

**Adopted Minutes
Spanish Fork City Council Meeting
October 7, 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; Steve Adams, Public Safety Director; Shelley Hendrickson, Engineering Secretary.

Citizens Present: Cary Hanks, Rilen Sharp, Maxwell Eraser, Ethan Wilkins, Ron Dunn, Patty Dunn, Zackery Schaugaard, Riley Peterson, Porter Stulce, Braydon Banks, Cody Campbell, Ethan Russell, Cody Holt, Chris Anderson, David Stroud, Alex Reategui, Samuel Gunderson, Kyler Robinson, Scott Dunn, Deacon Hansbrow, Luke Williams, Monty Griffiths, Stan Jenkins, Dave Johnson, David Sharp, Matthew Leavitt, Ryan Cobb, Spencer Byrne, Bryce Harman, David Harman.

5:15pm WORK SESSION:

1. SFCN Channel Negotiations

Discussion took place regarding the item(s) listed above; no formal actions are taken in a work session.

6:00pm CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:

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

Motivation/Inspirational Message given by Ron Dunn.
Riley Peterson led in the pledge of allegiance.

PUBLIC COMMENTS:

Agenda Request-Paul & Alisha Casey

Mr. Casey handed out a map of the property that he owns at 560 North 500 East. Mr. Casey is requesting the City Council to consider a change to the City ordinance in order for him to build something other than a single family dwelling on the property. Mr. Casey indicated the property is surrounded by 4-plexes and the current city code only allows constructing a single family dwelling.

Mayor Leifson told Mr. Casey that the Council would need to research the request and that someone from the City Council or City staff will get back with him within two weeks.

David Johnson explained that there would be a fundraiser for Brody Lambert a city employee who is in need of a heart transplant. Mr. Johnson is requesting a fee waiver for the cost to rent the tennis courts at the fairgrounds. The charity event will be held October 10, 2014 at 6:30pm at the fairgrounds. All proceeds go to the Lambert's to help with medical expenses.

Councilman Davis explained that the City made it a policy to not waive fees because it is not fair to take public money for private events. The City Council is willing to pay for some of the money out of their own pockets.

Cary Hanks, Director of the Spanish Fork Salem Chamber of Commerce reminded the Council that the scarecrows contest on Main Street has started and to invite everyone to participate. You can vote for your favorite scarecrow either on the Chamber of Commerce website or at the City Utility Office. Also, the Main Street Trick-or-Treat will be held again this year on Saturday, October 25th from 1-3pm.

COUNCIL COMMENTS:

Councilman Gordon expressed thanks to everyone who participated in the Harvest Moon Hurrah. Councilman Gordon attended the South Utah Valley Solid Waste District meeting and their biggest challenge is looking for a new location for the facility.

Councilman Davis mentioned that this week is fire prevention week and invite the public to an open house at the fire station on Thursday October 10 from 6-8pm. Councilman Davis read a flyer from Tabitha's Way asking to donate your new or used coats. Councilman Davis expressed thanks to the Spanish Fork City employees for all they do.

Councilman Dart thanked Blake Barney & Sunroc for dredging a lake at BSA Camp Maple Dell for free.

Councilman Scoubes expressed thanks to the chairman of the Harvest Moon Hurrah and everyone associated with the event. The Veteran's Council has been active with different scholarships and community events. Councilman Scoubes thanked Cris Childs and all who volunteer at the airport. The runway project is in phase three and we will be closing the runway for a period of eight days in a couple of more weeks to repave the entire runway.

Councilman Mendenhall said that the Utah Lak Commission met and discussed events and progress that will take place at Utah Lake. Youth City Council will meet this Thursday and he expressed thanks to them for their help. Councilman Mendenhall thanked the Johnson's and other neighbors that are supporting and live by the Lambert family.

Mayor Leifson agreed with all of the council comments. He said that he had the opportunity to speak at Sundance and spent time bragging up Spanish Fork City. Mayor Leifson congratulated the Maple Mountain High School for winning the state golf tournament today.

