

**Adopted Minutes  
Spanish Fork City Council Meeting  
January 19, 2010**

Elected Officials Present: Mayor G. Wayne Andersen, Councilman Steve Leifson; Jens Nielson; Rod Dart, Richard M. Davis; Keir Scoubes

Staff Present: David Oyler, City Manager; Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Kent Clark, Finance Director; Richard Heap, Public Works Director; Dave Anderson, Community Development Director; Dale Robinson, Parks and Recreation Director; Kimberly Robinson, City Recorder

Citizens Present: Glen Bradford, Thad Jensen, Clay Creer, Shad Prior, Kelton Davis, Carson Christensen, Dillon Sleper, Colton Creer, Jon Ellis, Sean LeFevre, Cary Hanks, Lana Creer Harris, Chris Hailstone, Steve Broadbent, Fred O. Mason, Nina S. Mason, Dennis McFall, Terry Schow, Enzo Geroli, Joe Johnson, Kraig Erickson, Dal Hawks

**CALL TO ORDER, PLEDGE:**

Mayor Andersen called the meeting to order at 6:00 p.m.

Thad Jensen led in the pledge of allegiance.

**PUBLIC COMMENT:**

Jen Allen with Advanced Spinal Care invited the community to take advantage of the wellness information they have to offer.

**COUNCIL COMMENTS:**

Councilman Dart recognized Chamber Director Cary Hanks.

Cary Hanks, Chamber Director

Ms. Hanks welcomed all to join the Chamber of Commerce and noted the benefits included with the membership.

Mayor Andersen had the opportunity to represent Spanish Fork at a drug prevention seminar, which offered very great educational information. He asked that families continue to be vigilant and discuss the issues together.

**PUBLIC HEARING:**

Councilman Leifson made a **Motion** to open the public hearing. Councilman Davis **Seconded** and the motion **Passed** at 6:04 p.m.

**Proposed Amendment to Title 15, the proposed amendment would change the design and separation criteria for assisted living facilities and residential facilities for elderly persons.**

Mr. Anderson explained the basis behind the change to the text. He noted that the Planning Commission recommended approval as well as staff.

There was no public comment given at this time.

Councilman Davis made a **Motion** to close the Public Hearing. Councilman Nielson **Seconded** and the motion **Passed** all in favor at 6:09 p.m.

Councilman Dart explained there is a need for the assisted living facilities in Spanish Fork.

Councilman Davis has spoken to the neighbors of these facilities and they love them.

Councilman Davis made a **Motion** that the assisted living facility and residential facilities for the elderly persons in Title 15 design and separation section not be subject to the listed criteria. Councilman Dart **Seconded** and the motion **Passed** all in favor.

#### **CONSENT ITEMS:**

##### **a. Minutes of Spanish Fork City Council Meeting – January 5, 2009**

Councilman Leifson made a **Motion** to approve the consent items. Councilman Nielson **Seconded** and the motion **Passed** all in favor.

#### **NEW BUSINESS:**

##### **I- 15 CORE Presentation**

Dal Hawks, I-15 Core

Mr. Hawks gave a presentation regarding the project for the area and the teams working on the interchange.

##### **Utah Department of Veterans Affairs Presentation**

Thad Jensen

Mr. Jensen reported on the memorial wall status and thanked those that have donated. He also stated the wagon for the crosses is being built and will be very nice to have.

Dennis McFall

Mr. McFall explained what the Utah State Veterans Nursing Home for Utah County will look like. He stated it will be on a single level and be comprised of 75,000 square feet in separate buildings. He noted the rooms will be private, which sets the new

standard. He then presented the information regarding the facility.

**Orchard View Heights Preliminary Plat, located in the vicinity of 820 East 750 South. The proposed plat would create 5 residential lots.**

Community Development Director Anderson explained the proposal.

Councilman Davis stated the storm drains are the issues he see's with this development which will be addressed in the future.

Councilman Dart made a **Motion** to approve the preliminary plat for Orchard View Heights subject to the following conditions:

1. That a public utility easement be recorded for Mr. Allen's property to the north of the proposed development
2. That the applicants provide a temporary storm drain retention area until the line can be extended by the City to the south.
3. That the applicants adjust the road to match existing street cross section on 780 South.
4. That the applicants follow the construction and development standards.

