



**ADOPTED MINUTES
CITY COUNCIL MEETING
April 18, 2023, at 6:04 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: None

Staff Members Present:

Jordan Hales, Finance Director
Matt Johnson, Police Chief
Dave Anderson, Community Development Director
Jered Johnson, Engineering Division Manager
Tara Silver, City Recorder

Eddie Hales, Fire & EMS Chief (work session)
Vaughn Pickell, City Attorney
Tyler Jacobson, Assistant City Manager
Bryan Perry, IS/SFCN Director (work session)

Staff Members Absent:

Seth Perrins, City Manager
Tyler Jacobson, Assistant City Manager
Nick Porter, Public Information Officer

Dale Robinson, Parks and Recreation Director
Chris Thompson, Public Works Director

Visitors Present:

Name

Jerry Carroll
Beckii Bandley
Lil Shepherd
Jace Platero
Kelly Ehinger
Grace Ehinger
Edes Hill
Jackie Larson

Name

Chris Ellsworth
Davin Ellsworth
Steve Leifson
Landon Tooke
Diane Garcia
Julie Evans
Kay Christensen

Name

Cindy Christensen
Ryan Evans
Jerald Chapple
Joshua Harding
Jayme Powers
Melissa Nelson
Jamie Sanders

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

a. Budget

CALL TO ORDER, PLEDGE, OPENING CEREMONY:

Call to Order - Mayor Mendenhall called the meeting to order at 6:04 pm

The Mayor welcomed the Spanish Fork residents watching and those who were in attendance at the city council meeting on April 18, 2023, and acknowledged that it was a significant day as it marked the last council meeting in those chambers. The Mayor informed the attendees that a new council chamber was being completed, which could accommodate more people, and the next meeting would be held there in May. He thanked everyone for attending the current meeting in person, on TV, and on the Internet. The meeting began with an inspirational thought and a prayer, as usual. He let us know that Councilman Oyler had someone for the inspirational thought, and Councilwoman Beck would lead the attendees in reciting the pledge of allegiance.

Councilman Oyler invited Joshua Harding, a Local Pastor to give the motivational thought and prayer.

Joshua Harding, introduced himself as the Pastor of Aspen Grove Bible Church, which is starting services in June. He opened the meeting with a prayer and before praying, he offered words of encouragement to the council members, quoting a verse from the Bible that reminds people not to get weary in doing good work.

Joshua Harding acknowledged the hard work and sacrifice that the council members make to serve the community while juggling their jobs and families. He encouraged them to continue doing the good work and reminded everyone of the reward, which is the wonderful community that cares for each other and helps one another. The speaker concluded by asking everyone to support and encourage the council members in their efforts to better the community.

Councilwoman Beck led us in the pledge of allegiance

RECOGNITION:

a. Miss Spanish Fork 2022-2023 Farewell to Grace Ehinger

Grace Ehinger shared her deep sense of pride and appreciation for her community. She specifically highlighted the city's efforts to be more inclusive and incorporate ASL into events, as well as the council's thoughtful gestures towards the citizens, such as giving Valentines to students. She also mentions her work with Intermountain Hospital, creating the first-ever Girls' Night Out, which shows her dedication to serving and empowering the community. Overall, she is proud of the community and how they support and uplift each other.

Miss Spanish Fork mentioned that she had dedicated almost 2,000 hours of service to the community. This time does not include the parades, ribbon cuttings, and other city events that she participated in. She visited all nine elementary schools and expressed her pride in the response she received from the students during her Dare to Love Challenge.

Grace Ehinger highlights the importance of personal relationships in the community and how it contributes to the progress and success of a city. She believes that personal relationships are on the decline in Utah, and it's essential to value and embrace differences and the feelings of others. As she prepares to crown a new Miss Spanish Fork, she encourages the community to prioritize personal relationships and make it a goal for the city. She expresses gratitude for the support she has received and feels honored to work alongside the community.

Councilwoman Beck asked her to talk about the 2023-2024 Miss Spanish Fork Pageant and how she will compete in Miss Utah in June.

Grace Ehinger told us about the upcoming pageant on April 29th at Maple Mountain High School and encouraged the community to show support for the five candidates. She also mentioned her participation in the Miss Utah pageant on June 6th through June 10th and invited the council to come see her talent. The speaker expressed gratitude to the council for their support and hoped to leave the experience feeling satisfied that she gave it her all.

Councilwoman Beck thanked Grace for her service and believed that she has done an excellent job representing the city.

Councilman Oyler expressed that he was impressed, as a new council member, as he interacted with Grace. He appreciated how Grace not only attended city events but also supported local businesses by attending chamber events.

They took a photo

Mayor Mendenhall shared how Councilwoman Beck invited the speakers to participate in mock interviews for the pageant, and Grace was one outstanding contestant last year. Mayor praised Grace for standing out in the competition and reminded the audience to watch the pageant and Grace's talent as he was moved and touched by it.

