

**Adopted Minutes
Spanish Fork City Council Meeting
June 30, 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 Councilmember Lil Shepherd.

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; Dee Rosenbaum, Public Safety Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; and Rodger Hardy, *Deseret News*.

Minutes

A **motion** was made by Councilmember Shaw to adopt the minutes of the June 16, 1998, City Council meeting with noted amendments. Councilmember Shepherd **seconded** and the motion **passed** unanimously.

Public Hearing - FY 98 Budget - Final Adjustment

Councilmember Huff **moved** to open the public hearing at 7:05 pm. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Oyler distributed copies of the revised FY 98 Budget. He reviewed amendments to the FY 98 budget for the end of the fiscal year. The revision reflects all expenditures and revenues that have been collected to date. Mr. Oyler opened the meeting for public comment and questions.

Councilmember Swenson **moved** to accept the FY 98 Budget revision as presented. Councilmember Kelepolo **seconded** the motion and it **passed** with a unanimous vote.

A **motion** was made by Councilmember Huff to exit the public hearing at 7:20 pm. The motion was **seconded** by Councilmember Shaw and it **passed** unanimously.

Adjournment to RDA Session

Councilmember Huff made a **motion** to adjourn the City Council meeting and convene the meeting of the Spanish Fork Redevelopment Agency meeting at 7:20 pm. The motion was **seconded** by Councilmember Shaw, and it **passed** with a unanimous vote.

Adjournment from RDA Session

Councilmember Swenson **moved** to adjourn the RDA meeting and reconvene the City Council meeting at 7:29 pm. Councilmember Shaw **seconded**, and the motion **passed** with a unanimous vote.

Adjournment to Executive Session

Councilmember Kelepolo **moved** to adjourn the regular session of the Spanish Fork City Council at 7:30 pm, and convene the executive session to discuss legal issues. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Adjournment from Executive Session

Councilmember Huff **moved** to adjourn the executive session of the Spanish Fork City Council at 8:44 pm and reconvene the regular session. Councilmember Shaw **seconded** the motion which **passed** with a unanimous vote.

Resolution 98-16: A Resolution Authorizing an Appeal of the Board of Adjustment Decisions Granting a Variance for an Oversized Accessory Building and a Duplex on a Substandard Lot

Attorney Baker reviewed two variances granted by the Spanish Fork City Board of Adjustment on June 10, 1998 as follows:

Mr. James Olson was granted a variance to allow a 1,500 square foot detached garage/shop instead of the maximum allowed 892 square feet for a lot containing 17,836 square feet. The property address is 545 East 300 North.

Ms. Ann Haymond was granted variances on property located at 590 North 100 East for the following:

1. To allow a 6,352 square foot lot to be used for a duplex instead of the 10,000 square feet required in the R-2 district.
2. To allow one covered parking space instead of the required two covered parking spaces.
3. To allow three total parking spaces instead of the required four spaces.
4. To allow one parking space to be tandem in front of the garage.

Mr. Baker stated the variances are not consistent with criteria established by State Law, and the Board did not make any findings to grant the variances. If the City Council is uncomfortable with the variances an appeal would have to be filed by June 10, 1998.

Councilmember Shaw noted a conflict of interest in that her spouse, Mr. Jerry Shaw serves as Chair of the Board of Adjustment.

Councilmember Huff requested it be noted the Council has full respect for the Board of Adjustment. He stated the City Council's decision to appeal the variances is not meant to be punitive. Councilmember Huff stated the City Council has a responsibility to look out for the entire citizenry and protect established City ordinances. Members of the Council expressed the Board is made up of good people who work hard and are required to take on a big load. Appreciation was voiced for the service and difficult job the Board performs. It was also noted many of the Board members are new and perhaps have not received adequate training. The City Council and City staff are recommending additional training is given to help the Board members positions be more effective.

Councilmember Kelepolo **moved** to adopt Resolution 98-16: Authorizing an Appeal of the Board of Adjustment Decisions Granting a Variance for an Oversized Accessory Building and a Duplex on a Substandard Lot. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote. ***Note: Councilmember Shaw abstained from voting.*

Adjournment

Councilmember Huff **moved** to adjourn the meeting of the Spanish Fork City Council at 9:49 pm. Councilmember Kelepolo **seconded** the motion and it **passed** with a unanimous vote.