



**ADOPTED MINUTES
CITY COUNCIL MEETING
February 6, 2024, at 4:30 PM
80 South Main Street
Spanish Fork, UT 84660**

Councilmembers Present

Mike Mendenhall, Mayor
Jesse Cardon, Councilmember
Landon Tooke, Councilmember

Kevin Oyler, Councilmember
Stacy Beck, Mayor Pro Tem
Shane Marshall, Councilmember

Councilmembers Absent:

Staff Members Present:

Jordan Hales, Finance Director
Tara Silver, City Recorder
Dale Robinson, Parks and Recreation Director
Dave Anderson, Community Development Director
Seth Perrins, City Manager

Vaughn Pickell, City Attorney
Matt Johnson, Police Chief
Chris Thompson, Public Works Director
Nick Porter, Public Information Officer
Tyler Jacobson, Assistant City Manager

Staff Members Absent:

Visitors Present:

Cleon Bird
John Terrell
Sawyer Hamilton
Sharon Pckrell
Hillary Whittaker

Erika Ainge
Tiffany Miller
James Darling
Marcie Clark
Jerri Ann Finch

Ryan Finch
Shawn Beecher

4:30 pm WORK SESSION -No formal actions are taken in a work session.

- a. Spring Clean-up Options
 - b. Tow Yards
 - c. Amended or Added the North and South Corridors Discussion
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6 pm CALL TO ORDER, PLEDGE, OPENING CEREMONY:

Call to Order- Mayor Mendehall opened the Spanish Fork City Council Meeting on February 6, 2024 at 5:59 pm and welcomed everyone to the meeting and online.

Councilmember Oyler asked Angela Beecher to offer words of encouragement and give the invocation.

Angela Beecher conveyed that Martin Luther King Jr. once said, "We are not makers of history. We are made by history." She identified herself as a member of the Historical Preservation Commission of Spanish Fork. Expressing excitement about the newly formed commission, Angela Beecher proceeded to convey the purpose, which was to identify, document, preserve, educate, promote, and protect the city's rich heritage through stories, artifacts, and historical sites within Spanish Fork.

Angela Beecher enthusiastically embraced the opportunity to preserve the history of Spanish Fork. She stated the commission was particularly excited about leveraging technological advancements, planning to capture 360 imagery and make it available to the public. Additionally, they intended to organize various events, including a regularly scheduled lecture series, to help the public connect with the history of Spanish Fork.

Angela Beecher expressed hope that citizens would volunteer and actively contribute to documenting their histories and memories of Spanish Fork. The overarching goal was to preserve the rich heritage and events that defined Spanish Fork. She acknowledged the importance of this endeavor and expressed collective excitement about the journey ahead.

Angela Beecher gave the invocation.

Councilmember Beck had everyone recite the pledge of allegiance with her.

RECOGNITION:

1. Public Works Division of the Year Recognition - Engineering

Chris Thompson mentioned that every year, the Public Works department had an annual report where each division reported on the progress made in the previous year, highlighting accomplishments and outlining plans for the upcoming years. There was a system of key indicators to measure progress within divisions.

Chris Thompson and some administrative staff of the city would gather to vote on the division of the year based on various criteria. In the past year, 2023, the engineering division was selected, receiving a plaque detailing the reasons for the recognition.

The plaque cited the Engineering Division for demonstrating exceptional dedication and transitioning from a reactive to a proactive division. It emphasized forward-thinking strategies, successful implementation of safety measures and traffic projects, reduction of change orders, and effective project management. The commitment to embracing cutting-edge technology was highlighted through the implementation of Survey one, two, three, a software program facilitating the creation of applications from map data.

Chris Thompson expressed excitement about various apps created for other divisions used as they performed maintenance on utilities, achieving an unprecedented number of completed traffic projects. The Engineering Division contributed to city growth through numerous land acquisitions and upgraded the blue stakes process for improved efficiency.

The division was acknowledged as valuable team players fostering teamwork and unity across various city departments on large projects. Despite facing challenges, such as being down one engineer and the difficulty of finding a new one, the team showcased a can-do attitude and adapted roles for efficient project management.

Chris Thompson described the Engineering Division as a fun group to work with, known for their hard work and the ability to overcome challenges. The team demonstrated a positive attitude, figuring out solutions and making things possible, making them enjoyable to work with.

Jered Johnson	27 Years	Byron Haslam	5 Years
Shawn Jorgensen	26 Years	Kim Coughlan	3 years
Shawn Beecher	20 Years	Wesley Woodhouse	3 Years
Josh Robinson	12 Years	Marcie Clark	2 Years
Russell Jackson	11 Years	Dillon Muirbrook	2 Years
Travis Warren	10 Years	Matt Romero	2 Years
Jerri Ann Finch	10 Years	Boston Bradford	1 year
James Darling	8 Years	Brock Thompson	1 year
Mason Spencer	6 Years	Shane Wilson	1 Year

Nick Porter took a picture of those present and with the Mayor and City Council.

Mayor Mendenhall thanked the Engineering department and highlighted they were a

significant asset in a city especially with the rapid growth across the Wasatch Front, keeping them very busy. He appreciated how they interacted with the public.

Councilmember Marshall wanted to know what they had received for the division of the year. Chris Thompson stated they received a \$100 Costco gift card, along with movie tickets and dinner out.

Mayor Mendenhall asked for anyone to come forward with public comment before he invited the Spanish Fork Community Garden to tell us about the accomplishments of the last year.

PUBLIC COMMENTS:

a. Spanish Fork Community Garden - Tiffany and Hillary Whitaker

Tiffany Miller shared some highlights from the community garden in the past year. In 2023, Spanish Fork permitted the construction of a garden on the land just north of the police station and provided water access for the project.

During that time, Community Action Services and Food Bank served as the fiscal and nonprofit sponsor, contributing the majority of the initial funding to kickstart the garden. Over 30 local businesses, organizations, and private donors supported the project with funding and in-kind donations. A total of 57 raised garden beds were built, filled, and planted by the gardeners and volunteers.

Out of these beds, 40 were available for rent to community members, and the remaining 12 were utilized by the library, scout groups, and for growing food to be donated to Tabitha's Way food bank. A grand opening celebration took place on Earth Day, featuring food trucks, gardening classes, and free activities for families.

Looking ahead, there were plans for an annual Earth Day celebration hosted at the Garden in collaboration with the City Library and Parks and Rec Department. The hope was for it to become a recurring event. Additionally, Lowe's selected the Garden for their annual Hometown Heroes project, providing assistance in building paint shingle and starting the garden shed at the community garden.

A video was shown.

Hillary Whitaker served as the representative from Community Action Services and Food Bank, sharing what the community garden was looking forward to in the coming year, with a goal of making gardening more accessible to varying income levels, particularly for those without access to a pickup truck.

In the past, a challenge arose during the fall cleanup as they moved green waste to the transfer station. Assistance with a container during the fall cleanup in subsequent years was sought. The community garden aimed to utilize meeting spaces like the Heritage Room, Library Hall, or similar facilities for orientation meetings each April and periodic committee meetings throughout the year.

Coordination with the library was desired, as classes taught by the library were planned at the garden, and beds were donated to the new 1 to 5-year-old gardening club. In the past, they had ongoing fundraisers, considered selling food during the Earth Day event and organizing Saturday morning breakfast fundraisers in the fall, with participants having food handlers permits.

