

AMERICAN FORK CITY COUNCIL
MAY 10, 2016
REGULAR SESSION MINUTES

Members Present:

James H. Hadfield	Mayor
Kevin Barnes	Councilman
Carlton Bowen	Councilman
Brad Frost	Councilman
Rob Shelton	Councilman

Members Absent:

Jeff Shorter	Councilman
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Staff Present:

Craig Whitehead	City Administrator
Terilyn Lurker	Deputy Recorder
Cathy Jensen	Finance Officer
Kriss Garcia	Fire Chief
George Schade	IT Director
Kasey Wright	Legal Counsel
Colleen Eggett	Library Director
Derric Rykert	Parks and Recreation Director
Audra Sorensen	Public Relations/Economic Development Director
Dale Goodman	Public Works Director
Adam Olsen	Senior Planner
Wendelin Knobloch	Associate Planner

Also present: John Woffinden, Clay Jensen, Kimberly Hammond and children, Danny Faddis, Luke Peck, Zack Bell, Joseph Brando, Randy Jarrett, Matt McBride, Darren Bender, Elizabeth Vance, Cliff and Diane Gaede, Gerald Spunky, Brent Bluth, Lynell Smith, Scouts and their leaders, and approximately 20 additional residents.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, May 10, 2016, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m.

1. Pledge of Allegiance; prayer by Parks and Recreation Director Derric Rykert; roll call.
Mayor Hadfield welcomed everyone to the meeting and excused Councilman Shorter. He announced that he would cast the deciding vote in case of a tie. Those present recited the Pledge of Allegiance and a prayer was offered by Derric Rykert.
2. Presentation by the Strawberry Days Royalty
Mayor Hadfield recognized the Strawberry Days Royalty and invited them to come forward and introduce themselves. Miss Pleasant Grove Alison Lawrence introduced her attendants Jessica Matheson, Abbie Hall, and Brooke Bishop; Sam Taylor could not be in attendance. They invited everyone to attend the various Strawberry Days activities June 13 to June 18. There would be many activities including the carnival, Rodeo, Concert in

the Park, Huck Finn Days, Baby contest, a Princess party, and the Grand parade. They would be serving delicious strawberries and cream at many of the events.

A cheesecake was provided to the City Council.

3. Presentation regarding the Hill Air Force Base Air Show - goals, prohibited items, parking and public transportation arrangements, and scheduled performances
No one was in attendance for this presentation.

4. Twenty-minute public comment period - limited to two minutes per person.
Mayor Hadfield invited the scouts forward to introduce themselves.

Troop 17: Tyran Preece

Troop 830: Joseph Brandow, Zak Belt, Trevor Crow, Danny Freitis, Conner Freestone

Troop 1123: Luke Peck

Troop 1213: Michael Krull

Mayor Hadfield invited the citizens forward for public comment.

Randy Jarrett explained he was there to address his concerns on the field at 450 North. Currently there were a bunch of overgrown weeds which was an eyesore and a fire hazard. There was a lot of noise from State Street. Mr. Jarrett was there to ask that the field have covered with grass and a watering system as well as a fence to block the noise from State Street.

It was noted this was the city property where the Community Garden was at approximately 700 West on 450 North.

Matt McBride commented he had similar concerns. He stated they love the city but that land has been a persistent problem over the years. There was also a lot of dust due to the lack of grass. Mr. McBride also felt it was a safety issue as transients and vagrants spend time there. The road was extremely busy and they felt the fence and grass was important.

Councilman Bowen asked if the area big enough for a playing field. Mayor Hadfield stated if it was covered in grass and was large enough, he was sure it would be used as a soccer field at some point.

Mayor Hadfield noted this was called "South Park at North Park." This property was recently used by TSSD to stage their project equipment as they upgraded their sewer line. At one point, it was also used as a community garden area but currently there were two large dirt piles and a storage shed on the property. Mayor Hadfield stated he would have the City Engineer contact the community garden group to find out what their intentions were for the shed and then do some work to correct that problem.

Darren Bender stated he was trying to sell his home, and the one comment they consistently get from potential buyers was that they do not like what they see across the

street. Their home values have gone down because of the condition of the property.

