



MINUTES
Springville City Council Regular Meeting – March 01, 2016

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, MARCH 01, 2016, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

Mayor Pro Tem Conover presided. In addition to Mayor Pro Tem Conover, the following were present: Councilmember Rick Child, Councilmember Craig Conover, Councilmember Christopher Creer, Councilmember Jason Miller, Councilmember Chris Sorensen, City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle and City Recorder Kim Rayburn.

Also present were: Public Safety Director Scott Finlayson, Buildings and Grounds Director Alex Roylance, Public Works Director Brad Stapley, Recreation Director Corey Merideth, Power Director Leon Fredrickson, Library Director Pam Vaughn and Museum of Art Director Dr. Rita Wright. Excused from the meeting Mayor Wilford W. Clyde

CALL TO ORDER

Mayor Pro Tem Conover welcomed everyone and called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE

Councilmember Miller offered the invocation, and Councilmember Sorensen led the Pledge of Allegiance.

APPROVAL OF THE MEETING'S AGENDA

COUNCILMEMBER CHILD MOVED TO APPROVE THE MEETING'S AGENDA AS WRITTEN. COUNCILMEMBER SORENSEN SECONDED THE MOTION, AND ALL VOTED AYE.

MAYOR'S COMMENTS

Mayor Pro Tem Conover welcomed the Council, staff and audience. He observed scouts and students in the audience and asked them to stand and introduce themselves. Scouts from Troops #924, 1476, 944 and 639 were in attendance.

PUBLIC COMMENT

Mayor Pro Tem Conover introduced the Public Comment section of the agenda. He asked if there were any requests. Mr. Ernest Farr requested to speak.

Mayor Pro Tem Conover turned the time over to Mr. Ernest Farr, a resident at 700 East 400 North; Mr. Farr explained he was approved to install a six foot fence on his property and said he is seeing more and more deer in his yard and before he installs a fence he would like to get approval for an eight foot chain link fence behind his home. Attorney Penrod replied according to ordinance it allows

for a six foot chain link fence and explained the Council would need to agree to change the ordinance. Administrator Fitzgerald suggested Mr. Farr contact the Community Development Department and discuss the change with them.

Mayor Pro Tem Conover suggested looking at the current ordinance and to gather more information on the pros and cons with fence height and deer.

Administrator Fitzgerald replied he will pass the information on to Community Development and have more information available for a work study meeting.

CEREMONIAL

1. Presentation of the 2015 Trust Accountability Program Award – Brent Oakeson, Utah Local Governments Trust

Josh McKell and Brent Oakeson with the Utah Local Governments Trust presented the 2015 TAP (Trust Accountability Program) Award to the City. Mr. Oakeson stated the City earned the TAP Award for implementing the best practices to reduce claims and with the award the City will receive a 5% discount on liability insurance. Mr. McKell stated this is the third year the City has received the award and acknowledged John Penrod, Assistant City Administrator/City Attorney; Troy Fitzgerald, City Administrator and Bruce Riddle, Assistant City Administrator/Finance Director for their contribution and dedication to risk management. Mr. McKell stated out of 550 members less than 100 receive this award.

CONSENT AGENDA

2. Approval of City purchase orders required to be signed per Springville City Purchasing Code.
3. Approval of Minutes for April 21, 2015 and May 05, 2015 Regular Council meeting and February 09, 2016 Work/Study meeting.

COUNCILMEMBER CREER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN. COUNCILMEMBER CHILD SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY.

REGULAR AGENDA

4. **Consideration of a bid award and contract for the 700 North road extension project to Condie Construction in the amount of \$184,000.00 – Jeff Anderson, City Engineer**

Public Works Director Stapley reported currently 700 North terminates at 200 East adjacent to property owned by the Department of Natural Resources (DNR) and does not continue to the east. For the road to continue east, eventually connecting to 400 East the City realized they needed to obtain a ROW (right of way) across the DNR property and would need to construct the roadway themselves, he explained the road is not required for the subdivision, the City would like the road and it meets the standards. Director Stapley reported sidewalks will be installed along the new road and he will ask public works staff to include a crosswalk west of where the sidewalk dead-ends into a hillside along the property owned by the LDS Church.

Councilmember Sorensen commented he has concerns about not having a sidewalk on the south side of the road and the City should work with the Church on getting a sidewalk installed. Director Stapley explained with the elevation of the road a sidewalk would need to be raised three feet and because of a pipeline it could not be excavated.

Attorney Penrod replied given the amounts of the bids he would like to verify state code requirements, if approved please state contingent upon City Attorney approval.

COUNCILMEMBER CREER MOVED TO AWARD THE 700 NORTH EXTENSION - 200 EAST TO 250 EAST PROJECT TO CONDIE CONSTRUCTION COMPANY IN THE AMOUNT OF \$184,183.09 AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE A NOTICE TO PROCEED FOR THE PROJECT CONTINGENT UPON APPROVAL OF THE CITY ATTORNEY.

COUNCILMEMBER CHILD SECONDED THE MOTION. COUNCILMEMBER CREER, COUNCILMEMBER CONOVER, COUNCILMEMBER MILLER AND COUNCILMEMBER CHILD VOTED IN FAVOR OF THE MOTION, COUNCILMEMBER SORENSEN VOTED NAY, THE MOTION PASSED 4 TO 1.

5. Consideration of a purchase agreement from the Sumsions regarding Sewer, Power and Storm Water Easements – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod explained in or around 2005, sewer and storm drain lines were installed across property owned by Elvin Gene Sumsion, Craig Sumsion and Sumsion Farms, L.C. (hereinafter referred to as the “Sumsions”). In addition to the sewer and storm drain lines, in or around 2007, power lines were installed across the western end of the Sumsions’ property. The infrastructure was installed with the Sumsions’ permission, but the City has not yet paid the Sumsions’ for the easements. The Sumsions’ have been represented by a number of attorneys on this matter, but nothing has been agreed to until now.

The sewer and storm drain total approximately 35,610 square feet. According to appraisals and other information, sewer and storm drain easements are valued at 25% to 33% of the land. Since the time that the infrastructure was installed, an appraiser has valued the Sumsions’ property as much as \$97,500. This would result in sewer or storm drain easements valued up to \$26,302. The Sumsions’ are asking \$24,000 for the easements.

The power easement totals approximately 7,800 square feet. A power easement is worth up to 50% to 75% of the property value. The Sumsions’ are asking \$15,000 for the easement.

COUNCILMEMBER SORENSEN MOVED TO APPROVE PURCHASING FROM ELVIN GENE SUMSION, CRAIG SUMSION, AND SUMSION FARMS, L.C. SEWER AND STORM DRAIN EASEMENTS TOTALING APPROXIMATELY 35,610 SQUARE FEET FOR THE SUM OF \$24,000 AND A POWER EASEMENT TOTALING APPROXIMATELY 7,800 SQUARE FEET FOR THE SUM OF \$15,000.

COUNCILMEMBER CREER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY

6. Consideration of a Construction Management/General Contractor (CM/GC) award to Hogan & Associates Construction for the Aquatics and Activities Center – John Penrod, Assistant City Administrator/City Attorney

Attorney Penrod reported on January 29, 2016, Springville issued the Request for Proposals #2106-02 that requested proposals from qualified construction management and general contractor (“CM/GC”) firms to help construct the City’s new aquatics and activities center. The City received responses from the following firms:

Hogan & Associates Construction

Hughes Construction
Layton Construction Company, LLC
Okland Construction
Westland Construction
Zwick Construction

A selection committee that included Brent Tippets, Councilmember Chris Creer, Troy Fitzgerald City Administrator, Bruce Riddle Assistant City Administrator/Finance Director, John Penrod Assistant City Administrator/City Attorney, Alex Roylance Building and Grounds Director and Corey Merideth Recreation Director evaluated the above firms based on minimum qualifications, fee proposals, references/past projects, strength of contractor's team and project management approach. The selection committee was impressed with the proposals submitted. Based upon the evaluation criteria, the selection committee recommends using Hogan & Associates Construction.

Hogan has constructed several aquatic and recreation centers, including, but not limited to, the South Davis Recreation Center, Clearfield Recreation and Aquatic Center, Farmington Gymnasium and City Sports Park (under construction) and Corner Canyon High School's Charger Arena. In addition to Hogan's experience, the firm submitted one of the lowest fee proposals (\$514,400) and is committed to getting the project done on schedule and within the budget.

Councilmember Child asked if they are self-bidding. Mr. Jared Buckley replied they turn in their bid 24 hours before sub-contractors.

COUNCILMEMBER CREER MOVED TO APPROVE HOGAN & ASSOCIATES CONSTRUCTION AS THE CONSTRUCTION MANAGEMENT AND GENERAL CONTRACTOR FIRM FOR SPRINGVILLE'S NEW AQUATICS AND ACTIVITIES CENTER AND AUTHORIZE ENTERING INTO THE AIA DOCUMENT A113-2009 – OWNER AND CONSTRUCTION MANAGER CONTRACT WITH HOGAN IN ACCORDANCE WITH THE CITY'S RFP #2016-02.

COUNCILMEMBER MILLER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED UNANIMOUSLY

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

Mayor Pro Tem Conover asked for any further questions or reports. There was none.

CLOSED SESSION

- 7. The Springville City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

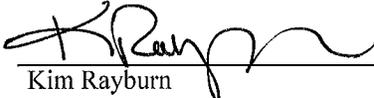
There was no closed session.

ADJOURNMENT

COUNCILMEMBER CHILD MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 7:48 P.M. COUNCILMEMBER CREER SECONDED THE MOTION, AND ALL VOTED AYE.

This document constitutes the official minutes for the Springville City Council Regular meeting held on Tuesday, March 01, 2016.

I, Kim Rayburn, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday, March 01 2016.



Kim Rayburn
City Recorder