

Adopted Minutes
Spanish Fork City Council Meeting
February 15, 1995

The meeting was called to order at 6:30 pm by Mayor Marie W. Huff for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was lead by local boy scout Christopher Prestwich.

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

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; S. Junior Baker, City Attorney; and Heather Frost, Deputy Recorder.

Citizens Present: Chris Rideout, Dave Backman, Chris Prestwich, Jared Chapple, Tyler Nelson, Joseph Hickman, Bodie Humphrey, Derek Brinkerhoff, Margie Taylor, Von Hill, Grant Atwood, Sterling Jones, Kathleen Koyle, Rick Salisbury, Garth Prestwich, Aaron Prestwich, Pat Poyfair, Deseret News; Jonathan F. Cope, Earl M. Davis, and Leann Moody, Spanish Fork Press.

Minutes

Councilmember Woodhouse made a **motion** to accept the minutes of the February 8, 1995, regular city council meeting, with noted corrections. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Utility Board Appointment

Mayor Huff made the appointment of Mr. Brad Wilkinson to the Utility Board.

Councilmember Woodhouse made a **motion** to ratify the appointment of Mr. Brad Wilkinson to the Utility Board. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

Citizen Request - Lions Club

Mr. Grant Atwood and Mr. Sterling Jones approached the council expressing their desire to charter a Lions Club in Spanish Fork. They described projects the Lions Club is involved in and the community service they participate in within chartered cities. The council showed no opposition to a Lions Club in Spanish Fork City.

Public Hearing - Zone Change Request. Dr. Judd. (R-1-6 to Professional Office)

Councilmember Shaw made a **motion** to open the public hearing at 7:15 pm. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

Mr. Heap explained the zone change request. He asked for public input.

Mr. Von Hill said he and his partner are interested in renting the building on this property and practicing physical therapy. Mr. Hill noted he and his partner have been looking for a place to practice in Spanish Fork and have been unsuccessful.

Mr. Heap said the Planning Commission and the Development Review Committee recommend approval of the Dr. Judd zone Change with the recommendation of the requirement of a 6' masonry wall. Mr. Heap noted the council would be discussing amendments to the fence ordinance later in the meeting. Mr. Hill said the owner of the building said if a masonry fence was required, he would no longer want to change the zone.

Mayor Huff asked for input from the public. No public input was received.

Councilmember Peterson suggested tabling a decision on the zone change request until a determination is made on the fencing requirement.

Public Hearing - FY 95 Budget Revision #1

Mr. Oyler reviewed the FY 95 Budget Revision #1.

Mayor Huff asked for public input. None was received.

Councilmember Shaw made a **motion** to close the public hearing at 8:00 pm. The **second** was made by Councilmember Peterson, and the motion **passed** unanimously.

Councilmember Swenson made a **motion** to approve the FY 95 Budget Revision #1, including the fairgrounds rate change. Councilmember Woodhouse **seconded**, and the motion **passed** with a unanimous vote.

Mountain Park Estates - Preliminary

Mr. Heap reviewed the staff report and the recommendations of the Planning Commission and the Development Review Committee.

Councilmember Chapple made a **motion** to approve Mountain Park Estates - Preliminary subject to the following conditions: 1) The radius of the cul-de-sacs at 690 East and 770 East are widened to 60'; and 2) The residents in the cul-de-sacs at 810 South and 860 South are required to bring their garbage out to 690 East. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Spanish Ridge - Preliminary

Mr. Heap reported the recommendations of the Planning Commission and the Development Review Committee.

Councilmember Peterson made a **motion** to approve Spanish Ridge - Preliminary subject to the following conditions: 1) 1680 South is made into a through street with a temporary turnaround; and 2) The cul-de-sac at 1625 South is widened to 60' in diameter. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Contract - H.E. Davis Gravel Sale

Mr. Heap reviewed the proposed contract to sell the gravel out of the city's gravel pit to H.E. Davis & Sons. Mr. Earl Davis and Mr. Jon Cope expressed their desire to include a first right of refusal on the property in the contract. The council stated they would not be interested in including the first right of refusal provision in the contract.

