

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, April 18, 2012, in the Council Chambers, 45 West 100 South, at 7:00 pm.

### AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVOCATION/INSPIRATIONAL THOUGHT
4. CONSENT AGENDA
  - a. Minutes
    1. November 28, 2011 Council Meeting
    2. April 04, 2012 Work Session
    3. April 04, 2012 Council Meeting
    4. April 11, 2012 Work Session
  - b. Bills
    1. \$134,634.79
5. FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

**Public Forum is held to a 30-minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement**

  - a. Awarding of the 2012 Parks Improvement Bids and authorization for the Mayor to sign the project documents
7. FORMAL PUBLIC HEARINGS
8. UNFINISHED BUSINESS
9. BUSINESS LICENSES
10. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
11. NEW BUSINESS
12. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)
  - a. Resolution 04-01-2012 "A Resolution adopting the Appeals Authority Policy and Procedures"
13. PETITIONS AND COMMUNICATIONS
14. REPORTS BY MAYOR AND COUNCIL MEMBERS
  - a. Mayor DeGraffenried
  - b. Council Members
15. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
16. EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
17. ADJOURNMENT

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

### CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651.

BY:

  
Susan B. Farnsworth, City Recorder

### POSTED:

CITY CENTER  
POST OFFICE  
ZIONS BANK

® Amendment to the agenda

**MINUTES OF A REGULAR COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
APRIL 18, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 7:03 pm. Council Members attending: Keith Broadhead, Matthew Carr, James Linford, Richard Payne and Rick Steele.

Other attending: City Manager Ben Reeves, Community Development Director Dennis Marker, Dayna Dickie, Keith Judd, Chris Judd, Scott Parkins and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Council Member Payne led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Carr offered an Invocation.

**CONSENT AGENDA**

***Minutes***

November 28, 2011 Council Meeting  
April 04, 2012 Work Session  
April 04, 2012 Council Meeting  
April 11, 2012 Work Session

***Bills***

\$134,634.79

Council Member Linford moved to approve the Consent Agenda. Council Member Steele seconded the motion. Council Members Broadhead, Carr, Linford, Payne and Steele voted in the unanimous.

**PUBLIC FORUM**

Mrs. Dickie addressed those in attendance. She indicated she was in favor of a new tennis court planned to be built in the Orchard Cove Park. She lives in the area and has a son on the High School Tennis Team who uses the current facilities often. She requested lights be installed on the courts so there may be expended playing hours. Mrs. Dickie encourages children of Santaquin to get involved and indicated playing tennis is a great family activity. She concluded by saying a City the size of Santaquin needs more than one tennis court.

Mr. Judd voiced his support of the proposed tennis court being built. He also has a son on High School Tennis Team and also enjoys playing tennis as a family. He expressed his appreciation of the proposed facility improvements. He reported the court is often being used for basketball and would like to have a separate facility built for basketball. He also would like lights installed on the courts.

Mrs. Judd reported she also is in favor of tennis courts being included in the park expansion project.

**FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

***Awarding of the 2012 Parks Improvement Bids and authorization for the Mayor to sign the project documents.***

Director Marker distributed the bids that were open today for the 2012 Parks Improvement Project. The bids include the Orchard Cove Park Project, flat work and sidewalk in

Squashhead Park, preparation for the bathroom facilities at the Eastside Park and Summit Ridge park as well as flat work and lighting in the ½ acre Orchard Lane Park. Director Marker explained that there were many contractors who attended the pre-bid meeting but only three (3) bids were received. The lowest bid received was approximately \$100,000 less than the next bid. The Contractor was contacted to see if he thought there may have been something missed when the bid was being drafted. The Contractor reported the excavation company had pulled their bid at the last minute, which left the Contractor scrambling to find another excavation bidder (their bid reflects numbers submitted by the second company). The bids will be held for twenty-four hours so the contractor can choose whether or not to pull the bid. Director Marker recommended the Council Members accept the low bid if the contractor is willing to hold the bid. All three bidding companies provided a bid bond, which the City will retain if they pull their bid within the allotted time frame. Director Marker explained the major item on the bids was the tennis court improvements. All three bidders utilized the same tennis installation company in their bids.

Council Member Broadhead asked if each contractor submitted references and Council Member Linford asked if the bid included all the park improvements. Director Marker replied in the affirmative. The low bid included three items that were bid significantly lower; one was the concrete vaults. Council Member Payne reviewed the low bidder's project history online, which didn't include any park projects.

Council Member Broadhead voiced his concern with the difference between the lowest bidder and the second lowest bidder. He would like to see all three (3) bid comparisons. Director Marker will make it very clear to the low bidder that if the bid is accepted, there will be no change orders. It is perceived that the project would be completed within forty-five (45) days. If the project is not completed within the timeline there will be a penalty assessed.