The temporary fence installed in the past year was expected to last for another year, and there were considerations for possibly installing a chain-link fence in the future to enhance the garden's appearance. The garden had garnered significant interest, resulting in a waiting list for beds in future years.

Efforts were made to find additional properties throughout the city that could be utilized for community gardens, with the goal of expanding the project. A big thank you was expressed to Spanish Fork for donating the land to kickstart the community garden.

Councilmember Marshall wanted to know the needed fundraising opportunities and how much it took to run this program.

Hillary Whitaker clarified that the financial requirements for running the garden were minimal since the land and water were donated. Most of the expenses were related to the upkeep of the plots, adding new chips to control weeds, and incorporating additional elements like a pumpkin patch or upgrading drip systems, contributing to the positive impact on families by providing fresh produce.

Councilmember Beck had asked about the donors, specifically whether they served as sponsors for the boxes. The question revolved around whether these donors made annual payments or if their contribution was a one-time occurrence. She wanted to know how they could be contacted to participate.

Hillary Whitaker indicated it was a one year sponsorship and they could contact spanishforkutahcommunitygarden@gmail.com or community action services.

Mayor Mendenhall had mentioned that the community garden fell under Dale's Department of Parks and Recreation. If someone wanted to contact or discuss ways to help, they could reach out to them, and they would facilitate communication. The Mayor then humorously asked if the fencing around the garden was intended to prevent police officers from taking produce on their way home.

Hillary mentioned in the past that the fencing was primarily to keep animals out of the garden. She explained that it also served to deter theft and maintain a neat appearance. Hillary noted that in most of the community gardens she managed in Provo, they didn't face such issues, as people generally respected the space. However, having the fencing added an official appearance, discouraging unauthorized entry and promoting a well-maintained environment

Councilmember Cardon asked how many community gardens they had.

Hillary Whitaker stated they currently had 5 with the hope to have 3 more by the end of 2024.

Landon Tooke asked if the fencing had been effective in keeping out animals and people.

Hillary Whitaker stated they hadn't had any trouble down there. However, the new fence would be to make it look nice and to help with the wind.

Councilmember Oyler wanted to know if there was waste felt over and what they found they would do differently for next year.

Hillary Whitaker stated there was little bit of waste, but they would establish a system for gardeners to communicate with each other. The goal was to facilitate collaboration, allowing gardeners to inform others if they couldn't harvest in a particular week, providing an opportunity for fellow gardeners to utilize the available produce. This strategy aimed to enhance communication and reduce instances where produce went untouched in someone else's garden bed due to a lack of awareness.

Mayor Mendenhall thanked them for their good work.

COUNCIL COMMENTS:

Councilmember Marshall

Councilmember Marshall let us know that they had announced that the new transfer station was expected to open around April 1st. The old station was to be dismantled, moved, and likely recycled through the new facility. Expressing excitement about the state-of-the-art facility, Councilmember Marshall had looked forward to inviting everyone to visit. He mentioned that the City Council would find a suitable time to tour the new transfer station as it was an impressive and modern facility. Councilmember Marshall compared it to the old one, emphasizing its advanced features.

He referred to a recent event where he watched the drill team compete at the State, with the Spanish Fork Lady Dons finishing third and the Maple Mountain Ellevs finishing fourth.

Reflecting on the competition, Councilmember Marshall shared a somewhat disappointing experience during the event. Despite both teams being from the same city, he observed a lack of support for Maple Mountain for the Spanish Fork section and vice versa. On reflecting on what he would have done at this age he concluded probably the same thing. He acknowledged the respectable third and fourth-place finishes for Spanish Fork and Maple Mountain High Schools.

Councilmember Marshall also discussed a recent work session in Wasatch County, highlighting its efficiency and effectiveness in setting the direction for the new year. He expressed gratitude to the staff for their great presentations and efficiency in accomplishing significant work in just three days. Councilmember Marshall appreciated the tradition of

having off-site workshops, acknowledging the foresight of the City Council that initiated this practice over 20 years ago. He thanked them for the genius idea, recognizing its value in delving into detailed city business.

Councilmember Beck

Councilmember Beck shared her involvement in the Utah League Policy Committee, where she and the city manager regularly visited the capital on Mondays to discuss policies. She mentioned that they were halfway through and discussed the usual topics such as homelessness, inflation, water, and affordable housing.

Councilmember Beck discussed attending the "Bills and Bagels" event, a Saturday morning political gathering, along with other local representatives. She mentioned that it was a valuable opportunity for engaging with legislators, asking questions, and gaining information.

Councilmember Beck highlighted a second opportunity February 24th, from 7:30 am to 9 am at the Nebo School District on Main Street. Revere Health would provide breakfast, where residents could talk with local representatives.

Councilmember Beck mentioned Megan Johnson, the new head administrator at Spanish Fork Hospital, and their excitement for her role and advocacy for the city. The first "Bills and Bagels" event covered various topics such as Highway six, state budget, energy, divisiveness, rent, education, teacher retention, and election results.

Councilmember Beck encouraged people to mark their calendars for February 24th, another opportunity for "Bills and Bagels." She also informed the community that the city's calendar was live, allowing them to plan for upcoming events. Additionally, she mentioned the availability of applications for craft vendors, food vendors, and the grand parade for the upcoming Fiesta Day activities.

Councilmember Beck concluded by noting that volunteers were needed for the Children's Day Parade on the Saturday before the city's celebration. She specifically mentioned they were looking for individuals or couples to oversee the Children's Parade and encouraged those interested to reach out to her or contact the Parks and Recreation Department and ask for Emily Harryman.

Councilmember Oyler

Councilmember Oyler reiterated what Shane said about the midyear work session. He was grateful for all the staff who dedicated time to prepare and present to them. He mentioned these meetings started at 8 a.m. and went until about 5:00 pm. He went on to say they were long days, but they provided a wealth of information, showcasing many positive developments for the city. He expressed my gratitude to our city staff's hard work.

Councilmember Oyler reminded everyone that the senior center Valentine's dance was scheduled for the upcoming Friday. Those who had registered were encouraged not to

forget, as it promised to be a fun event. Registrations had closed, so those who missed it would have to wait until the next year.

Councilmember Oyler expressed joy and enthusiasm when talking about the senior center, noting the vibrant atmosphere and delicious home-cooked meals. He invited others to join the seniors and not miss out on the great experience. Councilmember Oyler shared the success of a recent senior center event with 180 attendees, showcasing the popularity of the activities and meals.

Councilmember Oyler congratulated the Spanish Fork High School wrestling team for winning divisionals and qualifying 22 wrestlers for the state tournament at UVU on the 16th and 17th of that month. He invited everyone to support local high school athletes at the event. Councilmember Oyler concluded by stating that was all he had to share.

Mayor Mendenhall let us know the information he had received indicated that the Spanish Fork High School wrestling team had surpassed the second-place school by 235 points in their recent competition. This significant point difference emphasized the team's impressive performance and their clear victory in the event.

Councilmember Oyler responded, stating that the competition was not close, and it had been that way throughout the entire year. He highlighted the team's impressive record of going seven and zero in the region, remaining unbeaten throughout the season. As an example of their dominance, Councilmember Oyler mentioned that Spanish Fork had both the first and second-place wrestlers in the 106-weight group competing against each other for the championships. This showcased the exceptional strength and talent of the team during that period.