Councilman Leifson **Seconded** and the motion **Passed** all in favor.

**Proposed Amendment to Title 5, the proposed amendment would change the City's standards for temporary commercial signage.**

Community Development Director Anderson explained the need to allow signage but not have it be sign clutter. They recognize the need for businesses developers etc. to have adequate signage to compete and they are trying to balance the need and still maintain an attractive community. He stated staffs recommendation is not to approve the change.

Joe Johnson, Westfield Properties

Mr. Johnson explained they have noticed optimism has helped in bringing projects to the North Park Area. He noted increased signage can definitely help in the positive outlook for the projects. He noted that they attend the national conventions and are dealing with not only those people but also the more local business owners so they can express their interest in looking to use the spaces.

Kraig Erickson, Head Leasing Agent

Mr. Erickson stated the sign is not going to bring the tenants, but when they do an introduction and have a "Wow" factor, they are more likely to be impressed with the space and see that it is a legitimate development.

Councilman Nielson agreed that it is hard to make a change that is designed just for this group; it may show as favoritism and they do not want to do that.

Mayor Andersen voiced his opinion and reminded those in attendance that the city has a large investment in that property as well, infrastructure is in the development and the park is being built. The city has an investment in the project. He asked that they think about what would make the best improvements to help market the project.

Councilman Scoubes would like to see the metrics on signage, he noted the phone

number would be at the base of the sign and is not sure how much better it would work even if the sign is bigger. He asked regarding the large signage, will the large sign be allowed there until someone breaks ground or until the project is completed. He feels there are factors and conditions that should be addressed before a decision is made.

Mayor Andersen stated that with all the amendments being put into place, if the Council decides not to change the ordinance he feels the projects that are already set to come in will help sell the project. He noted at the same time this is a project like never before in Spanish Fork and the City has a big investment in it, they need to do what they can to help the project succeed.

Mr. Erickson stated they have to show more than a city park to get the tenants to come.

Councilman Leifson feels once the big box stores come the smaller tenants will follow.

Mr. Erickson stated certainly with the big box project the co-tenants do come.

Discussion was made regarding the pro's and con's of the changes.

Councilman Dart feels a big sign is not going to make this project and a small sign is not going to break it.

Councilman Nielson understands the sign won't make and or break the project and understands the reasons not to change the ordinance, Councilman Scoubes said the Mayor made a point this is not an ordinary project and they want to help it succeed. He would not lose sleep if they allowed the sign or if they kept it as it is.

City Attorney Junior Baker suggested taking a look at some other options that might work and see what is proposed.

Councilman Scoubes asked that it be tabled and that they look to establish an ordinance that meets the needs of what is best for the city but what the citizens want as well.

Mayor Andersen is not sure what he feels to do on this matter.

Councilman Scoubes made a **Motion** to table action on this agenda item until the City Council can look at wording in the ordinance as well as create some mock ups that could make it acceptable to everyone.

Councilman Nielson **Seconded** the motion.

Councilman Dart, Nielson, Scoubes, and Leifson voted in favor.

Councilman Davis voted against.

Motion **Passed** by roll call vote.

**Isaacson General Plan and Zoning map amendments, located in the vicinity of 885 North 200 East. The proposal would change the General Plan and Zoning Maps to permit commercial uses at 885 North 200 East. (continued from 1-05-2010)**

This item was continued until the next meeting.

**Budget Revision FY 2010 Revision 2 – General Fund Line Item Reallocation.**

Mr. Kent Clark gave the information regarding the budget revision. He noted this is not a public hearing because they are not increasing any of the funds, just reallocating.

Councilman Leifson made a **Motion** to approve the reallocation. Councilman Nielson **Seconded** and motion **Passed** all in favor.

**EXECUTIVE CLOSED SESSION:**

Councilman Dart made a **Motion** to adjourn to Executive Closed Session for Potential Litigation and Land Sale. Councilman Davis **Seconded** and the motion **Passed** all in favor by a roll call vote at 8:12 p.m.

ADOPTED: February 2, 2010

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Kimberly Robinson, City Recorder