PUBLIC COMMENTS:

Mayor Mendenhall invited anyone who wanted to address the City Council.

Lil Shepherd, a former council member, told us she served in her forties and is now in her seventies. She expressed her appreciation for how the current council works with the city staff, state staff, and most importantly, the citizens. She shared a story about former mayor Dale Barney's wisdom and how he prioritized treating everyone fairly and politely. When one man wanted access through another's property, and another man stood up and asked to have access to his property they were at a standstill. The Mayor asked them to go home and think about it until they were ready to do what was right. Shepherd emphasized the importance of citizens getting involved, volunteering, and sitting in positions like those of the current council members.

Mayor Mendenhall asked if Brandon Gordon had sent a poem for us.

Councilwoman Beck stated he had told her he had not had time to write a poem. She thanked Lil for her years of service and expressed admiration for her example when she called her to ask for advice about running for City Council.

Mayor Mendenhall mentioned that he had just finished an interview with an international television station where they asked about the positive things happening in Spanish Fork. He attributed the progress to the good decisions made by people 20 to 25 years ago who were in city leadership at that time.

Former Mayor and Council member, Steve Leifson, asked for a three-minute clock because he had a lot to say and reminisced about his time serving on the council for 16 years. He shared a story about Dale Barney encouraging him to run for city council, and how it was an honor and privilege to serve. He emphasized the importance of citizen involvement, whether it's coaching Little League or being part of celebrations, to make the city great. He praised Spanish Fork's city staff as some of the best in the country and thanked them for their service.

Gerald Chappel told us he served on the council from 1984 to 1995, and this building has always been special to him. One of his first projects was to find a new place for our city council and staff to be housed, and we ended up meeting at the old Nebo School district building. I remember one of our council members, Paige Harrison, grabbed a mouse that ran up his pant leg. The building was completed in 1985, and he had many fond memories of his time serving on the council.

Gerald Chappel told us some of the significant events during his first year on the council were the Thistle landslide and flooding, which was a nerve-wracking time. He also worked on projects such as the Main Street beautification, the construction of the city swimming pool, and the Festival of Lights. He even had a unique experience walking across a thin plank and descending to the bottom of the reservoir before it was filled.

He appreciated the invitation and looked forward to seeing the new facilities. He told the Mayor and Council to keep up the good work.

Meiling Hales reminisced about his experiences during the floods of the 1950s and the Thistle flood. She mentions the growth of the city and the traffic issues it has caused. Meiling also

talked about losing the councilman position by 11 votes and then winning the position after a recount. She shared his experience with a wind anemometer and the potential for wind energy in Spanish Fork, which they decided wasn't a good fit at the time for Spanish Fork. Overall, Meiling expresses gratitude for the memories and experiences he had in Spanish Fork.

Councilwoman Beck reflected on the similarities between the issues they faced currently and those from the past, particularly from the 1970s, such as traffic growth, floods, and the involvement of volunteers. She acknowledged that although the people and the circumstances may be different, the efforts to address these issues remain the same.

Councilwoman Beck thanked her colleagues for their hard work in resolving these issues and recognized the contributions of past council members in making the city a better place.

Mayor Mendenhall reminded everyone of the first council meeting in the new city council chambers on May 2, 2023, and invited former council members and mayors to join them.

COUNCIL COMMENTS:

Councilman Oyler

Councilman Oyler shared that they had a successful Easter lunch at the senior center with a good turnout. They also presented to some sixth-graders at Diamond Fork Middle School, answering questions about various community initiatives, including the new recreation center. During the presentation, a student asked about the senior center's entrance in the back of the facility, which prompted Councilman Oyler to clarify that seniors can enter any door they want in the recreation center.

Councilman Oyler also had the Recreational, Arts, and Parks (RAP) tax grant review, where they received the most applications they've ever had and were able to fund almost all of them. He expressed it was a great opportunity for various programs in the community.

Councilman Marshall

Councilman Marshall filled in for the mayor at a meeting where they approved the long-range transportation plan. He mentioned the importance of being represented in these meetings and thanked staff member Jered Johnson for his service as the Vice Chair of the Transportation Account Code (TAC). They also had a legislative breakfast with their representatives in the Senate and House, discussing transportation issues and about extending the Frontrunner down to Spanish Fork.

Councilman Marshall attended the Republican convention where citizens expressed displeasure about the congestion on the pickleball courts due to a nearby university flooding them. He stated they needed to find a solution for citizens to use the courts they invested in. Finally, he was impressed with the amount of conversation and history that has passed across the council's desk over the years.

Councilwoman Beck

Councilwoman Beck described their experience at the Fiesta Days Rodeo Queen contest, where they had the opportunity to do an impromptu interview with the contestants. She mentioned that it was a five-hour process that involved writing about the contestants' horsemanship skills and that overall it was a fun experience.

