



**ADOPTED MINUTES
CITY COUNCIL MEETING
April 4, 2023 at 6:03 PM
40 South Main Street
Spanish Fork, UT 84660**

Councilmembers Present:

Mike Mendenhall, Mayor
Chad Argyle, Councilmember
Stacy Beck, Councilmember

Shane Marshall, Councilmember
Kevin Oyler, Councilmember
Jesse Cardon, Councilmember

Councilmembers Absent:

Staff Members Present:

Seth Perrins, City Manager
Jordan Hales, Finance Director
Matt Johnson, Police Chief
Nate Read, Assistant to the City Manager
Nick Porter, Public Information Officer
Bill Bushman, Building & Grounds Maintenance
Supervisor

Eddie Hales, Fire & EMS Chief
Vaughn Pickell, City Attorney
Tyler Jacobson, Assistant City Manager
Jered Johnson, Engineering Division Manager
Kim Brenneman, Community Relations and
Development Coordination Manager

Staff Members Absent:

Tara Silver, City Recorder
Dave Anderson, Community Development Director
Chris Thompson, Public Works Director
Dale Robinson, Parks and Recreation Director

Visitors Present:

Name

Hallie Brindley
Lauri Brindley
Trevor Brindley
Trent Brindley

Name

Tammy Brindley
Terry Brindley
Meslen Hickman
Shellie Hickman

Name

Ryan Hickman
Joshua Harding

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

a. Budget

6:03 pm CALL TO ORDER, PLEDGE, OPENING CEREMONY:

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

Councilman Marshall invited Jordan Hales to give the motivational thought and prayer.

The motivational thought was not given tonight.

Councilman Oyler led us in the pledge of allegiance

PUBLIC COMMENTS:

No comments were shared by the public.

COUNCIL COMMENTS:

Councilman Oyler - 3rd

During the meeting, Councilman Oyler discussed the benefits of our city's membership in the Utah Municipal Power Agency (UMPA). He explained that UMPA helps us keep our costs down and supports the push for renewable energy, which is gaining momentum nationally. Councilman Oyler also highlighted the rapid growth in Utah, currently the fastest-growing state in the nation, and expressed concerns about the ongoing drought. He noted that the reservoirs are only half full, making water conservation a top priority for the City. Additionally, Councilman Oyler shared insights from classes he attended at a recent conference, further discussing the importance of sustainable water management. Finally, Councilman Oyler reiterated some of the earlier comments made about the river.

Councilman Marshall - 4th

Councilman Marshall expressed his gratitude towards the public safety and Fire/EMS staff for their hard work during recent challenging events such as the hoax shooting and the fire. He emphasized the negative impact of rumors during these types of situations and emphasized the importance of having a reliable source of information. Councilman Marshall also brought attention to the high cost of recycling, which is almost four times more expensive than disposing of typical garbage. He provided an update on the progress of the new SFCN building and informed attendees about the Utah Lake Authority (ULA). Councilman Marshall explained the ULA's mission and announced that the lake recently approved a plan to help achieve these goals. He encouraged residents to attend ULA meetings and stay informed about their efforts.

Councilwoman Beck - 5th

Councilwoman Beck expressed her appreciation for the first-responders and their heroic efforts during recent events such as the fires and shooting hoax. She acknowledged that other council members had already spoken about these incidents and chose to briefly touch on other topics. Councilwoman Beck mentioned the progress of the new library hall and shared that she, along with City Manager Seth Perrins and Councilman Chad Argyle, had attended the conference of the National League of Cities in Washington DC.

Councilman Cardon - 1st

During the meeting, Councilman Cardon talked about the Arts Council and their Youth Theater's recent production of the Jungle Book, giving a shoutout to all those who participated. He also discussed the book chain event at the library and showed pictures and videos of the unique event, giving thanks to Scott Aylett and his team for making it possible.

Councilman Cardon then moved on to discuss the recent Easter egg hunt held by the Chamber of Commerce. He invited Kathleen Leavitt to speak about the event, and a video was shown on the screen. Kathleen expressed her gratitude to event sponsors, community members, and participants for their support. Councilman Marshall also shared his amazement at how quickly the 13,000 eggs were collected by the children, especially at the All AbilityEvent, which he found touching and enjoyable to watch. Kathleen also shared about the Chamber of Commerce Magazine that was recently released, offering copies to anyone interested.

Councilwoman Beck praised the helpfulness of the magazine in understanding the purpose and mission of the Chamber of Commerce. She congratulated Kathleen Leavitt and the Chamber for their work on it. Finally, Kathleen shared some upcoming events, including ribbon-cutting ceremonies for local businesses.

