



**ADOPTED MINUTES
CITY COUNCIL MEETING
June 7, 2022, at 6 PM
40 South Main Street
Spanish Fork, UT 84660**

Elected Officials Present: Mayor Mike Mendenhall, Councilmembers Chad Argyle, Brandon Gordon, Stacy Beck, Kevin Oyler

Elected Officials Absent: Shane Marshall

Staff Present: Dale Robinson - Parks & Recreation Director; Nick Porter - Public Information Officer; Jordan Hales - Finance Director; Matt Johnson - Police Chief; Tara Silver - City Recorder; Dave Anderson - Community Development Director; Vaughn Pickell - City Attorney; Chris Thompson - Public Works Director; Seth Perrins - City Manager; Tyler Jacobson - Assistant City Manager, Bryan Perry - SFCN/IT Director

Staff Absent:

Others Present: David Larsen, Rebecca Larsen, Laurie Dallon, Heidi Prigmore, Ken Prigmore, Diane Cruz, Joe Cope, Carolyn Cope, Jackie Larson, Julie Frederick, Matt Carlson, Amanda Carlson, Jared Morgan, Michael Leifson, David Simpson

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

Call to Order - Mayor Pro Tem Beck at 6:03 pm and she excused Mayor Mendenhall. She let us know he would be coming in later.

Councilman Argyle led us in the pledge of allegiance

Councilwoman Beck invited Laurie Dallon to give the motivational thought and prayer.

Laurie Dallon stated a quote from Kofi Annan, a former Secretary-General of the United Nations who comes from the country of Ghana. "Peace is not unity in similarity but unity in diversity, in the comparison and conciliation of differences. We may have different religions, different languages, different colored skin, but we all belong to one human race". She felt we could find peace if we were willing to work together despite our differences. She stated this would improve the world around us and enable us to use our differences to everyone's benefit.

a. Spanish Fork High School Lady Dons' Softball Team

Mayor Pro Tem Beck invited the Spanish Fork High School Lady Dons' Softball Team to come forward. She let us know this was the 2nd year they were state champions and asked if Natalie Jarvis would give a couple of words.

Coach Natalie Jarvis shared it was amazing to have back-to-back state championships. She reported their record was 28 and 4 in region play and 10 and 0 in the state. She felt it was a great send-off for the 5 seniors on the team.

b. Spanish Fork University Graduates

Nick Porter let us know that we had a 2nd group graduate from Spanish Fork's University, which is a 10-week course where they meet with staff and get a better understanding of what the city does. He had them come forward to be highlighted and told us they held a graduation ceremony a couple of weeks ago. He acknowledged Amanda Carlson, Jessica Carlson, Matthew Carlson, Steven Carlson, Diane Cruz, Laurie Dallon, Julie Frederick, Ethan Jennings, Becca Larsen, David Larsen, Ken Prigmore, Steven Raymond, Aaron Stern, and Jennifer Young and had them come forward.

Diane Cruz, a university graduate, expressed her thanks to the Mayor and council for the opportunity. She was impressed with how much she learned from it. She let us know she had signed up to be part of the first group and found it was full, so she was put in the 2nd group. She recommended it to everyone and found it had helped her answer questions and explain more about the city to other residents. She talked about the value of the class and how she had already used the knowledge she gained.

Mayor Pro Tem thanked Nick for arranging the opportunity and for all the effort staff put in to make it possible.

PUBLIC COMMENTS:

No comments

COUNCIL COMMENTS:

1. Councilman Oylar reported on the Chamber of Commerce's latest business in town. He pointed out it was the Net Shipping Company located in the strip mall by the old Kmart building and they would have their ribbon cutting Thursday at noon. He congratulated the senior class of 2022. Councilman Oylar talked about the primary voting ballot he received in the mail and reminded the residents to look in the mail for theirs.
2. Councilman Argyle gave thanks for the Memorial Day celebrations and for recognizing the fallen soldiers. He expressed particular thanks to the cemetery crew. He lined out all the work they put in to maintain the flowers and grounds to make it the best in the

state.