Councilman Argyle

Councilman Argyle discussed various upcoming events. He mentioned the Veterans Council's plans for Memorial Day and their Freedom Walk, which allows fifth-graders to meet with and learn from veterans. The Rotary's golf tournament was also mentioned, and he invited mayors and council members to attend. Councilman Argyle reflected on the past, discussing the city's history and the accomplishments of former council members. He also praised the current city manager, Seth Perrins, for taking the time to get to know all the employees. Councilman Argyle also spoke about his respect for the founding fathers and discussed Thomas Jefferson's presidency.

Councilman Cardon

Councilman Cardon attended the chamber board meeting and reported that the chamber is doing well with many events happening. He told us Kathleen was in Washington DC with the Utah Valley Chamber.

Councilman Cardon shared the Sophos networking lunch will be held on Thursday at Sophos, where emergency preparedness for businesses will be discussed. There will be ribbon-cutting events for Quick Quack on April 25th, the Avani Event Center on April 27th, and the new Edward Jones office on April 28th. The Spanish public library ribbon-cutting will be on April 30th. The business of the month for May is Venue Sports Cards.

Councilman Cardon told us the Youth Arts Festival registration starts on May 3rd. Councilman Cardon also participated in two events where he talked with middle school kids and conducted mock interviews for Miss Spanish Fork participants.

Councilman Cardon recognized the challenges faced by the youth in the community but acknowledged their resilience and the importance of showing love and care.

Mayor Mendenhall

Mayor Mendenhall thanked the council members for their time and commitment to their roles in representing the citizens of Spanish Fork. He also mentioned that some city staff members were absent due to attending a conference.

The Mayor reported on the productive meetings he attended, including one with Union Pacific, one of the largest corporations in the United States, where they discussed the challenges and synergies of dealing with the railroads in Spanish Fork.

The Mayor discussed the issue of water conservation with the media and was recognized for Spanish Fork's effective water conservation efforts. He then asked Jered to discuss the upcoming event and what the city is doing to handle the river's rising levels. The Mayor

shared his memories of attending meetings and his first time conducting City Council where a man came in on a horse to tell about the rodeo. He thanked the Chamber of Commerce and council members for their involvement in his learning process.

Mayor Mendenhall commented on the importance of respecting differences of opinion and maintaining humanity in discussions. He spoke about the need to discuss issues respectfully and to remember that human relations don't have to be a battlefield. He also encouraged treating others as they could be, rather than as we see them through our lens. He mentioned a book they had to read for training, which made them think of the history that had taken place in the council chambers. They announced a ribbon-cutting event for the new library, which would serve as a gathering place for the community.

Jered Johnson told us they have a RAFT river meeting twice a week and provided updates on the forecast for the next couple of weeks. He mentioned that towards the end of the month, things were cooling down and the river flows were coming down as well. Jered stated that they had reached over 800 CFS, which was helping them get the river clean as they were continuing to put the levees in and had four crews removing trees, debris, sandbars, and other things harming the river. They had their city crews and three other crews helping with the effort.

Jered mentioned that they still had 27 inches of water on the mountain, which was the same amount of water they had in 1983 and 1984. He also said they were watching it closely and would have a better update on May 2nd.

Jered Johnson stated that they were currently working in the river at 800 CFS, which was usually at night, but they were usually around 500-600 CFS during the day. If the river level went above a thousand, it could be dangerous to be in, but they would still be working on the banks. He advised keeping everyone else away from that part of the river.

Jered Johnson mentioned that they were working around the golf course, and the choke point was around 2000 cfs, but the rest of the river could hold more.

Regarding identifying sandbars, they had state professionals helping them, along with Jamie Chappell, who had experience. They had a hard time getting permits before, but they were now actively getting the permits as they needed them.

Jered mentioned that they would have a piece of equipment at each bridge, and they were working with the Utah Department of Transportation (UDOT) and Utah County. They had already contracted with three different contractors who would supply them with equipment, and they were already in the river. They also had Kenny Sung and Tyler ready with equipment trucks.

Councilman Marshall wanted to know when the river would be too dangerous to work in.

Jered Johnson indicated when the cfs is above 1,000 it would become too dangerous to work in.

Councilman Cardon wanted to know the maximum the river could hold.

Jered Johnson said originally at the golf course it could hold 2,000 cfs but they had built a diversion that they felt could hold 4600 cfs.

Councilman Oyler wanted to know how sandbars would be identified for removal, what plan there was for the bridges, and where the information for getting sandbags would be.

Councilman Oyler wanted to know if residents could find the call to action on the Facebook page.

Jered Johnson said that call would come from the Church of Jesus Christ of Latter-day Saints Stake Presidents along the river.

Councilman Cardon reminded everyone of the Everbridge text messaging system that the city used to get out messaging.

Mayor Mendenhall invited residents to visit the Spanish Fork Website Flood Control Center for more information. He pointed out that each community could have drastic differences as our water would come from high up in the mountains so not to worry about when other communities enact certain measures.

