

NOTICE AND AGENDA

Amended 11-27-12

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, November 28, 2012, 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. November 7, 2012 Work Session
 2. November 7, 2012 Council Meeting
 3. November 14, 2012 Work Session
 - b. Bills
 1. \$1,285,524.05
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. Update from the Miss Santaquin Representatives
7. FORMAL PUBLIC HEARINGS
 - a. Public Safety Impact Fee Facilities Plan and Impact Fee Analysis
8. UNFINISHED BUSINESS
9. BUSINESS LICENSES
10. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
11. NEW BUSINESS
 - a. Discussion and Possible Action regarding Fowers Fruit Ranch Annexation Petition
 - b. Certification of Fowers Fruit Ranch Annexation
 - c. Discussion and Possible Action with regard to Street Striping
12. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS
 - a. Ordinance 11-01-2012, "An Ordinance Amending the Santaquin City Code Providing for Policies and Procedures for Billing of Municipal Utilities"
 - b. Resolution 11-04-2012, "A Resolution Authorizing an Interlocal Cooperation Agreement for Multi-Jurisdictional Mutual Aid for Sheriff and Police Services"
 - c. Resolution 11-05-2012, "A Resolution Ratifying a Right of Entry Agreement with the Union Pacific Railroad Company"
13. PETITIONS AND COMMUNICATIONS
14. REPORTS BY MAYOR AND COUNCIL MEMBERS
 - a. Mayor DeGraffenried
 - b. Council Members
15. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
16. EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
17. CONVENE OF THE COMMUNITY DEVELOPMENT BOARD
18. ADJOURNMENT TO A REGULAR COUNCIL MEETING
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

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 11-27-12
Susan B. Farnsworth, City Recorder

POSTED:
CITY CENTER
POST OFFICE
ZIONS BANK

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
NOVEMBER 28, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 7:04 p.m. Council Members attending: Keith Broadhead, Matt Carr, Kirk Hunsaker, James Linford, and Rick Steele.

Others attending: City Manager Ben Reeves, Community Development Director Dennis Marker, Public Works Director Wade Eva, Adam Larsen, Kirby Snideman, Trevor Wood, Michael Williams, Brylee Biggs, Bonnie Hall and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Dennis Howard led the Pledge of Allegiance

INVOCATION/INSPIRATIONAL THOUGHT

Mayor James E. DeGraffenried offered an invocation.

CONSENT AGENDA

Minutes

- November 7, 2012 Work Session
- November 7, 2012 Council Meeting
- November 14, 2012 Work Session

Bills

\$1,285,524.05

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 to approve the consent agenda.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Public Forum

Adam Larsen addressed the Council. Mr. Larsen said he had a concern with the winter parking regulations. He said the regulations leave out any provisions for time of day or weather. He had received a ticket for parking on the street on November 6, which was a very warm day. He cited regulations from several other cities regarding parking. Salt Lake City does not have snowfall regulations, the snowplows maneuver around objects. West Valley City has no parking when there is an inch of snow; Ogden City has no parking for 48 hours after a snowfall; Brighton City has no parking during snowfall; West Jordan when it is currently snowing or has recently snowed; and American Fork when there is a 'measurable' amount of snow. Mr. Larsen asked that this regulation be revisited and provisions added as to the no parking timing. Council Member Broadhead asked that this subject be scheduled for the next work session.

Bonnie Hall addressed the Council. Ms. Hall said she was a retired nurse and had built a second home with three living areas where several family members live. These family members have health and financial issues. She feels it is unfair that the City is charging her a double rate for her house. She said lots of people were having others move into their houses, as times were tougher. Mayor DeGraffenried said there was an item on the agenda tonight that would correct that. Council Member Linford suggested Ms. Hall talk to City staff about qualifying for financial help.

Update from Miss Santaquin Representatives

Mayor DeGraffenried said there had been a change in the Miss Santaquin Royalty. Miss Black has resigned, and former first attendant Brylee Biggs now holds the Miss Santaquin title.

Brylee Biggs addressed the Council. Ms. Biggs said her platform was knowledge is power, and concerned the prevention of drug abuse in children. She said when Officer Johnson returns from military duty in January, she will be helping to teach the DARE program in schools. She also plans to hold a parent awareness night.

