

**Adopted Minutes
Spanish Fork City Council Meeting
December 11, 2018
Spanish Fork City Office
40 South Main Street
Spanish Fork, UT 84660**

Elected Officials Present: Mayor Steve Leifson, Councilmembers Mike Mendenhall, Stacy Beck, Brandon Gordon, Chad Argyle. Absent: Councilmember Keir Scoubes.

Staff Present: Seth Perrins, City Manager; Junior Baker, City Attorney; Tyler Jacobson, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Kent Clark, City Recorder/Finance Director; Steve Adams, Public Safety Director; Dale Robinson, Parks & Recreation Director; Scott Aylett, Public Information Officer; Angie Warner, Deputy Recorder.

Citizens Present: Stanford Bell, Rory Knotts, Ethan Knotts, Diane Rosenbaum, Heather Youd, Sherry Eaton, Jim Eaton, Ben Eaton, Jesse Brimhall, Reid Carlson, Max Sabey, Thad Ellis, Ronda Miller, Lars Anderson, Nick Patterson, Terry Ficklin, Darren Bunker, Tom Toss, Val Shupe.

5:15pm WORK SESSION:

1. EMS Compensation - 2019

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 Max Sabey.

Councilman Gordon led in the pledge of allegiance.

**Spanish Fork Police Department Accreditation Presentation by Utah Chiefs Association
President Chief Tom Ross & Executive Director Val Shupe**

Chief Adams introduced President Chief Tom Ross & Executive Director Val Shupe.

Val Shupe explained the accreditation program they provide. Each jurisdiction is required to have policies and procedures for their city as well as the state. Mr. Shupe said that Spanish Fork has completed their assessment and also Chief Adams is also one of our assessors.

Chief Ross emphasized how important these processes are in this line of work. The public expects us to be professionals and leaders. Chief Ross presented a plaque to Chief Adams.

Chief Adams expressed thanks to our officers of their hard work for this award.

PUBLIC COMMENTS:

Mayor Leifson welcomed public comment.

Andrew Kelly, a resident, said that he has been watching the City Council meetings on tv. He complimented SFCN and the great service that is provided. He is going to be moving into the Legacy Farms development and is very excited about the Spanish Fork Parkway connection to Highway 51 and his concern is the new railroad crossing and will there have to be another railroad crossing installed that will be noisy for the neighborhood. He wants us to look at what can be done to make those not so noisy.

Mayor Leifson said that will be looked at when the plans for that are drawn up.

COUNCIL COMMENTS:

Councilwoman Beck presented pictures from the *Shop with a Cop* event that was held this past Saturday. She attends every year to help wrap the presents. Councilwoman Beck attended the Chamber of Commerce Business of the Month at Susan's Hair Design. Councilwoman Beck wished the citizens a very Merry Christmas.

Councilman Mendenhall expressed how excited he is that SFCN is in his neighborhood to start installing fiber. Councilman Mendenhall gave an update from the UCLT board meeting. Councilman Mendenhall reminded the citizens to check purpleair.com to see what the air pollution monitors are showing.

Councilman Gordon welcomed Heather Youd from the Chamber of Commerce.

Heather Youd, Director of the Chamber of Commerce reviewed some of their current events.

- Business of the Month was awarded to Susan's Hair Design.
- The Winter Light's Parade went great, other than the rain.
- Noon Networking Luncheon at the High Chaparral on December 19th
- New Chamber of Commerce board members

Councilman Gordon wished everyone a Merry Christmas and Happy New Year. Last Thursday night was the 19th annual Christmas Angel Box event that is held at the cemetery that Richard and Tamara Davis put on. Councilman Gordon congratulated the Chief and the police department for their award presented earlier tonight.

Councilman Argyle thanked his family and everyone involved with the *Shop with a Cop*. His family has participated in this event for 16 years now. Councilman Argyle thanked the city employees for their great work that they have done this year and wished everyone a Merry Christmas.

Mayor Leifson said he and the rodeo committee attended the PRCA Convention last week to secure contracts for the Fiesta Days Rodeo. He said there is a new CEO for the PRCA and there will be some changes in the future of rodeo. Mayor Leifson encouraged the public to attend the Festival of Lights this holiday season. He also reminded the public to be careful in their travels this winter season and wished everyone a Merry Christmas and a Happy New Year.