3. Councilman Gordon shared his appreciation of all the respect that was shown to the veterans who have passed on and are still with us and was glad to be a part of it. He expressed his admiration for Doctor Richard Neilsen speaking at the event and how it wouldn't be a day forgotten because of the hail that rained down on them. He pointed out it was the first event the new Spanish Fork royalty attended as part of their duties

Councilman Gordon reported on the Water Quality meeting where they made some board appointments. He told us about the Solid Waste meeting and how they approved the budget for the new transfer station with only a few changes to a 40-plus million dollar build and how they were able to hold the rates. He attributed this to the good planning of staff who all work behind the scenes and let the residents know it is they who should be thanked. He added the only change was the tarping fee would double if you didn't have your load tarped when you came to the transfer station. He explained this is a deterrent to having garbage in the community that flies out of your vehicle.

Chris Thompson stated the fee had changed from \$4 to \$10.

Seth Perrins reminded residents that as the new transfer station moves here that untarped garbage would be flying out in our community. He encouraged residents to tarp their load instead of having the city use the tarp fee to clean it up.

Councilman Gordon informed us that the Spring Clean-up collected over 1 million pounds or 500 tons of garbage. He compared it to Provo's 9 tons, Springville's 136 tons, and Mapleton's 61 tons that they collected. He thanked the citizens who took advantage of it.

4. Council Marshall was absent
5. Mayor Pro Tem Beck congratulated the new Spanish Fork Royalty. She explained there had been 8 contestants and Grace Ehinger was made Queen, Hope King as 1st runner-up, Hailey Campbell 2nd runner-up, and Hayley Pierce as third runner-up. She let us know the Little Miss Spanish Fork pageant was held the following Saturday. She highlighted Grace Ehinger's talent for singing through sign language and how they had already had Grace on Spanish Fork Community Network's Studio Chatter program. She felt it was a great opportunity for girls of all ages to learn leadership and about the community as they attend events.

Nick asked if they wanted to watch the talent of Grace Ehinger.

Mayor Pro Tem Beck asked him to play it and went on to tell us about how she didn't even tell her mom what her talent was until the night of the pageant. She expressed that the royalty couldn't attend tonight as they were up supporting contestants for the Utah pageant.

Mayor Pro Tem Beck let us know that she and the Mayor attended the Utah League of Cities and Towns Legislative Policy Committee where they discussed land use, lower-income housing, water use, and the 25% below normal snowpack.

Mayor Pro Tem Beck let us know that the Fiesta Day first round of proofs was done and the residents should see the magazine as early as July 4th which consists of all the event details. She informed the residents the rodeo tickets were expected to sell out by July 4 so get them now.

SPANISH FORK 101:

- a. Green Waste Vouchers

Max Sabey shared a picture of his crew and explained he was here to explain the green waste voucher program. He started by giving the history of composting and how it was losing money, so they started a new program in 2017 called the green voucher program that was more efficient and made it so each household had 3 vouchers worth \$8, now \$10, for 440 pounds of green waste.

Max Sabey reported the first year they had complaints about the change so they educated the residents through different outlets about the program. He told us the benefits of it and how it had gone down over the years since the Spring Clean-up was introduced. He let us know the first year they collected mostly garbage, the second year it was junk, and the third year they had more branches and grass clippings so he felt it had affected the decreasing numbers of green vouchers being redeemed. He let us know the benefits of the green vouchers was it made it so there was less travel to haul and produce the compost, green waste could shrink 98%, and they use it to collect methane gas and electricity.

Councilman Oyler asked if residents get paid up-front for the 3 vouchers.

Max Sabey responded they were paid when they traded them in.

Mayor Pro Tem Beck indicated that they could do that by going online to the Spanish Fork website and using their utility number.

Seth Perrins brought up the concern that residents could print out more than 3 vouchers but informed us they would be charged the additional vouchers on their utility bill.

Councilman Oyler wanted to know how many used all 3 vouchers.

Max Sabey told us someone had printed off 40 vouchers in the past.

Seth Perrins indicated the Spring Clean-up is paid for with part of the utility bill and isn't free. He asked residents to use the green vouchers.

Councilman Oyler suggested having the dumpster in the Fall and Spring.

Max Sabey let us know the dumpster cost was \$70,000 while the voucher system cost \$15,000. He said it cost more for the fall dumpsters but felt it was worth it.

Seth Perrins reiterated that the assumption that composting pays for itself is incorrect. He added it would lose \$250,000 a year. He suggested using the Spring Clean-up in the Spring and the vouchers in the fall.

Councilman Argyle wanted to know if the intention was to only use the vouchers in the fall.

Max Sabey indicated that was not the case.

