

**Adopted Minutes
Spanish Fork City Council Meeting
January 21, 2014**

Elected Officials Present: Mayor Steve Leifson, Councilmembers Rod Dart, Keir A. Scoubes, Richard Davis, Brandon Gordon, 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; John Bowcut, IS Director; Pam Jackson, Library Director; Steve Adams, Chief of Police; Angie Warner, Deputy Recorder; Tyler Jacobson, Treasurer.

Citizens Present: Rick Lords, Karissa Lords, David F. Aust I, Benjamin J. Aust, Annie Rencher, Landon Rencher, Maklain Shepherd, Erika Pearson, Tristan Lavery, Nate Unknown, Greg Simonsen, Xander Davies, Javier Sueng, Carson Czarnik, Sarin Buor, Chris Taylor, Daniel Quintana, Brenda Quintana, Rob Guernsey, Cary Hanks, Jason Unknown, Jordan Malen, Sidney Smith, Hayden Hill, Denver Chrisopherson, Jackson Huff, Aiden Unknown, Casey Christopherson.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Councilman Gordon led in the pledge of allegiance.

PUBLIC COMMENTS:

Cary Hanks, Director of the Spanish Fork Salem Area Chamber of Commerce thanked the City Council for attending the Chamber of Commerce banquet last week. Ms. Hanks reviewed some of the awards that were given at that event.

COUNCIL COMMENTS:

Councilman Gordon attended the South Utah Valley Solid Waste District (SUVSWD) meeting where they are going to be putting together a committee to complete a study on the recycling. Councilman Gordon thanked the Police Department for their involvement in the events last week.

Councilman Davis attended the South Utah Valley Municipal Water Association (SUVMWA) meeting where the ground water recharge study was presented. Councilman Davis thanked the Chamber of Commerce for the banquet. Councilman Davis also thanked the Police Department for their involvement in the events last week.

Councilman Dart & Councilman Scoubes echoed the comments on the Police Department.

Councilman Mendenhall thanked the Police Department. Councilmember Mendenhall had his first meeting with Youth City Council and is excited to work with them. Councilman Mendenhall thanked the Chamber of Commerce for the banquet and thanked Councilman Dart for his six years of service on the board.

Mayor Leifson welcomed all the scouts that showed up tonight. Mayor Leifson reviewed the work session that Department Directors and City Council held. Mayor Leifson said that he has received many comments and letters commending the police department for the recent events.

SPANISH FORK 101: K-9 Presentation, Officer Cory Grover – Officer Grover was unavailable, this item will be presented at a future City Council meeting.

CONSENT ITEMS:

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

- a. **Millrace Diversion Structure Rebuild Access License Agreement**
- b. **Union Pacific Railroad Crossing Agreements**
- c. **General Atomics Ground Lease Rate Increase**
- d. **Library Contract for a Language Learning Course**
- e. **Boundary Line Agreements with Scott Hanson & Fern Hanson Family Trust**

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

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

PUBLIC HEARING:

Ordinance #02-14 Abandoning an Electric Easement in the Canyon Creek Development

Junior Baker explained where this easement is located and that the current steel pole does not need a guy wire so the excess property used for the guy wire is no longer needed. Mr. Baker reviewed the proposed ordinance:

WHEREAS, Spanish Fork City owns easement rights for an electric power line across property owned, respectively, by Tenedor, LLC and IHC Health Services, Inc.; and

WHEREAS, the easement is larger than it currently needs to be since it accommodated a guy wire, which is no longer needed due the installation of a steel pole; and

WHEREAS, Tenedor is proceeding with a commercial development project known as Canyon Creek, with future plans for retail establishments in the area, which will require the abandonment of a portion of the easement where the guy wire once was; and

WHEREAS, the commercial development is expected to create a substantial tax base for both property taxes and sales tax and, which will provide a substantial benefit to the residents of the City; and

WHEREAS, notice of the intent to abandon the easement was posted on the property and on the State of Utah Notice Website; and

WHEREAS, notice of a public hearing was published in the Provo Daily Herald, a newspaper of general circulation within Spanish Fork City; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 21st day of January, 2014, where public comment was received; and

WHEREAS, the council finds that it is in the best interest of the public to abandon the easement identified herein;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City

Council as follows:

I.