SPANISH FORK 101:

**Historic Landfill Relocation to Accommodate Retail Growth
Main Street Vision Presentation**

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – November 20, 2018
- b. Guardrail Project 2018 – Change Order 1
- c. 1150 East Bonner Substation Landscaping & Storm Drain 2018 Change Order 2
- d. Sports Park Final Phase 2018 – Change Order 6
- e. Maple Mountain Estates Phase 1 – 2700 E 400 N Connector Agreement

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

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

PUBLIC HEARING:

Ordinance A18-04 Annexing Property Known as the Eaton Annexation

Dave Anderson said this property is 33.17 acres located at approximately 1300 South 2000 West. The applicant has adjusted their request to remove some of the property proposed. This is to accommodate the property owner, Bowdy Smith, to construct a home. Mr. Anderson pointed out the area that would be included.

Seth Perrins said with first proposal, one of the property owners is not ready yet to pay the costs that come with annexing. One concern is the water. In the future, some of the properties may ask to connect to water from the outside, until the other utility issues are addressed.

Jim Eaton expressed that he and other neighbors have been having well water issues. It doesn't matter to him whether he is in the county or the city. He would like to work on the

water issue and try to connect to the City. Then, wait for the other landowners to annex at the same time.

Councilman Mendenhall made a **Motion** to go into public hearing.
Councilman Gordon **Seconded** and motion **Passed** all in favor at 7:03 pm.

Mayor Leifson welcomed public comment.
There was none.

Councilwoman Beck made a **Motion** to go out of public hearing.
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 7:03 pm.

Councilman Argyle clarified that if a water line was constructed, it would be for the four homes.

Mr. Perrins said yes. Two of them in the city and two in the county.

Mr. Eaton said that he will likely not need to be connected to the water at this time.

Councilman Mendenhall made a **Motion** to **approve** Ordinance A18-04 Annexing Property Known as the Eaton Annexation and give direction to the city to arrange water to those properties outside of the city but experiencing well issues.
Councilwoman Beck **Seconded** and the motion **Passed** all in favor with a roll call vote.

(Since the Eaton's property was removed from this annexation, this ordinance was changed to Ordinance #A18-04 Annexing Property known as the Bowdy Smith Annexation.)

Ordinance Z16-18 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Intermountain Healthcare Hospital Zone Change

Dave Anderson said this property is located at approximately 765 East Market Place Drive. The applicant is asking to have the zoning be changed to match the road alignment and property boundaries. This is to clean up the lines. Mr. Anderson said when the first plans were made, there were no roads. As things were developed, they changed slightly. Mr. Anderson pointed out on the map the areas to be adjusted. Development Review Committee and the Planning Commission recommend approval.

Councilman Gordon made a **Motion** to go into public hearing.
Councilman Argyle **Seconded** and motion **Passed** all in favor at 7:07 pm.

Mayor Leifson welcomed public comment.
There was none.

Councilman Gordon made a **Motion** to go out of public hearing.
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 7:08 pm.

Councilwoman Beck made a **Motion** to **approve** Ordinance Z16-18 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Intermountain Healthcare Hospital Zone Change.

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

Ordinance 21-18 Amendments to Zoning Ordinances Concerning Churches, Transfer Stations, and Walls

Dave Anderson reviewed the three proposed changes:

1. Regulations on where churches can be located in the City would be changed.
2. A potential exception for masonry walls in Infill projects would be established.
3. The removal of Solid Waste Transfer Facilities as a Permitted Use in the Public Facilities Zone and making Solid Waste Transfer Facilities a Conditional Use in the Public Facilities Zone.

Councilman Beck made a **Motion** to go into public hearing.

Councilman Mendenhall **Seconded** and motion **Passed** all in favor at 7:16 pm.

Mayor Leifson welcomed public comment.

There was none.

Councilman Gordon made a **Motion** to go out of public hearing.

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:16 pm.

Councilman Mendenhall made a **Motion** to **approve** Ordinance 21-18 Amendments to Zoning Ordinances Concerning Churches, Transfer Stations, and Walls.

