

Adopted Minutes
Spanish Fork City Council Meeting
October 2, 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 Natalie Densley.

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

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Kent R. Clark, Finance Director; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Rodger Hardy, *Deseret News*; Daryl Chandler, Ryan Chandler, Rachelle Ainge, David Christensen, Natalie Densley, Amanda Ashby, Debbie Blakely, Reed Larson, Ryosuke Kobayaski, Dirk Branagan, Brett Hillier, Emily Gardner, Genell Christianson, Margie Butler, Rita Hales, Andy Rose, and Daryl Berlin.

Minutes

Councilmember Barber made a **motion** to approve the minutes of the September 25, 1996 meeting of the Spanish Fork City Council. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

URMMA Dividend

Mr. Daryl Berlin, Executive Director at Utah Risk Management Mutual Association was present to award the City a dividend. Mr. Berlin expressed appreciation for the City's support of URMMA, stating Spanish Fork was one of the four founding members of the Association. Mr. Berlin explained the dividend is based upon contributions paid by the member, minus losses, plus risk management efforts. He attributed the success of the City to Mr. Oyler and his leadership as well as all City employees. A check in the amount of \$80,187.38 was presented to Mayor Huff on behalf of the City. Mr. Berlin encouraged the City to use a part of the dividend for risk management activities.

Quit Claim Deed - Premium Oil

Mr. Heap explained Premium Oil (400 South Main) would like to remodel their facilities. They have requested a quit claim deed for a twenty-foot strip of ground on the north side of their property. This would leave 400 South with an adequate right-of-way width. Mr. Heap recommended approval of the quit claim deed to Premium Oil.

Councilmember Woodhouse directed Mr. Heap to investigate Premium Oil's title report to determine ownership of the twenty-foot strip of ground.

A **motion** was made by Councilmember Woodhouse to table a decision on granting Premium Oil a quit claim deed until such time as Mr. Heap could check on Premium Oil's title report. Councilmember Swenson **seconded**, and the motion **passed** with a unanimous vote.

Airport Crack Sealing Bid

Mr. Heap discussed the Spanish Fork / Springville Airport crack sealing project. A State grant will pay eighty percent of the costs, including construction management costs. Mr. Heap recommended the low bid from Superior Asphalt of \$17,773.00.

Councilmember Shaw made a **motion** to approve the bid from Superior Asphalt in the amount of \$17,773.00 for crack sealing at the Spanish Fork / Springville Airport. Councilmember Huff **seconded** the motion, and it **passed** with a unanimous vote.

Change Order - Senior Citizen ADA Remodel Project

Mr. Heap explained Mountain Fuel came to relocate the gas meter at the Senior Center as part of the ADA remodel project and found none of the connections in the main lines met the required codes. Mountain Fuel said they would relocate the meter, but gas would not be hooked up until the codes were met. Mr. Heap presented a change order in the amount of \$2,539.20 to bring the gas lines up to code.

A **motion** was made by Councilmember Swenson to accept the change order in the amount of \$2,539.20 to bring gas lines at the Senior Center up to code. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimously

Mr. Heap was directed to meet with Kathleen of the Senior Center to explain the gas line project.

Sale of Surplus Property

Mr. Oyler reviewed the request for proposals for the old fire station property at 400 North Main. He recommended the council make a motion to authorize advertising request for proposals.

The council discussed potential uses of the land. Mr. Oyler pointed out information that must be submitted with bids.

Councilmember Woodhouse made a **motion** to authorize advertising request for proposals on the property located at 400 North Main. Councilmember Barber **seconded** and the motion **passed** unanimously.

Resolution 96-11: Proclaiming October 1996 Down Syndrome Awareness Month

Mayor Huff expressed her feelings on Down Syndrome Awareness.

Councilmember Shaw made a **motion** to adopt Resolution 96-11: Resolution Proclaiming October 1996 Down Syndrome Awareness Month. The **second** was made by Councilmember Huff, and the motion **passed** with a unanimous vote.

Resolution 96-12: Resolution Authorizing the Initiation and Filing of a Condemnation Action to Exercise the Power of Eminent Domain in Order to Acquire Property for a Sewer Line Easement.

Attorney Baker explained the City has been working with the Gardner family to obtain a sewer line easement on their property located near 300 West and 600 South. He stated the City does not have a lot of time before daily costs begin accruing. Attorney Baker requested authority to condemn the property if reasonable negotiations cannot be worked out within the next week. He explained once the condemnation action has been filed, it could take anywhere from ten days to four weeks to go to Court. Councilmember Woodhouse suggested a meeting with the Gardner family and the City Council. Discussion took place regarding increased costs to the City if additional delay took place.

Councilmember Swenson made a **motion** to adopt Resolution 96-12: Authorizing the condemnation of right-of-way for the sewer line, and instructing Attorney Baker to continue negotiation with the Gardner family. Councilmember Woodhouse **seconded**, and the motion **passed** unanimously.

