

**Adopted Minutes  
Spanish Fork City Council Meeting  
December 16, 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; Kent Clark City Recorder/Finance Director; Angie Warner, Deputy Recorder; Lieutenant Matt Johnson.

Citizens Present: Jeff Smith, Julie Smith, Cary Hanks, Wendy Osborne, Devin Minson, Garrett Parry, Tayler Ventura Salaia Robarge, Lance Argyle, Bryan Bishop, Isaiah Andrus, Gussie Keetch, Hayden Boardman, Dean Ingram, Ken & Cecile Peay, Kevin Parker, Wayne Andersen, Landon & Kayla Andrews.

**5:15pm WORK SESSION:**

1. Business License Inspection –Dave Anderson

*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 Wayne Andersen.  
Councilman Mendenhall led in the pledge of allegiance.

**PUBLIC COMMENTS:**

Cary Hanks Director of the Spanish Fork Salem Chamber of Commerce wished all a Merry Christmas and a Happy New Year. Ms. Hanks announced her resignation from the Chamber of Commerce. The Chamber of Commerce is now accepting applications for those interested in the director position.

Diamond Fork Riding Club members Ken Peay, Kevin Parker and Wayne Andersen said the rodeo committee attended the PRCA convention. They accomplished getting contracts for the Fiesta Days Rodeo as well as for the Champions Challenge Rodeo. Mr. Peay said that the Fiesta Days Rodeo was awarded the "Justin Boots Best Footing Award" by the WPRA and presented the plaque to Mayor Leifson. Along with this award comes a cash stipend and that will be split up between the staff that did the labor work Steve Money, Landon Andrews, and Heath Atwood.

Mayor Leifson noted that this is the second year in a row that Spanish Fork has received this award.

**COUNCIL COMMENTS:**

Councilman Gordon congratulated the local cowboys that represented us at the NFR. Councilman Gordon expressed that he will miss Cary Hanks and thanked her for her service. Councilman Gordon wished all a Merry Christmas and a Happy New Year.

Councilman Davis agreed with Councilman Gordon's comments. Councilman Davis asked Lt. Johnson to talk about "Shop with a Cop". Councilman Davis wished all a Merry Christmas and a Happy New Year and thanked all the volunteers and employees.

Lt. Johnson said that "Shop with a Cop" was held this past Saturday. Lt. Johnson thanked all that helped and it had a great turnout.

Councilman Dart thanked Cary Hanks for all she has done. Councilman Dart wished all a Merry Christmas and a Happy New Year.

Councilman Scoubes expressed that Ms. Hanks will be missed. Councilman Scoubes wished all a Merry Christmas and a Happy New Year.

Councilman Mendenhall explained that Ms. Hanks turned the Chamber of Commerce around and it has been doing very well. The service, volunteerism and knowledge of Ms. Hanks has benefited the businesses and the city. Councilman Mendenhall thanked her for everything and expressed that Ms. Hanks will truly be missed. Councilman Mendenhall went with the Bridges Program to donate 100 crayons and coloring books to the Christmas Dinner that Tabitha's Way provides. The bridges program is kids that go out and work in the community and get paid but turn around and use the money to help the community.

Wendy Osborne with Tabitha's Way thanked the Bridges Program for their donation. Ms. Osborne thanked Cary Hanks for everything that she has done for the community. Ms. Osborne expressed that she is so honored to see the generosity from this community. Ms. Osborne announced that this Friday is the Christmas Dinner that will be held at the Veteran's Memorial Building from 4:00pm to 7:00pm. This dinner is for seniors, veterans, and any families that need a meal. Each child that comes will receive a donated gift. Ms. Osborne wished all Merry Christmas and a Happy New Year and God bless everyone.

Councilman Davis remembered when Ms. Osborne started Tabitha's Way in a tiny building and now it has turned it into a great program that is growing every day.

Mayor Leifson agreed with all the comments regarding Cary Hanks and thanked her for all she has done. Mayor Leifson was absent for the last meeting because he was attending PRCA Convention. This was his first time attending the Convention and he thanked Steve Money for all his hard work.

