

Adopted Minutes
Spanish Fork City Council Meeting
April 5, 1995

The meeting was called to order at 6:30 pm by Mayor Pro Tem Rex Woodhouse for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was lead by local boy scout Jonathan Frandsen.

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

Staff Members Present: Kent R. Clark, Recorder/Finance Director; Richard J. Heap, Engineer/Public Works Director; Dee Rosenbaum, Public Safety Director; S. Junior Baker, City Attorney; and Heather Frost, Deputy Recorder.

Citizens Present: Ryan Lemon, Robbie Horn, Lane Olson, Jesse Berry, Scott Griffiths, Chris Davies, Devin Schaugaard, Jake Caste, Jonathan Frandsen, Matthew Davies, Matt Swenson, Ross Boothe, Brian Kuhni, Stanton Roseman, Mark Boothe, Matt Wayment, Wells Brockbank, Kevin J. Kuhni, Ellis Taylor, Tucker Bradley, Brandon Hancock, Sam Hadlock, Peter Bell, Cheryl Jensen, Stephen Jensen, Jayne Clark, Kathryn Christensen, Mary Lynn Titus, Diana Madsen, Sunya Osborn, Sherman E. Huff, Joe Moffit, Gerald Hansen, Jody L. Huff, Monica Heaton, Sarah Hamilton, Michael P. Watson, John Willden, David Kerr, Doyle Barney, Judy Cundy, Debbie O'Brien, Harold R. Frisby, Steve Turner, Jason Turner, Paul K. Stead, Clark Swenson, Brett Warren, Kelly Roseman, David Davis, Todd Banks, Mitchell Banks, Parry Osborn, Joshua Clare, Amy Bastian, Becky Patterson, Jenifer Roseman, Brooke Dansie, Ryan Simons, Ryan Simons, Pete Larsen, Mitchell Burby, Brett Boshard, Ray Davis, Fran Larsen, Darin Christensen, Jeff Williams, Chris Child, Blair Arnell, and Tracy Frandsen.

Minutes

Councilmember Peterson made a **motion** to approve the minutes of the March 15, 1995, regular city council meeting. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Citizen Request - Kris Poulson

Mr. Kris Poulson explained to the council he purchased property outside the city limits and would like to develop the land and receive city water. He said the city has run a water line past his property to another property. He requested three hook-ups to the city water line.

Mayor Pro Tem Woodhouse stated it would be against city policy to allow three hook-ups to the water line. He indicated Mr. Poulson is allowed one hook-up under city policy because he is outside city limits.

Mr. Poulson inquired as to the amount of property required before the council would consider annexation.

Councilmember Peterson explained the reason the line was run out of city limits was for a hardship situation. He said that property owner was allowed one additional hook-up to help offset costs. He said the city has been slow to annex any property for the following reasons: 1) The difficulty of

providing overall services to property within the city limits; and 2) The need to provide full services - septic tanks are not allowed in subdivisions.

Mayor Pro Tem Woodhouse said the city will maintain the policy as it is currently written. Mr. Poulson is allowed one water hook-up under current city policy.

Resolution 95-03: A Resolution Enforcing the Utah Clean Air Act and Tobacco Laws

Boy scout troop 870 presented proposed Resolution 95-03: A Resolution Enforcing the Utah Clean Air Act and Tobacco Laws to the city council.

Councilmember Chapple made a **motion** to adopt Resolution 95-03: A Resolution Enforcing the Utah Clean Air Act and Tobacco Laws. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Rotary and Spanish Fork Area Chamber of Commerce Golf Classic Tournament

Dr. Tracy Frandsen informed the council the Rotary and Spanish Fork Area Chamber of Commerce will hold their annual Golf Classic Tournament on May 4, 1995, in conjunction with the city's annual Pro-Am Golf Tournament. He said a contract is being prepared which will state the city's responsibilities and the Rotary/Chamber's responsibilities to make the tournament a success. Dr. Frandsen discussed several options the council could include in the contract.

Mayor Pro Tem Woodhouse suggested drafting a contract for the council's review. Councilmember Peterson suggested including optional paragraphs from which the city could choose.

Public Hearing - Bastian/Hansen Zone Change from C-2 to R-1-8 or R-2

Councilmember Chapple made a **motion** to open the public hearing at 7:30 pm. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Heap reviewed the recommendations of the Development Review Committee and the Planning Commission. He said they recommend approval of the Bastian/Hansen zone change from C-2 to R-1-8. The hearing was then opened for public input.

Mr. Blair Arnell stated he anticipates purchasing and developing the Bastian/Hansen property. He said his original intent was to develop twin homes on the property, but he said Chris Child, an adjacent property owner, had contacted him and they discussed the possibility of a planned residential development throughout both properties.

