

**Adopted Minutes  
Spanish Fork City Council Meeting  
November 18, 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; Lt. Brandon Anderson, Public Safety; Angie Warner, Deputy Recorder.

Citizens Present: David Adams, Ruth N. Leifson, Mark Wessell, Cecile Peay, Ken Peay, Kevin Parker, Ashlee Johnson, Unknown Thurgood, Clinton Harris, Koy Harris, Joe Harris, Steven Money, Cary Hanks, Shantell Johansen, Paul Perry, Bryton Asay, Mckay Peery, Jeff Nelson, Caru Das.

**5:00pm WORK SESSION:**

1. Renew Choice Renewable Energy Program –Chris Thompson

*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.

Councilman Dart led in the pledge of allegiance.  
Motivation/Inspirational Message given by Caru Das.

**PUBLIC COMMENTS:**

Cary Hanks Director of the Spanish Fork Salem Area Chamber of Commerce invited all to the Winter Lights Parade on Main Street Friday November 28 at 7:00pm. It will go from 900 North to 100 South around the park.

The Diamond Fork Riding Club members Jeff Nelson, Ken Peay and Kevin Parker, welcomed Mayor Steve Leifson to the rodeo committee and presented Mayor Leifson with a Diamond Fork Riding Club vest.

**COUNCIL COMMENTS:**

Councilman Gordon expressed his condolences for the family of the little boy that was killed on the train tracks.

Councilman Davis thanked all the city employee's and wished everyone in the City a Happy Holiday's and to be safe and take care of each other.

Councilman Dart received some concerns from citizens and they were passed on to staff that can take of them. Councilman Dart thanked the city employees for their assistance.

Councilman Scoubes gave an update from the airport board meeting.

Councilman Mendenhall gave an update of the Rotary Club meeting that was held today.

### **SPANISH FORK 101: Iceland Friendship City Visit –Mayor Steve Leifson**

Mayor Leifson had the opportunity travel to Vestmannaeyjar, Iceland to create a Friendship City with Spanish Fork.

### **CONSENT ITEMS:**

*Department Directors gave a brief description of their item(s) listed below.*

- a. Minutes of Spanish Fork City Council Meeting – October 21, 2014
- b. GS TrackMe Contract to Provide GPS Tracking Services for the Street Sweeper
- c. Aqua Engineering Professional Services Agreement
- d. SKM, Inc. Professional Services Agreement
- e. Snowplow Indemnification Agreement with the Canyon Glen Homeowners Association
- f. Fiesta Days Carnival Contract
- g. Contract with Frontier Rodeo for Fiesta Days Rodeo
- h. Utah City Data User Agreement

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

### **PUBLIC HEARING:**

#### **Joe Harris Zone Change**

Dave Anderson said the applicant would like to subdivide his property as presented. The west property has a home and the east side is farming grounds. There is a concrete ditch that goes through the property that separates the proposed lots. This proposal is to change zoning for the 1 acre lot from Rural Residential to R-1-40.

Councilman Davis made a **Motion** to move into Public Hearing.  
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:31 p.m.

Mayor Leifson welcomed public comment.

Clint Harris, son of property owner said the idea is to separate the property to still farm the ground while another family member can live in the home.

Councilman Scoubes made a **Motion** to move out of Public Hearing.  
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:32 p.m.

Councilman Davis made a **Motion** to **approve** the Joe Harris Zone Change to R-1-40.  
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor with a roll call vote.

#### **Stillman Annexation**

Dave Anderson said that this proposal is to annex approximately 100 acres immediately east of the Maple Mountain High School with Rural Residential zoning. The applicant understands the SESD recommendations and the expense that comes with that. Mr. Anderson reviewed some of the details discussed at the Planning Commission meeting regarding power, the 400 north intersection and a MAG Grant Application for improvements. The City did not receive any protests for this proposal and recommends approval.

Discussion took place regarding locations for a future public safety/fire station.

Councilman Mendenhall made a **Motion** to move into Public Hearing.  
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:46 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 6:47 p.m.

Councilman Gordon asked what the procedure is with notifying the property owners that live out of state.

Junior Baker explained the requirements as per state law for annexation noticing.

Councilman Gordon made a **Motion** to **approve** Ordinance #A14-02 Annexing Property Known as the Stillman Annexation with the zoning of Rural Residential and with the condition that the applicant reimburses the City for any costs associated with buying SESD's power facilities in the area.

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

### **Rock Crusher Amendment**

Dave Anderson explained that this amendment to Title 15 is to allow, in only a few certain areas, rock crushers to crush a substantial amount of concrete debris. Use of the rock crusher would be for a temporary basis to process existing material for reuse in the redevelopment of the property. Mr. Anderson reviewed the following amendment:

*Spanish Fork Municipal Code §15.4.16.160, Site Reclamation, is hereby created as follows:*

#### **15.4.16.160 Site Reclamation**

*Upon redevelopment of sites, which are ten (10) acres or larger in size, which have concrete products from prior uses available on site, limited to old gravel pits or construction dump sites, and the concrete products are of use in constructing new improvements in the new development, portable rock crushers may be allowed to help prepare the material that is on-site for reuse in the new development. Crushed material shall neither be exported from the site, nor shall material be brought to the site from another location to be crushed. The crusher must a minimum of 200 feet from a neighboring property line. The crushing operation shall only be permitted for a limited and specified duration of time, as determined by the Community Development Director. Appropriate measures for that site shall be imposed by the Community Development Director to limit the impact of noise and dust on surrounding land uses, including a limited time and specified hours.*

Councilman Dart made a **Motion** to move into Public Hearing.  
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

Mayor Leifson welcomed public comment.  
There was none.

