

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**June 7, 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 Jordan Peterson.

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

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

Citizens Present: Melissa Bean, Deseret News; Jack W. Leifson, Rod Fife, Dave Backman, Hal Smith, Shawn S. Morin, John C. Hadlock, Jordan Peterson, Leann Moody, Spanish Fork Press; Dave Olsen, Kathleen Koyle, Duane Koyle, and Cliff Hales.

**Minutes**

Councilmember Shaw made a **motion** to approve the minutes of the May 17, 1995, regular city council meeting with noted corrections. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

**Citizen Request - Susan Morris**

Mrs. Susan Morris approached the council regarding the problem of no sidewalks on 900 East and 200 North. She expressed concern with safety especially when the school is completed. She requested the council consider paying a portion of the cost to install curb, gutter, and sidewalk in that area. She noted she had contacted the Nebo School District to ask them to participate also, but they had informed her the school district did not feel a responsibility to pay a portion of the cost. Mrs. Morris said the property owners she had spoken with are not able financially to front the entire cost of the improvements and asked for some kind of assistance from the city.

Mayor Huff informed Mrs. Morris the council would review her request at the work session of the city council scheduled for June 14, 1995.

**Public Hearing - Spanish Fork Clinic Zone Change from R-1-8 to P-O**

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

Mr. Heap reviewed the zone change request made by the Spanish Fork Clinic on property located east of the Spanish Fork Clinic (325 West Center Street). He explained the proposed use of the property will be employee parking and storage of medical records. He said the Development Review Committee and the Planning Commission recommend approval of the zone change request.

No public input was received.

Councilmember Shaw made a **motion** to approve Ordinance Z-116: Spanish Fork Clinic Zone Change from R-1-8 to P-O. Councilmember Chapple **seconded**, and the motion **passed** unanimously.

A **motion** was made by Councilmember Shaw to close the public hearing at 7:20 pm. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Ordinance 09-95: Amendments to Title 8, Solid Waste and Sanitation**

Mr. Oyler reviewed the proposed amendments to Title 8 with the council.

Councilmember Swenson made a **motion** to adopt Ordinance 09-95: Amendments to Title 8, Solid Waste and Sanitation. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

### **Solid Waste Collection Contract**

The councilmembers discussed the solid waste collection contract.

Councilmember Peterson made a **motion** to approve the Solid Waste Collection Contract. The **second** was made by Councilmember Chapple, and the motion **passed** with a unanimous vote.

### **Public Hearing - Morin Zone Change Request from R-A-1 to R-1-9**

Councilmember Shaw made a **motion** to open the public hearing at 7:35 pm. Councilmember Peterson **seconded**, and the motion **passed** with a unanimous vote.

Mr. Heap explained the Development Review Committee and the Planning Commission had recommended denial of the zone change request until such time as the Comprehensive General Plan is updated.

Mr. Shawn Morin and Mr. Hal Smith, the developers, expressed their desire to build approximately 30 single family homes on the property. They mentioned the fact that the surrounding areas are zoned R-1-9 and are similar developments to the plans they have for their property.

Discussion took place regarding the importance of the Comprehensive General Plan. The council agreed the plan should be updated in this area before they would approve the zone change request.

Councilmember Shaw made a **motion** to deny the Morin Zone Change Request from R-A-1 to R-1-9. The **second** was made by Councilmember Chapple, and the motion **passed** unanimously.

Councilmember Shaw made a **motion** to close the public hearing at 7:55 pm. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

### **Ordinance 11-95: Ordinance Establishing Street and Sidewalk Standards**

Mr. Oyler reviewed Ordinance 11-95. He presented photographs of problem areas in the city and informed those present of the many citizen complaints received by the city office. Mr. Rod Fife commented the seven day sidewalk bridge allowance is not reasonable. The council agreed to extend the allowance of bridging the sidewalk to twenty one days.

Councilmember Chapple made a **motion** to adopt Ordinance 11-95: Ordinance Establishing Street and Sidewalk Standards changing the seven day sidewalk bridging requirement to twenty one days. The **second** was made by Councilmember Peterson, and the motion **passed** unanimously.

### **Ordinance 10-95: Amend Title 14, Buildings and Construction, Street Standards - Home Occupancy**

Mr. Heap reviewed Ordinance 10-95. He explained the city has experienced problems with developers not completing the required improvements; for example, streets, sidewalk, curb, and gutter; until after home buyers are allowed to move in. He said because emergency vehicles do not have adequate access to those homes, the city proposes amending Title 14 to refuse to grant a building permit until the streets are in such a condition to allow access by emergency vehicles, with the minimum requirement of four inches of road base; and to refuse to grant an occupancy permit without sidewalk, curb, gutter, driveways, and parking spaces..

Developers present agreed occupancy should not be allowed until streets are installed, but they did not agree with the requirement of installation of streets before a building permit is issued. Discussion took place regarding the possibility of a deferred liability contract making the developer liable if a worker was injured and emergency vehicles were unable to access the development.

Mr. Dave Backman suggested representatives of the developers and city staff and council meet and discuss reasonable solutions to the portion of the ordinance the developers disagreed with. Mr. Dave Backman, Mr. Chris Child and Mr. Dave Olsen agreed to represent the developers at the meeting. Councilmember Swenson, Mr. Heap, Mr. Comstock, and Mr. Baker agreed to represent the city. A meeting was scheduled for Tuesday, June 13, at 10:00 am.

Councilmember Shaw made a **motion** to table Ordinance 10-95: Amend Title 14, Buildings and Construction, Street Standards - Home Occupancy. The **second** was made by Councilmember Peterson, and the motion **passed** unanimously.

Discussion took place regarding the proposal in the FY 96 budget to raise the \$200 construction deposit to \$1,000.

### **Public Safety Facility Bids**

Councilmember Swenson made a **motion** to defer awarding the bid for the public safety building until after the bond election takes place. The **second** was made by Councilmember Peterson, and the motion **passed** unanimously.

### **Adjournment to RDA**

Councilmember Shaw made a **motion** to adjourn the regular meeting of the city council and convene the meeting of the Redevelopment Agency of Spanish Fork at 9:00 pm. The motion was **seconded** by Councilmember Chapple, and **passed** with a unanimous vote.

### **Adjournment of RDA**

Councilmember Chapple made a **motion** to adjourn the meeting of the Redevelopment Agency of Spanish Fork and reconvene the regular meeting of the city council at 9:10 pm. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote.

#### **Public Hearing - FY 96 Budget Hearing**

Councilmember Chapple made a **motion** to open the public hearing at 9:10 pm. The **second** was made by Councilmember Peterson, and the motion **passed** unanimously.

Mr. Oyler reviewed the proposed FY 96 budget, listing some minor amendments to the tentative budget. No public input was received.

Councilmember Shaw made a **motion** to close the public hearing at 9:30 pm. Councilmember Peterson **seconded**, and the motion **passed** unanimously.

#### **Miscellaneous**

Mr. Oyler updated the council on the progress of the Planning Commission in their work on the Comprehensive General Plan.

#### **Adjournment**

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