Mayor Mendenhall expressed immense pride in the boys of the Spanish Fork High School wrestling team. He commended the hard work they had put in and acknowledged the invaluable guidance provided by the coaches throughout their journey.

Councilmember Cardon

Councilmember Cardon mentioned several topics. Firstly, he discussed the Arts Council and the Mini Masterpieces competition, where participants could showcase their artistic skills. The registration was still open, and artworks were due at the end of February, with the display starting on March 1st. Councilmember Cardon encouraged participation in this unique event supported by the Recreation, Art, and Parks (RAP) tax.

He expressed gratitude to the Chamber of Commerce, Nebo School District, and legislators for organizing the Bills and Bagels event on Saturday. Councilmember Cardon emphasized the ongoing legislative session and urged citizens to engage with their elected representatives, sharing their concerns and staying informed about legislative matters.

Councilmember Cardon also highlighted the importance of Bills and Bagels as an opportunity to ask questions and gain insights into the legislative process. He mentioned the fast-paced nature of legislative activities and the need for citizens' voices to be heard.

Councilmember Cardon acknowledged Christian, the airport director, and invited him to provide an update on the airport. He noted that the airport board meetings were now filmed and available on YouTube, with Christian advocating for live broadcasts in the future. Councilmember Cardon expressed his anticipation to hear from Christian about the latest developments at the airport.

Christian Davis presented the airport's operational statistics for January 2024. He anticipated taking a few minutes to go through the presentation and then opening the floor for questions from the council. The reported operations for January amounted to 6,313, reflecting either takeoffs or landings.

Reflecting on the past year, 2023, Christian highlighted that the airport had nearly 80,000 operations, showcasing its busy and growing nature. Despite a temporary shutdown lasting just under four months for a taxiway reconstruction project, resulting in a 70% reduction in operations during that period, the airport maintained its vibrancy. Christian speculated that, with uninterrupted operations, the airport could have approached nearly 100,000 operations for the year.

Examining the trend over the past few years, Christian emphasized steady growth in takeoffs and landings. He specifically addressed the impact of the taxiway reconstruction project on operations, showcasing a significant reduction during the project's duration from May onward. The visual representation with green bars illustrated the 2023 operations numbers, demonstrating the effect of the project on operational figures during that period.

Councilmember Marshall wanted to understand what contributed to the growth at the airport.

Christian Davis reported the addition of a couple of new flight schools to the airport. He noted a remarkable expansion of hangars at the airport, reflecting overall growth in general aviation. Christian emphasized that general aviation serves as an indicator, much like the canary in the coal mine, reflecting the vibrancy and growth of the local and regional economy. These observations highlighted the airport's role in showcasing the dynamic growth of Spanish Fork City and the surrounding region.

Councilmember Oyler wanted to know how many operations in a month were they comfortable with having with the resources we had.

Christian Davis addressed the question, acknowledging that nearing 10,000 operations per month made the airspace notably crowded. He emphasized the importance of examining the numbers for the current year without a taxiway project, allowing for a comprehensive assessment of the airport's full utilization. The ongoing monitoring of growth in both airport activities and operations was identified as a crucial aspect in understanding and managing the increasing demands on the airspace.

Councilmember Oyler asked if these were all scheduled or if people were free to use the airport as they wanted.

Christian Davis highlighted the airport's unique communication method, which relied on radio-to-radio communication due to the absence of a control tower. He shared insights into base aircraft, with over 300 hangared in Spanish Fork, and the total hangar square footage exceeding 700,000 square feet. Davis discussed approved developments, including Patey Aviation, Utah Aviation, and General Aviation, contributing new hangars and square footage. He emphasized the anticipation of significant growth in the coming years.

Christian Davis also discussed ongoing and completed projects from 2023, such as tie downs, a helipad, 14 new hangars, and the Taxiway Alpha Reconstruction. Looking ahead to 2024, plans included a runway project, a focus on safety, a new parking lot, additional tie downs, and improvements in drainage. Davis mentioned collaboration with approved developers, public relations for landing fees, and ongoing efforts by the airport board.

Councilmember Marshall inquired about the need for additional resources, expressing concern over the significant revenue increase anticipated, which was nearing half a million dollars. He suggested that the projected growth might lead to tasks that the airport and its team couldn't currently manage.

Christian Davis indicated in the past that the airport had an ongoing list of improvements planned for the next decade, outlined in their improvement plan. He emphasized the valuable partnership with the city, which provided access to resources and support, ultimately reducing operational and equipment costs. Additionally, he acknowledged the engineering department's opportunity to earn the division of the year.

Councilmember Cardon shared that one enjoyable aspect of serving on the airport board had been witnessing Christian and the board navigate the challenges of growth. He mentioned the collaborative efforts of the airport board in optimizing existing resources and fostering cooperation with the schools located on the field. Their focus had been on ensuring safety and maintaining a secure airspace through joint efforts.

Councilmember Oyler inquired about the differences between the growing airports in Provo and Spanish Fork, seeking clarification from Christian on the unique aspects and distinctions of each airport.

Christian Davis explained that while Provo Airport primarily provides commercial service with airline flights, Spanish Fork Airport focuses more on general aviation and public use as its main purpose and revenue source.

Councilmember Beck expressed appreciation for the communication and management of the airport by Christian Davis. She noted his regular and detailed updates to the board and expressed confidence in his capability to handle the anticipated growth in the next 5 to 10 years, thanking him for his efforts.

Seth Perrins inquired about the operations from the previous year, acknowledging that the exact number might not be available. He specifically sought an estimate of how many of those touch and go operations were related to flight schools.

Christian Davis provided the exact numbers, indicating that just under 70% of the operations were associated with flight schools. Of this, 60% were operations conducted by based flight schools, 10% involved non-based flight schools such as those in Provo, South Valley, or Nephi, and the remaining 30% comprised other aviation aircraft.

Seth Perrins emphasized the impact of circular flights and touch-and-go operations on airspace capacity. He pointed out the importance for the board to consider this aspect while looking at extending the life of the facility.

Mayor Mendenhall mentioned that there were items on the consent agenda related to the airport, including a little amendment to the land swap. He also emphasized that Congressman Burgess Owens helped speed up funding for the study of taxiway Bravo, making a significant difference for both the airport and the city as a whole, attracting private investment in the community.

Councilmember Cardon expressed gratitude for the midyear work session, acknowledging the city staff's efforts to inform the council about ongoing challenges in various departments. He also extended thanks to the Public Works Department, particularly praising their swift response to an issue on 400 North, showcasing their dedication to resolving concerns that impact the community.

Councilmember Tooke

Councilmember Tooke reflected on several noteworthy events in Spanish Fork. He attended the annual library training, facilitated by the state office, which emphasized the collaborative role of library board members with the City Council. The training underscored the value of connecting with the council for the improvement of libraries in South Valley, revealing that libraries are the second most trusted institution in the city, following firefighters.

Additionally, Councilmember Tooke praised the successful Chamber of Commerce Awards gala, held at the Avanti Event Center, where local businesses, including Stokes in Salem, were recognized for their achievements. The event showcased the city's vibrant business community.

Councilmember Tooke shared insights from the Miss Spanish Fork workshop, commending the strong support from the city for the Miss Spanish Fork program. He encouraged the participants to embrace the experience for personal growth and lasting connections.

