

NOTICE AND AGENDA

Amended 3-19-2013

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, March 20, 2013, in the Council Chambers, 45 West 100 South, at 7pm.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **CONSENT AGENDA**
 - a. Minutes
 1. March 06, 2013 Work Session Minutes
 2. March 06, 2013 Council Meeting Minutes
 3. March 13, 2013 Work Session Minutes
 - b. Bills
 1. 0
5. **FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

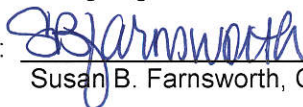
Public Forum is held to a 30-minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement
6. **FORMAL PUBLIC HEARINGS**
7. **UNFINISHED BUSINESS**
8. **BUSINESS LICENSES**
9. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. Utah County Commissioner, Gary Anderson
10. **NEW BUSINESS**
11. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Ordinance 03-01-2013 "An Ordinance Amending Subdivision Regulations Pertaining to Development Fees."
 - b. Ordinance 03-02-2013 "An Ordinance Amending Title 4 Chapter 1 – Regarding the Appointment and Responsibilities of the Chief of the Fire Department."
 - c. Ordinance 03-03-2013 "An Ordinance Creating Title 2 Chapter 5 – Re-establishing the Santaquin City Library Board."
 - d. Ordinance 03-04-2013 "An Ordinance Creating Title 2 Chapter 6 – Establishing the Santaquin City Museum Board."
 - e. Ordinance 03-05-2013 "An Ordinance Amending Title 3 Chapter 5 – Reducing the Telecommunications License Tax."
 - f. Resolution 03-01-2013 "A Resolution Amending the Santaquin City Consolidated Fee Schedule."
 - g. Resolution 03-02-2013 "A Resolution Declaring Surplus Property of Santaquin City" ®
12. **PETITIONS AND COMMUNICATIONS**
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor DeGraffenried
 - b. Council Members
14. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
15. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
16. **CONVENE OF THE COMMUNITY DEVELOPMENT BOARD**
17. **ADJOURNMENT TO A REGULAR COUNCIL MEETING**
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

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

BY:



Susan B. Farnsworth, City Recorder

POSTED:

CITY CENTER
POST OFFICE
ZIONS BANK

**MINUTES OF A COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 20, 2013**

The meeting was called to order by Mayor James E. DeGraffenried at 7:01 p.m. Council Members attending: Keith Broadhead, Matthew Carr, Kirk Hunsaker, James Linford, and Rick Steele.

Others attending: City Manager Ben Reeves, Community Development Director Dennis Marker, Public Safety Director Dennis Howard, City Attorney Brett Rich, Gary Waterhouse, Jennifer Bowman, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Ben Reeves led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Council Member Linford offered an invocation.

CONSENT AGENDA

Minutes

March 6, 2013 Work Session Minutes

March 6, 2013 Council Meeting Minutes

March 13, 2013 Work Session Minutes

Bills

\$00.00

Council Member Linford made a motion to approve the Consent Agenda. Council Member Steele seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of approving the consent agenda.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Gary Waterhouse addressed the Council. Mr. Waterhouse said he made ceramics. He had a 27 foot trailer that partially burned and he had built it back into a ceramics shop. He asked the Council if he could put the trailer on the City property at approximately 160 West Main and use the trailer as a commercial building for his ceramics business, both to make the items and to sell them. Council Member Hunsaker asked if he would need utilities. Mr. Waterhouse said he would run the trailer off a generator.

Mayor DeGraffenried said utilizing the property in this manner did not meet current City ordinance or code. Dennis Marker said issues involved included meeting building code standards, public access to commercial property, improved parking, ADA compliance and a lease agreement with the City. Council Member Broadhead asked if they would have to take bids before a lease agreement was made. Brett Rich responded that the City should ensure they were getting market value for the property.

