

**Adopted Minutes
Spanish Fork City Council Meeting
September 15, 2020
Spanish Fork Fairgrounds
475 South Main Street
Spanish Fork, UT 84660**

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

Staff Present: Seth Perrins, City Manager; Vaughn Pickell, 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; Nick Porter, Public Information Officer; Quentin Nelson, Management Intern.

Citizens Present: Tyler Bolyard, Amy Bolyard, Nate Goff, Nathan Burdsal, Aaron Jensen, Aaron Robertson, David Jeff, Goose Beardall, David Ludlow, Jordan Brown, Lisa Burdsal, Jesse Brimhall, Jade Andersen, Yoko Ludlow, Maureen Lanto, Mandi Bristow, Aaron Bristow, Joyce Reese, Derek Moody, Ashley Okerlund, Pete Moffanele, Reece DeMille, Brad Morgan, Paige Silv, Denna Hansen, Chris Hansen, Nick Becker, Traci Weston, Josh Anderson, Michal Czarnecki, Ernie Thornton, Wayne Unknown, Zyna Lopez, Blane Brady.

5:15pm WORK SESSION:

1. Thurber School Seismic Report

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 6:02 p.m.

Motivation/Inspirational Message given by George Beardall.
Councilman Mendenhall led in the pledge of allegiance.

PUBLIC COMMENTS:

Mayor Leifson welcomed public comment.

Nathan Burdsal said the Del Monte proposal was rejected. He took offense to the rumored comments from the city council of “mob rule”. Frustrated that he feels the idea has entered into the minds of the city council that there is the council versus the citizens. Most of his neighbors don’t wish to see high density housing. Mr. Burdsal is not against it, under the condition that it is safe. There should be no “other” mentality among anyone in the community. He apologized to the council if any neighbors have threatened the council on any projects. But please don’t dismiss any concerns voiced.

Derek Moody asked where do the rights of the individual and of the community begin and end? He expressed a lack of understanding of city politics and how those confuse how citizens may understand the processes that affect these rights. How may the government change city zoning? What is the process when considering rezoning? Please help the citizens to understand how the council approaches the balance of these rights.

Tyler Bolyard expressed his concern that the vote will not result in a different outcome. He stated that he had heard that a member of the council must recuse themselves from voting on issues tonight. That means there are conflicts of interest. Concerned that if there is one conflict of interest that there may be additional conflicts of interest as well.

Mayor Leifson responded that some rumors are putting words in his [the mayor’s] mouth. Let’s not allow these rumors to dictate citizen’s reactions and don’t spread them among other citizens.

Amber Prior stated that on March 1, 2005 the Charter 1 development began and the council voted on it. The Council and citizens were frustrated by the situation. Ms. Prior believes now that they now have an opportunity to speak up about the effects of the school on the city. Will townhomes be beneficial for this area? Development has narrowed down the street on Mill Road when it was planned to be widened. There is no need to punish those that create these changes but we also don’t need to cater to the options that potentially may create more problems. Infrastructure should be in place before the development begins if planning is done well.

COUNCIL COMMENTS:

Councilman Argyle said the All-Abilities Park and Station 62 both opened this week. The city was able to have soft openings with city employees, students of Nebo School District, and the 30 families that gave feedback and advice on the development of the park.

Councilman Gordon gave an update on the transfer station. They are currently on the selection pre-bid for the architects of the new transfer station. About a year for the design, and hopefully begin construction at the end of 2021 or beginning of 2022.

Councilman Mendenhall said the Rotary Golf Tournament that is held each year provides scholarships to those in need. Councilman Mendenhall thanked Mayor Leifson for his work with the CARES Act funding that will be provided to local businesses. Please keep the rules of the All-Abilities Park. This will be the last meeting that Councilman Mendenhall will also still be the President of the Utah League of Cities and Towns.

Councilman Scoubes echoed the greatness of completed projects as well as looking forward to the hospital's completion in the Spring. Councilman Scoubes said that there were many veterans at Salem Hills High School for the annual football game honoring veterans. Spanish Fork High School will also be hosting a similar game this next week for Hometown Heroes.

Councilwoman Beck shared pictures of the All-Abilities Park and Station 62.

