

**Adopted Minutes
Spanish Fork City Council Meeting
January 21, 1997**

The meeting was called to order at 6:30 pm by Mayor Marie W. Huff for a preliminary review of the agenda. At 7:05 pm, the pledge of allegiance was led by Councilmember Matthew D. Barber.

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

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

Citizens Present: Gene Carley, Utah County Housing Consortium; Brent Bluth, Utah County Housing Consortium; Roxanna Johnson, Spanish Fork Press; Morris Llewellyn, Carin Green, The Daily Herald; Dewey Nelson, Clair Johnson, Craig Datwyler, Rodger Hardy, Deseret News.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the January 14, 1997 meeting of the Spanish Fork City Council with noted amendments. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Agenda Request - Iceland Association of Utah

Lil Shepherd, President of the Iceland Association of Utah stated the Association will be celebrating their 100 year anniversary. The President of Iceland will be in town the last week of July for this celebration. On behalf of the Iceland Association of Utah, Ms. Shepherd requested the City consider having the President of Iceland be the Grand Marshall at the Fiesta Days Parade on the 24th of July. Ms. Shepherd stated the Icelanders helped settle Spanish Fork City as they immigrated to this area between 1850 and 1890. The Council stated they would pass this information onto the Fiesta Days Committee for their consideration. Mayor Huff thanked Ms. Shepherd for her interest.

Utah Valley Housing Consortium

Mr. Brent Bluth and Mr. Gene Carley from the Utah Valley Consortium of Cities and County were present to discuss the HOME Fund Account in which Spanish Fork City participates. Mr. Bluth stated the purpose of the Consortium is to lend funds to low/medium income families

for: 1) Home Owner Rehabilitation; 2) Rental Activities -- New Construction and Rehabilitation; 3) Home Buyer -- Provide Down Payment and Closing Cost Assistance; and, 4) Tenant Based Rental Assistance. Funds are loaned at a three to five percent interest rate. Mr. Bluth noted the total fund amount currently available for Spanish Fork City is \$178,247.25. He stated Spanish Fork City currently does not allow the use of these funds for Home Buyer/Down Payment and Closing Cost Assistance. He stated there has been an increased demand for use of the funds in this manner. Mr. Bluth suggested the Council designate all FY 1997 funds, and a minimum of \$100,000 of the prior years funding, for the Home Buyer activity. In order to use these funds for the Home Buyer program, the maximum purchase price of the home can be \$123,000, with the maximum loan amount for the down payment being \$5,000. Mr. Carley felt this program would benefit the City by making renters into homeowners who pay property taxes. Councilmember Huff inquired if other participants in the Consortium were seeing the need for home buyer assistance as well. Mr. Carley stated many participants have already allotted funds for Home Buyer program use. Councilmember Shaw asked if a manufactured home in a manufactured home park could use funds from this program. Mr. Carley answered they could not. The lot which the house is on needs to be purchased in order to use these funds. The council discussed elderly housing issues and funds committed to elderly housing projects.

Councilmember Barber **motioned** to allow \$158,819.30 of Spanish Fork City's total HOME Fund Account, to be used for the Home Buyer program under the Utah Valley Consortium of Cities and County agreement. The **second** was made by Councilmember Shaw, and the motion **passed** unanimously.

Senior Citizens Center - Change Order #3

Mr. Heap explained privacy concerns with the women's restroom at the Senior Citizens Center. People entering the Senior Center can see into the restroom if the door to the restroom is open. Various solutions were discussed, all involved moving the bathroom door to comply with ADA requirements. Solutions to fix this problem were suggested as follows:

1. A permanent privacy wall could be constructed around the bathroom entrance limiting visibility through the restroom door. Cost of this proposed change would be approximately \$5,198 and would delay completion of the remodel project eleven days. Mr. Clair Johnson expressed concern that due to additional space needed for this solution, it would limit space for tables and chairs set up for miscellaneous programs.
2. A portable wall/partition could be used around the bathroom entrance. This wall could be moved in the event additional space was needed for tables and chairs. Cost of this proposed addition would be approximately \$1081 and would require no delay in completing the remodel project.
3. Ms. Kathleen Nelson, Senior Citizen Director suggested moving the bathroom door inside the office next to the bathroom. This would require major construction and relocation of various walls.