A portion of the property dedicated as an electric easement as recorded in the office of the Utah County Recorder on the 31st day of December, 1991 as entry number 49312, Book 2865, Page 667 is hereby abandoned to the underlying owner of the property. The portion of the easement being abandoned is shown on the attached exhibit and more particularly described as follows:

Beginning at the Northeast corner of that existing power line easement described in Deed Entry No. 49312:1991 in the official records of the Utah County Recorder, said point being located South 477.11 feet and West 2338.35 feet from the East 1/4 Corner of Section 18, Township 8 South,

*Range 3 East, Salt Lake Base and Meridian (Basis of bearing: N0°18'06"W along the Section Line from the East 1/4 Corner to the Northeast Corner of said Section 18); thence South 15.00 feet; thence West 32.00 feet the east line of an existing public utility easement as shown on Phase 2, Canyon Creek Subdivision according to the official plat thereof on file in the office of the Utah County Recorder; thence N0°22'09"E along said east line 15.00 feet to the north line of said power line easement; thence East along said north line 31.90 feet to the point of beginning.
Contains: ±479 Sq. Ft.*

Councilman Gordon made a **Motion** to move into Public Hearing.
Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:22 p.m.

Mayor Leifson welcomed public comment.

There was none.

Councilman Davis made a **Motion** to move out of Public Hearing.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:23 p.m.

Councilman Davis made a **Motion** to **approve** the Ordinance #02-14 Abandoning an Electric Easement in the Canyon Creek Development.
Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

NEW BUSINESS:

Reappointment of City Treasurer & City Recorder

Junior Baker explained that state law requires after each municipal mayoral election that the City reappoint the City Treasurer and the City Recorder.

Mayor Leifson made the recommendation to reappoint Tyler Jacobson as the City Treasurer and Kent Clark as the City Recorder.

Councilman Dart made a **Motion** to **approve** the Mayor's reappointment of Tyler Jacobson as the City Treasurer and Kent Clark as the City Recorder.

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

Appointment of Mayor Pro Tem by the City Council

Mayor Leifson made a recommendation to appoint Councilman Dart as Mayor Pro Tem.

Councilman Davis made a **Motion** to **approve** the Mayor's appointment of Councilman Dart as Mayor Pro Tem.

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

New SFCN Cable TV Rates

John Bowcut explained that each year the cable channel providers increase their rates so SFCN has to increase their's as well. Neither the City nor SFCN does not makes a profit off of the rate increase. Mr. Bowcut presented the rate increase that will be effective March 1, 2014.

<i>\$13.95</i>	<i>Basic</i>
<i>\$54.38</i>	<i>Expanded Basic</i>
<i>\$66.56</i>	<i>Super Digital</i>
<i>\$96.93</i>	<i>Full Package</i>
<i>\$96.34</i>	<i>Triple Package</i>
<i>\$7.00</i>	<i>Cinemax</i>
<i>\$21.00</i>	<i>HBO/Cinemax Pak</i>

Councilman Scoubes made a **Motion** to **approve** the New SFCN Cable TV Rates.
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor.

Settlement Agreement with Reagan Outdoor Advertising

Junior Baker reviewed that Reagan has two smaller billboards that they would like to combine in to one at a different location. The new location is east of McDonalds and they have addressed the issues regarding height, lighting, and lighting hours.

Councilman Dart made a **Motion** to **approve** the Settlement Agreement with Reagan Outdoor Advertising.

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

Centennial Park Restroom Bids

Dale Robinson said that a 1- ½ ago the restrooms at Centennial Park were set on fire. The City received an insurance settlement to help with the remodel. Staff decided to redesign and relocate the building to accommodate the future cemetery. The lowest bid came from B. Hansen Construction at \$96,500. With the \$50,000 insurance settlement the net cost will be \$46,500.

