

**Adopted Minutes**  
**SPANISH FORK CITY COUNCIL MEETING**  
**January 5, 1994**

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

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

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

Citizens Present: David Bradford, Kathryn Dynks, Amber Banks, Bruce Banks, Chris Banks, Maurine Swenson, Connie Moosman, Eddie Moosman, Gwen Lance, DeRay Tame, Ron Crook, Lucille Chapple, Brad Jex, Terri Jex, Lewis W. Jex, Ron Davis, Loriane Davis, Sid E. Hayden, Jerry Shaw, Benjamin Lim, Tracy Young, Garth Swenson, Francis Bona, Hal Rasmussen, Merrill Binks, Lant B. Olsen, Joyce Creer, Haward Creer, Brian Ellsworth, Ann Banks, Blake Barney, Melanie Barney

**Oath of Office to Mayor and Councilmembers**

Mr. Clark administered the oath of office to the Mayor and two Councilmembers:

- \* Marie W. Huff- Mayor
- \* Rex Woodhouse - Councilmember
- \* Thora L. Shaw- Councilmember

Each of the above will serve for a 4 year term of office.

**Minute Passage**

Councilmember Peterson recommended some wording changes in two sentences. Councilmember Swenson made a **motion** to approve the minutes of the December 1 and 15, 1993 regular session of the City Council Meeting with the minor corrections and the presented warrants. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

**PUBLIC HEARING - Title 17, C-2 Zone**

Councilmember Chapple made a **motion** to enter a public hearing to discuss Title 17, C-2 Zone Change. The **second** was made by Councilmember Peterson. The Motion **Passed** with a unanimous vote.

Mr. Heap explained the background for the public hearing. Last March, the City Council heard comments from the public on their concerns over two many multi-family dwellings in the 800 East and 500 North area. In an effort to remedy those citizens concerns, Title 17 was amended to not allow residential use in a Commercial Zone. As a result of this amendment, residential use property located downtown that was zoned Commercial would be non-conforming. The City next sent a letter to the property owners in the Main Street area requesting them to select which zone they would prefer

(Residential or Commercial). The response from the property owners were to keep both residential and commercial on Main Street. Mr. Heap explained the findings from the Planning and Zoning Commission.

The Planning and Zoning Commission heard public comment over the past month and gave the following recommendation to the City Council: The area from 900 North to 300 South and one block each side of Main Street be allowed residential use in the C-2 Zone. The areas of town that are zoned commercial would not allow any residential use without being non-conforming.

Mayor Huff asked if there were any public comment. The following citizens presented comments:

Blake Barney presented the Mayor and Council two(2) petitions signed by local business owners on Main Street. The first, requesting protection of rights for residential property owners. The second, requesting a change in the landscape requirement dealing with masonry wall as a visual barrier fence. After a discursive discussion, the council suggested this item be placed on the agenda at a future time. Garth Swenson stated he wanted the residential use to continue in the commercial two zone (C-2).

Howard Creer explained to the Council that he felt he was down zoned without being notified. Mr. Creer requested to have residential use continue in the commercial two zone (C-2).

David Bradford stated he wanted the residential use to continue in the commercial two zone (C-2). Mr. Bradford also stated that more restrictions should be placed on the light manufacturing and warehouse uses in the C-2 zone.

Various other citizens expressed their feelings about the zoning modifications. Some felt it should have been left as it was prior to March of 1993. Others felt that as exception should be make for some parts of town.

Property owners on Main Street, south of 300 South, requested the corridor be extended down Main Street to the city limits on the south. The property near K & K Auto on 800 North was discussed.

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

Councilmember Swenson made a **motion** to adopted Ordinance 01-94: amending the C-2 zone. The **second** was made by Councilmember Chapple. The Motion **Passed** with a unanimous vote. In summary: The ordinance would place an exception on the C-2 zone found with a four(4) block corridor down main street. The corridor would be between 200 East and 200 West starting on 1000 North and ending with the city limits on the south end of Main Street. The exception would allow residential use with the C-2 zone. Other C-2 zones found throughout the City not within the corridor would not allow residential use.

## **CITIZEN REQUESTS      Eagle Scout Project - Brian Ellsworth**

Brian Ellsworth explained is eagle project to the Mayor and Council. Brian will be starting a Child Identification program at the Rees Elementary School. Councilmember Shaw made a **motion** to support Brian Ellsworth in his project. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

## **Appointment of Elected Official Assignments, City Boards, City Commissions, and City Committees.**

The Mayor presented the following list to the Council to approve as appointed officials, boards, commission and committees of the city:

Thora Shaw	Risk Management Committee Arts Council Utah County Fair
Clyde Swenson	Planning and Zoning Commission Personal Committee
Doug Christensen	Planning Commission
Howard Pearson	Utility Board
Jerry Shaw	Board of Adjustment
Kris Christensen	Library Board
Carolyn Judd	Library Board

### **Staff Members:**

David A. Oyler	City Manager
Kent R. Clark	Finance Director/Recorder
Dee Rosenbaum	Public Safety Director/Chief of Police
Claire B. White	Treasurer
Richard J. Heap	Public Works Director/City Engineer
S. Junior Baker	City Attorney

Councilmember Woodhouse made a **motion** to accept the presented list of appointments. The **second** was made by Councilmember Peterson. The Motion **Passed** with a unanimous vote.

### **PUBLIC HEARING - Hayden Annexation R-A-1**

Councilmember Chapple made a **motion** to enter a public hearing to discuss Hayden Annexation. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

Mr. Heap explained the request of annexation. Requesting RA-1 zone at annexation. The property is 11 acres and is located near Millers Trailer Court. Mr. Hayden answered questions asked by the Council.

Councilmember Woodhouse made a **motion** to close the public hearing to discuss Hayden Annexation. The **second** was made by Councilmember Shaw. The Motion **Passed** with a unanimous vote.

### **EXECUTIVE SESSION**

Councilmember Chapple made a **motion** to enter a executive session discuss purchase of Real Property. The **second** was made by Councilmember Woodhouse. The Motion **Passed** with a unanimous vote.

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

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

## **Adjournment**

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

Adjournment 10:45 pm