

**Adopted Minutes
Spanish Fork City Council Meeting
December 7, 2021
40 South Main Street
Spanish Fork, UT 84660**

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

Elected Officials Absent:

Staff Present: Vaughn Pickell - City Attorney; Chris Thompson - Public Works Director; Brandon Synder - Community Planner; Matt Johnson - Lieutenant; Dale Robinson - Parks & Recreation Director; Division Manager; Tara Silver - City Recorder; Nick Porter - Public Information Officer; Jordan Hales - Finance Director; Dale Robinson - Parks and Recreation Director; Tyler Jacobson - Assistant City Manager; Seth Perrins - City Manager; Steve Adams - Public Safety Director

Staff Absent: Dave Anderson Community Development Director

Citizens Present: Paul Washburn, Taylor Smith, Tom Scribner, Joey Carlson, Matt Daley, Mark Daley, Paul Dayton, Keith Peterson, Sara Peterson, Lynn Abplanalp, Millie Abplanalp, David Schiess, Rod Dart, Ann Dart, David Simpson, Kaden Cole, Eric Houston

5:15 WORK SESSION:

- a. Recreation Center/Pool

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:

Mayor Leifson called the meeting to order at 6:02 pm

Prayer by Chief Steve Adams Public Safety Director

Councilwoman Beck led the congregation in the pledge of allegiance.

PUBLIC COMMENTS:

Mayor Leifson welcomed public comment.

Paul Dayton, a resident, asked for electrical vehicle power from the city as he felt we would soon have more people using electrical powered cars. He wanted an electrical vehicle program like the compensation program to switch from gas to electric lawnmowers the city had done in the past. He cited other programs where subsidies were given for level 2 plug chargers put in garages. He wanted the Council to consider if it was possible. He also wanted them to consider having electrical destination charger stations or subsidies for private industry to do it. He stated currently there is only one charging station at Walmart and it is not always compatible with all cars.

Chad Argyle wanted to address the Council as a grateful citizen to thank Mayor Leifson and express to the residents the Mayor's success and sacrifice for 16 years. He felt had helped make Spanish Fork a great place to live and raise a family in the coming years.

COUNCIL COMMENTS:

Councilman Marshall had no comments

Councilwoman Beck told us about Shop with a Cop and reminded residents that they would be hearing sirens Saturday at 6:15 am going up Highway 6. She thanked all those who made the program possible and loved that the children would feel loved and get to know police officers. Councilwoman Beck let us know the Youth City Council would be volunteering at the Senior Center dinner on December 10th at 6 pm.

She wished everyone a Merry Christmas and reminded the community of the utility assistance program and Tabitha's Way if they needed it this time of year.

Councilman Mendenhall agreed with Councilwoman Beck about those who may need help this season. He expressed his gratitude for his family and how he asked his kids to name 3 things they were thankful for. They all responded with something about the city. For example, his 5-year-old was thankful for the rodeo. Councilman Mendenhall conveyed his appreciation for all the service organizations and how we are a great place in the state and the country and he felt lucky to live here.

He talked about the luncheon at the Rotary Club where the Spottens hosted the event at the Chillon. Councilman Mendenhall gave thanks to the Spanish Fork Choral for singing Christmas songs to the Mayor and Council at the event and how they did a year in review of the great events and he gave thanks to Aaron Rogers the president of the organization.

He notified us of the Chamber of Commerce calendar events. On December 9th is the ribbon-cutting for Remarkable Home Loans that would be behind Carl's Jr. On December 15 Tabitha's would celebrate their new mural with Spanish Fork landmarks with a ribbon-cutting. On December 16 would be the noon networking at the High Chaparral where they would all wear their ugly sweaters.

Councilman Mendenhall indicated his admiration for the power and light crew who kept us safe by removing a bear from the Spanish Fork trail system in conjunction with the division of wildlife. He highlighted his friend Sam Andrus, who once the bear was tranquilized, took a picture with the bear.

Councilman Gordon thanked those who came to the light parade. He invited everyone to go to the Festival of Lights for \$8 a car. He let us know about the dinner with the Kiwanis Club last week and appreciated all the service they do in the community.

He talked about Chief Adams' prayer mentioning Pearl Harbor Day and how his grandpa Keith Gordan lied about his age so he could join the Navy right after Pearl Harbor where he served in the Korean conflict. He acknowledged all those who had served and made our land free.

Councilman Argyle seconded what Councilman Gordon said about Dec 7th Pearl Harbor. He informed us his father was on a destroyer at sea when Pearl Harbor happened. He related an experience where the radio station asked people to call in and tell where they were when it happened. He stated his mother told him many people were afraid they would go from Hawaii to California and push on to Kansas. He expressed his gratitude for all who are currently serving and had served.

Councilman Argyle reported on the Station 61 study which would help make it viable in the future as the city grows. He wished everyone a Merry Christmas and a prosperous New Year and expressed appreciation for our employees.

Mayor Leifson briefed us on the rodeo committee going to the National Rodeo Finals in Las Vegas. He informed us that some of the purposes were to get specialty acts and contract personnel to keep our rodeo great and learn more.

Mayor Leifson highlighted Chief Adams for his leadership with the public safety department and his contribution to the city.

Mayor Leifson wished everyone Merry Christmas. He urged the residents to have a spirit of thankfulness throughout the season and to possess it as long as we could by showing love for each other.

SPANISH FORK 101:

a. Utility Billing Update

Jordan Hales indicated they wanted to standardize the utility billing for when it is due. He felt like this would benefit the users because there would be no lag time when terminating a bill, would help with uncollectible accounts, and be easier for customers to understand. He explained bills would be due on the 25th of the month unless it fell on a holiday. He advised customers that they may need to make adjustments to the autopay bank date. Jordan indicated they had reached out to customers to make them aware of the changes.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council & Planning Commission Public Hearing Meeting - 11-09-2021
- b. Minutes of Spanish Fork City Council Meeting - 11-16-2021
- c. RBM Building Maintenance Contract for the Justice Center
- d. RBM Building Maintenance Contract for SFCN
- e. RBM Building Maintenance Contract for the City Office
- f. RBM Building Maintenance Contract for the Library
- g. RBM Building Maintenance Contract for the Airport Pilots Lounge
- h. RBM Building Maintenance Contract for the Parks & Recreation
- i. Bureau of Reclamation agreement for Public Facilities in Bureau Easement at Quiet Valley
- j. Wastewater Treatment Plant Off-Site Sewer Trunkline Easements for Doug Ford, Don Bushman, Argyle Trust, & Dennis Argyle
- k. Spanish Fork City Contract Change Order Eagle Golf Construction Spanish Oaks Irrigation
- l. South Utah Valley Municipal Water Association (SUVMTWA) Utah Lake Drainage Basin Water Delivery System (ULS) Water Allotment Agreement Addendum 2022

Councilman Gordon made a **Motion** to approve Consent Items a-l
Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:23 pm.

PUBLIC HEARING

A. Ordinance A05-21 Utah West Annexation and Annexation Agreement. The proposal involves annexing some 120 acres located at approximately 900 West 1500 North with Industrial 1 zoning and approving an Annexation Agreement.