SPANISH FORK 101

a. Spring Clean-up E

Max Sabey addressed the Mayor and City Council to discuss the upcoming spring cleanup program. He expressed his gratitude for the hard work and dedication of the council members toward the betterment of the citizens of Spanish Fork.

Max Sabey informed the council that the spring cleanup program would begin on April 24th and run through May 6th, with no pick-ups on Sundays. Last year's program had been successful, with over 500 tons of garbage hauled out of the city. This year, the program would be held at the same five locations as last year - Abbey Court, Centennial Park, Sierra Park Sports Park, and the downtown area behind Station 61 on Main Street. The total cost of the program was \$70,000, which may seem like a substantial amount, but when broken down, it only costs \$5.78 per customer per year or \$0.48 per month.

Sabey acknowledged that there had been some problems with the program in the past, such as overflowing dumpsters and garbage piling up on the ground when there were no dumpsters available. To address these issues, the city had increased the number of dumpsters from two to three at each location, and the police had been asked to monitor the sites on Sundays to prevent illegal dumping.

Another issue that had been raised by some citizens was the noise level at the cleanup sites, particularly in the early morning hours. The city had taken steps to address this problem by posting signs asking citizens not to start dumping garbage before 7 am or continue past 9 pm.

Despite the efforts made by the city to improve the program, some citizens still expressed dissatisfaction with the length of the cleanup period. However, Sabey felt that two weeks was an adequate amount of time for the program, given the amount of money, time, and energy that went into organizing and running it.

Councilwoman Beck thanked him for organizing this event.

Mayor Mendenhall reminded residents if there was a dumpster that was full to please go to another location instead of dumping it on the ground.

CONSENT ITEMS:

- a. Minutes Spanish Fork City Council Meeting 04-04-2023
- b. Resolution approving Addendum 3 to Fairgrounds Interlocal Agreement with Utah County
- c. Wastewater Treatment Plant - E&K Property LLC Municipal Utility Easement Agreement
- d. Utah Department of Transportation (UDOT) SR-198 Corridor Agreement Addendum #1 & 2 - Adding 300 East Traffic Signal

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

Councilman Marshall ▾ **Seconded** and the motion **Passed** all in favor at 7:15 pm with a roll call vote.

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

PUBLIC HEARING:

A. Wyndsong Ordinance Zone Change and Preliminary Plat Approval Request

Dave Anderson began his summary by discussing a project called Wyndsong, which is a proposed preliminary plat for master plan development and a zone change for the subject property. The site is located on the north side of South Lane, immediately east of the Annie's Acres development. The proposed development is just under a six-acre site that would be developed in the R-1 6 zone. Currently, the property is under a residential zone, so the first part of the plan is to change the zoning from residential to R-1-6 to potentially accommodate the development.

Dave explained that a master plan development in the R-1 6 zone means that all of the lots would have an average size of at least 6000 square feet. The density, or the number of homes per acre, would be less than 5.3. The applicants may be able to design a project that meets these criteria and set aside space for improvements to South Lane, which includes room for a roundabout at Bradford Lane along the west boundary of the project. The plan is to have a four-way intersection controlled by the construction of a roundabout.

Both the Developer Review Committee and the Planning Commission have reviewed both parts of this proposal - changing the zoning from residential to R-1-6 and the plan to construct a roundabout. Later on, Dave clarified that the proposed zone change was an R-1-8 zone. Dave felt the proposal seems fairly straightforward and could potentially bring about positive changes to the area.

Councilman Argyle asked for more information on what an R-1-8 zone was.

Dave Anderson explains that the reason why R-1-8 zoning was chosen as the most appropriate density for the proposed development was that it aligned with the city's land use map and general plan. As the development is located farther away from main streets and commercial areas, the plan gradually decreases the density to provide a better transition to the surrounding residential areas. This approach aims to ensure that new developments are consistent with the surrounding neighborhoods and do not cause significant disruptions or negative impacts.

Dave Anderson mentioned that the construction of Volunteer Drive east of Main Street is planned to provide the proposed development with better access to Main Street. This highlights the importance of carefully planning and coordinating transportation infrastructure alongside new developments to ensure that they are well-connected and accessible to the broader community.

Overall, Dave Anderson's explanation sheds light on the thought process and considerations that go into deciding the appropriate zoning and density for new developments, taking into account factors such as the city's land use map, general plan, and transportation infrastructure. This approach aims to promote sustainable and responsible development that aligns with the needs and character of the surrounding community.

Councilman Marshall asked about one of the conditions with the connection to Volunteer Drive.

Dave Anderson stated the proposed road connection would start at the intersection of Volunteer Drive and Main Street and proceed through the River Run townhome development, connecting to Annie's Acres via Bradford Lane, providing another route for local traffic in the neighborhood and citywide traffic that uses River Bottoms Road and South Lane to get around the community.

Dave Anderson explained the applicants for Wyndsong would not be able to issue any certificates of occupancy for homes in the project until the road connection was made, which was the same condition in place for the River Run project and Annie's Acres. The developers were working with the understanding that the road connection would be finished during the construction season.