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

South Utah Valley Solid Waste District Zone Change

Dave Anderson said the property is located at approximately 3450 North Main Street, this would take the property to a public facility zone. The property is vacant and there is currently no road access. Utah County owns the property to the south and we believe that they plan in the future to construct county facilities there. The Development Review Committee and Planning Commission recommend approval with some conditions, and based on the following facts:

- That if constructed properly, the proposed use would not have an adverse impact on the surrounding area.
- That the proposed use provides a necessary service for the community.

Mr. Anderson said the intent of this request is to construct a solid waste transfer station on the property. Mr. Anderson said there are a few people here tonight to speak.

Terry Ficklin introduced Nick Patterson, the consulting engineer, with Forsgren Associates Inc. to give the presentation.

Nick Patterson said the Solid Waste District is looking to build a transfer station on the proposed property. Mr. Patterson reviewed the following:

- District background
 - o Existing transfer station built in 1990
 - o Designed for approximately 250 tons/day of MSW
 - o Utilizes side load compactors
 - o Accepts both curbside MSW and curbside recycling
 - o Limited recycling of waste, metals, appliances, mattresses, tires, et.
 - o Current averages are approximately 550 tons/day mon-fri with Monday peaking at 900-1,000 tons
 - o Typically, about 15-20 outbound hauling trips/day @ 40 tons/haul
 - o Approximately 200 residential curbside collection trucks/week
 - o Mon-Fri averages 240 tickets/day
 - o Saturday averages 375 tickets/day
- Why move
 - o Population Centroid
 - o Transportation Advantage
 - o Infrastructure
 - o Additional Queuing Area
 - Existing queuing length is a single lane about 750 ft long
 - Layout shown could accommodate up to 1700 ft of queuing length across 3 lanes
- Appropriate Site Conditions
 - o Phase 1 Environmental Site Assessment
 - No evidence of recognized environmental conditions
 - No evidence of possible environmental issues
 - o Geotechnical Investigation Completed
 - o Wetlands Evaluation
 - Delineated 4.33 acres of wetlands on property (subject to ACOE Jurisdictional determination)
 - Provides a buffer area to the east of proposed building location
 - Mainly saline wet meadows of salt grass, wiregrass, & paiute weed
- Best Financial Decision
 - o \$1,637,791 less to build a new station in Spanish Fork than to expand in Springville.

Mr. Patterson presented some preliminary renderings.

- Potential design features
 - o State of the art, completely enclosed facility
 - o Citizen dedicated drop off areas
 - o Administration office with community/education room
 - o Interior gallery for viewing operations

- o High-tech odor and ventilation system
- o Skylights and translucent wall panels for natural lighting
- o Drought-tolerant and water-efficient landscaping design
- o Possible sustainable design features:
 - Solar Array for controlled lighting
 - Interior and exterior finishes from recyclable materials
 - Bio-swales for stormwater treatment

Transfer station examples presented: Logan, Utah; Seattle, Washington; Pomona, California, Tacoma, Washington.

Councilman Mendenhall made a **Motion** to go into public hearing.
Councilwoman Beck **Seconded** and motion **Passed** all in favor at 7:40 pm.

Mayor Leifson welcomed public comment.

Stanford Bell expressed appreciation to the City Council for the time that they have put into this item. Mr. Bell emphasized that Spanish Fork is not Seattle, nor do we have the funding like they do. Mr. Bell asked why is this being proposed right on Main Street. Mr. Bell gave a presentation:

Population Growth

There is a lot of open area in south Utah County. This proposed site for the transfer station is right in the growth area for future commercial businesses. Mr. Bell reviewed some of the commercial businesses in this area. Would anyone want to put their business right next to a solid waste transfer station. Spanish Fork is different from Seattle because we still have land to put it in a good location. From the Planning Commission meeting, no one thought this was a good idea. Mr. Bell presented a few other ideas of areas that the transfer station could go. Mr. Bell said in a presentation earlier, at the old landfill, it is being moved for commercial, this is the same. Mr. Bell also traveled to Seattle to see their station and presented his experience. Mr. Bell reviewed comments from businesses and people in Seattle that were next to the transfer station.

Jesse Brimhall, is a developer in Spanish Fork and owns the dry-cleaning business on north Main Street. The design looks good, but need to consider that he hears and feels every truck that goes by his business. The roads need to be wider and built to accommodate the increased traffic and a different route for the rigs to the station.