Elizabeth Vance stated that besides being an eyesore and poor air quality, the property was being used as a dumping ground. They have found trees, concrete, and planks with nails and all sorts of debris that created a safety issue. There were also the train tracks and ravine that created a safety issue. Ms. Vance stated she was told when she bought her home that there would be a park in that location, but it became a dumping ground.

Mayor Hadfield stated that when there was a vacant lot in a subdivision, that unfortunately became a dumping ground and catch all for yard waste and refuse. He directed the Public Works Director to contact the representatives from the family garden to see what their intentions were and to move the dirt to Art Dye Park. He asked the neighbors to watch for people dumping in the park. Mayor Hadfield stated they would take action to get the problem corrected.

Kimberly Hammond stated she was there again to discuss parking at Shelley School. She thanked Councilman Bowen, who spoke to all the neighbors to get their opinions. She wanted to check on the progress of the expansion of the road. Ms. Hammond stated she brought six of her seven children to show the Council how fast kids move. She stated that her kids run across the road. Neighbors were terrified of backing out of driveways for fear of hitting kids. Ms. Hammond felt the city had an obligation to take care of the safety of the children. It was all about the children and she would hate for a death to happen.

Councilman Shelton commented that he did have a resident approach him about the road. A couple of years ago, he was told by traffic engineers that widening the road would actually make it more unsafe because the volume and speed of traffic would increase. He thought it was important to listen to the traffic engineers. He agreed that the safety of the children was important, but they needed to listen to the professionals and to make any solution would actually do what they wanted it to do.

Ms. Hammond understood the concerns but there was not enough parking at the school, so people had to park in front of the school. The cars would park in the middle of the road and when the kids got out, they run across the street and could get hit.

Councilman Shelton stated they need to look at what was best for the children and to determine what was best. He stated he would love to meet with her and a traffic engineer to talk about what the best course of action would be.

Councilman Frost wanted to know what Councilman Bowen heard when talked to the neighbors. He was curious as to why they put rocks in front of the house so cars could not park there. It was noted that if cars parked there, it would break sprinkler systems.

Dale Goodman reported stated they have been looking into the right-of-way boundaries and what was the appropriate thing to do. He stated that Nestor Gallo has experience with traffic engineering and would lead that effort. Mr. Goodman stated they were concerned with the practice of dropping kids off on the west side and then the children cross to the east without using the crosswalks. They were not sure if widening the road would make the children any safer if that was the practice. They do have some funds in the safe sidewalk funds, but they did not know if that would solve the problem if children were

not using the crosswalk.

Mayor Hadfield wanted to know what the PTA thought and what their number one concern was. Ms. Hammond stated it was brought up today but they did not have a chance to talk. She stated the Principal was onboard with widening the road.

Councilman Shelton volunteered to meet with the neighbors and Nestor Gallo to discuss the situation. Mayor Hadfield was okay with that.

Mayor Hadfield stated that in the past they have asked the neighbors to contribute a portion of the cost. They would see what they could do and move it along.

Cliff Gaede stated he also lived across from the park. The weeds were a problem as they scatter across the street and down the road. They would like the weeds to be removed as they fight this problem every year; some of them were sheephead thistle weeds were difficult to get rid of. He stated that dust was also a problem.

Mayor Hadfield indicated that last year they sent the Parks department out to mow the weeds and ended up with a busted mower because of concrete dumped on the property.

Councilman Shelton stated that the biggest problem was funding, but with the passing of the PARC Tax they now had the opportunity for additional funding to help with these types of projects.

Councilman Bowen commented they wanted to be a good neighbor. He was grateful for the citizens to come forward and express their concerns.

Diane Gaede commented that using the park as a soccer field had been mentioned but that would be a danger. Several years ago they had a baseball go through the window of a house across the street. Ms. Gaede stated the park was a narrow piece of land.

Councilman Frost he appreciated the residents coming out. He never knew there was so much interest.

Gerald Spunky stated he moved in fourteen years ago with the understanding the contactor was to put in the park. It has been a dumping ground and someone should have been given approval to dump the dirt. A few years ago the residents were told if they would break the rocks up and clean it up, the park would be completed; the citizens did their part but the city did not do their part. There was water available to the park. Mr. Spunky stated that he understood money was a concern, but it was more feasible to do the work now with minimal cost. He reminded them this was promised thirteen or fourteen years ago.

