

Adopted Minutes
Spanish Fork City Council Meeting
September 2, 1997

The meeting was called to order at 6:30 pm by Mayor Marie W. Huff for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was given by Councilmember Matthew D. Barber.

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

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Mary-Clare Maslyn, Assistant City Manager; Jack J. Swenson, Recreation Director; S. Junior Baker, City Attorney; Kent R. Clark, Recorder/Finance Director; Gregory A. Comstock, City Planner; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Monica Critchlow, Karen Payne and Susan Romero, *Chamber of Commerce*; Glenn A. James, Blaine White, Jackie White, Mike Gardner, Shauna Gardner, Tom McHoes, *Daily Herald*; Rodney Kirk, Thomas B. Allen, Sylvia Hansen, John Jackson, Matthew Johnson, Everett Kelepolo, Stephen D. Fish, and James DeMita.

Minutes

Councilmember Shaw made a **motion** to approve the minutes of the August 19, 1997, meeting of the Spanish Fork City Council with noted corrections. Councilmember Woodhouse **seconded** the motion, and it **passed** with a unanimous vote.

Introduction of New Employees

Chief Rosenbaum introduced two recently hired patrol officers to the Mayor and Council. Mr. John Jackson was previously employed with Mapleton City Police Department. Mr. Jackson stated he is a native of Spanish Fork, and expressed enthusiasm in being able to work for the City. Mr. Matt Johnson, from Benjamin, has been working with the Utah County Sheriff's office. Both officers were welcomed by the Mayor and Council. They will begin work with the City on Monday, September 15, 1997.

Agenda Request - Monica Critchlow

Ms. Monica Critchlow addressed the Mayor and Council. Ms. Critchlow is responsible for the Chamber of Commerce Christmas program. She noted several activities including breakfast with Santa Claus, a home decorating contest, and the annual "Lights on Celebration" ending with a lights parade down Main Street. These activities will take place after Thanksgiving. Ms. Critchlow stated the Chamber is trying to get local support from merchants on Main Street and suggesting that during the Christmas Season they open earlier and remain open until later in the evening. Ms. Critchlow explained the Chamber does not need financial support from the City, but

would like the City's help in promoting various activities through advertisement in the utility bills. She also suggested offering pool passes as prizes for the home decorating contest. The Council expressed their support for the Chamber Christmas program. Ms. Critchlow asked Mayor Huff for her participation at the "Snow Fairy" during the festivities.

Agenda Request - Mike Gardner

Mr. Mike Gardner was present to discuss the one-way status of 1400 East. This road was designated as a one-way road due to its narrow condition and the City Council's concern for local children walking or biking to school along this street. Mr. Gardner feels 1400 East is needed as a one-way road approximately four percent of the total time the road is used. He stated the road's one-way status is not necessary during the summer, early morning, and late evening hours as well as holidays and weekends. Mr. Gardner suggested the City install flashing lights, and the road become one-way only when the lights are flashing. He also suggested widening the road. Mr. Gardner stated he is concerned for the safety of school children, but he feels an alternate solution is available other than a one-way street. It was stated if the road remains one-way, a sign needs to be installed at the end of the 1400 East that advises re-entry into two-way traffic.

Councilmember Huff feels the change in times for operation of the one-way street would create confusion. Councilmember Woodhouse noted after the completion of 1240 South pedestrian and bicyclist traffic is likely to increase because children will no longer be bused to school.

Chief Rosenbaum reviewed research regarding the number of vehicles and children on 1400 East as well as other roads in the area. This research will be used to assist the City in obtaining funds for an additional crossing guard. Chief Rosenbaum noted his surprise at the lack of children using 1400 East. He stated that even though there is minimal pedestrian traffic, approximately seven buses as well as many other vehicles use 1400 East on a daily basis.

Ms. Monica Critchlow resides on 1560 East and stated that traffic is now being diverted to her street because of the one-way status of 1400 East. A lengthy discussion ensued on the issue. Mr. Gardner suggested the school district bring buses down 1100 East. Chief Rosenbaum stated school buses will take the quickest route with the least amount of traffic and signage.

After further discussion, Mayor Huff directed Mr. Gardner to meet with Chief Rosenbaum to discuss a resolution to his concerns. City Engineer Richard Heap stated he is waiting to hear back on the City's application for "safe sidewalk" funds. If granted, these funds may be able to be used at 1400 East. Mr. Heap suggested the traffic pattern around the new elementary school be reevaluated after 1240 South is complete.

Public Hearing - Amendments to 17.12.040 of the zoning ordinance to modify the review and processing of annexation requests to comply with changes enacted by the Utah Legislature

Ordinance 13-97: An Ordinance Amending the Annexation Requirements as Set Forth in the Comprehensive Zoning Ordinance.

Councilmember Shaw **moved** to open the public hearings at 7:55 pm. The motion was **seconded** by Councilmember Huff, and it **passed** with a unanimous vote.

