

**Adopted Minutes
Spanish Fork City Council Meeting
August 21, 2012**

Elected Officials Present: Mayor G. Wayne Andersen, Councilmembers Steve Leifson, Rod Dart, Keir A. Scoubes, Richard Davis, Brandon Gordon.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Steve Adams, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Tiffany Greehalgh, Andrew Lott, Brittany Lott, Richard A. Evans, Marlene Sanford, Cary Hanks, Lenore Nelson, Gloria Nelson, Diana L. Winder, Gay Fangel, Mr. Fangel, Trey Proctor, Dustin Pyke, Brett Smith, Carson Adams.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Chief Adams led in the pledge of allegiance.

Life Saving Recognition

Gay Fangel told her story of a near drowning incident at the Spanish Fork Reservoir. Ms. Fangel recognized the boys that saved her and her grandson from drowning. Mr. Fangel presented a gift certificate to Trey Proctor, Dustin Pyke, Bret Smith, Carson Adams and thanked them for their help.

Employee of the 2nd Quarter

Chris Thompson recognized Jake Theurer as the Employee of the 2nd Quarter.

Kelly Peterson thanked Mr. Theurer all his hard work. Mr. Peterson reviewed some of the great things Mr. Theurer has done.

PUBLIC COMMENTS:

Peter Tomadakis said he and his neighbors are concerned about the PDM Steel semi-trucks driving through the residential area at 800 North 300 West. This is a safety hazard for the children walking to the Brockbank School. Mr. Tomadakis requested a 3 way stop at 300 West 900 North. Mr. Tomadakis said also the semi-trucks are tearing up the roads.

Mayor Andersen said the City is very willing to look into this situation.

Marlene Sanford is concerned about the traffic on 800 North. PDM Steel trucks start coming between 7:00 & 7:30am, then again around 3-5pm. They do not slow down when they come around the corner. Then there are the high school students that come for lunch time. They all speed up and down 800 North because there are not stop signs on 800 North between 300 West and Main Street.

Tiffany Greenhalgh said her kids can't cross the street to go to Brockbank School. It's hard to get out of driveways, the kids can't play in the front yards. Ms. Greenhalgh asked if they can't get a stop sign at least a yield sign, something to get the cars and trucks to slow down.

Cary Hanks said the Farmer's Market has been great and this Saturday they are including the business fair. Ms. Hanks invited the public to come to the City Office parking lot on Saturday's from 8am-1pm.

COUNCIL COMMENTS:

Councilman Davis said he attended the airport board meeting and the SUVMWA board meeting.

Councilman Dart said the Senior Citizens will be having their membership drive the first weekend in September. Also, the library had a successful summer reading program.

Mayor Andersen reminded the citizens that school has started again and to please be careful in your travels. Mayor Andersen said the county fair was this past week and it was a bigger turnout this year.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – July 31, 2012
- b. ~~Legacy Farms Connector's Agreement~~
- c. R&C Supply Connector's Agreement
- d. UDOT Cooperative Agreement – Main Street Arrowhead Pedestrian Crossing
- e. Fairgrounds Ornamental Fence Agreement with Standard Fence, Inc. Ratification
- f. Fairgrounds Arena Lighting Change Order with Rydalch Electric Ratification

Mayor Andersen said that item "B" Legacy Farms Connector's Agreement is removed from the consent items.

Councilman Gordon made a **Motion** to **approve** the consent items minus item "B" Legacy Farms Connector's Agreement.

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

PUBLIC HEARING:

Ordinance #10-12 Making Miscellaneous Changes to Title 15

Junior Baker reviewed the following changes:

- 15.3.08.010** **Administrative Bodies and Officers**
B. **Development Review Committee:**

Purpose: [no change]

Organization:

The DRC shall consist of the city public works director, engineering division manager, electric superintendent, city manager, city community development director, city attorney, public safety director, and building official. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of the member. Other entities may be invited to participate as non-voting members, such as utility companies, irrigation companies, the US Postal Service, or others.

The city public works director shall be the chair of the DRC and shall retain the right to cast a vote while acting as chair.