Brandon Synder reminded the Council these items came before them in September where they gave direction to the applicant to coordinate with City Staff an annexation agreement that would detail utility services and infrastructure to help utilize what zone would be appropriate, RR or II.

Mayor Leifson asked if the applicant would like to talk after public hearings or before.

The applicant stated he would go wherever the Council told him to.

Councilman Gordon **Moved** to go into Public Hearing

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 6:26 pm with a roll call vote.

Mayor Leifson welcomed public comment.

Lynn Abplanalp let us know he was not part of the annexation property but wanted the council to consider the rights the neighbors have for quiet enjoyment. He asked to have the following included in the annexation agreement. One, ensure access when the railroad spur is put in. Two, a 20-foot setback from their property, Three, allow an 8-foot masonry wall. He stated he had met with the applicant and they agreed with the additional requirements. He wanted to ensure that at a future date it would not be forgotten.

Keith Peterson came forward and expressed his trial with 650 west sewer construction. He felt like it had been a mess and he had communicated his concern with the liaison. His wives and his biggest concerns are about snow plows. He felt like the snowplows got to their border and stopped. He wanted the city and County to agree on who would plow the roads. He stated his concern on 1000 North was sometimes they can not go down the road. Keith let the Council know he didn't want to be part of the city now because he felt the city didn't care about the inconvenience it was to put the sewer line in. He gave the example that if he was to run an irrigation ditch through the city there would be certain standards. He felt the city had not maintained certain standards with the construction of the sewer line. Keith stated he wanted to vent about something he felt was unfair. He had moved out there 12 years ago and still had a residence in the city that his sister lived in, but when he went to sign up kids for sports they had to pay the higher County rates. He told us he paid it and played by the rules, but it bothered him. Keith wanted the Council to remember the Palmyra community and be good neighbors.

Councilman Argyle **Moved** to go out of Public Hearing

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:31 pm with a roll call vote.

John Jensen the applicant appreciated Lynn's comments and supported the requirements Lynn wanted to make it formal. He wanted to make sure everyone understood that even though this large industrial project was a large capital investment; they ultimately would still be part of the project when they flipped it. He reiterated that City Staff worked through the road and utility exhibits and felt they were generally in line with the expectations of the city.

Mayor Leifson stated he assumed the requirements they agreed on are not in the Ordinance before them.

Brandon reiterated what he understood the requirements to be.

Lynn Abplanalp reminded the Council what the requirements were. One, ensure access when the railroad spur is put in. Two, a 20-foot setback from their property, Three, allow an 8-foot masonry wall.

John Jensen, the applicant, restated how he understood it. They would provide a reasonable permanent private easement to access future roads, offset our improvements 20 feet, and put up an 8-foot masonry wall where it is next to Lynn's Abplanalp property. All were in agreement.

Councilman Mendenhall wanted clarification for Keith and Sara Peterson, his cousin when a road annexes into the city they would still plow the road when the property decides to not annex into the city.

Chris Thompson stated the general rule is to keep the plow down when on city or County roads so he was unsure of the concern that it wouldn't get plowed.

Councilman Mendenhall let them know he appreciated them talking about the sewer construction.

Sara Peterson responded that there were days that people couldn't get out of their houses or drive down the road.

Councilman Mendenhall told of his experience when he took his jeep and thought it would be able to make it and it couldn't because of the wet issues there because of the construction and hoped the construction was coming to a close. Councilman

Mendenhall repeated what Keith said from the audience. He wanted the city to remember that the Palmyra community was a part of the Spanish Fork schools and patronized our businesses so we should be good neighbors, especially since someday they may become residents of Spanish Fork.

Councilwoman Beck thanked Lynn and Millie Abplanalp, John and his group, and the Planning Commission who had taken the time to work through it, and hopefully everyone is happy with the outcome.

Councilman Marshall shared his perspective that he felt it was too soon to be thinking of annexing out to this area. He felt there is already an enormous amount of I-15 with great access and this area didn't have clear access from the city. He was concerned we were ahead of ourselves in trying to get this piece into the city. Councilman Marshall appreciated the applicant and neighbors were able to work out a compromise and that made him feel better about it, but he still feels this piece is being considered too early for his liking.

Councilman Gordon **Moved to Approve Ordinance A05-21 Utah West Annexation and Annexation Agreement. The proposal involves annexing some 120 acres located at approximately 900 West 1500 North with Industrial 1 zoning and approving an Annexation Agreement contingent upon the applicant entering into the attached annexation agreement with the understanding of the 8-foot masonry wall, the easement to the north, and the 20-foot setback as stated by John earlier.**

Vaughn Pickell was curious where the masonry wall would be built.

Lynn Abplanalp responded on the west side 20 feet from the property line.

Vaughn Pickell was concerned the rail spur would be 20 feet from the property line.

Vaughn, Lynn, and Millie discussed the issue.

John Jensen asked if he could come up to speak. He wanted to clarify that it may be tricky as the area Lynn is talking about is not part of the annexation, but if it is part of the annexation motion it would ensure the property they own next to the annexation couldn't move forward without the conditions. He wanted to make sure everyone understood those conditions wouldn't be met until the additional piece was annexed into the city and the rail spur was there.

Lynn Abplanalp agreed that was how he understood it as well.

The Council, Vaughn, Lynn, and the applicant agreed they understood it.

Councilwoman Beck **Seconded** and the motion **Passed** with Councilman Marshall giving a nay vote at 6:42 pm with a roll call vote.

B. Ordinance Z19-21 Commerce Way Office Building Zone Change. This proposal involves changing the zoning for parcels located at approximately 700 East Market Place Drive from Commercial 2 to Business Park based on the following findings:

Findings:

1. That the proposal is consistent with the City's General Plan Land Use Map Designation.

Brandon Synder told the Council this was a property south of the Spanish Fork hospital where the applicant wanted to build an office building on the north portion. The building they wanted to build was 54 feet high and the C2 zone only allows 48 feet. Brandon stated staff and the planning commission felt it was better to amend the zoning to business park rather than change the C2 zoning height requirement.

Councilman Mendenhall **Moved** to go into Public Hearing

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:44pm with a roll call vote.

Mayor Leifson welcomed public comment.

None

Councilman Argyle **Moved** to go out of Public Hearing

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:44 pm with a roll call vote.

Councilwoman Beck **Moved** to **Approve Ordinance Z19-21 Commerce Way Office Building Zone Change. This proposal involves changing the zoning for parcels located at approximately 700 East Market Place Drive from Commercial 2 to Business Park based on the following findings:**

Findings:

1. That the proposal is consistent with the City's General Plan Land Use Map Designation.

Councilman Marshall **Seconded** and the motion **Passed** all in favor at 6:45 pm with a roll call vote.