Ron Harris, with Young Living Essential Oils business, said they have a great relationship with Spanish Fork and they like their location. They are looking to invest more into the current facility. Mr. Harris said at a high estimate, their company brings around 40,000 people to their facility a year. They want to be sure that there is enough funding to build what is needed. He is concerned about Main Street and the traffic and the roads should be improved. Mr. Harris asked when will this happen and to please put some conditions if this is approved.

Mike Stewart, large multi-family developer, he was in shock when he attended the Planning Commission meeting. He has not seen the red carpet rolled out to a solid waste transfer station before. He requests the City Council read the comments of the public from Seattle and here. Mr. Stewart said there is room in Springville to expand the current station. Building this in Spanish Fork brings no positives with it. He is opposed to this request and believes this will bring down the values in the area.

Councilman Gordon made a **Motion** to go out of public hearing.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 8:03 pm.

Councilman Gordon said that he is currently on the solid waste board, and the facility you see now, it is not what will be built. He traveled to Seattle and went on the tour. Since he has been on the board, they have maintained the rates and kept them low. Councilman Gordon said we are approving or not approving a zone change tonight. And as we have gone through this process, in the last 4 years, the technology has improved a lot. The road that would go on the back side would be a must for him as well. Councilman Gordon said that when Terry Ficklin started running the transfer station, he corrected a lot of things that were wrong to try and be good neighbors. Councilman Gordon reviewed a few of the things of why can't we just add on to the current site. We have talked to Springville and they want to charge other members \$2 per ton in garbage. Councilman Gordon said the district currently has around 30 employees. His experience in Seattle was good, and what can we do to improve and make things better. Councilman Gordon asked if the construction of the road is in the cost analysis.

Chris Thompson said no. We have discussed that with the district and staff agrees that there should be conditions with the plans on roads. The costs would be reimbursable through impact fees and connectors agreements.

Councilman Gordon asked Mr. Thompson to address the wetlands.

Mr. Thompson asked Nick Patterson to address the wetlands.

Nick Patterson said the acreage underneath the proposed building would need to be relocated and the Army Corp would have to approve the delineation. This wetlands relocation happens all the time in developments.

Councilman Argyle expressed that the truck traffic is huge to him and that it is not on Main Street and that the roads are adequate. In speaking with some landowners on north Main Street, depreciation of their property was a huge concern and that the trucks are not covered and the trash blowing out of the trucks. Councilman Argyle added that if 2700 North interchange opens as an interchange, then we will need to improve the roads all around. Councilman Argyle traveled to Seattle, and he was pretty impressed how they handled things and the processes. Councilman Argyle feels the current issues need to be fixed.

Councilman Mendenhall appreciates all the work that has gone into this. The proposed sites that Mr. Bell presented, he doesn't feel that those are realities; first the willing sellers and second the infrastructure to get out there. This needs to be in a regional area, which the current one already is. Councilman Mendenhall told a story of years ago when his grandfather sold his land so a jail could be built in Spanish Fork. The public did not like that. Councilman Mendenhall agrees with the road comments and the City Council and Planning Commission have read the many emails and comments. This is going to be different and I think we have an opportunity to hold each other accountable to facts.

Councilwoman Beck thanked everyone involved. She is concerned with the funding, if we are saying \$20-25 million, then we need to stay within that.

Terry Ficklin said they feel that they can stay within the budget that has been created. There is the technical committee as well as the board that this is presented to as well.

Ron Harris said with his position in his business and he has done expansions, he feels they can do what they are saying with that funding.

Councilwoman Beck said one thing that this will bring a lift station, that will benefit future development.

Mayor Leifson thanked everyone in the time and efforts for this request. He said that he has been on the City Council for a long time and the transfer station has always been an issue. Mayor Leifson expressed that in Spanish Fork we work together to get things done and he will support this Council in their decisions.

Mr. Perrins said he wanted to address some of the concerns and issues that have been presented:

- Decrease values
- Wetlands
- Main Street access
- Curb appeal
- Fugitive garbage, escaping garbage from vehicles
- Landscaping
- Buffers to the edge of the property
- Wind
- Smell Attenuation
- The road to the North must be built
- Truck traffic only from the north road

Mr. Perrins asked Mr. Bell for any more concerns or issues to add to the list. Mr. Perrins also asked Mr. Stewart if he had any other issues that needed to be addressed on the conditional use process.

