

Adopted Minutes
SPANISH FORK CITY COUNCIL MEETING
February 17, 1993

The Meeting was called to order at 7 PM by Mayor Marie W. Huff. The pledge of allegiance was lead by Calvin Youd.

Elected Officials Present: Mayor Marie W. Huff, Councilmembers Jerald M. Chapple, Kim H. Peterson, Sheldon W. Gordon, Rex Woodhouse, Clyde A. Swenson.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard J. Heap, Engineer/Public Works Director; Dee Rosenbaum, Public Safety Director; Junior Baker, City Attorney; Brad Stone, Carl Johnston, Steve Adams of the Spanish Fork City Police Department.

Citizens Present: Leann Moody, Spanish Fork Press/Daily Herald; Harold Johnson, Frank Goodwin, Mary Fordum, Lola Hall, Valinda Bates, Don Bates, Wayne Peterson, Kenneth Davis, Carl Allred, Janalee Brinkerhoff, Don Jones, Susan Jones, James Beck, Shireen Swan, Arlene Peterson, Paul Whiting, Melvin Barney, Clyde Lundell, Dev Duke, Rhea Darling, Dixie Garbe, Gaylen Garbe, Kathleen Koyle, Alese B. Duke, Dan Williams, Wells Brockbank, Larry Vest, Rod Robinson, Pam Robinson, Lorrie Farnsworth, Terry Farnsworth, Calvin Youd, Ronald Lisonbee, Darlene Cowden, Kaye Stallings, Jared Stallings, Al Hobbs, Richard Cummins, Holly Cummins, Mark Johnson, Daine Mecham, Marbin Mecham, Kathy Brockbank Johnson, Nyle McMullin, Gary Steineckert.

Minute Passage

Councilmember Swenson made a **motion** to accept the minutes of the February 3, 1993 regular session of the council meeting. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

Employee of the Fourth Quarter - 1992

Council awarded Steve Adams with the "Employee of the Quarter." Steve works in the Police Department as a Detective.

Recognition of Board Member

Council expressed appreciation to Don Jones for his service on the Planning and Zoning Commission. Mr. Jones serviced from 1988 to 1992.

Auxiliary Report - Police

Public Safety Director Dee Rosenbaum explained the outline of the presentation and turn the time over to police Lieutenants Brad Stone and Carl Johnston. Lieutenant Stone told about the patrol statistics for 1992 in the areas of Crime, Incidents, and Traffic Accidents. Lieutenant Stone informed the council about the efforts the police department is doing to be more involved with the community. Lieutenant Johnston told about the different investigative programs being used by the Detective

Division and the statistic on cases investigated and solved. Council thanked the police department for their efforts and their presentation.

Public Hearings - McMullin Annexation

- Cooper/Bradford Zone Change Request
- Mecham Zone Change Request
- Hurst Zone Change Request
- Master Policy Declaration Boundary Map Amendment
- Continuation of Title 17, Zoning Ordinance

Councilmember Gordon made a **motion** to go into a public hearing to discuss the **McMullin Annexation**. The **second** was made by Councilmember Chapple. The motion **passed** with a unanimous vote.

Public comment concerning **McMullin Annexation**:

Gary Steineckert stated he was in favor of the annexation. He has some undeveloped property and needed the water from the city.

Nyle McMullin stated he was in favor of the annexation. He agreed with the Planning and Zoning Commission's recommendations of allowing the annexation with the understanding that: 1) a mutual agreement concerning the electrical power be reached between the city and the landowners, and 2) require five (5) acre lots until the septic system can be studied. Currently there are only two homes in the area and they are in need of water because their wells were going dry.

Councilmember Gordon agreed that the area is within the annexation declaration but thought the annexation was pre-mature. The cost to provide sewer, water and power services to this area would be too high to the city. Councilmember Woodhouse stated he also was concerned about the cost of city services to the area were too high.

Mr. McMullin stated a water concern about the city taking too much water out the Spanish Fork River thus causing the wells in the area to go. This issue was denied by the city and an explanation of how the city trades water followed.

Councilmember Peterson ask if there were any options to help the homes that were experiencing low water? The current city policy was explained. The city does not normally extend water beyond the city limits. There is a higher water rate for out of city users.