FORMAL PUBLIC HEARINGS

Public Safety Impact Fee Facilities Plan and Impact Fee Analysis

Council Member Carr made a motion to open the public hearing on the Public Safety Impact Fees Facilities Plan and Impact Fee Analysis. Council Member Hunsaker seconded the motion. The vote to open the public hearing was unanimous.

Kirby Snideman, representing Zion's Bank Financial Services, presented an update on the public safety impact fee analysis. Topics covered included:

Reasons for the update

- Cities are encouraged to update their plans at least every five years
- To comply with changes in the Impact Fees Act, effective May 2011
- To divide police and fire impact fees

Major components of the study

- Current and future land uses
- Existing and future public safety facilities
- Level of service analysis
- Proportionate share analysis
- Impact fee calculation

Method of analysis

- Estimate of future land uses
- Inventory of current facilities
- Estimate of future needs
- Calculation of future development impact
- Portion of future costs determination
- Impact Fee calculation

Impact Fee Schedule

- Maximum allowable City charges

Mr. Snideman said impact fees could not be used to increase the level of service. The study allows for a non-standard impact fee to be used in special circumstances.

Brent Norton addressed the Council. Mr. Norton said the City should charge the full amount possible.

Council Member Linford made a motion to close the Public Hearing. Council Member Carr seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously in favor of closing the public hearing.

Mayor DeGraffenried said the Public Safety Impact Fees will be an action item in a future meeting.

UNFINISHED BUSINESS

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

BUSINESS LICENSES

The following businesses have been issued City licenses: On the Spot Plumbing, Justin Remkes; Morgan Consulting, Teresa Morgan; Rosita's Mexican Restaurant, Emilia Navarro; L'il Scholars Child Care, Jana Janssen; Cover Fever, John Tieben.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Ben Reeves said the staff Christmas Party will be held on Wednesday, December 5. He encouraged the Council to attend. The Leisure Services Department will provide the meal, and the Community Development Department is in charge of employee gifts.

NEW BUSINESS

Fowers Fruit Ranch Annexation Petition

Mr. Reeves said one of the provisions of the easement for the 18 inch sewer line was the annexation of this property into the City. The plat work has been completed by JUB Engineering, the application submitted, and the City Recorder has signed the certification. The public hearing is scheduled for January 2, 2013. This action starts the 30 day public process and notification of the affected entities.

Council Member Steele made a motion to accept the Fowers Fruit Ranch Annexation Petition. Council Member Broadhead seconded the motion. The vote to accept the Fowers Fruit Ranch Annexation Petition was unanimous.

Certification of Fowers Fruit Ranch Annexation

Council Member Linford made a motion to accept the certification of the Fowers Fruit Ranch Annexation. Council Member Hunsaker seconded the motion. The vote to accept the certification of the Fowers Fruit Ranch Annexation was unanimous.

Street Striping

Mayor DeGraffenried asked if there was enough money in the budget for road striping. Mr. Reeves said there were some one time funds that could be used this year, but reoccurring funds should be in the budget for future years. The Council discussed which roads should be striped at this time. Council Members Linford and Broadhead recommended having Public Works Director Wade Eva decide on the roads. Mr. Eva said he would most likely stripe roads with posted speeds over 35 MPH.

Council Member Broadhead made a motion to allocate \$10,000 to Public Works to stripe roads. Wade Eva was directed to meet with the Chief of Police to assign criteria for choosing the roads to be striped. Council Member Carr seconded the motion. The vote to allocate \$10,000 for road striping was unanimous.

Resolution 11-04-2012 "A Resolution Authorizing an Interlocal Cooperation Agreement for Multi-Jurisdictional Mutual Aid for Sheriff and Police Services."

Mr. Reeves said this resolution defines the terms in which the City Public Safety Officers interact with other agencies.

Council Member Hunsaker made a motion to accept Resolution 11-04-2012, "A Resolution Authorizing an Interlocal Cooperation Agreement for Multi-Jurisdictional Mutual Aid for Sheriff and Police Services." Council Member Steele seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously to accept Resolution 11-04-2012.

Council Member Broadhead asked Mr. Reeves to see about working out an Interlocal cooperation agreement with Juab County, especially for Fire and EMS services.

Resolution 11-05-2012 "A Resolution Ratifying a Right of Entry Agreement with the Union Pacific Railroad Company."