SPANISH FORK 101: Wings and Wheels Event

CONSENT ITEMS:

1. UMPA Solar Lease
2. NRCS Easement Agreement
3. NRCS Crab Creek Project Change Order #1
4. Automated Weather Observation System Upgrade Grant Agreement
5. Abandoned Airplane
6. Wagstaff Investments LLC - Spanish Fork Parkway & Highway 6 Property
7. Station 62 Janitorial Agreement - RBM Building Services

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

NEW BUSINESS:

Motion to rescind Ordinance No. Z07-20, which was approved on September 1, 2020, changing the zoning designation and amending the Official Zoning Map of Spanish Fork City for the Del Monte Zone Change. This ordinance would change the zoning of the subject property from Industrial 2 to R-3.

Vaughn Pickell explained that this ordinance would take effect 20 days after its

approval (September 21, 2020). Mr. Pickell also addressed some comments made during the public comment section and explained the State Statute regarding conflicts of interests, disclosure, written notice and recusal. He further explained that State Law is very clear that an elected official should disclose, in a public meeting, a personal conflict of interest defined as outlined in the code. Finally, he noted specifically that nothing in Utah law requires an individual to recuse themselves from a situation/vote. However, individuals may choose to do that for their own reasons.

Councilman Mendenhall recused himself from the discussion of this item.

Councilwoman Beck made a **Motion** to rescind Ordinance No. Z07-20, which was approved on September 1, 2020, changing the zoning designation and amending the Official Zoning Map of Spanish Fork City for the Del Monte Zone Change.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor with a roll call vote. Councilman Mendenhall did not vote.

Consideration and vote on Ordinance No. Z12-20, an ordinance changing the zoning designation and amending the Official Zoning Map of Spanish Fork City for the Del Monte Zone Change. This ordinance would change the zoning of the subject property from Industrial 2 to R-3.

Dave Anderson said there is nothing new to present from the meeting two weeks ago. This is the same as Ordinance No. Z07-20. Mr. Anderson reminded the Council that the Development Review Committee recommended this be approved and that the Planning Commission recommend the zone change be denied.

Councilwoman Beck commented by thanking Nathan Burdsal for fighting against the mob mentality comment. She also addressed Derek Moody's desire for greater feedback about councilmembers' thought processes. She commented that the council doesn't need to approve everything that developers present to them.

Councilman Argyle said that the Council probably imposes more on land owners more than anyone. He considers this intensely in making his decisions. Land ownership is a protected right. He is not a fan of density but has also learned that options are needed for people in the community. He tries to represent all citizens of Spanish Fork, not just the few that may be affected by change. Councilman Argyle disclosed that he works for RB Construction that does work for Arive Homes.

Councilman Scoubes said he would love to meet with Nathan Burdsal about the "mob rule" comment. He would also love to talk with Derek Moody about his

comments. Councilman Scoubes is concerned about traffic and the need for crossing guards that would result in the approval of the business at hand and that's why he's voting the way he is. The safety of the public is his primary concern when dealing with public changes.

Councilman Gordon said he does not have any personal conflicts of interest needed to disclose on the following issue.

Councilman Gordon made a **Motion to approve** Ordinance No. Z12-20, an ordinance changing the zoning designation and amending the Official Zoning Map of Spanish Fork City for the Arive Del Monte Townhome Zone Change.

Councilman Scoubes **Seconded** and the motion **Passed** with a roll call vote of 3-2.

Councilman Argyle - Nay

Councilwoman Beck - Nay

Councilman Gordon - Aye

Councilman Scoubes - Aye

Councilman Mendenhall - Recused

Mayor Leifson - Aye.

Consideration and vote on a proposed Preliminary Plat for Arive Del Monte Townhomes, a 54-home Master Planned Development located at approximately 1100 South Del Monte Road on a 5.95-acre parcel.

Dave Anderson said nothing has changed from the meeting two weeks ago. Mr. Anderson reminded the Council that the Development Review Committee recommended this be approved and that the Planning Commission recommend the zone change be denied.

Councilman Scoubes made a **Motion to approve** the Del Monte Townhomes Preliminary Plat with 54 homes based on the following finding and subject to the following conditions:

Finding

1. That the project conforms to the City's General Plan and zoning requirements

Conditions

1. That the applicant addresses any outstanding red-lines.

2. That the applicant participates in area street improvements as described in the memo attached to the staff report.

Councilman Gordon **Seconded** and the motion **Passed** with a roll call vote of 3-2.

Councilman Argyle - Nay

Councilwoman Beck - Nay

Councilman Gordon - Aye

Councilman Scoubes - Aye

Councilman Mendenhall - Recused

Mayor Leifson - Aye

Rindlisbacher Annexation Acceptance for Further Study

Dave Anderson said this request is asking the Council for a motion to accept the proposed annexation for further study. This item will probably come back to the City Council within 3-4 months in a public hearing with a proposal for annexation.

Councilwoman Beck made a **Motion** to **accept** the Rindlisbacher Annexation for Further Study.

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

Republic Services Contract

Vaughn Pickell said this contract is before the Council for a new agreement with Republic Services to contract for Solid Waste Collection. The contract is for 5 years with a City option for a 3-year extension. Recycling is tiered depending on the number of people that participate in the program.

Councilman Scoubes made a **Motion** to **approve** Republic Services Contract.

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

PUBLIC HEARING:

Blue Ox Zone Change

Dave Anderson explained that this property is within city limits but is also outside the City's growth area and is within a floodplain. The proposal is to change the zoning to R-1-6 for approximately 12 acres of land on the south end of Main Street. The Development Review Committee and Planning Commission recommends to deny the proposal because it is outside the City's growth area and is within a floodplain.

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

Councilman Argyle **Seconded** and motion **Passed** all in favor at 7:51 pm

Mayor Leifson welcomed public comment.
There was none.

Councilman Argyle made a **Motion** to go out of public hearing.
Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:51 pm.

Councilwoman Beck asked why this development is being presented again when we are so close to finishing the TDR process?

Aaron Robertson, Developer said that they have heard comments from the public about townhomes and will now conform to the City's General Plan. We understand that the property is outside of the growth boundary but that's a soft boundary. The utilities needed, except sewer, are on the doorstep of the property. There was a contract with good faith that there would be development in the River Bottoms so we would appreciate it if the city followed through on that agreement. Mr. Robertson believes that he is entitled to the development that was intended.

Mayor Leifson asked what is being done to address the floodplain issue?

Mr. Robertson said he believes that there are options to mitigate the floodplain.

Councilman Scoubes asked what do we know of the contract Mr. Robertson spoke of?

Mr. Anderson stated his understanding of the contract is that the purchase of the property contemplated 2 paths: 1. The property would be developed in probably a denser fashion than at question or; 2. The developer could be paid for that entitlement and the development right would be void.

Councilman Argyle asked if the property was already in the city limits?

Mr. Anderson responded yes.

Councilman Scoubes stated that he didn't feel comfortable making any changes to the zoning at this time.

Councilman Scoubes made a **Motion** to **Deny** the proposed Zone Change based on the following findings:

Findings

1. That the property is located outside the Growth Boundary.

2. That the River Bottoms Vision project is in process and that it is premature to act on the proposal until it is complete.

3. That the property is located within the Floodplain

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

Ordinance 13A-20 Changing the General Plan Designation and Amending the Official General Plan Map of Spanish Fork City for the Hurst General Plan Amendment.

Dave Anderson stated this property is at approximately 3200 East 1530 South. They are proposing to build approximately 18 lots. In order to build at this density, Mr. Anderson explained that the applicant must first have the land rezoned to R-1-6. This conflicts with the current City General Plan. This ordinance is only talking about changing the land use map of the General Plan. Mr. Anderson explained that the decision before the City Council is mostly subjective. An argument to support the request is the higher the density, the more likely the development will occur and the faster it will occur. The Development Review Committee and Planning Commission recommends accepting the proposal.

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

Councilman Scoubes **Seconded** and motion **Passed** all in favor at 8:12 pm

Mayor Leifson welcomed public comment.

Zina Lopez stated she is from a large city and came to Utah for the open space. She asked the Council to give caution to high-density development. Let's move development slowly in order to balance high-density developments and preserving open space.

Michal Czarneck stated that changing the general plan should have a compelling reason. I encourage the city council to stick to the general plan in all cases without compelling reasons.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 8:17 pm.

Mr. Anderson explained that there are a handful of different development options for the property. He explained that we could consider minimum lot sizes of 6,000 sq ft lots up to 12,000. The Development Review Committee recommends amending the general plan in order to consider any lot sizes less than 12,000 sq ft. An R-1-8 or R-1-9 zoning could create a hybrid option that could address the concerns at hand.

