

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**May 3, 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 Jamin Jex.

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

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Recorder/Finance Director; Richard J. Heap, Engineer/Public Works Director; Dee Rosenbaum, Public Safety Director; and Heather Frost, Deputy Recorder.

Citizens Present: Jamin Jex, James Jex, Mike Hansen, Bill Hudson, Bill Hansen, Sherman Huff, Michael Benedict, Cheryl Leavitt, Karl Leavitt, Karl Hansen, Kim Turner, Shawn Taylor, Gordon Taylor, and LeAnn Moody, Spanish Fork Press.

### **Minutes**

Councilmember Shaw made a **motion** to approve the minutes of the April 19, 1995, regular city council meeting. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

### **Citizen Recognition**

Mayor Huff and the council presented Mr. Bill Hansen with a certificate of appreciation for helping with city beautification.

### **Citizen Request - U.S. Postal Service**

Mr. Bill Hudson, a representative of the U.S. Postal Service, informed the council and the citizens present of the Mail Carrier Food Drive. He said Governor Leavitt has proclaimed May 13, 1995, official Mail Carrier Food Drive Day in Utah. He said all food donated in Spanish Fork will go to residents in Spanish Fork through Community Action.

### **Bid for Painting City Office Building Exterior**

Mr. Heap reviewed the bids for painting the Spanish Fork City Office Building. He recommended the low bid of Interstate Painting for the amount of \$11,820.00.

Councilmember Woodhouse made a **motion** to accept the bid of Interstate Painting for the amount of \$11,820.00 for painting the Spanish Fork City Office Building. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote. Other bid received: Brent Wayman Construction - \$18,740.00.

### **Request for Proposal - Engineer for Secondary Irrigation Study**

Mr. Heap suggested a selection committee from the city council and the utility board review the proposals and recommend a final selection.

Councilmember Swenson made a **motion** to appoint Councilmembers Shaw and Woodhouse of the City Council and Mr. Enoch Ludlow and Mr. Howard Pearson of the Utility Board to the selection committee for final selection of an engineering firm to complete the secondary irrigation study. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Fountain Pointe Zone Change from R-A-1 to R-1-8 PRD and R-3 PRD**

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

Mr. Heap reviewed the request. He also reviewed the section of the Comprehensive General Plan addressing the section of town between 1150 East and SR214. He said approval of this zone change would contradict the Comprehensive General Plan. Mr. Heap said the Development Review Committee and the Planning Commission recommend denial of the zone change until the Comprehensive General Plan is updated.

Ms. Cheryl Leavitt said the main purpose of the development is to provide a total senior community in Spanish Fork. She said Fountain Pointe hopes to provide nice, affordable housing for seniors. They will be condominiums with double garages and full basements at an affordable price. Places for entertainment will be provided, such as horseshoes and shuffle board. She said plans include a convenience store, a barber shop, and a large activity room within the development. Ms. Leavitt said there is a real feeling of community in Spanish Fork City and the developer would really like to build their first and best model in Spanish Fork.

Mr. Karl Hansen reviewed the plans for the development. He said there has not been anyone opposed to the concept of the development. Mr. Hansen said waiting until the Comprehensive General Plan is updated would pose a problem with the developer, especially if they waited and the CGP was not amended to allow this development in the area. He asked for the council's approval with conditions. Mr. Hansen said they would be willing to sign a contract agreeing to revert the zone back to R-A-1 if the development does not go in.

Councilmembers Swenson and Woodhouse agreed the concept is good, but the council cannot approve the development when it is contrary to the CGP.

Councilmember Chapple said he also agrees the development is a good concept, but he does not feel the council could approve it against the adopted Comprehensive General Plan. Councilmember Shaw also endorsed the concept, but stated she agrees the council should go through the proper procedure.

The council determined the Comprehensive General Plan should be addressed and updated before they would consider approving the zone change request.

A **motion** was made by Councilmember Shaw to deny the Fountain Pointe Zone Change from R-A-1 to R-1-8 PRD and R-3 PRD. Councilmember Chapple **seconded**, and the motion **passed** with a unanimous vote.

