



**ADOPTED MINUTES
CITY COUNCIL MEETING**

Date, at 6 PM

40 South Main Street

Spanish Fork, UT 84660

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

Elected Officials Absent:

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, Emily Trommlitz - Management Intern, Nate Read - Assistant to the City Manager

Staff Absent:

Others Present: Dustin Millen, Michael Wilkins, Becca Wilkins, Katie Oliver, April Keel, Benda Christensen, Rex Larsen, Christine Larson, Brent Larson, Pam Dudley, Dave Dudley, Lane H. Lelie Henderson, Gary L., Jackie Larson, Kathleen Leavitt, Dan Davis, Clinton Harris, Lisa Olsen, Mark & Mindy Warner, Max and Amy Darrington, Ron & Allyson Nielsen

5:15 pm WORK SESSION -No formal actions are taken in a work session.

a. Utah County Chamber of Commerce

David Rowley outlined the support they would like from the City Council by passing a resolution in City Council

b. Spanish Fork Ambassadors

Tyler Jacobson outlined the Spanish Fork Ambassadors program and asked for the Council's support.

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

Call to Order - Mayor Mendenhall called the meeting to order at 6:03 pm

Councilwoman Beck invited Lane Henderson to give the motivational thought and prayer.

Lane Henderson, who received the Pioneer Spirit Heritage Award, told us how Jmart printing came to be. He shared it had been in his family since 1960 and the first dance hall, as well as the first motion picture was shown there. He gave everyone a copy of the front page of the newspaper's last edition that was printed. He also told us that his father printed the history of Spanish Fork and he gave out his last one yesterday.

Councilman Oyler wanted to know how someone could buy the history if they wanted it.

Lane Henderson stated they could call him and he would put them on a list for when they print it again.

The Council expressed their appreciation for the newspapers that were sent to them when they were away from home and for keeping track of all the events in Spanish Fork.

Councilman Marshall led us in the pledge of allegiance

PUBLIC COMMENTS:

Beca Wilkins talked about the pickleball courts and her appreciation for them. Her concern was it attracted people from all over the valley and it had made it more difficult to play. She suggested the following solutions.

- Meter the parking for non-residents with an online system
- Put up a sign stating the resident's have priority
- Bring back the attendants who work down there
- Do online reservations
- Contact BYU accommodations and have them build pickleball courts for their students

Dan Davis told us of when he was deployed in Afghanistan and expressed his appreciation for all the freedoms we have and the sacrifices of our veterans. He expressed his tribute to those who have lost their lives and have fought for all of us.

Mike Wilkins added to what his wife stated by letting us know he plays once a week and he indicated that the students from the colleges take over. He told us he has looked to other communities to be able to play. He felt it worked well when the attendants were there.

Dale Robinson thanked them and let them know he was fully aware of the problem and they were begging every community to build pickleball courts. He mentioned the attendants were verbally beaten up so bad that they quit. He stated they would take it under advisement.

COUNCIL COMMENTS:

1. Councilman Argyle thanked the many volunteers that helped with posting 1900 flags for the Memorial Day celebration. He went on to thank Dan Davis for his comments and told us of the history of our country becoming a nation and enacting our government
2. Councilman Gordon congratulated Chief Eddie Hales and all the paramedics that were sworn in last week. He indicated the rough week regarding some tragedies we had in the city recently. He expressed his sadness for the loss and all those who dealt with it and the families involved. He reported on the New ERA project they will start in September that will manage landfill gas energy.

Councilman Gordon asked that Chris Thompson make the Shepherds part of the design process for the Lake Shore roundabout since they will be hauling eggs and want to make sure their trucks will fit.

