

NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, March 16, 2016 in the Council Chambers, 45 West 100 South, at 6:30 pm.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **DECLARATION OF ANY CONFLICT OF INTEREST**
5. **CONSENT AGENDA**
 - a. Minutes:
 1. March 02, 2016
 - b. Bills:
 1. \$299,765.65
6. **PUBLIC 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
7. **FORMAL PUBLIC HEARING**
8. **UNFINISHED BUSINESS**
 - a. Discussion – 200 West Main Street Signal Light Improvements – Brian Phillips UDOT
 - b. Discussion and Possible Action Sewer Impact Fee Waiver Reconsideration Request at 938 South Center Street – Michelle Mendenhall
9. **BUSINESS LICENSES**
10. **NEW BUSINESS**
 - a. Discussion & Possible Action Regarding a Land Lease with UDOT for Flood Water Mitigation
 - b. Presentation by Circles Utah Valley – Kathy Givens
 - c. Discussion and Possible Action Regarding Road Reconstruction – South Summit Ridge/Mona Road
 - d. Discussion and Possible action with regard to the Quiet Zone PE Agreement
11. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Resolution 03-02-2016 “An Agreement with Martin Johnson Regarding the Deferral of Infrastructure Construction”
12. **CONVENE OF THE COMMUNITY DEVELOPMENT BOARD**
13. **CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE**
14. **CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY**
15. **PETITIONS AND COMMUNICATIONS**
16. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. City Manager Reeves
 - b. Assistant City Manager Marker
17. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor Hunsaker
 - b. Council Members
18. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
19. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
20. **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/POSTING

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, posted in 3 places; City Center, Post Office and Zions Bank as well as posted on the State of Utah's Public Website.

BY: _____

Susan B. Farnsworth, City Recorder

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 16, 2016**

The meeting was called to order by Mayor Kirk Hunsaker at 6:30 p.m. Council Members attending: Keith Broadhead, David Hathaway, Mandy Jeffs, Nick Miller and Marianne Stevenson.

Others present: City Manager Ben Reeves, Assistant City Manager Dennis Marker, City Engineer Norm Beagley, Police Chief Rod Hurst, Public Works Director Wade Eva, Scott Crenshaw, Kathy Givens, Kylie Lance, Michelle Mendenhall, Brent Norton, Mark Openshaw, Brian Phillips, Ben Randolph, Austin Smith, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Wade Eva led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Council Member Broadhead offered an invocation.

DECLARATION OF ANY CONFLICT OF INTEREST

Council Member Broadhead said one of the bills being paid was to the company he worked for.

CONSENT AGENDA

Minutes:

March 2, 2016

Bills:

\$299,765.65

Council Member Miller made a motion to approve the Consent Agenda. Council Member Hathaway seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye
Council Member Stevenson	Aye

The vote to approve the consent agenda was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

No comments were addressed to the Council.

BUSINESS LICENSES

The following new business licenses were issued following all required applications and inspections:

- Vivant Solar and Kirby Vacuums were issued door to door solicitation licenses.

FORMAL PUBLIC HEARING

No Formal Public Hearings were scheduled.

UNFINISHED BUSINESS***200 West Main Street Signal Light***

Ben Reeves said he and some City staff had met with three UDOT representatives regarding traffic signals at Center Street and 200 West. A memo was sent to the Council on the results of the discussion.

Brian Phillips, UDOT representative, addressed the Council. Mr. Phillips said the installation of a signal at 200 West would not preclude a signal at Center Street. Traffic signals are done by warrant, and must meet certain criteria, such as the number of pedestrians, the number of accidents, volumes of traffic, etc. The Center Street intersection, which has been studied three times in the last two years, is currently sitting at about 50% of the needed traffic amount for a signal. Council Member Broadhead asked if putting in the 200 West signal would delay the one on Center Street. Mr. Phillips said the Center Street signal would depend solely on the warrant. He added UDOT is planning on putting a pedestrian crosswalk at Center Street, with a flashing light that would be pedestrian activated. This also would not preclude a signal at Center Street.

