

**Adopted Minutes
Spanish Fork City Council Meeting
April 15, 2014**

5:15pm WORK SESSION:

Elected Officials Present: Mayor Steve Leifson, Councilmembers Rod Dart, Richard Davis, Brandon Gordon, Mike Mendenhall. Absent: Councilmember Keir Scoubes.

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; Angie Warner, Deputy Recorder.

Citizens Present: None.

Discussion took place regarding the items listed below, no formal actions are taken in a work session meeting.

1. Ethics Commission – Junior Baker

Mr. Baker said he will present an interlocal agreement and an ordinance on this item at the next meeting.

2. Community Planning Assistance Teams (CPAT) Program – Dave Anderson

6:00pm CITY COUNCIL MEETING:

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; Angie Warner, Deputy Recorder, John Bowcut, IS Director, Bill Bushman, Buildings & Grounds Maintenance Supervisor.

Citizens Present: Jamis Gardner, Jay & Sharla Thomas, Ben Knopp, Leni Bott, Judd Carter, Chris Salisbury, Roger Knell, Milan Malkovich, Mark Greenwood.

CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:

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

Motivation/Inspirational Message given by Jamis Gardner.
Benjamin Knopp led in the pledge of allegiance.

PUBLIC COMMENTS:

None.

COUNCIL COMMENTS:

Councilman Mendenhall invited Cary Hanks Director of the Spanish Fork Salem Chamber of Commerce to announce some events coming up.

Cary Hanks said they received a visit today from the Bridges Program where they donated prizes that they purchased for the Easter Egg Hunt. Ms. Hanks reminded the public that the Easter Egg Hunt will be held this Saturday April 19th at 9:00am at the Sports Complex.

Councilman Scoubes said the City Council attended the great classes at the ULCT Conference. Councilman Scoubes reviewed some of the recent uses at the airport.

Councilman Dart also commented that the ULCT Conference was great.

Mayor Leifson said that some of the elementary schools received a visit from the Champions Challenge Rodeo staff presenting a reading challenge for the schools to win tickets to the rodeo.

SPANISH FORK 101: Cemetery Changes –Bill Bushman

CONSENT ITEMS:

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

- a. Minutes of Spanish Fork City Council Meeting – April 1, 2014
- b. Comcast Pole Attachment License Agreement
- c. Resolution #14-06 Proclaiming Arbor Day

Councilman Dart made a **Motion** to **approve** the Resolution #14-06 Proclaiming Arbor Day. Councilman Davis **Seconded** and the motion **Passed** all in favor with a roll call vote.

Councilman Davis made a **Motion** to **approve** the consent items A & B. Councilman Gordon **Seconded** and the motion **Passed** all in favor.

PUBLIC HEARING:

Elsie S. Thomas Annexation – This proposed Annexation contains 32 acres located at 100 South 1000 West. It is proposed that the properties be zoned R-1-12 and Rural Residential.

Dave Anderson explained that this proposal is located approximately 1000 West between Center Street and 100 South. Development Review Committee and Planning Commission recommend approval with the following suggestions:

1. The applicant be required to dedicate 30 feet of property to the City on the south side of the railroad track fence for a trail and public utility easement; as well as on the west end of the parcel for a public trail.
2. The applicant pay the SESD electric power buyout.

Councilman Gordon made a **Motion** to move into Public Hearing. Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:50 p.m.

Mayor Leifson welcomed public comment.

Jay Thomas the property owner, reviewed his concerns listed below:

- They do not have the means to donate the property. They currently have an agreement with the LDS Church that will be buying the property. If the Church wants to buy that property and donate it they can, but the Mr. Thomas will not.
- Where is the 30 feet for the dedication and is it an easement or right of way?
- There is a billboard sign on the far west parcel and asked that it be grandfathered in.
- When will the trail be built?

- They currently have the green belt designation and would like to keep that and continue to farm their property.

Councilman Davis said that with the R-R zone you will be able to still farm it.

