

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**June 5, 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 local boy scout Zac Robinson.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Thora L. Shaw, Rex Woodhouse, Clyde A. Swenson, and Matthew D. Barber. Councilmember Sherman E. Huff was excused.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Recorder/Finance Director; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Greg A. Comstock, City Planner; Dee Rosenbaum, Public Safety Director; Jared Johnson, Patrol Officer; and Heather Frost, Deputy Recorder.

Citizens Present: Bob Godfrey, Zac Robinson, Robert Hutchings, Paul Lofgreen, Londo Faucett, Rodger Hardy, Deseret News; and Leann Moody, Spanish Fork Press.

### **Minutes**

Councilmember Shaw made a **motion** to approve the minutes of the May 29, 1996, meeting of the city council. The **second** was made by Councilmember Barber, and the motion **passed** unanimously.

### **Employee Introduction**

Mayor Huff and the council were introduced to Mr. Jared Johnson. Mr. Johnson has been hired as a patrol officer with the public safety department.

### **Veterans Memorial Park**

Mr. Oyler outlined the site at the cemetery where the veterans propose constructing their memorial park. He asked for any concerns from the council. The veterans would like the property to be leased or deeded to them for the memorial. The council discussed their options and liability issues. After some discussion, Attorney Baker was asked to draft a resolution addressing concerns of the city and the veterans regarding the memorial.

### **Public Hearing - Ordinance Z-121: Margot Bingham Zone Change R-1-9 to R-1-6**

Councilmember Woodhouse 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. Comstock pointed out the five lots requesting to be rezoned with this request. He outlined the surrounding zones. He explained one of the lot owners would like to convert her home into a duplex. He noted only one of the five lots would be able to meet the parking requirements for duplexes. Mr. Comstock stated the Development Review Committee recommends approval of the zone change request. He said after lengthy discussion regarding zone changes and the general plan update, the Planning Commission recommended approval of the zone change with a 3:1 vote.

Councilmember Woodhouse stated the council recently would not consider a zone change because of the general plan update and the Strawberry lawsuit. Mr. Oyler explained the difference with this zone change request. He said this request is not located in the Strawberry lawsuit area and these lots already have

existing homes on them. He noted with the general plan update this area will most likely be changed to the R-1-6 zoning district because of the surrounding areas.

Mayor Huff informed the council Ms. Bingham had contacted her regarding the zone change request. Ms. Bingham wants to have a duplex in her home and she wants to be in compliance with city regulations.

A **motion** was made by Councilmember Shaw to approve Ordinance Z-121: Margot Bingham Zone Change from R-1-9 to R-1-6. Councilmember Barber **seconded** the motion, and it **passed** unanimously.

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

### **Bid - Public Safety Building - Antenna Tower**

Mr. Clark reviewed the bids received for the antenna tower at the new public safety building. He said two bids were received as follows: 1) Motorola - \$10,722.00; and 2) Chris Radio - \$6,855.00. Councilmember Barber asked if the antenna is a roof or ground mount. Mr. Clark was unsure. After some discussion, Mr. Oyler stated Chief Rosenbaum will determine where the antenna will be mounted.

Councilmember Shaw made a **motion** to award the bid to the low bidder, Chris Radio, for the antenna tower at the new public safety building for the amount of \$6,855.00. The **second** was made by Councilmember Woodhouse, and the motion **passed** unanimously. Other bid received: Motorola - \$10,722.00.

### **Ensign Park - Preliminary Plat**

Mr. Heap explained this proposed development is a condominium business park, he pointed out the location of the park. He said because the developer plans to sell off individual units, they are required to go through the subdivision process. Mr. Heap informed the council the Development Review Committee and the Planning Commission recommend approval of this preliminary plat.

Councilmember Swenson made a **motion** to approve the Ensign Park - Preliminary Plat. The **second** was made by Councilmember Woodhouse, and the motion **passed** unanimously.

### **Bid - Demolition of House on South Main Street**

Mr. Heap explained this house is located on the property the city purchased for ballpark expansion. He said the demolition of the house is necessary because the access to the ballpark property will be located where the house currently sits. He recommended the bid from Blake Barney for the amount of \$5,950.00 for the demolition of the house. Some discussion took place regarding moving the house. Mr. Heap informed the council the house is quite old and constructed of wood. He did not feel the value of the house merits the cost for it to be moved.

Councilmember Woodhouse made a **motion** to award the bid to Blake Barney for the demolition of the house on south Main Street for the amount of \$5,950.00. The **second** was made by Councilmember Swenson, and the motion **passed** with a vote of 3:0, with one abstention. Councilmember Barber abstained from voting, as he is Mr. Barney's bonding agent. No other bids were received.

### **Public Hearing - FY 97 Budget**

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

Mr. Oyler asked for comments and questions from the public. Mr. Londo Faucett, Controller at Cressona Aluminum, asked questions pertaining to retained earnings, general fund, electric utility fee, and indirect services. Mr. Clark and Mr. Oyler answered his questions. Mr. Oyler informed the council the staff has discussed changing the power cost adjustment from a monthly adjustment to an annual adjustment. He explained UMPA can project the annual power cost for the city, that amount could be used on an annual basis, and adjusted at the end of each year. After some discussion, the council agreed to make the power cost adjustment on an annual basis instead of a monthly basis. Mr. Faucett asked questions regarding irrigation. Mr. Heap and Mr. Oyler explained what irrigation is and where it is available in the city. Councilmember Swenson asked if the sale of the Bow Valley property will be finalized in the current fiscal year. Mr. Oyler answered yes. Mr. Oyler reviewed the rate adjustments proposed in the FY 97 budget. No further input was received.

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

### **Contract - CERT Agreement with Triple T**

Councilmember Woodhouse suggested holding the mock disaster training at the city shop instead of Triple T. Chief Rosenbaum explained the CERT team originally planned to hold the training at the city fairgrounds, there was a scheduling problem, and they were told they could not hold the training at the fairgrounds. Brad Tanner is a member of CERT and offered to hold the training at his business. Chief Rosenbaum said both he and Don Thomas feel holding the training at the city shops would take a tremendous effort to prepare the shop for the training. The council discussed liability issues. Chief Rosenbaum said Don Thomas has inspected the Triple T location and did not observe any problems. Attorney Baker noted some amendments to the proposed contract.

Councilmember Swenson made a **motion** to approve the CERT Agreement with Triple T subject to the following conditions: 1) The noted amendments are made to the contract; and 2) Emergency Preparedness Officer Don Thomas inspects the property. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

### **Non-Agenda Item**

The council discussed the centennial wagon train which will be staying in the city on the night of June 12, 1996. Chief Rosenbaum outlined the planned route for the wagon train to get to the fairgrounds. The council recommended alternate routes. Chief Rosenbaum will make the final determination regarding the route for the wagon train to follow.

### **Adjournment to RDA**

A **motion** was made by Councilmember Woodhouse to adjourn the regular session of the city council meeting and convene the Redevelopment Agency meeting at 8:20 pm. Councilmember Swenson **seconded** the motion, and it **passed** unanimously.

### **Adjournment of RDA**

Councilmember Shaw made a **motion** to adjourn the meeting of the Redevelopment Agency and reconvene the regular session of the Spanish Fork City Council at 8:25 pm. The **second** was made by Councilmember Barber, and the motion **passed** with a unanimous vote.

### **Adjournment to Executive Session**

Councilmember Barber made a **motion** to adjourn the regular session of the Spanish Fork City Council meeting and convene the executive session of the meeting at 8:30 pm. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.