### 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 19, 2014, in the Council Chambers, 45 West 100 South, at 6:00 p.m. (The Mayor and Council Members will meet at 5:30 to have pictures taken)

- ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. INVOCATION/INSPIRATIONAL THOUGHT
- 4. CONSENT AGENDA
  - a. Minutes
    - 1. March 05, 2014 Council Meeting
  - b. Bills
    - 1. \$139.546.66
- 5. FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

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

- a. Introduction of the Fire Battalion Chief and administration of the Oath of Office
- b. Appointment of Planning Commission Member & Alternate
- c. Appointment of Library Board Member
- d. Oath of Office David Hathaway Utah Valley Dispatch Board
- 6. FORMAL PUBLIC HEARING
- 7. UNFINISHED BUSINESS
- 8. BUSINESS LICENSES
- 9. NEW BUSINESS
  - a. Discussion and Possible Action with Regard to the Steele Subdivision (300 West 100 North)
- 10. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS
  - a. Resolution 03-06-2014, "A Resolution Approving an Alternate Board Member to the Utah Valley Dispatch Special Service District (SSD) Board"
  - b. Resolution 03-07-2014, "A Resolution Approving an Employment Contract for the City Engineer"
  - c. Resolution 03-08-2014, "A Resolution Approving a Franchise Agreement with Rocky Mountain Power"
  - d. Ordinance 03-01-2014, "An Ordinance Amending Certain Provisions of the Santaquin City Code Concerning the Organization of the Santaquin Planning Commission and Architectural Review Committee"
  - e. Ordinance 03-02-2014, "An Ordinance Establishing Telecommunications Facility Regulations"
  - f. Ordinance 03-03-2014, "An Ordinance Amending Rezoning Procedures (Partial Property Zoning)"
  - g. Ordinance 03-04-2014, "An Ordinance Creating a Professional Office Zone"
  - h. Ordinance 03-05-2014, "An Ordinance Amending the City's Zoning Map, Specifically Approving the Rezoning of 8.95 Acres from Agriculture (AG) to Industrial (I-1)"
- 11. CONVENE OF THE COMMUNITY DEVELOPMENT BOARD
- 12. CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE
- 13. PETITIONS AND COMMUNICATIONS
- 14. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
  - a. City Manager Reeves
  - b. Assistant City Manager Marker
- 15. REPORTS BY MAYOR AND COUNCIL MEMBERS
  - a. Mayor Hunsaker
  - b. Council Members
- 16. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
- 17. EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
- 18. 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 COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS MARCH 19, 2014

The meeting was called to order by Mayor Kirk Hunsaker at 6:00 p.m. Others present: Council Members Keith Broadhead, Matthew Carr, David Hathaway, Mandy Jeffs and Nick Miller.

Others attending: City Manager Ben Reeves, Assistant City Manager Dennis Marker, Sergeant Rod Hurst, Chief Stephen Olson, Battalion Chief Ryan Lind, Battalion Chief Brad Kearl, Dallas Kearl, Catherine Holman, Nick Cummings, Cindy Johnson, Norm Beagley, Keaton Smith, Scott Sumsion, Verizon Wireless Representative Pete Simmons and other unidentified individuals.

### PLEDGE OF ALLEGIANCE

Council Member Miller led the Pledge of Allegiance.

### INVOCATION/INSPIRATIONAL THOUGHT

Chief Olson offered an Invocation.

### **CONSENT AGENDA**

Minutes

March 05, 2014 Council Meeting

Bills

\$139,546.66

Council Member Carr moved to approve the Consent Agenda. Council Member Miller seconded the motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted in favor of the motion.

### FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS Move to Item 10a

Resolution 03-06-2014, "A Resolution Approving an Alternate Board Member to the Utah Valley Dispatch Special Service District (SSD) Board"

Council Member Broadhead moved to approve Resolution 03-06-2014, "A Resolution Approving an Alternate Board Member to the Utah Valley Dispatch Special Service District (SSD) Board". Council Member Carr seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

### Move to item 10d

Ordinance 03-01-2014, "An Ordinance Amending Certain Provisions of the Santaquin City Code Concerning the Organization of the Santaquin Planning Commission and Architectural Review Committee"

Council Member Carr moved to approve Ordinance 03-01-2014, "An Ordinance Amending Certain Provisions of the Santaquin City Code Concerning the Organization of the Santaquin Planning Commission and Architectural Review Committee". Council Member Jeffs seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

Introduction of the Fire Battalion Chief and administration of the Oath of Office

Chief Olson reported Brad Kearl has been selected as the Fire Battalion Chief. He has served in various positions within the Fire Department for a number of years. The Oath of Office was administered by City Recorder Farnsworth.

### Appointment of Planning Commission Member & Alternate

As reported in the March 5, 2014 Council Meeting, Mayor Hunsaker met with Kyle Francom and Trevor Wood with regard to serving on the Planning Commission. Mr. Francom has agreed to complete the term vacated by Jane Grill, and Mr. Wood has agreed to serve as an alternate.

Council Member Broadhead moved to appoint Kyle Francom and Trevor Wood to the Planning Commission. Council Member Miller seconded the motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

### Appointment of Library Board Member

As reported in the March 5, 2014 Council Meeting, Sarah Miller has agreed to serve on the Library Board.

Council Member Carr moved to appoint Ms. Miller to the Library Board for the remaining term of the position vacated by Mandy Jeffs. Council Member Jeffs seconded the motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

### Oath of Office - David Hathaway - Utah Valley Dispatch Board

City Recorder Farnsworth administered the Oath of Office to Council Member Hathaway.

### FORMAL PUBLIC HEARING

**Nothing** 

### **UNFINISHED BUSINESS**

**Nothina** 

### **BUSINESS LICENSES**

It was reported there were 5 new Business Licenses issued in February and March.

- 1217 Consulting & Research Hiram Chairez 1286 Sycamore Circle Data Collection
- White Knight Firearms Darrell Mecham 410 East 400 North Online Firearm Sales
- Santaquin Family Vision- Kenyon Anderson 252 West Main Street -Optometric Services
- Chelsy Lee Photography Chelsy Pando 592 North 450 West Photography
- Lotz Construction, LLC Thomas Lotz 433 West 800 North Construction

### **NEW BUSINESS**

# Discussion and Possible Action with Regard to the Steele Subdivision (300 West 100 North)

Assistant Manager Marker reviewed the proposed Steele Subdivision pending engineering issues being resolved (see attachment "A" for a copy of the plat map)

Council Member Broadhead moved to approve the Steele Subdivision. Council Member Carr seconded the motion. Council Member Broadhead amended the motion to include the engineering issues being resolved. Council Member Carr seconded the amended motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

# INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS Resolution 03-07-2014, "A Resolution Approving an Employment Contract for the City Engineer"

Council Member Jeffs voiced her concern with the wage offered for the Engineering position. She stated she felt it was too high "especially for a small town like Santaquin". Council Member Carr indicated he "was fine with the salary". Council Member Broadhead reported he spoke with Salem City's Engineer who in turn stated he wouldn't apply for the position because the salary offered wasn't enough for the position. He also voiced his support of the offered wage. Council Members Hathaway and Miller also voiced their support of the proposed contract and the wage offered.

Council Member Miller moved to approve Resolution 03-07-2014, "A Resolution Approving an Employment Contract for the City Engineer". 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 Miller Aye
Council Member Jeffs Nay

The resolution passed by majority vote.

### Resolution 03-08-2014, "A Resolution Approving a Franchise Agreement with Rocky Mountain Power"

Council Member Carr moved to table Resolution 03-08-2014, "A Resolution Approving a Franchise Agreement with Rocky Mountain Power". Council Member Miller seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion. The Resolution will be represented as an Ordinance during a future Council Meeting.