CONSENT ITEMS:

- a. Minutes Joint CC and Airport Board Work Session 05-17-2022
- b. Minutes of Spanish Fork City Council 05-17-2022
- c. Craig Gasser (Arby's) Right-of-Way Acquisition - Expressway Lane Widening Project
- d. McDonald's Right-of-Way Acquisition - Expressway Lane Widening Project
- e. T-Mobile 311 Agreement
- f. Cold Springs Rehabilitation Project - Change Order #3
- g. Filevine Agreement for Legal Case Management System
- h. Interlocal Agreement with Utah County for Community Development Block Grant (CDBG) Renewal

Councilman Gordon made a **Motion** to approve Consent Items A-H

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 6:38 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes

Chad Argyle	Yes
Shane Marshall	Absent

PUBLIC HEARING:

A. Arrowhead Subdivision Zone Change and Preliminary Plat Approval Request

Dave Anderson told us the Arrowhead subdivision had two parts tonight, the zone change and preliminary plat. He indicated it was 192 lots and they wanted to double the size of the current commercial zone and it had been adjusted a couple of times in the past. He informed us that the Planning Commission and Development Review Committee were in favor of it with 7 conditions.

Councilman Gordon **Moved** to go into a Public Hearing
 Councilman Oyler **Seconded** and the motion **Passed** all in favor at 6:40 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

No comments

Councilman Argyle **Moved** to go out of Public Hearing
 Councilman Oyler **Seconded** and the motion **Passed** all in favor at 6:41 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Argyle wanted clarification that it was the Sunroc property that wanted more commercial zoning.

Dave Anderson responded yes they were trying to change the limited exposure and access to the area and make it more viable for non-residential use.

Councilman Argyle wanted to know how many major developments had been approved or started.

Dave Anderson stated it was well into the 1,000's. He added current building permits were less than 200 and he felt it was less than a 6 months supply of housing.

Councilman Argyle expressed concern for continuing to approve lots when water is a concern. He stated he kept being told Spanish Fork was in good shape for water but he wanted to know if our water is still in good shape with the upcoming developments.

Chris Thompson explained that developers can only build if they secure enough water rights to cover in a drought year. He informed us new development doesn't take more water but is required to give the city enough water for a drought situation.

Councilman Argyle wanted to know if water is one of the things the Planning Commission and Development Review Committee look at before they recommend these changes.

Chris Thompson said that in this case, the developer would have to bring us enough water for the 192-lot system before they could build.

Councilman Gordon asked if the change from R1 to C2 affected the water use.

Chris Maverick indicated that going from a residential zone to a commercial zone would use less water and the city required they provide the water before they build.

Councilman Gordon wanted to know if the same water requirements applied to businesses.

Chris Thompson stated businesses were also held to the standard of giving enough water as though in a drought season before they could build.

Councilman Oyler wanted to know how the developer gave us water.

Chris Thompson indicated there were ways they could give water, including strawberry water rights and Spanish Fork River rights.

Councilman Oyler asked if property owners buy the rights and then give them to us.

Chris Thompson told us they allow the developer to buy from us or buy through the contract.

Councilman Argyle expressed his concern that they had approved so many subdivisions and wanted to make sure the future investment of water and electricity was considered so in 10 years Spanish Fork was still in a good place like we are now. He went on to say his friends in

Las Vegas had water concerns and prayed we would get snow so they have enough water. He acknowledged he had been inundated with water questions lately and needed an answer.

Chris Thompson replied we worry about water more than any city and have a huge master plan to acquire it. He restated that they can't build if they don't give us water. He felt this system wouldn't allow our water supply to get to where it was a concern.

Councilwoman Beck stated she thought it took more water for agriculture than it does for houses.

Chris Thompson stated development does use less water than a field for agriculture.

Councilman Argyle told us his farmer friends' are allocated less and less water each year and ended up having to buy more water.

Chris Thompson indicated they use a study to know what drought allocations look like and water right credits.

Councilman Gordon felt we had done a good job about telling everyone we have enough water but we could do better on the education side of why we have enough.

Seth Perrins reiterated that development didn't take away from the current system but added more because they have to have enough water as though it was a drought year.

Chris Thompson thought it would be a great conversation to educate the public about water.

Dave Anderson gave the specific numbers on building permits alluded to in the previous comments. He reported that at the end of April there were 238 building permitted lots for single-family homes and 605 building permitted lots or units worth of some type of attached housing. He acknowledged that right now multi-family housing outnumbered single-family housing.

