

**Adopted Minutes
Spanish Fork City Council Meeting
June 2, 1998**

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was led by Mr. S. Junior Baker.

Elected Officials Present: Mayor Dale R. Barney; and Councilmembers Sherman E. Huff, Everett Kelepolo, Thora L. Shaw, Lillian J. Shepherd; and Clyde A. Swenson.

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

Citizens Present: Roxanna Johnson, Spanish Fork Press; Dean Harmon, Ken Larsen, Mike Latimer, Allen Carter, Regan Vance, Lee Michaelis, Aaron Mackley, Eric Anderson, Scout Troop 870; Chad Garbe, Wally Randolph, Trever Stubbs, Gary Voran, Brook Voran, Matt Barber, Glenn A. James, Jackie White, Blaine White, Jeff Duvall, Stephanie Duvall, Roy Johns, Ray Argyle, and Helen Argyle.

Minutes

Councilmember Shaw **moved** to approve the minutes of the May 19, 1998, City Council meeting as presented. Councilmember Shepherd **seconded** the motion and it **passed** unanimously.

Mark Boyack Retirement and Recognition

Public Utility Department Superintendent Mark Boyack was recognized by the Mayor and Council for his service to the City. Mr. Boyack is retiring after thirty years as an employee of Spanish Fork City.

Public Hearing - Jim Nielsen Zone Change (R-1-8 to C-2)

Councilmember Swenson **moved** to open the public hearings at 7:05 pm. Councilmember Kelepolo **seconded** the motion and it **passed** unanimously.

A request has been received from Mr. Jim Nielsen to amend the General Plan from Medium Urban Residential to General Commercial, and to rezone approximately 3.2 acres south of Center Street and west of U.S. Highway 6 from R-1-8 to C-2. The applicant proposes to use the property for additional parking for his new commercial center.

The Development Review Committee recommended approval of the small lot immediately to the west of the commercial center, but denial of the larger parcel to the southeast. A public hearing

was held before the Planning Commission on May 6, 1998 at which much opposition was heard from neighboring citizens. Many residents felt the change would greatly impact the neighborhood and could potentially be expanded for other uses than parking purposes. The Planning Commission recommends denial of the zone change.

Mr. Comstock noted the request for the larger piece to the southeast of the commercial center has been withdrawn by Mr. Nielsen. The meeting was opened for public input.

Mr. Ray Argyle who lives west of the commercial center stated ample parking should have been required when the building permit was issued. He also feels the property will have other uses than just a parking lot. Mr. Argyle suggested the larger southeast parcel be made into a community park. Mr. Comstock clarified that current parking at the commercial center meets ordinance requirements.

Mr. Lee Michaelis expressed opposition to the zone change. He stated he would rather see multi-family dwellings constructed in the area than a parking lot.

Mr. Dean Harmon stated he is opposed to the zone change if any extension of buildings are involved. He does not have a problem with additional parking.

Mr. Regan Vance stated he is opposed to any development on the property other than residential development. He noted bright lights from the commercial area are an annoyance and feels if the change is passed other problems will arise.

Mr. Aaron Mackley expressed concerns of opposition. He likes the idea of a park in the area during the daytime but feels at nighttime it would turn into an assembly place for questionable groups. Mr. Mackley is not opposed to the parking lot, but the possible future uses of the property.

Mr. Mike Latimer stated he would rather have parking on this property than the street, but feels the City cannot guarantee the area will remain a parking lot.

Councilmember Swenson stated commercial areas were purposely scattered around the City as a convenience to residents.

Members of the Council discussed concerns including the number of uses allowed in the C-2 zone, and the hazards of parking on Center Street. A citizen suggested parking be extended to the Texaco gas station. Councilmember Kelepolo stated parking across the street at the Texaco would cause hazards with pedestrians crossing a busy street.

Mr. Mackley expressed concerns with increased traffic and extension of streets on 100 and 180 South. Mr. Heap stated 100 South will eventually tie into 180 South. He noted the maximum length of a cul-de-sac is 400 feet, therefore these streets will need to be joined.

Additional discussion took place.

Councilmember Kelepolo **moved** to table the Jim Nielsen zone change request until evaluation can be done to determine if there is a need for additional parking in this area. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Jennings Fish Zone Change (Amendment to Zoning Text - R-R District)

A request has been submitted to amend the text of the zoning ordinance to allow a second dwelling unit on a 1.2 acre lot in the R-R zoning district. Mr. Jennings Fish would like to build a second residence on his property for his son. His current residence would eventually become a guest home.

The Planning Commission and Development Review Committee were concerned about allowing another residential unit on a lot which is already substantially smaller than the five acre minimum lot size in the R-R district. The lack of City sewer in the area was also a factor in the recommendation of denial by the two bodies.

Mr. Comstock stated Mr. Fish was notified of the meeting, but was not in attendance. No public comment was received.

Councilmember Huff feels it is inappropriate to grant the amendment as it would set a precedence for others. He **moved** to deny the Jennings Fish Zone Change. Councilmember Shaw **seconded** the motion which **passed** with a unanimous vote.

Other Business

Mr. Heap updated the Council on various projects taking place throughout the City.

Public Hearing - FY 99 Budget

Mr. Oyler reviewed the FY 99 Budget with the Mayor and Council. He entertained questions from those in attendance regarding the budget.

Adjournment and Closure of Public Hearing

A **motion** was made by Councilmember Huff to close the public hearing at 9:06 pm and adjourn the meeting to the RDA session. The motion was **seconded** by Councilmember Shaw and it **passed** with a unanimous vote.