5. City Administrator's Report.
Mr. Whitehead had nothing to report.

6. Council Reports concerning Committee Assignments.
Councilman Barnes reported that Monday, May 30, was Memorial Day and the annual Memorial Day program would be held at 11 a.m. at the American Fork Tabernacle.

Information would be added to the website. The Memorial Day Breakfast would also be held at the fire station.

Councilman Bowen wanted to report on what Kimberly Hammond was talking about. He did have the opportunity to meet with the neighbors. He met Ms. Hammond at an event when she heard he was a councilman and this issue came up. A couple of the property owners he spoke to were school teachers and both were very concerned with the issue. He stated that basically people park half way in the street on both sides of the road so there was only one lane of traffic. The concern was that it would be easy for one child to run out into traffic. That was the concern from the neighbors. Councilman Bowen stated that Ms. Hammond does not live along that road but her kids do attend Shelley Elementary. He thought it would be great if Nestor Gallo looked at road and could come up with a solution. He thought it was feasible for the improvements to be installed and he would love to see that addressed. The neighbors were supportive of having the road widened.

Councilman Frost stated that June 14 was Flag Day and announced the flag at the Memorial Gardens would be raised and the garden dedicated. They had a wonderful program planned and they were excited for the event. The flag would be 30' x 50' and would be lit up on June 14 and would never go out again.

Councilman Frost stated they were in the middle of the budget season and they were allocating funds for priorities in the city, which was a difficult thing as there were many areas needing funding. In recent weeks, his family had to call 911 for a family member. They feel it was important that when emergency personnel are called, those employees be properly trained with the proper equipment. He was grateful for the emergency personnel who gave them an additional 48 hours with their family member.

Councilman Shelton reported the Miss American Fork competition would be held at the end of the month. If anyone was interested, feel free to contact him for information or check out facebook.

Councilman Shelton stated that Steel Days would be July 5 to July 9, with a kickball tournament on July 13. Steel Days has gone digital this year and all registration would take place online. They have a mobile app as well to get information out more efficiently.

Councilman Shelton wanted to thank Cathy Jensen for her service as today was her last day. He appreciated her hard work and dedication and felt she has done a phenomenal job as Budget Officer for the City. He stated she got the city through a difficult time during the recession and he was grateful for her service.

Councilman Bowen also wanted to thank Cathy Jensen for her service to the City.

7. Mayor's Report

Mayor Hadfield announced that tomorrow afternoon they were meeting with Abra Autobody and Geico Insurance. They have reconditioned an automobile that would be given to a needy family in the community as part of their give-back program. To date, they have given out about 1,000 vehicles to needy families nationwide.

Mayor Hadfield commented that five years ago, the city spent a couple hundred thousand

dollars for improvements on 100 West along Shelley Elementary. The School District and PTA asked the city to put in curb, gutter and sidewalk. Also installed was fencing with a retaining wall. On the east side of Shelly was the drop off, with the kids from Nob Hill walking down 100 West to 600 North and that was made the safe walking route. Four years ago, an addition was made to the front of the school, which caused a problem with the stacking lane. People are trying to go into the drop off from the north and the south, as parents no longer have their children walk to school. Mayor Hadfield stated they have five elementary schools that have needs and the city tried to spread out the funds. They had a mother with concerns regarding Shelley. He noted they have spent a lot of funds around Shelley Elementary already when there are other areas that need attention.

Common Consent Agenda (*Common Consent* is that class of Council action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda by the Mayor or a Councilmember and placed in the action items.)

1. Approval of the April 21, 2016 Minutes
2. Approval of the April 26, 2016 Minutes
3. Approval of the city bills for payment, manual checks, and purchase requests over \$25,000
4. Review and action on a progress release for the performance guarantee bond in the amount of \$172,174.75 for the Green Springs Subdivision located at 150 North State Street. (*Requested by Dale Goodman, Public Works*)
5. Consideration regarding authorization to release the Improvements Construction Guarantee in the amount of \$126,180.40 and Issue a Notice of Acceptance for the CVS Pharmacy construction of public improvements located at 475 East State Street. (*Requested by Dale Goodman, Public Works*)

Councilman Frost moved to approve the common consent agenda. Councilman Shelton seconded the motion.

