

Adopted Minutes
Spanish Fork City Council Meeting
February 5, 2002

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda. Councilmember Kelepolo offered a prayer. At 7:00 pm the pledge of allegiance was led by David A. Oyler.

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Sherman E. Huff, Glenn A. James, Roy L. Johns, Everett Kelepolo, and Paul M. Christensen.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Kent R. Clark, Finance Director/Recorder; S. Junior Baker, City Attorney; Emil Pierson, Planning Director; Dee Rosenbaum, Public Safety Director; Brian Nelson and Alex Simonson, Camera Crew; and Connie Swain, Deputy Recorder.

Citizens Present: Frank Santos; Ryan Pritchett, *Armstrong Consultants*.

Minutes

Councilmember Johns made a **motion** to approve the minutes of the June 19, 2001, meeting of the Spanish Fork City Council as presented. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Christensen made a **motion** to approve the minutes of the January 8, 2002, meeting of the Spanish Fork City Council as presented. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Councilmember James made a **motion** to approve the minutes of the January 11, 2002, meeting of the Spanish Fork City Council as presented. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Kelepolo made a **motion** to approve the minutes of the January 12, 2002, meeting of the Spanish Fork City Council with changes as noted. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff made a **motion** to approve the minutes of the January 15, 2002, meeting of the Spanish Fork City Council with changes as noted. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Public Hearing - 2002 Fiscal Year Budget Revision

Councilmember Huff made a **motion** to open the public hearing portion of the meeting. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Mayor Barney reviewed the procedures of a public hearing.

Mr. Oyler reviewed the highlights of the proposed fiscal year 2002 budget revision.

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

Mayor Barney closed the public input portion of the hearing and opened the meeting for input and discussion from city councilmembers.

Councilmember Huff asked for clarification in some areas of the budget revision. Mr. Oyler reviewed those areas.

Councilmember Huff made a **motion** to approve the 2002 fiscal year budget revision. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Huff expressed appreciation to Mr. Oyler and the staff, gave them a vote of confidence, and trust for a job well done. Mayor Barney also commended staff for their significant efforts.

Councilmember Kelepolo made a **motion** to close the public hearing portion of the meeting. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Federal Funds Airport Grant Application and Two Requests for State Aid

Mr. Ryan Pritchett was present from Armstrong Consulting and reviewed the application for a grant written with the effort to secure state and federal funds for airport improvements. The funds totaling \$164,000 for the improvements would be acquired as follows: \$150,000 federal grants funds (FAA), \$7,400 from the state, and matching funds of \$7,400 each from Spanish Fork and Springville Cities. The proposed funds would be used to add new taxi lanes to the airport, which would generate new revenues. Mr. Pritchett provided council with drawings of the proposed airport changes.

Councilmember Kelepolo made a **motion** to approve the federal funds airport grant application. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Johns made a **motion** to approve the two requests for State matching funds. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Esther Ridge Amended Preliminary Plat and Re-Approval of Preliminary Plat

Mr. Pierson reviewed the request by Frank Santos to amend the Esther Ridge preliminary plat and receive re-approval of the expired preliminary plat at approximately 2400 East 1650 South. The plat expired due to the fact it was not recorded within one year. Mr. Santos still owns plats C, D, and E. Northstar Development owns plats A and B. Plat A has homes being built and Plat B is in court litigation. Originally the plats owned by Mr. Santos were approved with 136 units of townhomes, twinhomes, and single family homes including a park and private open spaces in connection with all plats A, B, C, D, and E. Parks and open spaces were to be maintained through a homeowners association fund. Since it will be difficult to collect homeowners association fees from homeowners in plats A and B, Mr. Santos is requesting to amend plats C, D, and E by increasing the lot sizes for larger single family homes and eliminating the private open spaces and parks. In exchange for eliminating the park Mr. Santos will donate \$60,000 towards Spanish Fork City Parks Department.

Upon reviewing the request by Mr. Santos both the Development Review Committee and the Planning Commission recommend council's approval with the ten conditions as presented.

Councilmember Huff asked what steps could be taken in the future to make sure property owners are advised of fees to maintain private open spaces. Councilmembers Huff, Johns and Mayor Barney stated if we are going to require CC&R's to be paid we need to be able to enforce it.

Councilmember Kelepolo made a **motion** to approve the amended Esther Ridge preliminary plat and re-approval of the preliminary plat subject to the following conditions;

1. The \$60,000 donated by Frank Santos for the elimination of the private park is to be used by Spanish Fork Parks and Recreation in another city park. This money is to be paid prior to the recording of Plat C,
2. Rambler homes are to be a minimum of 1,200 square feet, two-story homes are to be a minimum of 1,500 square feet,
3. One hundred percent of the front elevations are to be a hard surface,
4. Fifty percent of the units are to have all hard surfaces,
5. All corner lots are to have hard surfaces with a side entry garage,
6. All homes are to have a 5/12 roof pitch,
7. No homes with the same footprint (style, elevation) shall be within 200 feet of each another, as determined by the City Planner,
8. Setbacks will be as follows: Front - 20 feet to living area 25 feet to garage; Rear - 25 feet; and side - 10 feet. Corner lots - 15 feet to living area and 25 feet to garages,
9. CC&R's are to be approved by the City Planner and City Attorney,
10. The development must meet all current construction and development standards.

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

Thomas Residence - 86 West 100 North - Historical List

Mr. Pierson stated the historic committee met on January 24th and they are recommending the Thomas residence at 86 West 100 North be placed on the historic list. The home is presently owned by Mike Allen and will be used as a retail establishment. The retail store will sell antiques and items restored by All-en-Wood.

Mayor Barney expressed his approval of the historical committee. Councilmember James stated the historical committee has prepared a list of homes they would like to see placed on the historical list. A discussion followed.

Councilmember Huff made a **motion** to place the Thomas residence located at 86 West 100 North on the historical list. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Utility Right of Way Agreement with UDOT

Mr. Baker stated this UDOT agreement will create a utility infrastructure covering all UDOT roads in the city. With this agreement an excavation permit through the UDOT Orem office will be the only requirement prior to excavation. The agreement needs to be signed as soon as possible. Mr. Baker recommended approval of the agreement.

Councilmember Johns made a **motion** to approve the UDOT Statewide Utility Line Agreement and authorize the Mayor to sign the agreement. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Adjournment

Councilmember Huff made a **motion** to adjourn. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote. The meeting adjourned at 8:20 pm.

Connie Swain, Deputy Recorder

Approved: February 12, 2002