SPANISH FORK 101: SF17 New YouTube Broadcast & Productions

Mr. Bowcut explained that there was a worldwide outage with Belkin routers. This was a Belkin router issue not a City SFCN problem but SFCN came up with a way around the problem. He explained some changes to live broadcasts, added content, a simultaneous live broadcast and digital conversion.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – September 2, 2014
- b. Fire Department SCBA Equipment Grant
- c. 100 North and 200 North CDBG Grant Sewer and Water Replacement Project Agreement

- d. Proposed Agreements and Contract for Building Inspection Services
- e. New Cingular Wireless PCS, LLC Lease Agreement
- f. Impact Fee Reimbursement Agreement with Old Mill Estates
- g. Connector's Agreement with Old Mill Estates
- h. Contract for an Online Agenda Management System with Board Docs

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

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

PUBLIC HEARING:

Ordinance 15-14 Making Various Amendments to the Land Use Ordinance of Spanish Fork City

Mr. Baker explained the various amendments to the Land Use Ordinance of the Municipal Code.

I.

Spanish Fork Municipal Code §15.1.04.020, Definitions, is hereby amended by adding definitions as follows:

15.1.04.020 Definitions

Billboard: a freestanding ground sign designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

II.

Spanish Fork Municipal Code §15.4.04.080(C)(1), Approval or Disapproval- Procedure, is hereby amended as follows:

15.4.04.080 Approval or Disapproval – Procedure

(C) The adequacy of public facilities shall be determined in accordance with the Spanish Fork City development standards, the various master plans and the comprehensive general plan of the city, and at the discretion of the city engineer. In the event that the city engineer determines that adequate public facilities are not available and will not be available by the time of final plat approval, so as to assure that adequate public services are available at the time of occupancy, the following alternatives may be elected, at the discretion of the city council:

- 1. Allowing the developer to voluntarily construct those public facilities which are necessary to service the proposed development and provide adequate facilities as determined by the city engineer and by entering into an appropriate form of connector's or development agreement, which may include, as deemed appropriate by the city engineer, provisions for recoupment of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or the benefit conferred upon the proposed development, and the method and conditions upon which recoupment is to be obtained. Any connector's agreement authorized by this paragraph must be requested within 90 days of the completion and acceptance by City of the improvements. A request for a connector's agreement shall be made on forms provided by the City. An application fee in an amount to cover the City's expenses in preparing the connector's agreement shall be included. The amount of the fee shall be established by the City Council in the annual budget or by resolution.*

III.

Spanish Fork Municipal Code §15.4.16.020(A), Unavailability of Adequate Public Facilities, is hereby amended as follows:

15.4.16.020 Unavailability of Adequate Public Facilities

In the event that the city engineer determines that adequate public facilities are not available and will not be available by the time of approval, so as to assure that adequate public services are available at the time of occupancy, the following alternatives may be elected, at the discretion of the city council:

- A. *Allowing the developer to voluntarily construct those public facilities which are necessary to service the proposed development and provide adequate facilities as determined by the city engineer and by entering into an appropriate form of connector's, or developers agreement, which may include, as deemed appropriate by the city engineer, provisions for recoupment of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or the benefit conferred upon the proposed development, and the method and conditions upon which recoupment is to be obtained. Any connector's agreement authorized by this paragraph must be requested within 90 days of the completion and acceptance by the City of the improvements. A request for a connector's agreement shall be made on forms provided by the City. An application fee in an amount to cover the City's expenses in preparing the connector's agreement shall be included. The amount of the fee shall be established by the City Council in the annual budget or by resolution.*

IV.

Spanish Fork Municipal Code §15.4.04.130, Recordation – Copy to be Supplied to City Engineer, is hereby amended as follows:

15.4.04.130 Recordation – Copy to be Supplied to City Engineer

Following acceptance by the DRC, a final plat bearing all official approvals shall be deposited in the office of the Utah County Recorder for recording by the City. Only the City may record final plats. The final plat must be recorded within 180 days after approval by the DRC. Approval expires and the plat must be resubmitted if a final plat is not recorded within 180 days. All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recording of the Final Plat.

V.

Spanish Fork Municipal Code §15.4.16.090(A), Time Limitation for Completion, is hereby amended as follows:

15.4.16.090 Time Limitation for Completion

A. *All improvements listed in this Chapter must be completed within one year from the date of recordation, unless the city engineer requires an earlier completion date. An extension for completion of improvements may be granted by the City Council for up to an additional one year. A request for extension must be submitted to the City Council, in writing, explaining the reasons for the requested extension.*

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

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

Mayor Leifson welcomed public comment.