### **Lundell Zone Change**

The council reviewed Mr. Lundell's request. Mayor Huff asked for public input, none was received. Councilmember Swenson made a **motion** to approve Ordinance Z-115: Lundell Zone Change from R-1-6 to C-2. Councilmember Woodhouse made the **second**, and the motion **passed** with a unanimous vote.

Councilmember Shaw made a **motion** to close the public hearing at 7:50 pm. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Request for Proposal - Engineer for Design and Piping of Millrace Canal from the Old Dairy to the Fairgrounds**

Mr. Heap recommended two councilmembers meet with representatives from WestField to recommend an engineering firm to design and pipe the Millrace Canal from the Old Dairy to the Fairgrounds. Discussion took place regarding the locations where the Millrace will be piped and the reasons for piping.

Councilmember Shaw made a **motion** to appoint Councilmembers Woodhouse and Swenson to meet with representatives of WestField for final selection of an engineering firm to design and pipe the Millrace Canal from the old dairy to the fairgrounds. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Request for Proposal - Engineer for Traffic Study and Additional Access on to SR214 on the East Bench**

The council reviewed the proposals.

Councilmember Peterson made a **motion** to accept the proposal of Fehr & Peers, to complete the traffic study and additional access on to SR214 on the east bench. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

### **Request for Proposal - Architect for the Design of Accessibility Construction Dealing with CDBG Grant Concerning Library and Senior Citizens Center**

Councilmember Chapple made a **motion** to select Sandstrom & Madson, Inc., as the architectural firm for the design of remodeling of the Library and the Senior Citizens Center to meet ADA requirements. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a majority vote of 4:1; with Councilmembers Chapple, Woodhouse, Swenson, and Peterson voting in favor of the motion and Councilmember Shaw voting opposed.

### **Ordinance 08-95: An Ordinance Adopting a National Electric Safety Code and Making Minor Amendments to the Electrical Code Chapter in the Title on Buildings and Construction**

Councilmember Swenson made a **motion** to adopt Ordinance 08-95: An Ordinance Adopting a National Electric Safety Code and Making Minor Amendments to the Electrical Code Chapter in the Title on Buildings and Construction. Councilmember Shaw **seconded**, and the motion **passed** unanimously.

**Resolution 94-04: Resolution Authorizing Mayor to Sign Release on Lien on the Following Special Improvement Districts: 1961, City Sidewalks; 1982, North Industrial; and 1983, Gas Line Road.**

Councilmember Woodhouse made a **motion** to adopt Resolution 94-04: Resolution Authorizing Mayor to Sign Release on Lien on the Following Special Improvement Districts: 1961, City Sidewalks; 1982, North Industrial; and 1983, Gas Line Road. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

**Review Plans and Progress for General Obligation Bond Election**

Mr. Oyler and Mr. Clark reviewed with the council the tentative calendar of events for bond election and issuance. The council determined the bond election will be held June 13, 1995, the amount of the bond will be a maximum of \$2,000,000.00, to be paid within ten years.

**Inter-local Agreement - Legal Services - Salem**

Mr. Oyler reviewed the proposed inter-local agreement with Salem for legal services.

Councilmember Shaw made a **motion** to authorize Mayor Huff to sign and enter into the Inter-Local Agreement with Salem City for Legal Services. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

**City Attorney Contract**

Mr. Oyler reviewed the City Attorney contract with the council.

Councilmember Peterson made a **motion** to accept the City Attorney contract with S. Junior Baker as the City Attorney. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

**Presentation of the FY 96 Budget**

Mr. Oyler presented and reviewed the FY 96 budget with Mayor Huff and the council.

**Adjournment to Executive Session**

Councilmember Woodhouse made a **motion** to adjourn the regular session of the city council and convene the Executive Session at 9:30 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

**Adjournment of Executive Session**

Councilmember Woodhouse made a **motion** to adjourn the executive session and reconvene the regular session of the city council meeting at 9:45 pm. The **second** was made Councilmember Peterson, and the motion **passed** unanimously.

**Non-Agenda Item - Bow Valley Earnest Money Agreement**

Councilmember Chapple made a **motion** to terminate the contract between Hearthstone Development and Spanish Fork City for non-payment of earnest money. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

### **Adjournment to RDA**

Councilmember Shaw made a **motion** to adjourn the meeting of the Spanish Fork City Council and convene the meeting of the Redevelopment Agency of Spanish Fork City. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.