

Adopted Minutes
Spanish Fork City Council Meeting
September 25, 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 Mr. Ronald Davis.

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

Planning Commission Members Present: Chair Doug Barber

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Greg Comstock, City Planner; and Gina Peterson; Deputy Recorder. City Attorney S. Junior Baker arrived at 8:00 pm.

Citizens Present: Bernice Bradford, Keith G. Bradford, Boyd Thomas, Karen Thomas, Alison Sprouse, Roxanna Johnson, *Spanish Fork Press*; Rodger Hardy, *Deseret News*; Jay S. Fielding, Steve Matson, Tom Jensen, Gordon Ludlow, Leona Y. Warner, Lorraine Davis, Ronald Davis, Brad Jex, Terri Jex, Beulah Jex, Lewis Jex, Joel Bradford, Elsie Thomas, David Kuhn, Stephen D. Fisher, Ryosuke Kobayashi,

Jenny Johnson, Stacy Tanner, Brett Hillier, Brent Vincent, Fred Vincent, Shirley Vincent, Rita Hales, Jim Pendray, Jared Anderson, Stacy Huff, Shirley Baxter, Dale Barney, Frank Haymore, Andrew Rose, Mark Howard, Richard Burness, and Carl Clegg.

Introduction

Mayor Huff thanked the citizens for their attendance. She stated that this was not a continuation of the Public Hearing but a meeting for the city council to review the input expressed by citizens at the September 4, 1996 public hearing.

Minutes

Councilmember Shaw made a **motion** to approve the minutes of the September 18, 1996, meeting of the Spanish Fork City Council. The **second** was made by Councilmember Huff and the motion **passed** with a unanimous vote.

Lift Station Bid

Mr. Heap reviewed the Lift Station Bid stating the existing lift station near Longview Fibre needs to be replaced. The current lift station was built approximately twenty years ago and is the old "wet well" type lift station. Mr. Heap stated replacement of the lift station will take place in the current budget year. He recommended the low bid of Condie Construction in the amount of \$347,676.41.

Councilmember Swenson made a **motion** to award the replacement of the industrial lift station to Condie Construction in the amount of \$347,676.41 to be paid for with RDA funds. Councilmember Woodhouse **seconded** and the motion **passed** with a unanimous vote.

Councilmember Swenson asked when Condie Construction would begin work on the new lift station. Mr. Heap stated they will probably receive the bonds from Condie Construction on Monday, September 30, 1996 and construction will begin shortly after.

Water Reservoir Lid Repair Bid

Mr. Heap explained the engineering department had taken proposals for the repair of the one million and two million gallon reservoirs located near the mouth of Spanish Fork Canyon. He stated repair of the concrete surfaces on the reservoirs is needed in order to prevent further deterioration and structural deficiencies. The reservoirs were built in the mid-60's, early 70's and chipping is occurring on the lid due to the weather. After reviewing the different types of proposals received, Mr. Heap recommended the bid from Hall Engineering and Construction in the amount of \$116,600.00. Councilmember Shaw asked if the bids included interior repair of the reservoirs. Mr. Heap replied estimates of the interior repair were included in the bid, but costs were determined on a unit basis and actual costs would not be known until the reservoirs were drained for repair. Mr. Heap stated repairs will begin as soon as possible to avoid poor weather conditions.

A **motion** was made by Councilmember Woodhouse to award the bid to Hall Engineering and Construction in the amount of \$116,600.00 for repair of the two water reservoirs located near the mouth of Spanish Fork Canyon. The motion was **seconded** by Councilmember Huff and **passed** with a unanimous vote.

General Plan and Zoning Ordinance Discussion

Mr. Comstock reviewed discussion from the September 18, 1996, council meeting regarding the South Main zoning issue. He presented an enlarged map of South Main showing the commercial, residential and industrial type uses on South Main as well as vacant areas. Mr. Comstock explained the council's task is to customize zoning districts to make the commercial and residential areas work.

Mr. Comstock stated north of the Spanish Fork River has the most concentrated area of homes on South Main and explained residences would like to restrict commercial use. He asked the council how they felt about an RO zone designation saying it might work because of its limited commercial use. Mr. Comstock listed permitted uses in an RO zone.

Councilmember Shaw commented the types of business allowed in the RO zone would be more compatible with homes in the area. Councilmember Woodhouse asked if the zone could be changed if someone wanted to build a strictly commercial development in the area. Mr. Comstock replied the planning commission and city council would have to review those types of proposals, but it would also depend on the neighbors sentiment. The council discussed businesses in the area which would be non-conforming if the zoning were changed to RO. The council instructed Mr. Comstock to change the proposed general plan map and zoning map to show the area on the west side of Main Street from the south border of Walco to the Spanish Fork River and the east side of Main Street south of the Slant Road (Bottoms Road) to the Spanish Fork River be zoned Residential Office (RO). The east side of Main Street north of the Slant Road is recommended to be zoned commercial two (C2). The council agreed with Mr. Comstock's recommendation to leave the vacant properties zoned C2.

