AMERICAN FORK CITY
CITY COUNCIL MINUTES
NOVEMBER 11, 2008

REGULAR SESSION

The American Fork City Council met in a regular session on November 11, 2008, at the American Fork City Hall, located at 31 North Church Street, commencing at 7:35 p.m. Those present included Mayor Heber Thompson, Councilman Rick Storrs, Councilman Dale Gunther, Councilmember Sherry Kramer, and Councilmember Heidi Rodeback. Others present included Melanie Marsh, Terilyn Lurker, Howard Denney, Melanie Marsh, Terilyn Lurker, JH Hadfield, Wendelin Knobloch, Sam Liddiard, Howard Denney, Adam Olsen, Andy Spencer, Rod Despain, Sheena Parker, Kasey Wright, Jay Christensen, Rulon Jensen, John McFarland, Dan Funk, Mark Walker, Richard Gardner, Barbara Christiansen, three citizens, and scouts and their leaders from troops 1197, 1184, 10, 163, 1174, 800, 18 and 26.

Mayor Thompson welcomed those present and excused Councilman LeBaron. Scout members from Troop 1197 led the audience in the Flag Ceremony and Pledge of Allegiance and Terilyn Lurker offered the prayer.

TWENTY-MINUTE PUBLIC COMMENT PERIOD – LIMITED TO TWO MINUTES PER PERSON

John McFarland indicated that he lived on 350 West and was present to discuss traffic concerns on their street. A majority of the residents in the area have signed a petition as they were gravely concerned about the traffic on 350 West. It was both abundant and dangerous as cars pass through their neighborhood daily at well over the speed limit and without regard to their safety and that of their children. They understood that none of the bonds passed on November 4th. They appreciate the city's attempt to raise the necessary funds to finish 1120 North thereby alleviating the overuse of 350 West. However, they cannot continue to wait and wait for a solution. Action must be taken. The completion of 1120 North has been on the city plan for over a decade. They respectfully ask the City Council to find the means to finish this road. They also asked the City Council to look into alternate solutions to reduce or slow traffic on 350 West such as stop signs, speed bumps and an increased police presence in the neighborhood while 1120 North was completed. They also asked that the council spend a few minutes at one of the cross streets intersecting 350 West any evening around 5:00 p.m. and observe the traffic they dealt with day in and day out. The residents of 350 West requested that the City address their concerns.

Mr. McFarland passed out a petition that had been signed by 58 area residents.

Councilmember Kramer stated that she lives on 540 West which was also a main corridor for travel. Her husband recently reported seeing two cars speed down 540 West at approximately 50 miles per hour. Councilmember Kramer also would like the council to look at both 540 West and 350 West to find ways to mitigate the speeding on those two streets if the 1120 North construction is delayed.

Mr. McFarland indicated that the roads were used as a speedway, which was aided by the fact that there were no stop signs between 700 North and 1120 North. He noted that since he had moved into his home there have been about 150 new homes built.

Dan Funk indicated he lived on 900 East and noted they had lost their traffic calming devices when the pressurized irrigation trenches were asphalted. He questioned whether the Council had considered previous proposals made and studies that had been turned in as well as a status update for slowing traffic down on 900 East.

Mr. Spencer reported that they will submit that RFP for advertisement for three consecutive weeks beginning on November 15th. The bids were to be opened on December 4th and approved by the City Council at the December 9th City Council meeting.

Mayor Thompson stated that Mr. Funk had obtained some information that he intended to share with the Public Works employees that had a price tag much lower than what the city had thought it would be. Mr. Funk indicated that he had turned that information in.

Councilman Gunther stated he looked at what was done in Cedar Hills. Those costs were in line with what Mr. Funk had indicated and the City was hoping the bids would come in around that price. Councilman Gunther suggested that Mr. Funk contact the contractor to make sure he was aware of American Fork's project.

Mr. Spencer noted that the plans would be available on the November 21st.

PRESENTATION OF COMMUNITY SERVICE AWARDS
There were no presentations at this time.

