will be having a recruiting activity. Freshman to Senior's come to the North Park if you are interested in being on a future Youth City Council.

Councilman Leifson said he just back from Washington DC for UMPA to meet with senators and congressman regarding power issues. Councilman Leifson said the City hosted some guests from the German Marshall Fellowship this past week. The fellows come to Spanish Fork to learn of the rural/agricultural life and religion.

**SPANISH FORK 101:** Dave Anderson - Signs

**CONSENT ITEMS:**

- a. Minutes of Spanish Fork City Council Meeting – March 6, 2012
- b. Landlord's Consent to Assignment for Airport Hangers 77 & 78
- c. Retirement Plan Consulting Agreement

Councilman Dart made a **Motion** to **approve** the consent items.

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

**NEW BUSINESS:**

**Shannon Anderson request to extend the deadline to move Anderson Salvage**

49 Shannon and John Anderson, owners of Anderson Salvage, expressed that they would like to  
50 keep their business going and feel that it is a beneficial business.

51  
52 Junior Baker gave brief history of the location. Some years ago Anderson Salvage had an  
53 arrangement with a developer. When the economy went bad they ended up with their land back.  
54 There are some plans in the future for that area. Mr. Baker recommended that the City Council  
55 can extend the agreement or deny it.

56  
57 Councilman Davis suggested a one year extension from September for the contract.

58  
59 Junior Baker said he will prepare the contract and it will be on the next council meeting.

60  
61 **Boards and Committee Ratification**

62 This item was not discussed.

63  
64 **Crab Creek Transmission Line Phase I Change Order**

65 Trapper Burdick said this project is 95% complete. The request is to have a generator back up  
66 installed in the building. Staff recommends awarding the change order to Condie Construction in  
67 the amount of \$2,229.41.

68  
69 Councilman Davis made a **Motion to approve** to award the Crab Creek Transmission Line Phase I  
70 Change Order to Condie Construction in the amount of \$2,229.41.

71 Councilman Gordon **Seconded** and the motion **Passed** all in favor.

72  
73 **Preliminary Plat approval request, White Rail, an 87-lot residential subdivision located at**  
74 **approximately 900 North State Road 51**

75 Dave Anderson said the proposal tonight was a first presented as a master planned development.  
76 The developer has made the changes to meet the criteria for the City subdivision standards. One  
77 more condition that needs to be added is that Lot A not be developed until utilities are put in. At  
78 this location there are utilities that will need to be run under the railroad tracks. The  
79 Development Review Committee and Planning Commission recommend approval with conditions.

80  
81 Lewis Bankhead explained that the reason for changing from a master planned development to  
82 the subdivision standards was that they felt it would be better to build homes with bigger yards.

83  
84 Councilman Scoubes made a **Motion to approve** the Preliminary Plat approval request, White  
85 Rail, an 87-lot residential subdivision located at approximately 900 North State Road 51 with the  
86 following conditions:

- 87     1. *That the design for State Road 51 crossroad section be changed to include a 10-foot park strip, 5-foot walk,*  
88     *and a 5-foot planter.*  
89     2. *That UDOT's approval for accesses onto State Road 51 be obtained before any Final Plats are approved.*  
90     3. *That the applicant meet the Power Department's requirements including any requirements related to the*  
91     *phasing of the development.*  
92     4. *That the applicant meet all City development standards.*  
93     5. *That no construction or building on Lot A until the utilities are in place.*

94 Councilman Davis **Seconded** and the motion **Passed** all in favor.

95  
96 Lewis Bankhead asked who would be in charge of taking care of the park strip.

97  
98 Dave Anderson said the City plans on taking care of the park strip.