# Ordinance 03-02-2014, "An Ordinance Establishing Telecommunications Facility Regulations"

Assistant Manager Marker reviewed the proposed Ordinance with the Mayor and Council Members. Council Member Broadhead feels the Council Members should have complete trust

in the Planning Commission, and if the Commission is ok with it then it should be approved by the Council.

Council Member Broadhead moved to approve Ordinance 03-02-2014, "An Ordinance Establishing Telecommunications Facility Regulations". Council Member Miller seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

# Ordinance 03-03-2014, "An Ordinance Amending Rezoning Procedures (Partial Property Zoning)"

Council Member Carr moved to approve Ordinance 03-03-2014, "An Ordinance Amending Rezoning Procedures (Partial Property Zoning)". Council Member Jeffs seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

### Ordinance 03-04-2014, "An Ordinance Creating a Professional Office Zone"

Council Member Hathaway moved to approve Ordinance 03-04-2014, "An Ordinance Creating a Professional Office Zone". Council Member Miller seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

# Ordinance 03-05-2014, "An Ordinance Amending the City's Zoning Map, Specifically Approving the Rezoning of 8.95 Acres from Agriculture (AG) to Industrial (I-1)"

Assistant Manager Marker reviewed the proposed changes to the Ordinance. Mr. Sumsion also addressed the Mayor and Council with regard to the proposed plans for their property, which is located within the rezoning area. He indicated they would like to have a mulching business which would include receiving green waste. Council Member Broadhead asked if Mr. Sumsion has any plans to make the reclamation area look any better than is currently does. Mr. Sumsion indicated they have met the County's reclamation requirements and have no plans to do additional reclamation. It was reported that the Sumsion property would be required to have their own water facilities because there are not any City utilities located that far out.

Council Member Jeffs moved to approve Ordinance 03-05-2014, "An Ordinance Amending the City's Zoning Map, Specifically Approving the Rezoning of 8.95 Acres from Agriculture (AG) to Industrial (I-1)" with the condition a Development Agreement be negotiated and a regular review be performed. Council Member Hathaway seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

Assistant Manager Marker reported the Verizon Wireless representative had arrived and requested the discussion with regard to the Telecommunication Ordinance be revisited.

Council Member Broadhead moved to revisit the Telecommunication Ordinance and hold the discussion to 10 minutes. Council Member Miller seconded the motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

Pete Simmons reported the "Top Hat" pole would be preferable because of a safety issue. He indicated the first time the Planning Commission was scheduled to hear the issue they didn't have a quorum. When they had a quorum Mr. Simmons was not able to attend. Council Member Broadhead was told the entire dialogue between Mr. Simmons and Assistant Manager Marker was passed to the Planning Commission Members for their review and consideration. Council Member Broadhead reviewed with Mr. Simmons a time frame associated with "sending the issue back to the Planning Commission". Mr. Simmons indicated he would be able to attend the Planning Commission Meeting on March 27<sup>th</sup>.

Council Member Broadhead moved to rescind Ordinance 03-02-2014, "An Ordinance Establishing Telecommunications Facility Regulations" and have the Ordinance sent back to the Planning Commission, with the Ordinance being returned to the Council for review the second meeting in April. Council Member Miller seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted unanimously in favor of the motion.

# CONVENE OF THE COMMUNITY DEVELOPMENT BOARD Nothing

# CONVENE OF THE SPECIAL SERVICE DISTRICT FOR ROADS MAINTENANCE Nothing

### PETITIONS AND COMMUNICATIONS

Nothing

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

City Manager Reeves had a number of items to report:

- The Council Members indicated they wanted the offer made by the owner of the property located close to the water tank be rejected.
- The City has received an offer to purchase the Kroeber property located at approximately 200 West Main. When the property was purchased the City paid \$60K and the offer received was \$35K. The Council Members directed the Staff to begin the bid process for the property with a minimum amount being set.
- Employee evaluations are currently being performed.
- Mia Love will be holding a Town Hall Meeting in the Council Chambers on March 25<sup>th</sup> beginning at 6:00 p.m.
- The Planning Commission with be holding a General Plan Neighborhood Meeting on April 15 in the Seniors Center.
- A joint Council/Planning Commission Transportation Meeting is scheduled for May 15<sup>th</sup> in the Council Chambers beginning at 6:00 p.m.
- The Police Department lockers have arrived and will be installed this week.