Sean Hanson, Bionic Construction, stated that only about one third of the lots are 6,000 square feet and some lots are 13,000 square feet. The average size/lot is 8,000 square feet.

Councilman Scoubes asked if there will be an HOA with this development?

Mr. Hanson indicated no, that there wasn't an HOA contemplated for this development.

Councilwoman Beck expressed that there may not be much of a difference in three homes, but she feels that there is already high-density growth in other areas of Spanish Fork.

Councilman Scoubes made a **Motion** to **approve** Ordinance 13A-20 Changing the General Plan Designation and Amending the Official General Plan Map of Spanish Fork City for the Hurst General Plan Amendment.

Councilman Argyle **Seconded** and the motion **Passed** with a roll call vote of 4-1.

Councilman Argyle - Aye

Councilwoman Beck - Nay

Councilman Gordon - Aye

Councilman Mendenhall - Aye

Councilman Scoubes - Aye

Ordinance Z08-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for The Ridge Phase 6 & 7 Zone Change.

Dave Anderson explained that this proposal is to add land to The Ridge development at approximately 2600 East Avery Lane. The ordinance would change the zoning from R-1-9 to R-3. The property in question already borders the current Ridge development. The Development Review Committee proposes approval of the zone change.

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

Councilwoman Beck **Seconded** and motion **Passed** all in favor at 8:40 pm

Mayor Leifson welcomed public comment.
There was none.

Councilman Argyle made a **Motion** to go out of public hearing.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 8:40 pm.

Councilwoman Beck disclosed that the area includes some of her clients and
Mendenhall recused himself from the vote.

Councilman Argyle made a **Motion** to **approve** Ordinance Z08-20 Changing the
Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for
The Ridge Phase 6 & 7 Zone Change.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor with a roll call
vote. Councilmember Mendenhall recused himself from the vote.

**Ordinance Z09-20 Changing the Zoning Designation and Amending the Official
Zoning Map of Spanish Fork City for the Heritage Farms Zone Change.**

Dave Anderson presented the property located at 1350 East 800 South, including
16.99 acres. The property is currently zoned R-R and R-1-9. The ordinance would
change all property zoning to R-1-9 and approve the preliminary plat of 53 residential
lots. The Development Review Committee recommends approval of the proposed
preliminary plat.

Councilwoman Beck asked about the 9,000 sq ft lots and appreciation for pointing
out the prevention of direct driveway access onto 1400 East.

Mr. Anderson said there are certain lot depth and width requirements for standard
subdivisions. There are limits of the number of homes allowed in an acre.

Councilman Mendenhall asked who will take care of the landscaping between 1400
East and the wall behind the homes? This poses a potential issue if the homeowners
must care for the ground as they would have to take a mower around an entire
neighborhood block. This usually leads to unkept landscaping.

Mr. Anderson said that land will be developed and then donated to the city and the
city will take care of that landscaping.

Councilman Scoubes said he understands that our general plan edits must have a
justification. The numbers also are more in line with R-1-8 or R-1-9 zoning.

Mr. Anderson said the need for justification is why this issue is on the council's agenda. That is why the council must determine whether or not there exists sufficient justification for the zone change.

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

Councilman Scoubes **Seconded** and motion **Passed** all in favor at 9:02 pm

Mayor Leifson welcomed public comment.

Blane Brady said his house borders the property in question. Will there be a turn lane onto 1400 East from the neighborhoods? There should also be water retention for some of these lots. The plan is inconsistent because certain houses across 1400 East would be looking at the backs of other houses. Will there be a center turn lane and a stop sign in the middle to slow down traffic?

Michal Czarnecki said there are enough issues to be concerned with to return this proposal to the planning commission.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:08 pm.

Brad Morgan had a neighborhood meeting to engage the community and there was no community concern received. On 1400 East, giving up 21 ft to the city (16ft of landscaping). 9,900 avg lot size in development. Some 8,000 sq ft lots. Do have traffic narrowing systems to slow traffic in the development. Our project has the water systems to get it off the street and into the ground. Started with 3 roads and increased to 5 roads to create greater connectivity to other local developments.

Councilman Argyle made a **Motion** to **approve** Ordinance Z09-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Heritage Farms Zone Change and Approval of the Preliminary Plat.