Mayor DeGraffenried told Mr. Waterhouse that there appeared to be many hoops to jump through, and suggested he talk with City staff tomorrow. Mr. Marker asked if the Council was ready to entertain the idea. Mr. Waterhouse said he would like to buy the property down the road. Mayor DeGraffenried said the City has architectural standards that Mr. Waterhouse would have to meet. If he could meet them, the Council would discuss leasing the property. Mr. Waterhouse was asked to bring a picture of the trailer to City staff to determine if it would meet the architectural standards and how it would fit on the lot.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS, continued:

Jennifer Bowman addressed the Council. Ms. Bowman said she lives on 780 South, and has an issue with people driving 4 wheelers behind her house. She said she loves Santaquin, and the problem is mostly with teenagers shining lights in her house at night, as late as 2 a.m. There seems to be extensive drinking involved as well. Ms. Bowman said she has called the police, and the police say they can't do anything about it.

The property directly behind Ms. Bowman's house is owned by Summit Creek Irrigation. Mayor DeGraffenried said he has asked the irrigation company on three or four occasions to post no trespassing signs, and they have agreed to, but have not yet done it. Ben Reeves asked if the City got permission from Summit Creek, if they would be okay with the City putting up the signs. Police Chief Dennis Howard said the City would need a letter from Summit Creek stating the police could enforce a no trespassing rule. After some discussion on the use of the property as a path for school children, it was agreed a sign prohibiting motorized vehicles would be more appropriate. The Council briefly discussed putting a sidewalk along the side of the property.

FORMAL PUBLIC HEARINGS

No public hearings were held.

UNFINISHED BUSINESS

No unfinished business was conducted.

BUSINESS LICENSES

The following businesses have applied for and obtained a business license in Santaquin City:
H & R Block, CG Landscaping.

NEW BUSINESS

No new business was brought to the attention of the Council.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 03-01-2013 "An Ordinance amending Subdivision Regulations pertaining to Development Fees."

Dennis Marker said this ordinance had been reviewed in the March 13 work session and the changes suggested by the Council had been implemented. The date of the ordinance was changed to March 21, 2013.

Council Member Carr made a motion to adopt Ordinance 03-01-2013, "An Ordinance amending Subdivision Regulations pertaining to Development Fees." Council Member Linford seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of adopting Ordinance 03-01-2013.

Ordinance 03-02-2013 "An Ordinance amending Title 4, Chapter 1- regarding the Appointment and Responsibilities of the Chief of the Fire Department."

Ben Reeves said the City Council's directive had been to amend the City hiring procedures for the hire of the newly created fire chief position.

Ordinance 03-02-2013, continued:

The two significant changes included the removal of the requirement that the fire department submit the names of five candidates, and that the chief be appointed by the Mayor with the consent of the City Council. The rest of the document has been revised to remove gender specific language. Appointments and removals of officer within the department will be subject to standard operating procedures, standard operating guidelines, and the terms of the employee handbook. Council Member Broadhead suggested that the wording 'advice and' be added before 'consent' of the council.

Council Member Linford made a motion to approve Ordinance 03-02-2013, "An ordinance amending Title 4, Chapter 1- regarding the Appointment and Responsibilities of the Chief of the Fire Department," with the addition of the wording 'advice and'. Council Member Steele seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of approving Ordinance 03-02-2013.

Ordinance 03-03-2013 "An Ordinance creating Title 2, Chapter 5 - Re-establishing the Santaquin City Library Board."

Mr. Reeves said in 2010 the Library Board was established by ordinance, but had not been codified. In the time since the Library Board was established, the numbering scheme utilized by the Library had been used by the Appeals Board. This amendment just changes the chapter number. Mayor DeGraffenried said the Board had been a life saver for the library, and things were going much more smoothly now.

Council Member Hunsaker made a motion to accept Ordinance 03-03-2013, "An Ordinance creating Title 2, Chapter 5 – Re-establishing the Santaquin City Library Board." Council Member Linford seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of accepting Ordinance 03-03-2013.

Ordinance 03-04-2013 "An Ordinance creating Title 2, Chapter 6 - Establishing the Santaquin City Museum Board."