Jamie Sanders introduced her partner Melissa Nelson. We were seeking preliminary plot approval for the WyndSong subdivision and have been working to meet all the city requirements and guidelines. Concerns came up regarding the wetlands and fireflies to the north of the development, which they addressed in their proposal.

They understood that you originally proposed 6,000 square foot lots, but have since switched to 8,000 square foot lots to meet the city's requests.

Additionally, I want to clarify that while property owners do have the right to develop their property, it is important to consider the potential environmental impact and to follow all regulations and guidelines in place to protect the surrounding ecosystem.

Councilman Oyler wanted to know if they had a concern about a 6-foot wall going to an 8-foot on the south side.

Melissa Nelson responded they would not be the builder but they would make it work.

Jamie Sanders stated they understood and would accommodate an 8-foot fence height.

Councilman Cardon ▾ **Moved** to go into a Public Hearing

Councilwoman Beck ▾ **Seconded** and the motion **Passed** all in favor at 7:25 pm.

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

Public Comments:

Diane Garcia told us it's important for the developer to take into consideration the existing drainage and natural springs in the area to avoid any negative impacts on neighboring properties. It's also important for the developer to listen to the concerns of the community, like the request for an eight-foot wall and dark sky compliant lighting on the homes. She expressed it was great to hear that the streetlights in Spanish Fork are dark sky compliant and that it's making a positive impact on the community.

Diane Garcia said it is important to preserve natural resources like the fireflies in the area, and the developer can use that as a selling point by taking extra care to minimize negative impacts on neighboring properties.

Diane Garcia relayed that an experience with the developer in the seventies serves as a cautionary tale, and the importance for the city and the developer to work together to ensure that the development is done in a responsible and sustainable manner that benefits the community as a whole.

Councilman Oyler asked if Diane had noticed a change with the fireflies since Annie Acres had been put in.

Diane Garcia told us the last two years were hot so they didn't seem very active but their activity seemed to naturally fluctuate. She stated that the measures taken to reduce the light pollution from Annie Acres had worked.

Councilwoman Beck was glad to hear the fireflies had not been affected.

Diane Garcia expressed her concern about the trees being removed at the sports park for the recreation center. She indicated the trees had blocked the sports park light and wanted them to consider this as they designed the recreation center.

Mr. Hales expressed his concern about the effect of the dust with the new construction by his property and asked if there could be dust mitigation efforts. He also stated his concerns about the irrigation being able to get to his property.

Jackie Larson asked if the river bottoms had been defined.

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

Councilman Cardon ▾ **Seconded** and the motion **Passed** all in favor at 7:34 pm

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

Mayor Mendenhall asked if the dark sky lighting had been discussed in the Development Review Committee as with Annie Acres. Dave Anderson responded it had.

Councilwoman Beck wondered if we could enforce lights on homes.

Vaughn Pickell clarified that they could be in the CC&Rs but the city would not be able to require it.

Mayor Mendenhall addressed the concern about Mr. Hale's irrigation by letting him know the adjacent property would have to conform to engineering standards with the ditch and water delivery.

Dave Anderson confirmed that they would fully define the infrastructure in the following process.

Jered Johnson told us they had a company that was hired to take care of dust mitigation and they usually get to it the same day or shortly after.

Councilwoman Beck wanted to know if the dust mitigation was only for the street.

Jered Johnson clarified it was for the whole construction site.

The Council and Dave Anderson discussed a 6 to 8-foot fencing to block light, if the front or back light were brighter, and the concern for who would be the developer on the project.

Dave Anderson stated it was routine to start the process with an applicant and end with a different developer on the project. He indicated that the conditions in the motion would memorialize the fact that anyone coming later on the project would have to follow the same city requirements.

Councilman Cardon wanted to know if we had a light ordinance.

Dave Anderson and Vaughn Pickell confirmed there was no light ordinance.

Councilman Oyler brought up that it would put a burden on our police officers to enforce lighting on homes.

Councilmembers and Mayor Mendenhall discussed Christmas lights, lighting on all the peaks of the home, where lights should go to have the least effect on other properties, and fencing as a remedy.

Melissa Nelson asked them to consider the shallow lots with an 8-foot fence may not be aesthetically pleasing to homeowners.

Mayor Mendenhall and Councilman Marshall were concerned about not having a process in place as a whole and only considering individual project remedies.

Councilwoman Beck ▾ **Moved to Approve** ▾ the **Wyndsong Ordinance Zone Change and Preliminary Plat Approval Request finding and conditions**

Councilman Oyler ▾ **Seconded** and the motion **Passed** all in favor at 7:52 with a roll call vote.

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

B. Proposed Ordinance Amendment of Title 15 to create a Master Planned Development Overlay Zone

Dave Anderson stated this proposal would give the Mayor and City Council more discretion when considering a subdivision so they could make the best possible neighborhoods. He told us this would change the process from an administrative act to a legislative one.