3. Councilwoman Beck talked about how the Spanish Fork puzzle was unveiled. She informed us we could buy it at City Hall for \$25 and at the Fiesta Day craft fair. She congratulated the Fire and EMS swearing-in for Captain Reid, Jason Turner, Deputy Chief Krista Horting, and all the new paramedics. She credited getting the paramedic license to Eddie Hales.
4. Councilman Marshall told us he had his first meeting with the Utah Lake Authority. He reported he was not able to attend the arts council. He stated he is looking forward to Fiesta Days and thanked all the employees for their dedication to making it happen.
5. Councilman Oyler recognized full room in the council chambers and the foyer. He turned some time over to Kathleen Leavitt

Kathleen Leavitt gave a calendar of events. She introduced the new award for random acts and told us Rod Fife was the first to receive it. She invited everyone to join the Chamber of Commerce poker run and the heritage park pioneer village tour. The business of the month was Cowboy donuts. She let us know they would have a float in the parade where they would hide ping pong balls with a QR code for prizes throughout the parade route.

Councilman Oyler told us the Spanish Fork Farmers Market would start July 30 and go until the end of October. He told us that the new senior farmers market nutrition program was starting and more details would be given out later.

Councilman Oyler informed us of the opportunity to volunteer at the Utah County Fair on August 4-6. He added to sign up on the Utah County Fair website and volunteers would receive a t-shirt.

Mayor Mendenhall congratulated Councilmember Gordon for winning the primary election for county commissioner as the canvassing was done today.

Mayor Mendenhall thanked the council for reporting on their assignments. He read an email showing appreciation for the water department employees who were working on the holiday and helped residents with a water leak emergency.

Mayor Mendenhall talked about being part of the fairgrounds committee, meeting about the County Fair in August, and the rodeo. He informed us they had expanded the parking lot at the fairgrounds and thanked the partnership with the County. He stated he met with the Diamond Fork Riding Club and how they started the rodeo many years ago. He advised Spanish Fork residents to stay and enjoy Fiesta Days. Mayor Mendenhall highlighted pink night at the rodeo showing support and raising funds for breast cancer awareness and those going through cancer.

Mayor Mendenhall expressed his grief for the tragic incidents in Spanish Fork and his heart went out to the families and first responders.

Mayor Mendenhall told of the Dowdle puzzle event.

SPANISH FORK 101:

a. Fiesta Day Executive Committee

Councilwoman Beck invited the Parks and Recreation Director and Fiesta Days Executive Committee to come forward to explain the events.

Dale Robinson expressed his excitement for the rodeo and thanked the Chairman, Nick Hanks with the rest of the committee, for putting it together. He let us know the rodeo starts Wednesday and goes through Monday plus they are celebrating the 80th anniversary of when it began. He informed us the rodeo had sold out for 72 consecutive years. He indicated if we didn't get a ticket we could watch it on the Cowboy Channel 94 live. He added that next year's tickets would go on sale on July 26th, 2022 at midnight.

Seth Perrins told us JJ the clown would be there.

Dale Robinson let you know to purchase your tickets through the Spanish Fork website as scalpers have counterfeit sites that cost more. He added there will be an additional 300 parking spaces at the rodeo.

The Fiesta Day Executive Committee expanded on the events. Emily Harryman, the Event Supervisor stated the event magazine hit mailboxes last week. She introduced Fiesta Day Chairman Mark and Mindy Warner.

Mark and Mindy Warner let us know they had been married for 39 years and introduced Lynn & Joanne Jones as the Grand Marshals for the parade.

Lynn Jones thanked the City Council for making the city what it was and allowing them to be the Grand Marshals.

Mayor Mendenhall expressed his appreciation for the Jones's beautiful yard and their contribution to the city.

The Fiesta Day Executive Committee introduced the recipient of the Pioneer Spirit award, Lane Henderson.

Joanne Jones told of an experience of staying with her grandma and the stove was used to store her Spanish Fork Press newspaper.

The chairmen introduced the executive committee. The past chairmen were Ron and Allyson Nielsen, the incoming chairmen for 2023 were Max and Amy Darrington, with the current chairmen being Mark and Mindy Warner. They gave the City Council official Fiesta Day t-shirts and talked about the contest where Amy Creer created the winning logo design.

They let us know some of their favorite events like:

- The children's parade's Saturday, July 23rd at 9 am
- The Pyromusical
- The Carnival
- The street dance
- The Grande Parade

They thanked the past and present chairmen, the Mayor and Council, City employees, and all the wonderful volunteers.

