

**Adopted Minutes
Spanish Fork City Council Meeting
January 7, 2014**

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

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: Steven Money, Kevin Parker, Mark Binks, Ken Peay, Cheryl Leifson, Ruth Leifson, Max Leifson, Sean Leifson, Griff Leifson, Adam Leifson, Jeremy Sorensen, Julie Smith, Mike Mckell, Brandi Mckell, Landon Mckell, Frank Christensen, Gerald Hill, Jay Evans, John Mendenhall, Cary Hanks, Brenda Gillie, Jolene Clark, Melanie Andersen, Kayla Andrews, Lenna Mendenhall, Unknown, Amanda Mendenhall, Ann Dart, Ilene Voorhees, Karissa Cards, Tamara Davis, Robyn Scoubes, Trevor Scoubes, Amber Scoubes, Jessica Scoubes, Ashley Scoubes, Melissa Smith, Kelly Mitchell, Bill L. Beck, Linda Beck, Robert Franson, Randy D. Edwards, Frank Christianson, Pat Christianson, Kensie Huff, Susan Oyler, An'Jalee Burningham, Neil Anderson, Christian Taylor, Savana Hughes, Shane Burningham, Jade Andersen, Heston Andersen, Maddyson Andersen, Jaime Andersen, Teagen Ross Andersen, J. Wyatt Andersen, Stephanie Andersen, Garrett Andersen, Julia Andersen, Nathan Andersen, Liz Andersen, Chett Andersen, Brecken Andersen, Brian Chapman, Dell Smith, Connie Smith.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Ken Peay led in the pledge of allegiance.

Fiesta Days Rodeo Recognition

Steven Money thanked the Mayor and City Council for all the support for the rodeo committee. This year at the Wilderness Circuit Finals the Fiesta Days Rodeo received the award for the #1 rodeo of the year. Then, at the Professional Rodeo Cowboys Association (PRCA) convention this past December, the Women's Professional Rodeo Association (WPRA) awarded the Fiesta Days Rodeo the Justin Best Footing Award & a check for \$1,000 as well as the award for Rodeo of the Year. Mr. Money presented the money to Landon Andrews and Heath Atwood for their work in taking care of and preparing the arena. Mr. Money also thanked the Diamond Fork Riding Club for all their hard work.

Mayor Andersen said it is an honor to work with staff and the Diamond Fork Riding Club and thanked them for all their hard work and dedication.

PUBLIC COMMENTS:

Agenda Request – Dedra Tregaskis

Ms. Tregaskis said they just moved to Spanish Fork and would like to announce that she is going to be opening a children's museum here in Spanish Fork. This would be a place where families

can get together to learn and play. Ms. Tregaskis asked the City Council if in the future it could be implemented into a recreation center and if not she will look for other avenues.

Agenda Request – Utah Honor Flight

Robert Franson presented a short video that ABC 4 aired so the veterans in Utah could be informed of the program. The Utah Honor Flight has applications on their website at utahhonorflight.org for veterans to apply for this program.

Ilene Vorhees has spoken with City Staff and would like to address the concerns of the Dr. John's business. Ms. Vorhees asked the City Council the following questions to see if they could help take care of her concerns.

1. Could there possibly be screens installed on the display windows.
2. What does the city ordinance say about lewdness?
3. Could there possibly a sound wall installed?
4. Could there be a large billboard put up against pornography?
5. Who will be monitoring the 15% of sexual devices that they are allowed and how often?

Ms. Vorhees expressed that she loves living in Spanish Fork and would like to keep the good morals and values that we have and it's a great place to raise a family.

Mayor Andersen said they have received many concerns regarding this item and Ms. Vorhees could meet with the City Attorney or the Community Development Director.

Kelly Mitchell and Melissa Smith with Relay for Life, American Cancer Society. Ms. Mitchell explained the Relay for Life event and that it is America's largest fund raiser for cancer. Ms. Mitchell invited the City Council to their First Annual Benefit Gala that will be held February 8th at the Chillon Reception Center.

Alissa Wilkinson introduced herself as the new Community Relations Manager for Republic Services that will be working with the City.

COUNCIL COMMENTS:

Councilman Gordon read the following poem that he wrote for Mayor Andersen.