Dave Anderson suggested if they wanted the inventory to be more balanced they could set a goal to be balanced and the need for growth in Spanish Fork. He also let them know the applicant was currently zoned for 12,000 square foot lots so they could have 3 to 4 homes per acre whereas someone else with townhomes may want 5-7 homes per acre, so it may be something they want to consider with water concerns. He suggested they have a future meeting to talk about water and the development patterns they may want to consider.

Councilman Gordon wanted to know the concerns of the Planning Commission, like fencing?

Dave Anderson stated everything is pretty routine.

Councilman Oyler recalled before the Sunroc development the general plan was slated for commercial zoning there and he didn't remember who changed it at the corner. He was not concerned about the change.

Seth Perrins stated the fences typically have a 6-foot masonry wall.

Dave Anderson told us those details would be available with the final plat. He added that the fencing can change depending on the neighbors. He indicated with agriculture they would need a different fence and with properties on Main Street which have a significant elevation change would have a different fence. He stated with this development it wouldn't be a 6-foot masonry wall because it is high up and would give the look of a fortress. They would get the right design for it.

Councilman Gordon stated he wanted to make sure the final plat included all the neighbors' concerns.

Councilwoman Beck liked the commercial zoning on Arrowhead.

Councilman Oyler **Moved** to Approve the **Arrowhead Subdivision Zone Change and Preliminary Plat Approval Request finding and conditions the staff report**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:05 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

B. Ordinance Title 15 Amendment - Irregular Lots.

Dave Anderson stated our provision in our code was that setbacks must be an average of 25 feet and this applicant would like it changed to an average of 20 feet for single-family homes to make irregular lots buildable. He indicated staff reviewed it and didn't see a downside to it. The Planning Commission saw no harm and recommended it be approved.

Councilman Oyler wanted to know if this referred to a specific lot or development.

Dave Anderson responded yes or both.

Councilman Oyler wanted to see the applicant's irregular lot on the map.

Dave showed them Joseph and Caroline Cope's house on 674 W . It was wider in the back.

Seth Perrins clarified an irregular lot meant it was not a rectangle or square including cul de sacs or elbows on the street.

Councilman Oyler reiterated the change was to adjust the setback from 25 to 20 feet.

Seth Perrins showed an example of a home that had a backyard with one setback at 15 feet to the back fence but a big yard on the side that had a lot of room. He indicated without the change people wouldn't be able to build even though they had plenty of space on one side of the backyard.

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:10 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

No comments

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:10 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Gordon Moved to **Approve the Ordinance Title 15 Amendment for the Rear Setback of Irregular Shaped Lots.**

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 7:11 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes

Chad Argyle	Yes
Shane Marshall	Absent

C. Fiscal Year 2023 Budget

Seth Perrins announced this was a public hearing for the budget and asked if the Council or public had any questions.

Councilman Argyle **Moved** to go into a Public Hearing

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 7:12 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

No comments

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

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:13 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Argyle indicated he didn't meet with Seth because when he had questions he called him but had since had some department heads talk about positions added or money allotted and wanted to know if that was in the 2023 budget when he saw it before.

Seth Perrins let us know Dale Robinson talked about positions and more that were in the 2023 budget, but it wouldn't be allocated until the budget was approved.

Councilman Argyle asked if the changes to the budget were mostly employee positions and job updates.

Seth Perrins replied some positions were talked about at the budget meeting at Zermatt and some position changes had come up since then. He told us there had been 19 changes to the

budget and listed those out. Seth told us they were able to cut 2 million from the Electric Fund. He highlighted some of the changes as timing for the 2023 transformers for the substation so they can arrive in January of 2024, the County ambulance calls going down, one was an error, and the elimination of a couple of projects. He pointed out the opportunity they had to have a mobile mammogram station at the fairgrounds which would be good for employees and residents. Staff felt like early detection of breast cancer was a must.

Seth Perrins pointed out 2 part-time blue staking and engineering positions and eliminating a part-time position and making it full-time for \$13,000 to get a mechanic. He went on to say they added some blue staking positions because of the growth in the city. Currently supervisors were needed to help out. There was an added expense for golf carts at the golf course. He indicated he wanted to get the General Fund to \$750,000 by meeting with department heads. He informed us that usually there are 1 to 1.5 million dollars not spent as a safeguard, but that will go down. He expected they will have a fund balance in reserve at about 1 %.