99  
100 **Preliminary Plat approval request, Hawk Landing, a 7-lot residential subdivision located at**  
101 **approximately 2300 East Canyon Road**

102 Dave Anderson presented the Hawk Landing Preliminary Plat. Mr. Anderson said that DRC &  
103 Planning Commission recommend approval with conditions. The main concern is to not have the  
104 vehicles backing onto 2300 East.  
105

106 Councilman Gordon made a **Motion to approve** the Preliminary Plat approval request, Hawk  
107 Landing, a 7-lot residential subdivision located at approximately 2300 East Canyon Road with the  
108 following conditions:

- 109 1. *That the subdivision will be accessed via 3 shared driveways on 2300 East and one access onto 1200 South.*
- 110 2. *That driveway's accessing 2300 East will be constructed with the homes such that vehicles do not have to*  
111 *back on to 2300 East.*
- 112 3. *That the Canyon Road driveway access be removed.*
- 113 4. *That a mass grading plan be submitted with the final plat.*
- 114 5. *That a note be included on the recorded plat that states that the adjacent lots have animal rights.*

115 Councilman Dart **Seconded** and the motion **Passed** all in favor.  
116

117 **ADJOURN:**

118 Councilman Dart made a **Motion to adjourn to Closed Session** to discuss Personnel and Land  
119 Purchase.

120 Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:57 p.m.  
121

122 **ADOPTED:**

123

124

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Angie Warner, Deputy Recorder



## Staff Report to City Council

<b>Agenda Date:</b>	April 3, 2012
<b>Staff Contacts:</b>	Dale Robinson
<b>Reviewed By:</b>	
<b>Subject:</b>	Utah County Municipal Recreation Grant Application

### **Background Discussion:**

I am once again submitting an application for the Utah County Municipal Recreation Grant. This grant application requires the approval of the council along with the Mayor's signature before it will be considered. The project I am submitting this year is the new electronic video board and sign at the fairgrounds. I want to make sure that we get a quality video board that is large enough to be effective, and the money that we currently have budgeted will not be sufficient to accomplish that. This grant money will be used to help make up the difference. The estimated cost is going to be around \$50,000. Our grant allocation this year would be \$20,616.15. We will also be using the \$10,000 that we received from the Brad Ford Memorial donations. The family requested that this money go toward the new sign.

### **Budgetary Impact:**

This has been budgeted in the new arena construction budget. We will end up being short and will have to request a change order. This change order will be covered by this grant and the Brad Ford Memorial donations.

### **Recommendation:**

Staff recommends that the council approve this project for the grant application and authorizes the Mayor to sign it.

### **Attachments:**

Application Letter, Actual Application, Schematic of Proposed Sign



April 5, 2012

Dear Utah County Commission,

Enclosed is our application for the municipal recreation grant that will be used to assist the city in purchasing a new electronic message center & sign for the fairgrounds facility. As you know we are constructing a new state of the art rodeo arena which will also house many other community events including your very own demolition derby. We felt like we needed an updated sign with the capability to more efficiently promote the various events that will take place at the facility. This is such a beautiful structure that we decided to add a sign that would compliment it. We appreciate the opportunity to make this application and want to thank you for your continued support. Our partnership with the county has made it possible to really enhance and improve this facility. It is certainly something that we all can be proud of.

We are going to locate this sign in the park strip directly west of the new arena main entrance which will provide the best visibility. Our estimates on this sign are around \$50,000. We want to make sure and get a quality video board that is large enough to do justice to the quality of facility that is being built. With the upgrade we are short funds in that budget and so it was decided to apply for this grant to help us overcome that shortfall. We are applying for the full amount allocated which is \$20,616.15.

We have included a sample rendering of this sign (dimensions will be slightly smaller than indicated) which all of you have already seen. The arch will replicate the block arch's leading into the arena. The video board will be approx. 3.5 x 9 ft. and will be approx. 14 feet high at the base. As you can see the sign also promotes the Utah County Fair.

We appreciate your consideration of this project. Thank you for assisting us in continuing to provide quality facilities and recreational opportunities in our community.