Councilman Scoubes made a **Motion** to move out of Public Hearing.  
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

Councilman Davis asked what happens if a property has too much material, for example Sunroc.  
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Dave Anderson explained that the crusher is only to process the material that will be reused in the redevelopment. So if there is excess product stored at the property then it would need to be hauled off.

Councilman Davis asked why there is not a specified time.

Junior Baker explained that the revised ordinance gives the discretion to the Community Development Director because some areas will need more time than others.

Councilman Davis asked what will be done about the dust and noise.

Dave Anderson explained that things have to be kept wet but the language is in the ordinance that if there are complaints, the city can address the problem.

Councilman Scoubes made a **Motion to approve** the Ordinance #16-14 Making Amendments to the Site Reclamation Standards in the Land Use Ordinance of Spanish Fork City. Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

### **River Point Zone Change**

Dave Anderson said along with this proposal is a preliminary plat. This site used to be a construction dump and is west of the River Cove Development. The request is to change the zoning to R-1-12. Staff has learned from the past about flooding issues from the river and does not have any concerns with this proposal.

Councilman Gordon made a **Motion** to move into Public Hearing. Councilman Davis **Seconded** and the motion **Passed** all in favor at 7:06 p.m.

Mayor Leifson welcomed public comment. There was none.

Councilman Gordon made a **Motion** to move out of Public Hearing. Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 7:07 p.m.

Councilman Davis made a **Motion to approve** the Ordinance # Z07-14 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for River Point. Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

### **NEW BUSINESS:**

#### **River Point Preliminary Plat**

Dave Anderson said the applicant has proposed to have the plat be approved for a Master Planned Development. There has been flooding in the past and now the city requires the applicant to dedicate to the city 40 feet along the river and an access point. This is for the city to be able to do flood control work. The average lot size will be larger compared to the adjacent River Cove Development.

Councilman Dart made a **Motion to approve** the River Point Preliminary Plat with the following findings and conditions:

## Findings

1. That the proposed R-1-12 Zone is consistent with the General Plan.
2. That the proposed Plat conforms to the City's standards for Master Planned Developments in the R-1-12 zone.
3. That the applicant's proposal to remove the construction debris that exists on-site will allow the property to be safely redeveloped.

## Conditions

1. That the applicant meet the City's Development Standards.
2. That the applicant dedicates 40 feet of land along the south river bank.
3. That the applicant has the option of the access point for River maintenance to either being on the east side of lot 21 or the east side of lot 20.
4. That the applicant grants a 20-foot wide electrical easement on the west side of the development for SESD.
5. That the applicant and the City exchange property on parts of lots 20, 21, and 22 the 40-foot access corridor along the Spanish Fork River.

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

## Title 5 Amendment

Dave Anderson said this proposal is to change the size of menu boards for food establishments from 24 square feet to 40 square feet. Staff recommends approval.

Councilman Mendenhall made a **Motion** to **approve** the Ordinance #17-14 Amending the City's Sign Regulations Concerning Menu Boards.

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

## Master Signage Plan-Canyon Creek

Dave Anderson reviewed that approximately 2 years ago the City amended the sign code to allow project signage plans. The City Council already approved a signage plan in 2013 for the Canyon Creek Development and now they are back with some proposed changes. The Planning Commission met tonight before this meeting to review the third draft proposal for the project.

Dave Anderson reviewed the draft minutes of the recommendation from the planning commission.

*Commissioner Fallon moved to recommend City Council allow the two P100' signs along I-15 and the P3 51' sign on the north end of Canyon Creek Parkway and on the east end of Highway 6, however, the Planning Commission does not recommend approval of the other two proposed P45 with LED signs, because of saturation to the environment and visual clutter. With these approved signs every entrance to the development has an LED sign.*

Richard Mendenhall presented the designs for the signs for I-15 & Highway 6 and the Canyon Creek Development. The proposal includes electronic message boards as well as regular printed signs. Mr. Mendenhall emphasized that stats show a 10% to 20% increase of sales from the usage of the electronic signs.

Mayor Leifson stated that LED billboards have regulations of how fast that they can change.

Councilman Dart asked if the electronic signs are just for the businesses or others as well.

Richard Mendenhall said the City code does not allow for offsite signage and they will be following the City code.

Councilman Mendenhall commented on the benefits of the electronic signs increasing business and sales.

Richard Mendenhall addressed the difference between this 140 acre Canyon Creek Development with a 30 acre development.

Councilman Davis asked what has changed since the first approval.