Councilwoman Beck asked if residents could find the budget online.

Seth Perrins stated the tentative budget was there but not in the final format. He mentioned after the budget is approved they would talk about and get direction on the recreation center.

NO ACTION OR MOTION NEEDED

D. Dividend Transfer of Funds Public Hearing

Seth Perrins stated each year there is a budget transfer from the utility fund through a dividend. He told us in May a notice was sent with the utility bill and we are holding a public hearing as part of the State code. If it is approved another notice will be sent out to say what was done.

Councilman Argyle **Moved** to go into a Public Hearing
 Councilman Gordon **Seconded** and the motion **Passed** all in favor at 7:25 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Mayor Pro tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Gordon **Moved** to go out of Public Hearing
 Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:25 pm

Kevin Oyler	Yes
-------------	-----

Brandon Gordon	Yes
Mayor Pro Tem Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Argyle wanted to know why the percentages were different on the slide.

Seth Perrins stated a few years ago the state wanted us to use this number and they defined what a percentage is. He suggested he focus on the dollar amount.

Councilman Argyle wanted clarification on the dollar amount.

Seth Perrins identified it and said that in the past the city used to use the percent but state law required the change and made it so the percentage wasn't the same as the city's way of doing it. He felt the change didn't tell the story like he preferred so he had two percentages. He told us last year they looked at all the funds and there was variability and need. He never wanted to raise the rate for a dividend so they tweaked them so they are different historically. He showed how some of it is because of the cash availability in the storm drain fund.

Seth indicated the philosophy of the city was If these were utilities they would charge a rate greater than what they needed and send the revenues to the shareholders. In our case this allows the city to put them in the general fund and offset expenditures, plus it captures a few more ratepayers through the dividend.

Mike Mendenhall came into the meeting at 7:28 pm and started presiding.

Councilman Gordon mentioned he appreciated the time Seth took with meeting with each of the council members. He wanted Seth to know that he had called Jordan on his day off and he helped him.

Seth Perrins said the greatest compliment was the trust they had in him. He emphasized both Jordan and his love for the budget.

Councilman Gordon let the public know the budget is from July 1 to June 30 and they spent 2 full days going through it and seeing the process.

NO ACTION OR MOTION NEEDED

NEW BUSINESS:

A. Salisbury Homes setback reduction request.

Dave Anderson stated that to the north of this development is the Legacy Farms Subdivision and on the south, there is a drainage ditch on the boundary. This applicant is proposing to reduce the setbacks from 25 feet to 20 feet. He mentioned this type of proposal had become routine for staff. He emphasized on the south it would be some time before something was

built and with the ditch there it would give 10 feet between developments. The Planning Commission and Development and Review Committee recommended it.

Councilman Argyle asked if they wanted the change to gain more lots.

Dave Anderson indicated not more lots but it would allow them to sight a home deeper.

Councilman Oyler wanted to know if the rear setback on irregular-shaped lots that were just passed affected these properties.

Councilman Gordon thought we had done this before with storage units.

Dave Anderson informed us it was the same as the storage units and they will give additional property to the city. By granting the property it would give 30 feet between developments because of the land we are given and the ditch.

Seth Perrins stated the land granted to the City would act as a buffer so the setback reductions wouldn't be felt.

Mayor Mendenhall wanted to know if the land to the south could have development in the future.

Dave Anderson indicated he didn't think so that is why they wanted the land dedicated to the city.

Councilman Oyler asked which lots they wanted to be 5 feet instead of 10 feet.

Dave Anderson responded it was on the sides of the lots.

Seth Perrins informed us this subdivision had an issue not created by this subdivision but was created by the subdivision to the north. He indicated it happened because the other subdivision did not have a right of way that was dedicated to the subdivision and so it was atypical and a problem. Seth told us they were working with the owners to the south and north to make sure the land was dedicated and there was an entry point for the railroad to have access from the east for maintenance. He reported we had been working on it for a year and still did not have an agreement.

Vaughn Pickell said the road right of way had been recorded now.

Chris Thompson clarified why it was still a problem.

Seth Perrins added we want the access point to be more perpendicular so it has been a challenge. He suggested we make this reduction request contingent on the owner getting this resolved. He informed us it looks like we have the land dedicated from the north but not the south and want to make sure it gets finished. He asked for it to be added to the motion so it is clear even though the landowner may be different from the applicant.

