

**ADOPTED MINUTES
SPANISH FORK CITY COUNCIL MEETING
MARCH 7, 1990**

THE MEETING WAS CALLED TO ORDER BY 7 PM BY MAYOR MARIE W. HUFF. A BOY SCOUT FROM TROOP 75 LEAD THE PLEDGE OF ALLEGIANCE.

COUNCILMEMBERS PRESENT: MAYOR MARIE W. HUFF, AND COUNCILMEMBERS JERALD M. CHAPPLE, THORA L. SHAW, SHELDON GORDON, REX WOODHOUSE, AND T. PAGE HARRISON.

STAFF MEMBERS PRESENT: DAVID A. OYLER, CITY ADMINISTRATOR; CLYDE A. SWENSON, FINANCE DIRECTOR; RICHARD HEAP, CITY ENGINEER; DEE ROSENBAUM, PUBLIC SAFETY DIRECTOR; JUNIOR BAKER, CITY ATTORNEY; AND MARY-CLARE MASLYN, ADMINISTRATIVE ASSISTANT.

CITIZENS PRESENT: MR. AND MRS. KENT CORNABY, MR. AND MRS. LARRY BREUNINGER, BLAKE HOLM, KELLY SMITH, MR. AND MRS. G. MARVIN NELSON, MARK SPRINGER, PAUL CLINT, STEWARD WHITE, TWELVE BOY SCOUTS AND TROOP LEADERS, AND LEANN MOODY, THE PRESS AND THE DAILY HERALD.

MINUTE PASSAGE

COUNCILMEMBER JERALD M. CHAPPLE MADE THE **MOTION** TO ACCEPT THE MINUTES OF THE FEBRUARY 21, 1990 MEETING, WITH CORRECTIONS, ALONG WITH WARRANTS AND DEEDS. COUNCILMEMBER WOODHOUSE **SECONDED**, AND THE MOTION **PASSED** WITH A UNANIMOUS VOTE.

PRIVATE CLUB PETITION

MR. LARRY BREUNINGER APPROACHED THE COUNCIL DURING CITIZEN REQUEST TIME TO ASK PERMISSION FOR HIS BUSINESS, WHICH IS CURRENTLY A LOUNGE, TO BE CHANGED TO A PRIVATE CLUB. AFTER DISCUSSION REGARDING THE NEW STATE LAWS, COUNCILMEMBER SHAW MADE THE **MOTION** TO ALLOW MR. BREUNINGER TO CHANGE HIS LOUNGE INTO A PRIVATE CLUB. THE **SECOND** WAS RECEIVED BY COUNCILMEMBER WOODHOUSE. THE MOTION **PASSED** WITH A UNANIMOUS VOTE.

CHANGES IN PERSONNEL MANUAL

ADMINISTRATOR OYLER COVERED THE CHANGES IN THE CURRENT PERSONNEL MANUAL. COUNCILMEMBER GORDON MADE THE **MOTION** TO ACCEPT THE CHANGES IN THE MANUAL. A **SECOND** WAS MADE BY COUNCILMEMBER SHAW. THE MOTION **PASSED** WITH A UNANIMOUS VOTE. SUCH CHANGES WILL BE ATTACHED TO THE MINUTES.

BIDS - LIGHTING OF INDOOR ARENA

MR. SWENSON PRESENTED THE BIDS FOR LIGHTING FOR THE ARENA. THE LOW BID FOR **\$25,700** BY DUANE KOYLE WAS ACCEPTED IN THE **MOTION** MADE BY COUNCILMEMBER SHAW. THE **SECOND** WAS MADE BY COUNCILMEMBER CHAPPLE, AND THE MOTION **PASSED** WITH A MAJORITY VOTE. COUNCILMEMBERS WOODHOUSE AND HARRISON VOTED OPPOSED.

R-A-5 ZONE OPTIONS

THE R-A-5 ZONE REQUEST WAS DISCUSSED BY MR. HEAP. THE MINIMUM AND MAXIMUM SETBACKS WILL BE DETERMINED THE CLASSIFICATION OF THE ROAD. COUNCILMEMBER WOODHOUSE MADE A **MOTION** TO ACCEPT THE PROPOSED R-A OPTIONS, COUNCILMEMBER HARRISON **SECONDED**, AND THE MOTION **PASSED** WITH A UNANIMOUS VOTE.

STEWART WHITE SITE PLAN

THE STEWART WHITE SITE PLAN WAS PRESENTED BY MR. MARK SPRINGER, ATTORNEY FOR THE OIL SPOUT. MR. SPRINGER PROPOSED A REMOVABLE FENCE FOR THE AREA. AFTER EXTENSIVE DISCUSSION REGARDING THE SITE PLAN AND THE POSSIBILITY OF AN OUTDOOR CAR WASH, MR. NELSON, THE NEIGHBOR OF THE SITE PLAN APPROACHED THE COUNCIL. HE EXPRESSED THE FACT THAT HE DIDN'T WANT AN OUTDOOR CAR WASH NEXT TO HIS HOME. THE **MOTION** WAS MADE BY COUNCILMEMBER

WOODHOUSE TO TABLE THE ITEM. THE **SECOND** WAS MADE BY COUNCILMEMBER HARRISON AND THE MOTION **PASSED** WITH A UNANIMOUS VOTE.