C. Ordinance Z18-21 TLM Spanish Fork. This request involves approving the Development Enhancement Overlay Zone for a 6-acre property located at 900 East Expressway Lane based on the following findings and subject to the following conditions:

Findings

- 1. That the application conforms to the City's General Plan Designation.**
- 2. That the proposal qualifies for the Development Enhancement Overlay.**
- 3. That the potential redevelopment of the site is very beneficial to the area and the community.**

Conditions

- 1. That the applicant meets the City's Construction Standards.**
- 2. That the applicant addresses any Zone Change and Site Plan red-lines.**

Brandon Gordon relayed the request for a development enhancement overlay that the Council had used many times for properties that may be changing from one use to another. He stated changing uses could make it difficult to update the site to the City standards. He related how the Kmart building would like relief from the current parking and landscaping standards. The standard for landscaping is 15% and they are at 6% but will get close to the 15% with development. They have 241 parking stalls with parking agreements to the north and east which is not the required 400. They would like the parking agreements to count toward the parking stall total.

Councilman Marshall clarified they don't get credit for the parking agreements.

Brandon responded they currently do not.

Councilman Mendenhall **Moved** to go into Public Hearing

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 6:47 pm with a roll call vote.

Mayor Leifson welcomed public comment.

None

Councilman Argyle **Moved** to go out of Public Hearing

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 6:48 pm with a roll call vote.

Councilman Mendenhall **Moved to Approve I Move to Approve Ordinance Z18-21 TLM Spanish Fork. This request involves approving the Development Enhancement Overlay Zone for a 6-acre property located at 900 East Expressway Lane based on the following findings and subject to the following conditions: as in the staff report**

Findings

1. That the application conforms to the City's General Plan Designation.
2. That the proposal qualifies for the Development Enhancement Overlay.
3. That the potential redevelopment of the site is very beneficial to the area and the community.

Conditions

1. That the applicant meets the City's Construction Standards.
2. That the applicant addresses any Zone Change and Site Plan red-lines.

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:48 pm with a roll call vote.

D. Ordinance Z20-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the Sugar Beet Factory Area Zone Change based on the following findings and subject to the following conditions:

Findings

1. That the application conforms to the City's General Plan Designation.
2. That the proposal qualifies for the Development Enhancement Overlay.
3. That the potential redevelopment of the site is very beneficial to the area and the community.

Conditions

1. That the applicant meets the City's Construction Standards.
2. That the applicant addresses any Zone Change and Site Plan red-lines.

Brandon Snyder presented the sugar beet factory area first and stated that Area one is recommended to change from I2 to a RR zone. He let us know Area 2 had a pending application to change the general plan with the most important factor being that the current tenant is relocating so now would be the time to change the zoning for future use. Area 3 is recommended to the RR as well. Brandon told us area 2 initially included I-15 staff felt they could remove I-15 to Area 4 so it could move forward as a RR Zone. He relayed that the Planning Commission recommended that Area 2 be denied. The applicant could not be here for Area 2, but at the Planning

Commission, he stated his concerns of being grandfathered would cause him to not be able to find tenants when his current tenants leave. The applicant for area 2 asked that if you wanted to approve it you would wait for a time that he could come and talk to the Council first. Brandon recapped the changes recommended tonight was to change Area 1, 3, and 4 to the RR Zone and deny Area 2 so it left it as is.

Councilman Mendenhall **Moved** to go into Public Hearing

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:51 pm with a roll call vote.

Mayor Leifson welcomed public comment.

None

Councilman Mendenhall **Moved** to go out of Public Hearing

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:52 pm with a roll call vote.

Councilman Argyle asked if zone 2 was where the garbage collecting was and the granary burned down.

Councilman Gordon responded yes.

Councilman Marshall asked that we wait on Area 2 and address it next time when the property owner could come to the Council and talk about it.

Mayor Leifson clarified that 1, 3, and, 4 would be approved tonight, and Area 2 would come back to the Council.

Seth Perrins suggested to table Area 2 as the applicant has some valid concerns which coincide with the City's concerns that if in the meantime another tenant comes in when the zone is not decided it could cause a tenant to come in that would not be a good fit for the area.

Mayor Leifson clarified it would be better to table Area 2

Councilman Marshall **Moved to Approve Ordinance 20-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the Sugar Beet Factory Area Zone Change based on the following findings and subject to the following conditions from the staff report and to** *table number 2 property*

Findings

- 1. That the application conforms to the City's General Plan Designation.**
- 2. That the proposal qualifies for the Development Enhancement Overlay.**
- 3. That the potential redevelopment of the site is very beneficial to the area and the community.**

Conditions

- 1. That the applicant meets the City's Construction Standards.**
- 2. That the applicant addresses any Zone Change and Site Plan red-lines.**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 6:54 pm with a roll call vote.

E. Ordinance 21-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the North Spanish Fork Parkway Area Zone Change

Brandon Snyder indicated this property is a larger area and many of the property owners are here tonight and he welcomed them to share their thoughts. He let us know this is another area they looked at in the study and the Planning Commission recommended a change to Section 5 & 7.

Brandon recapped each section. Area 1 was changed from I1 to Business Park. Brandon added that section 2 is the applicant Austin Pritchard and he will speak to that about his concern from it going to I1 to RR. He stated Section 2 also had a general plan amendment application in the works to do urban density residential. The Planning Commission recommended going to RR in section 2.

Section 3 was to go to a public facilities zoning and the Planning Commission had no concerns about it along with section 4 which is over the remainder of the city landfill and solar farm.

Brandon told us that section 5 originally was included in section 6, but the applicant was concerned with zoning the whole area business park. The applicant had an earlier concept to do an office warehouse and the Development Review Committee had some concerns about traffic. Brandon let us know the applicant had a concept of a business park in the front and an office warehouse in the back. The Planning Commission liked the new concept and recommended changing section 5 in the front to the business park zoning from I1. Section 6 had some applications put in for RR.

Brandon informed us the Planning Commission recommended no change for area 7 and some applicants were there to talk about that section. Brandon reiterated what Seth Perrins stated about whether we look at the future uses or what is there right now and how to find the balance. The Planning commission recommended it stay I1

and not change it to C2. Brandon let us know the thinking for the C2 zoned was to expand the zoning on the Anderson wrecking yard.

Brandon conveyed that Section 8 be changed to C2 because it is on a State route and an important connection to Highway 6.

Mayor Leifson clarified that multiple owners were here to talk about their zone.

Brandon stated he thought the applicants were here to support no change in Section 7, 2, and comfortable with the changes in section 5.

Mayor Leifson recommended that those who didn't want the change come up and speak.

Austin Pritchard let us know he had already submitted a plan amendment before the changes were in consideration for the R4 urban residential zoning with the hope to use the TDR Program if it was approved. He told us his property is between heavily commercial areas and he felt it was the perfect place for higher density residential to go. He also felt that Industrial made the land more valuable than rural residential zoning so they would rather it stay as is until they do the general plan amendment so they don't need to change it again later. He stated he also owns section 1 and they are already in contract with the hospital to put in business park zoning.

Mayor clarified that they are already moving the project forward.

Austin stated it didn't make sense for it to go from the current zoning to another zone when they have an application in for another zone.

Councilman Marshall voiced his fear that by leaving it I1 it could get us a cement plant so he wanted to know that the applicant had already put in the application to change it from I1 to urban residential.

Austin Pritchard reiterated the application to change the zoning was already submitted.

Councilman Marshall wanted to know if a different zone was approved today if they would continue with the process to change the general plan amendment.

Austin Pritchard stated if they are denied in the future urban residential they would rather have the I1 zoning as he felt it was more valuable.