Councilwoman Beck thanked them for their countless hours for the last 12 months of planning and gave them a thank you gift.

Mike Mendenhall indicated he loved that Fiesta Days coincided with the July 24 Pioneer celebration.

Councilwoman Beck told us t-shirts were on sale at City Hall for \$5.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council 06-21-2022
- b. Fiesta Days Carnival Contract - Brown Amusements Inc.
- c. Real Estate Purchase Contract - Liddiard 361 North 300 West
- d. Change Order for Electric Park/ Binder Fuel Increase
- e. Transfer Form to Reimburse Beaver Municipal Airport for Borrowed Entitlement Funds

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:24 pm.

Kevin Oyler	Yes
Brandon Gordon	Yes

Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Yes

Mayor Mendenhall asked that there be no applauding or booing as to not discourage a voice from coming forward giving their opinion. He stated we encourage all opinions.

PUBLIC HEARING:

A. An Ordinance adopting Agricultural Protection Area, Title 15

Vaughn Pickell told us this ordinance will adopt a new chapter in the city code for agricultural protection areas. He stated the benefits:

1. It won't affect the green belt status
2. The City can't impose unreasonable restrictions.
3. It would be a defense for nuisance protections and criminal proceedings.
4. Notices were required for those it effects with subdivision plat within 300 feet
5. State agencies couldn't require unreasonable restriction
6. If eminent domain is needed by the city there is an extra step requiring a public hearing.

Vaughn Pickell outlined the process in 4 steps

1. Proposal
2. Notice to the public (15 days)
3. 45 days Planning Commission and Advisory board need to review the proposal and evaluate then recommend
4. 120 days for the City Council to have its public hearing and a decision.

Vaughn Pickell indicted the evaluation criteria process

1. Current use
2. Zoning
3. Viability
4. Existing farms
5. Anticipated trends for agriculture
6. Case law stated planned roadways, parks, utility corridors, or commercial can be excluded from the agricultural protection area.

Vaughn Pickell informed us that If someone wanted to add a property to the Agriculture Protection Area they would need to follow the process again. He added if they wanted to remove it they would request it from the City Council or it would be looked at every 20 years where it could be amended, terminated, or approved.

Councilman Oyler wanted to know if rural residential could be in the Agriculture Protection Area.

Vaughn Pickell responded yes if they met the criteria.

Councilman Oyler wanted to know if multiple people owned one property how we would verify all the property owners wanted to be removed.

Vaughn Pickell stated staff would need to ask for the documents of who had the authority to proceed.

Councilwoman Beck wanted an example of the criteria in the process for the #6 case law planned roadways, parks, utility corridors, or commercial can be excluded from the agricultural protection area.

Vaughn Pickell indicated they would look at the general plan to make a decision.

Councilman Marshall suggested changing the wording 'applying' to 'consider' so it didn't sound like a checklist in the ordinance but could be more flexible in considering the context of each situation before making a decision.

Vaughn Pickell informed us the ordinance could be changed.

Mayor Mendenhall wanted to know if we needed to create a new advisory board.

Vaughn Pickell told us there was a Utah County Agriculture Protection Board already in place.

Councilman Members discussed:

- The process of going to the County Advisory Board then to our Planning Commission and lastly coming to the City Council with their recommendations.
- If 40 acres was the recommendation. It was stated they copied the Utah County threshold but it could be decided by the Council what amount was right to start an Agriculture Protection Area.
- They discussed smaller acreage amounts and the benefits and concerns.
- They talked about other cities that had Agriculture Protection Areas.
- There was discussion about a property owner putting their land in the Agriculture Protection Area and then changing their minds later to not farm or do something else and still have the same protection for 20 years as a risk the city would take.
- That the Agriculture Protection Area gives more protections than anyone else in the city.
- A suggestion was made to add the benefits, criteria, and fees to the ordinance, but it was decided the fee wouldn't be a good idea to add because every time the fee changed the ordinance would need to change. A suggestion for the wording in the ordinance was that there was an annual fee.
- How an owner could get out whenever they wanted.
- How it could be anywhere in the city limits but how some areas would be better than others for the criteria.
- How agritainment could qualify as it is already a definition in the city.