Mr. McMullin ask for the council's opinion of continuing the development through the County instead of the City. Council stated this issue would be between the county and the developer.

Councilmember Woodhouse stated the city maybe could make an exception to the City Policy to supply water outside city limits. Mr. Woodhouse suggested the existing home owners discuss this matter with the City Engineering Department for consideration.

Mayor Huff explained that annexations require a 6 day time period from the Public Hearing before a decision can be made. Motion on this annexation will be made in the next council meeting (March 3).

Councilmember Woodhouse made a **motion** to close the Public Hearings of **McMullin Annexation**. The **Second** was made by Councilmember Swenson. The motion **passed** with a unanimous vote.

Cooper/Bradford Zone Change

Councilmember Gordon made a **motion** to go into a public hearing to discuss the **Cooper/Bradford Zone Change**. The **second** was made by Councilmember Chapple. The motion **passed** with a unanimous vote.

Public comment concerning: **Cooper/Bradford Zone Change Request:**

No public comment noted.

Councilmember Woodhouse made a **motion** to close the Public Hearings of **Cooper/Bradford Zone Change Request**. The **Second** was made by Councilmember Swenson. The motion **passed** with a unanimous vote.

Councilmember Gordon made a **motion** to accept the Cooper/Bradford Zone Change Request of R-3 to C-2. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

Mecham Zone Change Request

Councilmember Gordon made a **motion** to go into a public hearing to discuss the **Mecham Zone Change Request**. The **second** was made by Councilmember Chapple. The motion **passed** with a unanimous vote.

Public comment concerning: **Mecham Zone Change Request:**

Mrs. Mecham asked the council to review the citizens petition and the names on it.

Mrs. Mecham opposes the current zoning. She does not want more 4-plexes and 8-plexes in the area. She told of concerns of traffic, crime and trash. She stated she is not opposed to "renters". She state there were 42 families in a one block radius.

Shireen Swan told of unpleasant sites of garbage and trash. She does not want any more low income housing in area. Ms. Swan asked council to change zoning to not allow any more 4 & 8 plexes.

Arlene Peterson told about the high traffic volume on 800 East and the safety concern of children playing in the road. Mrs. Peterson stated she was in favor of the zone change.

Howard Somers, a new resident to the area, read a statement listing his concerns and asked the council to place a moratorium on the building of 4 & 8 plexes.

Wells Brockbank stated he was against the zone change. Mr. Brockbank reminded the council the property has been zoned commercial for many years. He stated the city is in need of rental housing and this is what the area is zoned for.

Mark Johnson stated that the current ordinance in place should help in many of the problem areas and concerns raised. He is against the zone change and feels the current zoning requirements of the multiple family dwellings were more than adequate.

Kathy Johnson told the council that her father bought the property many years ago knowing that the property is commercial. She is against the zone change.

Adel Youd stated there were too many 4-plexes in the area. She told of the children playing in the road and the safety concern if more children a put in the area. She is in favor of the Zone Change.

Mary Ann Hayes of children playing in the road not in designed play areas. She is in favor of the Zone Change.

Councilmember Woodhouse made a **motion** to close the Public Hearings of **Mecham Zone Change Request**. The **Second** was made by Councilmember Swenson. The motion **passed** with a unanimous vote.

Councilmember Woodhouse made a **motion to deny** the Mecham Zone change and to **issue a moratorium** on all multiple family dwellings with in the city limits for the time period of two (2) months, so further study could be conducted on standards for multiple family dwellings. The **Second** was made by Councilmember Chapple. The motion **passed** with a vote of three to two. Councilmembers Chapple, Gordon and Woodhouse voting yea and Councilmembers Swenson and Peterson voting nay.

Hurst Zone Change Request

Councilmember Woodhouse made a **motion** to go into a public hearing to discuss the **Hurst Zone Change**. The **second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote.

Public comment concerning: **Hurst Zone Change Request:**

Paul Wyle, the developer, stated he was requesting the zone change from C-1 to R-3. He explained that he was interested in developing condominiums on the lower property and four-plexes on the top section. Council discussed the need for a "PD overlay" with the R-3 zone request. It was felt that a "PD overlay" would be needed. Mr. Wyle stated he needed the zone change before he obtained a "PD overlay". Other areas discussed were: power, sewer, water, road design and access to 4-plexes.