Mayor DeGraffenried explained that sometimes significantly lower bids are submitted and the contractors are able to do the project for the bid amount. Some bidders interpret the project plans differently than others. If the decision is made to accept the low bid, it will be very explicit that they will be held to the amount of the bid, unless it goes over the project estimate submitted by the City's Engineer. Council Member Steele was told the mobilization fee included moving the Contractor's equipment to the different project sites. Council Member Carr was told the restrooms were included on a separate bid, but preparation of the concrete pad for placement of the restrooms was included in the park improvements bid. Council Member Steele asked for more time to look over the bids as he was not aware of some of the things that were bid. City Manager Reeves explained the reason for the time crunch is to get the required money spent within the required time frame.

Director Marker explained that the original project discussion included improvements in the Orchard Lane Park, Squashhead Park, and Orchard Cove Park. Then the Public Works Department asked for ADA ramps to be included in the projects and a request was made by Council Members for restroom to be installed in two (2) parks. The additions increased the overall project estimate. Council Member Payne indicated he does not see anything in the bid that the City Council had not discussed. Council Member Broadhead asked if the contractor would be required to have an excavation permit for digging in the road. Director

Marker indicated the contractor would be required to get the permit, follow all safety standards and keep the parks functional during construction. Council Member Broadhead questioned if it was wise to keep the parks open during construction. Council Member Linford was told the project could begin in as little as two weeks. City Manager Reeves recommended approving the low bidder with stipulation if the low bidder withdraws the second low bidder be awarded the project, as well as give authorization for the "Notice of Award and "Notice to Proceed". The forty-five (45) days the Contractor is allowed would begin as soon as the Notice to Proceed is given to them (see attachment "A").

Council Member Linford moved "to award the contract for the 2012 Park Improvement Bid to BMA and if they withdraw, I also move that we make the award to VanCon. I also move that we authorize the Mayor to sign all the closing documents for the contract bids along with the 'Notice to Proceed' when the appropriate documentation is presented to the City". Council Member Payne seconded the motion. Council Member Broadhead asked for a report next week as to where the project "sits". Director Marker will advise the Council when all the documents are signed. The motion passed with a 4 in favor and 1 against through a roll call vote.

Council Member Broadhead	yea
Council Member Carr	yea
Council Member Linford	yea
Council Member Payne	yea
Council Member Steele	nay

Mayor DeGraffenried requested Mr. Parkin report on the happenings of the Planning Commission. He reported they are having Public Hearings on the Animal Control Ordinance, Plat Extensions, and revisions on the Hillside Overlay Zone. He reported it was "business as usual".

Director Marker added the first General Plan Steering Committee Meeting was held last night. The Planning Commission will be involved in that as it moves forward. A request for interested parties to participate in the committee was posted in paper as well as included in the Newsletter. There were six (6) individuals who contacted the City expressing their desires to be involved. The next meeting will be held May 1<sup>st</sup> in the Public Safety Training Room, which will include prioritizing the issues that need to be addressed. Those involved in the Steering Committee expressed concern that they're recommendations will not be accepted by the Planning Commission or the City Council. Director Marker reminded them the City Council would listen to all suggestions however they would be the deciding body of the General Plan contents.

#### **FORMAL PUBLIC HEARINGS**

Nothing

#### **UNFINISHED BUSINESS**

Nothing

#### **BUSINESS LICENSES**



City Manager Reeves reported Donna Schimit was issued a new Business License in the Month of April.

Director Marker added, this time of the year you will see solicitors out and about in your neighborhoods. Each solicitor is required to have a City issued license with a City issued name badge. Those soliciting without a City issues license will be issued a ticket for operating a business without a license. Director Howard explained if a non-licensed solicitor is sited their product and any cash will be seized until an investigation is complete. He continued by saying misconduct of any kind will not be tolerated. Council Member Broadhead was told currently the City does not have any Ordinance in place to back the "no soliciting" signs residents put on their doors to discourage soliciting. Director Marker reported that a policy has been drafted, but needs to be reviewed and adopted by the City Council. Director Marker indicated due to other project being higher priority this Ordinance has not been reviewed by the City Council. Council Member Carr would like to see this issue addressed sooner rather than later. Director Howard recommended putting solicitor information in the newsletter.

#### **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

No additional reports.

#### **NEW BUSINESS**

Nothing

#### **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)**

##### ***Resolution 04-01-2012 "A Resolution adopting the Appeals Authority Policy and Procedures"***

Director Marker reported the proposed Resolution addresses the procedures of Appeals Authority Meetings. He explained the main difference between this group and the Planning Commission is that this group does not have public hearings just hearings in a quasi judicial manner. The Appeals Authority will review variance requests and appeals of land use issues. Council Member Linford was told the Council adopted an Ordinance establishing the Appeals Authority in the past, but no policies and procedures were adopted a that time. Director Marker reported that Legal Counsel Rich has reviewed the proposed Resolution.