Dale R. Robinson  
Director of Parks & Recreation



# Utah County Commission

## 2012 Municipal Recreation Grants

### APPLICATION

**Municipality:** Spanish Fork City

**Name of Preparer/Contact Person:** Dale Robinson

**Mailing Address:** 775 North Main Street, Spanish Fork, Utah 84660

**Phone:** 801-804-4610

**E-mail:** daler@spanishfork.org

**Grant Amount Requested:** \$ 20,616.15

**Project Name:** New Electronic Message Center & Sign for Fairgrounds

**Project Location:** 475 South Main Street, Spanish Fork

**Project Type:** (Please check all that apply.)

- Physical Facilities (Construction)     Cultural Facility  
 Recreational Facility                       Convention Facility  
 Tourist Facility

**PLEASE ATTACH A DETAILED PROJECT DESCRIPTION.**

**APPLICATIONS MUST BE RECEIVED BY 5:00 P.M. ON APRIL 30, 2012.**

Date Approved by Municipal Council: April 3, 2012

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

### *For Internal Use Only*

Application Received	Attorney Review	Commission Approval	Agreement Signed	Verification Received	Funds Paid

16' 0"

14' 6"

10' 6"



JOB NAME:

Fairgrounds Pole Sign

INSTALL ADDRESS:  
501 S. Main St.  
Spanish Fork, UT

BILLING ADDRESS:  
???

CONTACT NAME:  
Bill Bushman

PHONE:  
???

DATE:  
2-15-12

DESIGN NUMBER:

SALES PERSON:  
Kaydee O'Brien

DESIGNER:  
Kaydee O'Brien

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL AND CANNOT BE COPIED OR REVISED IN ANY FORM. THE ORIGINAL IDEAS HEREIN ARE THE EXCLUSIVE PROPERTY OF CREATIVE SIGN & GRAPHICS. DRAWING IS REPRESENTATIONAL ONLY: SCALE, SIZING AND COLOR MAY VARY, REFER TO PROPOSAL FOR EXACT SPECIFICATIONS

CUSTOMER APPROVAL:

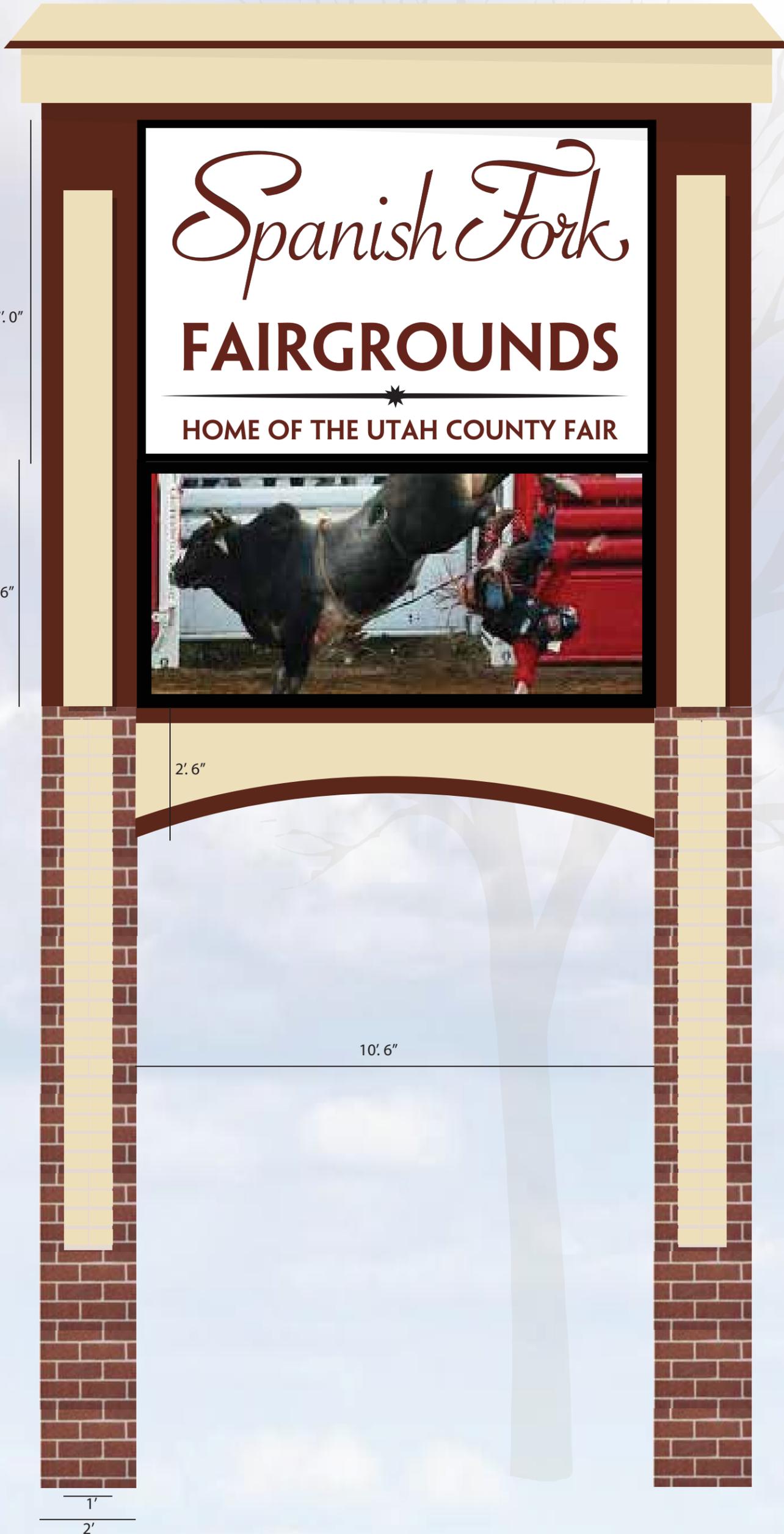
X

SALES PERSON SIGNATURE:

X

DATE: \_\_\_\_\_

30.3"  
14.3"  
12.6"  
7.0"  
4.6"  
16.0"



2' 6"

10' 6"

1'

2'

# Spanish Fork Fairgrounds Pole Sign

File Path:

Info:



# Memo

To: Mayor & City Council  
From: Chris Thompson, Public Works Director/City Engineer  
Date: March 30, 2012  
Re: UDOT I-15 and Main Street Bridge Replacement LOMR Agreement and Bowen, Collins and Associates Task Order 6

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## Staff Report

Whenever a bridge is replaced along a river with an engineered floodplain FEMA requires that the existing floodplain be re-evaluated and a Letter of Map Revision (LOMR) submitted. In the past couple years UDOT has replaced the Spanish Fork River bridges at Interstate 15 and Main Street. Upon completion of these projects the city contacted UDOT and asked that they submit this LOMR. UDOT then requested that we use our floodplain consultants to do the work and then they reimburse us the costs. The attached agreement would facilitate that arrangement.

Also attached is the task order with Bowen, Collins and Associates to complete the LOMR process with FEMA on these two new bridges for a not exceed amount of \$16,000. All the incurred costs would be reimbursed by UDOT. We therefore recommend that the city council approve this agreement and task order.

Attached: agreement and task order



**AGREEMENT**

F-I15-6(197)254; Utah County  
I-15; Shoulder Reconstruction & Bridge Deck  
Treatments

Authority No. 53133; Pin No. 8269

**SPANISH FORK CITY**

Federal ID No. 87-6000284

**AGREEMENT**

**THIS AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as “**UDOT**,” and **SPANISH FORK CITY**, a municipal corporation of the State of Utah, hereinafter referred to as the “**CITY**”; and

**WITNESSETH:**

**WHEREAS**, **UDOT** is engaged in construction that project identified as F-I15-6(197)254, I-15; Shoulder Reconstruction & Bridge Deck Treatments, Utah County, Utah; and

**WHEREAS**, said project requires LOMR study and documents to be performed and presented to FEMA; and

**WHEREAS**, the **CITY** agrees to perform all work and documentation required, including the submittal to FEMA on **UDOT**’s behalf; and