Councilwoman Beck wanted to know if Austin would use the Transfer Development Rights program in the future.

Austin emphatically stated yes that he was told it would be a great receiving area as there are not a lot of neighbors there. He also let us know they hoped to put a road in

on the backside to help with the borders in the future. He reiterated he would like it to stay in the il zone for now.

David Schiess stated he was happy with the zone 5 change. He told us they had lived there since 1995 and they had been through 2 zone changes already and he sold the land so we could have Lowes come in.

Councilman Marshall wanted to make sure David was comfortable with 2 different zones on the property.

David Schiess responded that 2 zones are what they proposed.

Joey Carlson wanted to address section 7 and wanted to keep the zoning the way it was. He stated even if he was grandfathered in it would prevent him from being able to grow.

Mayor Leifson asked if he was comfortable with denial to section 7.

Joey Carlson affirmed he wanted it to be denied.

Matt Daley had the same concern that he wouldn't be able to grow if section 7 zoning was to change so it wants it denied.

Juan Martinez also wanted section 7 denied because he just purchased it and he wouldn't be able to add the offices he wanted to make it bigger.

Mayor Leifson stated the Planning Commission did a good job with this and now that we had heard from all the owners he would like a motion to go into a public hearing.

Councilman Gordon **Moved** to go into Public Hearing

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:07 pm with a roll call vote.

Mayor Leifson welcomed public comment.

None

Councilman Argyle **Moved** to go out of Public Hearing

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 7:07 pm

Councilman Marshall thought there was not enough information on section 7 to weigh in and make a decision on what is happening in the future. He felt it was more consistent with a zone of C2 than iland to look into owners being able to expand in C2 as well, so he agrees with the denial tonight.

Councilman Marshall revealed that section 2 made him nervous so he is against making a move tonight. He didn't like the risk of an I1 application coming in so he felt we should make a move tonight. He realized the applicant stated he wasn't going to use the I1 but it made him nervous that if he was denied the urban residential he could still come forward with an I1 use for the area.

Seth Perrins wanted the Council to know they have the purview to say what zone can be done in an area so I1 is not used in the area if the applicant is denied R4. The Council doesn't want the use to be I1 and for now, the applicant doesn't want it to be I1 as well, but in the future, Seth didn't see the land being devalued by changing the zone and reminded the council they could take the long view on the area. Seth felt we could address the concerns of the applicant and council even if the zone change is made tonight.

Councilman Gordon addressed Councilman Marshall by reiterating if an application is in the process it was good enough for him and in good faith knowing the applicant as well. He also stated he felt it gave him value that he came to a public meeting and stated his intentions.

Councilman Marshall agreed

Councilman Mendenhall indicated if he was the property owner and it was zoned one way when he bought it you would pay the value of the I2 property so as a legislative body he wasn't comfortable to jump in and change it while something is in the process and they are working in good faith the zone would stay the way that enticed them to buy the property like to use the transfer of development rights there.

Councilman Gordon **Moved to Approve Ordinance 21-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the North Spanish Fork Parkway Area Zone Change based on staff findings and denying any change in area 2 and 7.**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:13 pm with a roll call vote.

F. Ordinance Z22-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the Skye Meadows Zone Change based on the following findings and subject to the following conditions:

Findings

- 1. That the application is consistent with the City's General Plan.**

Conditions

- 1. That the applicant addresses any red-lines (i.e., final landscaping and amenities plan, full elevations, wall, and fencing plans, etc.).**
- 2. That the applicant enters into a development agreement.**
- 3. That Preliminary Plat approval is contingent upon approval of the Zone Change.**
- 4. That the multi-family areas provide 2.8 parking spaces per unit.**
- 5. That the applicant prepares a street tree plan providing two 2-inch caliper street trees for each lot in the development and submits a plan showing what trees will be used on each street.**

Brandon showed a video that gave an example of the Zone Change and Preliminary Plat for Skye Meadows (Fritzi) <https://youtu.be/B8iTdFdOUTw>. Brandon explained the elevation changes and the good use of the land. He showed the garages with retaining walls, townhomes, the southwest portion as single-family homes with clubhouses, and the high-density areas of the plan.

Councilman Marshall needed to be oriented as to the location of the development.

Brandon Snyder listed the main roads around the development as Calpac Trail, Main Street, Arrowhead, Del Monte, and the River Bottoms area. He went on to tell us the phasing of the property. He explained that the existing building would remain until all the leases are up in December 2023 and the details are in the Master Development Agreement on the agenda. The first phase would be single-family homes, the second phase condos, The Planning commission recommended the single-family homes be an R1-9 zone, the Condos an R-4 zone, an R3 zone in the middle, and C2 on the corner for future commercial use. Brandon let us know the applicant also owns the property across the street which would be used for a right-of-way, open space, and some land retained by the applicant for a possible future donation to the city to help enhance the area.

Brandon pointed out the fence shown in the picture was in the incorrect position and the Planning Commission knew the setbacks were not correct. Brandon gave the corrected setback as a curb, 12-foot park strip, 10-foot trail, 4-foot planter area, and then the semi-open wall. Brandon relayed another item highlighted by the Planning Commission was to have roadways that connected the project. He let us know the applicant had worked with UDOT and staff for access points.

Brandon told us some of the Planning Commission felt some of the projects around town needed more parking available so they wanted this project to adhere to 2.8 parking spaces per unit instead of the City standard of 2.5 parking spaces per unit. Brandon informed us that the applicant was already close to the 2.8 except in a certain area.

He shared that the houses are required to have a 2 car garage so no additional parking is present. In the townhome area, some additional parking has been added with more at the end of the alleyways to accommodate guest parking. He went on to

explain that each townhome would have 2 car garages with some being alley-loaded and some front-loaded, Front loaded means they have at least a 20-foot driveway to accommodate bonus parking and the 2.5 would be satisfied because your guests could potentially park in your driveway. Brandon reiterated that if the Council was to approve the 2.8 parking requirements the Condos would be the only area not in compliance. Brandon let us know Kim Brenneman helped calculate the parking space currently would be 322 and the 2.8 requirement would make them have 359 parking spaces available. Brandon told us the City code does give the option for shared parking spaces in phase 3 commercial areas. He indicated the other option would be for the applicant to reduce the number of units which is not ideal for the applicant.

Brandon reiterated that the first option was shared parking accommodated through a recorded easement to identify which stalls of the commercial property would be parking designated for the condos. The second option is to not take the Planning Commission recommendation and keep the parking requirement of 2.5.

Councilman Marshall asked Brandon if the current parking code is 2.5 and if the applicant has met that.

Brandon Synder responded it was 2.5 and had been met at this point.

Councilman Marshall clarified it is the Planning Commission who recommended 2.8 parking per unit.

Brandon Snyder helped the Council understand the Planning Commission's decision by telling us they visited completed developments, like Del Monte and Somerset, to see where people were parking and when. Brandon let us know this plan has no on-street parking in the development. He gave a third option that currently the code doesn't allow street parking to be counted towards your parking calculations.

Brandon suggested if the Council was concerned about parking they could require the applicant to provide a parking plan. He let us know the other thing the Planning Commission asked for was a landscape plan to tell where the trees and park strip would go. He wrapped up by telling us this RR zone, if approved, would be changed to R4, R3, R19, and C2.