For the last two years you've tried to teach me how, at first I thought all this guy knows about is his cows. But very soon I learned that when you speak you are bold, I guess that's what comes with being really, really old. You'll be known for achievements that your name will be crowned, that beautiful arena down at the fairgrounds. The taxes we get will make a happy Kent Clark, from all of the business that is growing down at North Park. We are a town with progress and pride, let's be honest you couldn't have done this without your younger sweet bride. Meeting after meeting and mile after mile, when you would represent us; you did it with such style. While in your wranglers all the ladies thought you were such a sight, but why do they always have to be skin tight? Just so the great people of Spanish Fork are aware, this is a man that doesn't forget about prayer; even though he was known as the big cheese, he certainly spent lots of time praying on his knees. Worried about the people's welfare, that's why he has all that silky gray hair. To end this poem before this farewell, I have one little story that I'd like to tell. At the pageant of miss Spanish Fork last year, I had experienced a person's deepest great fear. The news came through text that my aunt passed away; you can imagine how heavy my heart weighed. After the show and they crowned a new queen, I shared with Wayne what none of us had foreseen. He put his arm around me and gave me an embrace; I looked in his eyes and saw compassion in his face. It was at that time I realized that this big brute, really loves me & other people this was absolute. We bid you farewell, you served this town well. We wish you and Melanie and your family the best, having served with you I know that my life has been blessed.

Councilman Davis said that SUVMWA will hold a meeting January 16th at Mapleton City to present the recharge study report. Councilman Davis gave an update on the Airport Board. The Fiesta Days Committee met with all the event chairs and the theme this year will be "I love this town". Councilman Davis expressed how great Mayor Andersen has been this past 4 years and 4 years before that as councilman. Councilman Davis spoke of many different experiences that they have shared while serving on the City Council.

Councilman Leifson agreed with the comments regarding Mayor Andersen. Councilman Leifson said that in the last month there have been two house fires in his neighborhood and he thanked the fire department for their quick response. Also, he thanked all those that donated to those families and helped out. Councilman Leifson said that he and Mayor Andersen both came to serve 8 years ago on city council. Mayor Andersen is a great man and they have developed a great friendship. Councilman Leifson expressed his appreciation for all he has done and it has been an honor to serve with him.

Councilman Dart said he made the mistake of sitting down next to Mayor Andersen at a ballgame because that is where he convinced him to run for City Council. Mayor Andersen stepped up to the plate and came through and the citizens don't know how lucky they are. Councilman Dart wished Mayor Andersen good luck in future endeavors.

Councilman Scoubes said Mayor Andersen has had the best interest for Spanish Fork and has done his best to do what is right for Spanish Fork. Councilman Scoubes thanked Mayor Andersen for his service.

Mayor Andersen said right now, online, the rodeo tickets are on sale for the Fiesta Days Rodeo as well as the Champions Challenge Rodeo. Mayor Andersen thanked his wife, children, and grandchildren and now he can make up for all he has missed. Mayor Andersen thanked the citizens of this community for the special spirit of volunteerism. Mayor Andersen thanked city staff, and stated that we have the finest people working for this City. Mayor Andersen thanked the City Council that he has worked with while serving as Mayor.

Mayor Andersen noted that on the consent items, letter "G" needs to be removed due to some changes.

CONSENT ITEMS:

Department Directors gave a brief summary of their item(s) below:

- a. Minutes of Spanish Fork City Council Meeting – December 17, 2013
- b. IPSA Standards of Apprentice Agreement
- c. Woodhouse Substation Expansion 2013 Project Chang Order 2
- d. Contract Addendum with Tenedor Concerning Water Rights
- e. FirstWest Benefit Solutions Business Associate Agreement
- f. Acceptance of Assignment of Contract for Sky Hawk Condominiums
- ~~g. Paul Prior Property Purchase for River Trail~~

Councilman Leifson made a **Motion** to **approve** the consent items with removal of item "G" Paul Prior Property Purchase for River Trail.

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

NEW BUSINESS:

Resolution #14-01 Authorizing the Mayor to Explore the Creation of a Water Authority to Address Water Issues in South Utah County

Junior Baker said that since Mayor Andersen took office he has been concerned about water for our community. Mr. Baker said with the growth that we have had, we need to preserve our agricultural interests and conserve water. Mr. Baker read the proposed resolution:

WHEREAS, Spanish Fork City is concerned about future water management in south Utah County, including assuring the adequacy and quality of agricultural water, as well as the sufficiency and quality of water for municipal growth; and

WHEREAS, other local government entities in south Utah County have the same concerns; and

WHEREAS, cooperating together with all the water interests in south Utah County is the best way to preserve pristine sources and conserve water; and

WHEREAS, the City has been involved in preliminary discussions with other entities to create a new legal water entity for the betterment of the residents of the City, as well as the residents and farmers throughout south Utah County;

NOW THEREFORE, be it hereby resolved by the Spanish Fork City Council as follows:

- 1. The Spanish Fork City Mayor, Council, and staff support the concept of a south Utah County water authority which can address water issues throughout south Utah County, both for agricultural interests and to manage growth.*

Councilman Davis made a **Motion** to **approve** the Resolution #14-01 Authorizing the Mayor to Explore the Creation of a Water Authority to Address Water Issues in South Utah County. Councilman Scoubes **Seconded** and the motion **Passed** all in favor with a roll call vote.