A quorum of the Committee necessary before any business can be transacted shall consist of five (5) voting members. A majority vote of a quorum shall be necessary to approve any item or recommend approval of any item to the Commission or Council.

Policies and Procedures: [no change]

Powers and Duties: [no change]

- C.** **Planning Commission:**

Purpose: [no change]

Organization:

The Commission shall consist of six (6) members, to be appointed by the Mayor with the consent of the City Council from among qualified residents of Spanish Fork. Members shall be selected without respect to political affiliations, and shall serve without compensation except for reasonable expenses. Each member shall be appointed for a term of three years or until his/her successor is appointed, and may serve only two full successive terms. A commission member may be removed by the Mayor if the member fails to attend at least fifty percent (50%) of the Planning Commission meetings.

Policies and Procedures: [no change]

Powers and Duties: [no change]

15.3.216.020 Residential Districts

R-1-80, R-1-60, R-1-30: [no change]

R-1-20, R-1-15, R-1-12: These districts provide low density single family lots within Spanish Fork City. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

R-1-9, R-1-8: These districts are to provide moderate density that is characterized by a variety of single family housing types and lot sizes. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

R-1-6: This district provides a residential environment that is medium high density. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, duplexes, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

A. ~ I. [no change]

15.3.24.020 Billboards

1. Billboards are permitted:

b. Along Highway 6 from the junction with Highway 89 southeasterly for 0.84 miles. These billboards must be at least 750 feet from any other billboard on the same side of the highway and must be located in an industrial zone.

15.3.24.090 Supplementary Regulations

G. Animals

Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:

1. The portion of the property on which the animals, except for household pets, are kept must be at least one-half (½) acre in size. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half acre parcel, two horses may be kept, or four sheep, or one horse and two sheep, but two horses and four sheep are not allowed.

2. All requirements set forth in Title 6, Animals, must be met. The keeping of chickens and potbellied pigs in any zone other than the A-E, R-R, I-1, or I-2 is governed by Title 6.

3. No animal shall be kept in a residential zone for purpose of commercial production.

Animal	Maximum # Per ½ Acre
Cattle	2
Horses	2
Sheep, Goats, Llamas, Ostriches	4
Rabbits	10
Pigeons	12
Ducks, Geese	8
Game Birds*	8
*with appropriate permits	

Councilman Dart made a **Motion** to move into Public Hearing.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:41p.m.

Rick Evans commented on the proposed change for the planning commission member removal if they do not meet the attendance requirement. Mr. Evans said to his knowledge the council removed one commissioner because of attendance and not another with similar attendance. Mr. Evans referred to some discussion at the previous work session. Mr. Evans recommended changing the wording to "the Council can remove a commissioner at any time". With this change a commissioner can be removed at any time for any reason, rather than attendance being the only requirement.

Councilman Leifson made a **Motion** to move out of Public Hearing.

Councilman Davis **Seconded** and the motion **Passed** all in favor at 6:48p.m.

Junior Baker said the reason it is based on attendance is to make it the least political as the City can.

Councilman Leifson said he would not like it to be just cut and dry, there should be flexibility because each situation is different. Councilman Leifson commented that Mr. Evans did a great job serving on the planning commission.

Councilman Davis clarified that a planning commissioner was questioned about his attendance and that commissioner asked to be removed because of another conflict. So do we base it on attendance, or cut and dry, or leave it and take it case by case.

Councilman Scoubes recommends setting a benchmark on attendance of change "may" to "shall".

Mayor Andersen commented that the commissioner whose work conflicted was a long term issue. The other commissioner informed us from the start and it was a short term issue. Mayor Andersen agrees with "may" in the wording.

Councilman Gordon said his concern is the Council being able to remove a planning commissioner based on a personality conflict. Also, with the technology these days, there are ways to be present.

Councilman Dart agrees with the Mayor that we need to look at each situation and 50% attendance seems reasonable.

Councilman Scoubes asked about master plan developments and protecting the City's interests, as we were looking in Title 15.

Junior Baker said that would apply to a different section of Title 15 and we can look into that for a future discussion.

