



## CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on January 3, 2012**.

### AGENDA ITEMS:

#### 1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge, led by invitation
- b. Swearing in of Newly Elected Officials
- c. Military Community Covenants – 2<sup>nd</sup> Lt. Michael Williams

#### 2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

#### 3. COUNCIL COMMENTS:

#### 4. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. \* Minutes of Spanish Fork City Council Meeting – [December 20, 2011](#)

#### 5. NEW BUSINESS:

- a. Horrocks Engineering Presentation -MAG Springville/Spanish Fork Area Transportation Study
- b. \* [Great Western Park & Playground Change Order – Rodeo Arena](#)
- c. \* [Ed Clark Demolition and Waterline 2011](#)

### ADJOURN:

\* Supporting documentation is available on the City's website [www.spanishfork.org](http://www.spanishfork.org)

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at [www.spanishfork.org](http://www.spanishfork.org)

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 804-4530.

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**Tentative Minutes**  
**Spanish Fork City Council Meeting**  
**December 20, 2011**

Elected Officials Present: Mayor G. Wayne Andersen, Councilmembers Steve Leifson, Rod Dart, Richard Davis, Jens Nielson, KeirScoubes.

Staff Present: Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Junior Baker, City Attorney; Chris Thompson, Public Works Director; Kent Clark, City Recorder/Finance Director; Dave Anderson, Community Development Director; Dee Rosenbaum, Public Safety Director; John Bowcut, IS Director; Angie Warner, Deputy Recorder.

Citizens Present: Jon Haderlie, Richard Mendenhall, Mike Mendenhall, Ray Swenson, Carol Swenson, Tanner Nielson, Whitney Nielson, Hunter Nielson, Tricia Nielson, Shaylee Balls, Carlie Balls, Marilee Balls, Brandon Gordon, Cary Hanks, Cary Robarge, Shelley Hendrickson.

**CALL TO ORDER, PLEDGE, RECOGNITION:**

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

Councilman Nielson led in the pledge of allegiance.

Mayor Andersen turned the time over to Seth Perrins.

**Recognition of Miss Spanish Fork Director**

Seth Perrins recognized Raychellene Talbot for her service as the Miss Spanish Fork Director.

**Recognition of the Employee of the 2<sup>nd</sup> & 3<sup>rd</sup> Quarter**

Seth Perrins recognized the employee of the 2<sup>nd</sup> quarter, Jeremy Coe.

Dave Anderson recognized Shelley Hendrickson for the employee of the 3<sup>rd</sup> quarter.

Mayor Andersen thanked Jens Nielson for his term serving on the Council.

Councilman Davis said it has been a great time sitting next to Councilman Nielson. He has taught me a lot of patience. It's been an honor to know Jens.

Councilman Leifson said Jens is famous for saying "Mayor, I don't have anything tonight". He has been great to work with.

Councilman Dart said that he appreciates his friendship with Jens and he will be missed.

Councilman Scoubes said Jens will be missed.

Councilman Nielson thanked everyone and mentioned a few great things about his fellow Councilmen.

**PUBLIC COMMENTS:**

48 Cary Hanks, Director for the Spanish Fork/Salem Area Chamber of Commerce thanked  
49 Councilman Nielson for his service. She wished everyone a Merry Christmas and thanked the  
50 City Council for all their support. The Chamber held a luncheon today and invited Spencer Eccles  
51 with the state economic department. Cary Hanks thanked all those that participated.

52

### 53 COUNCIL COMMENTS:

54 Councilman Davis said last week at the employee Christmas luncheon and it was an honor to  
55 stand there and shake our employee's hands. He thanked all the city employees and all that they  
56 do. Councilman Davis wished all the citizens a Merry Christmas.

57

58 Mayor Andersen wished the citizens a Merry Christmas and a Happy New Year.

59

### 60 SPANISH FORK 101:

61 Chris Thompson – Snow Removal on Sidewalks

62

### 63 CONSENT ITEMS:

- 64 a. Minutes of Spanish Fork City Council Meeting – December 6, 2011  
65 b. Spanish Fork Business Center Plat B Chappel Drive 1950 North Storm Water Design  
66 Development Agreement  
67 c. Strawberry Water Users Association Crab Creek Transmission Pipeline Agreement  
68 Regarding SVP Lands.

69

70 Councilman Nielson made a **motion** to **approve** the consent items.

71 Councilman Leifson **seconded** and the motion **passed** all in favor.

72

### 73 PUBLIC HEARING

74 Proposed Zone Change involving approximately 190 acres located north of US 6 on each side of  
75 Chappel Drive. The proposal would change the zoning from a combination of Industrial 1 and  
76 Shopping Center to a combination of Business Park and Commercial 2.