Mayor Leifson wanted to follow the same process they had previously to go into the public hearing before they have the applicant speak.

Brandon let the Council know they held a neighborhood where the question and concerns of residents were able to work through if their property in the area would change and if their animal rights would go away. Brandon informed us his answer to them was no change was proposed.

Councilman Argyle **Moved** to go into Public Hearing and turn the heat up.

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

Mayor Leifson welcomed public comment.

None

Councilman Argyle **Moved** to go out of Public Hearing

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

Paul Washburn explained how helpful the City staff had been to work with the complicated elevation levels, numerous structures to demolish, and working with the leases of current tenants. He informed us that the parking in the area would be issued by permit. He also stated he would be fine with the 2.8 parking requirement if they would approve the shared parking. He talked about the street traffic flow and the question of if they would fence the entire project.

Mayor Leifson told how his Dad built the old Fritz building and pointed out how the applicant now wanted to tear down the building.

Paul Washburn felt everyone had a story tied to the area.

Councilman Argyle wanted clarification on the realignment of the Calpac Road and if they are waiting until the lease is up for demolition.

Paul Washburn responded by showing the road realignment and confirmed they would wait until the leases were up. He asked if anyone wanted the water tanks on the property.

Councilman Argyle asked about the green space, the extension to the river trail system, and the amenities on the property.

Councilman Mendenhall verified the applicant owned the property across the street.

Paul Washburn stated some of the lands across the street would be given to the city to accommodate the extension of Arrowhead Road.

Bruce Beard shed light on the fact that the open space is not part of the development agreement or rezoning right now except the road dedication parcel.

Councilman Marshall clarified the land across the street is not a decision included in the decision tonight.

Councilman Marshall verified that they are working with UDOT to get 4 access points onto the state road and wondered how those talks are going.

Councilman Mendenhall asked about another full entrance on Main Street.

Paul Washburn let us know a right in and right out may be required for the Utah Department of Transportation.

Councilman Mendenhall asked about the ability of residents to park on Arrowhead Road and worried about the high-density area spilling onto Arrowhead.

Paul Washburn responded that the fence would make it undesirable for residents to use the street as parking.

Councilman Mendenhall wanted to make it a red curb

Bruce Baird reminded us that the Utah Department of Transportation could work together with all the parties to work through the idea of a red curb and parking. He stated Vaughn did a great job on protecting our interest on that.

Councilman Mendenhall wanted to know if the demolishing wouldn't take place until after the leases are terminated in 2023 would the applicant need to come back to the Council to renew the project annually.

Brandon Snyder let us know a preliminary plat is good for 2 years and the completion of each phase extends it another year. Brandon told us Kevin Oyler reminded him of an existing ditch that runs here and spills into the field so he suggested it may need some conditions included. He informed us that a safety plan including the ditch and fencing would be coming later.

Councilman Argyle asked if the property owner could hook to our pressurized irrigation rather than a ditch.

Chris Thompson stated yes.

Paul Washburn informed us they were going to bore under Main Street to get to the pressurized irrigation or into Spanish Fork.

Councilman Marshall thanked the applicant for bringing in higher density and making sure there was direct access. He didn't like the Planning Commission changing requirements on the developer midstream. He suggested we keep it 2.5

parking per unit and if we want to change it we need to make the 2.8 the city standard later.

Councilman Marshall **Moved** to **Approve Ordinance Z22-21 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City, for the Skye Meadows Zone Change based on the following findings and subject to the following conditions: staff report with the exception of the 2.8 parking to stay at 2.5**

Findings

1. That the application is consistent with the City's General Plan.

Conditions

1. That the applicant addresses any red-lines (i.e., final landscaping and amenities plan, full elevations, wall and fencing plans, etc.).

2. That the applicant enters into a development agreement.

3. That Preliminary Plat approval is contingent upon approval of the Zone Change.

4. That the multi-family areas provide 2.5 parking spaces per unit.

5. That the applicant prepares a street tree plan providing two 2-inch caliper street trees for each lot in the development and submits a plan showing what trees will be used on each street.

Councilman Gordon **Seconded** and the motion **Passed** with Councilman Argyle voting nay at 7:48 pm with a roll call vote.

NEW BUSINESS:

A. Ordinance 24-21 approving a Master Development Agreement for Skye Meadows.

Vaughn Pickell talked about the development agreement now that we had the zoning for the property. Vaughn elaborated this agreement would govern the development of the property. He pointed out that addendum 1 is where they would see the project-specific items. The most important item was that it would terminate all prior agreements with the prior owner and provisions to terminate prior agreements. Vaughn reiterated that this agreement would replace and terminate the prior agreements. He added there would be no new leases and extensions. Vaughn Pickell stated it required replating the existing plat and realigning the Calpac Road. Vaughn let us know there is an existing well that would be capped by the developer and utilities would be run to a new telemetry site to help in reading the meters that would be required for the site. Vaughn let us know 3 minor parcels and the well site would be conveyed to the developer. Vaughn discussed the parcel on the east side of Main Street would be for a future road extension.

Vaughn informed us the sewer study was ongoing and the ditch would need to be piped. Vaughn pointed out this agreement allowed the City to make minor changes to the development agreement for future use. Vaughn told us the exhibits needed to be updated but he recommended it be approved because it satisfies the general plan and the newly passed zoning. However, he wanted the subject exhibits updated like the townhomes elevations and the master plan with more detail.

Councilman Mendenhall expressed he was okay with the parking going down .3 spaces but would like to pursue no on-street parking on Arrowhead or Main Street.

Councilman Gordon asked if that was in the final plat because he had concerns as well park in residential on-street parking from the townhomes since he had seen that a lot in town.

Councilman Mendenhall didn't want the parking to become the city's problem because people were fixing the parking problem by using city roads.

Paul Washburn let them know he wanted to add more stalls because he wanted it more convenient to park in the development instead of on city roads. He suggested putting signage up to intricate the no parking in areas.

Councilman Mendenhall wanted to make sure the conditions were on the plat.

Councilman Mendenhall **Moved to Approve Ordinance 24-21 approving a Master Development Agreement for Skye Meadows.**

Councilman Marshall **Seconded** and the motion **Passed** with Councilman Argyle voting nay at 7:53 pm with a roll call vote.

B. Skye Meadows. This proposal involves approving a Preliminary Plat for a Master Planned Development located at approximately 1400 South Cal Pac Avenue. The proposal includes 323 homes and an area for future commercial uses.

Councilman Mendenhall **Moved to Approve a Preliminary Plat for a Master Planned Development located at approximately 1400 South Cal Pac Avenue. The proposal includes 323 homes and an area for future commercial uses as per staff findings and recommendations plus no parking on Arrowhead and Mainstreet.**

Councilman Beck **Seconded** and the motion **Passed** with Councilman Argyle voting nay at 7:54 pm with a roll call vote.

Councilman Marshall wanted clarification that he didn't want people parking on Main Street and Arrowhead, but didn't feel it was the responsibility of the developer. He stated it was Spanish Fork and the Utah Department of Transportation's responsibility.