MOVE OF HOMES FROM OREM TO SPANISH FORK

MR. PAUL CLINT APPROACHED THE COUNCIL REGARDING A LOT AT 650 EAST AND 600 NORTH. TWO HOMES WILL BE MOVED FROM OREM TO THE LOT. COUNCILMEMBER WOODHOUSE MADE THE **MOTION** TO ALLOW MR. PAUL CLINT TO MOVE THE HOMES ONTO THE LOTS AS INDICATED. A **SECOND** WAS MADE BY COUNCILMEMBER CHAPPLE, AND THE MOTION **PASSED** UNANIMOUSLY.

PUBLIC HEARING - PIERCE ANNEXATION

THE PUBLIC HEARING FOR THE PIERCE ANNEXATION WAS HELD. COUNCILMEMBER SHAW MADE A **MOTION** ACCEPT THE ORIGINAL PIERCE ANNEXATION PLAN. A **SECOND** MADE BY COUNCILMEMBER GORDON AND THE MOTION **PASSED** WITH A MAJORITY VOTE. COUNCILMEMBER HARRISON VOTED OPPOSED.

POSSIBLE ANNEXATION INFORMATION – CORNABY

MR. CORNABY APPROACHED THE COUNCIL REGARDING THE POSSIBILITY OF ANNEXING HIS PROPERTY INTO THE CITY. SOME SIGNATURES HAVE ALREADY BEEN RECEIVED, AND HE WISHED TO KNOW THE FEELING OF THE COUNCIL. THE COUNCIL

INSTRUCTED MR. CORNABY TO FURTHER INVESTIGATE THE FINANCIAL ISSUES OF PROPERTY TAX MONIES ON PROPERTY OWNERS. COUNCILMEMBER WOODHOUSE MADE A **MOTION** TO REJECT THE ANNEXATION IDEA. COUNCILMEMBER CHAPPLE **SECONDED**, AND THE MOTION **PASSED** WITH A MAJORITY VOTE. COUNCILMEMBER SHAW OPPOSED.

GRAND MARSHALL OF 1990 FIESTA DAYS PARADE

COUNCILMEMBER SHAW INFORMED THE COUNCIL THAT FRANK MCKELL WAS CHOSEN TO BE THE GRAND MARSHALL OF THE FIESTA DAYS PARADE.

SEWER BACKUP POLICY PASSAGE

COUNCILMEMBER SHAW **MOTIONED** TO ACCEPT A NEW SEWER BACKUP POLICY, THE **SECOND** WAS MADE BY COUNCILMEMBER CHAPPLE, AND THE MOTION **PASSED** WITH A UNANIMOUS VOTE. AFTER THIS DISCUSSION, THE SEWER BACKUP POLICY WAS CHOSEN, AND WILL BE:

ANY SEWER MAIN BACK UPS THAT DEPOSIT SEWAGE IN A RESIDENTIAL UNIT WILL BE TREATED AS A CITY RESPONSIBILITY. WHEN NOTIFIED OF A PROBLEM THE **CITY** WILL IMMEDIATELY INSPECT, AND MAKE ARRANGEMENTS TO HAVE THE IMPACTED AREA CLEANED AND DISINFECTED. THE CITY WILL PAY FOR THESE CLEANING SERVICES.

IF SERIOUS DAMAGE IS DONE TO WALLS, CARPET, FLOORS, STORAGE, ETC., THE CITY WILL CONTACT THE URMA INSURANCE POOL AND HAVE AN ADJUSTOR GO TO THE PREMISES AND DETERMINE THE VALUE OF THE LOSSES. THIS AMOUNT WILL THEN BE PAID TO THE PROPERTY OWNER BY THE CITY. THE PROPERTY OWNER WILL THEN BE RESPONSIBLE FOR

REPAIRING THE DAMAGE OR REPLACING DAMAGED GOODS, AS THEY SEE FIT. THE CITY WILL NOT GET INVOLVED IN HIRING INDIVIDUALS TO TAKE CARE OF THE DAMAGED PROPERTY.

TO FUND LOSSES CREATED BY SEWER BACKUPS, THE CITY IS PRESENTLY SELF INSURED. THE CITY PRESENTLY HAS \$75,000 IN RESERVE, AND BUDGETS APPROXIMATELY \$15,000 PER YEAR FOR THESE TYPES OF CLAIMS.

CHANGES IN TITLES 1 AND 3

ATTORNEY BAKER INFORMED THE COUNCIL OF THE CHANGES IN TITLE 1 AND TITLE 3. THE CHANGES IN TITLE 1 ARE MINOR. TITLE 3 CONTAINS NEW STATE LAW REFERENCES AND INFORMATION, ALONG WITH THE SECTION ON NEW UNIFORM LOCAL SALES AND USE TAX. COUNCILMEMBER CHAPPLE **MOTIONED** TO ACCEPT TITLES ONE AND THREE. COUNCILMEMBER SHAW **SECONDED**. THE VOTING FOR **PASSAGE** WAS UNANIMOUS.

THE MEETING ADJOURNED AT 9:20 PM.