In closing, Councilmember Tooke provided information on upcoming Chamber of Commerce events, including ribbon-cutting ceremonies and the Bills and Bagels event on February 24th.

Councilmember Tooke provided information on upcoming Chamber of Commerce events,

including ribbon-cutting ceremonies for Spring Dental Pro, HHC in the ICU, and the Bills and Bagels event on February 24th.

Mayor Mendenhall

Mayor Mendenhall acknowledged the successful navigation of various committees and expressed gratitude for effective leadership. The mayor then shared insights on his involvement in the homelessness task force for Utah County, collaborating with mayors from Provo, Lehi, Springville, Payson, and Salem. Meetings were ongoing, especially during the cold weather, emphasizing efforts to aid the unsheltered in staying safe on exceptionally cold nights. The mayor appreciated the collaborative spirit among Utah County communities, recognizing the absence of an easy fix for the complex issue of homelessness.

Acknowledging tools, resources, and generous organizations in Utah County, the mayor expresses encouragement for innovative approaches to address the prevalent national issue, particularly in larger cities. The mayor highlights the unique strategies implemented and hopes for positive outcomes, emphasizing the need for a plan submitted to the legislature in August, intending to be codified into law. The mayor appreciated the collaborative efforts with fellow mayors to find solutions to this challenging problem.

Mayor Mendenhall transitioned to the legislative session, with Councilmember Beck's role on the Legislative Policy Committee for the League of Cities and Towns and asked Seth Perrins, the manager, to provide updates on legislative developments. The mayor encouraged residents to stay informed through various news channels.

Seth Perrins, the city manager, provided an in-depth analysis of the legislative developments, focusing on the activities of the League of Cities and Towns. He pointed out that the organization was currently keeping a close eye on an unprecedented number of almost 200 bills, expecting this count to rise as the session progresses.

Seth delved into the specifics of certain bills, with a particular emphasis on Senate Bill 172, commonly known as the "gravel pit bill." This legislation raised significant concerns among cities, including Spanish Fork, due to its intent to grant extensive freedoms to gravel pits, potentially compromising the authority of city zoning. Seth elucidated the potential implications on land use planning, urging a strong opposition to safeguard city interests.

Furthermore, Seth shed light on House Bill 289, addressing property rights ombudsman issues. He expressed reservations about the potential consequences, particularly concerning the concept of consequential damages. This provision, if enacted, could introduce a novel and potentially burdensome aspect to the relationship between cities, developers, and the ombudsman, raising concerns about financial implications and the potential strain on taxpayers.

Lastly, Seth discussed Senate Bill 185, highlighting its language requiring cities and chief building officials to accept inspections from any certified inspector. He underscored the potential erosion of the inspections process in construction projects, particularly if home builders opt for their inspectors, bypassing independent city inspections. Seth emphasized

ongoing collaboration and engagement with the Senate sponsor to address these concerns and ensure a balanced approach.

Throughout his comprehensive update, Seth underscored the critical importance of city officials' vigilance, collaborative efforts, and strategic advocacy to navigate the complex and evolving legislative landscape, safeguarding the interests of Spanish Fork and its residents.

Mayor Mendenhall expressed gratitude for the service of individuals on the board, acknowledging Councilmember Beck's significant contributions. He highlighted the substantial impact that legislative sessions can have on local government, emphasizing the need for vigilance and awareness among officials. The Mayor encouraged citizens to stay informed by visiting the legislature's website and the League of Cities' website, commending Spanish Fork's engaged and informed community.

Recognizing the city's commitment to transparency, Mayor Mendenhall underscored the availability of City Council broadcasts on platforms like YouTube for the past 25 years. He encouraged citizens to leverage resources for tracking bills and staying updated on public meetings. The Mayor appreciated Councilmember Beck's efforts in promoting the Public Notice Website to get regular notifications for public meetings, enabling residents to receive relevant information directly to their inboxes. He acknowledged the challenge of delivering information tailored to individual interests and encouraged citizens to proactively engage by subscribing to notifications based on their preferences.

Mayor Mendenhall expressed appreciation for everyone's involvement in their respective committees and for keeping the council informed about meetings and updates. He encouraged residents to reach out to Councilmembers regarding the committees they are part of and to ask questions. The Mayor extended an invitation to residents to attend board meetings and gain insights into the workings of different boards.

SPANISH FORK 101:

1. Road Closures and Outages Website

Chris Thompson highlighted the engineering division's recent work on the Public Works website, introducing two valuable features. The first was the road closure map, easily accessible from the website's major links. The map provides a comprehensive view of proposed road closures, offering details such as duration, extent, and reasons for the closure.

Residents, employees, and staff can utilize this resource to stay informed about ongoing closures. Thompson expressed enthusiasm about regulating closures efficiently and educating the public on accessing this valuable tool.

The second feature was the utility outage map, designed to display information about current utility outages. While no outages were reported during the update, the map would serve as a platform for residents to access outage details, including expected duration and updates. Thompson emphasized the convenience of having a dedicated space for outage

information, ensuring residents can easily obtain updates on water and power without unnecessary dissemination on broader platforms like social media.

Councilmember Oyler wanted to know if internet outages would be there as well.

Chris Thompson told us they would likely have their own website.

Mayor Mendenhall addressed the need for readily available information on road incidents, highlighting the utility of Pulse Points. When people inquire about events on specific roads, others often share screenshots from Pulse Points, offering a clear picture of what transpired.

Mayor Mendenhall emphasized the importance of being well-informed and encouraged individuals to visit Pulse Points for accurate and up-to-date information. The expectation is that people prefer having such information easily accessible on their phones and computers, eliminating the need for speculation and ensuring a reliable source for understanding road closures and incidents.

Chris Thompson expressed his satisfaction with the efforts of the engineering division in implementing various initiatives. He also acknowledged the contribution of Spanish Fork Community Network, emphasizing their assistance in developing the website. Thompson extended appreciation to SFCN for their support in enhancing the functionality of the website.

CONSENT ITEMS:

- a. **Minutes Spanish Fork City Council Meeting 01-16-2024**
- b. ~~**Minutes Spanish Fork City Council Midway Work Session 01-25 to 01-27, 2024**~~
- c. **Gardner Agriculture Pressurized Irrigation Contract**
- d. **San Miguel Second Amendment to Land Exchange Agreement**

Councilman Cardon ▾ made a **Motion** to approve **Consent Items removing item B Minutes Spanish Fork City Council Midway Work Session 01-25 to 01-27, 2024 to be put on another agenda at a later date.**

Councilwoman Beck ▾ **Seconded** and the motion **Passed** all in favor at 7:12 pm

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

NEW BUSINESS:

A. Ordinance 01-2024 for the Municipal Code Update - Chapter 7.20 Historical Preservation Update

Tyler Jacobson discussed updates to the historical preservation code during the meeting. One significant recommendation was to increase the size of the historical commission from five, to eight members. This expansion aimed to include staff members with expertise in preserving history, such as Pete Hansen, responsible for producing video content, Mary Martin, holding a master's degree in historic preservation, and Tara Silver, the city recorder with extensive knowledge of historical documents.

Additionally, the proposed changes included increasing the frequency of commission meetings from twice per year to at least quarterly. Jacobson also mentioned other code cleanups, addressing outdated dates and miscellaneous details. The term "mothballing" was introduced.