Vaughn Pickell stated it was a state road.

Councilman Mendenhall wanted permission from the Utah Department of Transportation to paint the curb red.

C. Lennar Homes requested to have the setbacks reduced for townhome buildings in the Escala Master Planned Development.

Brandon Snyder reminded us this item had been talked about many times before and wanted to make sure the motion was specific to which lots were being reduced because the memo is different from the plat. They wanted to make sure the engineering firm had the right information. Brandon showed us what was provided by the applicant to show the lots in question and reminded them they were given a memo from BJ giving details on why he wanted the changes.

BJ Ryan with Lennar requested that we reduce the side yard setbacks on interior lots. His goal was during the process to change from the private drive but it was missed and or misunderstandings occurred on the setbacks. He stated the 5-foot setback only applied to lots that were 50-feet or less. BJ informed us the houses are pre-chosen homes with a 3-car-garage and 2-car-garages alternating throughout the community. He let them know some homes could be pushed back more but he was hoping for symmetry along the street and he wanted to also keep the buffer from the neighbors in the back as that was the residents' concern behind the development.

BJ asked for the setbacks on the sides of the homes to go from 10 and 5-feet to 5-feet and 5-feet on lot 102 through 109 because it allowed them to bring in a different streetscape to soften the look, allowed for larger homes, and was able to add more parking or more garages.

Councilman Marshall wanted to know how lot 101 would have the home-oriented.

BJ Ryan stated his expectation would be the driveway coming off the backside but it was likely they won't develop the lot but sell it off.

Councilman Marshall wanted to know the setbacks proposed for that lot.

BJ Ryan stated they would like a reduction in the back.

Councilman Marshall wanted to know what was behind lot 101.

BJ Ryan let him know it would be one of their townhomes. He reiterated they wanted a reduction in the front and back of 101 and 110 because he felt it made it more consistent with the other homes and give as much rear yard as they can.

Councilman Marshall clarified they are not asking to get closer to any existing home.

BJ Ryan responded no.

Councilwoman Beck stated she was okay with 101 and 110 but wanted clarification on the 2 and 3 garages being picked or was he proposing the buyer would have a pre-chosen 2 or 3 car garage. She added if the house had a 3 car garage would they have to keep it that way.

BJ Ryan indicated the garages were figured out already.

Councilwoman Beck wanted to know how wide the lots were.

BJ Ryan responded they vary but he thought they were 60 feet.

Councilwoman Beck wanted to know if a lot was removed could you give everyone a 3 car garage and stay with the setbacks the city requested. She felt like they had already approved it and now they were coming back and wanted more. She would like him to take out a lot and then everything would fit.

BJ Ryan informed her it was too far down the road to change it as construction had started. He told us the applicant felt he had already gone through the coordination period with the city and made a fair amount of concessions. BJ let us know he stepped into the project later and felt it was not clear. He was told about the concessions after the fact.

Councilwoman Beck asked if this was not approved would they do smaller homes

BJ Ryan stated they would be thankful for their consideration and they would build what the city allowed.

Councilman Mendenhall related the concern of neighbors living on top of each other but prefaced with the idea that the homeowner would know what they would be buying and he had a setback of 5 feet on one side of his house and it was fine. He wanted to know how the water runoff and containment would work with the change in setbacks.

BJ Ryan talked about how discussions were had with the back neighbors regarding back yards and water flow to the curb. The agreement was that when it came time for building permits they would work with the Planning Commission and zoning to meet the expectations that were set. He clarified that the house print was correct on visual but the setback could still vary from 5 to 10 feet. He felt the setbacks would prevent homeowners from putting in RV pads with cement that may adjust the water flow away from the street.

Councilman Mendenhall liked that the backyard neighbors would be looking at a house and not an RV pad or broken cars.

BJ Ryan conveyed that they planned on angling the parking spaces so the 3 car garage would have another parking space, so a total of 8 more parking spaces.

Councilman Marshall let us know he didn't mind the 5 ft set back with the 3 car option. He felt like it made sense that if there was a third car the setback should be bigger.

There was discussion about the houses that would require 3 car garages and 2 car garages

Councilman Marshall wanted to know if the home was a 2 car garage if the 5 feet setbacks could be bigger.

Councilman Gordon stated that no because there wouldn't be enough setback for the house next to it.

Bj Ryan shared it would cause a continuity challenge because the house would be smaller than the others in the development.

Councilman Marshall pointed out lot 105 with a 2 car garage would have a 5 ft setback.

BJ Ryan stated some would be more than the 5 feet setback.

Councilwoman Beck and Councilman Marshall didn't want the applicant to push the houses back on the lots.

BJ Rayn told us the backyard could be pushed back but they would lose some of the symmetry.

Councilman Gordon **Moved to Approve**

Councilman Argyle **Seconded** and the motion **Passed** with Councilwoman Beck voting nay at 8:14 pm.

Mayor Leifson amended the agenda to Recognitions

RECOGNITION:

Cheryl Leifson expressed Steve's and her happiness to be here and her need to go first so she didn't get teary-eyed. She shared her appreciation to the City Council who have served unselfishly while having full-time jobs, with small children, on a small stipend. She indicated many people would rather attack your stance on issues than educate themselves on what was best. She talked about those tough decisions by considering the voice of each citizen yet keeping the vision for all.

Cheryl and Steve felt they were their heroes and expressed their love for each of them. She shared their appreciation for each of the boards. They pointed out Councilman Argles' compassion when they lost their moms, Councilman Gordon's shock factor and wit, Councilman Mendenhall's experience, and humanity, Councilman Beck's female perspective, and sentimental touch, Councilman Marshall's Council questions to help those who are watching from home.

Chery went on to convey gratitude for all the city employees and all the many events they helped out.

Seth Perrins recognized Cheryl's kind heart and passed out leis to present Steve Leifson with his elected official's gift of paying for part of their cruise to Hawaii and a gift basket with Hawaii-related items. He went on to spotlight the mayor's many phases he has used over the years and invited the public to come up and express their gratitude for the Mayor's service.

Rod Dart shared his experiences with the Mayor, his optimism, and his enjoyment in working with him. He congratulated him on a job well done and expressed his support for Mike Mendenhall to carry on as Mayor in January.

Kevin Oyler indicated his appreciation for the decisions the Mayor had made and he felt this is one of the reasons people liked to live here. He conveyed his respect for the Mayor and his wife for all the time and effort they have put in, and that he would miss him.

Jesse Cardon humorously stated when the mayor sees him he would state "Oh, you again". He shared the experience of when he was asked to be on the Planning Commission Steve told him he would work for the greatest citizens and people in the world. He felt Mayor Leifson led that way with the love of the community he served. Jesse thanked him for his service in the community.

Ann Dart told us they were best friends with the Leifsons and she liked that he took care of the old-timers along with everyone else. She felt blessed to live here and wanted him to enjoy his free time in retirement.

Tyler Jacobson shared how it had been a privilege to get to know the Mayor and his wife. He relished his jokes, how happy he always was, and how he made everyone feel important. Tyler showed a graphic of many milestones that had happened in his 16 years on the council. He highlighted the many birthday calls he made to employees each year. He ended by stating Mayor Leifson was "One man, one Mayor who changed his family and his life".