Councilman Oyler asked if it was the property to the north.

Seth Perrins stated it was the same property in lot 1.

Mayor Mendenhall invited the applicant to respond or if there were questions from the council to ask them now.

Mike Leifson, the applicant representing Salisbury Homes, indicated he purchased 6 of the lots and talked with the developer of the subdivision Ryan McDougal about the south lots 6, 7, 8, 9, 10, and 11 setback lines. He acknowledged he only purchased lots 8 and 9 but mentioned the original development designs allowed for a bigger home. He asked for a medium of 5 feet to be approved since the ditch added 10 feet. He felt like it matched what was in the area.

Councilman Oyler wanted to know where the north and south development were responsible for the fencing.

Dave Anderson indicated the fence could go up to or south of the yellow line.

Councilman Oyler asked if it created a long alleyway.

Chris Thompson explained the alleyway he referred to would be on an open waterway, a trail, and 10 feet for drainage that would connect to the park. Chris told us this would be a connection for the railroad to access the area and maintain it and was critical for the road connection. He let us know they would give up this corner to give us access for the railroad to maintain it.

Councilman Oyler wanted to know how we could make it contingent if they don't own it.

Dave stated it would be part of the plat request so they could add the contingency with the plat. He added the council was under no obligation to approve this but the condition may bring more motivation to the landowner to cooperate with the city when it is developed.

Mayor Mendenhall clarified if a developer was to buy the whole area and then sell off individual lots to home builders then we would let them know this is how we want the whole development to work.

Councilwoman Beck asked Dave if he wanted it contingent on the north lots in the motion.

Vaughn Pickell stated it was the property line adjustment of lot 1 on the north property line to accommodate the access to the railroad. He mentioned the city has a drawing of what is needed and had clearly expressed to both owners of the south and north subdivisions. He added both owners want the change.

Councilwoman Beck **Moved** to Approve the **Salisbury Homes setback reduction request with the contingent on the north property lot line of lot number 1 to accommodate the railroad access.**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:48 pm with a roll call vote.

Kevin Oyler	Yes
-------------	-----

Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

B. Stephens-Hill Annexation acceptance request.

Dave Anderson informed us that a proposal was made to have the Council accept the annexation proposal of 150 acres outlined in the Powerpoint slide for further study. He mentioned this puts the annexation in a formal process and after the Planning Commission had refined it there would be notice given so it could come before the Council to consider zoning designation or not.

Councilman Gordon mentioned he had received a phone call in opposition of this annexation so he wanted to make it clear there would be time for others to express their opposition.

Dave Anderson told us the process is that any affected entity can protest or otherwise express their views at the public hearing in August or September. He added this is a legislative act and the Council had no obligation to approve the annexation policy. He stated this was unique in that it was not within the city's growth boundary and asked them if they would like to start the annexation process and in the future have a discussion about the growth boundary.

Councilman Oyler asked to be reminded if the County needs to approve an island or if the state law changed.

Dave Anderson informed us that cities can make an island with the approval of the county commission. He indicated the Commission asked that it not be presented to them until it gets the Council's approval for further study.

Vaughn Pickell stated the city would make a written request.

Dave Anderson reported the County had approved all requests from the city for islands in the past.

Councilman Argyle **Moved** to Approve the **Stephens-Hill Annexation acceptance request.**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:53 pm

Before the roll call vote, Councilman Oyler asked Dave about the annexation not aligning with the growth boundary in the findings attached to the proposal.

Dave Anderson told us that findings 1 & 2 were statements of fact.

Seth Perrins asked if it would be helpful to get the differences between the growth boundary and the annexation policy boundary.

Councilman Oyler thought it was a good idea.

Mayor Mendenhall clarified they were talking about the 2 findings in the motion.

Dave Anderson explained that everything that is in color on the slide is in the annexation policy and what was planned to be annexed. He indicated the line of our current boundary versus our growth boundary.

Seth Perrins asked Dave to define a growth boundary.

Dave Anderson informed us the growth boundary means the general plan suggests the Council should not approve developments outside the growth boundary. He felt we were a unique community with a growth boundary that acts as an indicator that was adopted over 25 years ago to signal areas that are ready for growth. He told us the last time it was used was when we amended around the airport. He explained the growth boundary was modified every few years and oftentimes came with new infrastructure in the area.