Councilmember Beck inquired about Section Eight, specifically addressing the four-year term and the initial appointments ranging from one to four years. The question sought clarification on whether this initial variation was intended to stagger appointments, preventing everyone from concluding their terms simultaneously after four years.

Tyler Jacobson clarified that the intention behind the initial variation in appointments (ranging from one to four years) in Section Eight was to ensure a continuity of knowledge within the group. He mentioned that Councilmember Oyler was heading up the commission, and the adjustment from a five-year term to four years was made to better align with the Council Member serving on it.

Councilmember Oyler informed us that the first committee meeting was scheduled for the upcoming Friday. During this meeting, they planned to discuss various matters, including the appointment of a committee chairperson and the terms each member was willing and able to serve. The goal was to achieve better organization within the committee.

Tyler Jacobson noted that the proposed updates to the historical preservation code would not only revitalize existing provisions but also enhance their ability to secure additional grants for historical preservation initiatives. This change aimed to support the city in obtaining more funding for such projects.

Councilmember Oyler expressed anticipation in sharing the upcoming ideas that would greatly benefit the city. He acknowledged and thanked Angela Beecher for her participation and passion in the matter, highlighting the involvement of passionate individuals dedicated to the cause.

Councilman Oyler ▾ Moved to Accept ▾ the **Ordinance 01-2024 for the Municipal Code Update - Chapter 7.20 Historical Preservation Update**

Councilman Cardon ▾ Seconded and the motion **Passed** all in favor at 7:17 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

B. Mayor Board Appointments - Historical Preservation Commission

Councilmember Oyler let the mayor know that in the last City Council meeting he had appointed Darla Talbert and it needed to be Darla Butler. He asked that that be part of the motion.

Councilman Oyler ▾ Moved to Table ▾ **Accept Pete Hansen, Tara Silver, and Mary Martin to the Historical Preservation Commission and Darla Butler**

Councilman Marshall ▾ Seconded and the motion **Passed** all in favor at 7:18 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

C. Ordinance for the Orchard Z01-2024 Amended Master Planned Development Overlay Approval Request

Dave Anderson provided an update on an agenda item related to a seven-and-a-half-acre site on the east side of 3400 East, north of a Fieldstone development project. He mentioned that discussions had taken place regarding the dedication of land for a future railroad project and compensation for it. However, it was clarified that the applicants preferred to proceed with the proposed master plan development, including a 16-lot project, without seeking reimbursement for the right of way. Dave Anderson explained that the staff considered the preliminary plan approved, but the zone change component required approval for the project to proceed as designed with the finding and conditions in the staff report.

Mayor Mendenhall stated this item was on the previous agenda and had come back with these details.

Dave Anderson expressed his appreciation for the applicants' cooperation and accommodation in adjusting their design. He noted that this collaboration had been valued, and he clarified that they were not in a public hearing for this matter.

Councilwoman Beck ▾ Moved to Approve ▾ **Ordinance Z01-2024 for the Orchard Amended Master Planned Development Overlay Approval Request with the finding and conditions in staff report.**

Findings:

- 1. That the proposal is consistent with the City’s General Plan Land Use Map designation.
- 2. That the proposed zone change meets the findings of the Master Planned Development Overlay.

Conditions:

- 1. That the applicant meets the City’s Development and Construction standards, zoning requirements, and other applicable City ordinances.
- 2. That the applicant addresses any current and forthcoming red-lines.
- 3. That the applicant provides a street tree plan and complies with the architectural and other requirements of the Master Planned Development Overlay District.
- 4. That the Preliminary Plat indicates the parcel adjacent to the railroad be included in the subdivision and dedicated to the City.
- 5. That the public utility easements be re-labeled as municipal utility easements and be located and dimensioned on lots according to the City’s standards.
- 6. That the plat indicates that no access to lots will be allowed directly from 3400 East.

Councilman Landon ▾ Seconded and the motion **Passed** all in favor at 7:22 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

D. Modera Subdivision Development Agreement

Vaughn Pickell provided an overview of the Modera zone change and the preliminary project approval back in 2022, emphasizing that the current consideration was for the development agreement. The agreement, based on the standard form for a development agreement, outlined the obligations of both the developer and the city, including reimbursement procedures and phasing plans.

The agreement, following the standard form for such arrangements, outlined the respective responsibilities of both the developer and the city. It included provisions for reimbursement procedures, phasing plans, and other typical elements found in development agreements. One notable point of discussion focused on the storm drain outfall plan. Pickell addressed concerns raised by a nearby property owner in Salem regarding the methodology of the storm drain study.

A resolution was proposed, suggesting that the discharge of the storm drain should align with historical flow rates and location. The recommendation was to include this condition in the motion for approving the development agreement. The agreement also covered the storm drain's plan for detention on-site and release at the historic rate near 1700 west. While addressing the concerns raised, Pickell assured that the property owner's engineer would collaborate with the study author to scrutinize assumptions and methodologies in the storm drain study.

Councilmember Beck asked if this was the only reason it had come back to the City Council.

Councilmember Oyler stated it was only the development agreement we needed to ratify.

Dave Anderson highlighted the approval status of the Modera zone change and preliminary development project. He emphasized that the entire project had received approval contingent upon the finalization of the development agreement. Anderson explained that the next step was to present the completed development agreement to the City Council for official approval.

Councilmember Marshall clarified that nothing had changed in the agreement since the last time they came to the City Council.

Councilmember Oyler stated he thought there would be 10 fewer units.

Councilmember Marshall clarified that this was not a preliminary plat approval but a development agreement approval.

Dave Anderson provided information from the City Council meeting in May of 2022, stating that the preliminary plot had been approved with conditions. One of these conditions required the applicant to enter into a development agreement with the city. The purpose of this agreement, as discussed by Mr. Pickell, was to formalize the approval and ensure the fulfillment of specified conditions, which, according to Anderson, had been successfully met.

Councilmember Beck reiterated that the developer was completing the process given by the city council.

Dave Anderson responded it was and mentioned that one of the conditions attached to the project's approval necessitated the approval of the development agreement by the city council before proceeding with the next step in the project, which involves final plat approval.

Councilmember Cardon clarified that the final approval wouldn't be in city council but would now go to the new land authority, the Development Redevelopment Agency. He emphasized the significance of the development agreement for the project to proceed smoothly.

Dave Anderson confirmed he was correct.

Vaughn Pickell stated the change in the law made it so they would not see any plats in the future unless it required a zone change associated with it.

Councilmember Marshall raised a couple of questions regarding the verbiage in the document, particularly in reference to condition number seven, which pertained to protecting the agricultural use adjacent to the area of discussion. He sought clarification on how this condition was addressed in the agreement and its implications.

Dave Anderson responded, confirming the accuracy of Councilmember Marshall's understanding. He provided additional details, explaining that the preliminary plat improvement plans, included as an exhibit to the agreement, outline measures to address runoff from the site. These measures aimed to prevent any adverse impact on adjacent properties, addressing a key concern identified by the city's staff.

Councilmember Marshall, expressed concern and sought clarification on a specific provision in the document related to agricultural operations. He noted the disclosure of agricultural operations to those near the project and observed that the document seemed to be written to protect the developer and the city.

He pointed to a specific section (number seven on page 133) stating that neither the applicant nor the city would be responsible for any adverse effects resulting from the use of agricultural properties. Councilmember Marshall sought clarification on whether this provision was intended to protect the developer and the city rather than those using their property for agricultural purposes.