Councilman Argyle - 2nd

Councilman Argyle expressed his gratitude to Kathleen Leavitt for the events the Chamber of Commerce has organized, particularly the bike giveaway. He then shared

his experience at the recent conference in Washington DC, which gave him a better understanding of how fortunate Spanish Fork City is and the exceptional people living in the community. He also highlighted the efforts of Cameron Diehl, who represents Utah cities at the national level. Councilman Argyle spoke highly of the new library hall, thanking everyone who participated in the book chain event, and reminding residents that the ribbon-cutting ceremony for the hall will be on April 29th.

Moving on, Councilman Argyle discussed the city's efforts to clear the river and reassured residents that they have been working on the issue. He also reminded everyone to prepare for the melting of the unprecedented level of snow that the city has experienced.

Mayor Mendenhall - 6th

Mayor Mendenhall congratulated the residents, and staff for living in such an amazing city that is run extremely well. He spoke to some of the recent events including the hoax shooting. He thanked the residents and staff for their handling of the situation. Mayor Mendenhall also talked about the All-Abilities Park and a recent tour that he led for some folks from Heber City. He thanked the parks and recreation department, focus group and the donors for how the park turned out. He reminded parents to ask their teenagers to not vandalize the parks or public property. He expressed his appreciation of the coordination that takes place between local cities.

Mayor Mendenhall invited the City Manager Seth Perrins to come speak about the water situation and snowpack in the mountains. Seth shared a graph on the screen and talked about the unprecedented snowpack that we have. He spoke about flooding and how it is a definite possibility but it all depends on how the weather manifests over the next six to nine weeks.

Mr. Perrins spoke about the recent work of the staff in clearing debris from the river and planning for potential flooding. He advised residents that they would see some machines in the river over the next few weeks. Seth spoke about the studies that have been done to prepare for a large flood and the measures that are being taken to prepare for that flooding. Councilman Kevin Oyler asked Seth to explain what he meant by "armoring" the river banks. Mr. Perrins gave an insightful analogy regarding a knight in armor from the medieval times and how armoring the river helps protect the banks from erosion. Councilman Kevin Oyler asked what the city's plan is for residents to obtain sandbags. Seth Perrins answered the question by saying that the city is in the process of creating a map with pre-identified locations for sand drops. If they are needed the residents will receive a call for help to fill and place these bags. Seth Perrins and Councilmember Oyler warned residents to keep their children away from the river as soon as it begins to warm and the river speeds up and widens.

Councilman Marshall spoke about how Spanish Fork is special and how neighbors help each other. He talked about how this is led by a community and is not the burden of the City but that it's an opportunity for the community to come together and support one another.

Seth Perrins shared two photos to reiterate the principle of armoring and to show how wide the river could get based on prior years. Councilmember Oyler said that residents need to do their part in preparation for this flooding that will almost certainly come.

CONSENT ITEMS:

- a. Minutes Spanish Fork City Council Meeting 03-21-2023
- b. Utah Valley Aviation Agreement Allowing the Use of Hangar #12 for Commercial Operations
- c. Airport Eagleworks Development Ground Lease Agreement
- d. Utah Department of Transportation (UDOT) Cooperative Agreement - Volunteer Drive Main Street Traffic Signal
- e. Utah Department of Transportation (UDOT) Agreement - Canyon Creek Parkway Dual Left Turns
- f. Utah Department of Transportation (UDOT) SR-198 Corridor Agreement Addendum #1- Adding 300 East Traffic Signal

Councilman Argyle made a **Motion** to approve Consent Items A-F

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

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

PUBLIC HEARING:

A. Ordinance for Impact Fees for Public Safety, Recreation, Transportation, Storm Water, Drinking Water, Pressurized Irrigation, Waste Water and Power

Jered Johnson

Talked about the updates of impact fees which take place annually here in Spanish Fork City. He put a chart up on the screen and explained each of the line items on the chart all of which were increases. Councilman Marshall asked for an explanation of what an impact fee is and who pays them. Jered Johnson said that an impact fee is a fee paid by any new arrivals either businesses or residents who move into the city. Jered said that the overall increase is slightly over 5% for this year. Jered showed a graph that shows where the City fits with surrounding cities regarding cost of impact fees. Spanish Fork was on the higher end, but Jered Johnson surmised that this is because many of these cities only update their fees every few years and Spanish Fork City updates its fees annually.

Seth Perrins, the City Manager, spoke about the public safety impact fees and asked the council whether they preferred to spread out the cost over multiple years or have it all in one

year. Councilman Argyle and Councilwoman Beck were okay with having it all in one year. Mayor Mendenhall asked when the impact fees need to be spent, and Jered Johnson answered that they must be spent within ten years of collection for a specific project.

