

Adopted Minutes
Spanish Fork City Council Meeting
March 7, 2000

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 Chris Thompson.

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Glenn A. James, Roy L. Johns, Everett Kelepolo, and Lillian J. Shepherd. Councilmember Sherman E. Huff was excused.

Staff Members Present: MaryClare Maslyn, Assistant City Manager; Chris Thompson, Design Engineer; Emil Pierson, City Planner; Nate Crow, GIS Specialist; Dee Rosenbaum, Public Safety Director; Roy Christensen, Golf Pro; Robert Wright, Assistant Golf Pro; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Colin Hill, Laurel Hill, Windy McLean, *Simmons Media*; Patrick E. Doty, Earl M. Davis, and Cliff Hales.

Minutes

Councilmember Shepherd made a **motion** to approve the minutes of the February 8, 2000 meeting of the Spanish Fork City Council meeting as presented. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Employee Introduction

Mayor Barney introduced Robert Wright to the City Council. Mr. Wright has been hired as the City's new Assistant Golf Pro. Mr. Wright addressed the Council stating he has been with the City part-time approximately five years. He invited those that have problems with their golf swing to visit him at the golf course.

Appointments to the Arts Council

Mayor Barney recommended appointments of Steve Poulsen and Dana Robinson to serve on the Spanish Fork Arts Council.

Councilmember James made a **motion** to ratify the appointments of Steve Poulsen and Dana Robinson to the Arts Council. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Jex/Barber Zone Change (C-2 and R-O to C-D)

Councilmember Shepherd made a **motion** to open the public hearings at 7:07 pm. The motion was **seconded** by Councilmember Johns, and it **passed** with a unanimous vote.

Councilmember Johns made a **motion** to table the public hearing for the Jex/Barber Zone Change until March 21, 2000. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Ordinance 02-00: An Ordinance Amending the Billboard Requirements of Spanish Fork City

Simmons Media is requesting a text amendment to the zoning ordinance that would allow billboard spacing every 750 feet in the I-3, Heavy Industrial zone. Current ordinance requires spacing every 1000 feet.

Mr. Pierson reviewed the proposed ordinance amendment which would address billboard spacing as “corridor” specific, rather than zone specific. Text changes are proposed as follows:

“Billboards are permitted on I-15 from 3100 North to 1600 North and on U.S. Highway 6 from mile post number 177 (Highway 89) to mile post number 178 (heading south).”

The following items will also be added to the billboard sign ordinance:

- Must be monopole;
- UDOT must approve the billboard location prior to City approval;
- Spacing will be changed from every 1,000 feet to every 750 feet.

Mr. Pierson noted most billboards are spaced 500 feet apart based on County jurisdiction prior to property being annexed. These billboards are considered non-conforming. The face may be changed, but in order to change actual construction or poles, the sign would have to come into conformance. The Development Review Committee and Planning Commission recommended approval of the ordinance amendment.

Councilmember Kelepolo asked how the City requires maintenance of billboards. Mr. Pierson answered the City requires signs be maintained and not be detrimental to health and safety.

Mayor Barney opened the meeting for public input. None was received.

Councilmember Kelepolo made a **motion** to adopt Ordinance 02-00: Amending the Billboard Requirements of Spanish Fork City as it is consistent with the policies of the General Plan. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Consider Adoption of the Cloward/Hales Zone Change from R-R to R-1-12 by Ordinance Z01-00 and the Fox Run and Leifson Estates Preliminary Plats

Dave Cloward and Cliff Hales are requesting a zone change from R-R, Rural Residential, to R-1-12, Low Urban Residential on approximately 9 acres at 1400 South 1700 East. Preliminary Plat approval for the Fox Run and Leifson Estates will create 36 building lots for a density of 3.05 acres. These two developments have been combined, at the request of the City Planner, to provide a better planned development. It was noted property for Leifson Estates has already been zoned R-1-12.

The Fox Run and Leifson Estates subdivisions will consist of 36 single family homes to be constructed of mainly masonry on the front elevations, with the remainder of the building no more than 40% siding. Lot sizes range from 8,500 to 14,945 square feet. Amenities for the subdivision were reviewed to include special street lighting, and installation of a three-rail white vinyl fence along 1400 South and 1700 East. The subdivision will have CC&R's to regulate housing materials and size.