Dave Anderson stated in this case the infrastructure is deficient so there needs to be a conversation about infrastructure in the area to get properties ready for growth. He indicated they felt the growth boundary should be changed east of 2550 east which for many years was because there was no sewer service. He reported that some developers came together and solved that so it triggered a growth boundary change with Mapleton.

Councilman Oyler clarified that it wouldn't just be residential but also commercial and industrial that could trigger the growth boundary.

Dave Anderson didn't believe the general plan indicated one kind of development over another.

Seth Perrins added that if this area gets annexed and if there is immediate development that occurs one of the questions you will have as a part of any zone change is a growth boundary amendment.

Mayor Mendenhall then asked for a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

C. SFCN Shop Building - Hogan Construction Contract

Bryan Perry informed us the Spanish Fork Community Network Building had two parts. One, a building and two, a shop. He indicated the shop needed to be approved now to have time to get supplies and resources to hit the timeline they have. He explained that Western Steel was the lower bid and the preferred vendor for the project. He told us they needed to split the project into two parts before they reached the final guaranteed maximum price so one can get started. He stated they were looking for approval for this portion of the project of an \$89,826 deposit to hold their place in line and get the resources ordered so they are ready to start in the timeline.

Councilman Gordon stated that it seemed like the advantage under AD constructors is you get more for not much more money. He asked if they are using Western Steel strictly because of the price.

Bryan Perry informed us it was over-specified for what we needed. He reported the pre-engineered shop was slightly different in the specs but they met our bid requirements for the building and this is how they chose to meet that. He also mentioned it would save transportation costs as they were local along with other savings so they were the preferred builder regardless of the slight changes in the specs.

Councilman Gordon indicated it made sense the way he explained it as he saw that they were giving 3 doors instead of the standard two with a slight money change.

Bryan Perry stated they were the preferred vendor for Hogan Construction who is over this project.

Councilman Gordon **Moved to Approve SFCN Shop Building - Hogan Construction Contract**

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 8:03 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

D. TruCo Landscape Service Agreement (New Professional Service Agreement)

Seth Perins informed us this was a contract for a service agreement to meet the needs we

have with shortages of part-time employees. He told us because of this our cemetery part-time budget had only spent \$28,000 of the \$75,000 budget with 2 months left in the season they were underspent. He indicated it had been a challenge to find people to weed around the headstones once a week. They experimented by bidding it out and it came out close to the employee cost, so they will eliminate the part-time dollars and hire an outside contractor.

Councilman Oyler wanted to know how the unit price was determined.

Seth Perrins indicated he wasn't sure but it could be the number of times they would come.

Mayor Mendenhall stated it was a trial to see how they do until September and then assess the economy for next year.

Seth Perrins said it may work or may not.

Councilman Oyler **Moved to Approve the TruCo Landscape Service Agreement (New Professional Service Agreement)**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:06 pm.

Councilman Gordon stated his yes in German and then indicated it was a yes.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

E. Resolution Designating Shane Marshall to the Utah Lake Authority Governing Board

Vaughn Pickell informed us that the Utah legislature asked for one representative from Spanish Fork to be on the Utah Lake Authority Governing Board and asked for consent to the Mayor's appointment.

Mayor Mendenhall remarked Shane would represent Spanish Fork on the board.

Councilman Oyler **Moved to the Resolution Designating Shane Marshall to the Utah Lake Authority Governing Board**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:08 pm with a roll call vote.

Kevin Oyler	Yes
-------------	-----

Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

F. Ordinance Amending Title 9 Regarding Noise Exceptions for Municipal and Public Utilities

Vaughn Pickell let us know this noise ordinance exception was needed to implement a certain acceptance level for noise at the pump station because it may exceed the level in code. He indicated the planned pump station was important and needed. He added the noise would be infrequent and scheduled to cause as little disruption as possible.

Councilman Gordon **Moved to Approve** the **Ordinance Amending Title 9 Regarding Noise Exceptions for Municipal and Public Utilities**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 8:10 pm with a roll call vote

Kevin Oylar	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

G. Resolution approving Personnel Policy Update/Juneteenth

Seth Perrins informed us there were a handful of personnel updates. He told us these were reviewed by the personnel committee consisting of some of the council, staff, and two employees were chosen by their coworkers to represent them. He told us they would like to add the holiday of Juneteenth to the list of holidays, add the firefighters for retirement, and other miscellaneous changes including the new state law adjustment to funeral leave for a stillbirth and sick leave.