Councilman Cardon asked whether cities all provide the same structure of impact fees, and Jered Johnson and Seth Perrins answered that the structures are different, but efforts are made to compare apples to apples for the graph that was shown.

Councilman Cardon **Moved** to go into a Public Hearing
Councilman Oyler **Seconded** and the motion **Passed** all in favor at 7:20pm.

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

Public Comments:
No comments were made.

Councilman Argyle ▾ **Moved** to go out of Public Hearing
Councilman Cardon **Seconded** and the motion **Passed** all in favor at 7:20 pm

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

Both Councilman Shane Marshall and Councilman Jesse Cardon spoke to the importance of these impact fees and how Spanish Fork does a great job by doing this annually.

Councilwoman Beck **Moved to Approve the Ordinance for Impact Fees for Public Safety, Recreation, Transportation, Storm Water, Drinking Water, Pressurized Irrigation, Waste Water and Power**

Councilman Marshall **Seconded** and the motion **Passed** all in favor at 7:22pm with a roll call vote.

Kevin Oyler	Yes
Brandon Gordon	Yes

Stacy Beck	Yes
Chad Argyle	Yes
Shane Marshall	Yes

NEW BUSINESS:

A. Appointment of Megan Johnson, Jentry Youd, and Logan Miner to the Recreation, Arts, Parks (RAP) Committee

Councilman Oyler **Moved** to **Approve the Appointment of Megan Johnson, Jentry Youd, and Logan Miner to the Recreation, Arts, Parks (RAP) Committee**

Councilman Cardon **Seconded** and the motion **Passed** all in favor at 7:25 pm with a roll call vote.

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

B. Miner Annexation Petition

The City Attorney, Vaughn Pickell, discussed an annexation proposal for the East Bench of the City, which is located near the border with Mapleton and covers around 33 acres. Mr. Pickell explained that the first step in the process is for the City Council to accept the annexation for consideration, after which further study would be conducted.

During the meeting, Councilman Shane Marshall asked about who in the City is responsible for assigning new addresses after annexation. In response, Seth Perrins stated that the GIS department's Shawn Beecher is in charge of making these changes.

Mr. Pickell also addressed an issue related to emergency service dispatching in the area, noting its oddity or unusualness due to its location in the county.

Councilman Argyle **Moved** to **Approve the Miner Annexation Petition for further study with the following findings:**

- 1. That the owners of property included in the proposed annexation have petitioned the City for annexation.**

2. That the subject property is located within the City's Annexation Policy Boundary and Growth Management Boundary.

3. Contact rocky mountain power and light to ask if they would be partial to the proposal.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:34pm with a roll call vote.

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

C. Resolution 2023-07 Indicating Intent to Annex the GWC Annexation

Vaughn Pickell spoke about the annexation on the North side of town that is about 40 acres. He showed the property on a map on the screen. He said that because it is less than 50 acres there are specific rules that apply regarding resolutions and that tonight would just be an expression of intent. Councilman Marshall clarified that this is the same as the previous item except it is City-led rather than property owner-led.

Vaughn Pickell, the City Attorney, presented an annexation proposal for a 40-acre property located on the North side of town, showing the property on a map displayed on the screen. He explained that, because the property is less than 50 acres, specific rules apply regarding resolutions, and that tonight's meeting would only express an intent to move forward studies and additional information gathering regarding the annexation.

Councilman Marshall clarified that this is the same type of annexation as the previous item on the agenda, except that it is City-led rather than property owner-led.

Councilman Cardon asked about agricultural protection that is currently in place on the property, and Mr. Pickell stated that the annexation would not change the right to agricultural protection.

Kevin Oyler inquired about the process and timeline for the annexation, to which Mr. Pickell explained that the first step would be a planning commission meeting, followed by a city council ordinance for consideration. Kim Brenneman estimated that this process usually takes between 30 to 45 days.

Councilman Chad Argyle brought up concerns expressed by Dave Anderson, including the trees along the frontage and how they could impede irrigation. Kim Brenneman discussed her conversation with the property owner about mitigating these concerns.

Councilman Argyle also invited property owners to express their desires or concerns, and Mr. Trevor Brindley came forward to speak about his family's primary use of the property for

livestock. He asked why the City wants to annex the property and how it would affect their land use, specifically questioning whether the trees would be taken and whether they would still be in the greenbelt. He also asked about a road being finished that could affect their watering, and requested that the answers to these questions be included in a written agreement. Stacy Beck and Shane Marshall explained that a study would be required to answer these questions and that the intent to annex is the first step towards that.