77 Dave Anderson said that we have received an application to change the zone for approximately  
78 190 acres. IHC has acquired land in this location and hospitals are a permitted use in our  
79 business park zone. Staff recommends the Council approve the proposed zone change.

80

81 Councilman Davis made a **motion** to **move** into the Public Hearing.

82 Councilman Scoubes **seconded** and the motion **passed** all in favor at 6:40pm.

83

84 Mayor Andersen welcomed any public comment.

85

86 There was none.

87

88 Councilman Leifson made a **motion** to **move** out of the Public Hearing.

89 Councilman Dart **seconded** and the motion **passed** all in favor at 6:41pm.

90

91 Councilman Dart asked if there is or will be any wetland issues at the location.

92

93 Chris Thompson said that the City does not regulate that. The property owner and the Army  
94 Corp of Engineers will take care of that.

95

96 Councilman Dart said there is some noise from SAPA. He asked if this is going to cause any  
97 problems with future neighbors or the zone change.

98  
99 Dave Anderson said it should not have any impact.

100  
101 Councilman Dart made a **motion** to **approve** the Proposed Zone Change involving approximately  
102 190 acres located north of US 6 on each side of Chappel Drive. The proposal would change the  
103 zoning from a combination of Industrial 1 and Shopping Center to a combination of Business Park  
104 and Commercial 2.

105 Councilman Nielson **seconded** and the motion **passed** all in favor.

106  
107 **Transportation Element of the General Plan**

108 Chris Thompson said we have some changes for the revision. First, staff has been working with  
109 the county to create a connector road on the West side of I-15 that would run from Payson to  
110 400 South in Springville. Second, creating a connector road from Chapple Drive to 2700 North in  
111 Spanish Fork. Third, staff has changed the Trails Master Plan to have the trail on both sides of  
112 the river to help with flood control.

113  
114 Councilman Davis made a **motion** to **move** into the Public Hearing.

115 Councilman Leifson **seconded** and the motion **passed** all in favor at 6:49pm.

116  
117 Mayor Andersen welcomed any public comment.

118  
119 There was none.

120  
121 Councilman Dart made a **motion** to **move** out of the Public Hearing.

122 Councilman Scoubes **seconded** and the motion **passed** all in favor at 6:50pm.

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124 Mayor Andersen asked if there is an equestrian trail involved in the Trails Master Plan.

125  
126 Chris Thompson said yes, the equestrian trail will be on one side of the river.

127  
128 Councilman Scoubes asked if there are benchmarks on the changes.

129  
130 Chris Thompson said no.

131  
132 Councilman Scoubes made a **motion** to **approve** the Transportation Element of the General Plan.

133 Councilman Leifson **seconded** and the motion **passed** all in favor.

134  
135 **NEW BUSINESS:**

136 **Economic Incentive Agreement with Costco**

137 Dave Oyler said with this project state law requires a study completed to show that the incentive  
138 offered is not greater than the incentives received. The four incentives are:

- 139
- 140 1. *City will waive the following City-assessed fees charged in connection with Costco's*  
141 *development, construction, and operation of the Project on the Property: plan*  
142 *application fees, plan check fees, building permit fees, connection charges or fees, and*  
143 *impact fees imposed on the Project by the City.*
  - 144 2. *Sales tax rebate, the City generates its revenue off of the sales tax. City will provide*  
145 *18 month sales tax rebate back to Costco, after the City collects the City's proportion,*  
*up to a maximum of \$1,025,000.00. (More details in the contract)*

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- Correction on the contract; February 28, 2013 the year needs to be changed to 2014.
3. *Free Utilities.* For the first four years of Costco's operation of the Project on the Property, commencing with the date the Project opens for business to the public, and continuing until the fourth anniversary of such opening date, the city will provide the following City-owned utilities: electric power, culinary water, sanitary sewer, storm sewer, and pressure irrigation, at no cost to Costco.
  4. *Grading/Fill Work Reimbursement.* No later than the date the Project opens for business to the public, the City shall pay to Costco the sum of \$225,000.00 as partial reimbursement for the grading/fill work performed on the site by the City in the fall of 2011, and paid for by Costco.

These incentives are contingent on Costco opening.

Steve McArther said Costco is excited to be hopefully opening next fall. He thanked the council.

Councilman Dart made a **motion** to **approve** the Economic Incentive Agreement with Costco. Councilman Nielson **seconded** and the motion **passed** all in favor.

#### **Ordinance #17-11 Amending Provisions of the City Purchasing System to Provide Better Efficiencies**

Junior Baker highlighted changes in the following area of the Spanish Fork Municipal Code: 3.08.040 Bid Processes; 3.08.050 Choice of Bid Process; 3.08.060 Awarding of Bids and RFP's; 3.08.070 Exceptions to Bidding Requirements; 3.08.090 Disposal or Lease of Public Property.