- They talked about adding agri-business and didn't want the zone of industrial included in the Agriculture Protection Area.

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 7:46 pm.

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

Rex Larsen, chairman of the County Agricultural Protection Advisory Board and owner of the Larsen family farm & Glen Corn Maze appreciated this being looked into and they were taking comments. He asked them to consider agritainment as a viable operation. He understood he would need to annex into the city to get the agritainment status. He added he also wanted them to consider agritourism and put the starting acreage for the Agriculture Protection Area at 5 acres like the greenbelt requirements. He suggested we put the purpose in the ordinance as well

Councilwoman Beck asked if 5-acres of land could be profitable for farming.

Dan Davis was in favor of the 5-acres and wanted clarification on the 50% rule of the majority to force property owners in. He felt the topographical element was confusing and that it would pit neighbors against each other. He indicated the 5-acres would give the property owners the power to decide. He went on to let us know a road was on the general plan that went through his property but he wanted to make the decision for the road to come through and not be forced by development or eminent domain. He told us his mantra was we shouldn't look to the government to solve our problems but use morality instead.

Councilman Marshall pointed out that the neighbors had rights as well.

Lisa Olson let us know she owns 1.3 acres and that in the winter and during the lambing season they have 35 adult sheep on the land by their home. She indicated they also have stock steers year-round. She wanted to know them to consider smaller parcels for the Agriculture Protection Area.

Jackie Larsen stated she had 5 acres of crops in the Leland area and it was profitable. She felt that the city draft ordinance items 1-3 were not the same intent as the state code and undermined it. She supported putting the 'why' in the ordinance and the green belt 5-acre requirement. She asked that they consider industrial mining and industrial businesses as well.

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:04 pm

Councilman Oyler observed that Rex Larsen had the most experience in the room because of his position and asked if he would come forward to let the Council ask questions and get his insight.

Rex Larsen informed us few cities have an ordinance for an Agriculture Protection Area. He felt that Spanish Fork adopting one could produce a snowball effect. He suggested changing the re-evaluation to renewal so when the City Council meets after 20 years if the owners still meet the requirements their status can be rolled over and not have to go through the process again, which makes it simpler for the owners.

Councilman Oyler asked Rex's opinion of what he had seen if starting with a larger or smaller minimum acreage affects his committee or if there is a benefit for either one.

Rex Larsen gave the caveat that it was different with the county than a city as the farms are usually smaller. He expressed he felt it was still important to protect them. He stated farms remaining are smaller but expressed it is still important to protect them. Rex added that personally, he thought a larger acreage requirement would be better but if they decide to do 5-acres to make a requirement that they are in the green belt, can produce, get the equipment needed, and can be viable. He told us he also sits on the Advisory Committee for the Green Belt. He informed us the city can decide on lesser green belt requirements if they wanted.

Councilman Oyler thanked him and reiterated the application would go to his committee before it came before the City Council with their recommendation.

Rex Larsen indicated the County advisory board had staff that would vet the criteria and make visits to the site to take pictures and study the site before it would come before the committee. He answered Councilman Argyles' question about smaller acreage by stating smaller cities could have smaller sizes for urban development. He gave an example of a 1st class city having 2 acres.

Councilman Gordon wanted to know the statistics for how often they denied a request.

Rex Larsen didn't recall but reiterated if they met the requirements they couldn't say no.

Mayor Mendenhall told us he wrote down notes on the discussion and asked Seth Perrins opinion as he was familiar with farming and that Spanish Fork historically had a love for farming.

Seth Perrins mentioned his experience in the city with residential communities being next to agriculture for years and they were successful. He understood the farmers' need for additional protection from nuisance claims. He suggested having an area designated in a part of the city and not separated throughout the city.

Seth Perrins answered Mayor Mendenhall's question of what would happen to the owner who stayed when another owner removed themselves and it was answered that for the owner who stayed there would be no change as the minimum acres is only effective at the creation.