PRESENTATION BY MARK WALKER REGARDING THE MOUNTAINLAND APPLIED TECHNOLOGY COLLEGE
Mark Walker was here for the presentation on the Mountainland Applied Technology College. He passed out information packets, which included the presentation in paper format. The following came from his slide presentation:

The Mountainland Applied Technology College, known as MATC, is a part of the Utah College of Applied Technology (UCAT) which was created in 2001 by Governor Michael Leavitt and the Utah State Legislator as a statewide Technology College. There are eight Applied Technology Colleges in Utah, and the American Fork campus is part of the MATC region. There are 79 UCAT instructional locations; of these 8 are state-owned sites and 71 are shared or leased sites. The Utah System of Higher Education has indicated that 90% of jobs providing a wage to sustain a family of four typically require some combination of vocational training and on-the-job experience or an associate's degree. The U.S. Bureau of Labor Statistic reported that of the 30 occupations with the largest number of total job openings due to growth and net replacement, 83% do not require a college degree but will include post-secondary and/or on-the-job training. Over the next 8 years, the service industry will grow the most. The National Center for Public Policy and Higher Education prepared information on the lack of participation of students in Utah. For instance, if they look at 100 ninth grade students, only 83 will graduate high school, 36 will enter college right away, only 24 will still be enrolled the 2nd year, and only 17 will graduate with an associate's degree in 3 years or a bachelor's degree in 6 years.

How does UCAT serve Utah? The majority of Utah's citizens will not earn a bachelor's degree. Many persons do not want to pursue jobs that require a bachelor's degree. They actually want to be,

and Utah's economy needs them to be, welders, administrative assistants, machinists, and medical assistants. UCAT is positioned, prepared, and has the potential to become the college of choice for the majority of Utah's citizens who will not earn a bachelor's degree and who want or need technical training. UCAT current has approximately 12,328 secondary (high school) students and 29,021 postsecondary (adult) students. The Utah State Higher Education Career and Technical Education headcount enrollments show that UCAT's headcount exceeds 40,000, with Salt Lake Community College at about 28,000. Of the USCHE Certificates of Two Years of Less, UCAT issued 8,266 Certificates and 1,303 Certificates were issued by other institutions. UCAT certificates are awarded in 70 different program areas.

A study has been done comparing the UCAT percentages against the national average. For the completion of the program, the percentage for UCAT is 72% and the national average is 72%. For the percentage of placement, UCAT places 86% in related jobs while the national average is 83%. The percentage of completers that received state licenses in related fields was 99% for UCAT and 95% for the national average.

UCAT also offers a "Custom Fit" training program. With the Custom Fit training, they trained 19,960 employees and served 1,152 companies. About 13% of the total Custom Fit Training is provided by partner institutions: Salt Lake Community College, Snow College, and College of Eastern Utah.

In summary, UCAT is the College for the Majority delivering approximately 70 different programs at 79 different locations to nearly 60,000 Utahns to help them ensure their success in life.

What is the MATC? The MATC is the 4th largest and fastest growing UCAT regional ATC. The MATC had 16.7% growth for Fiscal Year 2008. It has averaged 14.3% growth over the past 10 years. The MATC enrolled 6,268 students in 28 different programs for Fiscal Year 2008; student count does not include individuals enrolled in short term courses or Custom Fit training. The MATC has an "open enrollment" policy with many of the competency based programs taught "open entry/open exit." The population in Utah County is projected to increase by more than 207,000 people in the next 15 years. The MATC leases over 90% of its facilities. Over the past ten years, MATC has experienced a 269% increase in enrollment. There are sixteen campuses in Utah County.

The MATC programs include Apprenticeship Programs (Electrical, HVAC, Lineman, Plumbing), Auto Technology, Auto Technology Engines, Business Technology, Commercial Truck Driving, Culinary Arts, Dental Office Administration, Emergency Medical Technician, Media Design Technology, Medical Billing and Coding, Medical Transcription, Auto Technology Drive Train, Barbering, Carpentry/Building Construction, Cosmetology, Dental Assistant, Diesel Mechanics, Information Technology, Medical Assistant, Medical Office Administration, Nail Technician, Pharmacy Technician, Practical Nurse, and Wildland Firefighter.

The MATC partners with School Districts and Utah Valley University. They lease buildings from the school districts and have agreed to not duplicate programs offered by the secondary school. MATC also works with Utah Valley University with apprenticeship programs, dental programs, practical nursing, as well as leasing buildings and not duplicating programs offered by the University.

There are ten important MATC Features to note are:

1. Unique Competency-based, Non-credit institution.

2. Business/Industry Focused…skilled instructors from workplace
3. Flexible Schedules…open-entry, open-exit
4. Affordable…high school students - no tuition, adults - $1.35 per hour
5. Quality Instruction – fully accredited, Council on Occupational Education
6. A Nimple, Responsive Institution…quick response to student/employer needs
7. Statewide Administration and Coordination – curriculum, financial and IT – UCAT Administration and Board of Trustees
8. Regional Empowerment to respond to local needs – Regional Administration and Board of Directors
9. High level of assistance and support between campuses and UCAT
10. Regional employer advisory boards guide every program.