Councilman Leifson made a **motion** to **approve** Ordinance #17-11 Amending Provisions of the City Purchasing System to Provide Better Efficiencies.

Councilman Dart **seconded** and the motion **passed** all in favor with a roll call vote.

#### **Contract Award for Fairgrounds Arena Lighting**

Chris Thompson said we recently bid out for the lighting for the new arena. The lowest bid was Rydalch Electric, Inc. Staff recommends the council award the bid to Rydalch Electric, Inc. in the amount of \$239,765.00.

Councilman Davis made a **motion** to **approve** the Contract Award for Fairgrounds Arena Lighting to Rydalch Electric, Inc. in the amount of \$239,765.00.

Councilman Scoubes **seconded** and the motion **passed** all in favor.

#### **Fairgrounds Arena Change Order #1**

Chris Thompson said this change order is in regard to the design of the fairgrounds arena buildings. The original request was to design two buildings and duplicate them three times. Now that request has changed to design seven unique buildings. The new proposed cost for services is \$36,000.00. Staff recommends approval of the change order.

Councilman Leifson made a **motion** to **approve** the Fairgrounds Arena Change Order #1.

Councilman Nielson **seconded** and the motion **passed** all in favor.

#### **Utility Master Plans**

Chris Thompson highlighted the following changes that were added since the last revision.

*Whenever a comprehensive masterplan is first introduced there will need to be some adjustments to it as it is first implemented. While we hope that we have found the majority of such changes we believe there will still be several more this coming year.*

*Many of the revisions were to make minor format changes to clarify the reports. Some of the major*

198 *changes are related to defining clearly what portions of proposed projects are related to growth and*  
199 *therefore reimbursable by impact fees.*  
200 *Other significant additions to the masterplans are the sections on renewal. Each utility's infrastructure*  
201 *has an estimated service life. It is advisable that the city budget a little amount each year to update*  
202 *facilities that have reached their service life so that we do not have to do expensive one time projects*  
203 *that burden a single generation with decades of maintenance costs.*  
204

205 Councilman Scoubes made a **motion to approve** the Utility Master Plans which include the Drinking  
206 Water Plan, Pressurized Irrigation Plan, Waste Water Plan, and Storm Drain Plan.

207 Councilman Davis **seconded** and the motion **passed** all in favor.

208

209 **Independent Audit Report FY 2011**

210 Kent Clark presented the audit report that is done by Larson and Rosenburger, a company here in town.

211

212 Jon Haderlie with Larson and Rosenburger said there were no findings and Spanish Fork City has done a  
213 great job.

214

215 Councilman Leifson made a **motion to approve** the Independent Audit Report FY 2011.

216 Councilman Nielson **seconded** and the motion **passed** all in favor.

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218 Councilman Dart made a **motion to adjourn**.

219 Councilman Davis **seconded** and the motion **passed** all in favor at 8:10 pm.

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221 **ADJOURN**

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**ADOPTED:**

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Angie Warner, Deputy Recorder



## Staff Report to City Council

<b>Agenda Date:</b>	January 3, 2012
<b>Staff Contacts:</b>	Dale Robinson, Trapper Burdick, Ryan Baum
<b>Subject:</b>	Great Western Park & Playground Contract Rodeo Arena Change Order

### **Background Discussion:**

The original contract with Great Western Park & Playground to build the rodeo arena was \$2,695,765. We have made some changes on the project that have made it necessary to increase this contract by \$19,630. Those changes with explanations are included in the attached change order request. We had an alternate bleacher seating section over the bucking chutes that we had removed. We moved the entire bucking chute section forward 10 feet to solve line of site issues. We added box seating (stadium chairs) to the south east corner of the arena. We also added some additional stadium seating as well as upgraded the type of seats so they would be more comfortable. We added color to the risers and also the 7 foot wall on the lower mezzanine. There were also some added costs for changing the building footings to square footings as well as for heavier columns. I would be happy to discuss with you in further detail any of the items listed on the change order. Please feel free to call me or Trapper or Ryan prior to council meeting.

### **Budgetary Impact:**

This change order will increase the contract with Great Western \$19,630.

### **Recommendation:**

Staff recommends approval of the change order.

### **Attachments:**

Change Order

# Spanish Fork City

## Contract Change Order

Change Order Number: **1**

Contract for	Spanish Fork Fairgrounds Rodeo Arena	Date	12/30/2011
Owner	Spanish Fork City		
To	Great Western Park & Playground Inc.		