Seth Perrins answered Councilman Marshall's question about the 50% majority being able to force others in the Agriculture Protection Area that it wouldn't take their right away but would give them additional protection in addition to the zoning laws. He added that smaller acreage may need a stipulation that they have the right to farm but don't have to be in an Agriculture Protection Area. Seth and Vaughn pointed out that Rex Larsen's role didn't allow him to deny an application if they met the requirements, but as a legislative body, they had the authority to deny it.

Seth Perrins answered Councilman Olyer's question if there was a timeline of when someone could re-submit an application by saying he didn't know of one.

Seth Perrins answered Councilman Gordon's concern about someone getting the protection and being bad actors (having animal rights violations) and the city not having tools in place to do something by stating maybe that is why we make the minimum threshold greater so the standard is kept. He agreed that nuisance protection can be a double-edged sword.

Seth Perrins answered Councilman Argyle's suggestion that it be a living document by stating as long as it is within the ordinance and state law restrictions it can evolve.

Councilman Argyle and Mayor Mendenhall discussed the need to consider and hesitation on including industrial uses in the Agriculture Protection Areas.

Seth Perrins indicated staff and he had taken notes and would rework the ordinance with the feedback and asked for the formal direction of the City Council.

The minimum acreage was discussed between councilmembers with:

Councilwoman Beck with 20 acres.

Councilman Olyer was comfortable with 10 acres because that is the average farm in the Leland area, but wanted to make sure the landowners around the Agriculture Protection Area were considered as well.

Councilman Marshall felt acreage was irrelevant as the criteria, history, and viability should speak for themselves. He wanted the purpose, fee, state code, process & evaluation, benefits, reapplication, and more all in the ordinance and didn't want it approved tonight because he wanted to make sure they got it right. He wasn't comfortable with a 0-acre requirement but wanted it a living document so they could see what works.

Councilman Gordon after talking it through agreed with Councilman Marshall on his stance.

Councilman Argyle was comfortable with 20-acres as long as it had the green belt requirement.

Kevin IfOyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Yes

Councilwoman Beck **Moved** to **TABLE** for a future council meeting to Approve the **Ordinance adopting Agricultural Protection Area, Title 15**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:59 pm with a roll call vote.

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

The Mayor amended the agenda to hear New Business Item B in the Public Hearing section.

NEW BUSINESS ITEM B. Resolution 22-24 Expressing an Affirmation of Support for the Growth and Prosperity Compact of Utah Valley

Mayor Mendenhall stated citizens could go look at the County website for more information.

Councilman Marshall addressed resident concerns that they want growth to stop by stating we are growing whether we want to or not. He pointed out that the Support for the Growth and Prosperity Compact of Utah Valley was a layout and framework for how to do it responsibly as a County. He felt it allowed us to be part of the conversation of how it grows in our community.

Councilwoman Beck wanted a link put on our website with the information.

Councilman Marshall **Moved** to Approve the **Resolution Expressing an Affirmation of Support for the Growth and Prosperity Compact of Utah Valley**

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 8:50 pm

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

PUBLIC HEARING B. Ordinance Z11-22Juniper Ridge Preliminary Plat and Zone Change

Dave Anderson let us know that on the east side of Main Street it is zoned commercial and on the west side it is zoned Rural Residential. He indicated Main Street accommodates a variety of uses. The applicant, Arive homes, would like a zone change from RR to R-3 to accommodate a townhome development with 50 homes. He felt like it made sense for this location as there were similar townhomes in the area.

Councilman Argyle was concerned about one entrance for 50 homes.

Dave Anderson stated with development there would be 3 entrances eventually, but that timeline was dictated by how soon development came.

Dean Ingram, the applicant, introduced the company as the largest in the south valley, the main model for customization with multiple designers and architects, and outlined some of the projects they have done.

Councilwoman Beck wanted to know if his garages could fit SUVs and trucks and Dean replied yes plus they had 6 feet of extra storage in the garage and a basement.

Dean Ingram showed renderings of the design.

Councilman Oyler wanted to know how they would ensure owners didn't park in the Fire Station parking lot with Dean responding the Homeowners Association would drive that.