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

Ordinance Z10-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Gage Canyon Zone Change.

Dave Anderson presented the property at 1350 East 800 South, including 10.27 acres. The property is currently zoned R-R and R-1-9. The ordinance would change all property zoning to R-1-9 and approve the preliminary plat of 36 residential lots.

Councilman Gordon made a **Motion** to go into public hearing.
Councilman Argyle **Seconded** and motion **Passed** all in favor at 9:20 pm

Mayor Leifson welcomed public comment.

Blane Brady expressed that something needs to be done to slow traffic down in the area.

David Ludlow said this proposed development conforms more with R-1-8 zoning. Different from Ordinance Z09-20. Lots in this proposal are smaller sizes. Please consider how this makes the neighborhood more attractive and pleasant as compared to the development to the south.

Chris Hansen said development isn't a problem. Please return this proposal to the committee and make revisions. Don't allow boats and RV's parked on lawns.

Traci Weston said the desire has a more cohesive feel from one part of the city to the next. Please make the intersections safe.

Councilman Gordon made a **Motion** to go out of public hearing.
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 9:32 pm.

Councilwoman Beck asked what changes in the number of lots would create the changes to address the concerns voiced here?

David Ludlow responded that simply reducing the lot numbers by about 10% (3-4 lots) would make large enough changes to create desired changes.

Scott Peterson, developer, said there will still be the connectivity with trails and streets. Having the driveways face away from 1400 East addresses the traffic concerns. These are also larger homes than those across the street. Also, the price ranges will attract those that will care for the area and not create a dilapidated area.

Councilman Argyle made a **Motion** to **approve** Ordinance Z10-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Gage Canyon Zone Change and Preliminary Plat.
Councilman Scoubes **Seconded** and the motion **Passed** with a roll call vote of 3-2.

Councilman Gordon - Nay
Councilwoman Beck - Nay
Councilman Argyle - Aye

Councilman Mendenhall - Aye
Councilman Scoubes - Aye

Ordinance Z11-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Okelberry Self Storage Overlay Zone Change.

Dave Anderson presented the property located at 1900 North 200 East including 6.0 acres. The property is already zoned I-1. The applicant has requested that the Self-Storage Overlay be employed to allow them to incorporate Self Storage Warehouses and/or Recreational Vehicle Storage into the site.

Councilman Gordon made a **Motion** to go into public hearing.
Councilwoman Beck **Seconded** and motion **Passed** all in favor at 9:44 pm

Mayor Leifson welcomed public comment.
There was none.

Councilman Argyle made a **Motion** to go out of public hearing.
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:44 pm

Councilman Scoubes stated that land to the north is considered for a new sewer facility. Are there any restrictions for these proposed facilities to be so close to a sewer facility?

Dave Anderson said this is the best type of land for us to have next to this type of facility with regard to private property and proximity to a sewer plant.

Councilman Gordon made a **Motion** to **approve** Ordinance Z11-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Okelberry Self Storage Overlay Zone Change.
Councilman Argyle **Seconded** and the motion **Passed** all in favor with a roll call vote.

Ordinance 14-20 Making Amendments to Allow the Temporary Use of Structures in the Shopping Center Zone.

This proposed amendment would allow for the temporary use of structures in the Shopping Center Zone. Potentially use the old Shopko building for warehouse types of activities. Owners desire to have tenets in the building whereas now there are none. Benefit to the city is that there is use to the facility, lights, and greater security of activity in and around the facility. Keeps the building standing. Facilities in the Provo City Mall are being used in a similar fashion. The Kmart building is another candidate

for this type of use. May amend later if another facility ends up in a similar situation, but there are few facilities that could potentially utilize this ordinance.

Temporary Uses: 1. Certain uses may be permitted on a temporary basis in Zoning Districts where they otherwise are not allowed. Express written approval must be provided by the Community Development Director prior to the commencement of a Temporary Use. Temporary Uses will be limited to those identified in a particular Zoning District and will be subject to conditions. The specific conditions associated with each Temporary Use will address the approved duration of the use, the precise nature of the use, the scope of the use and any others deemed appropriate for a particular situation. Businesses operating approved Temporary Uses must maintain a valid Spanish Fork City Business License.

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

Councilman Scoubes **Seconded** and motion **Passed** all in favor at 9:53 pm

Mayor Leifson welcomed public comment.

