

Adopted Minutes
Spanish Fork City Council Meeting
August 19, 2003

The meeting was called to order at 6:00 pm by Mayor Dale R. Barney. The pledge of allegiance was led by Councilmember Huff.

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

Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Dee Rosenbaum, Public Safety Director; Richard Heap, Engineering and Public Works Director; MaryClare Maslyn, Assistant City Manager; Kent Clark, Recorder/Finance Director; and Connie Swain, Deputy Recorder.

Citizens Present: Robert J. Pittelli.

Minutes

Councilmember Huff made a **motion** to approve the minutes of the August 5, 2003, city council meeting with changes as noted. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Johns made a **motion** to approve the minutes of the August 12, 2003, city council meeting with changes as noted. Councilmember Christensen **seconded**, and the motion **passed** with a unanimous vote.

Library Board Member Appointment

Mayor Barney said he has appointed Danny Wilson to fill the vacancy on the Library Board. George Peterson served on the Board and was involved in an accident and is deceased.

Ordinance No. 08-03 - An Ordinance Clarifying the Power and Duties of the City Manager

Mr. Baker said in order to clarify the powers and duties of the City Manager an Ordinance has been prepared. The verbiage "create and administer policies, rules, and regulations unless otherwise reserved to the Council" has been inserted. The city council will continue to govern the policies, rules, and regulations, and the city manger will have the authority to prepare and carry out the policies.

Councilmember Kelepolo made a **motion** to approve Ordinance No. 08-03, an Ordinance Clarifying the Power and Duties of the City Manger. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Resolution No. 03-07 - A Resolution Adjusting the Fees for Traffic School

Mr. Baker said traffic school was created eight years ago to assist with less experienced drivers and provide safer streets for the community. The original traffic school fee has remained \$50.00, however, traffic citation fines have increased twice to \$82.00. Mr. Baker recommended approval of Resolution No. 03-07 increasing the traffic school fee to \$60.00.

Mayor Barney asked how many attend traffic school monthly.

Chief Rosenbaum said approximately 100 individuals attend traffic school each month.

Mr. Baker said individuals with moving traffic violations are allowed to attend the school once every two years with some leniency.

Councilmember Huff made a **motion** to approve Resolution No. 03-07 - A Resolution Adjusting the Fees for Traffic School. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Cooperative Agreement - Utah Division of Wildlife Resources

Mr. Robinson said he met yesterday with representatives of the Utah Division of Wildlife Resources (DWR). DWR approved of the cooperative agreement with the exception of the verbiage “excess irrigation demand” in section “B 1.” The agreement states DWR will provide the funding for the completion of improvements at the reservoir and the city will allow DWR use of the reservoir as a fish habitat.

Councilmember Johns asked how striking the words “excess irrigation demand” from section “B 1” will effect the contract.

Mr. Robinson said the contracts allows for work to be completed on the reservoir. DWR is concerned with the water levels remaining high enough to maintain the fish.

Councilmember Huff asked how often the reservoir will be stocked with fish.

Mr. Robinson said DWR will continually keep the reservoir stocked with fish and the length of the contract is 15 years.

Councilmember Johns asked how the fish will be maintained through the winter.

Mr. Robinson said DWR will be stocking the reservoir with cold water fish and feel confident the fish will survive even when the reservoir freezes.

Councilmember Johns made a **motion** to approve the Cooperative Agreement with Utah Division of Wildlife Resources. Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

7:20 pm - Mayor Barney excused himself from the proceedings and asked Councilmember Huff

to conduct the meeting as Mayor Pro Tempore.

Bid Tabulation - Spanish Oaks Reservoir Improvements

Mr. Robinson said with the approval of the Cooperative Agreement with DWR he is prepared to move forward with the Spanish Oaks Reservoir Improvements bid. Mr. Robinson recommended approval of the low bid received from B.D. Barney Construction in the amount of \$255,949.30.

Councilmember Johns asked Mr. Heap for the engineering estimate for the bid.

Mr. Heap said the engineering department estimated the cost of the improvements to be \$289,000.00. The completion date for the project is the end of November, 2003.

Mr. Robinson said he talked with Blake Barney, of B.D. Barney, concerning the wide margin in the bid amounts. Mr. Barney said he is very comfortable with the amount he has bid.

Councilmember Huff said Mayor Barney excused himself from the discussion due to the fact Blake Barney, of B.D. Barney Construction, is his son.

Mr. Heap said the bid includes 30 parking spaces and over flow parking at the Gun Club.

Councilmember Kelepolo made a **motion** to approve the Spanish Oaks Reservoir improvements bid tabulation received from B.D. Barney Construction in the amount of \$255,949.30.

Councilmember James **seconded**, and the motion **passed** with a unanimous vote.

Other Business

Mr. Clark advised the public of the upcoming municipal election and expressed a need for election judges. Those who are interested were directed to contact Mr. Clark at the City Record's Office. The Primary Election will be held on the first Tuesday in October and the General Election will be held on the first Tuesday in November.

7:28 pm - Mayor Barney returned to the meeting

Adjournment

Councilmember Kelepolo made a **motion** to adjourn from city council meeting. Councilmember Johns **seconded**, the motion **passed** with a unanimous vote, and the meeting adjourned at 7:40 pm.

Connie Swain, Deputy Recorder

Approved: