

**Adopted Minutes
Spanish Fork City Council Meeting
September 1, 2020
Spanish Fork Fairgrounds
475 South Main Street
Spanish Fork, UT 84660**

Elected Officials Present: Mayor Steve Leifson, Councilmembers Mike Mendenhall, Stacy Beck, Chad Argyle, Brandon Gordon, Keir A. Scoubes.

Staff Present: Seth Perrins, City Manager; Vaughn Pickell, City Attorney; Tyler Jacobson, Assistant City Manager; Dave Anderson; Community Development Director; Chris Thompson, Public Works Director; Kent Clark, City Recorder/Finance Director; Steve Adams, Public Safety Director; Dale Robinson, Parks & Recreation Director; Nick Porter, Public Information Officer; Angie Warner, Deputy Recorder; Jake Theurer, Assistant Electric Superintendent; Kelly Peterson, Electric Superintendent.

Citizens Present: Dean Ingram, Jason Rasmussen, Dan Davis, Nathaniel Goff, Eric Nilson, Derek Moody, Jessica Richards, Shae Mitchell, Kami Hansen, Ashley Okerland, Thomas Silva, Melanie Johnson, Jordan Brown,

5:15pm WORK SESSION:

1. COVID Cares Plan

Discussion took place regarding the item(s) listed above; no formal actions are taken in a work session.

6:00pm CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:

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

Motivation/Inspirational Message given by Councilman Gordon.
Councilman Argyle led in the pledge of allegiance.

PUBLIC COMMENTS:

Mayor Leifson welcomed public comment.
There was none.

COUNCIL COMMENTS:

Councilman Mendenhall welcomed Heather Youd with the Chamber of Commerce.

Heather Youd stated that the Farmer's market is in full swing. To help with social distancing, they are asking patrons to all travel in the same direction. Ms. Youd said the 'Business of the Month' was awarded to Glen Ray's Corn Maze. On September 16th, is the Rotary Scholarship Golf Tournament. And on September 17th is the Noon Networking that will be held at the Veterans Memorial Building.

Councilman Mendenhall thanked the Chamber of Commerce and then gave an update from the Rotary Board Meeting.

Councilman Gordon reviewed some of the details from the fire that happened at the Transfer Station last weekend. He said that a hot load came in and it was unknown. Numerous cities responded to help extinguish the fire. There was no building damage but some equipment was damaged. Councilman Gordon Invited everyone to drive past the new Station 62 on Canyon Road that is nearly complete.

Councilwoman Beck said the Fiesta Days Committee has selected Mark and Mindy Warner as the new vice chairs for the 2021 Fiesta Days. Councilwoman Beck gave a shout out to an employee from a resident.

Mayor Leifson thanked the police officers for their service to our residents.

SPANISH FORK 101: Utah Valley Visioning

CONSENT ITEMS:

- A. Minutes of Spanish Fork City Council Meeting – August 18, 2020
- B. Award EWS NRCS Joint Project with Utah County to Redoubt Restoration
- C. Utility Easement Agreement for the Northeast PI Pipeline
- D. Boundary Line Agreement - Ridgeline Parkway
- ~~E. Quiet Valley Purchase Agreement~~
- F. MAG Senior Center Contract for Services
- G. UVU Master Internship Agreement

Mayor Leifson said that item "E" needs to be removed from the Consent Agenda and added to New Business.

Councilman Gordon made a **Motion** to **approve** the consent items with the removal of item "E".

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

PUBLIC HEARING:

Ordinance Z07-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Del Monte Zone Change.

Dave Anderson said this property is 6 acres and is located by the American Leadership Academy on Del Monte road. The zone change request is from Industrial 2 to R-3. There is also a proposed preliminary plat for a master planned development. Mr. Anderson said it contains 65 townhomes, under 11 homes per acre and the proposal meets the parking requirements. The Development Review Committee recommends approval with providing funding to make some transportation improvements. The Planning Commission has recommended that both the zone change and the preliminary plat be denied.

Dean Ingram, Arive Homes, gave a presentation on the proposed development. He shared a revised proposal with 54 units, 108 garage parking, 108 driveway parking, 41 additional parking. He stated that zoning laws require 135 spaces, so the proposal now has an extra 122 parking spaces. He suggested these changes after his meeting with the planning commission and with feedback from the public hearing and neighborhood.

Councilman Gordon made a **Motion** to go into public hearing.

Councilman Argyle **Seconded** and motion **Passed** all in favor at 6:56pm

Mayor Leifson welcomed public comment.

Jason Rasmussen

Mr. Rasmussen expressed his appreciation for Dean Ingram meeting with the neighbors. He indicated they are not opposed to town homes. He compared road widths and expressed concerns about the drop in the level of service. He indicated that the Del Monte Townhomes intersection will operate at a failed level of service after the development comes in. He stated that one major concern of the neighbors is during the peak hours. He stated they did not want to worry about their kids that are playing in the streets.

Dan Davis

Mr. Davis stated that none of the deals that have been made in this area have been kept. The properties have gone from ½ acre to 1/3 acre lots and now to this. What will the layout of future developments be? He stated that If there is a problem with something, that the City shouldn't force a solution. He indicated that traffic is really busy on Mill road and it is just going to get worse. He indicated the City should put a

problem child where a problem child won't be a problem and that he is just against this. He expressed a feeling that deals should be kept instead of always changing.

Nathanial Goff

Mr. Goff expressed that it had been a long year working through this process. He understood that it was a hard battle for Dean. He indicated that he agreed that the product that Dean presents is beautiful and that he believes it will add good diversity. He expressed a concern about the path of least resistance that traffic will flow through the neighborhood roads. He cited the size of Del Monte and Mill roads and described how people won't use Del Monte to get to the freeway but rather he indicated that he believes they will use the neighborhood roads. Mr. Goff asked, what will the City do when my kid gets hit? He indicated that he didn't think this development fits here and expressed that he is against it.

Eric Nilson

Mr. Nilson expressed a sentiment that it is very difficult to get out of Quail Run. He asked that the Council please consider the Quail Hollow side of the development. He expressed that it is unfortunate that the street coming out of the Quail Run development was put in the wrong spot. He stated that just having the development just look good doesn't solve the problems.

Derek Moody

Mr. Moody told the Council that he just moved into the neighborhood. He asked what the future plan is for the congestion in the area? He also asked what are the trends? He expressed that it seems that right now we are just pushing these things into the area.

Jessica Richards

Ms. Richards expressed that there are more people concerned about this issue than there are people here tonight. She asked the Council, "Who do you represent? Do you represent the maybe-ok-cookie-cutter developer?" She asked the council to base your plans on what the community wants today.

Shae Mitchell

Ms. Mitchell stated that she didn't understand the point of these public hearings. She asked why the item was before Council tonight If the Planning Commission voted no. She indicated that she purposefully bought her home here in the less dense part of town. She expressed that it was disappointing to have to have these discussions today.

Kami Hansen

Ms. Hansen stated that Mill road is already too narrow for the garbage collection on the morning of garbage. She asked who would fix Mill Road? She indicated the growth is already there and that the City is not doing anything about that. As a mother of a Riverview student, she indicated there is no safe walk route, no crosswalk and no crossing guard. She indicated that most of the families choose not to allow their children to walk to school because those things are not in place.

Ashley Okerland

Ms. Okerland expressed appreciation for the meetings that have been had so far. She indicated that some of the neighbors have lived in a high-density area already, and that they have no issue with that. However, she indicated that we chose to move away from that and she asked why we would want to cram townhomes into this smaller area. She asked why not go to an R-9 or R-1-12 zone instead of going to the R3.

Thomas Silva

Mr. Silva expressed appreciation for the Council's time. He asked the Council members why they live in Spanish Fork? He said that he chose to live in an area of open space. He said that he was for the open space and the j country. He expressed a concern for how he thinks traffic will flow by his home. He expressed that he is pro development, but just not here.

Melanie Johnson

Ms. Johnson lives in the River Cove Subdivision. There are at least 18 homes to be built in my neighborhood and more upstream. She asked about the traffic in that area. She is worried about the traffic on their roads already. She indicated that many don't follow the speed limits already. She expressed an opinion that there are better areas than this for the project.

Jordan Brown

Jordan expressed appreciation to Arive for inviting us to several meetings. She lamented that Dean may have been vilified through this process. She said that has not been intended. She expressed concern to have the developer tell a neighborhood what is wanted in an area. She indicated she would rather have commercial development in that area over residential.

Councilman Argyle made a **Motion** to go out of public hearing.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor at 7:25pm.

Councilman Argyle said the biggest concern here is traffic.

Mr. Ingram said he, the school, and the land owner will be going in together to construct the roundabout on Mill Road to help with traffic. The Quail Hollow access is an issue because it is close to the intersection. Also, the Del Monte road will be widened with this development.

Councilman Argyle asked about HOA fees.

Mr. Ingram guessed around \$100, but was not sure.

Councilman Argyle asked about the safety route that has been designed.

Chris Thompson said he is not a fan of the traffic in the area. The City has worked with ALA over the years. The city does not build roads, developers do. With the safety route, you have to have sidewalks or a trail. The biggest issue is the peak traffic. All of the improvements that were recommended from the traffic study are quite expensive. Mr. Thompson said without the improvements it will get a failing grade until the recommended improvements are done. Mr. Thompson said they are trying to look at different solutions for the Quail Hollow access that is close to the intersection.

Seth Perrins said the problems and challenges are existing today. A major challenge is the school traffic, when they built, there was no network of roads. Mr. Perrins pointed out other problem locations in the city with similar problems. Development does bring challenges, but it also can bring solutions. Mr. Perrins also stated that if this specific project does not pass, he believes the zone still should be changed to something other than Industrial, because the industrial zone in this neighborhood is a legacy zone and should be changed to eliminate the possible industrial use.

