

Adopted Minutes
SPANISH FORK CITY COUNCIL MEETING
April 21, 1993

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

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

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard Heap Public Works Director/City Engineer; Dee Rosenbaum, Public Safety Director; Junior Baker, City Attorney;

Citizens Present: Steve Collings, Russell Collings, Melvin Barney, Ted Barney, Matt Johnson, Malcolm Beck, Jennifer James, Mike Hawkins, Rachel Halverson, Sharalyn Birch, Jay Birch, Jeri Jackson, Hal Johnson, Madge Johnson, Barbara Nielsen, Jening Nielsen, Dan White Claire White, Doug Barber, Susan Barber, JJ Hamblin, Terry Beebe, RD Cundiff, Curtis J. Butler, Daine Butler, Richard Ericksen, Janet Ericksen, Jeff Vice of the Dessert News, Jeff Foster, Carol Berrett, Mike Daniels, Jared Smith, Gordon Ludlow, Jeff Tuttle, Blaine Evans, Clyde Naylor, David Bateman, Garth Swenson, J. Blaine Swenson, Joanne Beckstrom, Mary Carlson, John Carlson, Mark Jarvis, Owen Quarnberg, J.Merrill Hallam, Jesse Perkins, Matt Jenkins.

Minute Passage

Councilmember Woodhouse made a **motion** to accept the minutes of the April 7, 1993 regular session of the council meeting and the presented warrants. The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote.

Employee of the Quarter

Mayor Huff and the City Council presented Jeff Foster with the award of Employee of the Quarter. Jeff is the Electrical Superintendent.

Citizen Request - Mr. L. Jay Birch

Mr. L. Jay Birch requested the council to place a moratorium on 4-plexes until more information could be gathered. Council discussed the issue of 4-plexes and the moratorium. Councilmember Gordon made a **motion** to table the issue until May 5th Council Meeting. The **second** was made by Councilmember Peterson. The Motion **Passed** with a unanimous vote. A Public Hearing is scheduled May 5th to consider the North Park Village Zone change request.

Councilmember Chapple made a **motion** to open the Public Hearing for the purpose of hearing input concerning the Gull Zone Change. The **second** was made by Councilmember Gordon. The Motion **Passed** with a unanimous vote.

PUBLIC HEARING * Gull Zone Change

Mr. Oyler addressed the impact the Jail would have on the area. He reported information gathered from other cities that have county jails in them. Cities reporting: Farmington, Cedar City, St. George, Vernal, So. Salt Lake. Mr. Oyler had talked to the Mayors, City Managers, Chamber Of Commerce and existing businesses near the Jail. Findings of the survey were as follows: 1) There were concerns prior to construction but the jail became a non-issue after it was built. 2) Some were glad to have the jail near by because of the added security for the area.

It was explained the jail is being moved from Provo because of residential area growing around the existing facilities. Provo City offered the County other property but the County choose the Spanish Fork site.

Public Works Director Richard Heap discussed the added utility services to the area. Mr. Heap explained the City would generate about \$60,000 profit from the sale of electrical services. Mr. Heap told about the street requirements of the county. A road would be constructed through to Springville 4th South to have another freeway access to Spanish Fork Main Street. The county would spend around \$300,000 on infrastructure. Mr. Heap informed the council there was about 1700 acres of industrial zoned property and only 400 acres being used for industry.

Public Safety Director Dee Rosenbaum reported information he has gathered from other police chiefs who have a county jail in their community. Many positive opinion were received. Having the jail located so close is very convenient for the local officers. The police chiefs also noted the added security in the jail area reduced the problems in the area.

Mr. Clyde Naylor (County Engineer) explained the need for a new county jail. He also explained the need for a zone change. He showed drawings of the complex and proposed streets in the area. Mr. Naylor explained the things the county would do at the facility. Mr. Naylor explained some of the items the county would do in the construction improvements.

Mr. Oyler recommended to the council if the zone change is approved, it would be with the condition of the county entering into an agreement with the city. The agreement would be to bind the county to fulfill its side of the agreement. The agreement would address items such as: 1) Utility improvements, 2) Dry Creek, 3) Street improvements, 4) Release of inmates policy, 5) Housing of state and federal inmates. etc...

Councilmember Chapple asked how the city would monitor the agreement. Commissioner Beck stated the records are open to the public and the city.

Mayor Huff turned the time to the public in attendance at the meeting.

Steve Hutchings asked about the impact of the people coming to visit those in the jail, would have on the city as a whole? Mr. Oyler explained his findings from other communities - No negative impact.

Jacky Mitchell asked if the Judge could ordering state/federal inmates to go to a County Jail. Sheriff Bateman said it depended on how the judge does the sentencing. Ms. Mitchell asked what benefit a tax exempt business would be to the city? Councilmember Gordon explained the city would get utility revenue. Ms. Mitchell stated concerns about opening the door to the State to condemn the property next to the jail and do what ever the state wants.

Larry Hughes asked the number of beds the jail would have? Sheriff Bateman stated 300 now with the ability of 600 in the future.

J. Merrill Hallam reviewed information gathered by a committee of citizens ("The Other Side of the Fence"). Mr. Hallam explained the surveys sent out and how they were received back. Mr. Hallam discussed the questions raised by the surveys. The information packet listed the comments submitted by those who returned the surveys. Mr. Hallam stated the city of Spanish Fork should not take the whole impact for the whole county.

Blaine Evans stated he was against the jail coming to Spanish Fork. His main concern was for the type of people who will be coming to visit those in jail.

Carol Barrett rebutted Mr. Evans comments of the type of people who come to the jail to visit. Ms. Barrett stated they were mostly women and children coming to see their husbands and fathers.

