

**Adopted Minutes**  
**Spanish Fork City Council Meeting**  
**May 14, 2002**

The meeting was called to order at 6:35 pm by Mayor Dale R. Barney for a preliminary review of the agenda. Councilmember Huff offered a prayer. At 7:00 pm the pledge of allegiance was led by Councilmember James.

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

Staff Members Present: David A. Oyler, City Manager; Kent Clark, Finance Director/Recorder; Richard Heap, Engineering Director; Dee Rosenbaum, Public Safety Director; Chris Thompson, Design Engineer; Junior Baker, City Attorney; Emil Pierson, Planning Director; and Connie Swain, Deputy Recorder.

Citizens Present: Janis Nielsen, *Spanish Fork Press*, John K. Johnson, *Icelandic Association Inc.*, David A. Ashby, *Icelandic Association Inc.*, Angela Sanders, *Miss Pleasant Grove*, Lacey Griffin, *Miss Pleasant Grove Royalty*, Savannah Kelley, *Miss Pleasant Grove Royalty*, Bethany Olsen, *Miss Pleasant Grove Royalty*, Carl Parker, *Utah Risk Management Mutual Association*, Garry Briggs, *Board of Adjustments*, Brady Jex, *Board of Adjustments*, Paul Healey, *Planning and Zoning Commission*, Thora Shaw, *Planning and Zoning Commission*, Thad Jensen, *Planning and Zoning Commission*, David Lewis, *Planning and Zoning Commission*.

## **Minutes**

Councilmember Huff made a **motion** to approve the minutes of the April 16, 2002 city council meeting, with changes as noted. Councilmember Johns **seconded**, and the motion **passed** with a unanimous vote.

Councilmember James made a **motion** to approve the minutes of the May 7, 2002 city council meeting, with changes as noted. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

## **Agenda Request**

Ms. Sanders, Ms. Griffin, Ms. Kelley, and Ms. Olsen, members of Miss Pleasant Grove Royalty, invited members of city council to participate in celebrating Pleasant Grove's Strawberry Days on June 19-22. Some of the events scheduled are Huck Finn Day, the grand parade, the junior parade, and the rodeo. They presented council with a strawberry cheesecake. Mayor Barney thanked the Miss Pleasant Grove Royalty.

### **Resolution 02-10 - A Proclamation Changing Icelandic Days to the Third Saturday and Following Sunday in June**

Mr. Johnson and Mr. Ashby were present representing the Icelandic Association and requested a proclamation declaring Icelandic Days celebration be changed to the 3<sup>rd</sup> Saturday and the following Sunday in June. Councilmember Christensen read Resolution 02-10.

Councilmember Huff made a **motion** adopt Resolution 02-10, a proclamation declaring the 3<sup>rd</sup> Saturday in June and the following Sunday as the dates Icelandic Days will be celebrated. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

### **Resolution 02-09 - A Proclamation Declaring the Bureau of Reclamation's Hundredth Year Celebration**

Mayor Barney reviewed Resolution 02-09 - A Proclamation Declaring the Bureau of Reclamation's Hundredth Year Celebration as June 17, 2002.

Councilmember Kelepolo made a **motion** to adopt by resolution and proclaim June 17, 2002 as the Bureau of Reclamation's Hundredth Year Celebration. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

### **Spanish Fork City - 2001 Tree City USA - National Arbor Day**

Mayor Barney recognized Spanish Fork City for receiving the 2001 Tree City USA award. The parks and recreation department has done an outstanding job. The presentation for the award took place last month at the North park and several trees were planted at that time.

### **URMMA - Training Session**

Mr. Parker was present from URMMA (Utah Risk Management Mutual Association). Members of the Planning Commission and Board of Adjustments were also present. During the training session Mr. Parker addressed the following issues:

1. Losses are incurred by cities when plans or policies are not followed. The members of the Spanish Fork City staff are very competent.
2. Cities should follow the current policy and not make concessions.
3. Council, Board of Adjustments, and Planning Commission members are not to meet independently with developers or contractors to discuss pending issues.
4. The records need to accurately document the proceedings of the meeting. Mr. Baker stated every member of the council, board, or committee should review the minutes before they are adopted. A discussion followed concerning the possibility of recording the meetings.

Mr. Parker commended the staff, council, board, and commission of Spanish Fork City and said the community is a better place because of the service they provide.

Mr. Pierson requested Mr. Parker cover, for the Board of Adjustments, the five state required findings before a variance can be issued.

Mr. Parker reviewed the importance of following the current policy regardless of the individuals involved.

Mr. Baker read the five requirements set forth by the state in order for a variance to be granted and gave an example of a variance request. In some cases a variance can be granted, however the criteria are very strict.

Mayor Barney thanked Mr. Parker and Mr. Baker for the presentation. Mayor Barney also thanked citizen volunteers serving on the Board of Adjustments and Planning Commission.

### **Property Acquisition**

Mr. Baker stated the property being purchased is the Mooseman property located at 375 North 100 East, which was discussed during the last executive session of city council. The property will be purchased by the city as discussed for \$148,000. The closing will be in late May, 2002. The property use will be determined at a later date.

Councilmember Kelepolo made a **motion** to approve the purchase of the Mooseman property located at 375 North 100 East in the amount of \$148,00, with \$500 in earnest money, and authorize Mayor Barney to sign all documents connected to the purchase. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

### **Voice Stream Lease Addendum**

Mr. Baker stated a year ago the city entered into a one year agreement with VoiceStream to construct a tower. VoiceStream will have the tower constructed in July or August and they are requesting to extend their option for another five months to allow additional time to complete the construction. A copy of the proposed addendum to the previous agreement was presented to council. VoiceStream will pay \$500 for the extended option and when the tower is completed the lease amount will be approximately \$650 per month to the city.

Councilmember Huff made a **motion** to adopt the VoiceStream lease amendment and authorize the Mayor to sign the addendum. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

## Change Order - SR 198 Project

Mr. Heap said the change order request is due to the abundance of utilities located in Canyon Road. The irrigation line will need to be relocated at a cost of \$1700. Also, additional equipment and time were required since it was difficult to locate several utility lines to be shut off. Digging was required at an additional cost of \$85.00.

Councilmember Kelepolo asked if there are distance requirements for underground utilities. Mr. Heap said for the same type of utility there is not, however if they are different utility services there are underground distance requirements. A discussion followed.

Councilmember Johns made a **motion** to accepted the contract change order from Johansen Construction in the amount of \$1785, increasing the total contract to \$712,653.30. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

## Bid Tabulations - Woodhouse Substation Foundation

Mr. Heap said this bid is for the transmission substation foundation. The substation is located in the old landfill and it is unknown if water will be encountered until construction begins. RME submitted the lowest bid including additional charges if there is water. Mr. Heap said we received four bids and he recommended accepting the lowest bid received from RME with option C for a total not to exceed \$89,475. He also feels, after talking with Mr. Baker, a one million dollar liability policy is adequate due to the location.

Mayor Barney said we should set the standards for the bid and not allow the bidders to set options. A discussion followed concerning the options offered and if the options made the bid unfair to the others bidders. Councilmembers Kelepolo and Huff said everyone had the same information on the bid request and having the options could save money.

Councilmember Huff made a **motion** to accept the lowest bid of \$56,424 submitted by RME, with option C. The award is not to exceed \$89,475 if water is encountered. Councilmember James **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 8:40 pm.

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Connie Swain, Deputy Recorder

Approved: May 21, 2002