Councilman Dart made a **Motion** to **approve** the Ordinance #10-12 Making Miscellaneous Changes to Title 15.

Councilman Leifson **Seconded** and the motion **Passed** all in favor with a roll call vote.

NEW BUSINESS:

Preliminary Plat, Old Mill Estates located at approximately 1500 South Mill Road

Dave Anderson said this plat has expired and is requesting approval of this preliminary plat with the following phasing plan changes.

Chris Thompson read the changes:

- *Phase 1*
 - *Offsite Sewer from Salem City*
- *Phase 2*
 - *Connect existing improved utilities.*
- *Phase 3 and 4 required to be done concurrently.*
 - *Three Phase Power and Drinking Water will be provided from the North.*
 - *Offsite Pressurized Irrigation improved to the North and connected to the existing Pressurized*

Irrigation. The City will hold the cash bond on the Pressurized Irrigation until Phase 3 & 4 and the PI System is approved and accepted by the City.

- Phase 5
 - Three Phase Power required from Arrowhead Trail (Power will remain overhead)
- Phase 6
 - Connect existing improved utilities.
- Phase 7
 - Connect existing improved utilities.
- Phase 8
 - Connect proposed waterline to existing waterline along Arrowhead Trail through Lost 56 & 57.
 - Offsite Pressurized Irrigation improved to Del Monte Road along Arrowhead Trail through lots 56 & 57.
 - Second access from the North required to be fully improved through the adjoining property and tied into existing dead end street.

Councilman Davis asked why the sewer is going to Salem.

Chris Thompson said it is mostly gravity flow and cost. The City has an agreement with Salem City to take some of the south end of the city's sewer.

Councilman Davis made a **Motion to approve** the Preliminary Plat, Old Mill Estates located at approximately 1500 South Mill Road with the following conditions:

-retention basin land is dedicated to the City and the developer will construct the storm water retention.

- Phase 1
 - Offsite Sewer from Salem City
- Phase 2
 - Connect existing improved utilities.
- Phase 3 and 4 required to be done concurrently.
 - Three Phase Power and Drinking Water will be provided from the North.
 - Offsite Pressurized Irrigation improved to the North and connected to the existing Pressurized Irrigation. The City will hold the cash bond on the Pressurized Irrigation until Phase 3 & 4 and the PI System is approved and accepted by the City.
- Phase 5
 - Three Phase Power required from Arrowhead Trail (Power will remain overhead)
- Phase 6
 - Connect existing improved utilities.
- Phase 7
 - Connect existing improved utilities.
- Phase 8
 - Connect proposed waterline to existing waterline along Arrowhead Trail through Lost 56 & 57.
 - Offsite Pressurized Irrigation improved to Del Monte Road along Arrowhead Trail through lots 56 & 57.
 - Second access from the North required to be fully improved through the adjoining property and tied into existing dead end street.

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

Preliminary Plat, Somerset Village located at approximately 2700 East Canyon Road

Dave Anderson said this plat has expired and is recommending approval of the plat with the following findings and changes.

Findings:

1. *That the project does not exceed the maximum allowable density.*
2. *The change would allow for development that is consistent with what's been previously built within Somerset Village.*

Changes:

1. *That the applicant address all of the City's Engineering Department redlines; prior to the City's Planning Commission meeting.*

Councilman Gordon made a **Motion** to **approve** the Preliminary Plat, Somerset Village located at approximately 2700 East Canyon Road with the presented findings and changes.

Findings:

1. *That the project does not exceed the maximum allowable density.*
2. *The change would allow for development that is consistent with what's been previously built within Somerset Village.*

Changes:

2. *That the applicant address all of the City's Engineering Department redlines; prior to the City's Planning Commission meeting.*

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

ADJOURN:

Councilman Davis made a **Motion** to **adjourn** to Closed Session to discuss Legal Issues & Property Purchase.

Councilman Dart **Seconded** and the motion **Passed** all in favor at 7:29 p.m.

ADOPTED: September 4, 2012

Angie Warner, Deputy Recorder