Council Member Carr moved to approve Resolution 03-01-2012 "A Resolution adopting the Appeals Authority Policy and Procedures". Council Member Carr amended his motion to correct the typo within the Resolution number to be Resolution 04-01-2012. Council Member Broadhead seconded the motion. Through a roll call vote Council Members Broadhead, Carr, Linford, Payne and Steele voted in the affirmative.

#### **PETITIONS AND COMMUNICATIONS**

Nothing

#### **REPORTS BY MAYOR AND COUNCIL MEMBERS**

##### ***Mayor DeGraffenried***

Nothing

**Council Members**

Council Member Broadhead reported that he went for a ride with Public Works Director Wade Eva to look at the roads. They are in bad shape and need to be a priority.

Council Member Payne "don't forget to come to Miss Santaquin". Director Schmidt indicated that the pageant has been postponed due to there not being enough participants.

Council Member Steele knows someone who wants to donate flowers for Main Street. Director Marker indicated it's a great idea for more color. Director Marker reported he met with contractor and the subcontractor on the project to discuss the rock falling off the planter boxes. Harris Stone will be reviewing the problem and getting it resolved. Mayor DeGraffenried believes there was a lack of preparation of the concrete prior to laying the rock. Council Member Steele will also request hanging pots for the street lights.

City Manager Reeves reported Shawn Carter accepted a Deputy position with Utah County. The current policy allows backfilling any open position with current part-time officers. The vacant position was offered to Russ Woodland who will begin full time employment the 1<sup>st</sup> of May. The Detectives position will also be promoted from within the Department. The position will be advertised internally in June sometime.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)

Nothing

**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)


Nothing

**ADJOURNMENT**

At 8:03 pm Council Member Carr moved to adjourn. Council Member Payne seconded the motion. Council Members Broadhead, Carr, Linford, Payne and Steele voted in the unanimous.

Approved on May 16, 2012.

  
James E. DeGraffenried, Mayor

  
Shannon Hoffman, Director of Admin Services

Bid Opening for  
 Santaquin City Corporation  
 Parks Improvements Project  
 Wednesday, April 18, 2012 at 2:00pm  
 Santaquin City Office  
 275 West Main Street  
 Santaquin, UT 84655

*Addendums*

	Company	ASBA Cert	PTI Cert	5 Projects	Amount			
						1	2	3
	Engineers Opinion				\$ 401,155.84			
✓	1. Vancon	✓	✓	✓	\$ 436,729.95	✓	✓	✓
	2. Dev-Co Enterprises				\$			
✓	3. S&L Landscape	✓	✓	✓	\$ 447,803.24	✓	✓	✓
	4. Sunroc				\$			
✓	5. <del>Summit Excavation</del> BMA	✓	✓	✓	\$ 335,327.63	✓	✓	✓
	6. Evans Grader				\$			
	7. B Hansen Construction				\$			
	8. Broderick & Henderson				\$			
	9. Tennis & Track Co				\$			
	10. Courts Unlimited				\$			