**WHEREAS**, **UDOT** agrees to reimburse the **CITY** of the cost of the work covered herein; and

**THIS AGREEMENT** is written to describe the conditions whereunder **UDOT** will reimburse the **CITY**.

**NOW, THEREFORE**, it is agreed by and between the parties hereto as follows:

1. **CITY** shall perform all engineering review and process all documentation to FEMA required for the LOMR. A detailed work task order is marked “**EXHIBIT A**”, attached hereto and thereby made a part hereof.
2. Upon completion of the LOMR package, the **CITY** shall submit the final draft documents to **UDOT** for review and acceptance. Pending formal notification in writing from **UDOT** stating acceptance of said LOMR, the **CITY** shall then submit to FEMA for further processing.
3. Upon acceptance by FEMA, **UDOT** shall reimburse the **CITY** a one time lump sum amount of \$21,300.00. A copy of the cost detail (email from Trapper Burdick) is marked “**EXHIBIT B**”, attached hereto and thereby made a part hereof.

**AGREEMENT**

F-I15-6(197)254; Utah County  
I-15; Shoulder Reconstruction & Bridge Deck  
Treatments

Authority No. 53133; Pin No. 8269

**SPANISH FORK CITY**

Federal ID No. 87-6000284

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

**ATTEST:**

**SPANISH FORK CITY**, a municipal corporation of the State of Utah

By: \_\_\_\_\_ By: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTEST:**

Board of County Commissioners,  
**UTAH COUNTY**, a political subdivision of the State of Utah,

By: \_\_\_\_\_ By: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

**RECOMMENDED FOR APPROVAL:**

**UTAH DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
Region 3 Utility and Railroad Coordinator

By: \_\_\_\_\_  
Region Director

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**COMPTROLLER OFFICE**

By \_\_\_\_\_  
Contract Administrator

Date: \_\_\_\_\_

# EXHIBIT A

## TASK ORDER NO. 6 TO ENGINEERING SERVICES AGREEMENT

**OWNER: Spanish Fork City**

Effective Date of Agreement: 8/4/11

THIS TASK ORDER NO. 6 TO ENGINEERING SERVICES AGREEMENT (this "TASK ORDER") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between OWNER and Bowen, Collins and Associates, Inc., a Utah Corporation (herein called ENGINEER) who agree as follows:

1. PROJECT. The PROJECT associated with this TASK ORDER is described as follows: UDOT Structures LOMR. The PROJECT SITE is located as follows: Main Street Bridge on the Spanish Fork River.
2. SCOPE OF SERVICES. The SCOPE OF SERVICES associated with this TASK ORDER is attached hereto as Exhibit A.
3. FEES. OWNER shall reimburse for services provided under this AGREEMENT on a time and expense basis not to exceed amount in accordance with the Standard Fee Schedule ("FEE SCHEDULE") attached hereto as Exhibit B. OWNER hereby agrees that all fees and charges set forth in the FEE SCHEDULE are acceptable to OWNER, and OWNER further agrees to pay all fees and charges to ENGINEER in accordance with the ENGINEERING SERVICES AGREEMENT and FEE SCHEDULE.
4. SCHEDULE. Design SERVICES associated with this TASK ORDER are anticipated to be completed within 60 calendar days following written authorization from the OWNER to proceed.
5. ATTACHMENTS AND EXHIBITS. All attachments and exhibits referenced in or attached to this TASK ORDER are incorporated herein and are made a part of the ENGINEERING SERVICES AGREEMENT.
6. OWNER has read and understood all ATTACHMENTS and EXHIBITS and agrees that such items are hereby incorporated into and made a part of the ENGINEERING SERVICES AGREEMENT.

IN WITNESS WHEREOF, OWNER and ENGINEER have executed this TASK ORDER as of the date first above written.