Vaughn Pickell explained that the disclosure serves to inform buyers and tenants about existing agricultural operations nearby, including potential smells and noises. Additionally, Pickell clarified that the provision was meant to protect both the city and the developer from any consequences related to activities on neighboring agricultural properties.

Councilmember Marshall asked Vaughn if he felt the intent of the document was to both inform buyers and tenants about existing agricultural operations and protect both the city

and the developer from any adverse effects related to activities on neighboring agricultural properties.

Vaughn Pickell confirms that beyond the notice and disclaimer, there are state laws in place to protect from nuisances, providing additional protection to agricultural operations.

Councilmember Marshall asked Chris Thompson about the southwest water flow and if there was a chance it could become a pond in the adjacent property to the north.

Chris Thompson clarified that the natural flow of the land was south and east, leading to the Salem slews, which eventually emptied into Dry Creek. He mentioned that this was contrary to the general flow direction of north and west in the area. Thompson pointed out the location where the water crosses the highway, and he discussed the design of the storm drain and overflow system at the southeast corner of the field, allowing excess water to go into the storm drain.

Councilmember Marshall sought clarification, asking if the developer would be responsible for addressing any issues if the proposed solution for water drainage didn't work, leading to ponding on the adjacent property.

Chris Thompson explained that the development was designed to be higher than the adjacent property, and water should either pond or overflow into the road borrow area. He clarified that the low point was at the southeast corner of the field, and the water would follow its natural path. The catch basin at the southeast corner could receive tailwater, preventing ponding on the adjacent properties.

Seth Perrins highlighted the importance of considering the historic flow when developing in the middle of a field. He mentioned that developers are aware of this and need to address it through proper engineering, reinforcing the earlier discussion with Chris Thompson about the stormwater management plan for the development.

Chris Thompson acknowledged the sensitivity to historic flows and mentioned the consideration of utilities running through the development. He noted the need to address stormwater management concerning flows before the project, emphasizing the relevance of legal precedents regarding historic flows.

Chris Thompson explained the limitations on interfering with historic flows, highlighting the prohibition on increasing or decreasing the flow through a property. He also mentioned the role of the engineer in managing these considerations.

Councilmember Marshall reiterated what Chris said, that the developer was aware of and has taken into account the laws related to historic flows in their design.

Chris Thompson mentioned that the city collaborated with Salem City, Payson City, and the county to commission a study of the general area, specifically focusing on storm drain coefficients for runoff. The study established a general plan for how water flow would be managed. Atlas, the developer, was following this plan closely, incorporating onsite design

elements while adhering to the established parameters from the master plan.

Councilmember Marshall raised concerns about the impact of the development on drainage districts and water user groups in the area. He specifically mentioned contacting the right person at Benjamin Drainage District and seeking clarification on whether the project team had communicated with the drainage district to ensure compliance with necessary permits or encroachment requirements.

Chris Thompson reassured Councilmember Marshall that the project team had consulted with the drainage district engineer twice to ensure their approval and compliance. The drainage district confirmed that they were satisfied with the proposed development, indicating that any concerns related to drainage had been addressed.

Councilmember Marshall expressed that the person he spoke to today was the chairman of the drainage district, and although he was new to the position, he emphasized that communication about the project may have occurred through the engineering firm associated with the chairman.

Councilmember Marshall suggested that ensuring all necessary checks and conditions are met could be important moving forward. The concern revolved around verifying that the drainage district's requirements, permits, or any other conditions were appropriately addressed and confirmed for the development so it is done right. He wanted to make sure we had talked to the right people and to make sure we had checked that box.

Chris Thompson stated he thought it was a great condition to put in the motion.

Dave Anderson explained that there have been extensive discussions with the developer, their engineer, and the consultant hired by the three cities. He emphasized that the understanding was clear regarding the historical release of drainage, which cannot be exceeded. He expressed that if someone at a drainage district had concerns about the project maintaining the historical drainage levels, there might not be much that can be done about it, as historical conditions are to be maintained.

Councilmember Marshall expressed the need for documentation or approval from the drainage district to confirm that the facilities in the area, such as roads and ditches, will be impacted and that the district was okay with it. He emphasized the importance of a clear approval process to avoid any uncertainties or conflicting information in the future.

Chris Thompson explained that dealing with drainage districts was common, and they typically work to ensure that building projects don't interfere with the existing drainage systems. He clarified that drainage districts primarily focus on underground drainage systems, often installed by farmers to manage water levels in fields. He said the main goal was to make sure old clay tile pipes the farmers put in long ago allowed water from the ground to drain out. He stated we were required to make sure we don't block or break those pipes. Thompson expressed confidence that addressing the concerns raised by Councilmember Marshall and obtaining approval from the drainage district should not be a challenging task.

Councilmember Oyler raised a question regarding the underground clay tile pipes and how the city would ensure that the development wouldn't interfere with them.

Chris Thompson replied that because they were so old they only had rough maps.

Councilmember Oyler sought clarification on how the city would detect and address any damage or issues with the underground pipes after the development.

Chris Thompson provided insight into the typical scenario with these underground pipes, explaining that main trunk lines often run along roads, and laterals may extend into specific fields. As development occurs, adjustments may be made to these laterals to accommodate construction or changes in land use. The approach varies based on the preferences and guidelines of the drainage district overseeing the area.

Councilmember Oyler asked if we had any drainage pipes that needed to be moved.

Chris Thompson indicated that he was not familiar with the specifics of what had been done with the drainage district in the context of the discussed development. However, he mentioned ongoing communication with the drainage district on various projects in the past month.

Councilmember Marshall reiterated his four main concerns. The first was about drainage on someone's property and ensuring that the discharge was appropriately managed, particularly concerning the Benjamin drainage district. The second concern involved the nuisance issues discussed previously. Councilmember Marshall emphasized the importance of ensuring that the language in the agreement aligns with its intended purpose, which was to prevent harassment of farmers by residents moving into the area due to the development. Additionally, he mentioned that the development agreement doesn't replace existing conditions but may supplement them.

Councilmember Cardon confirmed that the existing conditions related to nuisance issues were already in place and would continue to be applicable in the agreement.

Vaughn Pickell highlighted that a condition of the preliminary plan was to include disclaimer language for both for-sale and rental properties. This disclaimer would inform every resident about the nearby agricultural operations.

Councilmember Marshall discussed the process of addressing concerns about agricultural operations. If someone calls in upset about the nearby agricultural operation, the response would involve reminding them that the residents signed a disclosure form acknowledging the presence of agricultural activities.

Seth Perrins couldn't remember a time that a call had been made before concerning agricultural operations.

Councilmember Marshall was confident they would get a call in this particular situation.

Staff highlighted the existence of a state statute that provided protection for agricultural operators. This statute serves to shield agriculture operators from both civil liability and criminal prosecution in relation to their agricultural operations.

Mayor Mendenhall mentioned the adoption of agricultural protection zones inside Spanish Fork, similar to those in the county. This measure added an additional layer of acknowledgment and protection for agricultural activities within the city limits. Neighboring landowners in Spanish Fork were provided with the opportunity to apply for such protection if they possessed a sufficient area of land.

Councilmember Marshall added it was only if they qualified per the requirements.

