

Adopted Minutes
Spanish Fork City Council Meeting
October 19, 2021
40 South Main Street
Spanish Fork, UT 84660

Elected Officials Present: Mayor Steve Leifson, Councilmembers Mike Mendenhall, Brandon Gordon, Stacy Beck, Chad Argyle, Shane Marshall

Elected Officials Absent:

Staff Present: Walter Bird - Assistant City Attorney; Chris Thompson - Public Works Director; Dave Anderson - Community Development Director; Steve Adams - Public Safety Director; Dale Robinson - Parks & Recreation Director; Division Manager; Tara Silver - City Recorder; Nick Porter - Public Information Officer; Scott Aylett - Library Director; Jordan Hales - Finance Director; Dale Robinson - Parks and Recreation Director; Tyler Jacobson - Assistant City Manager

Staff Absent: Seth Perrins - City Manager

Citizens Present: Cory Slaymaker, Cody Harris, James Darling, Brandon Anderson, Cade Harding, Brandon Beebe, Owen Leifson, Ryder Madson, Alexis Harris, Cooper Harris, Clayton Rackham, Jackie Smith, Fred Vincent

5:15 WORK SESSION:

- a. North/South Corridor Study, What do we do with Arrowhead Trail?

Discussion took place regarding the item(s) listed above; no formal actions are taken in a work session.

6:00 pm CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:

Mayor Leifson called the meeting to order at 6 pm

Prayer/Motivation/Inspirational Message by Councilman Argyle

Councilman Gordon led the congregation in the pledge of allegiance.

PUBLIC COMMENTS:

None

Employees of the Quarter

Steve Adams spoke about Employee of the Quarter Cody Harris from the Public Safety Department. Steve let us know that Cody previously had worked 8 years for another agency before coming to Spanish Fork. He has worked for us for 6 years where he has worked in many areas of public safety. Steve highlighted Cody's diligence in a cold case file that he was able to move the case to a successful court conclusion after it had been stagnant for 30 years. Steve further elaborated how Cody has been the guy that shakes your hand, shares a smile, a hug to help you, and was the person you want your son to be. Steve told us Cody is currently a sergeant who is mentoring other officers. Steve elaborated on how grateful he was to have him as an asset to the Spanish Fork community, personally, and for the Mayor and Council. Steve pointed out Cody's two children.

Cody introduced us to his children Alexis and Cooper Harris and told of his middle daughter who was working at Cal Ranch and wasn't able to make it.

Chris Thompson spoke about Employee of the Quarter James Darling from Public Works Engineering. Chris pointed out James' sons with him, Bentley and Rider who are good at math so he hoped to recruit them in the future. Chris told us James has worked for us for a couple of years and then we became a phase 2 MS4 city which meant we had new stormwater regulations to comply with. Chris helped us understand the magnitude of the change by telling us how the penalties for other cities had been in the 6 figures after they were audited. Chris told us James was the one put to the task to make sure we were compliant with the new regulations. At first, he met with James twice a week, but soon Chris realized James was doing the job better than he could in developing the program and making sure we wouldn't be fined much if audited.

James Darling let us know Chris stated he was to make sure Chris didn't get sent to jail.

Chris Thompson stated James is great to work with and makes the office a fun place to be and because of him we are so much better. Chris also elaborated that he has voted for James many times to get him to this point.

Tyler Jacobson surprised everyone when he spoke about another Employee of the Quarter, Tara Silver from Administration. Tyler let us know around 4 years ago this employee came to Spanish Fork City and asked if we had an unpaid internship for her UVU Communication degree. Tyler let us know that typically they did not do this type of thing, but right then help was needed and we were able to give her an internship which she excelled at. Tyler continued the working timeline stating that a couple of months later a job opening came up for an HR Technician and he asked Tara if she was interested, and was thankful when she accepted the position. Tyler let

us know she is now the City Recorder and in her short time since April someone had nominated her for Employee of the Quarter and in the description, they stated that in the few months Tara had worked in this position she had accomplished some amazing things. Tyler went on to state he appreciated her creating a record of who can sign what regarding the documents in the city, which made it easier to see who could sign on behalf of the city and making sure we had the right people signing for documents Tyler went on to explain that Tara also put together an employee records committee. Tyler recognized Tara's family as they walked in and asked Tara if she knew this was happening tonight.

Tara Silver responded she was not aware she was on the agenda.

Tyler let us know Tara is the one who puts the agenda together so normally the name of the Employees of the Quarter would all be listed on the agenda, but there was one missing this time and Mayor had the lucky recipient Tara Silver on his list. Tyler elaborated on how grateful he was for Tara in helping employee development and everything regarding her recording position and we would all do well to emulate the character she has developed. Tyler invited Tara to come forward.