Councilman Oyler wanted to know how many master plans had been a standard plan.

Dave Anderson responded it was only 1 in 30 years.

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

Councilman Cardon ▾ **Seconded** and the motion **Passed** all in favor at 7:58 pm.

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

Public Comments:

Jackie Larson expressed the setbacks would not be a sufficient buffer for agriculture.

Councilwoman Beck ▾ **Moved** to go out of Public Hearing

Councilman Marshall ▾ **Seconded** and the motion **Passed** all in favor at 8 pm.

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

Councilman Cardon thought there was a 20-foot setback requirement for agriculture set by the Development Review Committee.

Dave Anderson stated there was no policy and often the setback for agriculture would be modified in the project.

There was a discussion on if the setback requirement would tie our hands to decreasing or increasing the setback,

Councilmembers wanted to know if there was any historical information that stated setbacks affected agriculture and if that conversation needed to be considered by the developer before it came to City Council.

Councilman Argyle wanted to know if this proposal affected the parking. Dave Anderson replied it did not.

Councilman Cardon ▾ **Moved** to **Approve** the **Proposed Ordinance Amendment of Title 15 to create a Master Planned Development Overlay Zone with the following findings:**

1. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the application of the provisions of the underlying zone.

2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood.

3. That any variation allowed from the development standards of the underlying district will not create increased hazards to the health, safety, or general welfare of the residents of the development of adjacent areas.

4. That the development will improve infrastructure connectivity.

Councilman Marshall ▾ **Seconded** and the motion **Passed** all in favor at 8:07 with a roll call vote.

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

C. Proposed Ordinance Amendment to Title 15 that would modify the density that is permitted in Master Planned Developments.

Dave Anderson stated this change would increase the land taken out for streets from .52 to .53 and it had come about because as they considered a development they felt like it was a better approach. He indicated the Planning Commission and Development Review Committee approved the change.

Councilman Cardon ▾ **Moved** to go into a Public Hearing

Councilman Argyle ▾ **Seconded** and the motion **Passed** all in favor at 8:10 pm.

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 Oyler ▾ **Seconded** and the motion **Passed** all in favor at 8:11 pm

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

Councilman Argyle ▾ **Moved to Approve** the **Proposed Ordinance Amendment to Title 15 that would modify the density that is permitted in Master Planned Developments.**

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

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

D. Annexation Policy Plan Amendment

Dave Anderson explained that the annexation boundary on State Route 77 was Spanish Fork's northernmost boundary. He said that with the GWC 320 annexation, they now wanted to include additional acres, totaling 535. Springville included this area in their annexation policy but because they wouldn't be able to supply infrastructure for many years they have asked the applicant to annex into Spanish Fork City, which has the infrastructure close by. The applicant had invested considerable improvements in the area.

Vaughn Pickell added that they would need to consider the general plan and this approval did not guarantee they would be annexed into the city.

Mayor Mendenhall let us know the two cities were working together on this.

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

Councilman Oyler ▾ **Seconded** and the motion **Passed** all in favor at 8:22 pm.

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

Applicant Jerry Morgan of GWC Capital spoke about the Springville involvement, the feasibility study, and this was a data-driven decision by Springville and them. He relayed they had entered into a private/public partnership to invest in the region because of the capacity and depth of construction.

Public Comments:

No comments were made.

Councilman Cardon ▾ **Moved** to go out of Public Hearing

Councilman Argyle ▾ **Seconded** and the motion **Passed** all in favor at 8:25 pm

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

Councilman Marshall wanted to know the investment the city would need to make to provide services.

Dave Anderson stated the investment would be on the applicant and not the city.

Councilman Marshall thought it would be more prudent to have a whole plan in place instead of deciding per annexation. He would like the general plan in place as a way to back it up.

Councilman Oyler pointed out that it was hard to do a plan if the property owners were not interested.

Councilman Marshall wanted to know if we serviced the road already.

Dave Anderson responded that utility work continues to extend to the west so we are more ready.

Dave Anderson stated they could talk about it on May 9th at the combined City Council and Planning Commission meeting. He felt with this addition, they knew what they were working with so it made sense.

Mayor Mendenhall reminded us it would be better for us geographically because Springville would need to take utilities across the river.

Councilman Oyler ▾ **Moved to Approve** the **Annexation Policy Plan Amendment findings in the staff report:**

- 1. That the Springville City Council is not opposed to Spanish Fork’s potential annexation of the properties included in the proposed Amendment.**
- 2. That Spanish Fork City is servicing industrial developments adjacent to the area and can potentially serve the area included in the proposed Amendment.**
- 3. That the owners of property included in the proposed Amendment have expressed an interest in annexing to Spanish Fork.**
- 4. That industrial development on this site is in line with Spanish Fork City’s General Plan for the surrounding area.**

Councilwoman Beck ▾ **Seconded** and the motion **Passed** all in favor at 8:33 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 Jesse Cardon to the Spanish Fork City Personnel Committee

Mayor Mendenhall told us Jesse Cardon would take the place of Councilman Gordon on the personnel committee and attend the quarterly meetings.

