

**Adopted Minutes
Spanish Fork City Council Meeting
January 10, 1996**

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 Florence Hansen.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Jack W. Leifson, Sherman E. Huff, Thora L. Shaw, and Clyde A. Swenson. Councilmember Rex Woodhouse arrived at 7:10 pm.

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

Citizens Present: F. Keith Davis, Marva W. Davis, Irwin Curtis, Ada Curtis, Rodney Miller, Banner Wentz, Kenneth Nelan, Boyd Peterson, Dana Robinson, Florence Hansen, and Rodger Hardy, Deseret News.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the January 3, 1996, regular meeting of the city council. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

Presentation of Library Book

Mr. Irwin Curtis, representing the Sons of the Pioneers, presented a book entitled *Historical Resource Study: Mormon Pioneer Trails*, written by Stanley Kimball, to Ms. Louise Nuzman, Library Director, to be added to the Spanish Fork City Library.

Fairgrounds Statue

Mr. Dana Robinson approached the council and asked for their endorsement of the Fairgrounds Beautification project. He informed the council of many of his ideas to raise money for the proposed statue.

**Note: Councilmember Woodhouse arrived at 7:10 pm.*

Mr. Boyd Peterson reported on the status of the fund raising efforts for the statue. He also asked for the council's endorsement of the project. Mr. Peterson listed some of the committee's ideas to raise funds for the statue. The council expressed concern with contracting the sculptor before the necessary funds are raised. Councilmember Leifson stated Spanish Fork City should not be named on the contract with the sculptor. He noted the city is not contracting the sculptor, nor did the city agree to raise the money for the statue. He reiterated the council's feeling the work on the statue should not commence until the money is raised. The council asked if the committee has priced smaller sizes than the proposed life-size statue or if they have priced replicas. Mr. Peterson answered a three-quarter size statue would be \$60,000. Smaller statues and replicas have not been priced. Mayor Huff suggested the committee check into smaller statues and replicas to lower the cost.

Councilmember Swenson told Mr. Peterson the council would endorse the project. He explained the city could not donate any more money, but they would try to help by endorsing the project. The council agreed with Councilmember Swenson's statement.

Mr. Oyler informed the committee members the city received a contract from the sculptor which indicated Spanish Fork City is the responsible party. He said the committee needs to ensure the sculptor is aware he is working with an independent citizen committee. Mr. Peterson explained the sculptor has received some money from the committee. Councilmember Shaw asked if the fact that the sculptor has received monies warrants an implied contract. Mr. Oyler answered the city attorney has said no. Mr. Peterson noted the sculptor has been asked to halt. Discussion turned to the fund raising aspect. The council directed Mr. Peterson to set up a bank account in the name of the committee to deposit any donations. Donations will not be received by Spanish Fork City.

The committee asked for the council's endorsement of the project. The council agreed to endorse the project. Councilmember Leifson reiterated the city will not be financially responsible for the statue.

Fencing Ordinance

Mr. Heap provided pictures of a new product for chain link fencing similar to the chain link slat. These slats make the chain link fence solid. Mr. Heap explained Mr. Roy Miller proposes this new type of fencing be added to the list of approved fencing required between commercial and residential uses. Mr. Rod Miller asked the council to explain the purpose of the ordinance. Councilmember Woodhouse listed instances where commercial uses caused problems with their adjacent residential use. The ordinance requires a visual barrier fence to protect residents from the commercial use. Councilmember Shaw explained the council recently modified the ordinance, the requirement was masonry fencing only, the ordinance now includes vinyl fencing. Solid wood fencing on a two-foot masonry foundation is also included subject to approval by the Development Review Committee. Mr. Miller asked if the requirement is necessary in all areas. He stated the residents living adjacent to Miller Trailer Sales have not voiced any problems with the commercial use. The council explained the ordinance requires the fencing between commercial and residential uses, exceptions cannot be made.

Mayor Huff asked if a developer building homes adjacent to a commercial use is required to install a visual barrier fence. Mr. Oyler answered the ordinance does not make that requirement. The council agreed they should discuss requiring a residential use which encroaches on a commercial use to install a visual barrier fence, but they did not feel the ordinance should be changed at this time.

The council determined Mr. Miller will be required to abide by the existing ordinance noting the following: 1) Fencing will not be required along the south boundary where the commercial use abuts a storage area incidental to the mobile home park; and 2) The length of the masonry building located on the commercial property approximately four feet from the commercial/residential boundary will be interpreted as part of the visual barrier, the fence should adjoin the building.

Adjournment

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