

**Adopted Minutes
Spanish Fork City Council Meeting
July 16, 2013**

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; Jered Johnson, Engineering Division Manager; Steve Adams, Public Safety Director; Angie Warner, Deputy Recorder.

Citizens Present: Carla Tuckett, Randy Tuckett, Amber Wright, Clint Muhlestein, Connie Muhlestein, Scott Peterson, Joe Butler, Jeremy Sorensen, Cary Hanks, Chad Argyle, Steven Money.

CALL TO ORDER, PLEDGE, RECOGNITION:

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

Seth Perrins led in the pledge of allegiance.

Fiesta Days Rodeo Royalty

Mark Binks with the Diamond Fork Riding Club introduced the Fiesta Days Rodeo Royalty; Queen, Amber Wright; 2nd Attendant, Heidi Colburn; 1st Attendant, Katie Bishop.

Mayor Andersen introduced Joe Butler, a bullfighter for the Fiesta Days rodeo.

Salem City Royalty – not present

PUBLIC COMMENTS:

Cary Hanks, Director of the Spanish Fork Salem Area Chamber of Commerce reminded the public to visit the Fiesta Days sidewalk sales. They start Friday July 19 through Wednesday July 24. Ms. Hanks thanked City Council and staff for coordinating Fiesta Days. Ms. Hanks said the Farmer's Market will be starting Saturday July 27 in the city office parking lot and will continue every Saturday from 8am to 1pm.

Jeremy Sorensen, General Manager for Strawberry Water Users thanked the City Council & staff for the opportunity to work together on various projects.

Mayor Andersen gave thanks in return.

COUNCIL COMMENTS:

Councilman Davis thanked staff and volunteers for helping move the movie in the park on Friday night because of weather conditions. It turned out to be a very enjoyable night.

Councilman Leifson concurred with Councilman Davis and also thanked the public for helping clean up after the movie.

Councilman Dart thanked staff for all their hard work for Fiesta Days. Councilman Dart reminding the public with all the fireworks going on for the holidays to keep your pets secured and if you have a lost pet check with the animal shelter. Councilman Dart announced that the animal shelter is having an event “Celebrate Your Pet” August 3 from 9am-12pm.

SPANISH FORK 101:

Fiesta Days Events –Randy & Carla Tuckett, Steven Money

Paper Shred & Medication Disposal Event – Chief Steve Adams

Chief Adams announced the Paper Shred and Medication Disposal event for the public that will be on Saturday, August 3rd at the Spanish Fork Fairgrounds from 1:00pm-3:00pm.

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – July 2, 2013
- b. Cooperative Agreement with UDOT for Engine Brake Restrictions on US 6
- c. UDAK Properties LLC Right of Way Purchase Agreement
- d. South East Irrigation Company Agreement for the delivery of Strawberry Valley Project Water
- e. 2013 High Density Mineral Bond Street Seal Coat Change Order #1
- f. 1850 North Sewer Siphon 2013 Bid Award

Councilman Leifson made a **Motion** to **approve** the consent items.
Councilman Dart **Seconded** and the motion **Passed** all in favor.

PUBLIC HEARING:

Proposed Amendments to Title 15

Dave Anderson reviewed the following proposed changes:

Spanish Fork City Municipal Code §15.3.24.030(3)(c)(4) is hereby amended as follows:

15.3.24.030 Master Planned Developments

- 3. Master Planned Development Requirements and Bonus Density
- C. Architecture

4. Roofing – Homes in the development shall have at least a 6/12 pitched roof on the main portion of the roof unless it is determined by the Community Development Department that a lesser pitched roof is essential to maintain the integrity of a particular architectural style and that they style is a substantial improvement to what would be built in a standard subdivision.

II.

Spanish Fork City Municipal Code §15.3.24.090(A) is hereby as follows:

15.3.24.090 Supplementary Regulations

A. Accessory Structures:

1. All accessory structures must meet the following requirements:

- a. All accessory structures are required to obtain a building permit. Permits for structures that are less than 200 square feet or are otherwise exempt from the adopted building code, as set forth in '14.04.010, are free of charge.
- b. All detached accessory structures must be located behind the front wall plane of the principal structure.
- c. Where property abuts against I-15 or U.S. Highway 6, accessory structures have no required set back from the I-15 or Highway 6 right-of-ways.
- d. The combined square footage of all detached accessory structures shall not fifteen percent (15%) of the total lot area if the structure is entirely within the setbacks for the principal structure or ten percent (10%) of the total lot area if the structure is located elsewhere on the lot.
- e. If any accessory structure must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation or modification, together with all costs of restoration.

- f. Accessory structures located on a corner lot shall meet the same front, rear, and side setbacks as required for accessory structures on an interior lot. Accessory structures located behind the front plane of the house and within twenty (20) feet a public right-of-way shall be architecturally compatible with the primary structure on the lot. The second clear vision area as addressed in §15.4.16.150 needs to be maintained at all times.
 - g. The minimum front setback for detached accessory structures shall conform to the minimum front setback for the existing principal structure and shall be set at least five (5) feet, measured from eave to eave, from all structures on the property.
 - h. Accessory structures that meet the setback requirement for the principal building may be allowed to meet the maximum height allowed in that zone.
 - i. The maximum height for detached accessory structures shall be twenty (20) feet to the peak of the roof measured from the finish grade (measured 5-feet from the proposed structure). Any structures taller than fifteen (15) feet shall have a roof pitch of no less than 4/12.
 - j. Properties over one-half acre in size can increase the maximum height to twenty-four (24) feet by having the rear and side setbacks the same as the building height.
2. Structures that are 200 square feet and less in area and are less than five (5) feet from the property line must meet the following additional requirements:
- a. Structures with a wall height of eight (8) feet or less and a maximum peak height of twelve (12) feet may be constructed with no side or rear setback from property lines as long as the structure is constructed so all water runoff from the accessory structure does not flow onto adjoining properties. In no case may any portion of a structure extend beyond the property line.
3. Structures larger than 200 square feet in area must meet the following additional requirements:
- a. Meet all adopted building code regulations as set forth in §14.04.010.
 - b. Must maintain a minimum setback of five (5) feet to the side or rear property line with a maximum one (1) foot overhanging eave.
 - c. Be anchored to concrete footings as outlined in the adopted building code as set forth in '14.04.010.
 - d. Accessory structures over 200 square feet in size that are located between the front and back planes of the house must be architecturally compatible with the principal structure.

III.

Spanish Fork City Municipal Code §15.4.04.080 is hereby amended as follows:

15.4.04.080 Approval or Disapproval – Procedure

Each plat submitted to the City shall be referred to the DRC, for review, to insure conformity to the present ordinances and standards, and for adequacy and availability of public facilities.

The applicant must hold a meeting, for residential subdivisions, prior to a meeting with the DRC, inviting all property owners within 500 feet of the proposed project. The notice, names of those invited and those who attended, conceptual drawings, presentation, and minutes from the meeting must be submitted to the Community Development Department prior to the DRC meeting.

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

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

Mayor Andersen welcomed public comment.

There was none

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

Councilman Dart **Seconded** and the motion **Passed** all in favor at 6:49p.m.

Councilman Leifson made a **Motion** to **approve** Ordinance #11-13 Making Amendments to Title 15 Concerning Roof Pitch, Heights of Accessory Buildings and Clarifying the Intent of Neighborhood Meetings Related to Preliminary Plats.

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

NEW BUSINESS:

Ordinance #10-13 Amending Bid and Change Order Requirements of the Purchasing Policy
 Junior Baker reviewed the following proposed changes:

I.

Spanish Fork Municipal Code §3.08.060 is hereby amended as follows:

3.08.060 Awarding of Bids and RFPs

- A. **Bids/Purchases in Relation to Budget**
Except as otherwise required by law, building improvement or public works projects and supplies, services, and equipment, no more than the lesser of \$10,000.00 or 10% of the appropriation balance, and within the scope of the project, as budgeted by the City Council, may be accepted and awarded by the City Finance Director or designee. Bids which exceed the budgeted amounts by more than the lesser of \$10,000.00 or 10% of the appropriation balance must be approved and awarded by the City Council.
- B. **Professional Services**
Contracts for professional services in an estimated amount no more than the lesser of \$10,000.00 or 10% of the appropriation balance, and within the scope of or related to the project, as budgeted by the City Council, may be accepted and awarded by the City Finance Director or designee. Proposals which exceed the budgeted amounts by more than the lesser of \$10,000.00 or 10% of the appropriation balance must be approved and awarded by the City Council.
- A. **Rejection of Bids**
The City Council or the City Finance Director or his/her designee, or others authorized to accept and award bids may reject any and all bids presented, and may resolicit for bids as set forth in this Chapter. The City may proceed to do any work itself after rejecting all bids, by following the procedures set forth in Utah Code Ann. §11-39-103.
- B. **Lowest Responsible Bidder**
Except as otherwise allowed or required, the City shall award the contract or bid to the lowest responsible bidder.
- C. **Negotiation of Bids**
Where a bid exceeds available funds and time or economic considerations preclude resolicitation of work or purchase of a reduced scope or quantity, the City Finance Director or designee may negotiate an adjustment of the bid price, including changes in the bid requirements, with the lowest responsible bidder, in order to bring the low bid within the amount of available funds.
- D. **Tie Bids**
If two (2) or more of the bids received are for the same total amount or list price, quality and service being equal, the City Finance Director or designee may negotiate with the bidders and obtain the best bid possible and/or give a preference to a local bidder.
- E. **Single Bids**
The City Finance Director or his/her designee may require a price or cost analysis if only one bid is received. The bidder may be required to furnish a detailed cost proposal, and the bid award shall be subject to subsequent negotiation.
- F. **Bonds**
Before entering a contract, the City shall have authority to require performance, payment, or other bonds in such amounts as deemed necessary to protect the interests of the City. The types and amounts of the bonds to be required shall be described in the notice inviting bids.
- I. **Change orders**
Change orders which increase the contract price in an amount of the lesser of \$10,000.00 or 10% of the contract amount may be approved by the City Finance Director or designee, as long as the overall project budget is not exceeded by more than the lesser of \$10,000.00 or 10% of the contract price, and provided further that the sum of all change orders does not increase the contract price by more than the lesser of \$10,000.00 or 10% of the contract amount. Line item change orders may be approved by the City Finance Director or designee as long as the overall project budget is not exceeded by more than the lesser of \$10,000.00 or 10% of the contract price.

Councilman Dart made a **Motion** to **approve** Ordinance #10-13 Amending Bid and Change Order Requirements of the Purchasing Policy.

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

Muhlestein Subdivision Approval Request

Dave Anderson reviewed that this subdivision was presented to council a few weeks ago for a zone change that was approved. The preliminary plat was tabled to make a few corrections and is now ready for approval from the City Council.

Councilman Davis made a **Motion** to **approve** the Muhlestein Subdivision Preliminary Plat.

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

ADJOURN:

Councilman Dart made a **Motion** to **adjourn**.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:54 p.m.

ADOPTED: August 6, 2013

Angie Warner, Deputy Recorder