Tara lightheartedly let the people present know that this was not on the agenda and followed up stating she loves her job and learns something new each day. She explained that recently she was given Spanish Fork records from UVU dated from 1897 and that she is currently going through them and excited to see all that is there.

Tyler invited all the employees of the quarter to come forward with their families for a picture.

Mayor Leifson let us know we have great employees who work for the city and what was special about each one of the employees who won tonight was that their peers nominated them. which he felt made it more special.

Mayor Leifson welcomed public comment.

There was none.

COUNCIL COMMENTS:

Councilman Gordon congratulated the three individual employees and pointed out that what we didn't see was fellow employees in the foyer who came to congratulate them as well. Councilman Gordon let us know he was wearing his I-voted sticker to remind everyone to go out and exercise their right to vote and find out about the candidates. Exercise your right to vote.

Councilman Mendenhall appreciated that we get to honor great employees and their support for each other. He shared some political events that happened last week. The first one was the American Legion who asked the candidates to come to speak. Councilman Mendenhall found it ironic that in political speeches candidates often said we will fight for your rights. Political events American Legion. In some political talk some say I am going to fight for your rights, but when he thinks of fighting he doesn't think of politicians. He recalled the last time he got in a fight was in the 3rd grade. Mike related how humbling it was when he talked with veterans who had fought for our rights. Councilman Mendenhall asked the next generation to honor their sacrifice by voting. The second was the Meet the Candidates Night at the Senior Center with the Chamber of Commerce. He asked voters to watch it and educate themselves on candidates' stances and who would be best to represent them.

Councilman Mendenhall appreciated Councilman Marshall going to a meeting he wasn't able to make. He went on to say that sometimes we get questions about federal issues as we campaign, but he felt it comes down to worrying about our community and what we can touch. Councilman Mendenhall talked about the meeting he missed that discussed some of those local issues with a principal and parents in Davis County about traffic issues. He reiterated that that is what public service is about locally and thanked Councilman Marshall for his time and energy in filling in with him.

Councilwoman Beck let us know the Spanish Fork Youth City Council is helping the library label books on Saturday to get ready for their move and invited others to volunteer as well. She announced the 2022 theme for Fiesta Days as Somewhere To Be Proud Of. Councilwoman Beck told us of the opportunity residents had to submit a logo or design following the theme. She told of some of the requirements and the prizes if your logo was picked. Councilwoman Beck reminded us about the Trick or Treat event on Main Street Saturday, October 30, 2021 from 1-3 pm.

Councilman Marshall reported about the meeting he went to for Councilman Mendenhall. He stated he sat on a corner and watched traffic with the principal and came up with short and long help for traffic. He let the residents know he enjoys discussing traffic and invited residents to call him. Councilman Marshall let us know in his private life he is with a company working on a transit study called South County Transit Study and there will be a public meeting held on October 21, from 6-7 pm.

Dave Anderson elaborated that the meeting of the South Valley Transit Study is to discuss local alternatives of transit to Spanish Fork. Dave let us know they are working with engineering firms and mass transit to consider bus rapid transit, light rail, and enhanced bus service. Dave told us an example of this would be the Front

runner commuter rail. This would be an opportunity for Spanish Fork residents to provide their thoughts on commuter rail. Dave let residents know the timeline and the effort that would be needed to get this kind of service to Spanish Fork.

Councilman Marshall told us that the more the community shows its support the faster the timeline will speed up for the Utah Transit Authority to bring this type of transit to Spanish Fork.

Dave Anderson also let us know we will need to prepare for transit through infrastructure and development to make it possible.

Councilman Marshall lobbied for Springville's and Payson's help as well to help change the timeline.

Councilman Argyle reported on the Veteran's council and that even though they have had a lot of funerals lately, the silver lining was we get to give those who sacrificed for us their last rights when they pass. He talked about Thomas Jefferson, a founding father of our country, and the need to remember our constitution. Councilman Argyle felt it was sad to hear that a statue of him had been removed back east. He felt even though he wasn't perfect, it is our history, and he did many good things as well.

Mayor Leifson reported on his meeting with the Governor's task force on an electrical agreement. He spoke of one of the reasons for the agreement was to render electrical aid to other cities in disasters. Mayor Leifson let us know he signed the agreement representing the Chairman of the UMPA Utah Municipal Power Association.

Mayor Liefson detailed his visit to Brockbank Elementary for Red Ribbon week where police dogs Maverick and Iceman were loved.