Councilmember Woodhouse made a **motion** to authorize Mayor Huff to sign the contract with H.E. Davis & Sons with noted additions. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Demolition and Disposal of the Old Utah National Guard Armory Building

Mr. Heap reviewed the bids for demolition and disposal of the old Utah National Guard Armory. He recommended the low bid of \$27,800.00 from H.E. Davis & Sons.

Councilmember Shaw made a **motion** to award the bid for demolition and disposal of the old Utah National Guard Armory to the low bidder, H.E. Davis & Sons, for the amount of \$27,800.00. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote. Other bid received: Barney Construction \$38,800.00.

Oaks, Phase IV, Plat G - Preliminary

Mr. Heap said the Development Review Committee recommends the developer be required to install sidewalk in this development. He said the Development Review Committee and the Planning Commission recommend approval subject to the verification of a 15% common area within the P.R.D. Ms. Kathleen Koyle questioned the requirement of sidewalk in this development when the previous development had not been required to install sidewalk.

Mr. Heap was instructed to bring the original preliminary plat for the council to review.

Seven Mountain, Plat A - Final

Councilmember Shaw made a **motion** to approve Seven Mountain, Plat A - Final subject to the following conditions: 1) A sump is installed for storm drainage on the south west corner of Lot 1; and 2) In-lieu-of a temporary turnaround, gravel is laid on 500 North between the development and 1000 East. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Ordinance 04-95: Ordinance Amending Title 17.36.070; and 17.36.080; and 17.40.070; and 17.40.080; and 17.52.040.

Mr. Oyler reviewed the proposed amendments. Attorney Baker was instructed to amend the proposal.

Oaks, Phase IV, Plat G - Preliminary

The council and staff reviewed the original preliminary. They discussed the liability the city would have if sidewalks were not required in the development.

Councilmember Peterson made a **motion** to approve the Oaks, Phase IV, Plat G - Preliminary subject to the following conditions: 1) Verification of a 15% common area within the P.R.D.; and 2) Sidewalk is installed the length of the subdivision. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Sunset Park - Preliminary Plat

Mr. Oyler reviewed the changes from the original plat.

Councilmember Shaw made a **motion** to approve Sunset Park subject to the following conditions: 1) Asphalt is installed the full width of 630 West, and the school district installs the curb, gutter, and sidewalk on the west side; 2) Asphalt is installed up to the railroad right-of-way and the remaining portion is bonded for on Center Street; 3) The ditch under Center Street is lowered and adequately piped or relocated; 4) 900 West is asphalted 1/2 plus 10 feet; 5) All streets in the development are addressed; 6) The cul-de-sac radius is widened to 60' and the residents in the cul-de-sac are required to bring their garbage out to the beginning of the curb on each side of the cul-de-sac; 7) The water line on 630 West is tied from their project to the property near the church; 8) A sewer easement is obtained through Henderson's property; 9) Storm drainage is retained on site, if percolation tests show on-site retention is not possible, storm drainage is drained into Westfield Irrigation System; and 10) The sec ditch is piped from Center Street to the north property. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

Ordinance 04-95: Ordinance Amending Title 17.36.070; and 17.36.080; and 17.40.070; and 17.40.080; and 17.52.040.

Councilmember Peterson made a **motion** to adopt Ordinance 04-95: Ordinance Amending Title 17.36.070; and 17.36.080; and 17.40.070; and 17.40.080; and 17.52.040; with noted additions. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Ordinance Z-112: Dr. Judd zone change request (R-1-6 to Professional Office)

Councilmember Swenson made a **motion** to approve Ordinance Z-112: Dr. Judd zone change from R-1-6 to Professional Office. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

Miscellaneous

The council discussed Mr. Dale Baum's request to amend the zoning ordinance from the requirement of a ten foot side yard to a one foot side yard in the old part of Spanish Fork.

Councilmember Peterson made a **motion** not to consider the request any further and to proceed with legal action. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

The council discussed the Bow Valley property sale.

Adjournment

Councilmember Chapple made a **motion** to adjourn the meeting at 10:30 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.