Council Member Linford made a motion to table Ordinance 03-04-2013, "An ordinance creating Title 2, Chapter 6 – Establishing the Santaquin City Museum Board." Council Member Carr seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of tabling Ordinance 03-04-2013.

Ordinance 03-05-2013 "An Ordinance amending Title 3 Chapter 5 – Reducing the Telecommunications License Tax."

Mr. Reeves said this was a housekeeping item. The City had passed a tax levy of 4%, and Utah had reduced the maximum levy to 3.5% in 2011. The amendment ties the tax to the maximum allowed by state.

Council Member Steele made a motion to accept Ordinance 03-05-2013, "An ordinance amending Title 3, Chapter 5 – Reducing the Telecommunications License Tax." Council Member Hunsaker seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of accepting Ordinance 03-05-2013.

Resolution 03-01-2013 "A Resolution amending the Santaquin City Consolidated Fee Schedule."

Mr. Marker said the proposed changes to the fee schedule included the prepayment of the inspection costs, set at 4% of an Engineer's estimate of the development bond; clarification of pre-paid fees procedures; a change in the fees for construction in the right-of-way; meter fees; connection fees, and subdivision fees.

Mr. Marker said construction in the right-of-way fees are not recouping the City costs. It is proposed that the new fees be as follows: For streets under 2 years old, \$2000 plus \$20 per square foot. For streets 2 to 5 years old, \$1500 plus \$15 per square foot. For streets over 5 years old, \$1000 plus \$10 per square foot. Winter construction will be \$500 more. Council Member Hunsaker asked why the cost was higher in the winter. Mr. Marker said winter construction involved patching, and there was an anticipation that compaction would not be as good. Council Member Hunsaker said it would make it more reasonable to directional bore. Council Member Linford said it was not possible to drill up on the bench because of the big rocks.

It is proposed that meter fees be lowered to reflect actual costs. The term water connection fee will be changed to water meter install fee, and the cost lowered from \$250 to \$200. The Pressurized Meter installation fee will be set at \$250. The sewer connection fee will be removed.

Mr. Marker presented the current preliminary subdivision fee structure for several south Utah County cities. According to actual costs, the city is currently subsidizing subdivisions up to about 50 lots. He suggested implementing a formula that creates a curve that better follows actual costs. The costs to the City for final subdivision reviews are lower, with less staff time and more engineering. Mr. Marker said there is a surplus of lots available in the City. Most subdivisions have gone through the preliminary process, and many through the final. After some discussion on the need to cover costs, Council consensus held that the numbers be reviewed to cover actual costs for all subdivisions. Staff was directed to bring new figures to the next meeting.

Single lot splits have been removed from the fee schedule, as they are a type of subdivision. Lot line adjustment fees have been raised to \$150 to cover costs. Rezone requests and ordinance text changes requests have been increased to \$400.

Mr. Reeves said a lot of time and effort, mostly by Mr. Marker, had been expended on these fee change proposals. There will be a fiscal impact of approximately \$20,000. The change will also impact future years, and the City will not see a big influx of revenue as in other years.

Council Member Linford made a motion to approve Resolution 03-01-2013, "A Resolution amending the Santaquin City Consolidated Fee Schedule." Council Member Hunsaker seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of approving Resolution 03-01-2013.

Resolution 03-02-2013 "A Resolution declaring Surplus Property of Santaquin City."

Mr. Reeves said the police department had been cleaning out the storage room downstairs, and had surplused several items. The items will be sold if they have any residual value, at the discretion of the police chief. Council Member Linford suggested giving the items to the library for their yard sale.

Council Member Broadhead made a motion to adopt Resolution 03-02-2013, "A Resolution declaring Surplus Property of Santaquin City." Council Member Carr seconded the motion. By a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of adopting Resolution 03-02-2013.