Amber Mendenhall, Chris Beck, Rachel Gordon, Ann Dart, reflected on the love they had for Steve and Cheryl. Amber contemplated how Cheryl had been her comfort as Cheryl was always welcoming at events with a saved spot, a hug, and a wave. Amber added she cherished the relationships and support they had built with all the council members and their wives. Amber felt the love was contagious and they were lucky to

serve together. She pointed out how Spanish Fork was blessed because of Steve's love and service. She hoped they would still come to everything and she marveled at the way Steve and Cheryl supported each other. Amber was excited for their next stage in life and presented them with a gift.

Brandon Gordon let us know he reached out to the Mayor's favorite baseball team the Giants and they sent a kind letter and the council gave him some Giants swag.

Mayor responded it was the nicest thing they had ever done for him.

Councilman Marshall stated he looked up what qualities it takes to be a good politician. He pointed out how the skills of honesty, self-awareness, deferential to others, active listening, and walks the talk and how this applied to Mayor Leifson and the things we don't get to see about what the Mayor knows. He hoped he could make a difference and continue the work he had done. He felt it was an honor to be appointed when Keir left and how everyone immediately became his family. He talked about the love he was given when his mom passed.

Councilwoman Beck told us about how Mayor Leifson was always early to meetings and how she appreciated it. She explained how one time she beat him only to find out he wasn't able to make it and he had already let the people know what they could do without him. Councilwoman Beck was in awe at the support of Cheryl and how she backed him up. She appreciated the calls on her birthday, the history he shared at events, his Icelandic heritage, and trusting her ideas. Especially when he dressed up as a toy story character at the library. She talked about how he is an avid reader with his favorite being Louis L'amour. She was grateful for his example and the roles she was given.

Councilman Mendenhall narrowed his comments to 3 things: loyalty, humility, and heritage. He explained Steve has always told people in public and private of his loyalty to the good of Spanish Fork.

Councilman Mendenhall related an example of his humility when he is asked about the success of Spanish Fork he always replies it is the great people of Spanish Fork. Councilman Mendenhall felt this was a tribute to him and not a likely answer from a politician who would usually take all the credit. He talked about a Christmas project where the Mayor and Council helped finish a basement for foster children and what it meant to Steve and Cheryl as they had fostered children as well. He went on to say this project changed him and his family and they watched the hugs and tears of the family receiving help.

Councilman Mendenall was always inspired by his leadership and heritage. He expressed how Mayor Leifson's family roots ran deep here for generations and they love Spanish Fork generationally. He told of the Mayor's leadership during a pandemic of holding a rodeo to make sure we had human connections with no thought for the business side of it. He added how the Mayor wanted to get the Covid

money into the citizens' hands so they could spend it on local businesses and the historical significance of it.

Councilman Mendenhall related that Mayor Leifson's proud history of Spanish Fork never stopped him from focusing on Progress like the Spanish Fork hospital, pressurized irrigation, economic development, the safest city in the state, and many more. He touched on the leadership it took to bring the Spanish Fork hospital here and how people would benefit for many years in the future from his service.

Councilman Mendenhall recounted how a few weeks ago he realized that Mayor Leifson's children were little when he first started in City government and now his children are married. He pointed out the dedication it took to be able to serve so long.

Councilman Mendenhall ended with a quote from Governor Christy Koehn of South Dakota stating her dad once told her "That a leader with no followers is just a man on a walk". He explained that Mayor Leifson was a leader with many followers, he would miss him, loved them both, and wished them the best going on to bigger and better things.

Councilman Argyle expressed his appreciation for Mayor Leifson trusting him and giving him tough assignments which he learned from. He talked about growing up on the east end of town for the last 25 years and people who grew up here have become the minority as it has grown. He explained the people who are coming here are wonderful and they have come here for the exceptional quality of life we have. He told of the sacrifice of Mayor Leifson serving for 16 years and Cheryl seeing him walk out the door so many times.

Councilman Argyle went on to say how he looked forward to the future and he appreciated when they had tough decisions with staff that Mayor Leifson could be stern if he needed to. He felt by being stern that it benefited Spanish Fork on roads, contracts, and how Mayors in our community meet because of Mayor Leifson coordinating it and would tackle hard issues. He indicated it takes fortitude, concern, knowledge, and a real love for the city to go to many after-hour meetings. Councilman Argyle expressed support for Councilman Mendenhall to do the same.

Seth Perrins wanted to extend gratitude from all the employees for being a great friend to them through his birthday wishes that were simple, but powerful. He went on to talk about the many comments he has heard from employees who felt they matter because you knew their name and family. He shared his own family experience and how they love Mayor Leifson and would run and hug him. He explained how he makes people feel they are on top of the world. He expressed some of the traits he appreciated were Mayor Leifson standing up for what he believed in during tough meetings and speaking from the heart. Seth wanted everyone to know there are many things that Mayor Leifson had accomplished and his thumbprint was everywhere.

Councilman Gordon told how he has sat next to him for so long that he knows when he gets a charlie horse. He emotionally expressed how much Mayor Leifson made it fun and how he would call him after meeting and talk about anything. Councilman Gordon considered him a big brother and would miss sitting next to him. Eh expressed the rest of his thoughts through a poem.

Mayorism.

When you're new on the council there is fire by baptism, and you learn really quickly to listen to Steve Leifson's Mayorisms.

Listen for them in my poem...

Sorry Steve this is not the Chris Thompson "Readers Digest Version", Today you get to hear Gordo talk about his Steve Leifson friendship conversion.

At first you treated me like you were my Father, in the words of Stallone in Rocky 4 " I didn't care about you much none either"

You asked me if I was just someone else's puppet, but I learned from you and gleaned experience to then fill my bucket.

I learned very quickly this mantel was heavy and legit, it's your world I am just happy to be in it.

You've taught me lessons about being a father, good husband, and about life. You're still my friend, because you've not ziplined with my wife!

Of Course, you and I have not been to Mexico, cuz all the Spanish you know "mucho grande el pescado en el rio"

It would get a little stressful working on the budget around May, especially when you would tell some staff they might want to refresh their resume.

You could keep people on their toes with the words that you've said, If I had a dollar for every time, you looked at Seth and uttered the phrase "off with their heads"

Every month with city bills your words would go out in the mailer, you taught me that smooth seas never made a good sailor.

When it comes to English skills you and I couldn't be further apart, I mean I had sophomore English for 3 years with Mrs. Ann Dart.

A few things you would say I would have to spell check, but the best is when Stacy came along and brought with her councilwoman Beck.

Is it Councilman, woman, or member, I know it's hard to get old and for things to remember?

In closed session for role call, you would say "those in present", who am I to tease you about English we all knew what you meant.

Well, the last 10 years for me have flown by, I'm going to miss ya saying "all in FLAVOR say, Aye"

"WELL" is a deep subject for such a shallow mind, good thing our new mayor is not coming in blind.

Mayor Mike will follow your example of how things in SF are done, we don't hit singles here, we hit home runs!

Your sweet wife Cheryl supported you with all her heart in, she had a great career to prep her while she taught kindergarten.