Mayor Mendenhall expressed appreciation for the additional layer of protection provided for people in the area. The agreement, which residents have signed, ensures that they are aware of what is happening next door. In case of concerns, a swift response can be provided, referencing the law and the code to address any issues related to agricultural activities.

Seth Perrins acknowledged the high level and significant condition included with the approval two years ago, stating that it was a unique addition that had not been done before. He appreciated the foresight of the council in adding an extra layer of acknowledgment for landowners, title companies, and residents regarding the agricultural protections outlined in the law.

Councilmember Marshall stated he was on the fence about this and wanted to make sure if it was approved that certain conditions were included in the motion.

Councilman Marshall ▾ Moved to Approve ▾ **Development Agreement for Modera based on the following findings contained in the agreement and subject to the condition that the storm water from the Modera site be discharged only at historic flow rates, at historic locations or other safe locations, even if historic discharge rates change based on further study and analysis and on the condition that the Benjamin Drainage District sign off on the potential impact to their system before.**

The condition was revised later in the minutes.

Councilmember Cardon asked Councilmember Marshall if he was still on the fence about this item, or if he was undecided until he made the motion?

Councilmember Marshall stated that this was his motion.

Councilmember Oyler asked if we needed a condition regarding the possibility of the district not providing approval within a specified timeframe. In such a scenario, it was acknowledged that it might indicate an engineering challenge. The condition for the district's sign-off served as a measure to ensure that any potential impacts on their drainage system were adequately addressed and approved. If the district cannot sign off within the designated time

frame, it was clarified that it could trigger a review by the City Council to assess the situation and determine the appropriate course of action.

Seth Perrins emphasized the significance of the situation, expressing concern about an external group potentially having the authority to halt the project. He suggested a more straightforward approach, stating that the responsibility should lie with the developer to address and resolve any issues related to drainage impact. Seth Perrins implied that involving an external entity to approve or disapprove the project might set an undesirable precedent or lead down an uncertain path.

Councilmember Marshall highlighted the common practice of setting conditions based on external approvals, citing examples where UDOT's approval for access was a precedent. In this case, he clarified that the city was not seeking approval from Benjamin Drainage District for the subdivision or development. Instead, the condition was related to the district's role and responsibility in safeguarding their resources, particularly concerning drainage impact.

Councilmember Oyler sought information on mitigation efforts and strategies to safeguard the resource if the district expresses dissatisfaction with the outcomes.

Chris Thompson explained that if there was a pipe going through the property, the property owner had the legal right, according to state law, to move it wherever they want, regardless of the drainage district's preferences. However, he emphasized the importance of working collaboratively with the districts and property owners to reach agreements. He suggested involving the engineering division in the process to ensure proper handling of such situations.

Seth Perrins explained that the critical aspect is to ensure that the drainage system can effectively drain the area above it to the area below it, regardless of the specific route it takes. This is essential to maintaining the functionality of the drainage system.

Councilmember Marshall expressed agreement, indicating that the request was not overly difficult.

Seth Perrins clarified that the intent was not to grant the Benjamin Drainage District the authority to approve or disapprove the project but rather to ensure that the project adheres to necessary conditions and addresses concerns related to drainage. The responsibility was placed on the project team to resolve any issues with the drainage district.

Mayor Mendenhall thought that the Benjamin Drainage District was not seeking a formal permit or approval for the project.

Councilmember Marshall expressed that the person he talked to stated they were expecting us to get a final approval and Anthony over the Benjamin Drainage District was currently unaware of the project. Councilmember Marshall emphasized the need for the district's confirmation that their resource was protected. There was a concern that the information might not have been adequately communicated to the new district's current representative, Anthony.

Councilmember Marshall indicated that even if the engineer knows about it, he would like to ensure that all necessary boxes were checked and that Anthony, the current representative of the Benjamin Drainage District, was made aware of the project. He added there was a need for clear communication and collaboration with Glenn, the engineer, and Anthony, to facilitate the necessary approvals.

Chris Thompson stated they had a great relationship with Glenn, the engineer, and could work with them.

Councilmember Marshall revised the condition in his motion so it met everyone's concern. **He stated that the condition would be... Spanish Fork Public Works works with the Benjamin Drainage District to mitigate any potential impact the development has.**

Councilman Oyler ▾ Seconded and the motion **Passed** all in favor at 7:57 pm with a roll

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

E. CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF SPANISH FORK CITY, UTAH , AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$65,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2024 AND RELATED MATTERS

Vaughn Pickell provided a comprehensive update on the ongoing project, showcasing visual representations of the site's current status and construction progress. He highlighted the legislative steps that paved the way for the project, including decisions on property tax increases and budget adoption that had already happened.

Vaughn delved into the specifics of the parameters resolution, emphasizing key borrowing boundaries, such as a maximum limit of \$65 million, a 30-year repayment period, and the utilization of sales tax and municipal energy tax as financial backing. The presentation indicated that these revenues were pledged for the project, excluding property tax and general funds. Additionally, Vaughn outlined the forthcoming public hearing scheduled for March 19th and the subsequent administrative resolution, further detailing the steps in the project's administrative phase.

Mayor Mendenhall clarified that among the legislative steps discussed by Vaughn Pickell, the budget passed, which included the approved property tax increase, was one of the key

components.

Vaughn Pickell acknowledged that the budget, property tax increase, was indeed one of the critical legislative steps in the progression of the project. He noted that there were various legislative actions leading to the current point in the process.

Councilmember Cardon sought clarification on the procedural steps, explaining that the current action involved an administrative aspect. He outlined the proposed timeline, suggesting a public hearing on March 19th and positing that the subsequent step would be the issuance, drawing a parallel with the process used for the wastewater treatment plant.

Vaughn Pickell specified that following the public hearing, the council would act on the new resolution.

Seth Perrins mentioned that the timing for the public hearing was extended due to it being caucus night on March 5th, 2024. He noted that it was pushed back to the second meeting in March to accommodate this scheduling consideration. This information provided context on the decision to delay the public hearing and the reason behind the adjusted timeline.

Councilmember Beck wanted to know if the delay would affect the construction of the building.

Seth Perrins responded it would not and provided an update on the construction progress, stating that they are monitoring the bond market and observing a slightly downward trend in interest rates. He mentioned Jonathan Ward's expertise in tracking the bond market and their plan to assess market conditions for the best timing to secure favorable interest rates.

Seth expressed a preference to wait and evaluate market changes, aiming for optimal rates that could benefit the project in the long run. He mentioned the flexibility in timing, with a potential readiness to go to the market between April 1st and June 1st, 2024.

Councilmember Marshall restated the importance of closely monitoring interest rates and being prepared to react accordingly based on market conditions.

Seth Perrins mentioned the need to go through the necessary processes, including hearings and notices, to ensure everything was lined up for a timely response to interest rate fluctuations.

Councilman Landon ▾ made a **Motion** to Approve ▾ **the CONSIDERATION FOR ADOPTION OF A RESOLUTION 03-2024 OF THE CITY COUNCIL OF SPANISH FORK CITY, UTAH , AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$65,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2024 AND RELATED MATTERS**

Councilwoman Beck ▾ **Seconded** the motion and it **Passed** at 8:05 pm with a roll call vote.

