

**MAPLETON CITY COUNCIL MEETING**

**June 7, 2011**

**PRESIDING AND CONDUCTING:** Mayor Brian Wall

**Council Members:** Ben Christensen  
Mike Cobia  
Ryan Farnworth  
Jim Lundberg - Excused  
Mike Nelson

**Also Present:** David Allen-Finance Controller  
Robert Bradshaw- City Administrator  
Cory Branch- Planning Director  
Camille Brown- City Recorder  
Gary Calder- City Engineer  
Dean Pettersson-Police Chief

**Minutes Recorded by:** Camille Brown- City Recorder

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**CALL TO ORDER:** Mayor Pro-tem Mike Nelson called the meeting to order at 7:00 pm. Scott Bird gave the invocation and Chief Pettersson led the meeting in the Pledge of Allegiance.

**OPEN FORUM: No comments were made.**

Mayor Pro-tem recognized the Youth Council for their hard work in filling over 400 sand bags. Tarin Haynie, a representative of the Mapleton youth Council helped with the sand bags at North Park and thanked the Council for the opportunity. There was also an individual present that helped with the Eagle Scout project of filling additional sand bags at the mouth of Maple Canyon. Mayor Pro-tem Nelson thanked the youth council and presented the group with a city pin for their participation and help.

**APPROVAL OF MINUTES**

**1. Approval of City Council meeting minutes**

**Motion:** Cl. Christensen moved to approve the minutes of the May 3, 2011 City Council meeting.

**Second:** Cl. Cobia seconded the motion.

**Vote:** Passed 3:0

**DISCUSSION ITEM:**

**1. S.U.V.M.A. Water Regeneration Project**

Cl. Cobia reported on a proposed Projected Study being undertaken by SUVMWA to identify measures for minimizing the loss of surplus water.

Because different entities were involved in the study, SUVMWA would like to know if any member cities wished to withdraw from the project study.

Mayor Wall arrived at the meeting at 7:30 p.m.

**ACTION ITEM:**

**2. BIDS FOR SLURRY SEAL OF CITY STREETS**

City Engineer, Gary Calder reported that in conjunction with Spanish Fork City, bids had been invited for the slurry seal of city streets as indicated on the plan shown at the meeting, Mr. Calder requested that the city had received the lowest suitable bid from Holbrook Asphalt. This will be done in place of chipping the roads in conjunction with Spanish Fork for a lower cost. The city's cost will be \$33,571.03.

**Motion:** Cl. Nelson move to approve the bid from Holbrook Paving in the amount of \$33,571.03.

**Second:** Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Nelson Aye

Vote: Passed 3:0

**PUBLIC HEARING**

**3. FINAL BUDGET 2011-12**

The City Council considered the staff report by Finance Controller, David Allen, comparing the Departmental expenditures for the current fiscal year and proposed revenues and expenditures for 2011-12. The total proposed budget expenditure for 2011-12 would amount to \$3,727,900 which represented a \$45,550 reduction on the 2010-11 budget.

Mayor Wall opened the public hearing and no comments were made and the public hearing was closed,

Council members expressed their appreciation to the Finance Controller and the Mayor for their work on the budget preparations.

**Motion:** Cl. Cobia moved to approve the City's fiscal budget for 2011-12 in the amount of \$3,727,900.

**Second:** Cl. Nelson seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Nelson Aye

Vote: Passed 3:0

**ACTION ITEM:**

**4. CROWD CANYON WATER TANK**

The City Attorney, Eric Johnson, reported on the agreement between the city, Presidio Mesquite and Ensign Bickford Co. for the implementation of the City Council's February 15<sup>th</sup> approval to restructure contributions to the Crowd Canyon Water Tank construction over a period of 20 years at a 3.5% interest rate.

A lengthy detailed discussion ensued during which minor modifications were made to the agreement as underlined in the document attached to these minutes as Appendix A.

**Motion:** Cl. Nelson moved that the Crowd Canyon Water Tank Impact Fee prepayment Agreement as now modified with amendments shown underlined and strike out as set out in appendix A be approved subject to the approval of the Boundary Line Adjustment Petition, the Spanish Fork Sewer Inter Local Agreement and Development Agreement.