Councilman Bowen stated there were a few checks on the manually prepared checks that were GO related and he questioned if they were they bond payments. Ms. Jensen stated that was correct.

Councilman Bowen questioned what AF9, LLC was for. Ms. Jensen answered they were water deposit refunds.

Councilman Bowen stated the payment to Ward Diesel Filter was our portion of diesel exhaust but the rest was cut off. He questioned what they payment was for. Chief Garcia explained they were modifying the fire station to decrease the exhaust in the building; the old system no longer worked. The systems for the trucks were very expensive, but they received a deal since they purchased so many together. The City was only going to have to pay for approximately \$2,000 instead of \$28,000. This was to put exhaust cleaners on the apparatus so they do not fill the fire station with exhaust when the vehicles are started.

Councilman Bowen was not opposed to the release for improvements, but he did have concerns on some of the expenses and he would vote against the approval.

RESULT:	APPROVED [3 TO 1]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton
NAYS:	Carlton Bowen
ABSENT:	Jeff Shorter

ACTION ITEMS

1. Presentation and adoption of the City's Tentative Budget for fiscal year ending June 30, 2017

Mayor Hadfield noted the tentative budget had been revised as of Monday, May 9 and minor changes were made. He pointed out the budget was lower by approximately \$1.8 million from last year's budget.

Councilman Shelton suggested that if they have any questions that they provide written questions to staff so that responses could be made at the next work session.

Mr. Whitehead stated there were two lengthy discussion items on the work session scheduled already, so they needed to talk about which items they to discuss and which to defer. He stated that Staff would meet whenever the Council chose to meet. Mr. Whitehead also appreciated the suggestion of submitting written questions.

There was a discussion on when to hold the meeting. Councilman Shelton stated they could hold the meeting earlier if everyone's schedule would accommodate that. Councilman Bowen stated his schedule was flexible, but right now he did not know if he had conflicting meetings.

The PARC tax needed to be discussed so they could make a determination at the June meeting. It was not a discussion that should be rushed.

Councilman Shelton moved to approve the tentative budget as presented, noting it was tentative and would be discussed further at a work session. Councilman Frost seconded the motion.

Councilman Frost stated he would be out of town from Tuesday through Friday. He did want to meet with each of the department heads to go over specifics.

Councilman Bowen moved to amend the budget under the legislative section to include Councilman Barnes instead of Councilman Taylor.

Councilman Bowen suggested names be listed alphabetically by last name and noted this was a tentative budget and the starting point for discussion and not a finishing point.

Councilman Shelton seconded the amended motion.

Mayor Hadfield and Councilman Frost expressed their appreciation to Cathy Jensen for her work.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carlton Bowen, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

2. Review and action on the appointment of a City Recorder
Mayor Hadfield stated Mr. Colborn retired and a search was conducted for a new City Recorder. There were 21 applicants for the position with four applicants interviewed by a selection committee. It was the recommendation of the Mayor and the selection committee to appoint Terilyn Lurker as City Recorder.

Councilman Shelton moved to appoint Terilyn Lurker as City Recorder. Councilman Frost and Councilman Barnes seconded the motion.

RESULT:	ADOPTED [3 TO 0]
MOVER:	Rob Shelton, Councilman
SECONDER:	Kevin Barnes, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton
ABSTAIN:	Carlton Bowen
ABSENT:	Jeff Shorter

3. Review and action on the Richards Annexation consisting of 11.74 acres at 980 North 900 West including the Ordinance of Annexation, Annexation Agreement, and placement of the property in the RA-1 and R1-12,000 residential zones. (Requested by Richard Colborn, Recorder)
Mayor Hadfield asked if there were any questions.

Councilman Frost move to adopt Ordinance No. 2016-05-20 approving the Richards Annexation consisting of 11.74 acres at 980 North 900 West including the Ordinance of Annexation, Annexation Agreement, and placement of the property in the RA-1 and R1-12,000 residential zones. Councilman Shelton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

4. Review and action on Steel Days Agreements with the Food Truck Underground and with Walker Productions, LLC. (Requested by Richard Colborn, Recorder)
Mayor Hadfield stated these agreements were needed for Steel Days.