#### **SPANISH FORK 101:** Youth Court – Lt. Matt Johnson

#### **CONSENT ITEMS:**

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

- a. Minutes of Spanish Fork City Council Meeting –December 2, 2014
- b. Franchise Agreement with Syringa
- c. Professional Services Agreements LaMar A. Mabey & Associates, and LEI
- d. Impact Fee Reimbursement Agreement with Ivory Homes

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

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

**PUBLIC HEARING:**

**Ordinance 20-14 Vacating an Easement Across Property Belonging to EBCO**

Junior Baker explained that a water line easement was obtained years ago and is no longer used and the property is now located in Mapleton City. Staff recommends vacating the easement.

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

Councilman Dart **Seconded** and the motion **Passed** all in favor at 6:35 p.m.

Mayor Leifson welcomed public comment.

There was none.

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

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:36 p.m.

Councilman Dart made a **Motion** to **approve** the Ordinance 20-14 Vacating An Easement Across Property Belonging to EBCO.

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

**Ordinance Z08-14 Stillman Zone Change**

Dave Anderson explained that this annexation was approved last month by the City Council. This property is located to the east of Maple Mountain High School. This request is to change a portion of the property from Rural Residential zone to R-1-12 zone for the two developments that are proposed below.

Mr. Anderson reviewed the details for the Canyon Vista Estates: located at approximately 2800 East 400 North. This project is 20 acres that is proposed for 55 single family units. There have been discussions of offsite improvements to 100 South related to sidewalks to allow the children to walk to school. There will be a connection at approximately 130 North and go west to 2550 East before 50 Homes are constructed in both developments

Mr. Anderson reviewed the details for the Maple Mountain Estates: located at approximately 2800 East 400 North. This project is 37.10 acres that is proposed for 98 single family units. A major item for this development is to have all the city utilities ran to this area.

Mr. Anderson said both of these developments will use the new LID program and the City is still working on the 2550 East 400 North intersection problem.

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

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

Mayor Leifson welcomed public comment.

Dean Ingram, with Arrive Homes who is the applicant, commented that this development is going to bring the utilities and hopefully help some of the issues in the area.

Councilman Davis asked about the irrigation ditch and what the plans are.

Julie Smith said they are working on that with an engineer.

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

Councilman Dart **Seconded** and the motion **Passed** all in favor at 6:58 p.m.

Councilman Scoubes asked if staff knows how soon the property to the west would be developed. Councilman Scoubes' concern is the one access for who knows how long.

Dave Anderson said he does not know a timeframe but the property owner has been contacted more than once and still has not sold.

Councilman Davis stated that these developments will put more pressure on the 2550 East 400 North intersection.

Chris Thompson explained they are designing to move the utility boxes. Mr. Thompson reviewed the challenges and reviewed proposed ideas for the intersection. Staff will bring that item to City Council in January.

Councilman Mendenhall asked Mr. Ingram's feelings on the LID program.

Mr. Ingram said they were worried at first but has designed it into the plans and now they like it. It's new and different and the boxes are a little pricey and can only get them from one place. It seems to do a great job in collecting the water.

Dave Anderson clarified with the conditions spelled out for the developments: that the developer will need to acquire a right of way for the sidewalk at 130 north. Also, the developer will reimburse Spanish Fork City for their portion of the buyout of SESD.

Councilman Davis made a **Motion** to **approve** the Ordinance Z08-14 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Stillman Zone Change.

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

Mr. Thompson reviewed city utilities for these developments.

### **Ordinance 21-14 Making Amendments to the Transportation Element of the General Plan**

Chris Thompson reviewed and pointed out the following proposed changes to the transportation plans:

- Spanish Fork Parkway- major collector road from Canyon Creek east and south to Canyon Road then south to Powerhouse Road.
- Minor Collectors
- Commuter Rail Station
- Park & Ride
- UDOT Road City Equivalent

Mr. Thompson said there has been great response to the LID program and presented designs of different widths of roads with the LID constructed.

Mr. Thompson presented the changes to the trail plan.

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

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:33 p.m.

Mayor Leifson welcomed public comment.  
There was none.

Councilman Scoubes made a **Motion** to move out of Public Hearing.  
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:33 p.m.

Councilman Dart made a **Motion** to **approve** Ordinance 21-14 Making Amendments to the Transportation Element of the General Plan.  
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor with a roll call vote.