Richard Mendenhall said that the original proposal was based on tradition of what they have done over the years. Now they have met with sign companies as well as the businesses and the trend and what the world is changing to is the digital signs with changing ads. The dedication of the sign to the development does not produce sales; the electronic sign does with the change of the advertisements.

Councilman Scoubes would like to meet with the Planning Commission to better understand their recommendations.

Councilman Dart asked Mr. Mendenhall the urgency on this item.

Richard Mendenhall said they have contracts in the works and would like to have these changes in those contracts and already have deadlines with the Walmart signage.

Discussion took place regarding the need for the I-15 and Highway 6 electronic signs.

Dave Oyler wanted to reemphasize that this is for onsite signage and not offsite signage.

Councilman Mendenhall asked Dave Anderson of his opinion on this request.

Dave Anderson said his concerns are that this proposal is a huge change from the first proposal that was approved. The City sign regulations have become more permissive over the years. With the bigger signs Mr. Anderson just worries about when too much, is too much.

Mayor Leifson commented that times are changing and we need to decide if we are going to move forward or not.

Richard Mendenhall reviewed some of the changes to the design of the signs.

Councilman Gordon requested to be able to collect more information and bring this item back at the next meeting.

Richard Mendenhall said that they are willing to work with the City Council.

Councilman Davis would like to go see a project in person.

Councilman Gordon made a **Motion** to **table** the Master Signage Plan-Canyon Creek to the next City Council meeting that will be held December 2, 2014.  
Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

### **Board Appointments**

Mayor Leifson moved to appoint Brad Wilkinson to the Planning Commission.

Councilman Davis made a **Motion** to **approve** the Mayor's appointment of Brad Wilkinson to the Planning Commission.

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

### **Consideration for adoption of a resolution of the City Council of Spanish Fork City, Utah authorizing the issuance and sale of not more than \$15,600,000 Sales Tax Revenue Bonds, Series 2014; and related matters**

Kent Clark said in 2007 the City issued 20 year bonds for the Justice Center and North Park with an interest rate around 5%. As we get closer to the 10 years that are left on the debt, the City can advance refund the last ten years at a lower interest rate to save approximately \$850,000. This Resolution authorizes staff to continue the process to refund those bonds and pick the date when that will happen. Staff anticipates that the new interest rate will be closer to 2% or 3%.

Councilman Gordon asked if the City has done this before.

Mr. Clark said yes, the City has done this with an electric bond and a pressurized irrigation bond.

Councilman Dart made a **Motion** to **approve** the Resolution #14-12 Adoption of a resolution of the City Council of Spanish Fork City, Utah authorizing the issuance and sale of not more than \$15,600,000 Sales Tax Revenue Bonds, Series 2014; and related matters.

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

### **Utah Transportation Coalition Agreement for Professional Services to Promote Transportation Funding**

Seth Perrins explained that this agreement is between Spanish Fork City and the Salt Lake Area Chamber of Commerce to promote a plan to increase funding for transportation. Spanish Fork City's portion is \$1,000, which will help with professional services to educate and promote awareness.

Councilman Scoubes asked why it is Salt Lake and not somewhere closer to us.

Seth Perrins said this is a state wide program and the Salt Lake Area Chamber of Commerce wanted to be the major player.

Councilman Mendenhall made a **Motion** to **approve** the Utah Transportation Coalition Agreement for Professional Services to Promote Transportation Funding.

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

### **Water Conservation Plan**

Chris Thompson explained that this plan has to be renewed every five years. Mr. Thompson presented the comparison with other cities. Spanish Fork is the most conservative because Spanish Fork is the only city that meters their pressurized irrigation. In 2009, the City made sure that all of our water was metered and looked hard for water main leaks. The City's percentage of unaccounted water waste went down by half of what it was.

Councilman Gordon made a **Motion** to **approve** the Resolution #14-13 Amending the Spanish Fork City Water Conservation Plan.

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

#### **Building Contract with Utah Valley Special Service District**

Junior Baker said the Utah Valley Special Service District presented to the council a few meetings ago their need for a new facility because they have outgrown the current one. They have made an arrangement with Utah County for the land and the cost for the building will be around \$5 million. The District will pay, from reserved funds, approximately \$1.5 million. The cost for Spanish Fork City is \$424,340.00 with the option of paying that in one payment or two. Staff recommends approval of the contract with two payments one in this fiscal year and one in the next fiscal year.

Councilman Mendenhall asked what the difference is between one payment or two.

Junior Baker said only to have it split between two budget years.

Councilman Mendenhall made a **Motion** to **approve** the Building Contract with Utah Valley Special Service District with the payment of \$424,340.00 in two payments.

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

#### **ADJOURN TO REDEVELOPMENT AGENCY:**

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

Councilman Davis **Seconded** and the motion **Passed** all in favor at 8:47 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 8:51 p.m.

#### **ADJOURN:**

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

Councilman Davis **Seconded** and the motion **Passed** all in favor at 8:51 p.m.

ADOPTED: December 2, 2014

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Angie Warner, Deputy Recorder