Mr. Comstock explained sections of House Bill 363 of the 1997 Utah Legislature significantly amended the requirements for annexation to cities. Due to this recently adopted bill, procedures in the Zoning Ordinance are now out of compliance. Mr. Comstock reviewed amendments to the annexation process. Annexation could potentially take eight to nine months under these new requirements. The Council discussed affects of the changes to the annexation process. Ordinance 13-97 describes generalities of changes for annexation. Attorney Baker noted the ordinance also imposes the cost of feasibility studies for annexations on the petitioner. If a feasibility study is required, it will be paid for by the City and then reimbursed by the petitioner. Councilmember Barber asked how the City could guarantee reimbursement for the study. Attorney Baker stated the City could deny the annexation request if reimbursement for the study is not received.

Councilmember Huff **moved** to adopt the changes in the annexation process by Ordinance 13-97: An Ordinance Amending the Annexation Requirements as Set Forth in the Comprehensive Zoning Ordinance. Councilmember Shaw **seconded** the motion, and it **passed** with a unanimous vote.

Public Hearing - Amendments to 17.28.030 of the zoning ordinance to modify the fencing requirements in the Comprehensive Zoning Ordinance

Ordinance 14-97: An Ordinance Amending the Fencing Requirements As Set Forth in the Comprehensive Zoning Ordinance

Mr. Comstock reviewed Ordinance 14-97 which amends the requirement of certain types of fencing between uses. Mr. Comstock explained the ordinance will reintroduce a three foot high solid wood fence on a three foot high decorative block wall into various areas of the zoning ordinance. Discussion took place on the quality required of the decorative block. Mr. Comstock stated block material that looks better than typical cement is desirable and is also what standards will require.

Councilmember Barber **moved** to adopt Ordinance 14-97: An Ordinance Amending the Fencing Requirements As Set Forth in the Comprehensive Zoning Ordinance. The motion was **seconded** by Councilmember Shaw, and it **passed** unanimously.

A **motion** was made by Councilmember Barber to exit the Public Hearings at 8:11 pm. Councilmember Swenson **seconded** the motion, and it **passed** with a unanimous vote.

Ordinance 15-97: An Ordinance Amending the Municipal Code Concerning Nominations for Elective Office

Attorney Baker explained Ordinance 15-97 would modify City ordinance regarding nominations for elective office to bring it into conformity with recently amended State law.

Councilmember Shaw **motioned** to adopt Ordinance 15-97: An Ordinance Amending the Municipal Code

Concerning Nominations for Elective Office. The motion was **seconded** by Councilmember Huff, and it **passed** with a unanimous vote.

Ordinance 16-97: An Ordinance Amending Campaign Finance Disclosure Requirements

Attorney Baker reviewed Ordinance 16-97 with the Council. Previously, State law required the filing of a campaign finance disclosure report 10 days prior to the election. The law has now been amended requiring a report 7 days before the election. Attorney Baker stated Ordinance 16-97 will change City Code to conform with State Code.

A **motion** was made by Councilmember Swenson to amend the campaign finance disclosure requirements by Ordinance 16-97. The motion was **seconded** by Councilmember Woodhouse, and it **passed** unanimously.

Presentation of 1997 Election Judges

Mr. Clark distributed a list of proposed election judges to the Council. He noted election judges cannot be related to candidates running for election. Changes in polling locations were reviewed.

Councilmember Huff made a **motion** to approve the election judges for the 1997 municipal election as presented. Councilmember Swenson made the **second**, and the motion **passed** with a unanimous vote.

Installation of Planter Strips Along 300 East

Mr. Comstock addressed previous issues regarding installation of planter strips in the middle of 300 East. He stated Design Engineer, Chris Thompson contacted six property owners on 300 East between 500 and 600 North. Five of the contacted people were for the project while one citizen was opposed. The citizen opposed to the planter strip did not state specific reasons for opposition. Murray City had similar planter strips in some of their streets, and stated they did not experience problems from salt associated with snow removal killing the grass. Councilmember Shaw feels the width of the street allows plenty of room for planters. Mr. Heap noted a major concern from citizens was the financing of the planter strips. Citizens were told the planters would be financed by the City.

The majority consensus from the Council is to proceed with the planter strip concept. Councilmembers Barber, Shaw, and Woodhouse were in favor of the planters. Councilmembers Huff and Swenson were undecided. Councilmember Huff feels opinions from additional citizens along 300 East should be obtained. Councilmember Swenson expressed agreement in obtaining feelings from citizens. Councilmember Swenson also questioned if the costs of the project are worth the aesthetics in one section of town with limited traffic on the street.

Other Business

The Council discussed other business.

Adjournment to Executive Session

Councilmember Woodhouse **moved** to adjourn the regular session of the Spanish Fork City Council at 8:32 and convene the executive session to discuss legal issues. Councilmember Swenson **seconded**, and the motion **passed** unanimously.

Adjournment of Executive Session

Councilmember Swenson **moved** to adjourn the executive session at 9:40 pm. Councilmember Shaw **seconded** the motion, and it **passed** with a unanimous vote.

Other Business

A general discussion took place of various issues including the proposed ballpark facility, the League of Cities and Towns annual conference, and the Spanish Trails development.

Adjournment

A **motion** was made by Councilmember Woodhouse to adjourn the meeting of the Spanish Fork City Council at 10:02 pm. The motion was **seconded** by Councilmember Barber, and it **passed** with a unanimous vote.