Michael Czarnecky asked if there is an expected use or will this be an Amazon distribution center?

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:53 pm.

Dave Anderson said that this would not be a year-long business license. This is for temporary use, so it could not turn into a distribution center such as those used by Amazon.

Councilman Scoubes made a **Motion** to **approve** Ordinance 14-20 Making Amendments to Allow the Temporary Use of Structures in the Shopping Center Zone. Councilman Argyle **Seconded** and the motion **Passed** all in favor with a roll call vote.

Ordinance 15-20 Amending the Spanish Fork Municipal Code Related to Types of Animals that may be Kept and Penalties for Violating Animal Regulations.

Vaughn Pickell explained that there are no changes to the numbers of animals allowed or the land sizes. The changes are in the types of animals allowed on properties.

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

Councilwoman Beck **Seconded** and motion **Passed** all in favor at 10:00 pm

Mayor Leifson welcomed public comment.

Unknown- What kinds of animals are you talking about in this ordinance? Vaughn responded that only animals were taken off of the acceptable list, mainly peacocks.

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 10:01 pm.

Councilman Gordon made a **Motion** to **approve** Ordinance 15-20 Amending the Spanish Fork Municipal Code Related to Types of Animals that may be Kept and Penalties for Violating Animal Regulations.

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

Public Hearing to Allow Public Input Regarding (A) The Issuance and Sale by Spanish Fork City of Not More Than \$14,000,000 Aggregate Principal Amount of Water Revenue Bonds, Series 2020; And (B) Any Potential Economic Impact that the Project to be Financed with the Proceeds of the Series 2020 Bonds Issued Under the Act may have on the Private Sector; And Related Matters

Kent Clark said this bond issue will not raise water rates. It will replace water bonds that are being retired, thereby not raising the amount of debt the city has in water bonds, neither allowing the amount to drop. The city council has already approved of the parameters of the bond. This public hearing allows the public to provide input on the bond before a resolution is presented to the council that would give city employees approval to obtain the bond.

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

Councilman Argyle **Seconded** and motion **Passed** all in favor at 10:04 pm

Mayor Leifson welcomed public comment.

There was none.

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 10:04 pm.

NEW BUSINESS:

Consideration for Adoption of Resolution #20-22 of the City of Spanish Fork City, Utah, Finalizing the Terms and Conditions of the Issuance and Sale by the Issuer of its Water Revenue Bonds, Series 2020 in the Aggregate Principal Amount of \$14,000,000 and Related Matters

Seth Perrins explained that as the city looked at the capital projects for the water system and the small interest rate the city already received (<2%) for the sewer bond, the city will obtain more water bonds to take advantage of the current low interest rates and address approaching capital project needs. The bonds will be used to install lining into the current system to prevent leaks that result in water loss. Install into the East Bench area and connect to the Mapleton CUP tank to improve water pressure in the East Bench area. Replace two old water tanks in Spanish Fork canyon with one tank of equal volume capacity. A number of water line replacement projects will also be covered with these funds, depending on the amount used on the previously enumerated projects.

Kent Clark explained that if this resolution passes, the next week will give a rating presentation for a bond rating and then allow for selling the bonds on market a few weeks following.

Councilwoman Beck made a **Motion to approve** Resolution #20-22 of the City of Spanish Fork City, Utah, Finalizing the Terms and Conditions of the Issuance and Sale by the Issuer of its Water Revenue Bonds, Series 2020 in the Aggregate Principal Amount of \$14,000,000 and Related Matters.

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

Councilman Mendenhall recused himself from the vote.

Ordinance #16-20 Amending Title 8, Abatement of Weeds, Garbage and Refuse Adding an Appeal Process

Vaughn Pickell presented the proposed ordinance which would establish an appeals process for weed and garbage abatements.

A citizen must send in a request for a hearing within 20 days of the city sending the weed abatement bill. They then have a hearing with the public safety director or a designee and if still unsatisfied afterwards, may appeal the hearing with the city council.

Councilman Argyle made a **Motion to approve** Ordinance #16-20 Amending Title 8, Abatement of Weeds, Garbage and Refuse Adding an Appeal Process.

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

DISCUSSION:

There was none.

ADJOURN:

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 10:11 p.m.

ADOPTED: October 6, 2020

Quentin Nelson, Management Intern