### **NEW BUSINESS:**

#### **Nebo, Flonette, Canyon Subdivision Rebuild Change Order 3**

Chris Thompson said during the changing of the water lines they would cross power lines. Those power lines were installed into clay tile conduit that would fall apart as they crossed them. The electric department has spent time reviewing this issue and has come to the decision to replace the lines now. Also, if this is done now then the road would not have to be dug up again because all the city utilities will be brand new. Staff is contacting the gas, cable, or utility companies to see if they have any lines that need to be replaced before the city rebuilds the roads.

Councilman Scoubes made a **Motion** to **approve** the Nebo, Flonette, Canyon Subdivision Rebuild Change Order 3.  
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor.

#### **Maple Mountain Estates Preliminary Plat**

Dave Anderson asked if there were further questions from the discussion earlier.

Councilman Davis expressed his concern for safety for the children that will be walking along 400 North to the schools. There are no sidewalks or safe way for them to get there.

Dave Anderson reviewed that the concern is known. The city does not build streets and sidewalks the developers do. With the developments traffic will increase and Mr. Anderson does not have an answer for when the issue will be addressed.

Councilman Mendenhall made a **Motion** to **approve** the Maple Mountain Estates Preliminary Plat with the following:

##### **Findings**

1. That the proposal meets the requirements for a Master Planned Development, including the number of units proposed.
2. That the necessary infrastructure will be provided to the development by the applicant.

##### **Conditions**

1. That the City will not approve any Final Plats until the Stillman Annexation has been recorded with the County.
2. That the applicant reimburses Spanish Fork City for the SESD buyout.
3. That the applicant provides all other offsite utilities.
4. That the applicant builds a 6' tall masonry wall that abuts the railroad right of way and the development.
5. That the developer adopts standards for consistent fencing throughout the development.
6. That the applicant work to obtain right-of-way along 130 North to 2550 East, with the understanding that the developer will be eligible for a connector's agreement for improvements off-site.
7. The applicant must complete the 130 North connection to 2550 East before the development and Canyon Vista Estates reaches more than 50 homes.
8. That the applicant enter into a development agreement detailing all the improvements, including

off site power service, sanitary sewer service, storm drain facilities, culinary water, pressurized irrigation, communications and streets that need to be made with the Final Plat approval; and that the agreement specifies which improvements are eligible for reimbursement and which are not.  
9. That the applicant conforms to the Sewer Master Plan update.

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

### **Canyon Vista Estates Preliminary Plat**

Councilman Dart made a **Motion** to **approve** the Canyon Vista Estates Preliminary Plat based on the findings and 11 conditions.

#### **Findings**

1. That the proposal meets the requirements for a Master Planned Development, including the number of units proposed.
2. That the necessary infrastructure will be provided to the development by the applicant.

#### **Conditions**

1. That the City will not approve any Final Plats until the Stillman Annexation has been recorded with the County.
2. That the applicant reimburses Spanish Fork City for the SESD buyout.
3. That the applicant provides all other offsite utilities.
4. That the applicant proving a 6' tall fence adjacent to the City's property.
5. That the developer adopts standards for consistent fencing throughout the development.
6. That the applicant work to obtain right-of-way along 130 North to 2550 East and the developer will be eligible for a connector's agreement for improvements off-site.
7. That the applicant must complete the 130 North connection to 2550 East before 50 homes are constructed in Maple Mountain Estates and Canyon Vista Estates.
8. That the applicant enter into a development agreement detailing all the improvements, including off site power service, sanitary sewer service, storm drain facilities, culinary water, pressurized irrigation, communications and streets that need to be made prior to the final plat approval; and that the agreement specifies which improvements are eligible for reimbursement and which are not.
9. That the applicant will conform to the Sewer Master Plan update.
10. That with the first Final Plat submitted the off-site street improvements from the southernmost point of the development to 2550 East along 100 South must be improved.
11. That the applicant develops 100 South according to City's standards.

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

### **Devaney Annexation Petition**

Dave Anderson said this proposal is a city initiated annexation. The City has contacted the property owners in the area of approximately 300 West 1000 North. This area would be great for commercial development so the City would like to get through the annexation process and have the property available to potential future buyers. Staff recommends approval of the Devaney Annexation Petition Study.

Councilman Scoubes made a **Motion** to **accept** the Devaney Annexation Petition for further study.

Councilman Dart **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 8:00 p.m.

ADOPTED: January 6, 2015

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Angie Warner, Deputy Recorder