You worked hard all 16 years and brought back the pride and progress, now go retire with your wife and enjoy life with less stress.

Don't you worry about the budget, lawsuits, or graffiti, we got this, go spend some time with your sweetie.

Go on vacation, cruise on the big boat, I'll be here and remind Shane, he's only 1 vote!

A lot has changed over the last 16 years, you're a part of that effort & for that, I give you cheers.

I'd like to tell you, "Thank you very little", We have lots of new businesses and we have a new hospital.

It's hard to believe these times come to an End,

I am lucky to have served with you & call you a friend.

I appreciate you being a friend I will always look up to, I hope that you know me and my family really, really love you.

Gordo

Mayor Leifson revealed what a pleasure and honor it had been to serve and associate with everyone. He expressed what he would miss the most was the relationships with people. He said it was easy to make decisions when you love the city and do what is best for Spanish Fork. Mayor Leifson felt his run of 16 years went by quickly but his wife, Cheryl is excited to have him come back. He encouraged everyone to get involved in the community and hometown. He shared that we need more love for each other to make heaven right here. Mayor Leifson expressed his love for his sweet wife who without her support wouldn't have served for so long.

The agenda was amended to do item E and then go to item I before returning to Item D

E. Fiscal Year 2021 Independent Financial Audit Report

Jordan Hales thanked the Mayor for his example to him and let us know our auditor from Larson CPA firm, Josh Dedicalter was here to audit our financial statements if the material was correct. He let the Mayor and Council know the June 30, 2021 statements were clean and unmodified and Jordan had given them everything they had asked for. He made it clear it is their responsibility to make sure everything is consistent and not give their opinion. He also stated the management of high-risk Covid release fund grants complied in all respects. He went through the requirements including coming to the Mayor and Council to discuss any issues. They encountered no compliance issues and reported that the last audit revealed one issue with the gun club exceeding its budget. there was one compliance issue

Mayor Leifson asked if Jordan was going to jail.

Josh Dedicalter replied no.

Councilman Gordon **Moved to Accept Fiscal Year 2021 Independent Financial Audit Report**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:25 pm

I. Wood Springs LLC Real Estate Purchase Agreement

Tyler Jacobson thanked Dave, Kay, and Parker for staying through the council meeting and let us know they offered to purchase land at 1400 North 300 West for 2.1 million dollars. Tyler related how they would pay \$100,000 upfront and \$100,000 that would go into escrow until the road is built in October 2022. Tyler told us of a clause of a cash bond of 814,000 in case the infrastructure is not done by December 2022 the city would use the funds to make the improvements. Tyler clarified the bond would be done one year from December 2022 or call the bond December 7 of 2023.

Councilwoman Beck **Moved to Approve**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:29 pm

D. Ordinance 23-21 Amending Section 2.08.020 of the Spanish Fork Municipal Code Regarding Regular Meetings of The City Council and Establishing an Annual Meeting Schedule for 2022

Vaughn Pickell told us that as he looked at the State code we needed to establish a regular meeting schedule for City Council and proposed the schedule be modified for one meeting in July and December of 2022

Councilman Marshall asked if we could have 2 City Council meetings in December.

Mayor Leifson stated no.

Seth Perrins let Councilman Marshall know that if the need arises a meeting can be added and taken away. For an added meeting we would call a special meeting.

Councilman Argyle **Moved to Approve Ordinance 23-21 Amending Section 2.08.020 of the Spanish Fork Municipal Code Regarding Regular Meetings of The City Council and Establishing an Annual Meeting Schedule for 2022**

Councilman Mendenhall **Seconded** and the motion **Passed** roll call vote 9:30 pm

F. Resolution 21-28 Regarding Voter Participation Areas

Vaughn Pickell State code required us to revise the participation voter area by January of 2022, but because the County is unable to get us the numbers in time

they told us to adopt the old number by Resolution and update the numbers when we get them from the County.

Councilman Mendenhall **Moved** to **Approve**

Councilman Argyle **Seconded** and the motion **Passed** all roll call vote 9:32 pm

G. Cold Springs Pipeline Rehab Phase 1 Guaranteed Maximum Price

Chris Thompson informed us there was a break in the water pipe that came down the canyon 10 to 15 years ago. As a result, they spent all night looking for welders and large concrete steel pipes in all the state. He believed it was the pressure that caused the break. Chris stated the pressure was eased when they turned the pipe over to the pressurized irrigation system. However, they knew someday it would need to be moved back to drinking water.

Chris proposed lining the pipe to prevent big breaks from happening because of pressure. Chris educated us about how to line the pipe. They would pull a smooth lining through the pipe and although it would decrease the size it would help with pressure and breaks. He went on to say this item is the guaranteed maximum price to complete the job. Chris stated they would put off bond replacement projects to take care of this critical project.

Councilman Gordon stated the reason there are no bid tab proposals is that it was a CMGC proposal.

Chris Thompson responded they are self-performing.

Councilman Gordon clarified that other companies were part of the interviewing process

Chris Thompson stated that when Whitaker was chosen there were 4 or 5 other companies interviewed.

Councilman Marshall asked Chris to put in cost comparisons next time so they could look at them.

Chris Thompson said he would.

Councilman Marshall **Moved** to **Approve Cold Springs Pipeline Rehab Phase 1 Guaranteed Maximum Price**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:38 pm

H. River Run Holdings Land Purchase Agreement Addendum

Tyler Jacobson informed us there were 6 acres down by the fairgrounds that we would purchase with a closing date for December 31, 2021. He asked that the closing date be extended to December 31, 2022, and it was beneficial for both parties.

Councilman Marshall wanted to know why the city wants the parcel.

Tyler Jacobson replied it was to expand the fairgrounds and give additional amenities down the road. Plus, it would provide a buffer for the townhomes that are south of the fairgrounds.

Mayor Leifson let us know the County would help pay for it.

Councilman Marshall clarified he was here to change the date and not for approval to buy the property.

Councilman Argyle clarified that the price stayed the same.

Tyler Jacobson responded yes.

Councilman Mendenhall **Moved to Approve River Run Holdings Land Purchase Agreement Addendum**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:40 pm.

J. Resolution 21-29 Authorizing Spanish Fork City to Participate in Settlements with Distributors and Janssen to Abate the Opioid Epidemic

Vaughn Pickell related that the State of Utah was in litigation with multiple pharmaceutical companies regarding opioids. He added that to join the settlement our city must authorize a resolution to grant authority to settle the lawsuit and to register on the state site. Vaughn explained he had already done the application and registration. He let us know the settlement amount and the purposes of using the funds were still to be determined and would come at a later date.

Councilman Mendenhall **Moved to Approve Resolution 21-29 Authorizing Spanish Fork City to Participate in Settlements with Distributors and Janssen to Abate the Opioid Epidemic**

Councilman Argyle **Seconded** and the motion **Passed** all in frill call vote 9:42 pm

Councilman Gordon Made a Motion to go into Closed Session for land transaction and reasonably imminent litigation.

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 9:42 pm with a roll call vote

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

Councilman Gordon made a **Motion** to **Adjourn**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 10:35 p.m.

ADJOURN:

ATTEST: December 7, 2021

Tara Silver, City Recorder