Councilwoman Beck wanted to know if the street was wide enough to park on the road with Dean stating there would only be garage and driveway parking and not on the road.

Councilman Marshall expressed he liked the high quality and affordability.

Councilman Gordon **Moved** to go into a Public Hearing
 Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 9:11 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes

Chad Argyle	Yes
Shane Marshall	Yes

No comments

Councilman Gordon **Moved** to go out of Public Hearing
 Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:11 pm

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

Councilman Gordon Moved to **Approve Juniper Ridge Preliminary Plat and Zone Change based on the 4 findings and a condition in the staff report.**

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 9:12 pm with a roll call vote.

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

B. Ordinance 25-22A Regarding Construction Standard Revisions

Chris Thompson told us that 2 times in the year, January 1st and July 1st, they take the construction standards they need revised and bring them to the City Council so as not to change them too often on contractors and employees. He reiterated that today is 6 months' worth of changes he was proposing to be revised. He highlighted each one:

- Adding section stating distance from intersections and access to a railroad right-of-way from 200 to 250 feet
- Modifies standards ST-515, to remove reducing width on the T leg of a reduced width intersection.
- Modifies video inspections for Sewer and storm drain lines
- Adding section for underground stormwater chamber inspections
- Adding section for manhole lining

Councilwoman Beck **Moved** to go into a Public Hearing
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:17 pm

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

No comments

Councilman Gordon **Moved** to go out of Public Hearing
Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:17 pm

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

Councilman Marshall Moved to **Approve Ordinance Regarding Construction Standard Revisions with clarifications discussed during comments**
Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:19 pm with a roll call vote.

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

C. Ordinance 26-22A Regarding Transportation Master Plan Revision

Chris Thompson let us know they bring these revisions each January 1st and July 1st.

Councilman Gordon left the meeting at 9:20 pm

Chris Thompson outlined the revisions.

- Change in future maintenance jurisdiction for 400 N (SR-147). Changed from Spanish Fork to UDOT on a segment between two future state roads. Spanish Fork will trade Center Street for 100 South and Canyon Road so there is a better connection with Highway 6.
- Change in trail alignment near 900 N Main St
 - Local Shared Use Path moved from location southeast of I-15 to the north side of 900 N
 - Existing shared use path added to connect the regional trail to trail changed Above

Councilman Gordon returned at 9:22 pm

- Move trail on Market Place Dr from 800 N to Expressway Ln
- Trail along 700 S moved from south to north side of the road
 - Connecting trail built on west side of Spanish Fork Pkwy

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

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:24 pm

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

No comments

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

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 9:24 pm

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

Councilman Oyler Moved to **Approve Ordinance Regarding Transportation Master Plan Revision**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:24 pm with a roll call vote.

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

D. Ordinance 27-22 approving Title 15 Revisions - Reimbursable Projects

Chris Thompson told us the impact fees had not kept up with the growth of construction and transportation costs. He added they are also not paid back for a long time which can be high, especially with commercial development. He stated currently an intersection where two roads come together would have different prices available for reimbursement so they proposed they take the average of the two roads to decide how the intersection was reimbursable instead of it being reimbursed 100%. He felt it would be us applying a local element to the reimbursements and could help our impact fees.

Councilman Marshall asked if it would push the cost to the developer and Chris Thompson responded it would push the cost to the city as well.

Councilman Argyle **Moved** to go into a Public Hearing
 Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:30 pm.

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

No comments

Councilwoman Beck **Moved** to go out of Public Hearing
 Councilman Gordon **Seconded** and the motion **Passed** all in favor at 9:30 pm

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes

Shane Marshall	Yes
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Chris Thompson told us they had a similar pressure with the power and light impact fee. He informed us that 600 amp lines are regional lines that have to have an electrical trench on each side of the road for street lights and even if there are no services there had to be a trench. Chris told us the developer had to put that in already and the conduit is a small part of the cost. They are proposing that only the pipe be the impact fee reimbursable cost from 100% to 28%. He mentioned this would make only the pipe reimbursable instead of the trench and earthworks costs since the developers were already putting the trench in.

