

**Adopted Minutes
Spanish Fork City Council Meeting
March 16, 2010**

Elected Officials Present: Mayor Pro Tem Steve Leifson; Councilman Rod Dart, Richard M. Davis; Keir Scoubes

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

Citizens Present: Jen Wakeland, Adam Wakeland, Lana Creer Harris, Rindee Sannar, Julia Gwilliam, Stacy Beck, Trenton Johnson, Lean Gorrell, Steve Easter, Joe Jeppson, Jackson Jeppson, Justus Thomas, Makade Morgan, Billy Schaefermeyer, Dean Davis, Mark Dallin, Bart Dallin, Joe Johnson, Kalin Hair

CALL TO ORDER, PLEDGE, RECOGNITION:

Mayor Pro Tem Leifson called the meeting to order at 6:00 p.m.

Scout Kalin Hair led in the pledge of allegiance.

PUBLIC COMMENT:

Ms. Cary Hanks Director of the Chamber of Commerce reminded all the citizens that they are having the Easter Egg Hunt April 3, at 9:00 a.m. she invites everyone out to attend. Also the 2010 super saver cards are now available through the Chamber.

Ms. Alex Adams with United Way of Utah County, noted the new program called "Help Me Grow" for ages birth to five years old. She said you can dial 211 for the information and there will be a kickoff event April 2, 2010 at 9:00 a.m. in Payson.

COUNCIL COMMENTS:

Councilman Dart congratulated the Senior Citizens on a successful open house last Friday. He also thanked the past Miss Spanish Fork Ginger Christopher for being a great representative of Spanish Fork. He thanked Cary Hanks for all the work she is doing with the Chamber of Commerce.

Councilman Davis also thanked the past Miss Spanish Fork for all the great work she has done. He talked about the Vietnam Moving Memorial Wall and that they have collected enough money to bring it to Utah, right here in Spanish Fork. He wants to thank all those that participated in bringing the wall to Spanish Fork. He asked the schools to make sure to set up field trips to come see the wall. He expressed how proud he is of the Spanish Fork City Ambulance and Fire Crews taking care of an accident up the canyon and the great work they do everyday.

Mayor Pro Tem Leifson had the opportunity to go to Washington DC with the Utah Municipal Power Agency and meet with our representatives. He noted one of the needs they discussed was climate changes, most of our power in the west comes from coal burning plants and the agency is working hard to keep the costs low.

PUBLIC HEARING:

Councilman Dart made a **Motion** to open the public hearing for the Proposed Amendment to Title 15. Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:11 p.m.

Proposed Amendment to Title 15, the proposed Amendment would make Wind Test Facilities a permitted use in the public facilities zone.

Mr. Anderson noted the Council adopted the public facilities zone last year. At that time they did not recognize a historical use, and as the operators look to expand on that property this change would allow them to be a conforming use and they would be permitted to continue to operate.

This item was opened for public comment. There was no public comment made at this time.

Councilman Davis made a **Motion** to move out of public hearing. Councilman Dart **Seconded** and the motion **Passed** all in favor at 6:19 p.m.

Councilman Dart made a **Motion** to approve the Proposed Zoning Text Amendment Ordinance #07-10. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Councilman Dart made a **Motion** to open the public hearing for the Proposed Zoning Map Amendment. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:20 p.m.

Proposed Zoning Map Amendment, the proposed Amendment would approve the application of the In-Fill Overlay Zone at 142 West Center Street to permit the construction of a duplex.

Mr. Anderson noted the DRC and Planning Commission recommend approval of this change. There was some discussion regarding the position of the duplex and he explained the DRC and Planning Commissions recommendation. The orientation will be changed as Mr. Dallin has proposed and it will make it more similar to the surrounding buildings in the neighborhood. As proposed with the site plan tonight it matches the recommendation of the DRC and Planning Commission. There will have to be one additional parking place added to the site.

This item was opened for Public Comment.

Lana Creer Harris asked if the empty lot behind the property was also part of the subdivision.

Mr. Mark Dallin stated it was just going to be landscaped backyard for the homes.

Mr. Dallin stated they have changed the dimensions on the building so it will face the road and look nicer. They have also changed it so they will have plenty of parking.

Councilman Scoubes made a **Motion** to move out of public hearing. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:27 p.m.

Councilman Scoubes noted there has been concern regarding the density for the area and the impact on the neighborhood.

Mr. Anderson stated Mr. Dallin is well under the allowable density for the property. He noted the In-Fill Overlay is a tool that can only be used in two zoning districts in the city, this being one of them.

Councilman Davis made a **Motion** to approve the Mark Dallin Center Street In-Fill Overlay Project subject to the following conditions:

1. That the applicant submit a landscape plan for staff's review and approval.
2. That the applicant modify the parking arrangement to meet the parking requirements.
3. That the applicant conform to the City's Construction and Development Standards.

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

Councilman Dart made a **Motion** to open the public hearing. Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:31 p.m.

Proposed Zoning Map Amendment, the proposed Amendment would change the zoning at approximately 2900 South Highway 6 from Industrial 1 and 2 to Industrial 3.