The Development Review Committee and Planning Commission recommend approval of the zone change and preliminary plats.

Councilmember Johns made a **motion** to approve the Cloward/Hales zone change from R-R to R-1-12 by Ordinance Z01-00 as it meets the intent of the General Plan. The following condition is included with the zone change to mitigate adverse impacts on adjacent properties:

1. The Baxter property be included in the rezoning to R-1-12, and included as part of the development. The City will provide information necessary to add the Baxter property to the zone change.

Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Johns made a **motion** to approve the Fox Run and Leifson Estates Preliminary Plat subject to the following conditions:

1. All ditches be signed off by the irrigation company or ditch owner prior to being placed on the Planning Commission agenda;
2. Curb and gutter placed on the south and east of the Baxter property. A connectors agreement may be entered into for the curb and gutter;
3. Driveway access for Lot 9 must be from the easterly road;
4. All amenities must be completed as shown by the developer in their master plan;
5. A minimum of 24 foot width asphalt must be installed on 1400 East from the north edge of the drive to the south edge of Wolf Hollow East (approximately 65 feet);
6. Water, sewer, and pressurized irrigation must loop on 1700 East. Power will also come from 1700 East;
7. Setbacks as follows: Front - 25 feet; Rear - 25 feet; and Side - 10 feet. Corner lots: 15 feet to living area and 25 feet to garages;
8. 100% of the main level on all single family homes shall be brick, stucco, or rock;
9. Single family homes to have minimum of 1,200 finished square feet on the main level, and two-story homes to be a minimum of 1,800 combined square feet with 1,000 finished square feet on the main level;
10. A six foot walkway to Canyon Elementary School installed as part of the first phase;
11. A six foot walkway to Bearson's property installed as part of the first phase.

Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - Consider Adoption of the H.E. Davis Change from R-R to R-1-12 by Ordinance Z02-00 and the Spanish Oaks Preliminary Plat

H.E. Davis is requesting a zone change from R-R, Rural Residential, to R-1-12, Low Urban Residential on approximately 26.90 acres at 2700 East 2000 South. Preliminary plat approval will create 77 building lots for a density of 2.86 units per acre. Nebo School District plans to construct a new elementary school adjacent to the development. The property was previously used as a gravel pit by H.E. Davis.

The meeting was opened for public input. None was received.

Councilmember James expressed concern with buildable area on the slope of the hill. Developer Earl Davis indicated these lots will be separately engineered to eliminate concerns.

Councilmember Johns requested streets be kept clean of debris from construction traffic. Mr. Davis agreed, but stated it will be necessary for construction traffic to travel through an adjacent subdivision.

Councilmember Kelepolo made a **motion** to approve the H.E. Davis zone change from R-R to R-1-12 by Ordinance Z02-00 as it is consistent with the intent of the General Plan; and to approve the Spanish Oaks Estates Preliminary Plat subject to the following conditions:

1. Required amenities for the subdivision include but are not limited to, 50% masonry or solid surface on the entire home elevation; covered porches on every home; alternative street lights which are approved by the Electric Department; uniform mailboxes (type and location to be approved by the Post Office and Electrical Department). All amenities must be completed by the developers as shown in the development packet.
2. Setbacks will be: front - 20 feet to the living area, 25 feet to the garage; side - 10 feet; and rear - 25 feet.
3. No home with the same elevation to be within 200 feet of the other.
4. Minimum 1200 square feet required on ramblers, and 1600 combined square feet on two story homes.
5. Trees for the subdivision to be reviewed by the Shade Tree Commission.
6. Lots 1-17 and 27-42 required to be engineered separately taking into consideration the specific house for the specific lot. Individual geo-technical reports are required on these lots. If the lot fails, it becomes non-buildable unless, through engineering requirements, it can pass a geo-technical test.
7. A construction traffic plan must be submitted by the developer which mitigates adverse impacts on residential neighborhoods. Construction drivers must control their speed.
8. Storm drainage calculations and storm water plan need to be finalized before going to City Council meeting. Water cannot be permanently retained onsite.
9. Installation of a 6 foot wide concrete walkway between lots 25 & 26 with chain link fence on both sides. CC&R's to include verbiage for Lots 25 & 26 which states a site