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

Councilman Marshall ▾ **Seconded** and the motion **Passed** all in favor at 8:35 pm with a roll call vote.

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

B. 2023 Mayoral Proclamation Concerning Arbor Day

Bill Bushman described the 24th Arbor Day event on April 28th, 2023 at 9:30 am at Canyon Elementary School. He invited children and parents to help plant 8 trees at 11221 East 1480 South.

Mayor Mendenhall applauded the efforts in making us a tree city and reminded children to not climb on the trees until they are bigger. He declared the Mayoral proclamation concerning Arbor Day.

MAYORAL PROCLAMATION CONCERNING ARBOR DAY

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewal resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and, NOW, THEREFORE, I, Mike Mendenhall, Mayor of the City of Spanish Fork, do hereby proclaim Friday, April 28, 2023, as Arbor Day in the City of Spanish Fork, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Councilman Cardon ▾ **Moved to Approve** 2023 Mayoral Proclamation Concerning Arbor Day

Councilman Argyle ▾ **Seconded** and the motion **Passed** all in favor at 8:40 pm with a roll call vote.

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

C. Fence Height Approval Request for 80 West 200 South

Dave Anderson told us the only way to petition to change a fence from 6 to 8-feet was to get the City Council's approval. He stated he would let the applicant's letter speak for itself regarding the reasons for the 8-foot fence. The fence would be a tan vinyl fence and staff had no concerns.

Mayor Mendenhall asked if there was no fence there now.

Beckii Bandle responded it was not a full fence.

Councilwoman Beck agreed that the reasons for the fence were valid.

Councilman Marshall asked that in the future he would like a change in the ordinance for 8-foot fences so they could be consistent.

Councilwoman Beck - **Moved to Approve - Fence Height Approval Request for 80 West 200 South**

Councilman Marshall - **Seconded** and the motion **Passed** all in favor at 8:43 pm with a roll call vote.

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

D. Annexation Acceptance, GWC 320

Dave Anderson told us this was back again for acceptance because it had expanded from the original 320 acres to include the additional acreage. This would re-initiated a process to study the area and initiate a protest period with notice provided to the public. If the council accepted this for further study, it was estimated that it would have been back on the agenda in June, after going through the process and being reviewed by the Planning Commission.

The annexation with a public hearing and staff's recommendation had not changed from the

previous proposal for just the 320 acres. We recommended that this proposal be accepted for further study. So, the first finding and recommendation was that the proposed annexation be approved, but we were not approving the annexation at this time.

Councilman Marshall wanted to make sure the motion wasn't confusing and that the motion would be for further study, not acceptance

There was a discussion on how the name should change to reflect the additional acres.

Councilman Oyler ▾ **Moved to Approve Annexation Acceptance, GWC 320 (changed to Stockman Flats)**

Councilman Argyle ▾ **Seconded** and the motion **Passed** all in favor at 8:47 pm with a roll call vote.

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

E. Proposed Eagle Haven Master Planned Development Preliminary Plat Amendment Approval Request.

Dave Anderson discussed a proposal to expand the existing Eagle Haven Master plan development. The subject property was located south and east of Mountain High School on the east side of Spanish Fork Parkway. The proposal involved the addition of seven lots to the existing 19, with several properties not currently zoned R-1-15. The properties had been zoned R-1-15 for the past 12 or 13 years since they were annexed. The proposal was to have the project approved as a master plan development, and the applicant had done some things to ensure a well-functioning local street network.

Dave Anderson stated the proposal was considered routine and straightforward. The average lot size was greater than 15,000 square feet, which was appreciated as the inventory of lots for construction in Spanish Fork was low. The proposal was reviewed by the Developmental Review Committee and the Planning Commission, who recommended approval.

Councilman Argyle and Oyler asked about the drop from the road to the development and how it would need to be filled in.

Dave Anderson stated they could fill it in or do sloped garages.

Councilman Cardon pointed out that the sign on the property showed a different plan and would need to be changed.

Councilwoman Beck expressed she liked the plan.

Councilman Cardon ▾ **Moved to Approve** the Proposed Eagle Haven Master Planned Development Preliminary Plat Amendment be Approved bases on the following finding and subject to the following conditions:

Finding

1. That the application conforms to the City’s General Plan Designation and Zoning Map.

Conditions

1. That the applicant meets the City’s Zoning requirements and Construction Standards.

2. That the applicant addresses any redlines.

3. That the applicant complies with the standard setback requirements of the R-1-15 Zone.

4. That the City Council approves a change to the maximum allowed density for Master Planned Developments in the R-1-15 zone.

5. That the applicant provides an updated utility plan that meets City standards.

Councilwoman Beck ▾ **Seconded** and the motion **Passed** all in favor at 8:51 pm with a roll call vote.