There was none.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:04 p.m.

Councilman Mendenhall made a **Motion** to **approve** the Ordinance 15-14 Making Various Amendments to the Land Use Ordinance of Spanish Fork City.

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

Proposed Zone Change for the Trailside Subdivision, the proposal would approve the Trailside Subdivision as an In-fill Overlay development

Mr. Anderson explained at approximately 300 West 100 South the property has changed applicants. This proposal is to divide the property into two lots instead of three. The existing home would stay

and a new home built on lot 2. The planning commission recommends approval with conditions that the single family home be a single story and a double rail fence is constructed along the City's trail.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:07 p.m.

Mayor Leifson welcomed public comment.

There was none.

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

Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:07 p.m.

Councilman Davis reviewed the conditions from Development Review Committee and Planning Commission.

Councilman Mendenhall asked how big the lots would be.

Mr. Anderson said approximately 10,000-12,000 square feet.

Councilman Davis made a **Motion** to **approve** the In-Fill Overlay for the Trailside Subdivision (zoning and preliminary plat) with the following the findings and conditions from the Development Review Committee and Planning Commission:

Findings

1. That the two lots do not exceed the density of the General Plan.
2. That the project meets the City's In-fill Overlay ordinance.
3. That the proposal would significantly improve the subject property and the neighborhood.
4. That the proposed development conforms to the City's requirements for In-fill Overlay developments in the R-1-6 zone.

Conditions

1. That the applicant dedicate the trail to the City.
2. That the applicant make changes to the plans relative to fencing as discussed.
3. That the applicant make changes to the plans relative to storm drain system as discussed.
4. That the applicant indicate the driveway be a public utility easement.
5. That the home on lot 2 be constructed as a single-story structure.
6. That the applicant install a two-rail fence along the east property line between the trail and the driveway.

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

Spanish Fork City - FY 2015 Budget Revision #1

Mr. Clark explained that the General Fund went up \$1 million and the Enterprise Funds went up \$2 million and the Miscellaneous Funds went down with a total of \$2.8 million increase making the budget approximately \$65 million. Mr. Clark reviewed the areas where the budget has increased. Mr. Clark pointed out with the city utilities; the City has to charge themselves the retail rate, not a discounted rate.

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

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:25 p.m.

Mayor Leifson welcomed public comment.

There was none.

Councilman Gordon made a **Motion** to move out of Public Hearing.
Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:25 p.m.

Councilman Dart asked when the cement project is scheduled for the Library. It was determined that it would be spring of 2015.

Councilman Dart made a **Motion** to **approve** the FY 2015 Budget Revision #1.
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor.

NEW BUSINESS:

Preliminary Plat approval for Spanish Trails, a residential subdivision located at approximately 400 South Spanish Trails Boulevard

Mr. Anderson said this development is down to the last phase and a plat has not been recorded in over a year. This is requesting re-approval for the preliminary plat so they can move forward.

Councilman Scoubes made a **Motion** to **approve** the Preliminary Plat for Spanish Trails, a residential subdivision located at approximately 400 South Spanish Trails Boulevard. .
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor.

Preliminary Plat approval for the Trailside Subdivision, an In-fill Overlay development located at 335 West 100 South

See this item above as it was discussed in the Public Hearing portion of the meeting.

Preliminary Plat approval extension request for Legacy Farms

Mr. Anderson explained that this developer is requesting an extension for 6 months to keep the vesting for the project.

Councilman Gordon made a **Motion** to **approve** the Preliminary Plat extension request for Legacy Farms.
Councilman Dart **Seconded** and the motion **Passed** all in favor.

Waste Water Treatment Plant SCADA System RFP Award

Mr. Thompson explained that the request is to replace the SCADA system at the waste water treatment plant. This system monitors the equipment at the plant and notifies us if there is a problem. The City received five proposals and the recommendation is to award the bid to SKM Inc. in the amount of \$203,485.00.

Councilman Gordon made a **Motion** to **approve** the Waste Water Treatment Plant SCADA System RFP Award to SKM, Inc. in the amount of \$203,485.00.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Dart made a **Motion** to **adjourn**.
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:43 p.m.

ADOPTED: October 21, 2014

Shelley Hendrickson, Engineering Secretary