Councilman Davis made a **Motion** to **approve** the Centennial Park Restroom Bid Awarded to B. Hansen Construction.

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

Ad Hoc Committee for Recycling & Garbage Collection

Chris Thompson said the Republic recycling & garbage contracts are up for renewal. Republic is proposing to lower their rates if the City switches to an opt-out or mandatory recycle program. The city currently provides the garbage cans for the residents and Republic provides the recycle cans. If the City provided the recycle cans that could save the City some money as well. Some of these items need to be addressed to see what the residents would like. Staff is looking for the City Council to create an Ad Hoc Committee to research these issues and bring back recommendations. Mr. Thompson proposed that Councilman Gordon would be the appointing authority for this committee.

Councilman Dart made a **Motion** to **appoint** an Ad Hoc Committee for a recycling and garbage study and appoint Councilman Gordon as the appointing authority.

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

DISCUSSION ITEMS:

Board & Committee Appointments

Mayor Leifson made a recommendation to appoint the following:

Airport Board – Councilman Keir Scoubes & Reappoint: Matt Taylor

Fairgrounds Committee –Mayor Steve Leifson

Fire Retirement Board – Mayor Steve Leifson

Historical Committee – Susan Barber

Library Board – Reappoint: Dawn Graham, Appoint: Jeff Perry

Parks & Recreation Board- Reappoint: Doug Brown, Jerry Huffman, Appoint: Dave

Boyack, Blaine Jex.

Rodeo Committee – Mayor Steve Leifson

Seniors Board- Reappoint: Shirley Oberg, Bonnie Davis

Council of Governments- Mayor Steve Leifson

South Utah Valley Solid Waste District (SUVSWD) – Councilman Brandon Gordon, Alternate: Chris Thompson, Technical Committee: Dennis Sorensen.

South Utah Valley Municipal Water Association (SUVMWA) – Councilman Richard Davis, Alternate: Councilman Mike Mendenhall, Technical Committee: Chris Thompson.

South Utah Valley Power Systems (SUVPS)– Mayor Steve Leifson, Alternate: Kelly Peterson.

South Utah Valley Animal Services Special Service District- Councilman Brandon Gordon. Chamber of Commerce – Councilman Mike Mendenhall.

Utah Municipal Power Agency (UMPA) Mayor Steve Leifson, Alternate: Councilman Rod Dart, Technical Committee: Kelly Peterson, Alternate Technical Committee: Chris Thompson.

Utah Valley Housing Consortium – Jed Mitchell

Mountainland MPO Technical Advisory Committee – Chris Thompson

Utah Risk Management Mutual Association – Dave Oyler, Alternate: Seth Perrins

Waste Water Treatment Plant Advisory Committee – Councilman Brandon Gordon, Chris Thompson, Dennis Sorensen.

Utah Valley Dispatch Special Service District- Dave Oyler, Alternate: Seth Perrins

Councilman Davis made a **Motion** to **approve** the Mayor’s appointments to the boards & committees.

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

Utility Online Sign-in & Deposit

Tyler Jacobson announced that the City is starting to provide online utility sign-in. Mr. Jacobson reviewed the process for the residents and a change to the utility deposit policy. Mr. Jacobson said they will implement a \$200 deposit for new home owners and new renters. If a customer signs up for auto pay from the start, the customer would not have to pay the deposit.

City Council agreed with the policy.

Storm Water Management Plan (SWMP)

Chris Thompson said the City is required by state to submit this plan by February 15th. This management plan is the requirements the City needs to meet for the management of the storm water system. City Council will need to review the plan and it will be presented at the February 4th City Council Meeting for approval or denial.

ADJOURN:

Councilman Dart made a **Motion** to **adjourn** to Closed Session to discuss property issues. Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:07 p.m.

ADOPTED: February 4, 2014

Angie Warner, Deputy Recorder