Councilmember Woodhouse made a **motion** to close the Public Hearings of **Hurst Zone Change Request**. The **Second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote.

Councilmember Swenson made a **motion to reject** the Hurst Zone Change Request of C-2 to R-3. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a 3 to 2 vote. Councilmembers Woodhouse, Gordon, Swenson voting yea and Councilmember Chapple and Peterson nay.

Master Policy Declaration Map Amendment

Councilmember Peterson made a **motion** to go into a public hearing to discuss the **Master Policy Declaration Boundary Map**. The **second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote.

Public comment concerning: **Master Policy Declaration Boundary Map Amendment**

No public comment noted. Mr. Heap explained the need for the amendment to the Master Policy Declaration Map to the East. Following negotiations with Mapleton over the Trojan Powder Plant, Spanish Fork's new boundary declaration would include all of Trojan Powder Plant property.

Councilmember Chapple made a **motion** to close the Public Hearings of **Proposed Policy Declaration Boundary Map Amendment**. The **Second** was made by Councilmember Gordon. The motion **passed** with a unanimous vote.

Councilmember Gordon made a **motion to accept** the amendment to the Master Policy Declaration Boundary Map to include all of the Trojan Powder Plant property. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

PUBLIC HEARING - Title 17 Review

Councilmember Gordon made a **motion** to go into a public hearing to continue the review of Title 17 of the City Code. The **second** was made by Councilmember Woodhouse. The motion **passed** with a unanimous vote.

Mr. Oyler discussed some of the areas the council will be reviewing over the next to meetings.

Councilmember Gordon made a **motion** to continue the Public Hearings of **Title 17 Review** to the next meeting. The **Second** was made by Councilmember Swenson. The motion **passed** with a unanimous vote.

[Note: End of Public Hearings]

Canyon Ridge Subdivision Plat "A": Preliminary and Final

Mr. Heap answered questions about the Subdivision. Developer understands there needs to be an emergency turn around at the end of the subdivision. The first Phase will have 21 lots. The subdivision has a potential of 114 lots.

Councilmember Gordon made a **motion** to accept Canyon Ridge Subdivisions Plat "A": Final. A **second** was made by Councilmember Peterson. The motion **passed** with a unanimous vote.

Melvin Barney Annexation Petition

Mr. Barney explained his need for requesting annexation. Mr. Barney is living in a Mobile Home and wants to be annexed as a commercial zone. Council mentioned concerns about the proper zoning and the additional road. Councilmember Swenson made a **motion** to accept the petition and refer it to the Planning and Zoning Commission for study and recommendations. The **second** was made by Councilmember Gordon. The motion **passed** with unanimous vote.

Bid - One Ton Truck - Parks

Mr. Clark presented the council with the bid results for a one ton truck for the Parks department. Bid was for cab and chassis only. Councilmember Gordon made a **motion** to accept the bid from Smith Auto for \$17,063. The **second** was made by councilmember Woodhouse. The motion **passed** with unanimous vote. Other bids: Barber Brothers \$18,146.15.

Bid - Property lease - West of Ball Parks

Mr. Clark presented the council with the bid results for farm property located west of the city baseball parks. Bid was for a three (3) year lease. There is about 12.4 acres of land. Council stated that the lease should contain an escape clause if the city needs the property to future expansion. Councilmember Swenson made a **motion** to accept the bid from Gary Galt for \$2,269.20. (756.40 per year) The **second** was made by councilmember Gordon. The motion **passed** with unanimous vote. Other bids: Paul Hansen \$2,193. (\$709 + \$734 + \$750)

Other Business:

Swimming Pool

Jack Swenson reviewed designs for a future swimming pool. The City Council instructed the staff to obtain a proposal from the architect firm of Gillies, Stransky, Brems & Smith for a pool design.

Legal Update

Junior Baker updated the council on pending litigation of the city.

Councilmember Gordon made a **motion** to return to regular council meeting and adjourn the meeting. The **second** was made by Councilmember Chapple. The motion **passed** with unanimous vote.

Adjournment 11:15