- obscuring fence cannot be installed along the walkway.
10. Power and utilities extended through Oakview Plat F.
 11. Canyon Crest Drive must match the tie from Oakview Plat F.
 12. The subdivision meets all plans and profiles approved by the Engineering Department.
 13. Ditch owners or irrigation company must sign off on all ditches.
 14. CC&R's must be approved by the City Planner and City Attorney.

Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Johns made a **motion** to exit public hearings at 7:49 pm. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Wolf Hollow East Preliminary Plat

(This development was previously called the Bardsley Preliminary Plat)

Panda Homes is requesting an extension for the Wolf Hollow East Preliminary Plat. Approval for the plat expired in September 1998 and the City Council may grant an extension for a maximum of six months. Mr. Pierson indicated most of the improvements are in place.

Mayor Barney asked if former property owner Kevin Bardsley is still involved with the project. Mr. Pierson indicated Mr. Bardsley has sold the property, but he is still involved.

Councilmember Johns expressed concerns that representatives for the development were not present. He indicated his feeling that any issue should be tabled if representatives are absent. Councilmember Kelepolo asked if it was necessary for the developer to be present since approval had been previously granted and the plat remains the same. Mr. Pierson stated it is not critical for representatives to be present on this issue.

Councilmember James made a **motion** to table the Wolf Hollow Heights East Preliminary Plat until a later date when representatives are present. Discussion took place. Developer Glen Arnell arrived at 7:59 pm. Councilmember James **withdrew** the motion.

Mr. Arnell reviewed the CC&R's for the development.

Councilmember Kelepolo made a **motion** to approve an extension to the original approval of the Wolf Hollow East Preliminary Plat subject to the original conditions of approval as well as the following conditions:

1. The extension will be for a maximum of six months;
2. The Electric Department will accept whatever conduit, sectionalizers, and transformer pads or secondary junction boxes that have been previously installed in the development if it has been energized. Any sectionalizers, transformer pads or secondary junction boxes that have not been energized will be reset, leveled, and installed according to the current Construction and Development Standards including the addition of the communication pedestals. Any additional conduit, sectionalizers,

transformer pads or secondary junction boxes and related equipment that has not as yet been installed, must be installed according to the requirements of the current Construction and Development Standards.

Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Peak Physical Therapy Preliminary Plat

Ed Budge and Von Hill, from Peak Physical Therapy are requesting preliminary plat approval for a two-lot commercial subdivision located at 100 South 400 West. Peak Physical Therapy would like to construct a new building on the northerly lot. The property is zoned Commercial Office (C-O), and will allow this type of use.

Discussion on installation of curb, gutter, and sidewalk along 400 West took place. Concerns were expressed about the safety of pedestrians. The possibility of a connectors agreement for sidewalk installation by Peak Physical Therapy was discussed.

Councilmember Johns made a **motion** to table the Peak Physical Therapy Preliminary Plat until issues regarding curb, gutter, and sidewalk along 400 West are reviewed in more detail. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

Agreement - City of Fun Carnival

Assistant City Manager MaryClare Maslyn reviewed the proposed contract with the City of Fun Carnival to renew carnival services during Fiesta Days. The agreement is for a period of three years. Ms. Maslyn reviewed additions to this years contract including advance notification of arrival.

Councilmember James asked if the City has ever dealt with serious incidents regarding the carnival. Chief Rosenbaum stated the carnival attracts a certain element that is a challenge to the City, but extra staff including the County Task Force, has kept things under control. Mayor Barney does not feel the City should compromise the fun of the Carnival for a few individual problems.

Councilmember Kelepolo made a **motion** to authorize Mayor Barney to enter into an agreement with the City of Fun Carnival for the years 2000, 2001, and 2002. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Adjournment

Councilmember Shepherd made a **motion** to adjourn the meeting of the Spanish Fork City Council at 8:29 pm. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.