Mr. Anderson explained the proposed zoning map amendment changing from I-1 and I-2 zones to I-3 zoning. Mr. Anderson also handed out a letter from Strawberry Water Users Association, a landowner in the proposed map. They are requesting their property remain I-2.

Discussion was had regarding other locations this would be requested.

Councilman Davis made a **Motion** to move out of public hearing. Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:37 p.m.

Councilman Davis made a **Motion** to approve the Spanish Fork Windmills Zoning Map Amendment changing the zoning from Industrial 1 and 2 to Industrial 3 with the exceptions of the Strawberry Water Users Association property. Councilman Dart **Seconded** and the motion **Passed** all in favor.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting - February 16, 2010
- b. Certified Shred Contract
- c. Gardner Easement
- d. Golf Pro Shop Contract

e. State Division of Forestry Fire Suppression Contract

Councilman Dart made a **Motion** to approve the consent items. Councilman Leifson **Seconded** and the motion **Passed** all in favor by a roll call vote.

NEW BUSINESS:

Proposed Preliminary Plat, the proposed Crosswind Subdivision would create a three-lot subdivision at approximately 1450 East 100 South.

Mr. Anderson explained this is one of those steps in the process to make the project move forward. All the improvements are on the location and both the DRC and Planning Commission recommend approval.

Councilman Dart made a **Motion** to approve the proposed Preliminary Plat for the Crosswind Subdivision. Councilman Davis **Seconded** and the motion **Passed** all in favor by roll call vote.

Proposed Preliminary Plat, the proposed Academy Park Subdivision would create a six-lot subdivision at approximately 1200 South Del Monte Road.

The applicant requested this item be removed from the agenda for a later date.

Proposed Amendment to Title 5, the proposed amendment would change the City's standards for temporary commercial signage (Continued January 19, 2010)

Mr. Baker explained that a few meetings ago Westfield Development came asking to change to commercial signage requirements. Staff was asked to come up with some options that could work.

Joe Johnson, WPI Enterprises

Mr. Johnson noted last time they came they proposed larger signage to help them market the properties. They have worked with the city's legal counsel on what they were able to negotiate on. They are willing to be flexible as long as in the end it will help them market the properties.

Councilman Dart has been thinking quite a bit about this. He stands by what he said before; he can't see this sign being bigger or smaller making that much of a difference. He feels if they change the ordinance they open up a can of worms. He feels it seems like they are making an exception for us and this project.

Councilman Davis stated they were driving home the other day in a snow storm and there was a sign with the allowable size, that he could read with no problem. He feels the ordinance is good the way it is written.

Councilman Scoubes stated for him the biggest issue is the time. The options seem to address timing, he does not personally think the size will make a big difference, especially with the economy etc. He feels if they can limit the time the sign is out and up he does not have a problem. He thinks showing the citizens they are working to do everything they can for the city is good. He feels if a sign might make a difference and bring retail sales so they don't have to raise taxes is a positive thing. He is willing to give it a try as long as it is

not a permanent fixture.

Mayor Pro Tem Leifson feels they are dealing with one particular area, he is not a fan of changing ordinances to fit one persons need. He feels the best advertisement for North Park is the infrastructure, the park and pavilion. He does not think a bigger sign is going to make that big of a difference. They are doing what they can to bring businesses into this City. He feels they are giving them a bigger bang for their buck than that sign would. He would like to keep the ordinance as it is written.

UDOT Aesthetics and Landscaping Cooperative and Maintenance Agreement

Mr. Robinson explained UDOT will put an additional \$100,000 to move us to the enhanced version of their landscaping and not just the field grass. If they choose the upgrade option the city will maintain it. He noted there will be some changes moving trees and rocks etc. and the city will provide utility connections for the landscaping areas. UDOT's design builder has an obligation to get with the City to work with us on what is installed. They are looking for authorization for the mayor to sign the contract. Mr. Robinson noted they are not thrilled with the landscaping they are proposing, but they have the option to add more to the entrance to our city in the future to make it look nice.

Mr. Thompson noted this deal is only tied to the I-Core expansion projects, and it is only being offered for the Main Street interchange not the Highway 6 section of the project.

Councilman Dart made a **Motion** to authorize the Mayor to sign the UDOT Aesthetics and Landscaping Cooperative and Maintenance Agreement. Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

Ordinance Amending Business License Regulations with Respect to Alcohol Sales

Mr. Baker explained the State Law has changed regarding business license regulations and in order to keep us current he has changed the ordinance to reference the State Law. He noted the changes to discretion regarding the hearings and that there is no discretion the way it is written now there is just a set penalty. Also there are some minor issues being cleaned up with this verbage.

Councilman Davis made a **Motion** to approve Ordinance 06-10 Ordinance Amending Business License Regulations with Respect to Alcohol Sales. Councilman Scoubes **Seconded** and the motion **Passed** all in favor by a roll call vote.

ADJOURN:

Councilman Dart made a **Motion** to adjourn. Councilman Davis **Seconded** and the motion **Passed** all in favor by a roll call vote at 7:06 p.m.

ADOPTED: March 30, 2010

Kimberly Robinson, City Recorder