Councilmember Woodhouse made a **motion** to close the public hearing for the Gull Zone change. The Second was made by Councilmember Gordon. Councilmember Peterson asked to keep the public hearing open a little longer to allow more public input. Mayor Huff turned the time to the public for additional comments.

Lil Shepherd stated she did not think the jail would be good for the city. She felt the city was too good for the jail.

Steve Olson read a statement from his neighbor who could not attend. The statement requested the council to deny the zone change request.

Mark Jarvis stated he was concerned about what might happen in the future. He asked council to look at the long term picture.

Jeff Tuttle asked the council to look at the public opinion. Mr. Tuttle asked what benefit the jail would have to Spanish Fork?

Sheriff Bateman stated that Spanish Fork has 4% of the population in the county. He also stated that 17% of the inmates in the jail right now have Spanish Fork addresses.

Mayor Huff thanked those that contributed input at the public hearing. Mayor Huff reminded the council there was a motion to close the public hearing before the council that has been seconded. The Mayor asked for a vote. The Motion **Passed** with a unanimous vote. (Gull Public Hearing closed)

Councilmember Peterson stated he would like more information to get to the public before he voted.

Councilmember Woodhouse made a **motion** to approve the Gull Zone Change request to Public Facility with the condition the county enter into the agreement with the city. The agreement will be an Interlocal Cooperation Agreement that the city attorney shall draft and present to the council for approval. Councilmember Swenson asked to amend the motion to include the due date of July 1, 1993 for the agreement to be signed. Councilmember Woodhouse accepted the amendment. The **second** was made by Councilmember Gordon. The Motion **Passed** with a vote of 4 to 1 with Councilmember Peterson voting against the motion.

Melvin Barney Annexation - Adoption

Mr. Barney stated his request for a C-2 zone. Mr. Heap explained the request and the non-conforming and conforming issues the annexation to cause. The council discussed the issue. Councilmember Peterson made a **motion** to DENY the annexation of the Melvin Barney property. The **second** was made by Councilmember Swenson. The Motion **Passed** with a vote of 4-1 with councilmember Gordon voting against the motion.

Wolf Hollow Ridge Preliminary Plat

Mr. Heap explained the plat and developer requirements. Councilmember Peterson made a **motion** to approve the preliminary plat of the Wolf Hollow Ridge. The **second** was made by Councilmember Gordon. The Motion **Passed** with a unanimous vote.

Oakwood Heights Final Plat C

Mr. Heap explained the plat and developer requirements. Council discussed the need for the fence on the East side of plat. Council discussed with the developer the need for a turn around. Councilmember Gordon made a **motion** to approve the Oakwood Heights Final Plat C with the fence and turn around. The **second** was made by Councilmember Swenson. The Motion **Passed** with a unanimous vote.

Green Acres Final Plat D

Mr. Heap explained the plat and developer requirements. Councilmember Gordon made a **motion** to approve the Green Acres Final Plat D. The **second** was made by Councilmember Swenson. The Motion **Passed** with a unanimous vote.

Development Standards

Mr. Heap explained the need for the change in the development standards. The main change is in the point of measurement on calculating the frontage in a cul-de-sac. Councilmember Chapple made a **motion** to approve the changes to the development standards. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

Councilmember Gordon made a **motion** to open a public hearing to discuss Development Fees charged by the city. The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote.

PUBLIC HEARING * Development Fees

Mr. Heap explained new fees that would be charged to developers. Annexation Fee & Zone Change \$100, Board of Adjustment request \$50, Zone Change \$100, review committee charges varied. No public comments were noted.

Councilmember Chapple made a motion to close the public hearing. The **second** was made by Councilmember Gordon. The Motion **Passed** with a unanimous vote.

Council discussed the new fees. Councilmember Chapple made a **motion** to approve new development fees. The new fees would be effective tomorrow morning. The **second** was made by Councilmember Swenson. The Motion **Passed** with a unanimous vote.

Councilmember Gordon made a **motion** to open a public hearing to discuss the Fairway Meadows Development (R-1-9 with PRD overlay). The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote.

PUBLIC HEARING Fairway Meadows Development

Mr. Heap explained the PRD overlay and developer requirements the Planning Commission recommended. The Planning Commission recommended approval with the conditions the developer would be required to improve the Riverbottoms Road from property to Powerhouse Road. The road would need to be 24 ft. wide with a 2 1/2 inch asphalt overlay. The developers asked the road requirement be waived or delayed to the end of the project. There were other conditions were recommended by the Planning commission. Councilmember Gordon made a **motion** to close the public hearing. The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote.

Council discussed Fairway Meadows Development. Council discussed the requirements of the developers. Councilmember Gordon made a **motion** to approve the Fairway Meadows PRD Development (R-1-9 with PRD overlay) as per the Planning Commissions recommendation. The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote.

Library Board Report

Eric Jones of Dynix Systems presented some options available to the city to get a computer system in the library. Cost of a system would be between \$36,000 to \$50,000. Council stated they would consider the computer system in the coming budget hearings next month.

Councilmember Peterson made a **motion** to enter an executive session to discuss legal issues. The **Second** was made by Councilmember Chapple. The Motion **Passed** with an unanimous vote.

EXECUTIVE SESSION - Legal Issue

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

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard Heap Public Works Director/City Engineer; Dee Rosenbaum, Public Safety Director; Junior Baker, City Attorney;

Adjournment

Councilmember Gordon made a **motion** adjourn the meeting. The **second** was made by Councilmember Chapple. The motion **passed** with unanimous vote.

Adjournment 12:15 am