

**Adopted Minutes  
Spanish Fork City Council Meeting  
May 1, 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; Kent Clark City Recorder/Finance Director; Angie Warner, Deputy Recorder.

Citizens Present: Adrienne Ventura, Sharie Petersen, GayLynn Jacobson, Amanda Petersen, Katelyn Nielson, unknown, Eric Stouffer, William Paxton, Max Scholes, Nate Chandler, Glen Campbell, Richard A. Evans, Dillon Muirbrook, Justin Blake, Tanner Parker, Karson Jensen, Garrett Farnes, Jacob Lane, Logan Coffey, Merlin Shepherd, Kaylee Alldredge, Brooke Billat, Cary Hanks, Cary Robarge, Sam Darrington, Max Darrington.

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

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

Mayor Andersen led in the pledge of allegiance.

**Maple Mountain High School Police Investigations Team, Sgt. Cory Slaymaker & Detective Courtney Jones**

Sgt. Cory Slaymaker introduced Detective Courtney Jones, the Resource Officer for Maple Mountain High School.

Detective Jones introduced Amanda Peterson, Katelyn Nielson and Zach Jacobson. These students are in a program called Skills Competition USA that teaches skills that a detective would use at a crime scene. They attended the competition for this and took 2<sup>nd</sup> place.

**PUBLIC COMMENTS:**

Cary Hanks & Cary Robarge with the Spanish Fork Salem Area Chamber of Commerce highlighted some events going on. They attended the ribbon cutting for the park trails system last week. The Rotary Golf Tournament is this Thursday at Spanish Oaks Golf Course. The junior livestock show is starting this Wednesday until Saturday. And congratulations to Jaxies, they are the May business of the month.

Rick Evans expressed his opinion against condemnation.

**COUNCIL COMMENTS:**

Councilman Dart said citizens can start signing up for the library summer activities on May 21<sup>st</sup>. Councilman Dart announced that Jack Swenson is beginning his 60<sup>th</sup> year of coaching the same little league team.

Councilman Leifson gave an update on the SUVPS and UMPA meetings.

Councilman Gordon said the Youth Council attended their team building weekend, it was great. Councilman Gordon reminded the citizens that this Saturday is the open house at the fire & ambulance station.

Mayor Andersen reminded the public that this week is the junior livestock show at the fairgrounds. There will be a lot of visitors in town so please be great citizens.

**SPANISH FORK 101:** Dave Anderson – Industrial Incentives

**CONSENT ITEMS:**

- a. Minutes of Spanish Fork City Council Meeting – April 17, 2012
- b. Sumsion Investment, LLC Property Purchase Agreement
- c. MDF Estate Planning Services as Trustee of the MD & SK Forbush Investment Trust Property Purchase Agreement

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

**NEW BUSINESS:**

**Board Appointment – Bonnie Davis, Senior Citizen's Board**

Councilman Dart recognized that Ruth Peay passed away and this recommendation would replace her position on the board.

Mayor Andersen recommended Bonnie Davis be appointed to the Senior Citizen's Board.

Councilman Dart made a **Motion** to **approve** the Mayor's appointment of Bonnie Davis to the Senior Citizen's Board.

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

**Resolution #12-03 Authorizing the Purchase or the Initiation and Filing of a Condemnation Action to Exercise the Power of Eminent Domain in Order to Acquire Property for a Street and Right-of-Way Purposes as Part of the Spanish Fork City Transportation System**

Junior Baker said this resolution is to help with the north industrial land swap between property owners. The City needs to acquire 8 parcels with 8 different owners. The City currently owns three; an additional three should be wrapped up in the next two weeks. For the two left with the progress recently made, it appears that the City will not have to use condemnation at this time. In dealings of land purchase or land swaps citizens have asked the City to provide a letter that they are selling under threat of condemnation.

Councilman Gordon asked how much property there is.

Junior Baker said about 3 to 4 acres total. The initial request is to acquire the right-of-way by July 1st.

Discussion took place about using this resolution or not and the benefits of the resolution for the citizens and the City.

Chris Thompson said if the engineering department did not have the option of condemnation; staff would have to build the street system by who was willing to sell their land. That system would not work or the City would likely have to pay very high prices for land.

Discussion took place regarding the process of condemnation.

Junior Baker clarified that when the City takes the property through eminent domain, the owner is paid for the land, though the owner may be forced to sell at a fair market price.

Councilman Leifson made a **Motion** to **approve** Resolution #12-03 Authorizing the Purchase or the Initiation and Filing of a Condemnation Action to Exercise the Power of Eminent Domain in Order to Acquire Property for a Street and Right-of-Way Purposes as Part of the Spanish Fork City Transportation System.

Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

### **Railroad Encroachment Agreement for Spanish Fork River Bank Stabilization Project**

Chris Thompson said the water line project down the canyon is just about finished. There is an area along the river with significant erosion that needs to be fixed. Staff applied for and received a grant to do stream bank protection. The railroad saw the benefit to them and agreed with moving forward. Staff recommends City Council approve the agreement with a change of the date to what the contractor can get the project done; which will be decided in a project meeting.

Councilman Dart made a **Motion** to **approve** the Railroad Encroachment Agreement for Spanish Fork River Bank Stabilization Project, with the condition that a date for the completion of the project be negotiated.

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

### **Fiscal Year 2013 Tentative Budget**

Dave Oyler and Kent Clark presented the FY 2013 budget to the City Council.

Kent Clark said tonight the Council is presented the tentative budget. The public hearing on the budget will be June 5<sup>th</sup> staff and council will then have two more weeks to modify the budget. Then the final FY 2013 budget will be presented on June 19<sup>th</sup> for adoption.

Mr. Clark highlighted the changes in the budget.

Seth Perrins said also included in the budget is the salary range adjustments. The ranges get moved but the employee salaries do not.

Councilman Leifson made a **Motion** to **approve** the Fiscal Year 2013 Tentative Budget.

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

### **ADJOURN TO REDEVELOPMENT AGENCY**

Councilman Davis made a **Motion** to adjourn out of City Council Meeting and into Redevelopment Agency Meeting.

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:30 p.m.

Councilman Davis made a **Motion** to adjourn Redevelopment Agency meeting and reconvene back to City Council meeting.

Councilman Dart **Seconded** and the motion **Passed** all in favor at 7:33 p.m.

### **FY 2013 Tentative Airport Budget**

Kent Clark presented the Spanish Fork/Springville Airport budget. Mr. Clark said that Springville takes care of the financials then asks for our approval of the budget.

Councilman Davis made a **Motion** to **approve** the Fiscal Year 2013 Tentative Airport Budget. Councilman Dart **Seconded** and the motion **Passed** all in favor.

**Capital Financing Information – Water Revenue Bonds – Zion’s Bank Public Finance**

Chris Thompson explained that Cold Springs is the City’s most productive spring and is now threatened by cross contamination. The City needs to install a second collection system. To fund the project, the City will need to acquire a bond. Construction costs are quite low right now as well as interest rates. The City is applying for a permit with the Army Corp of Engineers.

Johnathan Ward with Zion’s Bank presented the options of applying for the bond: private placement or market.

Mr. Clark reviewed the process for applying for a bond.

Council preferred to move forward with a private placement, if the project is funded with the FY2013 budget.

**ADJOURN:**

Councilman Gordon made a **Motion** to **adjourn** to Closed Session to discuss Land Acquisition. Councilman Leifson **Seconded** and the motion **Passed** all in favor at 8:09 p.m.

ADOPTED: May 15, 2012

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Angie Warner, Deputy Recorder