Councilman Shelton moved to approve the Steel Days agreements with the Food Truck Underground and with Walker Productions, LLC. Councilman Frost seconded the motion.

RESULT:	APPROVED [3 TO 0]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton
ABSTAIN:	Carlton Bowen
ABSENT:	Jeff Shorter

5. Resolution approving an amendment to the land use element of the general plan located at 326 South 860 East from the Design Commercial to the Planned Community designation. (Requested by Adam Olsen, Planning)
 Mayor Hadfield stated this went through the Planning Commission and received recommendations to move forward. Mayor Hadfield stated there was one comment from Public Works that there was a stub street to the west of this property and the plan did not show this street connecting to 860 East; he wanted to make sure that street was connected when it came forward for site plan and subdivision approval.

Councilman Frost moved to adopt Resolution No. 2016-05-19R approving an amendment to the land use element of the general plan located at 326 South 860 East from the Design Commercial to the Planned Community designation. Councilman Shelton seconded the motion.

Councilman Bowen noticed the applicant was asking for the designation to be changed from Design Commercial to Planned Commercial, and he moved to amend the motion to change the designation to the Planned Commercial as requested by the applicant. Mr. Olsen explained that the intent was for the Planned Community and not the Planned Commercial. It was noted there was no Planned Commercial designation in the land use. Mr. Olsen stated that storage units would be allowed in the Planned Community but not the Planned Commercial.

Councilman Bowen withdrew his proposed amendment to the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

6. Ordinance approving a zone map amendment from the GC-1 General Commercial to the PC Planned Community zone located at 326 South 860 East. (Requested by Adam Olsen, Planning)
Councilman Frost moved to adopt Ordinance No. 2016-05-21 approving a zone map amendment from the GC-1 General Commercial to the PC Planned Community zone located at 326 South 860 East. Councilman Shelton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

7. Review and action on subdivisions, commercial projects, condominiums, and PUD's including 1) plat approval; 2) method of satisfaction of water rights requirements; 3) posting of an improvement bond or setting of a time frame for improvement installation; and 4) authorization to sign the final plat and acceptance of all dedications to the public and to have the plat recorded

a. Ordinance approving a site plan for the Pacific Drive Apartments located at 492 West Pacific Drive in the R-3-7,500 Residential zone. (Requested by Adam Olsen, Planning)

Mayor Hadfield stated this was the property that was discussed at the RDA meeting. This was owned by the Utah County Housing Authority, and Brent Bluth and Lynell Smith were present to answer any questions. Mayor Hadfield noted this project included 26 units and a clubhouse. This received a favorable recommendation from the Planning Commission.

Councilman Frost stated was a neighbor of a similar project and it was a blessing to have in the area.

Councilman Frost moved to adopt Ordinance No. 2016-05-22 approving a site plan for the Pacific Drive Apartments located at 492 West Pacific Drive in the R3-7,500 Residential zone, with instructions to the city recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the April 20, 2016 planning commission meeting. Councilman Shelton seconded the motion.

Councilman Bowen commented that he has looked at the plans and they look nice, and he had nothing against the project but he was against the role of Utah County funding the housing. Councilman Barnes felt it would be a wonderful addition to the community. Mayor Hadfield agreed. Councilman Frost did not know where these people could go without the assistance of the Housing Authority.

RESULT:	APPROVED [3 TO 1]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton
NAYS:	Carlton Bowen
ABSENT:	Jeff Shorter

b. Ordinance approving the Easton Park Planned Community and Easton Park Subdivision Phases 1-3 located in the area of 500 South 860 East in the PC Planned Community zone. (Requested by Adam Olsen, Planning)

Councilman Shelton moved to adopt Ordinance No. 2016-05-23 approving the Easton Park Planned Community and Easton Park Subdivision Phases 1-3 located

in the area of 500 South 860 East in the PC Planned Community zone and to authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording of the plat with instructions to the city recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the April 20, 2016 planning commission meeting. Councilman Frost seconded the motion.

Councilman Bowen asked for an explanation on the project; he noted there were six commercial units. Mr. Olsen stated there were a few commercial nodes within the development, which included apartments and townhomes with a large park in the center. The Planning Commission felt this would be a great addition to the community.