Police Car Bid

Mr. Clark stated three new police cars are budgeted for this year. Butterfield Ford holds the State contract and gave the City the lowest bid price of \$18,925.45 per vehicle. Mr. Clark stated the bid price is within the budget amount of \$19,000.00 for each car. He requested approval to purchase three new police cars on the State contract.

A **motion** was made by Councilmember Shaw to purchase three new police cars from Butterfield Ford at \$18,925.45 each. The **second** was made by Councilmember Huff and the motion **passed** with a unanimous vote.

General Plan and Zoning Ordinance Discussion

Mr. Oyler excused Mr. Comstock due to illness. He reviewed previous meetings on the proposed general plan and zoning ordinance and stated direction was needed from the council on various zoning issues so the final draft documents could be completed and then later adopted.

Keller/Larson Properties

The old landfill property was discussed. The council recommended the property be zoned R-1-8. Mr. Oyler stated the council needs to look at what standards should be required to ensure quality manufactured home parks and subdivisions. The existing ordinance §17.32.160 on manufactured homes was reviewed. The council discussed standards that might be used in a manufactured home park. It was suggested Mr. Jim Pendray and Mr. Andrew Rose meet with Mr. Oyler to review possible standards for manufactured housing communities. Councilmember Swenson asked if streets and utilities will be private. Councilmember Woodhouse expressed concern of how the City would require maintenance of streets and utilities if they were private. Mr. Heap recommended keeping utilities and streets private. He explained inspections would still take place to make sure everything was built to code. Mr. Oyler reviewed other standards that exist in the current ordinance including: 1) ten percent of the gross area be dedicated as recreation area with an easement to the City on the open space, 2) administrative offices required inside the park perimeter, 3) protective covenants required. Mr. Oyler recommended a manufactured home park be permitted as a conditional use in the R-1-8 zone due to the land lease issue. He stated if a conditional use permit was issued, additional standards will have to be met. Mr. Oyler discussed where impact fees should be required stating it would not be practical to issue an impact fee to someone leasing the land. He suggested assessing the impact fee at recording of the final plat.

South Main Street

The council stated they were comfortable with their proposed zoning changes to South Main. Ms. Margie Butler expressed opposition in leaving the property south of the Spanish Fork River zoned C-2. Ms. Butler explained they have always planned to build a home behind their business but residential use will not be allowed in the proposed C-2 zone. Councilmember Woodhouse stated Ms. Butler would not be allowed to build a house in the current C-2 zone because she did not have the required frontage. Ms. Butler stated the council worked with residents on the west side of South Main, but they aren't willing to work with her.

Councilmember Shaw explained the homes on the west side of South Main are already in existence while there is not a home on Ms. Butler's property.

Discussion took place on the proposed zoning of South Main. The council concluded to leave the zoning as was proposed in the September 25, 1996 council meeting as follows:

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 will be zoned Residential Office (R-O).

The east side of Main Street north of the Slant Road to 400 South, and the areas south of the Spanish Fork River will remain Commercial Two (C-2). The C-2 zone would not allow residential use.

Leland / East Bench

Mr. Oyler reviewed the Planning Commission's rationale for the proposed rezoning from R-A-1 to R-R in the Leland and East Bench area as was discussed in the Planning Commission meeting on October 1, 1996. He asked if the council would like to propose any changes in this area. Councilmember Shaw expressed appreciation for Commissioner Ludlow's remarks in the Planning Commission meeting and recommended staying with the Planning Commission's recommendation. The council endorsed the Planning Commission's recommendation of zoning the area R-R.

Other

Councilmember Barber raised questions regarding permitted uses on Main Street. He felt the zone might need to be more specific in stating permitted uses. Mr. Oyler explained the objective of downtown Main Street is to generate retail sales and is designed to be a pedestrian shopping area. The council discussed permitted uses and possible zoning and decided to leave the downtown commercial area the same. They instructed the staff to better define proposed "retail uses".

Mr. Oyler discussed industrial uses on the north end of the City. He explained industries in existence are worried about current and future uses that are not aesthetically pleasing. Mr. Oyler feels the City has an obligation to the existing industries to promote aesthetically pleasing standards for future industries.

Mr. Oyler explained the process of the proposed General Plan, Zoning Ordinance, and Capital Facilities Plan to the high school students in the audience. He reviewed the past year and a half and stated the City was now in the final decision phase. Mr. Oyler said the proposed adoption of the new ordinances is November 6, 1996.

Capital Facilities Plan

Mr. Heap reviewed the proposed Capital Facilities Plan with the council. He stated projects 1 through 28 are scheduled within the budget for next year. Mr. Heap discussed concerns related to water. He explained growth in the last two years has used five to six years worth of anticipated water. Mr. Heap stated the Engineering Department listed the projects of the Capital Facilities Plan in the order they felt was priority. The council discussed funding issues of the plan including collecting impact fees. Mr. Oyler stated a draft of the impact fee study will be completed within the next five to ten days.

Adjournment

A **motion** was made by Councilmember Huff to adjourn the regular session of the Spanish Fork City Council and convene the meeting of the Redevelopment Agency at 9:05 pm. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.