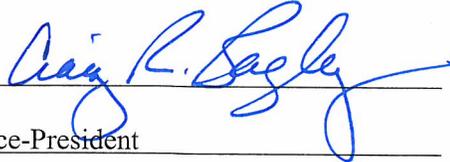
OWNER:

By: \_\_\_\_\_

Its: \_\_\_\_\_

Attest: \_\_\_\_\_

Its: \_\_\_\_\_

By:  \_\_\_\_\_

Its: Vice-President \_\_\_\_\_

Attest: \_\_\_\_\_

Its: \_\_\_\_\_

## **EXHIBIT A SCOPE OF SERVICES UDOT STRUCTURES LOMR**

City of Spanish Fork (OWNER)

It is our understanding the Arrowhead Trail Road has been realigned at the intersection of Main Street and the bridge crossing the Spanish Fork River has been removed. A new bridge has been constructed for the Main Street crossing of the Spanish Fork River. A new culvert cross at Interstate 15 was also recently completed. It is our understanding that Spanish Fork City desires to submit a Letter of Map Revision (LOMR) request to reflect the changes these two structures have on the floodplain in order to stay in compliance with the FEMA National Flood Insurance Program regulations. The following scope of services has been developed to obtain a LOMR for the changes made to the bridges.

### **Task 1 – Perform Field Reconnaissance**

Bowen, Collins and Associates (BC&A) will perform field Reconnaissance including taking photographs of the stream and structures upstream and downstream.

### **Task 2 – Perform Survey**

We will field survey 4 cross sections of the channel at each structure (two cross section upstream and two cross sections downstream of the structure). We will also survey the top of deck, low chord and abutment walls of the structures. It is critical that we obtain new survey of the bridge to verify the survey data is on the correct vertical datum.

### **Task 3 – Revise Hydraulic Model and Delineate Floodplain**

We will revised the current effective FEMA HEC-RAS computer model for the Spanish Fork River using the survey data that we will collect in Task 2 and the as-built drawings provided by UDOT. We will prepare the HEC-RAS model to meet FEMA guidelines and specifications.

BC&A will delineate the 1%- and 0.2%-annual chance floodplains using the computed water surface elevation data from the hydraulic model, the survey data collected in Task 2, and the Spanish Fork 2008 contours.

### **Task 4 – Prepare a Request for a LOMR**

BC&A will perform the following tasks associated with preparing a LOMR request:

- Perform necessary coordination with FEMA representatives or officials related to the project
- Develop a work map delineating the flood hazard boundaries
- Prepare technical data and required documentation to support a request for a FEMA Letter of Map Revision

# EXHIBIT A

- Prepare for and attend two meetings with Spanish Fork City representatives, show them the final work map and obtain their concurrence
- Submit the completed form to FEMA for review and approval

## **Task 5 – FEMA Review Correspondence**

BC&A will provide correspondence with FEMA as required during the review period.

## **LOMR Review Fee**

Our proposed fee does not include the FEMA LOMR request processing fee (currently \$5,300). We consulted with Jaclyn Bloor, FEMA MT-2 Revisions Manager, who indicated that both structures could be submitted in a single LOMR for a single review fee.

## Attachment B

**Spanish Fork City  
UDOT Structures LOMR  
Engineering Fee Estimate**

Bowen Collins & Associates, Inc.

2/10/2012

		Office/Support		Engineers			Subtotal Hours	Subtotal Labor	Expenses	Total Cost
Labor Category		Office	Editor	Staff Eng.	Proj. Eng.	Proj. Mngr				
Staff		Dannelly	Hansen	Ballentine	Stayner	Bagley				
Labor Rate		\$64	\$64	\$87	\$93	\$135				
Task No.	Task Description									
1	Perform Field Reconnaissance				8		8	\$744	\$156	\$900
2	Field Survey				3		3	\$279	\$4,421	\$4,700
3	Develop Hydraulic Model and Delineate Floodplain				20	4	24	\$2,400	\$200	\$2,600
4	Prepare a Request for a LOMR			16	44	6	66	\$6,294	\$706	\$7,000
5	FEMA Review Correspondence				8		8	\$744	\$56	\$800
Total:					83	10	109	\$10,461	\$5,539	<b>\$16,000</b>

Expenses include:

