

**Adopted Minutes  
Spanish Fork City Council Meeting  
November 20, 1996**

The meeting was called to order at 6:30 pm by Mayor Marie W. Huff. At 7:00 pm the pledge of allegiance was led by Mr. James Demita.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Sherman E. Huff, Rex Woodhouse and Clyde A. Swenson. Councilmember Shaw arrived at 7:25 pm. Councilmember Barber arrived at 8:00 pm.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Kent R. Clark, Finance Director; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder. City Attorney, S. Junior Baker arrived at 7:45 pm.

Citizens Present: Roxanna Johnson, Spanish Fork Press; Rodger Hardy, Deseret News; James Demita, Cris Child, and Shawn Diamond.

### **Minutes**

Councilmember Huff made a **motion** to approve the minutes of the November 13, 1996 meeting of the Spanish Fork City Council with noted amendments. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

### **Lynn Child Water Service**

Mr. Heap explained a request to allow the connection of Lynn H. Child's cabin in the County to City water service. Mr. Child's is 79 years old and it is becoming increasingly difficult for him to carry his drinking water and use water from the ponds to bathe with. Mr. Heap expressed Mr. Child's desire to annex into the City, but he explained this could not be done until the Strawberry lawsuit is resolved. Mr. Heap indicated City policy would allow this connection based on the existing emergency or hardship.

A **motion** was made by Councilmember Woodhouse to allow the Lynn H. Child cabin to hook up to City water service. Councilmember Swenson **seconded** the motion, and it **passed** with a unanimous vote. Mr. Heap noted the hook up to City water service will only be allowed as long as Mr. Child lives in the cabin.

### **Development Standards and Subdivision Ordinance**

Mr. Heap asked for any questions from the City Council regarding the proposed changes in the Development Standards and Subdivision Ordinance. He stated a meeting was set up with various contractors and developers to get their feelings on the proposed changes before the Public Hearing on December 4, 1996.

### **Restaurant Tax Agreement**

Mr. Clark noted conflict in terminology on the Restaurant Tax Agreement. He recommended the Council table the agreement until it could be further clarified with the County Attorney. Councilmember Swenson made a **motion** to table any decision on the Restaurant Tax Agreement. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

### **Truck Bid**

Mr. Clark explained the need for two 1-ton cab with chassis trucks. He stated the Motor Pool Maintenance will receive a four-wheel drive truck and the other truck, a two-wheel drive, will go to the Recreation Department. Mr. Clark stated the local dealer was allowed to bid, but the low bid was on the State contract. He recommended the low bids for the four-wheel drive truck from Hinckley Dodge at \$22,392 and for the two-wheel drive truck from Palmer Chevrolet at \$19,189.

Councilmember Swenson made a **motion** to accept the bids for purchase of a 4x4 truck from Hinckley Dodge at \$22,392 and purchase of a 2x4 truck from Palmer Chevrolet at \$19,189 on the State contract. The **second** was made by Councilmember Huff, and the motion **passed** with a unanimous vote.

### **Review of Boards and Committees**

The Council reviewed ordinances and memberships for various City boards and committees.

*\*\*Note: Councilmember Shaw arrived at 7:25 pm.*

*\*\*Note: City Attorney S. Junior Baker arrived at 7:45 pm.*

After discussion, the Council was directed to review the listing of boards and committees and return with any questions for a future Council meeting. It was decided separate bylaws should be eliminated, and all language governing committees and boards should be uniform and in City ordinance form. The Council was asked to be thinking of two appointments for the Board of Adjustment and one appointment for the Planning Commission. Mr. Oyler stated the ratification of these new members should take place at the December 11, 1996 Council meeting.

### **Ordinance 11-96: Ordinance Amending Curfew Requirements of Spanish Fork City**

Attorney Baker explained the County has recently changed their curfew requirements and has asked cities in the area to become uniform with the new curfew. He stated the new ordinance lists exceptions to the curfew such as emergencies, paper route, etc. The ordinance allows the police department's discretion on determining whether someone is in violation of curfew. Chief Rosenbaum stated curfew was strictly enforced last year by the police department.

Councilmember Shaw made a **motion** to adopt Ordinance 11-96: Ordinance Amending Curfew Requirements of Spanish Fork City. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.

### **Ordinance 14-96: Ordinance Amending Spanish Fork Municipal Code Dealing with Water and Utilities**

Attorney Baker discussed Ordinance 14-96 dealing with water and utilities. He explained this ordinance is currently in the subdivision section (Title 16) of the code but will now be included in the water and utilities section (Title 13).

*\*\* Note: Councilmember Barber arrived at 8:00 pm.*

The **motion** was made by Councilmember Swenson to adopt Ordinance 14-96: Ordinance Amending Spanish Fork Municipal Code Dealing with Water and Utilities. Councilmember Woodhouse **seconded**, and the motion **passed** unanimously.

## **Other Business**

As the City representative for waste management, Councilmember Woodhouse explained complaints had been received about south winds blowing garbage out of the landfill. He stated a fence has been installed with 40-foot high netting around the perimeter. Eventually the entire structure will be completely enclosed, but the plastic netting has gotten rid of eighty percent of the problem. Councilmember Woodhouse stated Mayor George Stewart of Provo presented examples of this landfill at meetings he attended in Washington D.C.

## **Adjournment**

Councilmember Shaw made a **motion** to adjourn the regular session of the Spanish Fork City Council and convene the executive session at 8:15 pm. The **second** was made by Councilmember Barber, and the motion **passed** with a unanimous vote.