

**Adopted Minutes  
Spanish Fork City Council Meeting  
December 4, 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 Ms. Loretta Houston.

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: Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Greg A. Comstock, City Planner; Dee Rosenbaum, Public Safety Director; Mark Byers, Animal Control Officer; and Heather Frost, Public Safety Department Secretary. Kent R. Clark, Recorder/Finance Director, arrived at 8:00 pm.

Citizens Present: Roxanna Johnson, Spanish Fork Press; Kacey Blunck, Barbara Thomas, Loretta Houston, Kathy Miller, Carylee Baker, Evelyn Christian, Royden Christian, Lorraine Tanner, Kathy Curtis, Diane Hakes, Rod Hakes, James Demita, Cris Child, Vic Deauvono, and Jered Johnson.

### **Minutes**

Councilmember Shaw made a **motion** to approve the minutes of the November 20, 1996, meeting of the Spanish Fork City Council as presented. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

### **Employee of the Quarter**

City Attorney S. Junior Baker was presented with the Employee of the Quarter award for the third quarter of 1996 by Mayor Huff and the city council. Mr. Baker was commended for his dedication and hard work for the City of Spanish Fork.

### **Change Order - Centennial Park - Maughan-Pro, Inc. - Landscaping**

Mr. Heap reviewed the proposed change order with the council. He recommended approval of the change order for the landscaping of Centennial Park.

Councilmember Huff made a **motion** to approve the contract change order submitted by Maughan-Pro, Inc., for an increase in the contract price of \$2,875.50. The **second** was made by Councilmember Barber, and the motion **passed** unanimously.

### **Change Order - Centennial Park - Bliss Construction - Sidewalk, Curb & Gutter**

Mr. Heap reviewed the change order proposed by Bliss Construction to install new concrete approaches at Centennial Park. He recommended approval of the change order.

Councilmember Shaw made a **motion** to approve the contract change order submitted by Bliss Construction for sidewalk, curb, gutter and concrete approaches for an increase in the contract price of \$2,928.68. The **second** was made by Councilmember Huff, and the motion **passed** with a unanimous vote.

### **Ordinance 16-96: Ordinance Making Amendments to Title 6 - Animal Regulations**

Attorney Baker explained he, Animal Control Officer Mark Byers, and Public Safety Director Dee Rosenbaum recommend the existing Title 6 be repealed and the proposed amended Title 6 be enacted. He explained the proposed amendments clarify the requirements and penalties in Title 6. He also noted enforcement of the title will become more workable if the proposed amendments are approved.

Animal Control Officer Mark Byers answered questions from the council in regards to the proposed amendments.

A **motion** was made by Councilmember Woodhouse to repeal the existing Title 6 and enact the amended Title 6 as presented in Ordinance 16-96: Making Amendments to Title 6 - Animal Regulations. Councilmember Swenson **seconded** the motion, and it **passed** unanimously.

### **Public Hearing - Development Standards and Ordinance 15-96: Subdivision Ordinance**

Councilmember Woodhouse made a **motion** to open the public hearing at 7:17 pm. The **second** was made by Councilmember Huff, and the motion **passed** with a unanimous vote.

Mr. Heap reviewed the recommended changes to the Construction Development Standards and Subdivision Ordinance. Changes are recommended in reference to timing for submission of plans/plats, cash in lieu of fees for water rights, and the requirement of the installation of secondary irrigation lines. Mr. Cris Child questioned the legality of not accepting cash in lieu of water rights, citing a specific case. Attorney Baker stated he would review the case to which Mr. Child referred and the legality of the proposed requirement. Mr. Heap continued his review of the proposed amendments including bonding requirements, the standard for plat/plan submittals, and compaction testing requirements. Because the amended standard requires the developer to test compaction, Mr. Child asked what area companies provide compaction testing services. Mr. Heap listed area engineering companies which provide those services. He stated the engineering department would compile a list for developers if that particular amendment passed. Mr. Heap informed the council of the recommended testing requirements the developer would have to provide.

Councilmember Shaw questioned the proposed amount of liability insurance for developers and contractors. Mr. Heap said he had not received any negative feedback regarding that issue. The council discussed at length the requirement of developers to install secondary irrigation lines in conjunction with other water issues facing the community.

Councilmember Shaw questioned the proposal to increase the automobile liability insurance amount to \$1,000,000. After some discussion, the council agreed \$500,000 auto liability insurance would be sufficient.

Mr. Heap asked for additional public input. None was received.

*\*NOTE: Recorder Kent R. Clark arrived at 8:00 pm.*

Councilmember Barber made a **motion** to close the public hearing at 8:10 pm. The **second** was made by Councilmember Shaw, and the motion **passed** with a unanimous vote.

A **motion** was made by Councilmember Barber to approve the Development Standards and Ordinance 15-96: Subdivision Ordinance with the noted amendment to change the requirement of \$1,000,000 auto liability insurance to \$500,000 auto liability insurance. Councilmember Swenson **seconded** the motion, and it **passed** unanimously.

### **Ordinance 17-96: Ordinance Amending the Provisions of Excavation to Require Insurance**

Attorney Baker reviewed the proposed ordinance with the council.

Councilmember Swenson made a **motion** to adopt Ordinance 17-96: Ordinance Amending the Provisions of Excavation to Require Insurance. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

### **Non-Agenda Item**

Mr. Rod Hakes spoke on behalf of citizens concerned about the aesthetics of the chain link fence being installed on the east perimeter of Centennial Park. He expressed concern with the look and feel of having six-foot chain link fencing on both sides of the road as the Wolf Hollow subdivision is entered and exited. He also noted with the wind in that area, the fences would create a “catchall” for garbage. Mr. Hakes asked the council to consider an alternative to a chain link fence along the east side of Centennial Park. He suggested moving the fence, decreasing the height of the fence or installing a different type of fence.

Mayor Huff and the council explained they had discussed alternatives to the chain link fence, but had concluded chain link would be best for several reasons. They reviewed their reasoning with the citizens listing protecting the park from vandalism as their main reason for installing chain link fence. The mayor and council thanked the citizens for attending the meeting and expressing their concern.

### **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.

### **Adjournment of Executive Session**

A **motion** was made by Councilmember Barber to adjourn the executive session of the Spanish Fork City Council meeting and reconvene the regular session of the meeting at 11:15 pm. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

### **Development Agreement - DJ Elite**

Councilmember Barber made a **motion** to table a decision on the Development Agreement between Spanish Fork City and DJ Elite. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

### **Adjournment**

Councilmember Barber **motioned** to adjourn the meeting of the Spanish Fork City Council at 11:25 pm. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.