Mr. Phillips asked that the City notify Justin Schellenberg at UDOT when they are ready to move forward with the 200 West signal. The City can refuse to allow the 200 West signal if that is preferred. Ben Reeves said the agreement with UDOT would be modified slightly to indicate the light at 200 West. Council Members Broadhead, Hathaway, Miller and Stevenson indicated they were in favor of the agreement changes. Council Member Jeffs said she preferred to wait for a light at Center Street.

Mr. Phillips said sufficient funding had been assigned to get the design going, and funding for construction would probably be available in July. Mr. Reeves said the City will be responsible to taper back the intersection so it matches the UDOT plans.

Sewer impact Fee Waiver Request

Michelle Mendenhall addressed the Council. Ms. Mendenhall said she was coming to the Council in an attempt to have the sewer impact fee waived for the house at 938 South Center. She said this is the only house left on the street that needs to connect. The home owners, Carl and Kristin Muniz, did pay the \$375 connection fees and have paid the monthly City sewer bill since that time. Ms. Mendenhall said this would be to the City's benefit, as the home will probably sit vacant and become an eyesore if foreclosure happens. Mr. Reeves confirmed this is the only house left on the street that needs to connect. He said at some point in the future the homes along Lark Lane might fall into the same category, but no immediate plans have been made to install a sewer line there. Ms. Mendenhall said the bank had agreed to connect the sewer line.

Kylie Lance addressed the Council. Ms. Lance said this a short sale, a pre-foreclosure, and it is in the citizens' best interest to have it occupied. Council Member Miller said the impact fee should be waived, as they had been paying the base rate and not getting any service. Council Member Broadhead asked what the Council could do legally. Mr. Reeves said there was no legal restriction in extending the extension, although it might set a precedent. Council Member Broadhead asked what the hardship was here. Ms. Mendenhall said the parties involved were trying to find agreement on who would pay. She has a buyer if the impact fee can be waived. The bank has agreed to pay for the connection.

Sewer impact Fee Waiver Request, continued:

Mr. Marker said if the \$375 and the base rate payments were considered, the home owners were only short about \$811 from the \$4000 impact fee. Council Member Broadhead said even if they were not getting sewer service they had been using septic and impacting the water table, as well as violating the law for six years.

Council Member Miller made a motion to approve the sewer impact fee waiver request for 938 South Center Street, provided the remaining \$811 was paid to the City. Council Member Stevenson seconded the motion. The vote was as follows:

Council Member Broadhead	Nay
Council Member Hathaway	Aye
Council Member Jeffs	Nay
Council Member Miller	Aye
Council Member Stevenson	Aye

The vote to approve the sewer impact fee waiver request passed by a 3 to 2 vote.

NEW BUSINESS

Land Lease with UDOT for Flood Water Mitigation

Dennis Marker said this type of agreement is usually brought to the Council in resolution form, but staff is currently looking for direction rather than action. The route for the water debris basin currently channels into three parcels of ground on Canyon Road, west of Orchard Hills Elementary School. Summit Creek Irrigation Company owns two parcels, and UDOT has recently acknowledged ownership of the other one. The City has been working with UDOT with the intent to utilize the properties to construct flood mitigation facilities such as ponds. The water channeled to the parcels belongs to Summit Creek, and they would like to construct a recharge and recovery basin if they can obtain the approval of the State Engineer for the recovery.

UDOT has agreed to lease the property for \$1 per day, with an annual inflation factor. They are willing to sell the property, but want fair market value for it. Using the property for flood mitigation would benefit the highway. Mayor Hunsaker said Summit Creek is ready to go with a preliminary design, and asked the City to check on leasing. UDOT has indicated the City would not be allowed to sub-lease the property, but are willing to lease the property directly to the irrigation company. Council Member Broadhead noted that if the City leased the property they would be liable for what happened on it. Council consensus held that Summit Creek Irrigation Company, rather than the City, make the agreement with UDOT.

Presentation by Circles of Utah Valley

Kathy Givens, the coordinator for Circles of Utah Valley, addressed the Council. Ms. Givens said the Circles organization helps families move from poverty to self-reliance. She related the story of a client who had many issues and eventually became successful through the Circles program. Ms. Givens said the group created circles of support around families. They are opening a new site in Salem, and looking for volunteers. Twice a year they open a new class, and the next one begins in August, when they will be able to help 15 more families. Classes are once a week and include dinner and free child care. Ms. Givens said the group is funded by grants, and works under Community Action Services and the Provo Food Bank.

Circles of Utah Valley, continued:

Families that become self-sufficient decrease the amount of public assistance needed and add money to the local economy. Council Member Stevenson asked what was involved with volunteering. Ms. Givens said allies were matched with the participant goals. The participants had a main coach, and the volunteers befriended the family and shared experiences and expertise. Mayor Hunsaker thanked Ms. Givens for her information.

Road Reconstruction –South Summit Ridge/Mona Road

Mr. Marker said the road concerned in this item is near the south interchange going toward Juab County from the Kars gas station. A combination of bad original asphalt, the age of the road and heavy traffic patterns has caused the frontage road to need a great deal of work. Although the full radius of the turn is not within the City boundary, the City is looking at what repairs are needed inside city limits.

Public Works Director Wade Eva said there have been quite a few accidents on the road when the pavement is slick. The grade needs to be changed, and there is a 200 foot area where the whole road is coming apart. Curb and gutter also need to be changed. Mr. Eva said the asphalt was bad to start with and did not pass inspection. The City Manager at that time allowed it. Mr. Eva said the road should be pulverized and redone with four inches of asphalt. There is a lot of heavy truck traffic on the road. The City has received an estimate of approximately \$104,000 to fix the road by leveling, installing a petro mat and adding three inches of asphalt. Mr. Eva said they had had a washout three years ago and it had patched up 'just fine.' The original work is the issue. He mentioned the road from Kars to the Red Barn is also beginning to come apart. Norm Beagley discussed issues with the slope of the road.

Council Member Miller said the road needed to be fixed the right way, and he did not want to spend \$104,000 and not get what was needed. Mr. Eva said he hated to spend that much of the road budget on one road. Mr. Reeves said there was about \$150,000 left in the budget for road projects this year. Mr. Beagley suggested visiting with the gravel operation to see if they would be willing to help out. Mark Openshaw volunteered to contribute road base. Mr. Eva said the road base was okay, the asphalt was the problem.

Bonding was discussed. Mr. Reeves explained the issues with bonding using the B and C road funds as collateral for these projects, in view of the plan to use the collateral for the second Summit Ridge exit. Next year the City is looking at signal light improvements at 500 West and the storm drain master plan. After further discussion on options, Mr. Eva said he felt 70% confident the petro mat option would work, as the patch done 3 years ago had held up.

Council Member Broadhead made a motion to put the improvements out for an official bid, and as long as the bid accepted stayed within this fiscal year's budget, to proceed. Council Member Hathaway seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye
Council Member Stevenson	Aye

The vote to approve the motion was unanimous.

Quiet Zone PE Agreement

Norm Beagley said he had visited with Utah County engineer Richard Nielson regarding the quiet zone issue, and Mr. Neilson had asked what Santaquin was willing to do. The initial costs for the agreement include \$10,000 for a preliminary engineering agreement, and \$5000 to \$10,000 for new signage at the private crossings. A diagnostic team would evaluate what was needed. The crossings would need to be re-evaluated every few years, and may require additional measures, depending on the results. The crossing locations were reviewed. The County would be financially responsible for the locations in their jurisdiction.

Catherine Holman addressed the Council. She said two family members had been injured at a crossing where the train horns were not blown. Council Member Broadhead suggested the community be surveyed to see how important the quiet zone was to the citizens. Mr. Reeves said a community survey was planned for this summer, but a survey specific to the quiet zone could be done earlier. Council consensus held that the quiet zone question be added to the community survey.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS***Resolution 03-02-2016 "An Agreement with Martin Johnson regarding the Deferral of Infrastructure Construction"***

Mr. Marker said in October 2015, the Council passed an ordinance that those building in the core area of town needed to install curb, gutter and sidewalk with their developments. This area did not previously require installation. For some single family home developments in isolated places, it does not make sense to install curb and gutter at this time. Mr. Johnson wishes to build a home at approximately 400 North 140 East, with 400 North frontage. If the elevations for storm drain design were currently known, it would be possible to consider putting the improvements in now, but this has not been determined. The properties on both sides have also not been developed, so the curb and gutter would be isolated, perhaps causing some hazard issues.

The agreement under consideration defers the obligation to install the improvements. Typically a bond is required for improvements, but a time frame for when these should be installed is not known, and the City does not want to be in the position of tracking funds for an unknown amount of time. The agreement will run for ten years. If and when the City adopts a plan for construction of the infrastructure, the owner would be notified to begin construction within 30 days and to complete the work within 90 days. Alternately, the City can install the improvements and lien the property if the owner does not comply. This agreement would be recorded to the property. Scott Crenshaw said this would be setting up the same situation as the sewer impact fee waiver discussed earlier in the meeting. Kylie Lance said she had the same scenario in a home she had sold in Spanish Fork, where the seller was not aware of the agreement but had to pay the costs. Brent Norton interjected his concerns regarding comments from the audience.

Mayor Hunsaker asked if a similar resolution would be needed for each waiver. Mr. Reeves said yes, but a template is now available so the process will be quicker and easier.

Resolution 03-02-2016, continued:

Council Member Broadhead made a motion to adopt Resolution 03-02-2016, "An Agreement with Martin Johnson Regarding the Deferral of Infrastructure Construction". Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye
Council Member Stevenson	Aye

The vote to adopt Resolution 03-02-2016 was unanimous.

CONVENE OF THE COMMUNITY DEVELOPMENT BOARD

No Community Development Board business was discussed.

CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE

No Special Service District business was discussed.

CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY

No Local Building Authority business was discussed.

PETITIONS AND COMMUNICATIONS

No Petitions or Communications were addressed.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Ben Reeves said the bids for the website were very varied on what was offered and the cost, and they are presently trying to do an 'apples to apples' comparison. He suggested a special work session be held March 30 at 7 p.m. to go over the bids. Council consensus held this be done.

At the last meeting, Kevin Kester spoke to the Council regarding rock art. Engineering Intern Jon Lundell will be meeting with Mr. Kester at the site and using GPS technology to determine the owners of the property. Some members of the Council indicated they would be interested in viewing the rocks when this meeting takes place.

Mr. Reeves asked the Council to let him know if anyone wanted more tickets to the Miss Santaquin Pageant. He reported that he is now Chair of the Dispatch Board.

Assistant City Manager

Mr. Marker said the Planning Commission had reviewed a 2 lot subdivision submitted by Clint Ercanbrack. Mr. Ercanbrack preferred to use septic tanks rather than connect to the sewer at this time, because of the depth of the sewer line currently available. The DRC has recommended a deferral agreement regarding sewer connections be put in place. The agreement would come to the City Council for review.

The Park View Townhome Project was also reviewed by the Commission. 5 units are currently under construction, and 7 more are planned.

Assistant City Manager, continued:

The owner would like to condominium-ize the project. This item was tabled as the Commission felt, and the owner agreed, it would be more appropriate to plat the whole property at the same time. An HOA and CC & R's will be established. Council Member Broadhead said it was easy to get rid of an HOA with only 12 owners, and the whole property could become a mess. Mr. Marker said the City can go in under the multi-family standards and cite the property owners if necessary.

The Planning Commission also looked at the Alan Steel annexation request. This item was also tabled, as there are a lot of development issues and the applicant is reconsidering his application. The 30 day protest period has begun. In answer to a question from Council Member Broadhead, Mr. Marker said in Utah County adjacent property owners cannot protest, only affected entities.

Mr. Marker said in the original draft of the agreement for the Questar regulator station, the City required Questar to accept full responsibility for what is in the ground. Their return draft agreement states that the City was responsible for any items in the ground which were not allowed. The landfill is mostly construction materials that were capped and covered. When test holes were dug by Questar, remnants of material that indicated a car seat were found. After some discussion, Council consensus held that Questar can deal with what is in the ground or move to another site. The City will not accept responsibility for what is in the ground.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Members

Council Member Hathaway said he wanted to get the ball rolling to get enough power out to the rodeo grounds for new lights and stage lighting. Wade Eva said the main line has a 200 amp service coming from the public works building and additional power is not far away.

Council Member Hathaway asked about signs for the dedication. Dennis Marker said he would work on getting the signs. As a sign was being installed at the fishing park, it was decided a similar design should be done for all Santaquin parks. Ben Reeves said the fishing park opens April 1, and the ribbon cutting was planned for a little later in the season.

Council Member Stevenson mentioned she does not yet have a specific assignment.

Council Member Jeffs said Chief Hurst had indicated the officers were getting body cameras and participating in visual training. Chief Hurst said the cameras will be issued to patrol officers.

Council Member Broadhead said a letter needed to be drafted to the Mt. Nebo Water Company asking about becoming members.

Council Member Miller said he was extremely concerned about construction standards for the roads in the north end of town. He said the City just spent \$30,000 on the road, and it barely made it through the winter. He felt the City was doing a lot for the developer and the developer was not reciprocating. Mr. Beagley said the road is in its warranty period and the contractor understands it will need to be repaired.

Council Members, continued:

After discussing some of the issues involved, including the large variability in the soils at the north end of town, Mr. Beagley said the DRC is leaning towards requiring 100% import on materials used. This requirement would become part of the City Construction Standards. Council Member Miller expressed his desire to have a new overlay put down when a patch is done. This road issue will be placed on a future Council agenda.

Mayor Hunsaker said no paving will be done on the bridge reconstruction at this time, as the County did not get UP's approval to change the grade and that needs to be done before paving is allowed. He asked if anyone was keeping track of how deep SUNROC was excavating, as the hole seemed very large. Mr. Marker said he would have shots taken of the excavation.

Mark Openshaw was invited to address the Council regarding his plans for this property. He said he had a wholesale business distributing fruits and vegetables. He works with local farmers, consolidating with goods from other locations to afford better leverage getting goods into stores. The building will be dressed up, similar in appearance to the Red Barn. There will be a caretaker facility on the south end of the property, which will hook up to sewer and water. Part of the road will be removed so the trucks have a level area. At this time, he has no intentions for a retail store. He said he is thinking of annexing into the City in about a year.

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

No Executive Session to discuss the character, professional competence, or physical or mental health of an individual was held.

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

No Executive Session to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property was held.


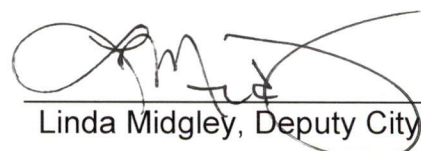
ADJOURNMENT

At 9:08 p.m. Council Member Miller made a motion to adjourn. Council Member Stevenson seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye
Council Member Stevenson	Aye

The vote to adjourn was unanimous.

Approved on March 30, 2016


Kirk Hunsaker, Mayor
Linda Midgley, Deputy City Recorder