Mayor Leifson described his trip to Mona, Utah about power rights and solar farms where there were 540 acres with 248,000 panels that follow the sun and provided 180 megawatts of power that would be sold if not needed. He related that at the dinner he met a relative Brenda Leifson who was a former Mayor of Fayette, Ut.

Councilman Marshall asked to amend his comments to include the announcement that the Spanish Fork Community play, The Foreigner, would be going on for the next 5 days and where to get tickets.

Mayor Leifson reminded us to get out and vote so residents' voices can be heard. He mentioned he was grateful he was able to sit back and enjoy the candidates as he is not running.

SPANISH FORK 101

a. General Election Information - City Recorder

Tara Silver presented the important dates of the election, how to make sure your vote counted, and where to vote.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting - 10-05-2021
- b. Wastewater Treatment Plant - Fine Screens Equipment
- c. Wastewater Treatment Plant - Ultraviolet Disinfection Equipment
- d. Interlocal Agreement Utah County - Utah County Public Works Waterline
- e. Updated US6 Power Transmission DR Horton Ditch Abandonment Spanish Fork City East Bench Canal Company with Quiet Valley

Councilman Gordon made a **Motion** to approve Consent Items a - e
Councilman Argyle **Seconded** and the motion **Passed** all in favor at 6:40 pm.

PUBLIC HEARING:

A. Ordinance A04-21 the Proposed J-6 Annexation. This proposal would annex some 90 acres into Spanish Fork with Industrial 1 zoning. The subject properties are located at approximately 1200 West State Route 77.

Dave Anderson detailed this area at the end of the Spanish Fork Airport runway that comprises 90 acres altogether. He recommended this be approved for further study and outlined the process for it to be formally adopted. Dave felt this was the right time to annex this property as infrastructure and development are close at hand.

Councilman Mendenhall **Moved** to go into a public hearing.
Councilman Beck **Seconded** and the motion **Passed** all in favor at 6:42 pm.

Mayor Leifson welcomed public comment.

Clayton Rackham of DWC Capital stated he was excited about the development as he was the top industrial user in the area.

Councilman Gordon **Moved** to go out of public hearing.
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:43 pm.

Councilman Marshall clarified for everyone where the proposed annexation property was.

Dave Anderson told us the history of the properties around the proposed annexation. Dave pointed out the difference between the south properties and this property being supported by robust development so it is the right time to act.

Councilwoman Beck **Moved to Approve Ordinance A04-21 the Proposed J-6 Annexation. This proposal would annex some 90 acres into Spanish Fork with Industrial 1 zoning. The subject properties are located at approximately 1200 West State Route 77.**

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:46 pm with a roll call vote.

NEW BUSINESS:

A. Proposed Preliminary Plat Amendment for Swift Creek, a Master Planned Development located at approximately 3100 East 950 South in the R-1-15 zone. The proposal would allow for the creation of 91 residential lots.

Dave Anderson let us know that this proposal was already approved, but now they want to include a portion of land that was originally a vacant lot. He relayed the change would increase the master plan from 85 to 91 lots. Dave recommended the change with the following findings and conditions stated.

Councilman Beck pointed out that these were not considered high density as they were 1/3 acre lots.

Councilman Mendenhall **Moved to Approve the Proposed Preliminary Plat Amendment for Swift Creek, a Master Planned Development located at approximately 3100 East 950 South in the R-1-15 zone. The proposal would allow for the creation of 91 residential lots with the following findings and conditions.**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:49 pm with a roll call vote.

B. Proposed modification to Master Planned Development approval regarding setbacks for Escala, a Master Planned Development in the R-3 Zone located at approximately 1300 South Del Monte Road.

Dave Anderson reminded the Mayor and Council that this development is a site by American Leadership Academy with a combination of townhomes and single-family homes. Dave relayed the builders' discovery that they were limited to some lots on the western boundary regarding single-family homes. Dave told us they would like us to approve from 5 feet to 10 feet setbacks so they can have wider homes. Dave let us know that a home being 5 feet from a fence had been approved before for development.

Councilwoman Beck clarified that homes could be 5 feet from the fence.

Dave Anderson told us two lots would look better if they could turn them to face west. To do what they want the 5 to 10 feet setback needs to be approved.

Councilwoman Beck wanted to know if the lots were $\frac{1}{3}$ acre or $\frac{1}{4}$ acre lots.

Dave Anderson responded they were not.

Councilwoman Beck wanted to know the other options besides approving the change.

Staff and Council discussed other options.