## ADDENDUM 1

UNIT PRICE SCHEDULE					
<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Bid Unit Price</u>	<u>Bid Price</u>
1	Mobilization	LS	1	\$ 7,500	\$ 7,500.00
2	Excavation (PLAN QUANTITY)	CY	800	\$ 9.20	\$ 7,360.00
3	NOT USED			\$	\$
4	Remove and dispose of concrete flatwork	SF	469	\$ 1.15	\$ 539.35
5	Remove and dispose of concrete curb & gutter	LF	116	\$ 2.30	\$ 266.80
6	Saw cut asphalt	LF	440	\$ 1.15	\$ 506.00
7	Remove, dispose of and replace existing asphalt	SF	990	\$ 4.60	\$ 4,554.00
8	Remove and salvage or dispose of existing 12' tennis court fence posts (west section only)	LF	120	\$ 5.18	\$ 621.00
9	Remove and dispose of existing tennis court net posts	EACH	2	\$ 86.25	\$ 172.50
10	Remove existing tennis court finish surface	LS	1	\$ 2,875	\$ 2875.00
11	Remove, salvage and deliver to Santaquin City 12' tennis court fence fabric (all 4 sides of court)	LF	360	\$ 5.18	\$ 1,863.00
12	Remove and salvage existing park bench	EACH	3	\$ 57.50	\$ 172.50
13	Remove and salvage or dispose of existing 3' chain link fence	LF	22	\$ 3.45	\$ 75.90
14	Furnish and install post tension concrete tennis court including new 10' chain link fence, conduit, lighting, fencing, net posts and net, playing surface, striping, etc.	LS	1	\$ 109,774.44	\$ 109,774.44
15	Reconstruct tennis court fence (from 12' to 10' tall) (north, south & east sides of existing tennis court)	LF	240	\$ 13.80	\$ 3,312.00
16	Furnish and install 6' chain link fence	LF	740	\$ 19.87	\$ 14,705.28
17	Furnish and install concrete mow strip	LF	752	\$ 11.50	\$ 8,648.00
18	Excavate for, furnish and install local sump	EACH	1	\$ 2,875	\$ 2,875.00
19	Furnish, place and compact road base	TON	1,594	\$ 16.10	\$ 25,663.4
20	Furnish, form, place and finish concrete flatwork 4-inches thick	SF	4,388	\$ 5.46	\$ 23,969.45
21	Furnish, form, place and finish concrete flatwork 6-inches thick	SF	538	\$ 6.04	\$ 3,248.18
22	Excavate for, furnish, form, place and finish pedestrian ramp	EACH	2	\$ 1,552.5	\$ 3,105.00
23	Trenching for electrical conduits	LF	1,463	\$ 4.20	\$ 6,140.94
24	Furnish and install 1-1/2" electrical conduit with nylon pull cord	LF	712	\$ 5.46	\$ 3,889.30
25	Furnish and install 2" electrical conduit with nylon pull cord	LF	3,328	\$ 6.61	\$ 22,006.40
26	Excavate for, furnish and install polymer concrete electrical Junction Box (10" x 15")	EACH	12	\$ 57.50	\$ 690.00
27	Excavate for, furnish and install polymer concrete electrical Junction Box (18" x 30")	EACH	9	\$ 63.25	\$ 569.25
28	Reconstruct 3' chain link fence	LF	14	\$ 8.05	\$ 112.70
29	Excavate for, furnish, install, & backfill 2' diameter x 5' long sonotube	EACH	8	\$ 258.75	\$ 2,070.00
30	Excavate for, furnish, install, & backfill park light foundation	EACH	3	\$ 600	\$ 1,800.00



## ADDENDUM 1

31	Excavate for, prepare subgrade and install prefabricated restroom facility road base foundation pad	EACH	2	\$ 2,300	\$ 4,600.00
32	Excavate for, furnish, install, & backfill 2" polyethylene culinary water service line	LF	218	\$ 13.80	\$ 3,008.40
33	Furnish and install 2" culinary water service connection	EACH	1	\$ 1,927.40	\$ 1,927.40
34	Excavate for, furnish, install, & backfill 4" SDR 35 PVC sewer lateral including cleanouts and connection to existing sewer lateral or manhole	LF	320	\$ 29.67	\$ 9,494.40
35	Install park landscape irrigation system, complete.	LS	1	\$ 8,625	\$ 8,625.00
36	Excavate for and install < 3" caliper deciduous tree	EACH	14	\$ 109.25	\$ 1,529.50
37	Excavate for and install 3" caliper (or larger) deciduous tree	EACH	5	\$ 172.50	\$ 862.50
38	Excavate for and install conifer tree	EACH	9	\$ 115	\$ 1,035.00
39	Replace stockpiled material as topsoil, (PLAN QUANTITY)	CY	525	\$ 4.60	\$ 2,415.00
40	Furnish, haul, place and level topsoil as specified	CY	200	\$ 18.40	\$ 3,680.00
41	Furnish and place sod as specified	SF	55,724	\$ .46	\$ 25,633.04
42	Furnish all labor, equipment, and materials for installing and maintaining storm water pollution prevention measures, including BMP's (other than measures specified in other bid items)	LS	1	\$ 6,000	\$ 6,000.00
43	Load, haul, place and consolidate pipe embedment material (sand)	CY	300	\$ 4.03	\$ 1,207.50
44	Furnish, place and consolidate pipe embedment material (pea gravel)	TON	190	\$ 10.35	\$ 1,966.50
45	Furnish, place and consolidate 3/4-inch drain rock	TON	90	\$ 13.80	\$ 1,242.00
46	Concrete restoration for removed tennis court net post	EACH	2	\$ 400	\$ 800.00
47	Reinstall park bench	EACH	2	\$ 115	\$ 230.00
48	Adjust existing sump to final grade	LS	1	\$ 200	\$ 200.00
49	Maintain Existing Pressure Irrigation System	EACH	5	\$ 230	\$ 1,150.00
50	Furnish and install concrete curb	LF	53	\$ 12	\$ 636.00
				Total:	\$ 335,327.63

THREE HUNDRED THIRTY FIVE THOUSAND, THREE HUNDRED TWENTY SEVEN DOLLARS AND SIXTY THREE CENTS  
Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities, determined as provided in the Contract Documents.