The MATC has acquired land at Thanksgiving Point for possible construction of an MATC Campus. It would be a 75,000 square foot building and the programming and design is anticipated to be finished in December of 2008 with the proposed completion date of August 2011.

Mr. Walker asked if they had any questions or comments.

Councilman Storrs commented that this was a great program.

Councilmember Rodeback asked whether the enrollment has increased due to UVSC becoming UVU and asked if they would be able to handle the growth for those interested in the programs. Mr. Walker stated that growth was going to happen no matter what and in five years they will find they are the largest Applied Technology College in the State. Mr. Walker noted that they had taken a 4% hit with their budgets, and growth is their biggest enemy right now; there is no funding that follows their growth.

Mayor Thompson asked if the American Fork site would be closed with the opening of the Lehi site. Mr. Walker indicated that it would remain open and that most of the trade programs would remain in American Fork.

Mr. Walker stated that if the Council had any opportunity to visit with the legislature, he would suggest that they put in a plug for them.

Councilman Gunther asked if the MATC set up custom programs. Mr. Walker stated that they do and would need to contact the Custom Fit area for more information.

A gentleman asked if they plan on incorporating a machine shop in with the program. Mr. Walker indicated they hope to do that at the American Fork Campus, but it depends upon the financing.

Mayor Thompson invited the scouts to introduce themselves.

COUNCIL REPORTS

Councilman Storrs had nothing to report.

Councilmember Kramer indicated she attended the Veterans' Day Program and was very impressed. She commended the Cemetery Committee for their hard work on this program.

Councilman Gunther had nothing to report.

Councilmember Rodeback reported that she attended the speech contest that was held and commented that they had a wonderful participation.

Councilmember Rodeback stated that the Arts Council Governing Board took a tour of several locations in American Fork that could be possible locations for an Arts Center. As she listened to the Envision Utah presentation, she thought that an Arts Center would be a good draw in this type of project.

Councilmember Rodeback reported that she accepted an invitation from IHC where Newt Gingrich addressed the issue of rising health costs. She stated that so much of the health care costs are due to our poor health. Health initiatives play a large measure in bringing down health costs.

Councilmember Rodeback also thanked the scout leaders for bringing the scouts to the City Council meeting but suggested they take back to their congregations that the Young Women also could attend these meetings.

MAYOR'S REPORT

Mayor Thompson also expressed his appreciation for the Veterans' Day Program and what Veterans mean to the citizens. He noted that they began celebrating this day in 1918, beginning as Armistice Day and evolving into Veterans' Day. He was appreciative for those involved in military services as well as their families.

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 October 23, 2008, work session minutes.
2. Approval of the October 28, 2008, city council minutes.
3. Approval of the City bills for payment, purchase requests over $1,000, and manually prepared checks.

Ms. Lurker noted there were three changes to the October 23, 2008, minutes. One, the date needed to be corrected. The other changes were on page 2, line 16 to read "be brought in" and on page 6, line 39 to read "Nestor Gallo indicated that the price tag was in today's costs and would not be the cost in 20 years."

Councilman Gunther noted that there was an addition to the Purchase Requests over $1,000 list; a payment to W.W. Clyde in the amount of $143,880.01 needed to be added. He spoke to each member of the Finance Committee and they approved of this addition, which came in after the Finance Committee meeting.

Councilman Gunther moved approval the common consent agenda with the corrections to the minutes as well as an addition to the Purchase Request list over $1,000 for a draw request from W.W. Clyde in the amount of $143,880.01. Councilman Storrs seconded the motion. All were in favor.

ACTION ITEMS

REVIEW AND ACTION ON APPOINTMENTS TO CITIZEN COMMITTEES & BOARDS AND COUNCIL COMMITTEES & BOARDS – *Mayor Thompson*
There are no appointments at this time.

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. Review and action on an Ordinance approving the Commercial Site Plan for Owen Business Park located at 837 and 851 East 930 South (lots 23-26 Utah Valley Business Park Plat G), in the PI-1 Planning Industrial Zone – *Richard Gardner*

Mayor Thompson asked the representatives what was planned for the area.

