

**Adopted Minutes
Spanish Fork City Council Meeting
October 2, 2018
Spanish Fork City Office
40 South Main Street
Spanish Fork, UT 84660**

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

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: Jamie Chappel, Rick Hawkins, Brandon Johnson, Hayden Nelson, Dave Peay, Blake Clayson, Gentry Mitchell, Jade Jensen, Jason Locke, Ed Roberts, Lewis Schardine, Wyatt Goforth, Craig Baker.

5:15pm WORK SESSION:

1. Logan Simpson – Riverbottoms Update

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 Jeremy Lewis.

Councilman Mendenhall led in the pledge of allegiance.

Public Works Division of the Year – Streets & Storm Water

Chris Thompson recognized the streets and storm water division employees:

Jamie Chappel, Rick Hawkins, Brandon Johnson, Hayden Nelson, Dave Peay, Blake Clayson, Gentry Mitchell, Jade Jensen, Jason Locke, Ed Roberts, Lewis Schardine, Wyatt Goforth.

They won the division of the year award that is given for the most accomplished division in the public works department. As of last year, all of the streets have been maintained in some way in the last eight years. Mr. Thompson reviewed some of the things that have been done to have great roads.

Jamie Chappel thanked the City Council for the support. Mr. Chappel thanked his crew for the great job they do.

PUBLIC COMMENTS:

Mayor Leifson welcomed public comment.

There was none.

COUNCIL COMMENTS:

Councilman Gordon said our Chamber of Commerce Director is excused for tonight since she is filling sandbags with her neighbors in Elk Ridge in preparation of the projected storms. Councilman Gordon said the Business of the Month was awarded to Mountain Country Foods. The Trick-or-treat on Main Street event will be on October 27th from 1-3pm, Center Street to 400 North. The Farmer's Market has one more month left before it is over. Councilman Gordon gave an update from the solid waste board meeting. Councilman Gordon encouraged the public to get informed on the RAP Tax/ Proposition 7.

Councilman Scoubes gave an update from the Arts Council meeting. The Harvest Moon Hurrah event was great. Councilman Scoubes said the animal shelter has assisted the public with the recent fires and those that have needed temporary homes for their pets.

Councilman Mendenhall also encouraged the public to research the RAP tax/Proposition 7 so you will be ready to vote when the ballot arrives at your home. Councilman Mendenhall gave an update from the Move Utah Summit meeting in Salt Lake that he attended. Councilman Mendenhall welcomed Craig Baker who is our connection with a new mental health program that the Active and Healthy Committee is hoping to implement for the citizens.

Craig Baker explained the program as having a doctor available online for Spanish Fork residents to talk with. Then the doctor can refer that person to who or what they would need in their time of crisis or need.

Councilman Mendenhall expressed that we hope to get this going, especially with the mental illnesses and tragedy's going on in our community.

Mayor Leifson said with the fires in the area, Spanish Fork Fairgrounds has been ground zero. There were over 2,000 firefighters here helping fight the fires. Mayor Leifson met with Governor Herbert yesterday and he has declared a state of emergency for the Elk Ridge, Woodland Hills and Covered Bridge areas. Mayor Leifson said that the National Guard will be around now that they are helping with the preparations for possible flooding with the projected storms that are forecast. Mayor Leifson thanked all those that have been involved.

Mayor Leifson excused Councilwoman Beck.

SPANISH FORK 101:

1. RAP Tax
2. Accessory Apartments

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – September 18, 2018
- b. River Trail Phase II/Dripping Rock Connection Trail – 2018 Change Order #2
- c. Iverson Purchase Agreement
- d. Spanish Fork Theater Advertising Contract

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

NEW BUSINESS:

Declaration of Emergency

Chris Thompson said the County has reached out to us and asked us to approve this Declaration of Emergency due to the fires and the potential flooding or mudslides from the fires. Mr. Thompson said our staff took our water walls to Payson and most of our sandbags went to Woodland Hills, to help them prepare for the storms.

Councilman Mendenhall made a **Motion** to **approve** the Declaration of Emergency.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor with a roll call vote.

Canyon Creek Parkway / Canyon Crest Drive Guardrail 2018 Project

Chris Thompson said our streets department is excited for these two projects. The first location is on Canyon Crest Drive, which currently has a picket fence with a hill that drops down to Riverbottoms Road. The second location is on Canyon Creek Parkway in a few areas where the side of the road drops down quite a bit. The bid did come in higher than projected, but feel that this a safety issue and staff recommends approval.