Mileage reimbursement at \$0.75/mile

Computer/Communications Charge at \$7/labor hour

10% Markup on other project related expenses

Hourly rates are adjusted annually to reflect labor rated increases

# CONTRACT

Come now the parties hereto, Spanish Fork City (City) and Aldon S. Anderson, Carolyn K. Anderson, John R. Anderson, and Shannon M. Anderson (Anderson) and acknowledge as follows:

## RECITALS

WHEREAS, Anderson owns four parcels of property which were annexed into City in June, 2006; and

WHEREAS, Anderson operates a salvage yard on the parcels; and

WHEREAS, the salvage yard is a non-conforming use; and

WHEREAS, the annexation agreement entered in June, 2006 gave Anderson's contact person, Cody Roberts, three years to amortize the non-conforming use; and

WHEREAS, Anderson anticipated residential development of the property in 2006, but such efforts were stymied by unforeseen events with the prospective developer and by the economic recession of 2008-2009; and

WHEREAS, the City granted a three year extension to operate the business until September 1, 2012; and

WHEREAS, the economy has not fully recovered, causing Anderson's to request an additional extension; and

WHEREAS, City is willing to allow the salvage yard operation to continue for another year;

NOW THEREFORE, the parties hereto now hereby contract, covenant, and agree as follows:

## CONTRACT

1. The amortization period for the salvage yard, now operated by J & S Anderson's Auto Wrecking, Corp., a Utah corporation owned by John R. and Shannon M. Anderson, and located at 1215 North Highway 51 in Spanish Fork City, (formerly addressed as 2890 South State, Springville City) is extended for an additional year.

2. Anderson may operate the salvage yard, identified herein, until September 1, 2013, at which time it must cease operation and the property become conforming to the zone it is in at that time. (Currently, it is located in the RR Rural Residential Zone).

3. Anderson agrees to conduct all salvage operations in one of the existing buildings or behind the existing visual barrier fence.

4. Anderson agrees to keep the front of the property free and clear of weeds, consistent with the requirements for other businesses in City.

5. Limited antique farm equipment may be located along the highway frontage as decorations, but must be kept weed free and otherwise maintained by Anderson.

6. Upon execution of this agreement, Anderson may apply for, and City will issue a business license for the salvage yard operation for another year.

7. City may record a notice of this agreement with the Utah County Recorder concerning the four parcels of property which are the subject of this agreement.

8. This document represents the entire agreement between the parties concerning this subject matter. All prior negotiations, agreements, understandings, or promises are merged herein and superceded hereby.

9. This document may only be modified by a written amendment to the terms hereof, signed by each of the parties hereto.

10. This agreement is binding upon the heirs, successors, or assigns of the parties hereto, including any corporations, partnerships, or limited liability companies, in which any of the parties hereto have an interest.

11. The parties represent and acknowledge that each has been represented by counsel during the negotiations of this agreement, the agreement is an arms length settlement of the parties' differences, and, therefore, this agreement shall not be construed for or against either party, but the intent of the parties, as expressed herein, is to be followed.

DATED this \_\_\_ day of April, 2012

Spanish Fork City by:

\_\_\_\_\_  
G. WAYNE ANDERSEN, Mayor

Attest:

\_\_\_\_\_  
KENT R. CLARK, Recorder

\_\_\_\_\_  
ALDON S. ANDERSON

\_\_\_\_\_  
CAROLYN K. ANDERSON

\_\_\_\_\_  
JOHN R. ANDERSON

\_\_\_\_\_  
SHANNON M. ANDERSON



# Memo

To: Mayor & City Council  
From: Chris Thompson, Public Works Director/City Engineer  
Date: March 30, 2012  
Re: Request for Golden Eagle Drive Signs

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## **Staff Report**

We have received a request to have Golden Eagle Drive signs placed on the street signs at 100 South 2550 East and 400 North 2550 East. We have done this for high schools in the past provided that they pay for the signs. We recommend that the city council approve this request to, upon receipt of payment, have city staff order and install these signs.