Mayor Huff stated the remodel project is over-budget and additional funds would be needed. Discussion took place on the proposed changes. Consensus from the Council was to work with solution #2. Ms. Nelson discussed various other concerns. Mr. Heap stated he would get a

formal change order for the Council's approval. He also stated completion of the Senior Citizen remodel project was estimated for mid-February.

Fairgrounds Riding Arena Addition - Change Order #1

Mr. Heap reviewed the change order for the Fairgrounds Riding Arena. He stated the change order for \$20,000 would increase the size of the addition twenty feet. This would bring the total seventy foot addition to \$106,176.

A **motion** was made by Councilmember Swenson to approve the change order in the amount of \$20,000 from RB Construction for an extra twenty feet addition to the Fairgrounds Riding Arena Addition. Councilmember Shaw **seconded** the motion, and it **passed** with a unanimous vote.

Fairway Meadows Amended Preliminary Plat

Mr. Craig Datwyler, current developer for Fairway Meadows, discussed fencing concerns. The Development Review Committee felt fencing between the condominiums and private single family residences should be required. Mr. Datwyler recently purchase the property and felt he should not be required to fence property he did not build on. He felt the previous developer, Mr. Jack Perry, left a lot things unfinished in the beginning phases, including the fencing. Mr. Datwyler stated the City let Mr. Perry's bond expire and felt he was now being required to finish the work not done by Mr. Perry. Mr. Heap noted fencing was not required on the original preliminary plat, and therefore a bond for fencing was not necessary. Much discussion took place on the fencing issue. Mr. Datwyler agreed to provide chain link fencing on the development. The Council discussed lining and piping of the canal. They expressed concerns with potential leakage damaging the homes beneath the canal. After discussion, the consensus was not to grant final plat approval on Lots 18 through 30 until the canal is lined and fenced, or another agreement is worked out between the irrigation company, the developer and the City.

A **motion** was made by Councilmember Barber to approve the Fairway Meadows Amended Preliminary Plat subject to the following conditions:

1. To protect the property below the canal, the final plat on Lots 18 through 30 will not be approved until the canal is lined and fenced from Lot 23 to the Highway, or an agreement is worked out between the irrigation company, the developer, and the City.
2. The storm drainage needs to be piped to the river.
3. The CC&R's need to be reviewed and approved by the City attorney.
4. Lots 23 through 30 will require individual review. These lots could have a reduced setback to fifteen feet to accommodate a side entry garage.
5. The common area must go in with Phase I. A detailed landscaping and improvements plan for the common area must be received prior to final plat approval. The two parking spaces in front of the common area need to be eliminated.
6. Sidewalks need to be on both sides of the street.
7. Relocation of the power box in front of Lot 2 at the expense of the developer.

8. The streets will be private, but need to be dedicated as utility easements.
9. A chain link fence will be installed between the existing condominiums and existing single family homes at the expense of the developer.

After the motion was made, Mr. Datwyler stated he could not commit to the expense of lining and fencing the canal to the Highway. The motion **died** for lack of a second.

Councilmember Swenson made a **motion** to table the Fairway Meadows Preliminary Plat until the canal issue could be worked out with the City and Mr. Datwyler. The motion was **seconded** by Councilmember Shaw, and it **passed** with a unanimous vote.

Spanish Fork City Growth Summary

The Council reviewed a summary of growth in Spanish Fork City for years 1990 through 1996. Mr. Comstock stated less building permits were issued in 1996 as compared to 1995. He attributed this to the City running out of building lots in mid-1996. Mr. Comstock stated presently there are not many buildable lots available.

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 at 9:05 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.