Dave Anderson let them know the applicant would have to request that option.

Councilman Gordon let us know the largest lot is 21,000 square feet and the smallest around 10,000 square feet.

Dave Anderson responded that most of them are $\frac{1}{8}$ acre lots.

Councilwoman Beck was concerned about cramming houses there.

Mayor Leifson let her know we had done it before.

Dave Anderson let us know this has had mixed reviews in the past and told us the depth is a big deal to the neighbors on the west who don't want this development looking down into their yards.

Councilwoman Beck reiterated that this decision would make it so they could look out into the neighbor's yard because they are 10 feet apart.

Dave Anderson said it came down to if the Mayor and Council would prefer a wider home or more space between homes.

Councilman Mendenhall asked if the developer had the same amount of lots as they came with for approval before.

Dave Anderson stated the lot number had not changed at all.

Councilman Marshall surmised that it is simply about getting a bigger home on the lot.

Dave Anderson responded yes.

Councilwoman Beck wanted to know if you could put a car on the side of your home.

Staff and Council answered no.

Mayor Leifson let us know we have this type of setback on center street next to the Spanish Fork High School.

Dave Anderson didn't think it was advantageous to approve something less than 5 feet.

Mayor Leifson let us know there are 0 lot lines elsewhere but he preferred at least 5 feet.

Staff and Council discussed people would know going in that they would be buying a bigger lot or bigger home. They talked about examples of where it was used in the city and Councilman Mendenhall stated he had 5 feet on one side of his house. They talked about where we have larger lots in the City.

Councilwoman Beck expressed her concern about the setback being 5 ft.

Councilman Mendenhall asked if the applicant could come and explain to the Planning Commission how far apart the lots would be for each home.

Staff, Mayor, and Council decided they needed more information and to discuss more options to make an intelligent decision and tabled this proposed modification.

Councilman Gordon **Moved to Table the Proposed modification to Master Planned Development approval regarding setbacks for Escala, a Master Planned Development in the R-3 Zone located at approximately 1300 South Del Monte Road.**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 6:59 pm.

C. Resolution 21-23 Amending Annexation Filing Fees and Power Hookup Fees

Chris Thompson explained that the cost of an annexation area can vary from one area to another, so to be consistent it was proposed the cost be spread out. Chris went on to tell us that when an annexation occurs a fee of \$572 would be paid per meter in the annexation. Chris elaborated that it would cost the city more than the \$572, but the additional would be spread out in the annexation area. The overall cost would not just be for the homes but include running electric lines throughout the area to make it ready for City power. Chris stated for a residential home the cost would be \$200 for an electric connection fee and a non-residential fee would be \$572 per acre. Chris told us the map is not in its final form and asked that in the motion it be stated it is contingent that those who have already paid fees for this be excluded from this map.

Councilman Gordon **Moved to Approve Resolution 21-23 Amending Annexation Filing Fees and Power Hookup Fees with exclusion of those who have already paid the annexation fee.**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:08 pm with a **Roll call vote**

D. Wasatch Pallet Relocation Costs Agreement

Chris Thompson detailed how Wasatch Pallet had worked with the city and relocated to the Union Pacific tracks so we could have UTA Commuter Rail come to Spanish Fork and get the Center Street interchange. Chris explained this move was expensive and the city could help them by allowing the impact fees paid on the old building to be transferred to the new building. Chris elaborated on the fact that when a new building is built in the city it is important that existing businesses do not pay the impact cost of the new building, so the new builder would pay an impact fee for the city infrastructure. Chris let us know that an impact fee usually stays with the building and is not paid again when another occupant uses the building. Chris proposes that because they are demolishing the old building it made sense to allow them to transfer the impact fee to the new building. Chris detailed that because we

have access to corridor preservation funds, the city could apply for those funds for SR-115 now and Wasatch Pallet could put those funds towards moving costs. Chris emphasized that it must be insured before we apply for the corridor preservation funds that the underlying landowner commits in the agreement that all those funds will go toward the relocation cost.

Councilman Gordon wanted to know if we have ever done something like this before.

Chris Thompson told us this was a unique situation.

Councilman Marshall wanted to clarify that the impact fee was tied to the demolition of the old building. He worried if it turned out the city did not need the land anymore it could set a precedent for it to happen again.

Dave Anderson responded that generally, we credit impact fees for new uses of sites that have previously paid for the infrastructure and only charge additional costs if they need an upgrade to infrastructure.

Councilman wanted to know the difference between Dave's example and the Wasatch Pallet proposal.

Chris Thompson replied the difference was we had not given credit when a company moved across town.