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

Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

Chris Thompson pointed out the current trail on the map and showed where the trail would go.

Mr. Baker said zoning makes no difference for the green belt, but there needs to be 5 acres to farm.

Mr. Thompson said that the Thomas' will need to ask the county what all the requirements are to remain in the green belt.

Mr. Thompson said that dedicate means to deed over. If the church is willing to pay the price for the property for the dedication then Mr. Thomas would agree to dedicate the property.

Mr. Thompson said that the time frame to build the trail would depend on the City receiving a grant or funding and Mr. Thompson would guess maybe about 3 years.

Mr. Baker said that the billboard sign will be fine.

Mr. Thomas asked about the fence with the trail.

Mr. Thompson said the fence by the trail will be installed when the trail is installed.

Mr. Thomas asked what he would need to do about their business that is run out of their home.

Mr. Baker said they will need to apply for a home occupation business license with the City.

Roger Knell with Knell Architects & Milan Malkovich with the LDS Church

Mr. Malkovich said they are currently under a purchase agreement with the Thomas Family and are trying to address the issues. The first part is getting this annexation approved. The Church headquarters is aware of the concern of the dedication for the trail and are still discussing that. The second part is submitting a site plan that will help with some of the issues. The Church headquarters is also aware that they need to front the money for the trail and receive a connector's agreement for repayment. Mr. Malkovich said that it will probably take a couple of months and it is their intention to get the proper approvals. Mr. Malkovich expressed that there are a lot of details and items to go through this process.

Councilman Davis asked which road the church will front.

Mr. Malkovich said 100 South.

Junior Baker suggested to the City Council the items to address in the motion:

1. The trail on the south side of railroad fence line and the west side of the property be dedicated to the City.
2. SESD power buyout be made by the applicant.
3. D and D Land dedicate the trail when that property is developed.

Mr. Baker noted that the D& D Land property is being forced into the City with this annexation so an island is not created, so the City will not require the trail dedication from it at this time.

Councilman Davis made a **Motion to approve** the Elsie S. Thomas Annexation with R-R and R-1-12 zoning with the following conditions:

1. The petitioner complete the SESD power buyout
2. The petitioner dedicates land for the trail and public utility easement for the City recreation master plan and the southern property would have the trail dedication at the time of zoning.

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

Dave Oyler addressed the process and said that the annexation would be recorded once those conditions are met.

NEW BUSINESS:

Ordinance #05-14 Prohibiting E-cigarettes in Parks and Recreation Facilities

Mr. Baker said that currently our City Code addresses prohibiting alcohol and tobacco in City parks and facilities. This proposal is to include prohibiting e-cigarettes.

Spanish Fork City Municipal Code §7.24.090 is hereby amended as follows:

7.24.090. Alcohol and Tobacco.

No alcoholic beverage of any kind is permitted within parks and recreation facilities, whether the container has been opened or not. Any such alcohol found on persons or within vehicles or other forms of personal property at the park is subject to confiscation and destruction. No tobacco product of any kind, including e-cigarettes or any variation thereof, is permitted to be used within parks and recreation facilities.

Councilman Scoubes made a **Motion to approve** the Ordinance #05-14 Prohibiting E-cigarettes in Parks and Recreation Facilities.

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

Utah County Municipal Recreation Grant Application

Dale Robinson said each year the City has the opportunity to apply for a grant through Utah County. Last year, all of the grant money was not used so the remaining will be carried over and combined with this year. Mr. Robinson received preapproval that the mountain bike trail project as well as resurfacing the indoor tennis courts project would qualify. Staff recommends approval for the Mayor to sign the grant application.

Councilman Dart made a **Motion Authorizing** the Mayor to sign the Utah County Municipal Recreation Grant Application.

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

ADJOURN:

Councilman Dart made a **Motion to adjourn**.

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

ADOPTED: May 6, 2014

Angie Warner, Deputy Recorder