Mayor Mendenhall acknowledged they had talked about it in the personnel committee meeting and had no questions.

Councilwoman Beck **Moved to Approve** the **Resolution approving Personnel Policy Update**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 8:13 pm with a roll call vote

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

H. Ordinance amending various sections of the Spanish Fork Municipal Code regarding the Police Department and the Fire & EMS Department

Seth Perrins reported they were cleaning up parts of the code where public safety needed to be separated into Fire and EMS and Police so they are up to date.

Councilman Gordon **Moved to Approve** the **Ordinance amending various sections of the Spanish Fork Municipal Code regarding the Police Department and the Fire & EMS Department finding that this amendment will further the public health and safety and general welfare by aligning our city code with the organization of the city departments.** Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:14 pm with a roll call vote

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

I. Fiscal Year 2022 Utility Write-offs

Jordan Hales indicated this was something done each spring and a document was sent out to residents. He reported most of them were terminated accounts from 2018 collections, bankruptcy, \$100 and under small balance accounts, and accounts for deceased persons were written off. He stated the debt collection would still be sought through a debt collection Cherrington firm. He let us know this was a formal matter and told us the scale was that we were writing off \$50,000 as a couple of businesses left us with higher balances. He felt there were two reasons it had decreased. One, was because the economy was better two, the auto-pay option.

Councilman Argyle **Moved to Approve** the **Fiscal Year 2022 Utility Write Offs** Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 8:18 pm with a roll call vote

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Councilman Gordon **Moved to Adjourn to the Redevelopment Agency**
 Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 8:18 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

REDEVELOPMENT AGENCY

President/Chair - Mike Mendenhall presided

RDA CONSENT ITEMS:

a. Redevelopment Agency minutes 05-03-2022

Board Member Gordon **Moved to Approve the Consent Items**
 Board Member Argyle **Second** and the motion Passed all in favor at 8:18 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

RDA PUBLIC HEARING:

a. RDA Fiscal Year 2023 Budget

Seth Perrins indicated it was a public hearing with the invitation to residents to ask questions.

There were no questions.

Councilman Gordon **Moved** to go into a Public Hearing
Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:19 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

No comments

Councilman Argyle **Moved** to go out of Public Hearing
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 8:19 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

RDA PUBLIC HEARING (no formal action taken):

Councilman Gordon **Moved** to **Adjourn to the Local Building Authority**
Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 8:20 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

LOCAL BUILDING AUTHORITY

President/Chair - Mike Mendenhall presided

LBA CONSENT ITEMS:

- b. Local Building Authority Minutes 05-17-2022

Board Member Gordon **Moved** to **Approve the Consent Items**

Board Member Argyle **Second** and the motion Passed all in favor at 8:20 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

PUBLIC HEARING:

a. LBA Fiscal Year Budget 2023 Budget

Seth Perrins informed us it was the same as the RDA because it was a public hearing where people could ask questions about the Local Building Authority's budget. He added that in this entity they can use the asset of a structure as collateral instead of using property tax, sales tax, or something else. He reported the Local Building Authority exists only to receive money from certain city entities and is an extension of our debt service.

Board Member Gordon **Moved** to go into a Public Hearing
Board Member Oyler **Seconded** and the motion **Passed** all in favor at 8:21 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Chair Mendenhall asked for Public Comments
There were none.

Board Member Beck **Moved** to go out of Public Hearing
Board Member Gordon **Seconded** and the motion **Passed** all in favor at 8:21 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Seth Perrins pointed out that historically they have done it differently and not had the 2 steps of a public hearing and then adopted it at a later date. He indicated it was done this way so the public had time to reach out to us before it was adopted.

LBA PUBLIC HEARING (no formal action taken)

Board Member Gordon **Moved** to **Reconvene Back to City Council**
Board Member Argyle **Second** and the motion Passed all in favor at 8:28 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

RECONVENE BACK TO CITY COUNCIL

Councilman Gordon made a **Motion** to move to Closed Session for Reasonably Imminent Litigation and Land Transaction.

Councilman Oyler **Seconded** the motion and it passed all in favor at 8:23 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Absent

Attest: June 7, 2022

I, Tara Silver, City Recorder of Spanish Fork City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 7, 2022. This document constitutes the official minutes of the City Council meeting.



TARA SILVER, CITY RECORDER

