

**Adopted Minutes
Spanish Fork City Council Meeting
November 6, 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; Steve Adams, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Flora Clarke, Lyle Evans, Bryson Evans, Joseph Burrows, Logan Lawson, Rebecca Burrows, Cris Child, Charles Graham, Daniel Graham, Stuart Holley, Jackson Jensen, Alex Woidka, Mark Holley, Mitchel Jenkins, Adam Jenkins, Elijah Rea, Nancy Johnson, Mason Johnson, Brook Monroe, Bryce Marshall, Cameron Monroe, Russell Graham, Joe Graham, Juli Pullman, Kimberlee Armstrong, James Armstrong, Joyce Nuttall, Stephen Nuttall, Maxim Burov, Cary Hanks, Tami-li Negus, Deana Anderson, Colby Sharp, Ryan Sharp.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Alex Woidka led in the pledge of allegiance.

PUBLIC COMMENTS:

Agenda Request – Spanish Fork Salem Area Chamber of Commerce – Present Scarecrow Contest Winner

Cary Hanks Director of the Spanish Fork Salem Area Chamber of Commerce presented the trophy to the Spanish Fork Ambulance Crew for the best voted scarecrow. Ms. Hanks thanked all that participated.

COUNCIL COMMENTS:

Councilman Gordon thanked the Chamber of Commerce and the Spanish Fork businesses for making the Trick-or-Treat on Main Street a success.

Councilman Davis turned the time over to Cris Child the Spanish Fork Springville Airport Manager.

Cris Child gave an update on the construction at the airport and the great outcome for the Aeroplanes, Trains & Automobiles event.

Councilman Leifson recognized the passing of Ernest Taylor who was a crossing guard for Spanish Fork City for 17 years; Mr. Taylor will be missed.

Councilman Dart said the Library is accepting food for fines during the month of November.

Councilman Scoubes gave an update from the solid waste board meeting. Councilman Scoubes thanked the ambulance and police for their services.

Mayor Andersen encouraged everyone to go vote if you have not already.

SPANISH FORK 101: Chris Thompson, Powerhouse Road Diversion

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – October 16, 2012
- b. UDOT Cooperative Agreement for Signals & Cul-de-sac Work at 400 South, 800/820 East Canyon Road
- c. Amended Inventive Agreement with Costco and the Redevelopment Agency
- d. Spanish Fork South & Salem Canal Powerhouse Road Diversion Agreement
- e. 200 East Center Street to 900 North Water Main Replacement Project Change Order #1

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

NEW BUSINESS:

Ordinance #16-12 Updating the Municipal Code to Comply with Changes in the State Code Concerning Alcohol Sales to Minors

Junior Baker presented the following change to the Spanish Fork Municipal Code as per State Code:

5.12.060 Revocation-Hearing Examiner.

A. [no change]

B. [no change]

C. Except for cases involving sales of alcohol to underage persons by offsite beer retailers, the Hearing Examiner, or City Council, shall follow the following criteria when holding revocation hearings:

- 1. The City license shall be revoked if the State license has been revoked.*
- 2. The permit holder shall receive a warning for a first violation of this Chapter or of the Alcoholic Beverage Control Act.*
- 3. The permit holder shall have the permit revoked for a period of up to six months if the violation is a second violation within two years of the first violation and shall be subject to a civil penalty of up to \$250.00.*
- 4. The permit holder shall have the permit revoked indefinitely if the violation is a third violation within two years of two prior violations and shall be subject to a civil penalty of up to \$500.00. The permit holder will not be allowed to reapply for a permit for a period of time up to one year as designated by the Hearing Examiner or City Council. The City is not required to grant a permit upon reapplication.*

D. In cases of sales of alcohol to underage persons by offsite beer retailers, the Hearing Examiner, or City Council, shall follow the requirements set forth in Utah Code Ann. §32B-7-302(3).

E. For purposes of revoking a permit, the permit holder is responsible for the acts of its employees, agents, or others acting under the permit issued.

Councilman Dart made a **Motion** to **approve** the Ordinance #16-12 Updating the Municipal Code to Comply with Changes in the State Code Concerning Alcohol Sales to Minors.

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

Freeway Landscape Enhancement Proposal

Dale Robinson presented the proposal for the landscaping to finish the new interchange for Spanish Fork Main Street. UDOT did provide landscaping for one section in the amount of \$100,000.00. Staff is proposing that the rest of the project could be completed for \$196,531.98.

The Parks & Recreation Committee recommended approval for the complete project.

Kent Clark explained that RDA money would fund this project.

Council agreed to move forward with the process.

Amendment to the Land & Water Fund Agreement

Dave Anderson said this amendment is to reassign federally designated park areas. Staff would like the one location off of Highway 6 by the mouth of the canyon to no longer be a designated park and assign that acreage to 4 other locations closer to residents.

Councilman Leifson made a **Motion** to **approve** the Amendment to the Land & Water Fund Agreement.

Councilman Davis **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 Scoubes **Seconded** and the motion **Passed** all in favor at 6:58 p.m.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:02 p.m.

ADJOURN:

Councilman Leifson made a **Motion** to **adjourn** to Closed Session to discuss Litigation.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:03 p.m.

ADOPTED: November 20, 2012

Angie Warner, Deputy Recorder