### Assistant City Manager Marker

Assistant City Manager Marker reported the following:

- The Planning Commission met last week to review the Sign Ordinance. They are forwarding the proposed Ordinance with a positive recommendation to the Council for their review and approval.
- The Planning Commission has received a Rezoning application for the Ercanbrack Cold Storage Building. The property owner would like to revisit their Development Agreement to see if an agreement could be reached before a rezone takes place.
- The 500 East access permit was approved by UDOT at the State level and was sent to the Federal Highway Office. It has been returned to UDOT for signatures which should be obtained within a few weeks.
- Mr. Marker visited the grading site on the South interchange the grades needed will
  require quite a bit of material removal, which they have offered to the City at a minimal
  fee.

# REPORTS BY MAYOR AND COUNCIL MEMBERS Mayor Hunsaker

**Nothing** 

### **Council Members**

Council Member Broadhead met with the Orchards Day Committee this morning. They discussed a number of issues:

- The Committee was told the Council Members requested they hire a professional sound system which would cost approximately \$1500.
- They wondered if a fee could be assessed to a commercial entry at the parade. The Council Members felt a \$30 fee with the fee being waived to any business that sponsors Santaquin Days at a minimum of \$250.
- The seating at the rodeo needs to be addressed.
- Reducing the Friday night rodeo fee or increasing the Saturday night fee to help with the Friday night attendance.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

No executive sessions were held.

### **ADJOURNMENT**

At 7:56 p.m. Council Member Carr moved to adjourn. Council Member Broadhead seconded the motion. Council Members Broadhead, Carr, Hathaway, Jeffs and Miller voted in favor of the motion.

Approved on April 2, 2014

Hunsaker, Mayor

Susan B.)Farnsworth, City Recorder

City Council Meeting 3/19/14 Attachment



### **MEMORANDUM**

**September 30, 2013** 

Mayor Hunsaker and City Council via Planning Commission

From: Dennis Marker, Community Development Director

**RE:** Steele Family Inheritance Subdivision

245 West 100 North

S#13-07 Zone: MSR Lots: 5, Acres: 1.977

#### **SUMMARY**

To:

This is a 5 lot subdivision in the Main Street Residential zone. The minimum lot size is 12,506 s.f. (0.28 acres). All subdivision requirements and zoning regulations are met.

#### BACKGROUND

The Steele Family (Jeff Steele, Jason Steele, DelRay Steele, Linda Martinez and Alan Steele), have submitted a five lot subdivision of property located at 100 North 300 West. The property currently has a single-family home fronting on 100 North. The remaining portion of the parcel is vacant. The applicants have indicated that the home will remain and the other parcels divided into 4 lots. The applicants have not indicated what uses will be placed on the remaining parcels.

#### APPROVAL PROCESS

The subdivision went to the Development Review Committee (DRC) and received conditional approval for the plans on August 27, 2013. The Planning Commission also recommended preliminary approval during its October 10, 2013 meeting. The City Council is the final authority on subdivisions of more than 3 lots.

### SUBDIVISION ANALYSIS

Zoning. The property is zoned Main Street Residential (MSR).

**Area and Dimension Standards.** Each new lot in this zone is required to have a minimum of 6,500 square feet. The table below shows the lot sizes for each lot.

Lot #	Square footage	Acreage	Frontage	Access
Lot 1	31,998	.73	128.46	100 North
Lot 2	14,984	.34	60	100 North
Lot 3	13,254	.30	159.01 & 84.43	100 North or 300 West
Lot 4	13,014	.30	83.34	300 West
Lot 5	12,859	.30	83.34	300 West

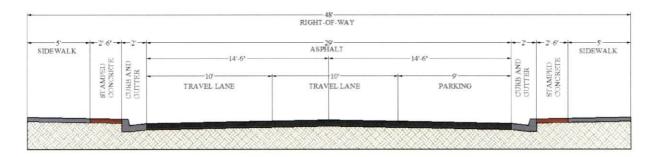
Access. All lots are required to front onto public or private streets. All lots meet this requirement as shown in the table above.

**Utilities**. New lots are required to tie onto, and if necessary, extend public utilities (e.g. sewer, water, irrigation) to the properties. The existing home is on city services, and it appears that all city services are (sewer, water, irrigation) are in the right of ways fronting the properties. All new lots would be required to tie onto city services at the time that a building permit is issued. Impacts to the City's systems are addressed through impact fee assessment at the time of building permit submittal. Any cutting in the road would be required to apply for a road cut permit at the time of construction.

**Public Improvements**. No improvements along either 300 West or 100 North are required at this time under Santaguin City Code (S.C.C.) §11-6-8.B. and §11-13-1.

City Engineering staff recommends that the applicant sign a "waiver of protest" for the creation of a Special Improvement District, which the City may create for the purpose of installing curb, gutter, sidewalk and other improvements in the core of the City.

Right-of-way dedication is required to subdivide and comply with the Santaquin City transportation master plan. Utah State code allows "requiring the dedication and improvement of a street if the street is found necessary by the municipality because of a proposed development and if the dedication and improvement are consistent with Section 10-9a-508 (Exactions) Utah State Code 10-9a-407. The Santaquin City transportation master plan shows a local road for both 300 West and 100 North. The current right-of-way for a local road is 55' which includes 1 lane of traffic in each direction, parking on one side, a 6' planter and 5' sidewalk on each side of the road. However, a quit claim deed recorded as entry number 2739:1983 in the Utah County Recorder's Office between Mac A and Clara Lawela Steele and Santaquin City created only a 48' right-of-way area along 300 West (See attachment B). The east line of this quitclaim deed is within 1.66 feet of the existing fence line. Staff recommends that a modified local road cross section be used for the Main Street to 100 North section of 300 West and that the existing fence line be recognized as the boundary line between the Steele Family and Santaquin City by the recordation of the plat. The modified cross section would include 29' of asphalt, (2) ten foot travel lanes, a 9' parking lane, curb and gutter on both sides of the road, a 2.5' stamped concrete area and a 5' sidewalk. This cross section is illustrated below:



**Legal Boundary.** There are some discrepancies between the title record and the existing fence lines. A boundary line agreement has been signed by all property owners which are affected by these discrepancies. This agreement will be recorded before the plat to finalize the identified boundaries of the properties.

#### GENERAL PLAN APPLICATION

The City's general plan lists a goal of the city's community vision "to provide a small-town atmosphere with well-planned, organized growth". The first policy under this goal is to "channel future growth and development into areas that can be efficiently and effectively served by public infrastructure and facilities". This subdivision is within the core part of town and will not require additional public facilities or infrastructure for its development. This is an efficient and effective use of existing public infrastructure.

#### **PUBLIC NOTICE:**

The Planning Commission conducted a public hearing on this development, after proper notification, during their October 10, 2013 meeting. No comments were received.

#### STAFF RECOMMENDATION

Staff recommends the City Council grant preliminary plat approval and direct staff to work with the applicants to prepare final plans and plats for recordation, based on the following conditions:

#### Conditions:

- That the boundary line agreement between the Nelson family and the Steeles be recorded.
- 2. That a waiver of protest be signed and recorded against the applicants' property.

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City Council Meeting 3/19/14 Attachment "A-3"