PETITIONS AND COMMUNICATIONS

No petitions or communications were received by the Council.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Mr. Marker said Jared Shepherd had passed his residential inspection exam, so the City now had two inspectors on staff. At this time, Randy Spadafora will still do the plans examination and commercial inspections, but Mr. Shepherd will continue with his education in order to be able to cover these items as well.

A pre-construction meeting was held regarding the Orchards F-1 subdivision. The plat is ready to be signed and recorded. After the meeting, the park project was discussed. BMA Construction is a partner in the subdivision, and because of the financing structure, cannot pay up front for the entire cost of the improvements and wait for reimbursement from impact fees. One option to trim back the project would be to submit staff planner Greg Flint's proposal to the contractor, and generate a change order. BMA would add fill and grade, put in the irrigation system and construct the sidewalk to the playground area. Volunteer labor would be used to put in the sod and trees. Costs for this would run close to 50 thousand. BMA said if reimbursement was tied to the first phase, and if the City could upfront some of the cost, it would be easier to think about. Engineer Norman Beagley has suggested \$30,000 be paid upfront and the rest be reimbursed by impact fees.

Council Member Steele said we needed to do as much as we can as a city, and incorporate whatever we can to save money. City staff did the sod at the Summit Ridge Park and it is a nice park. Mr. Marker said the park had been paid for by impact fees, and the developer did pay back \$15,000, which should go back into the park fund.

Kurt Greenhalgh is doing the excavating. Council Member Broadhead asked how much fill is expected. Mr. Marker said approximately 1750 cubic yards. Council Member Broadhead asked staff to get the price to just fill and grade the park, and work with the sprinklers at a later date. He said he would like to see competitive bids. Ben Reeves said BMA's bid had been 25% lower on the park project. Mr. Marker said preparation of bid forms would be an additional cost, including additional engineering costs, and would formalize the process. Mr. Reeves said they had gone through an original bid process and this could be done with a change order. Council Member Carr said this was different, a very simple project, and BMA had an advantage because they were already there. He said landscapers were looking for projects. Staff was directed to get a cost estimate from BMA for grading, the cost from JUB Engineering for preparing the documents for bid and to bring the results to the City Council.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES, continued:

Mr. Reeves said the public works department had done a great job connecting up the force main. On Friday there will be a second grade tour of the recreation building as a part of their 'learning about government' instruction.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Members

Council Member Linford said the SUMWA meeting had been cancelled this month.

Council Member Carr asked where the City was with SUNROC. Mr. Marker said they were still in negotiations. Council Member Carr said they were operating without a permit now. Mr. Marker said it appeared they had finished most of the grading on city property. He said he will give them a call.

Council Member Hunsaker said the recreation committee had been meeting with the Chairs for Orchard Days, and were keeping him updated. Two citizens have volunteered to help with the Poker Run event.

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

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

At 8:37 p.m. Council Member Hunsaker made a motion to enter into an Executive Session to discuss the character, professional competence or physical or mental health of an individual and the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property. Council Member Carr seconded the motion. Council Members Broadhead, Carr, Hunsaker, and Linford voted unanimously in favor of entering an executive session. Those attending the Executive Session: Mayor DeGraffenried, Council Members Broadhead, Carr, Hunsaker, Steele and Linford, City Manager Reeves, Community Development Director Dennis Marker, Legal Counsel Brett Rich and Deputy Recorder Linda Midgley.

At 9:04 p.m. the regular meeting resumed.

ADJOURNMENT

At 9:05 p.m. Council Member Linford made a motion to adjourn. Council Carr seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford and Steele voted unanimously in favor of adjournment.

Approved on April 3, 2013.


James E. DeGraffenried, Mayor


Linda Midgley, Deputy Recorder



CLOSED EXECUTIVE SESSION AFFIDAVIT

I, James E. DeGraffenried, Mayor of Santaquin City, do hereby certify that the Executive Session held on March 20, 2013, was called to discuss the character, professional competence, or physical or mental health of an individual.

James E. DeGraffenried
James E. DeGraffenried, Mayor

3/20/13
Date