Mr. Bell asked about an environmental impact study.

Mr. Perrins commented that we are opposed to fugitive garbage and that it is taken care of on a regular basis. Mr. Perrins said with Mr. Harris' comment of their convention brings 40,000 people to the area. We don't want them to say bad things about Spanish Fork.

Terry Ficklin added on the fugitive garbage, the current facility is outside, we pick up trash for miles around the facility because we can't control the wind.

Councilman Gordon said that if you take a load to our facility un-tarped, you are charged a \$4 fine. At Payson landfill, they don't let you come in.

Nick Patterson said there was a phase I environmental assessment.

It was clarified that what Mr. Bell is talking about is an Environmental Impact Study or EIS.

Mr. Patterson said no, that an EIS has not been done. Mr. Patterson added that with regard to the wind concern, when designing a layout, they try to create them so they don't have a tunneling effect are not affected by the prevailing winds.

Councilman Mendenhall asked if an EIS will be done.

Mr. Perrins said no, that is federal study. Mr. Perrins said there might be some things to address the care of the site. The current site is too small and open. With a new facility, each of the issues can be addressed.

Councilman Gordon made a **Motion** to **approve** Ordinance #Z17-18 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the South Valley Environmental Transfer Station Zone Change.

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

NEW BUSINESS:

FY 2018 Independent Financial Audit

Kent Clark said the City has completed the annual independent audit. Mr. Clark reviewed the MD&A, Assets, General Fund, and City's Debt. Mr. Clark turned the time over to Russell Olsen from Larsen & Company.

Russell Olsen from the auditing firm Larsen & Company reviewed their opinion of the financial statements and they are materially correct. Mr. Olsen presented what is audited and what is not audited by Larsen. There were no findings this year, but last year there was a finding of an issue with the treasurer's bond. Last year's finding was resolved this year.

Councilman Mendenhall made a **Motion** to **accept** the FY 2018 Financial Audit.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor.

Resolution #18-19 Authorizing the Purchase or the Initiation and Filing of a Condemnation Action to Exercise the Power of Eminent Domain in Order to Acquire Property for the Widening of Center Street East of 1100 East Street

Junior Baker said time is getting closer to start widening Center Street. For the past year, the City has been purchasing properties to do this. There is one home left and we have received appraisals and the owner is saying they are too low and will not agree to sell. The City has given notice to the property owner that this is happening tonight. There is only have a few months left to get this wrapped up.

Mr. Perrins said the daughter of the property owner was here earlier and left. She had been working on this until the father took over.

Mr. Baker said with condemnation it could take 3-4 months and there is 6-8 months before work will start on the project.

Chris Thompson said construction is planned to start in the summer of 2020, but there will be three projects in this area done at the same time.

Councilman Mendenhall made a **Motion** to **approve** Resolution #18-19 Authorizing the Purchase or the Initiation and Filing of a Condemnation Action to Exercise the Power of Eminent Domain in Order to Acquire Property for the Widening of Center Street East of 1100 East Street.

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

Ordinance 22-18 Imposing a Local Sales and Use Tax of One-Tenth (1/10) of One Percent (0.1%) to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities in Spanish Fork City

Junior Baker said with the last election the resident approved a Recreation, Arts, and Park (RAP) tax. This ordinance adopts that and allows us to move forward with the process. Mr. Baker said first the City will impose a tax and start collecting April 1st. An advisory committee will be created to recommend grant applications to the City Council.

Councilman Gordon asked to clarify the time frame that businesses will need to change their tax calculations.

Mr. Baker said that the State Tax Commission will send notices to businesses but maybe we can help with that communication.

Tyler Jacobson added that the Chamber of Commerce has contacted the Tax Commission to get the correct information out to the businesses.

Councilwoman Beck added that we will let the public know when they can apply to be on

the committee.

Dale Robinson said that he and his staff are starting to draft the policies and then will start creating the application. For right now, he is collecting the names that are interested until we can get that application up and ready.

Councilwoman Beck made a **Motion to approve** Ordinance 22-18 Imposing a Local Sales and Use Tax of One-Tenth (1/10) of One Percent (0.1%) to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities in Spanish Fork City. Councilman Argyle **Seconded** and the motion **Passed** all in favor with a roll call vote.