Staff, Mayor, and Council talked about how the credit is unique to help a business that is helping us remove the railroad spur for future uses in transit.

Councilman Marshall wanted the credit to be tied to moving the railroad spur, so it will not happen again.

Chris Thompson wanted the Mayor and Council to know that if it was not approved and they demolished the building they would still get a credit for the homes they built there.

Councilman Marshall clarified that the fee would not be tied to the building.

Chris Thompson stated the new homes would have to pay the impact fee.

Councilman Marshall **Moved** to **Approve Wasatch Pallet Relocation Costs Agreement**

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

E. Zone Change Considerations

Dave Anderson gave an overview of some options for some historic land uses and zoning. Dave let us know of three areas staff would like the Mayor and Council to consider for future study. One area was zoned medium industrial and is next to a residential area. The second was the Leland Mills area being zoned something that fits the area better. Third, was an Industrial zone adjacent to a residential area as well.

Councilman Gordon wanted to know if other areas were considered.

Dave Anderson let us know the area behind Lowes was discussed and areas to put professional office space or a distribution center as non-industrial uses. Dave wanted to know if these areas should be considered as well.

Councilman Marshall clarified that we have grown into these areas and now we have incompatible uses.

Councilman Gordon wanted to know why the area behind Lowes was not in consideration now.

Dave Anderson told him it can be included.

Mayor Leifson wanted to know if it was too much to do at once.

Dave Anderson replied the further study could be for the whole city and not just specific sites.

Gordon Marshall and Councilman Mendenhall felt it was better to make the changes now before it becomes a problem.

Councilman Marshal **Zone Change Considerations to direct staff to legacy zones to determine a more consistent zone for those areas. And to study zone changes and consider zone changes.**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:26 pm.

F. Micro-Surface Slurry Seal Type III Change Order 1

Chris Thompson expounded how the bid came in lower than originally thought and it was decided they would take the opportunity to complete the whole area instead of waiting until next year.

Councilman Gordon asked when it would be completed.

Chris Thompson stated it was already done. Jamie Chappel the Streets & Storm Water Division Manager made the decision and enacted the seal on the roads slated for next year.

Councilwoman Beck humorously stated she was not comfortable approving this.

Councilman Argyle **Moved to Approve Micro-Surface Slurry Seal Type III Change Order 1**

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 7:29 pm.

Councilman Marshall pointed out it should be approved before it is done. Mayor Leifson stated only this time it would be approved.

DISCUSSION:

a. Set date for Special Public Hearing

Dave Anderson wanted some guidelines to accomplish the vision of the River Bottoms project that has been underway for the last couple of years. Dave recapped the stakeholders they have met with and proposed for a meeting to be held where others could come and learn about the project and give input. Dave asked the Mayor and Council if Tuesday, November 9th afternoon or night would work best for them to hold an open house and then a public hearing.

Councilman Marshall asked if residents would go to an afternoon meeting and then later that night go to a public hearing.

Dave Anderson replied something like that yes.

Councilwoman Beck wanted to know if it was something that would then go to the Planning Commission and then back to City Council.

Mayor Leifson stated it would be where we listen and then the Planning Commission would make recommendations and send them back to the City Council.

Dave Anderson elaborated that the Planning Commission could be at the special public hearing at 6 pm.

Mayor Leifson reiterated that there would be feedback from residents first and then a public hearing. He felt having the Planning Commission with the City Council for one public meeting would be best.

The other Council members agreed.

Mayor Leifson said to schedule it.

b. Discuss December and 2022 Meeting Schedule

Tyler Jacobson let the public know the city is required by State law to make a City Council meeting schedule by an Ordinance, so if they would look at the proposed dates and give any feedback of concerns for 2022. Tyler told them the ordinance would be brought before the council in December.

Mayor Leifson pointed out that we only have one City Council in December as usual.

Councilwoman Beck agreed one meeting in December was best.

Councilman Gordon pointed out that this would be the last meeting for Mayor Leifson.

Councilwoman Beck had him check on the date in March that could be during a Parks and Recreation conference.

Councilman Gordon Made a **Motion** to go into Closed session for Land Transaction, Reasonably Imminent Litigation
Councilman Argyle **Seconded** the Motion

Mayor Leifson called for a **roll call vote** for going into closed session for Land Transaction, Reasonably Imminent Litigation at 7:52 pm.

Mike Mendenhall	aye
Brandon Gordon	aye
Stacy Beck	aye
Chad Argyle	aye
Shane Marshall	aye

ADJOURN:

ATTEST: October 19, 2021

Tara Silver, City Recorder