Councilman Bowen was not against the commercial; he thought this would be a great addition to the community.

Councilman Barnes stated one issue that came up when he was campaigning was having this type of housing project in our community.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

- c. Ordinance approving a commercial site plan for a billboard located at 195 East 620 South in the PI-1 Planned Industrial zone. (Requested by Adam Olsen, Planning)

Mayor Hadfield noted the location of this billboard was in the parking lot of what is the Knife River building on the south side of the freeway. He noted this met the distance requirements and took away only one parking space.

Councilman Shelton moved to adopt Ordinance No. 2016-05-24 approving a commercial site plan for a billboard located at 195 East 620 South in the PI-1 Planned Industrial zone with instructions to the city recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the April 20, 2016 planning commission meeting. Councilman Bowen seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Carlton Bowen, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

11. Review and Action regarding a Dark Fiber Lease Agreement with XO Communications. (Requested by George Schade, Technology)
Mayor Hadfield reminded them it was a confidential contract.

Mr. Schade explained that XO Communications wanted to lease a couple of strands of

fiber. This has been reviewed by legal and was a short term lease.

Councilman Shelton moved to approve the Dark Fiber Lease Agreement with XO Communications. Councilman Frost seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

12. Review and Action Regarding a Supplemental Agreement for utility work on i15 with the Utah Department of Transportation (UDOT) (Requested by George Schade, Technology)
Mayor Hadfield explained this was a common contract UDOT has with all the cities when work is done in their right-of-way, and the City has fiber located in that right-of-way. Mayor Hadfield stated this was a boiler plate agreement.

Councilman Frost moved to approve the supplemental agreement with UDOT. Councilman Shelton seconded the motion.

Councilman Bowen stated the fiber was already installed in the right-of-way and if UDOT was doing construction, he questioned why the city was required to pay for it a second time. Mr. Schade stated there was a statute regarding work done along I-15; if a project takes place then it could not be reimbursed. For anything that dealt with the main conduit, they had to take care of moving that fiber. Mr. Schade stated that the city's portion was spread out between several companies; UDOT did take care of the engineering costs.

Councilman Bowen asked if the people leasing the fiber was sharing in the cost. Mr. Schade stated that was correct.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brad Frost, Councilman
SECONDER:	Rob Shelton, Councilman
AYES:	Kevin Barnes, Carlton Bowen, Brad Frost, Rob Shelton
ABSENT:	Jeff Shorter

13. CDBG Project Change Order for the construction of a culinary water and sanitary sewer line on 100 North from 200 East to 300 East (Requested by Dale Goodman, Public Works)
Mayor Hadfield noted this was not a CDBG project; the contractor was presently doing a CDBG project and was asked to do the work on 100 North for the same price as the CDBG project prices. Mayor Hadfield stated this project was coming out of the user fees. He wanted to clarify that.

Mr. Goodman stated that was correct. He explained the contractor had a window between two projects where he could get the work done and agreed to honoring the pricing for those two projects to place the sewer line along 100 North to get six or seven houses off of septic tanks. They would also be putting in new water lines, new laterals, new fire

hydrants, and then they would be paving the road. Mr. Goodman stated they did not included this stretch of road when the previous project on 100 North was done as they had run out of money but they now had the opportunity to finish that section.

Councilman Shelton moved to approve the change order submitted by Noland & Son Construction for the amounts of \$131,350.00 and \$126,668.00 for the construction of additional water and sewer improvements respectively. Councilman Frost seconded the motion.

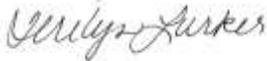
Councilman Shelton was grateful for the opportunity to finish this project.

RESULT:	APPROVED [3 TO 0]
MOVER:	Rob Shelton, Councilman
SECONDER:	Brad Frost, Councilman
AYES:	Kevin Barnes, Brad Frost, Rob Shelton
ABSTAIN:	Carlton Bowen
ABSENT:	Jeff Shorter

ADJOURNMENT

Councilman Shelton moved to adjourn the meeting. Councilman Frost seconded the motion. All were in favor.

The meeting adjourned at 8:55 p.m.



Terilyn Lurker
City Recorder