Councilman Gordon made a **Motion** to **approve** the Canyon Creek Parkway / Canyon Crest Drive Guardrail 2018 Project.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

Canyon Creek Phase Ten Development Agreement

Junior Baker explained that this is related to the Lowe's site for infrastructure improvements. This agreement is stating that we will front the cost of our percentage and then get reimbursed with impact fees over time.
Staff recommends approval.

Councilman Mendenhall made a **Motion** to **approve** the Canyon Creek Phase Ten Development Agreement.

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

Parkway Professional Plaza Contract Addendum

Junior Baker said the City Council approved an addendum to this contract a few weeks ago. In working with the title company, they found that the legal description was wrong, as the buyer already owned some of the property included. With the correction it will be about \$10,000 less for the City.

Councilman Scoubes made a **Motion** to **approve** the Parkway Professional Plaza Contract Addendum.

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

Ordinance #19-18 Establishing Parking Requirements on Kirby Lane

Junior Baker said we discussed this item last meeting with the problem of semi-trucks parking on this road for long periods. This will protect the businesses in the area.

Discussion took place about where and what areas.

It was agreed to take the Commerce Way road out of the ordinance.

Spanish Fork City Municipal Code §10.16.010(C) is re-lettered to (D) and a new (C) is hereby created to read as follows:

10.16.010 Parking Prohibited.

C. It shall be unlawful for any person to park any vehicle on either side of Kirby Lane or Kirby Court for a period of time longer than two consecutive hours.

Councilman Argyle made a **Motion** to **approve** Ordinance #19-18 Establishing Parking Requirements on Kirby Lane and Kirby Court with the removal of Commerce Way.

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

Resolution #18-14 Authorizing the Engineer/Public Works Director to Execute Subdivision Bond Agreements

Junior Baker said from time to time staff is authorized to sign contracts. This is a standard form for a developer for a subdivision bond. Staff recommends that the signer become the Public Works Director instead of the Mayor.

Councilman Scoubes made a **Motion** to **approve** Resolution #18-14 Authorizing the Engineer/Public Works Director to Execute Subdivision Bond Agreements.

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

Pole Creek / Bald Mountain Fire Contracts

Seth Perrins explained that in the beginning of this crisis the forest service asked us if they could use the Spanish Fork Fairgrounds. We were happy to help and with the fire, there were no homes lost with the many acres burned. There are six contracts for the areas that they used. Mr. Perrins reviewed the areas:

1. Reservoir, to dip and use the water for fires
2. Potable & Non-potable water / grey water
3. Senior Center – for sleeping quarters
4. Spike Camp – camping
5. Airport – base for helicopters
6. Fairgrounds - main base

Councilman Argyle made a **Motion** to **ratify** the Pole Creek / Bald Mountain Fire Contracts. Councilman Mendenhall **Seconded** and the motion **Passed** all in favor.

Eaton Annexation Acceptance Request

Dave Anderson said this property is located at approximately 1300 South 2000 West. Mr. Anderson asked the City Council to accept this annexation for further study.

Councilman Argyle said that Jim Eaton reached out to him and said he along with other neighbors are interested in annexing.

Councilman Mendenhall made a **Motion** to **approve** the Eaton Annexation for Further Study. Councilman Argyle **Seconded** and the motion **Passed** all in favor.

DISCUSSION:

Annexation Buyout Policies

Seth Perrins explained that when the City has annexations, the policy has been that the City will provide all utilities for that area. The electric company that is providing electricity for that area is bought out, then Spanish Fork will provide the electricity. Historically, this happens when a development is going in and the property owner or developer will buyout the electricity and infrastructure.

The question we are presenting is who should pay for the infrastructure, connections, etc. Staff is recommending that we look at changing the process and policies with annexations. Staff would like to discuss the City taking on the buyout cost.

Councilman Argyle feels this would be a good step since this is a huge cost to those that want to be in Spanish Fork.

Discussion about the city paying for the buyout.

Mr. Thompson said this would help the process to keep it between the City and the company.

Mayor Leifson thinks it's a good process.

Mr. Clark reviewed that sometimes we feel that we are putting the burden on the current property owner when property is being annexed into the City. Most of the time it is a developer wanting to buy the property for development, so he feels that the developer should bear the cost of the annexation into the City. Annexing property into the City should not be at the burden of the current residents.

Mr. Perrins said now the annexing party pays for the buyout, he is presenting that the City could pay for all of it or just a portion.

Councilman Argyle agreed to move forward.

City Council agreed to looking more into a change in the process.

ADJOURN:

Councilman Gordon made a **Motion** to **adjourn** to discuss reasonably imminent litigation and land transaction.

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:21 p.m.

ADOPTED: October 16, 2018

Angie Warner, Deputy Recorder