Kevin Oyler	Yes
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Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

F. State of Utah Tolling Agreement

Chris Thompson explained that the decision to build a new treatment plant was triggered by algae blooms and anticipated future regulations. The old treatment plant, which was recognized as inadequate, led to violations when new limits were imposed during the permitting process. Due to the upcoming construction of the new plant, the city had been working with the state to address these violations. A tolling agreement had been established, allowing time to work out the ramifications of the violations and negotiate with the state. The city was also exploring the feasibility of a regional plant near the lake, as suggested by the state, which would provide additional time for compliance. The city had been proactive in addressing these issues, with the new treatment plant expected to be operational next year.

Councilmember Oyler asked about the result of the regional facility evaluation.

Chris Thompson stated the evaluation of a regional facility was the subject of three studies, and all three studies concluded that constructing extensive pipelines to Utah Lake would be significantly more expensive than rebuilding treatment plants in their existing locations. The impracticality arose from the need for pump stations and pipelines in every river, making it a costly and inefficient solution. Furthermore, there was no single point in the valley where all drainage converges.

Mayor Mendenhall reiterated that the studies didn't merit a regional facility to go out there.

Chris Thompson said, while there was initial consideration and ground purchase for a regional facility, it was ultimately deemed unfeasible and wasteful of resources. The state signaled early on that it wouldn't provide substantial funds for such a project, rendering the idea impractical without significant financial support.

Mayor Mendenhall emphasized the urgency of moving quickly to construct clean water facilities to address the treatment of wastewater. The need for a corresponding agreement was highlighted, indicating that the directive extended to the responsible parties involved in the construction process. The emphasis was on expediting the construction of facilities to ensure efficient treatment of wastewater and maintain water quality standards.

Chris Thompson expressed the challenges of operating an aging wastewater treatment plant and the stress associated with managing a facility held together with makeshift solutions like JB Weld, duct tape, and baling wires.

Seth Perrins stated despite the challenges, he appreciates the process followed over time and believes that the right approach has been taken to address the issues and upgrade the plant.

Chris Thompson reflected on the decision-making process regarding the wastewater treatment plant, emphasizing that the city approached the significant investment strategically. He mentioned the involvement of multiple engineering firms, an ad hoc committee, and thorough research to determine the best plant type, location, and regulatory considerations. Chris highlighted the early commitment to low-interest rates and the decision to bond before finalizing the project's cost, ultimately saving the city over \$25 million in the life of the loan. Additionally, he noted efforts to comply with regulations that could come in the future and how they had planned for this new plant to be compliant for years to come.

Mayor Mendenhall expressed gratitude for the fortuitous acquisition of additional land at a previous years going rate, acknowledging that the area was not initially owned by the city. He highlighted the potential alternative uses for the land in previous years and noted the current need for expansion around the existing facility. The Mayor emphasized the favorable timing, good rates, and cost savings compared to facilities being constructed by other cities. Finally, she expressed satisfaction with the city's decision to purchase the land, considering it a beneficial and strategic move.

Chris Thompson reflected on the positive outcome of the land purchase, expressing satisfaction with the cost and the decision to acquire it. He acknowledged the advantageous nature of the transaction and the overall success in securing the additional land for the wastewater treatment facility.

Councilman Cardon ▾ made a **Motion** to Approve ▾ **State of Utah Tolling Agreement**
Councilman Oyler ▾ **Seconded** the motion and it **Passed** at 8:17 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

G. Water Reclamation Facility Change Order for Equalization Tank Piping

Chris Thompson explained that the current plan involved a phased approach, with the construction of an equalization tank being one of the early stages to increase capacity. This tank would allow the plant to store peak flows during high-demand periods and then treat the wastewater during lower-demand times. He noted that the equalization tank, originally planned for the more distant future, could now be implemented within the next five to 15 years, depending on growth. To prepare for this potential development, Thompson proposed a change order to relocate pipes from the input of the plant, making future construction

more cost-effective. This proactive step would also ensure uninterrupted plant operations during the tank's construction. Thompson recommended approval for this change order.

Councilman Marshall ▾ made a **Motion** to Approve ▾ **Water Reclamation Facility Change Order for Equalization Tank Piping**

Councilman Cardon ▾ **Seconded** the motion and it **Passed** at 8:20 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

H. Public Works Department Change Orders

a. Darger Pump Rebuild and the Golf Course Booster Pump

Chris Thompson provided details on the ongoing work related to the Darger Pumphouse rebuild. This particular pumphouse, situated near the golf course, was part of the pressurized irrigation system. The need for maintenance on these pumps arose periodically, and the extent of required repairs becomes apparent only upon opening them up. The initial budget allocated for the project was deemed insufficient as additional repairs beyond the initial assessment were necessary. However, the overall cost fell within the budget limits. As per the city's purchasing policy, Thompson brought two requests to the city council. The first request was for \$23,000 for the Darger Pumphouse, and the second was related to the golf course booster, with a total amount of \$31,000.

Councilmember Cardon stated it looked like they were both under budget.

Chris Thompson stated it was correct but because of the amount, they needed to bring it to city council

b. 600 North Water Main Project Change Order 3

Chris Thompson provided information on the third change order related to the 600 North Water Main project. The change order pertained to a sewer line parallel to one of the water lines. After discussions with division managers, it was decided that any issues in the area should be addressed before the road was repaved.

Further assessment revealed that the sewer line needed replacement, and the price for the replacement came in nearly equal to bid prices from a year ago. Considering the favorable price and the absence of mobilization costs, it was felt that doing the sewer line replacement alongside the ongoing water line project was the best option. With the contractor already in the area, coordinating both projects simultaneously would streamline the process. This

approach not only would ensure settling time for trenches before road resurfacing but also saved on engineering costs, as detailed plans required for bidding were not necessary. The recommendation was to move forward with this cost-effective solution, potentially saving around \$40,000 in engineering expenses.

Councilmember Marshall asked Chris where the money from the third change order came from?

Chris Thompson emphasized that the sewer line replacement was planned within the sewer budget, and the intention was to bid it out. However, he expressed the belief that moving forward with the replacement immediately would be more efficient. This approach aimed to expedite the completion of the sewer project, allowing the trenches to settle before the road resurfacing. Additionally, having one contractor handle both the water line and sewer line projects consecutively was seen as a practical and streamlined approach.

Councilmember Marshall reiterated that the decision to accelerate the sewer line replacement was motivated by the ongoing work in the area.

Councilman Marshall ▾ made a **Motion** to Approve ▾ **Public Works Department 3 Change Orders - Darger Pump Rebuild, the Golf Course Booster Pump and 600 North Water Main Project Change Order 3**

Councilman Landon ▾ **Seconded** the motion and it **Passed** at 8:27 pm with a roll call vote.

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

Councilman Cardon ▾ made a **Motion** to **Adjourn to Closed Session for strategy sessions to discuss the purchase, exchange, or lease of real property.**

Councilman Landon ▾ **Seconded** the motion and it **Passed** at 8:28 pm all in favor

Kevin Oyler	Yes
Jesse Cardon	Yes
Stacy Beck	Yes
Landon Tooke	Yes
Shane Marshall	Yes

Attest: February 6, 2024

I, Tara Silver, City Recorder of Spanish Fork City, hereby certify that the foregoing minutes represent a true, accurate, and complete record of the meeting held on February 6, 2024. This document constitutes the official minutes of the City Council meeting.

Tara Silver

TARA SILVER, CITY RECORDER