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	Decrease in Contract Price	Increase in Contract Price
Arena Structure Elevation from 4' to 3' from Arena floor	-\$17,444.00	
Section L moved forward approx 10'		\$48,291.90
Additional box seating for Section M and N		\$26,943.30
Remove bleacher seating from Section L	-\$123,420.00	
Additional 241 stadium seats		\$28,269.30
Coloring for 7' vertical wall for lower mezzanine		\$7,087.50
Color for vertical risers under bleacher seats and chairs		\$24,675.00
Adjust structure to accommodate restroom and concession under bleacher seating		\$16,540.00
Upgrade stadium seating to Patriot Seats.		\$8,687.00
<b>TOTALS :</b>	<b>-\$140,864.00</b>	<b>\$160,494.00</b>
<b>NET CHANGE IN CONTRACT PRICE :</b>	<b>-\$140,864.00</b>	<b>\$160,494.00</b>

**JUSTIFICATION:**

Materials that are being reused are all galvanized. Existing materials need to be powder coated to match new materials.

The amount of the contract will be increased by the sum of :	Nineteen Thousand Six Hundred Thirty Dollars and 00/100
	\$19,630.00
The contract total including this and previous change orders will be :	Two Million Seven Hundred Fifteen Thousand Three Hundred
	Ninety Five Dollars and 00/100
	\$2,715,395.00

This document will become a supplement to the contract and all provisions will apply herein.

Requested: _____	Date: _____
(Owner)	
Recommended: _____	Date: _____
(Owner's Architect/Engineer)	
Accepted: _____	Date: _____
(Contractor)	



# Memo

To: Mayor & City Council  
From: Chris Thompson, Public Works Director / City Engineer  
Date: December 29, 2011  
Re: Ed Clark Demolition and Waterline 2011

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## **STAFF REPORT**

We have recently requested proposals for the demolition and relocating a waterline at the North Park Development Project. The removal of the existing building and waterline relocation is required for future development of the North Park Subdivision.

The lowest responsible bid was submitted by All Services LLC at a cost of \$14,760. The funds for this project will come from The North Park Capital Funds. We therefore recommend that the City Council approve the contract with All Services LLC for the Ed Clark Demolition and Waterline Project.

Attached: bid tabulation, proposed notice of award



## SPANISH FORK CITY

### Ed Clark Demolition and Waterline 2011

December 19, 2011

#### Bid Tabulation

Note: Bids shall include sales tax and all other applicable taxes and fees.

				All Services	S&L Landscape	Ted Hone	Penrod Const	Blain Hone Ex	Johnston & Phillips	MK Excavating	AVG
NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	Demolition, Clearing and Grubbing	1	LS	\$1,750.00	\$7,512.76	\$7,320.00	\$5,500.00	\$7,650.00	\$15,000.00	\$8,600.00	\$5,527.59
2	6" C-900 Waterline	80	LF	\$104.50	\$59.09	\$81.78	\$98.75	\$72.25	\$40.00	\$131.61	\$81.79
				\$8,360.00	\$4,727.20	\$6,542.40	\$7,900.00	\$5,780.00	\$3,200.00	\$10,528.80	
3	72" Storm Drain Manhole	1	EA	\$3,520.00	\$3,542.44	\$4,361.25	\$6,700.00	\$5,900.00	\$6,500.00	\$7,905.10	\$3,807.90
4	6" Water Valve & Tapping Tee	1	EA	\$1,130.00	\$3,896.34	\$1,896.75	\$4,600.00	\$6,788.00	\$4,000.00	\$10,559.48	\$2,307.70
<b>GRAND TOTAL:</b>				\$14,760.00	\$19,678.74	\$20,120.40	\$24,700.00	\$26,118.00	\$28,700.00	\$37,593.38	

**NOTICE OF AWARD**

DATE: December 28, 2011

TO: All Services LLC

13585 South Hwy 198

Santaquin, UT 84655

PROJECT DESCRIPTION:

**SPANISH FORK CITY ED CLARK WATERLINE PROJECT**

The OWNER has considered the bid submitted by you for the above described work in response to its request for bids and information for bidders.

You are hereby notified that your bid has been accepted in the amount of

**\$14,760.00; Fourteen Thousand Seven Hundred Sixty Dollars and zero cents**

You are required by the Information For Bidders to execute the Agreement and furnish the required CONTRACTOR's Performance Bond, Payment Bond and Certificates of Insurance **within ten (10) calendar days** from the date of this notice to you.

If you fail to execute said Agreement and to furnish said bonds within ten (10) days from the date of this notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your bid as abandoned and as a forfeiture of your Bid Bond. The OWNER will be entitled to such other rights as may be granted by law. You are required to return an acknowledged copy of this Notice of Award to the OWNER.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

SPANISH FORK CITY CORPORATION

BY: \_\_\_\_\_  
Christopher Thompson, City Engineer/ Public Works Director

ACCEPTANCE OF NOTICE  
RECEIPT OF THE ABOVE NOTICE OF AWARD IS HEREBY ACKNOWLEDGED

BY: \_\_\_\_\_

THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2012.