Ben said City personnel have been working with the railroad on this agreement, which will allow the City to remove the fence, use the land for some storage, and then return the railroad's property to its original state. Mr. Reeves said the City will actually improve the look of the property and put a better fence back in.

Council Member Carr made a motion to approve Resolution 11-05-2012, "A Resolution Ratifying a Right of Entry Agreement with the Union Pacific Railroad Company." Council Member Broadhead seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously to approve Resolution 11-05-2012.

Ordinance 11-01-2012 "An Ordinance Amending the Santaquin City Code Providing for Policies and Procedures for Billing of Municipal Utilities."

Dennis Marker reviewed the proposed changes to the billing ordinance. The changes clarify when base rates will be charged and the rate changes for accessory apartments. Charges will be made per receptacle for garbage, per meter for secondary water, and per unit for water and sewer. Homes with extended living areas will be charged as a single unit. Wade Eva asked about the definition of an accessory apartment. He suggested if there were two meters for gas, power, and water, or two addresses, then the structure should be classified as two units. The ordinance was changed to reflect this. Mayor DeGraffenried said the definition of duplex should be tightened up.

Council Member Linford made a motion to accept Ordinance 11-01-2012 "An Ordinance Amending the Santaquin City Code Providing for Policies and Procedures for Billing of Municipal Utilities", as revised. Council Member Carr seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Linford, and Payne voted unanimously to accept Ordinance 11-01-2012 as revised.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Dennis Marker said this year only a portion of the Orchard Cove Park area had been improved, and the City has been waiting for additional development before completing improvements. The developer is now ready to move forward, and is bringing in 24 lots and putting in a street on the north side of the park. Road construction will begin in December. Improvement plans currently include curb, gutter and sidewalk in a straight line. The developer would like to modify the line and asked if the City would pay part of the cost. Utilities will be stubbed into the north side of the park, and could be run to the future restroom location at the same time. As this developer is the one who was utilized for the original park project, which is still viable, these improvements could be done as a change order.

The Council discussed aspects of the proposed improvements, including whether a cross gutter was needed and parking areas. Mr. Marker said he would bring back some options for park improvements.

Mr. Marker said he met with the Rowleys, who currently have a pending annexation. They would like to move forward at this time. One issue which has arisen is the water exaction requirement. Zion's Bank has reviewed the state law and is concerned about the requirement, which could be classified as an impact fee.

The terms of three Planning Commissioners are up in December. It is not known if any of the three would be willing to serve an additional term. Mr. Marker was directed to advertise for new commissioners.

Mr. Marker said he had met with representatives from UDOT, the Federal Transportation Division, JUB's transportation division and the grocer's engineer and architect. The issue recognized is that if a street is planned as a right-in access, it is clearly a development benefit. UDOT is requiring a full design of access. The Federal Transportation Division requires an 8 point environment study along with other documents. The Grocer's architect suggested that JUB Engineers be used as they have put a significant amount of work into that area already. Mr. Marker suggested the grocer be asked if he is willing to pay for JUB's services on this. There will be a change in staff at UDOT at the end of the year. Mr. Marker said he would like to have this completed before the staff changes.

PETITIONS AND COMMUNICATIONS

No petitions or communications were brought to the attention of the Council.

REPORTS BY MAYOR AND COUNCIL MEMBERS

No reports were given by the Mayor or Council Members

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

At 8:32 p.m. Council Member Linford moved to enter into an Executive Session to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property. Council Member Hunsaker seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously to enter into an Executive Session.

Those attending the Executive Session: Mayor DeGraffenried, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele, Community Development Director Marker, and City Deputy Recorder Linda Midgley.

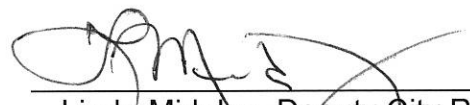
At 9:06 p.m. the Regular Council Meeting resumed.

ADJOURNMENT

At 9:07 p.m. Council Member Steele moved to adjourn. Council Member Linford seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously to adjourn.

Approved on December 12, 2012.


James E. DeGraffenried, Mayor


Linda Midgley, Deputy City Recorder



CLOSED EXECUTIVE SESSION AFFIDAVIT

I, James E. DeGraffenried, Mayor of Santaquin City, do hereby certify that the Executive Session held on November 28, 2012 was called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property.


James DeGraffenried, Mayor


Date