Oath of Office Ceremony for the Newly Elected Officials

Kent Clark gave the oath of office to Mayor Steve Leifson, Councilmember Keir Scoubes and Councilmember Mike Mendenhall.

Mayor Andersen was presented a gift from the City for his service.

PUBLIC HEARING:

Ordinance #01-14 Vacating a Portion of 1100 East Street

Junior Baker said this is related to the North Park Development and will be in the area of where the Walmart will be. Mr. Baker reviewed the following proposed ordinance:

WHEREAS, 1100 North Street runs north and south for approximately six blocks commencing at Expressway Lane and proceeding north; and

WHEREAS, no development has ever taken place adjacent to 1100 East Street from approximately 1200 North until a compost site at approximately 1600 North; and

WHEREAS, the Canyon Creek development currently underway in the City has no need for 1100 East Street, and, will provide alternate access from the north, which can better utilize the property and make it more productive by vacating a portion of 1100 East Street; and

WHEREAS, the developer of the Canyon Creek project, who is an adjacent property owner, has requested a vacation of 1100 East Street; and

WHEREAS, the adjacent property owner has agreed to provide temporary easements and/or licenses to the City to maintain access to the compost site until the new streets are constructed; an

WHEREAS, a public hearing to vacate a street was held on Tuesday, the 7th day of January, 2014, with notice given in accordance with Utah Code Annotated §10-9a-208; and

WHEREAS, the Council finds it is in the best interest of the City and its residents to vacate a portion of 1100 East Street;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

The portion of 1100 East Street, as shown on the attached Exhibit A, and more particularly described as follows:

A portion of the Northeast Quarter of Section 18, the Southeast Quarter of Section 7, the Southwest Quarter of Section 8 and the Northwest Quarter of Section 17, Township 8 South, Range 3 East, Salt Lake Base and Meridian, more particularly described as follows: Beginning at a point in the easterly right-of-way line of 1100 East Street as shown on Phase 3, Expressway Business Park Condo Plat according to the official plat thereof on file in the office of the Utah County Recorder, said point being located $S0^{\circ}18'06''E$ along the Section Line 2018.97 feet and East 33.00 feet from the Northeast Corner of Section 18, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence northwesterly along the arc of a 916.00 foot radius non-tangent curve to the left (radius bears: $S82^{\circ}20'48''W$) 210.43 feet through a central angle of $13^{\circ}09'45''$ (chord: $N14^{\circ}14'04''W$ 209.97 feet); thence $N0^{\circ}00'59''W$ 103.55 feet; thence $N0^{\circ}24'00''W$ along an existing fence line 2117.29 feet; thence $N89^{\circ}36'30''E$ 50.27 feet to an existing fence line; thence $S0^{\circ}23'30''E$ 2169.07 feet; thence $S0^{\circ}18'06''E$ 255.64 feet to the point of beginning.
Contains: ± 2.65 Acres

is hereby vacated, including any public utility easements contained within the street right-of-way.

II.

The vacated street shall revert to the ownership of the underlying property owner.

III.

This ordinance is effective upon the grant of the temporary licenses/easements, which may be recorded simultaneously.

Councilman Gordon made a **Motion** to move into Public Hearing.

Councilman Dart **Seconded** and the motion **Passed** all in favor at 7:13 p.m.

Mayor Leifson welcomed public comment.

There was none.

Councilman Davis made a **Motion** to move out of Public Hearing.

Councilman Dart **Seconded** and the motion **Passed** all in favor at 7:13 p.m.

Councilman Dart made a **Motion** to **approve** the Ordinance #01-14 Vacating a Portion of 1100 East Street.

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

ADJOURN:

Councilman Dart made a **Motion** to **adjourn** to Closed Session to discuss Potential Litigation and Property Purchase.

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:15 p.m.

ADOPTED: February 4, 2014

Angie Warner, Deputy Recorder