Councilman Gordon Moved to **Approve Ordinance approving Title 15 Revisions for Reimbursable Projects**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 9:32 pm with a roll call vote.

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

NEW BUSINESS:

A. Mayoral Appointments for Planning Commission & Youth City Council

Councilwoman Beck stated that Councilman Argyle and Tara Silver interviewed candidates who had graduated from Spanish Fork University and Becca Larsen and Laurie Dallon were picked as Advisors.

Councilman Oyler **Moved** to Approve the **Mayoral Appointments: Todd Mitchell Planning Commission reappointment & the Youth City Council Advisors - Becca Larsen and Laurie Dallon**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 9:35 pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes
Stacy Beck	Yes
Chad Argyle	Yes

Shane Marshall	Yes
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B. Resolution Expressing an Affirmation of Support for the Growth and Prosperity Compact of Utah Valley

Amended and moved up to Public Hearings earlier in the meeting.

C. Guaranteed Maximum Price Contract with Kenny Seng Construction - Expressway Lane US-6 Widening Project

Chris Thompson let us know that this was a continuation of a project they did with Mountainland Association of Government (MAG) funds with a tight timeline for the In and Out Burger traffic. He indicated he used Kenny Seng construction for that and they finished early. Chris mentioned they immediately went to them to have them improve the intersection with 2 more south westbound lanes.

Chris Thompson told us they acquired land from Arby's so they could put a traffic signal there which MAG won't fund. He informed us they put the bid out and received 0 bids. He advised us this was important because the Utah Department of Transportation (UDOT) is making major improvements to Highway 6 so they want to get this done before they start so there is no conflict.

Councilman Argyle **Moved** to Approve the **Guaranteed Maximum Price Contract with Kenny Seng Construction - Expressway Lane US-6 Widening Project**

Councilman Marshall **Seconded** and the motion **Passed** all in favor at 9:41 pm

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

D. Proposal to Update Landscape Requirements

Dave Anderson proposed using the expertise of LandMark to update the water-wise landscaping requirements so it is straightforward for everyone, can tell us what wears well over time, give guidance for less water use, and what would look good. He felt having a committee with a council member on it would help our landscape requirements be clear and a good investment. He felt it was important not to delay with all the growth in the city.

Councilman Argyle indicated it was important to be water-wise and to give more options than just rock. He wanted shrubs and trees that could be a water-wise option.

Councilman Marshall appreciated it would be a better reference for everyone.

Councilman Oyler talked about landscaping classes as an option.

Seth Perrin added they wanted to fit everyone within the ordinance and xeriscape was not what was intended in the community. They were having discussions about making a grant to offset the cost. He stated Landmark was a resource that already had done it and could give it to us.

Mayor Mendenhall stated this was a reaction to being sensitive to evolving landscapes.

Seth Perrins expressed that a timetable was important because homeowners have a year to put in landscaping before their deposit expires. He went on to say for those homeowners in the works they could push the deadline to the construction season 2023.

Councilman Argyle **Moved** to Approve the **Proposal to Update Landscape Requirements**
Councilman Marshall **Seconded** and the motion **Passed** all in favor at 9:59 pm

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

Councilwoman Beck left the meeting at 9:59 pm

E. Resolution A22-01 Indicating Intent to Annex the Miner Annexation

Vaughn Pickell shared that this was a request for annexation on the east bench part of unincorporated County land and because of the status, we can use a resolution because it fell within the criteria that it is no more than 50 acres. He informed us it could be done by resolution unless there were objections and it would still have a public hearing.

Councilman Marshall **Moved** to Approve the **Resolution Indicating Intent to Annex the Miner Annexation**

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

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

F. Resolution Personnel Policy Changes - Liability Insurance

Tyler Jacobson recommended changing the manual regarding personal use of vehicles on city business. The current policy required \$300,000 of automobile insurance which costs the employee \$200 to \$600 more for their personal insurance policy. He indicated the policy was not practiced...

Councilwoman Beck returned to the meeting.

...and a hardship so he proposed changing it to read that an employee would get insured at the limits the state required.