During the meeting, Jared Morgan spoke on behalf of the property owners in the annexation area. He explained that they have concerns and that he has tried to address them to be good neighbors. He presented a map on the screen to show that many of these property owners are interested in annexing into the City and requested that the City pass a resolution to study the annexation further. Councilman Chad Argyle asked a question regarding 1150 West and Jared Morgan confirmed that it is currently being improved, showing the location on the map. Seth Perrins requested that Mr. Brindley provide a copy of his questions. Councilman Jared Cardon emphasized the importance of studying the annexation further.

Councilman Marshall **Moved to Approve Resolution Indicating Intent to Annex the GWC Annexation with the caveat that the questions that Mr. Brinley asked be answered in writing before the next meeting.**

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:58pm with a roll call vote.

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

D. Geneva Rock CM/GC- Guaranteed Maximum Price for the 1000 N 500 E to US-6 Widening Project

Jered Johnson provided an update on the road improvements that are impacting the widening project. He explained that the project has been in progress for nearly 12 months and that they plan to begin the work by the end of April. Councilman Oyler inquired about the start date, and Jered Johnson confirmed the end of April as the target. Councilman Cardon asked about extending the lane further out, but Jered Johnson explained that it would pose a safety concern. Councilman Shane Marshall asked about the engineer estimate and the bidding process, to which Jered Johnson replied that they would be required to bid for it.

They also briefly discussed the nuances of bidding prices and flex billing. Councilman Marshall asked about the completion date incentive, and Jered Johnson stated that nothing would change that date. In conclusion, Jered Johnson stated that this would be a significant and positive change for residents who use this intersection.

Councilman Argyle **Moved** to **Approve Geneva Rock CM/GC- Guaranteed Maximum Price for the 1000 N 500 E to US-6 Widening Project**

Councilman Marshall **Seconded** and the motion **Passed** all in favor at 8:11pm with a roll call vote.

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

E. RMB Building Services - Library Hall Janitorial

Bill Bushman made an announcement about the upcoming Arbor Day and then proceeded to discuss the RMB bids. He reported that out of the four bids submitted, the costs were significantly higher than expected. As a result, he and Scott Aylett reviewed the bids and are proposing a one-year contract at a cost of \$81,000. Councilman Cardon inquired about the availability of a day porter and whether other buildings had them. In response, Bill Bushman stated that the justice center did have a day porter.

Councilman Argyle **Moved** to **Approve RMB Building Services - Library Hall Janitorial**

Councilman Oyler **Seconded** and the motion **Passed** all in favor at 8:17 pm with a roll call vote.

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

F. Resolution 2023-08 Approving Mass Notification Interlocal Cooperation Agreement with Utah County - Everbridge

Nick Porter spoke about the renewal of an agreement with Everbridge which is a mass communication software the City uses to communicate with employees, and residents. This contract is with the county and our portion is \$7,657.60

Councilwoman Beck **Moved** to **Approve Resolution Approving Mass Notification Interlocal Cooperation Agreement with Utah County - Everbridge**

Councilman Argyle **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	Yes

G. Utility Write Offs for Fiscal Year 2023

Jordan Hales, the City Finance Director, explained that the write-off of utility account debts is a routine annual process. The city staff attempts to collect the outstanding balances, and if they are unsuccessful, the accounts are turned over to collection agencies.

The write-off is an accounting process that removes the unpaid balances from the city's financial books. The total amount being written off this year is \$79,054.43.

Councilman Cardon **Moved** to **Approve the Utility Write Offs for Fiscal Year 2023**

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:24 pm with a roll call vote.

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

H. 1166 S Main Property Real Estate Purchase Agreement Addendum 2

This item ended up being unnecessary and as such the following motion took place.

Councilman Argyle **Moved** to **remove the 1166 S Main Property Real Estate Purchase Agreement Addendum 2 item from the agenda.**

Councilman Cardon **Seconded** and the motion **Passed** all in favor at 8:25 pm with a roll call vote.

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. Inland Port

Seth Perrins attended a meeting with Councilmember Marshall and Argyle regarding the creation of an inland port. He said that the resolution was quite simple and signified the intent to study the potential benefits and impacts of establishing an inland port in the city. An inland port is a hub for transportation and distribution of goods that are shipped by rail or truck. The concerns that Councilman Marshall had are regarding transparency in the decision-making process and the potential impacts on residents and local businesses. Seth proposed that they address the topic in May at the first city council meeting, which would allow for more time to gather information.

Adjourn

Councilman Argyle made a **Motion to Adjourn City Council Meeting as there was no closed session business to discuss.**

Councilman Marshall **Seconded** the motion and it **Passed** all in favor at 8:47 pm.

Attest: April 4, 2023

I, Nate Read, Assistant to the City Manager of Spanish Fork City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 4, 2022. This document constitutes the official minutes of the City Council meeting.

Nate Read
NATE READ
ASSISTANT TO THE CITY MANAGER