**Second:** Cl. Cobia seconded the motion.

Cl. Christensen       Aye  
Cl. Cobia                Aye  
Cl. Nelson               Aye  
Vote:                    Passed 3:0

Cl. Farnworth arrived at the meeting at 8:45 p.m.

**5. SPANISH FORK/MAPLETON CITY INTER LOCAL AGREEMENT**

The City Attorney, Eric Johnson, reported on the draft Interlocal Agreement between Mapleton City and Spanish Fork city for the construction, use and maintenance of the joint wastewater treatment plant located at Spanish Fork. The City Council noted minor amendments to the agreement.

The purpose of the Interlocal Agreement was to accommodate additional sewer capacity from the 1,050 Equivalent Residential Units comprised within the proposed Harmony Ridge Sub-Division and associated commercial/retail industrial development to be built on 481 acres of land being transferred from Spanish Fork to Mapleton City.

**Motion:** Cl. Nelson moved that subject to the approval of the Development Agreement and Boundary Line Adjustment Ordinance, the Spanish Fork/Mapleton City Wastewater Treatment Plant Interlocal Agreement be approved.

**Second:** Cl. Christensen seconded the motion.

Cl. Christensen       Aye  
Cl. Cobia                Aye  
Cl. Farnworth         Aye

Cl. Nelson                      Aye  
Vote: 4:0  
Resolution No. 2011-13

**PUBLIC HEARING:**

**6. PROPOSED BOUNDARY LINE ADJUSTMENT TRANSFERRING 481.28  
ACRES OF LAND OWNED BY ENSIGN BICKFORD FROM SPANISH FORK  
TO MAPLETON CITY, UTAH CODE §10-2-419**

The City Administrator, Bob Bradshaw submitted his report summarizing the administrative proceedings relating to considering a petition from landowner Ensign Bickford for the transfer into Mapleton City of 481.28 acres of land north of Highway 6 east of Highway 89 currently within the Spanish Fork city boundary.

Mr. Bradshaw noted that during the statutory 60 day public consultation period, four letters of objection had been received. At its previous May 3rd city council meeting, the city had approved the landowner's request to rezone the area to PD-3.

The supporting views of the Economic Development Commission and the consultants (Bonnevill Research) findings were noted.

The Mayor opened the public hearing after seeing no other public comments to be received.

Sallie Korman expressed concern about possible soil contamination notwithstanding the Utah State's Certification following the decontamination work undertaken as part of the Remediation Action Plan.

The Mayor closed the public hearing.

In the ensuing discussion council members sought clarification on the adequacy of protections to indemnify the city, the length of the Agreement, interest inflation rate, and the calculation of the \$6,000 per property voluntary contribution in lieu of impact fees.

In response to several questions from City Council members, the City Attorney, Eric Johnson, outlined the protections afforded to the city as specified in the landowners White Paper, the contents of which were reported verbally at the meeting. He also addressed the modifications made to Section 4(3) and 5.4 emphasizing that in the event of any conflict of terms throughout the Development Agreement, city code would in all such cases prevail.

**Motion:**            Cl. Christensen moved

- (i) that pursuant to Utah Code, §10-2-419 the City Council adopted an ordinance approving the adjustment of the common boundary between Mapleton City and Spanish Fork City, Utah.
- (ii) That the Development Agreement between the city and landowner Ensign Bickford be approved subject to the modifications indicated throughout the agreement underlined as attached to these minutes as Appendix B with section 9 of the agreement being amended to a period of 20 years with option to renew for an additional 10 years. Motion died for lack of second.

**Motion:**

- Cl. Cobia moved
- (iii) that pursuant to Utah Code §10-2-419 the City Council adopted an ordinance approving the adjustment of the common boundary between Mapleton City and Spanish Fork City, Utah.
- (iv) That the Development Agreement between the city and landowner Ensign Bickford be approved subject to the modifications indicated throughout the agreement underlined as attached to these minutes as Appendix B with Section 9 of the agreement being amended to a period of 30 years.

**Second:**

Cl. Christensen seconded the motion.

Cl. Christensen      Nay  
 Cl. Cobia              Aye  
 Cl. Farnworth        Aye  
 Cl. Nelson             Aye

Vote: 3:1

Ordinance No. 2011-08

Meeting adjourned 11:30 p.m.

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Camille Brown, City Recorder

**APPROVED: June 21, 2011**