The council discussed the zoning of South Main, south of the river. Mr. Comstock expressed concern with zoning the area RO stating existing commercial use in the area does not fit into the RO category. After much discussion, the council decided to follow the planning commission recommendation to make the South Main area south of the river C2 without residential use.

A citizen expressed concern that undesirable large commercial uses might be developed across the street from the residential areas. Mr. Comstock explained large shopping center type uses would not be allowed in the new C2 zone. Councilmember Shaw stated the Development Review Committee reviews site plans and has been enforcing regulations with businesses to make sure they have attractive exteriors.

***Note: S. Junior Baker, City Attorney arrived at 8:00 pm*

Mr. Comstock reviewed the zoning issue of the Larsen and Keller property located on the old landfill behind K-Mart. He explained the proposed zoning is Business Park / Commercial, but there are developers who would like to do a manufactured housing community on the property. These developers state the only feasible use for the property, due to its status as the old landfill, is a manufactured housing community.

Mr. Heap explained his recent conversation with Mr. Bob Gunnell from RB&G Engineering who did a study on the landfill property. Mr. Gunnell addressed the possible use of the property stating it could be used for development other than manufactured housing, but additional funds would be required. Mr. Heap told the council Mr. Gunnell has explained casings for a business park type of development in this area would cost 2½ times that of a normal foundation and the casings would have to go down fifteen to twenty feet. Mr. Comstock stated the cost difference of an office building somewhere else and on this property would not be much different. Mr. Heap provided the council with figures supporting this. Mr. Comstock expressed his feeling the property has other potential uses other than a manufactured housing community.

Councilmember Shaw expressed a large concern with the impact the 270 housing units proposed in the manufactured home development would have on schools and churches. She explained her concern for the safety of children crossing Highway 6 to get to school. Councilmember Shaw stated she is not comfortable with a large residential area surrounded by commercial and industrial uses.

Mr. Comstock stated the basic issue needing to be addressed is if the property will allow another use other than residential (manufactured housing), would the council want to zone it business park / commercial. He explained there are lots of different uses for business park / commercial.

Mr. Rose approached the council and said drainage was not considered in figures provided by Mr. Heap. He stated different types of uses other than manufactured housing could be developed on this property but the ground will settle and the buildings will crack resulting in large amounts of damage and potential lawsuits. He explained a manufactured home can be adjusted as the property settles. Mr. Oyler suggested a meeting with representatives from RB&G Engineering, the manufactured housing developer, Mr. Heap and the council. He felt this might resolve any conflicting reports.

Discussion took place regarding supposed views and social issues related to manufactured housing.

Councilmember Woodhouse commented, aside from issues regarding stability of the ground, he feels it is not good planning to put residences in the middle of commercial developments. Mr. Comstock inquired if it could be attained in this area, would the council prefer commercial development. The consensus from the council was yes. It was determined a meeting would be set up the following week with RB&G, the manufactured housing developers, and the city council to discuss feasible uses of the property.

Mr. Clegg approached the council with his feeling it would be too expensive to fix the property to make any light industrial / commercial developments useable. Mr. Clegg's opinion was that no type of building outweighing a manufactured home could be put on the property.

Mr. Pendray explained his issue has not been the landfill property, but the need for affordable housing in Spanish Fork. If a land-leased manufactured housing community is not allowed on the old landfill, Mr. Pendray feels there needs to be somewhere it will be allowed.

Mr. Comstock reviewed the zoning issue on the Leland and East Bench explaining the areas are currently zoned RA1 but are proposed to change to a five acre zone (RR). He explained citizens are concerned their property is being downgraded by changing the zoning from one acre to five acres. Mr. Comstock addressed the city's concern with possible one acre subdivisions that might be allowed if the area remains RA1, stating one acre subdivisions do not represent an efficient use of the land. He explained this was not an attempt to down zone property. The planning commission has spent a great deal of time on this area, and the city would like to keep property in larger sizes until it can be developed at a later time. Councilmember Swenson stated the city does not want to see five acre or even one acre lots, but this is a transition stage until utilities are available and the Strawberry lawsuit is resolved. He stated no matter what the zone, the area can not be developed until these are accomplished.

Attorney Baker explained the city has to compensate Strawberry Electric Service District for their existing facilities and if developments take place in Strawberry's area it could potentially increase the amount owed to Strawberry. He stated the city needs to minimize the potential cost of development.

The citizens expressed concerns and discussed the rezoning of this property with the council. Mr. Oyler suggested leaving the zoning RA1 and entering into a development agreement with the property owners that stated they would not develop one acre subdivisions. Ms. Elsie Thomas stated the citizens were willing to work with the city, but they wanted the zoning left as it currently is.

After much discussion, the council decided to discuss this issue with the Planning Commission at their October 1, 1996 meeting. Ms. Peterson was directed to put the council on the Planning Commission agenda. Mr. Oyler told the council the staff would come up with different options for the planning commission meeting regarding possibilities to leave the area RA1.

Adjournment

Councilmember Swenson made a **motion** to adjourn the regular session of the Spanish Fork City Council and convene the executive session at 9:20 pm. Councilmember Woodhouse **seconded** and the motion **passed** with a unanimous vote.