Mr. Gardner, the architect for the project, indicated this was an office/warehouse complex. The buildings would mainly consist of warehouse space with some office space. The structures would be steel buildings sheathed in masonry and steel panels. He indicated there may be a small portion of synthetic stucco, which was widely used and stands up well to the weather conditions. The building will be built on a difficult corner where they had to deal with wetlands, which created the odd shaped buildings.

Councilman Gunther moved to adopt Ordinance 08-11-45 approving the commercial site plan for Owen Business Park located at 837 and 851 East 930 South (lots 23-26 Utah Valley Business Park Plat G) with instructions to the City Recorder to withhold recording of the plat subject to (1) posting of a performance guarantee to ensure the timely construction of required public improvements and (2) the joining together of all lots with a zoning lot declaration. Councilman Storrs seconded the motion. All were in favor.

REVIEW AND ACTION ON A WATER EXCHANGE AGREEMENT WITH TIMBIA INVESTMENTS – *Staff*
Mr. Despain explained that the Liberty Cove project was located at approximately 500 South and 400 East. He explained that the State Constitution prohibits municipalities to sell water rights but could exchange water rights.

Mayor Thompson indicated this was fairly straight forward and similar to previous agreements.

Mr. Despain stated that in this instance, the developers wanted to move ahead with the project and could not wait until the State Engineer approved the well transfer, so they moved ahead with the understanding that when the well transfer took place the water shares they had turned in would be exchanged.

Councilman Storrs moved to approve the agreement, authorizing the Mayor to sign the agreement and have staff complete the outstanding tasks. Councilman Gunther seconded the motion.

Mayor Thompson clarified that legal counsel has reviewed this and gives his approval.

Mayor Thompson called for a vote on the motion. All were in favor.

REVIEW AND ACTION ON CONSTRUCTION ITEMS INCLUDING CHANGE ORDERS AND TASK ORDERS – *Staff*

Mayor Thompson indicated that there were several task orders and asked that they keep change orders to the same contractor together.

Mr. Spencer indicated that RAM, Skip Dunn, and VanCon each had two change orders. One was the difference in asphalt costs while the second change order was a reduction in price balanced their books because some items did not get installed as per the bid.

Change Order #3 and Change Order #4 for RAM Construction

Mr. Spencer explained that Change Order #3 for RAM Construction in the amount of $147,240.57 was in compliance with the 90% asphalt cost calculations. Change Order #4 was a reduction of $344,559.65 due to bid items that did not get installed. Between the two, the final would be a savings of $197,319.08.

Councilmember Rodeback moved to approve Change Orders #3 and #4 for RAM Construction with a net reduction of $197,319.08. Councilman Gunther seconded the motion. All were in favor.

Change Order #1 – KW Robinson

Mr. Spencer indicated that this Change Order was for the filter station located at the bottom end of the golf course. There were a number of items that needed to be addressed and John Schiess had addressed those in the memorandum attached to the change order. Mr. Spencer pointed out that there will be a credit of about $11,000 on the next filter station purchase.

Councilman Gunther moved to approve Change Order #1 with KW Robinson for pressurized irrigation system lower reservoir filter station in the amount of $27,860.84. Councilmember Rodeback seconded the motion. All were in favor.

Change Order #3 and Change Order #4 – Skip Dunn Construction

Mr. Spencer explained that Change Order #3 gave an extension to April 30, 2009, for Skip Dunn Construction to complete work requested by the Arts Council to be done during a time of little activity. Change Order #4 was for the increased asphalt costs.

Councilmember Rodeback moved to approve Change Order #3 for Skip Dunn Construction for the time extension to April 30, 2009, and to approve Change Order #4 for the pressurized irrigation distribution system II in the amount of $23,214.29. Councilman Storrs seconded the motion. All were in favor.

Change Order #3 and Change Order #4 – VanCon Construction
Mr. Spencer explained that Charge Order #3 was for additional asphalt costs of $19,982.99 and Change Order #4 was the completion of the items of the project resulting in a price decrease of $372,821.19. The financial impact was a reduction of $352,838.20.

Councilman Gunther moved to approve Change Order #3 for the pressurized irrigation distribution system II to VanCon in the amount of $19,982.99 and Change Order #4 for schedule I of the pressurized irrigation system being a reduction in total contract price of $372,821.19. Councilmember Rodeback seconded the motion. All were in favor.

ADJOURNMENT
Councilman Storrs moved to adjourn the meeting. Councilman Gunther seconded the motion. All were in favor.

The meeting adjourned at 8:36 p.m.

Terilyn Lurker
Deputy Recorder