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

F. 630 W Center Street Construction Management/General Contractor (CMGC)-Guaranteed Maximum Price (GMP) with Kenny Seng Construction

Jered Johnson explained the project. He mentioned that they had visited MGC for this project about four to six months prior, as it was a joint project between the school district and Spanish Fork. The purpose was to widen 630 West to five lanes, install a traffic signal, and rebuild the irrigation structure. The irrigation structure was completed before the irrigation season, and the road widening project had already begun, with the traffic signal procured and materials being sent to the site.

Councilman Oyler asked when the lights would be up and running.

Jered Johnson stated it would be the end of summer.

Councilman Argyle pointed out we had used Kenny Sung for many of the city projects.

Jered Johnson stated Kenny Sung won the bids, made their deadlines, and did awesome work.

Councilman Marshall asked if the Guaranteed Maximum Price was under the adjustments.

Jered Johnson replied they gave us the best product.

Councilman Marshall reiterated that it was not a guarantee they will work for us.

Jered Johnson answered if they are over the engineering amount they will put it out to bid.

Councilman Marshall ▾ **Moved to Approve** the **630 W Center Street Construction Management/General Contractor (CMGC)-Guaranteed Maximum Price (GMP) with Kenny Seng Construction**

Councilman Oyler ▾ **Seconded** and the motion **Passed** all in favor at 8:55 pm with a roll call vote.

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

G. 400 N 300 W Roundabout Construction Management/General Contractor (CMGC)-Guaranteed Maximum Price (GMP) with Kenny Seng Construction

Jered Johnson indicated this was a different project but the same company, which facilitates the traffic control for both projects. He stated they wanted to get this done because school was out. He stated the engineering estimate was lower than the Kenny Sung estimate but they were able to get it down. He stated they had some unknowns on the irrigation that runs down the 3rd West box culvert. Kenny Sung pricing was within the 5% range.

Mayor Mendenhall wanted to know if both roads would be closed down at the same time.

Jered Johnson responded the intersections would be closed for 3 weeks

Councilman Cardon wanted to know the detour route.

Jered Johnson stated it would be 5th North by Brockbank.

Councilman Oyler asked if the speed bumps in the detour could be removed to help the big trucks.

Jered Johnson answered he would check into it.

Mayor Mendenhall stated another road to use could be 1050 West.

Councilman Marshall ▾ **Moved to Approve** the **400 N 300 W Roundabout Construction Management/General Contractor (CMGC)-Guaranteed Maximum Price (GMP) with Kenny Seng Construction**

Councilman Argyle ▾ **Seconded** and the motion **Passed** all in favor at 9:01 pm with a roll call vote.

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

H. Cemetery Landscape Line Trimming Agreement

Bill Bushman let us know it has been hard to find seasonal workers so they have contracted this work out. They intend to take the wages of the seasonal workers and apply them to pay this contract. He has used this company in the past and would like to use them again.

Councilman Marshall asked the reason for not accepting the lowest bid.

Vaughn Pickell agreed we would need to accept the lowest bid if it was a solicited bidding process.

Mayor Mendenhall stated they could be used if they did a Request for Proposal (RFP).

Vaughn gave some options as to what could be done.

Mayor Mendenhall asked what the timeframe was for the services to start.

Bill Bushman replied they would need to start work this Friday.

Mayor Mendenhall asked Jered Johnson to help Bill Bushman with the RFP process.

Seth Perrins suggested they continue the item so they could resolve the issue.

Councilman Oyler ▾ **Moved to Continue** the **Cemetery Landscape Line Trimming Agreement**

Councilman Marshall ▾ **Seconded** and the motion **Passed** all in favor at 9:09 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. Airport Taxiway Reconstruction FAA Grant

Jered Johnson and his team had recently put the Taxiway Reconstruction Project out to bid for the upcoming summer. However, the bids came in \$700,000 higher than what was budgeted, which prompted the team to request more funding from the FAA. As a result, they are asking for the mayor to sign the granting documents to increase the grant by \$700,000 so that the project can proceed as planned.

Jered Johnson was hoping to receive the necessary documents by the end of the week, start construction this week, and bring the actual documents back in May. The reason for this urgency was due to concerns about the shortening of the construction season and the jets that were planned to come to the airport.

Mayor Mendenhall clarified that he needed to sign the grant so they would allow us to receive more money.

b. Councilwoman Beck's Request

Councilwoman Beck instructed Dave Anderson's department to consider the code for landscaping, buffering walls, and fences in residential lots. Residents had asked to reduce the square footage from 20,000 to 17,000 and 15,000. She wanted to know how that would affect the city and planning.

Adjourn

Councilman Argyle ▾ made a **Motion** to **Adjourn**

Councilman Cardon ▾ | **Seconded** the motion and it **Passed** all in favor at 9:12 pm.

Attest: April 18, 2023

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 April 18, 2023. This document constitutes the official minutes of the City Council meeting.

Tara Silver

TARA SILVER, CITY RECORDER