Mr. Chris Child said his intent of building a single family development with an occasional twin home had changed when he was informed of plans to build identical twin homes throughout an entire development on property adjacent to his. He felt a development of that kind, adjacent to his, would completely change the complexion of the neighborhood. Mr. Child presented a proposal for a planned residential development throughout his and the Bastian/Hansen properties.

Mr. Michael Watson, a homeowner in the Lynnbrook subdivision, furnished the council with a petition signed by 59 neighboring homeowners opposing the Bastian/Hansen zone change request from C-2 to R-2. He said he represented every homeowner in the Lynnbrook subdivision and a vast majority of

homeowners in Miller's trailer court. Mr. Watson stated the developers plan to add 66 units and the neighbor's are concerned with the following items: 1) Increased traffic; 2) Quality of life; 3) Decreased property values; and 4) Upkeep of rental units.

Mr. Dave Kerr expressed concern with the increased traffic and the children in the area.

Ms. Becky Patterson said her concern is with the 13 two year olds in the neighborhood with the increased traffic. She said she does not want her neighborhood to be run down rental units. She commented she would rather have the land remain vacant than to have rental units on the property.

Mr. Doyle Barney stated the people in the trailer park are against multiple family homes in the area.

Mr. Joe Moffit said he had moved from a twin home and an area with traffic problems. He voiced his opposition to anything above a single family unit.

Ms. Judy Cundy, represented Mr. Gerald Hansen in saying the property in question is currently zoned C-2. She listed allowed uses in the C-2 zone and inquired if the neighbors would rather see the land developed as commercial. She reiterated the fact that the proposed development would be a planned residential development with an architectural control committee and homeowner's association, which would control the upkeep and maintenance of the development.

Mr. Blair Arnell mentioned he would accept a zone change to R-1-8.

The council discussed tabling this issue until such time as the city planner is hired and can review it from a planning aspect.

Mr. Child requested the council not delay a decision.

Mr. Watson urged the council to deny the zone change request.

Councilmember Shaw made a **motion** to accept the petition and approve the Bastian/Hansen zone change request from C-2 to R-1-8. The **second** was made by Councilmember Peterson, and the vote was **tied** with Councilmembers Shaw and Peterson voting in favor of the motion and Councilmembers Chapple and Woodhouse voting opposed to the motion.

Councilmember Shaw made a **motion** to table the Bastian/Hansen zone change request to the next meeting of the Spanish Fork City Council when a full quorum is present. Councilmember Chapple **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Hurst II Zone Change from RA-1 to R-1-8

Mr. Heap explained because there is no guarantee what will be developed with this zone change, and it is questionable if the area will be conducive to residential, the Development Review Committee and the Planning Commission recommend denial of the Hurst II zone change request from RA-1 to R-1-8 until such time as the master plan addresses the area.

No public input was received.

Councilmember Chapple made a **motion** to deny the Hurst II zone change request from RA-1 to R-1-8. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

Public Hearing - Smiley Zone Change from R-1-8 to C-2

Mr. Heap said the Development Review Committee and the Planning Commission recommend denial of the Smiley zone change request from R-1-8 to C-2, but added they would consider a request to change the zone to Professional Office.

No public input was received.

Councilmember Shaw made a **motion** to deny the Smiley zone change from R-1-8 to C-2. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

Councilmember Peterson made a **motion** to close the public hearing at 8:50 pm. The **second** was made by Councilmember Chapple, and the motion **passed** unanimously.

Inter-Local Agreement for Construction, Use, Operation and Maintenance of Joint Wastewater Facility with Mapleton City

Attorney Baker reviewed minor amendments to the contract.

Councilmember Shaw made a **motion** to authorize Mayor Pro Tem Woodhouse to sign the Inter-Local Agreement for Construction, Use, Operation, and Maintenance of Joint Wastewater Facility with Mapleton City. Councilmember Peterson **seconded**, and the motion **passed** with a unanimous vote.

Swimming Pool Contract

Attorney Baker reviewed the proposed swimming pool contract.

Councilmember Chapple made a **motion** to authorize Mayor Huff to sign the Swimming Pool Contract. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

Request for Windmill at Malcolm Springs

Mr. Heap reviewed the request.

Councilmember Shaw made a **motion** to acknowledge and accept the request for an additional windmill at Malcolm Springs. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

Miscellaneous

Chief Rosenbaum informed the council a radar trailer has been left with the police department to test. He said it has many capabilities, and the police department has placed it in areas where they have several speeding complaints.

Mr. Rosenbaum asked the council for direction on a parking policy at the North Park. He reviewed past policies. The council suggested allowing limited parallel parking on the street, leaving the gate open. Mr. Rosenbaum said he plans to strictly enforce the policy.

Adjournment

Councilmember Chapple made a **motion** to adjourn the regular city council meeting at 9:20 pm. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.