

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 01, 2015, in the Council Chambers, 45 West 100 South, at 6:00 p.m.

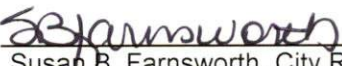
1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE**
 3. **INVOCATION/INSPIRATIONAL THOUGHT**
 4. **CONSENT AGENDA**
 - a. Minutes
 1. March 18, 2015 Council Meeting
 - b. Bills
 1. \$161,688.91
 5. **FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

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
 6. **FORMAL PUBLIC HEARING**
 7. **UNFINISHED BUSINESS**
 - a. Continued Discussion Regarding the Planning for the 2015-2016 FY Budget
 8. **BUSINESS LICENSES**
 9. **NEW BUSINESS**
 - a. Discussion and Possible Action with Regard to the Possible Sale of 2.79 Acres of City Owned Property
 - b. Discussion and Possible Action with Regard to the Foothills Subdivision Preliminary Plat
 - c. Discussion and Possible Action with Regard to the Realignment of Property Boundaries and Establishment of Easements in support of the New Santaquin City Public Works Building Project
 10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Resolution 04-01-2015, "A Resolution Declaring Surplus Property"
 - b. Resolution 04-02-2015, "A Resolution Amending the Consolidated Fee Schedule"
 - c. Resolution 04-03-2015, "A Resolution Amending the Santaquin City Council Meeting Protocols"
 - d. Resolution 04-04-2015, "A Resolution Awarding the Bid for Architectural Services for the New Santaquin City Public Works Building Project and to enter into an Agreement for Said Services."
 - e. Resolution 04-05-2015, "A Resolution of the City Council of Santaquin City, Utah, Authorizing and Approving the Execution of a Master Lease Agreement, by and between Santaquin City and The Local Building Authority of Santaquin City, Utah, Authorizing the Issuance and Sale By the Authority of its Lease Revenue Bonds, Series 2015, in the Aggregate Principle Amount of Not to Exceed \$2,500,000."
 - f. Ordinance 04-01-2015, "An Ordinance Modifying Provisions of Santaquin City Code Title 7-1-5 to Restrict the Parking of Vehicles and Other Obstructions along Park Strips."
 11. **CONVENE OF THE COMMUNITY DEVELOPMENT BOARD**
 12. **CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE**
 13. **CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY**
 - a. Resolution 04-01-2014LBA, "A Resolution Adopting Bylaws for the Local Building Authority of Santaquin City, Utah, Confirming the Election of Officers for such Authority and Authorizing Other Action on Behalf of the Authority."
 - b. Resolution 04-02-2014LBA, "A Resolution of the Local Building Authority of Santaquin City, Utah Authorizing the Issuance and Sale of Not More Than \$2,500,000 Aggregate Principal Amount of Lease Revenue Bonds, Series 2015."
 14. **PETITIONS AND COMMUNICATIONS**
 15. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. City Manager Reeves
 - b. Assistant City Manager Marker
 16. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor Hunsaker
 - b. Council Members
 17. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
 18. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
 19. **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

© Amendment to the agenda,

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
APRIL 01, 2015**

The meeting was call to order by Mayor Kirk Hunsaker at 6:00 pm. Council Members attending: Keith Broadhead, David Hathaway, Mandy Jeffs, and Nick Miller. Council Member Matthew Carr arrived at 6:05 pm.

Others present: City Manager Ben Reeves, Assistant City Manager Dennis Marker, City Engineer Norm Beagley, Legal Counsel Brett Rich, Police Chief Rod Hurst, Ron Jones, Jimmie DeGraffenried, Curtis Rowley, Dale Rowley, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Legal Counsel Rich led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Engineer Beagley Offered an Invocation.

CONSENT AGENDA

Minutes

March 18, 2015 Council Meeting

Bills

\$161,688.91

Council Member Miller moved to approve the Consent Agenda. Council Member Jeffs seconded the motion. The vote was as follows:

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

The motion passed with a unanimous vote.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

There wasn't a need for a Public Forum, Bid Openings, Awards or Appointments.

FORMAL PUBLIC HEARING

There weren't any Formal Public Hearings scheduled.

UNFINISHED BUSINESS

Continued Discussion Regarding the Planning for the 2015-2016 FY Budget

There will not be a budget discussion this evening.

BUSINESS LICENSES

City Manager Reeves reported there were 4 new Business Licenses issued.

- | | | |
|---------------------------------------|-------------------|----------------------|
| • Dale's Benches | Dale Beardall | Wooden Benches |
| • Cunningham Companies | Jeremy Cunningham | Online retail |
| • NKM Woodworks, LLC | Nathan Morrill | Woodworking |
| • Piece by Piece Cabinet Installation | Chad Finch | Cabinet Installation |

NEW BUSINESS***Discussion and Possible Action with Regard to the Possible Sale of 2.79 Acres of City Owned Property***

It was requested this item be discussed towards the end of the agenda. The interested parties were not present.

Discussion and Possible Action with Regard to the Foothills Subdivision Preliminary Plat

Assistant City Manager stated the applicant would be attending but will be late. A discussion will be held later in the meeting.

Discussion and Possible Action with Regard to the Realignment of Property Boundaries and Establishment of Easements in support of the New Santaquin City Public Works Building Project

Assistant City Manager indicated because of the creation of the new Santaquin Building Authority and the potential finance arrangements for the new Public Works Facility, it is necessary to modify the property lines around the WRF. Since Santaquin City owns all the affected property, the action can be handled administratively after City Council Approval. Staff recommendation would be for the City Council to authorize the Mayor to execute all documents necessary to complete the proposed property line adjustments and creation of easements. (See attachment "A" for documentation)

Council Member Carr moved to approve the realignment of property boundaries and establishment of easements in support of the new Santaquin City Public Works Building Project and authorize the Mayor to execute all necessary documents. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS***Resolution 04-01-2015, "A Resolution Declaring Surplus Property"***

Council Member Miller moved to approve Resolution 04-01-2015, "A Resolution Declaring Surplus Property". Council Member Carr seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

Resolution 04-02-2015, "A Resolution Amending the Consolidated Fee Schedule"

A discussion was held with regard to adding a "Storm Drainage Fee" to the monthly Utility billing. (See attachment "B" for the City Manager's Memorandum)

Council Member Jeffs was in favor of a \$3 per month fee. Council Member Carr reported he was torn with adding an additional fee. He would like to have a public hearing and circulate the information as to why this is needed. Council Member Broadhead reported he would support using B & C Road Funds to fund the Storm Drain Master Plan. He would like to see service districts established. Council Member Miller reported he agreed with Council Members Carr and Broadhead. City Manager Reeves was instructed to fund the Master Plan out of the Road Funds as well as have the Public Works Supervisor draft a service plan for the storm drainage system for the City Council to review.

Approval of Resolution 04-02-2015, "A Resolution Amending the Consolidated Fee Schedule" died due to a lack of a motion.

Resolution 04-03-2015, "A Resolution Amending the Santaquin City Council Meeting Protocols"

Council Member Carr moved to approve Resolution 04-03-2015, "A Resolution Amending the Santaquin City Council Meeting Protocols". Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

Resolution 04-04-2015, "A Resolution Awarding the Bid for Architectural Services for the New Santaquin City Public Works Building Project and to enter into an Agreement for Said Services"

Engineer Beagley reported there were 8 proposals submitted for the Architectural Services for the new Public Works Building Project. (The bid tabulation is attached to the Resolution)

Council Member Miller moved to approve Resolution 04-04-2015, "A Resolution Awarding the Bid for Architectural Services for the New Santaquin City Public Works Building Project and to enter into an Agreement for Said Services." Council Member Hathaway seconded the motion. Council Member Miller amended the motion to add the firm name of WPA. Council Member Hathaway seconded the amendment. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

Ordinance 04-01-2015, "An Ordinance Modifying Provisions of Santaquin City Code Title 7-1-5 to Restrict the Parking of Vehicles and Other Obstructions along Park Strips."

Assistant City Manager reported the proposed change to the Ordinance is at the request of the Police Department. The proposed change is actually only 4 words which will allow for enforcement of not allowing parking within a designated park strip.

Council Member Carr moved to approve Ordinance 04-01-2015, "An Ordinance Modifying Provisions of Santaquin City Code Title 7-1-5 to restrict the Parking of Vehicles and Other Obstructions along Park Strips". Council Member Jeffs seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

CONVENE OF THE COMMUNITY DEVELOPMENT BOARD

There wasn't a need to convene the Community Development Board.

CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE

There wasn't a need to convene a meeting of the Special Service District for Roads Maintenance.

At 6:40 pm Council Member Miller moved to convene the Local Building Authority of Santaquin City Board. Council Member Hathaway seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

CONVENE OF THE LOCAL BUILDING AUTHORITY OF SANTAQUIN CITY

Resolution 04-01-2014LBA, "A Resolution Adopting Bylaws for the Local Building Authority of Santaquin City, Utah, Confirming the Election of Officers for such Authority and Authorizing Other Action on Behalf of the Authority"

Board Member Broadhead moved to approve Resolution 04-01-2014LBA, "A Resolution Adopting Bylaws for the Local Building Authority of Santaquin City, Utah, Confirming the Election of Officers for such Authority and Authorizing Other Action on Behalf of the Authority" with the amendment that there will be a 5 member trustee with the Board Chair having the same voting rights as the Mayor. Board Member Miller seconded the motion. The vote was as follows:

Board Member Broadhead	Aye
Board Member Carr	Aye
Board Member Hathaway	Aye
Board Member Jeffs	Aye
Board Member Miller	Aye

The motion passed with a unanimous vote.

Resolution 04-02-2014LBA, "A Resolution of the Local Building Authority of Santaquin City, Utah Authorizing the Issuance and Sale of Not More Than \$2,500,000 Aggregate Principal Amount of Lease Revenue Bonds, Series 2015"

Board Member Broadhead moved to approve Resolution 04-02-2014LBA, "A Resolution of the Local Building Authority of Santaquin City, Utah Authorizing the Issuance and Sale of Not More Than \$2,500,000 Aggregate Principal Amount of Lease Revenue Bonds, Series 2015". Board Member Hathaway seconded the motion. The vote was as follows:

Board Member Broadhead	Aye
Board Member Carr	Aye
Board Member Hathaway	Aye
Board Member Jeffs	Aye
Board Member Miller	Aye

The motion passed with a unanimous vote.

At 6:53 pm Board Member Carr moved to adjourn the Board Meeting of the Local Building Authority of Santaquin City. Board Member Miller seconded the motion. The vote was as follows:

Board Member Broadhead	Aye
Board Member Carr	Aye
Board Member Hathaway	Aye
Board Member Jeffs	Aye
Board Member Miller	Aye

The motion passed with a unanimous vote.

Resolution 04-05-2015, "A Resolution of the City Council of Santaquin City, Utah, Authorizing and Approving the Execution of a Master Lease Agreement, by and between Santaquin City and The Local Building Authority of Santaquin City, Utah, Authorizing the Issuance and Sale By the Authority of its Lease Revenue Bonds, Series 2015, in the Aggregate Principle Amount of Not to Exceed \$2,500,000"

Council Member Miller moved to approve Resolution 04-05-2015, "A Resolution of the City Council of Santaquin City, Utah, Authorizing and Approving the Execution of a Master Lease Agreement, by and between Santaquin City and The Local Building Authority of Santaquin City, Utah, Authorizing the Issuance and Sale By the Authority of its Lease Revenue Bonds, Series 2015, in the Aggregate Principle Amount of Not to Exceed \$2,500,000." Council Member Hathaway seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

NEW BUSINESS

Discussion and Possible Action with Regard to the Foothills Subdivision Preliminary Plat

Assistant City Manager Marker reviewed the proposed Foothills Subdivision Preliminary Plat. (See attachment "C" for Staff recommendations)

Council Member Carr moved to approve the modifications to the Foothills Subdivision Preliminary Plat. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

Discussion and Possible Action with Regard to the Possible Sale of 2.79 Acres of City Owned Property

City Manager Reeves reported he and Mayor Hunsaker had met with Ray Rowley to discuss a possible sale of property. The actual property was land locked (surrounded by Rowley's orchard on three sides and Union Pacific on the fourth) and with it being as far away from the city as it is, the value of the property is likely diminished. After talking for some time Mr. Rowley offered \$35K for the full acreage. The Council Members were in agreement that this was a fair price. (See attachment "D" for the informational e-mail)

Council Member Carr moved to direct the Staff to surplus the property and enter into a "Contract of Sale" with the surrounding property owners. Council Member Broadhead seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

PETITIONS AND COMMUNICATIONS

There weren't any Petitions or Communications to discuss.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES***City Manager Reeves***

City Manager Reeves reported the following:

- Select Staff members began the Public Information Officer/Social Media Policy Training today
- At this point it is unclear if Genola Representatives will be attending the next Council Meeting to discuss various issues. He will let the Mayor and Council know when he receives an answer from Genola's Mayor.
- He will be out of town during the next Council Meeting. Assistant City Manager Marker will be spearheading the discussion items on the agenda.
- He will be out of town Monday, Tuesday and Wednesday of next week attending the City Manager's Conference and on vacation the following week.
- Mr. Molhoff indicated he intended to move the RV Sales business to Santaquin and discontinue the business in Spanish Fork/Springville area. There were a number of issues discussed at the meeting including water dedication requirements.

Assistant City Manager Marker

Assistant City Manager Marker reported the following:

- Mr. Horlocker, Summit Ridge Representative indicated they are preparing to begin the second phase of landscaping along Summit Ridge Parkway. He is working on a number of issues that need to be resolved with regard to the landscaping both present and future.
- Salisbury Homes are anticipating beginning Stone Hollow Plat "C" out in Summit Ridge. There is a second access issues that needs to be addressed before the final plat approval is issued and the plat is recorded.
- There are several code amendments that the Planning Commission will be reviewing one of which is allowing kennels with in various zones throughout the City.
- Staff of the Museum thanked the Mayor and Council Member for approving the Architectural contract. They are currently cataloging the inventory, featuring various artifacts each month on the Museum Face Book page and are planning to be open April 9th 1 pm to 5 pm.

REPORTS BY MAYOR AND COUNCIL MEMBERS***Mayor Hunsaker***

Mayor Hunsaker reported Jolynn Forman has been hired as the Events Coordinator. She will be working under a "Memorandum of Understanding" instead of a contract. She will be working under the Direction of Assistant City Manager Marker.

Council Members

Council Member Hathaway was told that the Summit Creek Management Group will be meeting tomorrow afternoon.

Council Member Broadhead was told City Manager Reeves will research the insurance requirement with regard to vendors participating in City sponsored events.

Council Member Carr was told Sunroc has begun the process of extending their Conditional Use Permit. They will be appearing before the Planning Commission shortly.

The Council Members requested the Planning Commission visit the code with regard to installation of sidewalk, curb and gutter. Assistant City Manager Marker will add this code to Planning Commission's "list" of items to be discussed.

Council Member Jeffs asked Chief Hurst if the speed limit has been changed along Highland Drive. Chief Hurst indicated the traffic survey showed the average speed along the road is 34 mph. A recommendation was made to post the speed limit at 30 mph. It was suggested if the speed limit were to be posted any higher the residents along that roadway should be informed beforehand.

Chief Hurst reported Officer Wall and "Bud" the dog are attending K-9 Handler Training. They are training 14 to 16 hour days during this course. They have approximately 9 days left of the intense schedule before they will be back to a regular work shift.

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

No Executive Session was required.

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 was required.

ADJOURNMENT

At 8:14 pm Council Member Broadhead moved to adjourn. Council Member Miller seconded the motion. The vote was as follows:

Council Member Broadhead	Aye
Council Member Carr	Aye
Council Member Hathaway	Aye
Council Member Jeffs	Aye
Council Member Miller	Aye

The motion passed with a unanimous vote.

Approve on April 15, 2015.


Kirk Hunsaker, Mayor


Susan B. Farnsworth, City Recorder

Property Boundary Adjustment Discussion

With the creation of the new Santaquin Building Authority and the potential finance arrangements for the new Public Works Facility, it is necessary to modify the property lines around the WRF.

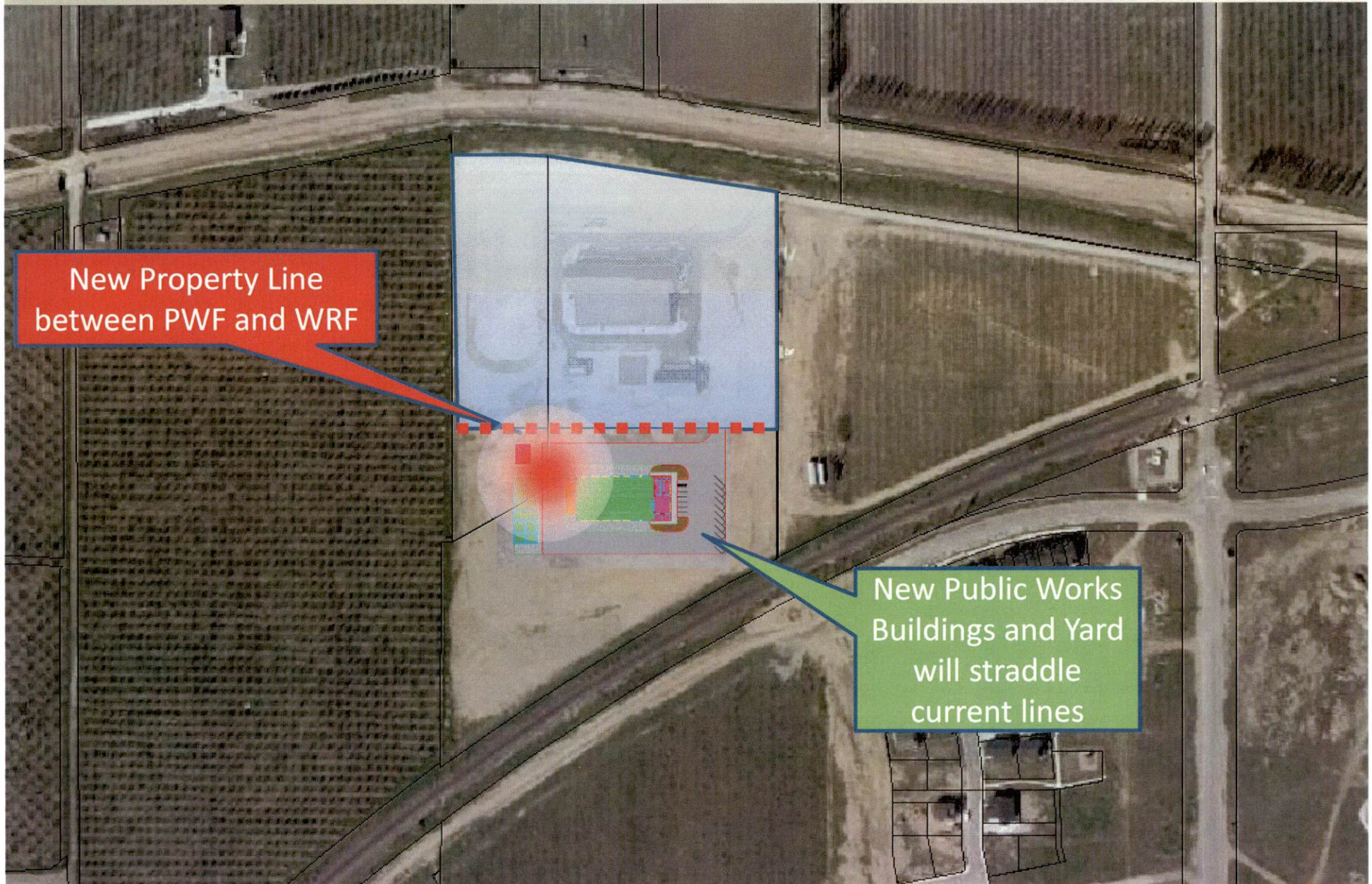
Since Santaquin City owns all the affected property, the action can be handled administratively after City Council approval.

Good Fences Make
Good Neighbors
– Robert Frost

Current Property Boundaries Around the WRF

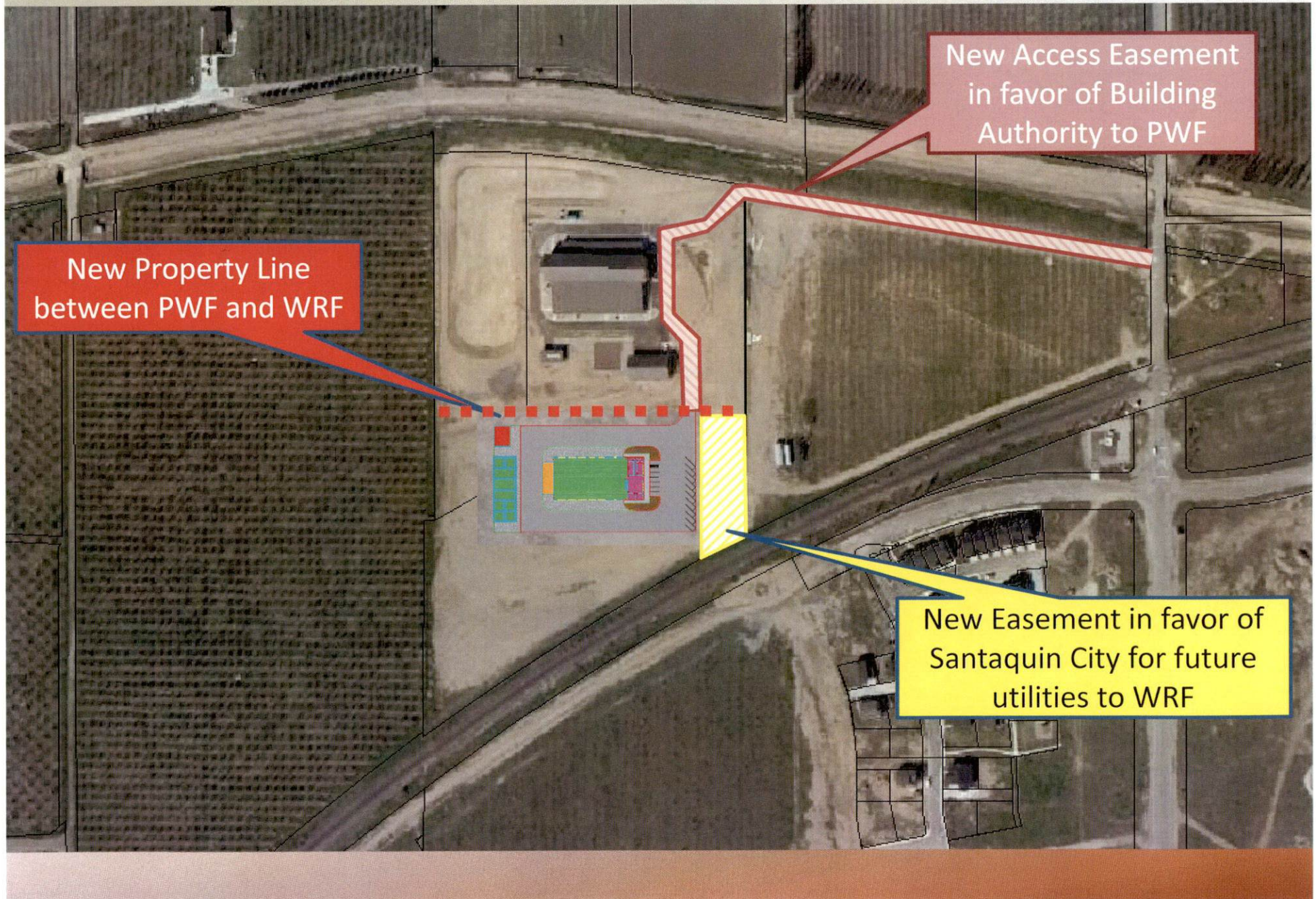


Proposed Property Boundaries Around the WRF





Proposed Easements Around the WRF





Property Boundary Adjustment Discussion

Staff Recommendation

Council authorization of Mayor to execute all documents necessary to complete the proposed property line adjustments and creation of easements.

Good Fences Make
Good Neighbors
– Robert Frost



MEMORANDUM

To: Santaquin City Mayor & Council
From: Santaquin City Manager
Date: April 1, 2015
Subject: Proposed Storm Drainage Fee

Mayor & Council,

I have the unhappy duty to report that Santaquin City was not awarded the CDBG grant for our Storm Drainage Master plan as once hoped. We do not know all of the reasons that our project was not selected. However, we suspect from the questions posed by the evaluation board that one of the reasons we might not of received their funding might be the result of the fact that Santaquin City currently does not have a storm drainage fee of its own that would help to fund this study.

During your recent budget retreat, the council indicated that, should the CDBG grant not be awarded, that the council would consider the establishment of a fee to address storm drainage issues. The discussion in that meeting ranged from \$1/mo/home to as much as \$3/mo/home. Because an amount was not agreed upon in the meeting, we are placing the consolidated fee schedule on the agenda with a blank line that can be filled in based upon your discussion and consideration.

It is important to note that for every \$1/month, this could expect to generate roughly \$32,000 over a 12 month period (e.g. \$2 = \$64,000, \$3 = \$96,000, etc.)

It is also important to note that the estimated cost of this comprehensive study is estimated at \$120,000.



MEMORANDUM

March 30, 2015

To: Mayor and City Council via Planning Commission
From: Dennis Marker, Assistant City Manager/Community Development Director
RE: Modified Preliminary Plat Request for Foothill Village

City Council Actions Needed

1. Grant Approval, Conditional Approval, or Denial of the request to modify the preliminary plat.

Background

Mr. Jimmy DeGraffenried (Applicant) is requesting the City approve a modified preliminary plat for that portion of the Foothill Village development, which he controls (See accompanying powerpoint). The original preliminary Plat encompassed the entire Ahlin ranch property and was granted approval by the City Council through development agreement attached to City resolution 03-03-2014. The Applicant desires to change the development plan to provide a product appealing to different markets, which necessitated alteration of roads, lot sizes, uses and anticipated green space areas. City Code requires significant changes to be reviewed by the Planning Commission and City Council before final plat approvals can be considered.

Changes from the original preliminary plat approval include:

- Increased density along Highland Drive
- Decreased density toward east end of property.
- Total lots is reduced from 244 to 186 (23.8% reduction)
- Alteration of phase boundaries for the development area
- Reduction of private trail systems
- Increase in area to be dedicated to city for open space.

Access. Access to the project will be in accordance with the City approved development agreement.

Water Rights. Summit Creek irrigation shares have been dedicated for all of Phase 2 of the Foothill Village development. The current development agreement enables the applicant to provide money-in-lieu of dedicating water for the phase 1 area, which is before the Council for consideration.

General Plan. The general plan for this area includes large areas being set aside for a sports complex and other park facilities as well as residential densities ranging between 2 and 10 units per acre. A cost estimate and concept design was prepared by city staff for the sports complex. After presenting findings to the City Council, staff was directed to pursue other options and thus the applicant is not including such lands in their modified preliminary plat. The proposed overall density for the development is 2.47 units per acre with some areas having over 12 u/a, and others having 2.5 u/a.

Parks and Open Space. The previous submittal included multiple trail systems and connectivity through blocks and to the Ahlin Park. Much of the open space was to be maintained as common area by the development. The current proposal includes trails along Highland Drive and along Stoneside Street. The high density area has been reconfigured to accommodate three tot-lot facilities and the land between Highland Dr. and I-15 is being dedicated to the City for open space and storm drain facilities to be incorporated into a linear park.

Planning Commission Recommendation

The Planning Commission forward a positive recommendation for the Foothill Village Phase 1 Preliminary Plat to the City Council, based on the following findings and conditions:

Findings.

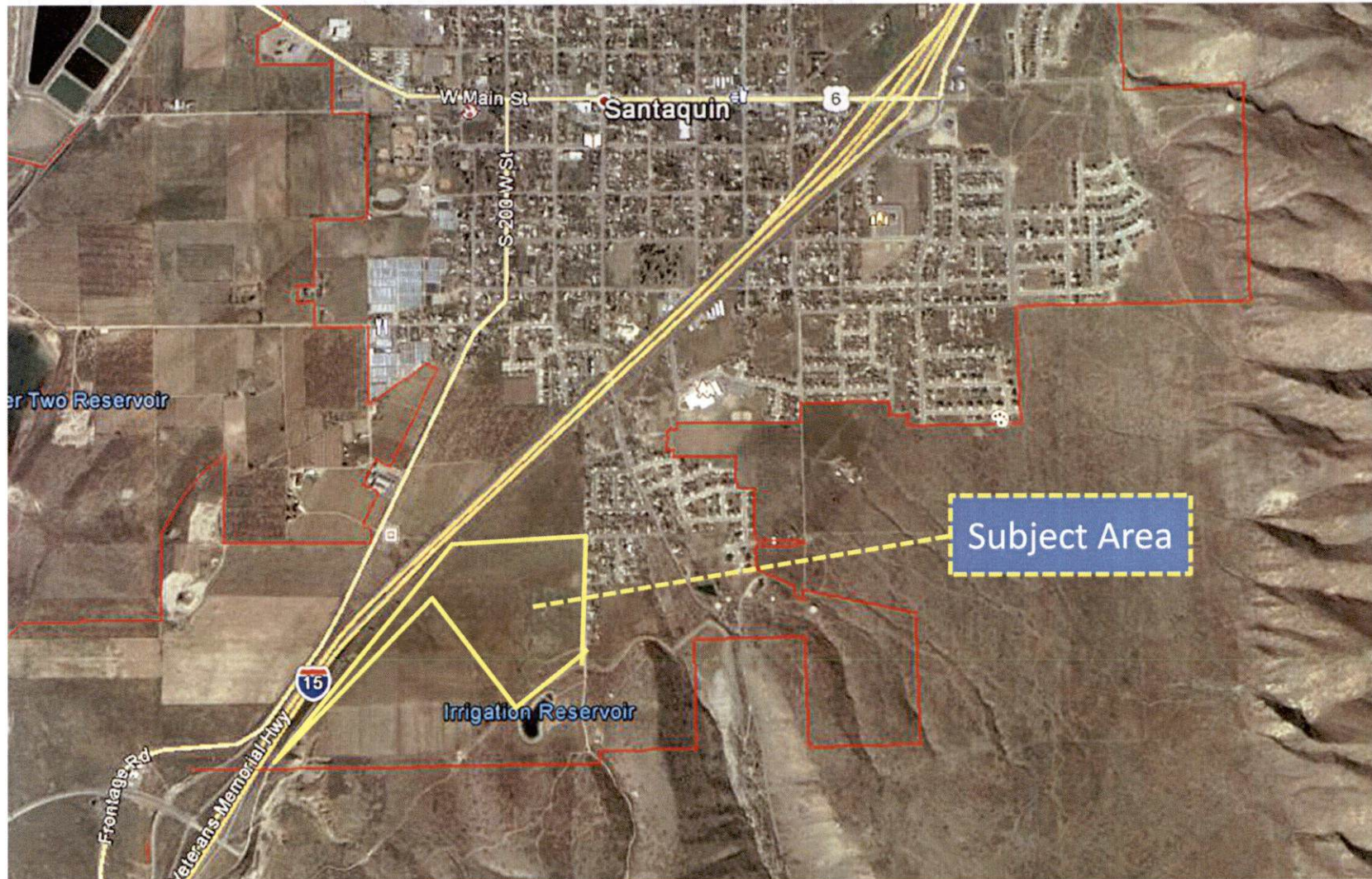
1. The Foothill Village Plat was previously approved by the City and the proposed modifications are consistent with the development agreement approved by the City.
2. The proposed development is consistent with the long range plan for the area in that the density is approximately 2.5 units per acre where 2-10 units per acre is planned. Twelve acres of park space is still being dedicated although the City has elected to not move forward with a sports complex on the property.
3. Over half of the water has been dedicated for the entire foothill village development and additional water or money-in-lieu of water will be dedicated to handle the needs of this development.

Conditions

1. The developer/owners complete all necessary final review process required by city ordinance.
2. The development complies with all application construction and development standards.
3. The proposed phasing plan is amended into the development agreement between Santaquin City, Irewood Nevada, and Rich Barton.

Foothill Village

Preliminary Plat Modification Request





Foothill Village

Planning Commission Actions Needed

- Consider the request to modify the preliminary plans.
- Make a recommendation to the City Council on the request.

City Code, 11-5-7.B. requires any significant modification of a preliminary plat to be reviewed by the DRC and receive a recommendation from the Planning Commission before being considered by the City Council.

- DRC has forwarded a positive recommendation for current proposal.

Foothill Village

Current Preliminary Plat Approval

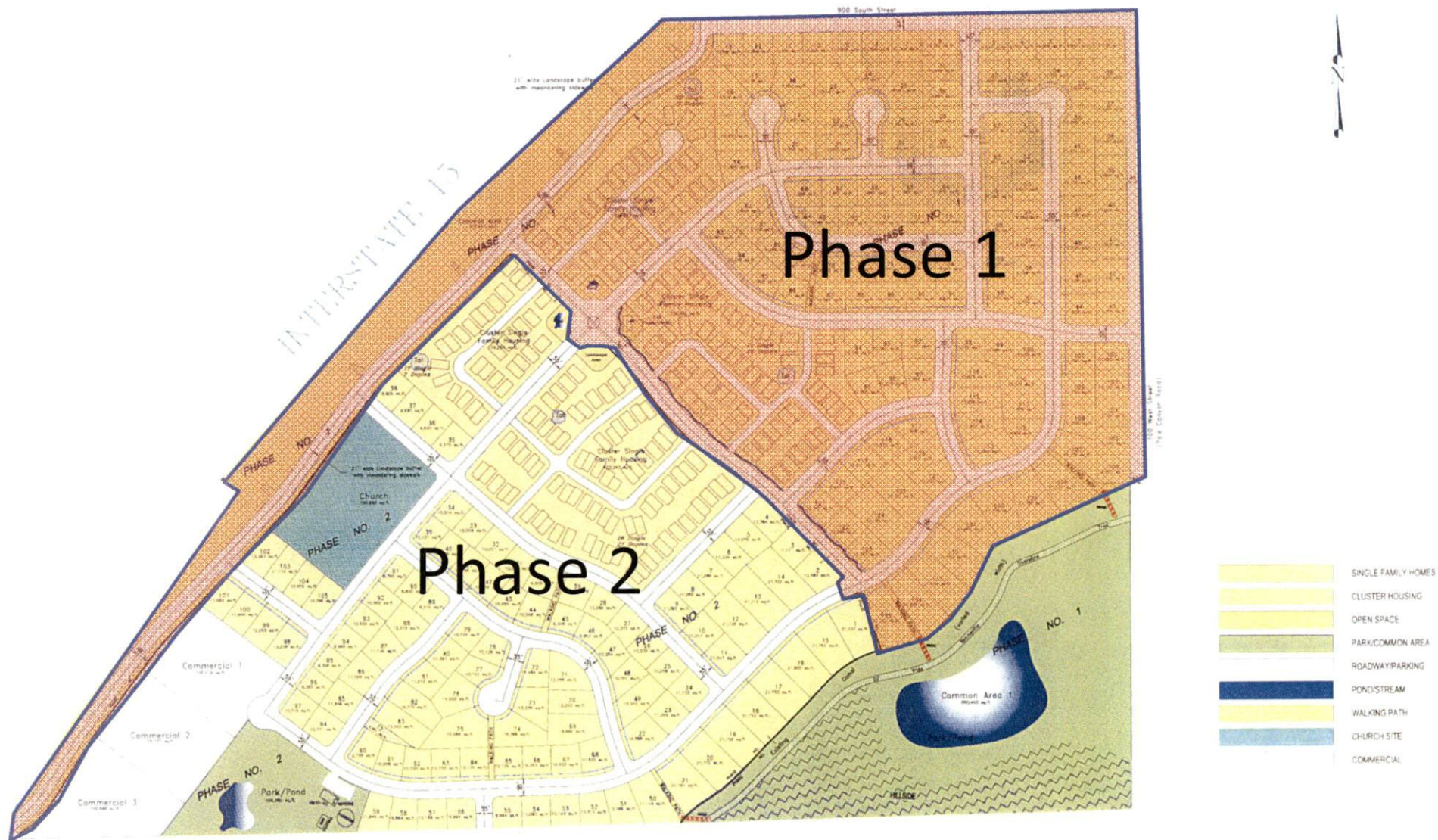
Includes Mix of Uses

- Open Space
- Twin Homes
- Clustered Units
- Single Family
- Religious
- Commercial



	SINGLE FAMILY HOMES
	CLUSTER HOUSING
	OPEN SPACE
	PARK/COMMON AREA
	ROADWAY/PARKING
	POND/STREAM
	WALKING PATH
	CHURCH SITE
	COMMERCIAL

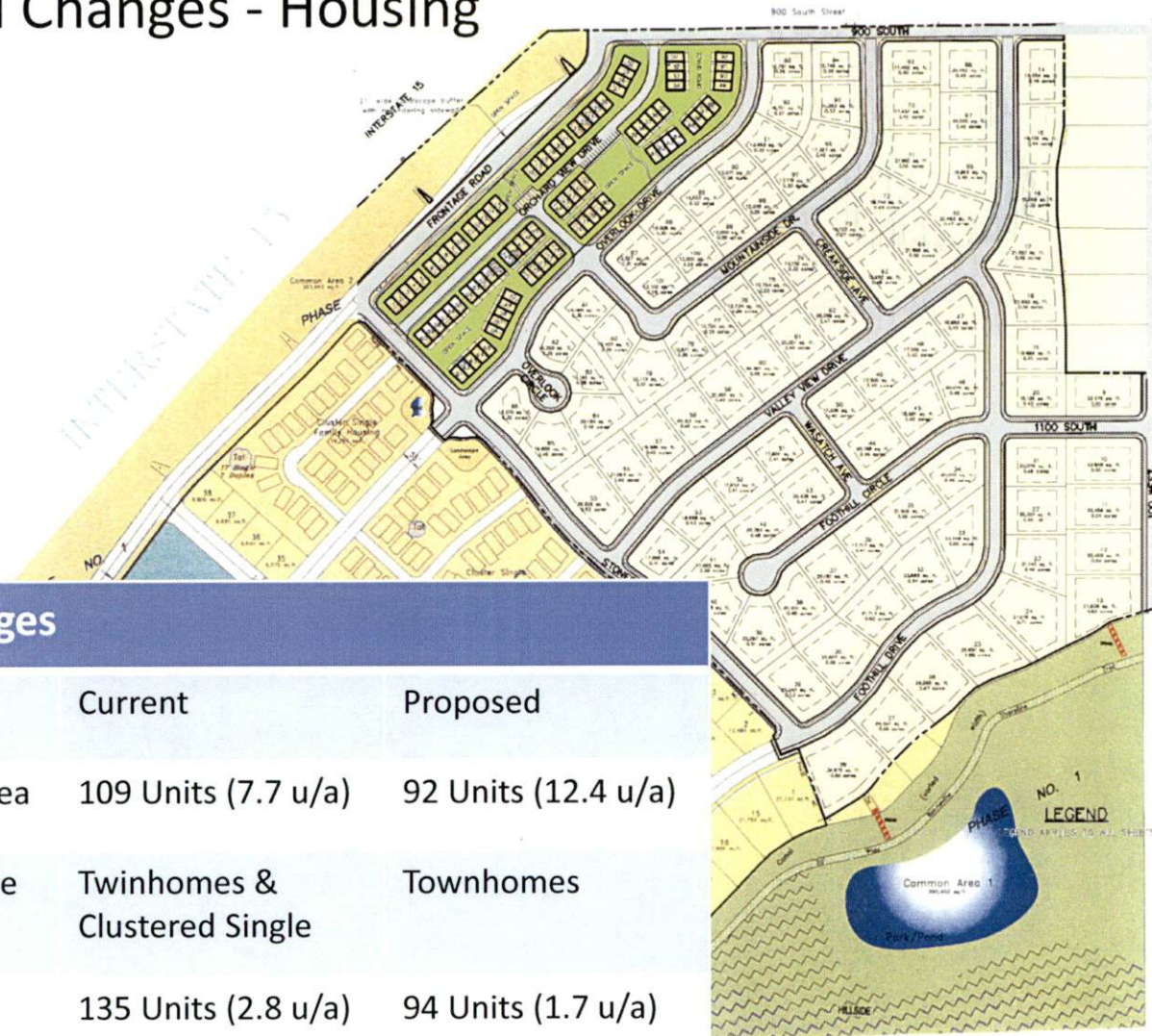
Foothill Village



This request only covers Phase 1. Changes to Phase 2 may come in the future.

Foothill Village

Proposed Changes - Housing



Major Changes

Use	Current	Proposed
High Density Area	109 Units (7.7 u/a)	92 Units (12.4 u/a)
High Density Use	Twinhomes & Clustered Single	Townhomes
Single Family	135 Units (2.8 u/a)	94 Units (1.7 u/a)
Total Units	244 (3.24 u/a)	186 (2.47 u/a)

Foothill Village

Water and Sewer Systems



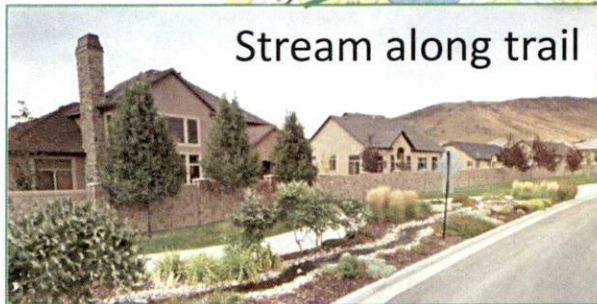
Linear Park Area

Foothill Village

Currently approved Trails/Open Space

Previous Trails & Features

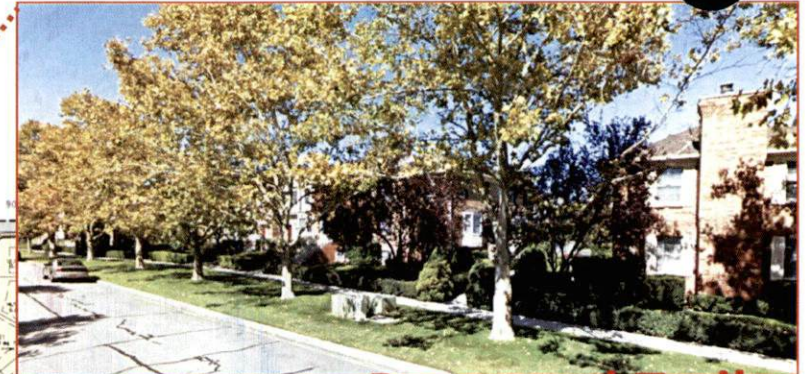
Trails within neighborhoods included extra wide planter-strips between curb and sidewalk



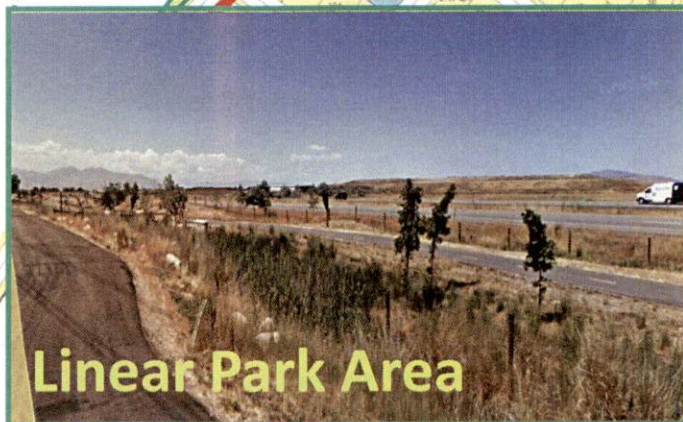
- SINGLE FAMILY HOMES
- CLUSTER HOUSING
- OPEN SPACE
- PARK/COMMON AREA
- ROADWAY/PARKING
- POND/STREAM
- WALKING PATH
- CHURCH SITE
- COMMERCIAL

Foothill Village

Trails/Open Space



Proposed Trails



Linear Park Area



**Eastern homes have backyard recreation space.
Western lots have greater HOA amenities.
Preservation of open space along Ahlin Park
Dedication of lands along I-15 for linear park.**

COVENANTS, CONDITIONS AND RESTRICTIONS OF FOOTHILLS SUBDIVISION, SANTAQUIN, UTAH

We, the undersigned, owners of the following described real property, to-wit:

The foothills subdivision does hereby make the following declarations as to limitations, restrictions and uses to which the lots of the Countryside Estates Subdivision shall be put, hereby specifying that the said declaration shall constitute covenants to run with all of the land within the above mentions plats as provided by law and shall be binding upon all of the parties and all person claiming under them, and for the benefit of and limitations upon all future owners in the said addition, this declaration of restrictions being designated for the purpose of keeping the said subdivision desirable, uniform, and suitable in architectural and landscape design and use as herein specified.

A. AREA OF APPLICATION

The restriction, covenants, and conditions as set forth below in their entirety shall apply to all property that is located within the area of foothills subdivision phase one. See attached legal description

B. ARCHITECTURAL AND LANDSCAPE COMMITTEE

In order to accomplish the purposes of these covenants, conditions and restrictions an architectural and landscape committee is hereby established to oversee and enforce the covenants, conditions and restrictions set forth herein.

1. **Committee Member Qualifications:** The Architectural and Landscape Committee shall consist of three members according to the following criteria:
 - a. The initial members of the Committee are to consist of three representatives appointed by the owners as shown in this document.
 - b. With the exception of the initial members, all members of the Committee must be residents at the time of their appointment.
2. **Committee Member Term:** The maximum term for an Architectural and Landscape Committee member shall be 24 consecutive months, with the following exception:
 - a. The initial Committee members as previously defined will serve until such time as 25% of the lots of all plats of Foothill subdivision have been approved for construction through the Committee.
 - b. Should any member move his residence outside of the subdivision, the member shall be disqualified to serve and the committee shall declare a vacancy.

- c. In the event of death or resignation of any member the remaining member of the Committee shall have full authority to appoint another member to fill the vacancy.

C. RESIDENTIAL AREA COVENANTS

1. **Land Use and Building Type:** No lot shall be used except for residential home occupations as may be permitted under city ordinance.
 - a. All dwellings must be constructed on-site and no modular, Manufactured or other form of offsite dwelling construction will be allowed
2. **Dwelling Size:** Each finished dwelling must meet or exceed the following minimum living area sizes:
 - a. *Single story* homes, shall not be less than 1500 square feet within the outside perimeter of the main structure, excluding garages, porches, verandas, carports, patios, etc.
 - b. *Two-story* homes shall not be less than 1600 square feet excluding garages, porches, verandas, carports, patios, etc. and shall include not less than 1100 square feet on the main floor.
 - c. *Split level* homes shall not be less than 1600 square feet excluding garages, porches, verandas, carports, patios, etc. and shall include not less than 1200 square feet of floor area above finished grade. Finished grade is defined by Santaquin City land use and Development Management Codes as:
 - i. For buildings fronting one street only, the elevation of the sidewalk or center line of street, whichever is higher, at right angles to the mid-point of the fronting walls.
 - ii. For buildings fronting more than one street the average of the elevation of the sidewalk or center line of the street at right angles to the mid-point of the fronting walls.
3. **Garages:** Each dwelling is to be provided with a two (2) car enclosed garage as a minimum. Garages may be attached or detached. Where possible, a side entry, detached or rear loading garages are encouraged to present a varied streetscape.
4. **Driveways:** No shared driveway shall be permitted.
5. **Roof type:** The roof material shall be a minimum 25-year, architectural grade (subject to Architectural committee approval for color and grade) or wood shingle.
6. **Roof pitch:** Rooflines shall be according to the following restrictions: (1) Single story homes shall have a minimum roof pitch of 6 in, 12; (2) Split level and two-story homes shall have a minimum roof pitch of 6 in 12.

7. **Exterior Building Materials:**

- a. No structure shall be built with less than 100% masonry, brick, stucco or stone on the front, rear and side elevations. Hardy board or similar product may be used also.
- b. Examples of material types and colors shall be submitted to the Architectural Committee for review and approval. Exterior material colors shall be earth tones and selected as not to be distracting or unique.

8. **Exterior building Elevations:** Dwelling elevations shall vary from lot to lot and no elevation (including mirrored elevations) shall be duplicated on adjacent lots having common side lot lines, or lots on opposite side of the road which have common frontage.

9. **Landscaping:**

All landscaping must meet the following criteria:

- a. Each lot front, side or rear setback which is visible from the roadway shall be landscaped by the title-holder within one year of the issuance of a certificate of occupancy. Landscape shall include at a minimum:
 - 1) Final grading of lot.
 - 2) Installation of three (3) trees
 - 3) Installation of seven (7) two-gallon minimum shrubs.
 - 4) Decorative rock or grass.
 - 5) All grass and irrigated trees and shrubs to be provided with an automatic sprinkling system.

The following trees, because of their desirable characteristics, are recommended in the Foothills Subdivision.

Popular or common name

Maple

Ash

Aspen

Thornless Honey locust

All other trees as approved by the Architectural and Landscape Committee.

The following trees, because of their ***undesirable*** characteristics, are prohibited in the Foothills Subdivision.

Popular or Common Name

Tree of heaven

American Plane Tree

Lace Leaf Poplar
Silver Leaf
Bolleana Poplar
Narrow-leaf Poplar
Carolina Poplar
Fremont's Poplar
Lombardy Poplar
Black Locus
Siberian Elm

10. **Fencing:**

- a. All fencing to be a light color vinyl and must be approved by the Architectural and landscape Committee prior to construction. The use of semi-private, lattice or decorative type vinyl fencing is encouraged.
- b. ***No fence, wall, hedge or other dividing structure that is over 3" shall be permitted within the front yard setback.*** No fence, wall, hedge or other dividing structure on any other portion of the lot shall be over 6 feet in height. No fence shall be permitted on front property line.
- c. Chain link fencing shall not be allowed other than for dog runs. No dog runs shall be placed as to be visible from the roadway.

11. **Ingress/Egress:** No lot within the subdivision shall be used for the temporary or permanent purpose of ingress and /or egress to another property inside or outside of this subdivision.

12. **Building:** No building, structure, or fences of any kind shall be constructed until a building permit is issued by Santaquin City and approval is granted by the Architectural and Landscape Committee, at which time construction of the home shall begin.

13. **General:** Prior to construction, the lot owner shall be responsible for clearing weeds and debris.

14. **Vehicles, RV'S Trailers:** Parking and use of recreational vehicles shall be controlled according to Santaquin City Ordinance. In addition to the City Ordinance, boats, trailers, other recreational vehicles, large trucks, and commercial vehicles shall not be parked on the streets. Boat, trailers, other recreational vehicles, large trucks or commercial vehicles parked on any lot shall be screened from view with an approved fence according to C. 10 of this document or other sight obscuring structures approved by the Architectural and landscape Committee.

15. **Storage Tanks:** No tank for storage of fuel is allowed within the development.

16. **Building Location:** No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines as shown on the final subdivision Plat.

17. **Site Materials:** No building material of any kind or character shall be placed or stored upon any lot until the owner thereof is ready to commence improvements and has received a building permit. All materials shall be placed within the property lines of the plot upon which the improvements are to be erected and shall not be placed in the streets or between the curb and the property line.
18. **Easements:** Easement for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. All power and telephone lines must be run underground.
19. **Animals:** Keeping of animals will be permitted as long as they comply with Santaquin city code. No roosters will be allowed on properties.
20. **Nuisances:** Any noxious or offensive activity shall not be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
21. **Signs:** no signs, billboards nor advertising structures may be erected or displayed on any lot hereinbefore described or parts or portions thereof, except as approved by Santaquin city Code. In addition, no sign greater than 2x3 feet in size advertising a specific dwelling for sale or rent, or construction sign may be displayed on premises affected.
22. **Trash:** No trash, ashes nor any other refuse may be dumped or thrown on any lot hereinbefore described or any part of portion thereof. All homes must subscribe to city garbage service.
23. **Temporary Structures:** No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out building shall, be used on any lot at any time as a residence, either temporarily or permanently.
24. **Relocated Building and Modular Homes:** No building which was formerly located in another site shall be moved on to a lot in this project. Also, modular homes are restricted from being placed on a lot in this project.
25. **Satellite dishes and Antennas:** No satellite dishes or antennas shall be placed in the front setback or areas visible from the roadway. Any roof-mounted antenna or equipment is to be placed behind the roof ridge line so as not to be visible from the roadway.
26. **Swamp Coolers:** Any roof-mounted equipment shall be placed behind the roof ridge line so as not to be visible from the roadway.
27. **Construction Damage:** The individual lot owner will be responsible for any damage to lot improvements occurring during construction of the dwelling. Following construction, the lot owner must repair improvements to Santaquin City standards. Lot improvements include all, developer installed improvements such as asphalt roadway, curb, sidewalk, water system, sewer system, etc.

D. **NEW BUILDING PROCEDURE**

1. **Building Design:** To maintain degree of protection to the investment which homeowners in this area may make, homes of customary design are requisite. Designs shall be limited to those prepared by architects licensed to practice in the State of Utah or by designers of outstanding ability whose previous work may be reviewed as part of the approval process.
2. **Final Plans:** Final building plans are to be submitted and approved by the Architectural Committee prior to submission to Santaquin city for a building permit. Final Plans shall include as a minimum the following:
 - a. Plot plans to scale showing the entire site, buildings, garages, walks, drives and retaining walls with elevations of the existing and finished grades and contours, including those at the outside corners of the buildings and at adjacent property lines and street fronts, and elevations of floors from a designated point on the street.
 - b. Detailed floor plans including a tabulation of square footages for living area, covered porch, and garage.
 - c. Detailed elevations indicating all materials and colors and showing existing and finished grades.
 - d. Detailed Sections, cross and longitudinal.
 - e. Details of cornices, porches, windows, doors, garage or carports, garden walls, steps, patios, etc.
3. **Committee Procedure:** The members of the Architectural and Landscape Committee in agreement that constitute a majority shall affix their signatures to any plans upon which the Committee has taken action, shall indicate the date of action(s). On occasions when a member of the Committee shall be in opposition a majority of three members shall govern.
 - a. The committee shall act within ten (10) days on the final plans, and place its action in writing to be held as a permanent record, with copies to the parties concerned.
 - b. An owner whose plans are rejected shall meet with the Committee at the Committee's invitation where they shall be informed of the nature of the cause of the action so that steps can be taken toward obtaining approval of the plans.
 - c. The Committee has the authority to judge buildings, materials, fences, painting, etc., on whatever basis available to it with the aim of preserving the best interests of the

property owners represented. These shall include aesthetics, reasonable protection of view, permanence of materials, etc. All decisions of the Committee shall be final.

- d. In the event said Committee, or its designated representative, fails to approve or disapprove such design and location within thirty (30) days after such plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to be in harmony with existing structures in the tract and with the other provisions herein contained.
- e. An approval letter and signed building plans from the Architectural Review Committee is required prior to submittal to Santaquin City for a building permit.
- f. Any home built by Lifetime homes Utah is exempt from going through Architectural and Landscape committee.

E. GENERAL PROVISIONS

- 1. **Extent of Obligation:** The said covenants, conditions, restrictions, and reservations shall be perpetual and shall apply to and be forever binding upon the grantees, successors, executors, administrators and assigns, and are imposed upon the land as an obligation and charge against the same for the benefit of the grantors herein named their successors and assigns as a general plan for the benefit of the subdivision.
- 2. **Amendment:** The said covenants can be terminated or amended by agreement in writing signed by two-thirds of the property owners.
- 3. **Enforcement:** In the event of violation of any of these covenants, the Architectural and Landscape Committee is authorized and empowered to take such action as may be necessary to restrain or enjoin the violators of these covenants, it being understood and agreed by all of the signatories hereto that the cost, including attorney fees, of such enforcement shall be borne by the property owners.
- 4. **CC&R CHANGES:** The architectural and Landscape Committee shall not have the authority to override or allow any change to the CC&R's
- 5. **Santaquin City Requirements:** These Covenants, Conditions and Restrictions are intended to act in addition to the existing or future zoning or subdivision requirements of Santaquin City. No statement within this

document is intended to circumvent any Santaquin City requirements. Although an approval letter from the Architectural Control Committee is required prior to a building permit application, issuance of building permits is solely controlled by Santaquin City.

WITNESS Our hands this ____ / ____ day of _____, 20____

Susan Farnsworth

From: Ben Reeves
Sent: Wednesday, April 01, 2015 4:28 PM
To: amandaj@uccu.com; David Hathaway (External); Keith Broadhead (external); Kirk Hunsaker (External); Matt Carr; Nick Miller (External)
Cc: Susan Farnsworth
Subject: Sale of 2.79 Acres

Good Afternoon Mayor & Council,

This evening on the agenda you will be considering the possible sale of 2.79 acres of property that is currently being farmed by the Rowley family (Ray, Dale, Curtis, etc.) I want to provide you an update prior to your discussion and consideration.

Mayor Hunsaker and I met with Ray Rowley to discuss a possible sale of the property. *(Ray, of course, was the individual that brought this parcel to our attention)* Anyway, the meeting was very cordial. However, Ray indicated that with it being landlocked *(surrounded by Rowley's orchard on three side and Union Pacific on the fourth)* and with it being as far away from the city as it is, the value of the property is likely diminished. After talking for some time he came up with a number of \$15K per acre. The Mayor and I indicated that we would take it back to our council for your consideration.

Ray contacted me later and indicated that the property, according to the county website, extends all the way south to the center line of the rail road tracks. As such, a full ½ acre of the property is currently a Union Pacific Railroad ROW and is not being farmed. As such, he revised his offer to either be \$13K an acre (or a value of \$15k for the portions being farmed) which equates to \$35K for the parcel. Ray is out of town and cannot attend tonight's meeting. However, Curtis and Dale will represent this issue before you this evening.

Staff Report:

Although we want to maintain the good working relationship we have developed with the Rowley's over the last several years, we also have an obligation to our citizens to obtain a fair market price for the property. According to Utah County Assessed values of the surrounding parcels, their value is on average \$17,000 per acre. Of course, assessed value is normally about 80% of market value which would bring our parcel value up to a selling price of approximately \$21,250 per acre.

Historically, the city has purchased ROW through orchards for as much as \$.50-\$1.03 per foot or \$21,780-\$44,960 per acre. Granted, it could be argued that our purchases were closer to the city with more development potential, etc. etc.

Regarding, the possible diminished value arguments as presented by Ray, the Utah County Parcel map does in fact show our property abutting the centerline of the railroad. However, there is a gap in the county's data on its north side of our parcel. As such, if a survey was conducted, it would likely illustrate that our property lines on the county system should be shifted north (See Attached). This would mean that it is likely that the full 2.79 acres is currently being utilized for farming purposes. As such, there should not be a diminished value based on useable acreage.

Regarding access, it is likely that the historic access to our property would have come from the adjoining parcel to the south (which we once owned) across the railroad tracks. Due to the increased restrictions of farm access across railroad tracks, the city could file for an "Easement of Necessity" with the courts which would most likely be granted through the Rowley's property. As such, access could likely be obtained and thus the second diminished value argument is also not a very strong one.

Lastly, I talked with Brett about the process by which we could negotiate a sale (e.g. surplussing, etc.) Specifically, I asked about the possibility of negotiating with the surrounding property owner in lieu of having an open bid. Brett felt the city could proceed in that direction. However, he would recommend that if we did proceed without a bidding process, it would be his recommendation to have the property appraised so that the council could illustrate to the public in a transparent manner that we are receiving an appropriate value for the sale of this asset.

Staff Recommendation:

Financially speaking, it would be good for the city to dispose of this parcel to help pay for our first dispatch building payment. However, if the council is of a mindset to sell, I would recommend that the council direct the staff to conduct an appraisal to ensure that we are getting a fair market value for this asset.

The Rowley's are good people and I want to continue to maintain a good working relationship with them. However, I do not believe our council should feel any pressure to sell an asset for an undervalued amount even for a purpose such as dispatch. There is likely a fair number somewhere between the \$13K (offer) and the 43K per acre amount (that we have paid in the past) that would meet the needs of both parties. I believe an appraisal would provide us that information in an unbiased objective manner.

Alternatively, if the council chooses not to sell the parcel, staff would recommend entering into a short-term lease of the property at a value established by the council.

This is my background report. I realize this was sent with limited time for review. As such, I would be happy to review our findings in open meeting this evening.

Regards,

Benjamin A. Reeves, ICMA-CM

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Proposed Sale of City Parcel

(1) This gap was likely caused by the electronic entry of an old legal descriptions created before GPS technology which improperly shifted the property south when entered into the county's electronic mapping system

(2) The parcel should likely align with the north parcel line of the neighboring parcel to the east

(3) This would shift the Santaquin parcel north until it comes closer to...or matches the south property line of the parcel to the east.

(4) This, of course, would mean that the majority of the 2.79 acres (if not all) is currently being utilized as farm ground and does not include Union Pacific ROW

A formal survey would reconcile the gap in the county record systems.