Dominion Energy Questline Access Agreement

Cory Pierce said that staff has been working with Dominion Energy and have found a better price on wholesale natural gas, saving the City the amount of \$40,000 per year. This is for the software that Dominion uses that we will use to see how much gas we are using.

Councilman Gordon made a **Motion to approve** the Dominion Energy Questline Access Agreement.

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

Dominion Energy Transportation Service Agreement

Cory Pierce said this is to move to a transportation customer instead of a regular customer.

Councilman Argyle made a **Motion to approve** the Dominion Energy Transportation Service Agreement.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor with a roll call vote.

Southwest Regional Lift Station Warranty Deed and Right of Way Contract

Cory Pierce said staff has been looking for a site and designing a lift station to service the southwest part of Spanish Fork. Staff has been working with the property owner to purchase the 1/2 acre of property needed in the amount of \$29,100.

Councilman Argyle made a **Motion to approve** the Southwest Regional Lift Station Warranty Deed and Right of Way Contract.

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

Ordinance 23-18 Repealing and Re-enacting Title 13, Chapter 24 of the Spanish Fork Municipal Code Titled Waste Water Utility

Cory Pierce said the City is required to have a pretreatment section in our municipal code. A lot of the changes were to update our code to match state and federal codes.

Councilman Argyle made a **Motion to approve** Ordinance 23-18 Repealing and Re-enacting Title 13, Chapter 24 of the Spanish Fork Municipal Code, Titled Waste Water Utility.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor with a roll call vote.

630 West to 300 West Cured in Place Pipe (CIPP) Project Bid Award

Cory Pierce explained the issue with a concrete trunk line, this pipe in this specific area has significant corrosion and is eating the concrete and when crews were cleaning the line it actually collapsed. There are other bad areas that need to be addressed as well. Mr. Pierce explained how they do this curing process.

Councilman Argyle made a **Motion** to **approve** the 630 West to 300 West Cured in Place Pipe (CIPP) Project Bid Award.

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

Acceptance of Assignment of Connector's From R&C Supply Agreement

Chris Thompson explained that we have been working on this project to relocate the railroad spur for Wasatch Pallet, a business that will move to the new location. The best plan is to do a 3-phase line to the area to accommodate the businesses in the area. In return for that, R&C Supply will assign its interest in a water line connectors agreement to the City.

Councilman Mendenhall disclosed that this is a client of his at his place of business.

Councilman Mendenhall made a **Motion** to **approve** the Acceptance of Assignment of Connector's From R&C Supply Agreement.

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

December 2018 Amended Annexation and Development Agreement for the Northeast Bench Annexation

Junior Baker said at the last City Council meeting the Legacy Farms agreement was amended. Fieldstone Homes, the developer of Legacy Farms has not purchased all of the property yet. This is an amendment to the original agreement with the original property owners. The change is: if Fieldstone doesn't exercise the option, they agree to follow the amended agreement.

Councilman Argyle made a **Motion** to **approve** the December 2018 Amended Annexation and Development Agreement for the Northeast Bench Annexation.

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

DISCUSSION:

Seth Perrins reviewed that today at the Utah County Commission meeting the transportation sales tax was discussed. Mr. Perrins reviewed what the tax is and that the new UTA portion of that tax would go to the already committed UTA projects, freeing up the old money tied to those projects. The Utah County Commission is asking for a resolution from cities supporting this tax. If the City Council would like staff to create that, there would need to be a special meeting held to approve that.

City Council directed staff to proceed with creating the resolution and find a time for the special meeting.

Chris Thompson said in July the water exaction ordinance was changed. Developers have to bring water and not allow payment for water. One developer got his approval of his plans before the change in policy, built all the infrastructure, and now is ready to record the plat. He doesn't have the water and wants to pay. Mr. Thompson said he will pay the price that it is valued at today.

City Council agreed to proceed moving forward.

ADJOURN:

Councilman Gordon made a **Motion** to **adjourn** to Closed Session to discuss reasonably imminent litigation and land transactions.

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 10:12 p.m.

ADOPTED: January 8, 2019

Angie Warner, Deputy Recorder