Councilman Gordon asked about the roundabout on Mill Road. What about the residents that are having a problem with getting out of their driveways on Mill Road?

Chris Thompson said the narrowness of the road is the concern, but it does not warrant a three-lane road. The only way it will widen is with development.

Councilman Scoubes reviewed the complaints from citizens about the processes for development. Councilman Scoubes said there was the concern of parking in the streets in the existing neighborhoods. The city streets are there for the public to park on. Councilman Scoubes reviewed some of the details of the traffic study.

Councilwoman Beck thanked Mr. Ingram and thinks the proposal is great. Councilwoman Beck agrees that we need to look at the general plan to see what the plans are for west of Mill Road. Councilwoman Beck said her concern is the traffic and is this the right area for this development. Councilwoman Beck agrees that the zone does need to be changed regardless.

Councilman Mendenhall expressed that land use is one of the hardest subjects in government. Diversity of housing and people is good to have. Councilman Mendenhall disclosed that Dean Ingram is a client of his and has been for 15 years. Councilman Mendenhall has lots of clients and it does not sway his vote one way or the other.

Mayor Leifson explained that the process for a development is that the project has to go to the Development Review Committee, it is forwarded to the Planning Commission who is an advisory board that gives their recommendation to the City Council. City Council is the only approval to approve or deny a zone change. Mayor Leifson said the City Council represents everyone, the whole city. The city council and planning commission and staff spend many hours doing their homework and time in their positions. This is a tough one and has been going on for over a year.

Councilman Mendenhall asked if asking for a general plan review for the area, and including a traffic study, would help that.

Chris Thompson said they have done studies in this area, mostly because of the school. The traffic engineers say their improvement suggestions should help, but those would not happen until the development comes.

Councilman Mendenhall made a **Motion to approve** Ordinance Z07-20 Changing the Zoning Designation and Amending the Official Zoning Map of Spanish Fork City for the Del Monte Zone Change with the direction to have staff initiate a general plan review of the area.

Councilman Gordon **Seconded** and the motion **Passed** all in favor with a roll call vote 3-2

Councilman Argyle - Nay
Councilwoman Beck - Nay
Councilman Scoubes - Aye
Councilman Gordon - Aye
Councilman Mendenhall - Aye

Power & Light Master Plan

Jake Theurer presented the Power & Light Master Plan for approval. Mr. Theurer said that when growth happens in Spanish Fork, this plan shows how it will be for the different areas.

Councilman Gordon made a **Motion** to go into public hearing.

Councilman Mendenhall **Seconded** and motion **Passed** all in favor at 8:58pm

Mayor Leifson welcomed public comment.

There was none.

Councilman Gordon made a **Motion** to go out of public hearing.

Councilman Argyle **Seconded** and the motion **Passed** all in favor at 8:58pm.

Councilman Mendenhall made a **Motion** to **approve** Power & Light Master Plan.

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

NEW BUSINESS:

Ordinance #13-20 Amending Chapter 7.12 of the Spanish Fork Municipal Code Related to the Airport

Vaughn Pickell said these proposed code changes are:

- change the name of the airport to the Spanish Fork Municipal Airport Woodhouse Field.

- details out the board and the requirements of board members.

Seth Perrins pointed out that the 3 board members are only residents, not residents and airport patrons.

Councilman Scoubes made a **Motion** to **approve** Ordinance #13-20 Amending Chapter 7.12 of the Spanish Fork Municipal Code Related to the Airport.

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

Board Appointments

Mayor Leifson moved to appoint Joseph Ernest to the Planning Commission.

Councilwoman Beck made a **Motion** to **approve** the Mayor's appointment of Joseph Ernest to the Planning Commission.

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

Quiet Valley Purchase Agreement (Consent Item “E” that was removed)

Vaughn Pickell explained that the reason staff asked the City Council to remove item E from the ‘Consent Items’ section was because with a purchase agreement the purchase price is based on the number of units that ultimately gets approved and the contract does not address the minimum number of units. The developer agreed that they would not submit anything lower than 400 units. The contract will be changed to include this so if the City Council could approve the agreement with these proposed changes.

Councilman Argyle made a **Motion** to **approve** the Quiet Valley Purchase Agreement with the following change of the developer will not submit anything with less than 400 units.

Councilwoman Beck **Seconded** and the motion **Passed** all in favor.

DISCUSSION:

There was none.

ADJOURN:

Councilman Gordon made a **Motion** to **adjourn** to Closed Session to discuss reasonably imminent litigation and land transactions.

Councilman Mendenhall **Seconded** and the motion **Passed** all in favor at 9:06p.m.

ADOPTED: October 6, 2020

Angie Warner, Deputy Recorder