Councilman Gordon stated it was on the recommendation of the insurance provider and the Utah Risk Management Agency's (URMA) help.

Councilman Gordon **Moved** to Approve the **Resolution Personnel Policy Changes - Liability Insurance**

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

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

G. Resolution Authorizing Airport Manager/Public Works Director to Sign Hangar Ground Leases

Chris Thompson let us know that hangar ground lease agreements were a routine occurrence so he suggested they be authorized and signed by the Airport Manager with oversight and a signature from the Public Works Director.

Councilman Gordon asked if the changes were made prior to this meeting.

Chris Thompson let us know Ana Burgi, the Assistant Attorney, went through the agreement with Cris Child to make sure the revenues are collected correctly. He went on to state it would only apply to renewal/standard leases and if it was a new lease it would come to City Council to be signed by the Mayor and attested by the City Recorder.

Tara Silver asked Chris who would keep the renewal/standard lease agreements, the City Recorder, or the Airport Manager.

Chris indicated it would be the Airport Manager.

Councilman Marshall **Moved** to Approve the **Resolution Authorizing Airport Manager/Public Works Director to Sign Hangar Ground Leases**

Councilman Gordon **Seconded** and the motion **Passed** all in favor at 10:09 pm

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

H. Resolution adopting a Tool Allowance Policy and authorizing the Fleet Division Manager and the Public Works Director to execute New Hire Mechanic Tools Agreements

Chris Thompson informed us that a resolution was important because new employees fresh out of school were expected to have \$30,000 in personal tools. He explained it was a hardship so they had been supplying \$1000 worth of tools a year. He added they wanted to ensure the investment paid off. Chris indicated they need an agreement to state if the employee leaves in less than 10 months the amount would be taken out of their check.

Councilman Marshall **Moved** to Approve the **Resolution adopting a Tool Allowance Policy and authorizing the Fleet Division Manager and the Public Works Director to execute New Hire Mechanic Tools Agreements**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 10:12 pm

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

DISCUSSION OF FUTURE AGENDA ITEMS: (no formal action taken)

A. Fire Fee Study

Elizabeth Trommlitz told us of the Fire and EMS city-to-city comparison of fee schedules and the wage versus time spent on proposed increases for fees in Spanish Fork.

Councilman Marshall clarified it was the general fees for residents.

Nate Read added that most of the cities were of comparable size when doing the survey but since cities of our size didn't always have the same fee titles as what we were proposing they expanded their scope to some bigger cities.

Elizabeth Trommlitz explained they wanted to justify the proposed fees through the amount of time that our fire marshall spends on any given activity.

Nate Read informed us they proposed fees by taking the justification of the survey and what other cities charged and used the number in between the two.

Councilman Oyler clarified that we hadn't charged these fees in the past because we didn't have a Fire Marshal.

Eddie Hales responded it was correct.

Nate Read added the state code prescribed the four fees that the City already had in place.

Councilman Argyle wanted to know if they would charge for the use of equipment.

Eddie Hales gave the example of an individual who wanted to burn off a field and requested a fire truck be present, it would be an equipment charge.

Nate Read gave a broad overview of when something was requested. He went on to state there were times a fee would be charged if there were 3 false alarms or if an inspection required a fee.

Seth Perrins mentioned the numbers were estimates and in time they would get around to a normal number.

Vaughn Pickell suggested instead of using the word 'justify' that 'estimate' would be a better word in this case.

Seth Perrins agreed as there could be missed items like the fuel cost and so they would need to cover that in the fee as these discrepancies were found.

Councilman Gordon gave the example of a charge to the insurance every time a rescue truck went out and how it caused the truck to be used more often than needed because the insurance would cover it. He appreciated the survey for this and other reasons.

Eddie Hales added that fees handled by the contractor would come back to us.

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

Councilwoman Beck **Seconded** the motion and it passed all in favor at 10:24 pm with a roll call vote.

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

Attest: July 12, 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 July 12, 2022. This document constitutes the official minutes of the City Council meeting.



TARA SILVER, CITY RECORDER