

## **NOTICE**

Notice is hereby given that the Mayor and City Council will hold a Work Session on October 3, 2012 in the Council Chambers, 45 West 100 South, beginning at 6:00 pm.

### **DISCUSSION ITEMS**

1. Discussion regarding Justice Court
2. Discussion regarding Utilization and Future of Municipal Buildings
3. Agenda Review
4. General Discussion

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 Office 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

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**MINUTES OF A COUNCIL WORK SESSION  
HELD IN THE COUNCIL CHAMBERS  
OCTOBER 3, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 6:02 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, and City Attorney Brett Rich.

***Consent Agenda***

Council Member Broadhead clarified the item relating to funding roads should read 'not to exceed \$160,000.'

Council Member Linford asked about the \$120 payment to State Fire. City Manager Ben Reeves explained it was most likely work on the fire systems in the Senior Center's kitchen.

Council Member Broadhead said there was a payment to Flat Iron of \$596,000, and it had been a long time since an update on the project had been received. Mr. Reeves said he had received an email regarding Flat Iron that afternoon and would send it to the Council drop box. He said one of the issues delaying the billing was catching up to the current Davis-Bacon wage table.

**DISCUSSION ITEMS**

***Justice Court***

Mr. Reeves said a recreation department intern was available to the City for the two weeks following Orchard Days, and had done some data analysis for Administration. Mr. Reeves said there are intrinsic benefits to the City to having a court, including greater control on the type of cases prosecuted and greater police morale. However, from the data, it appears the justice court is losing a significant amount of money. A greater amount of revenue has been going to the State, expenditures are growing and revenue declining. Traffic violation revenue has decreased. In the past there were traffic dedicated officers, but budget cuts have changed the schedules and there is now only one traffic officer. Misdemeanor revenue is flat, and there are some salary and benefit increases. Legal costs are higher.

The recently passed animal ordinance mentions cats, so the City will need to pay for cats at the animal shelter, which could be a significant increase in cost. A new State law requires judges to be paid retirement, and they become vested at five years. Santaquin's judge became vested this March. Retirement pay is retroactive, which will cost the City about \$25,000. The loss to the City from the justice court department last year was \$79,869.

The Council discussed the justice court situation. Council Member Linford said if the court is moved the City would still have attorneys' fees and also have to pay for the time officers spend driving to the new court. He said some cities are making money on justice courts and questioned why there was a difference.

City Attorney Brett Rich said a lot of justice courts did not make money, and he was not sure why some did. He said it did not matter to him if the City had a court or not, it was for the Council to determine if the court was a benefit to the City. He said the City would have to submit an application to dissolve the court by July 1 of the year preceding the dissolution. It was possible to speed the process, but Mr. Rich said he was not sure how easy that would be.

Council Member Linford asked about cutting expenses, such as using an online traffic school. Mr. Rich said he spent a lot of time trying animal control cases, which was not a positive in terms of dollars and cents. He said it might be possible to settle more cases.

Council Member Steele said the City should go through and see where cuts could be made, and if a reasonable amount could be found without shutting down, that would be the way to go. Mayor DeGraffenried said Mr. Rich had suggested using a less expensive attorney for trial work. Mr. Rich agreed. Director of Public Safety Howard said he liked having the court in town, as he would have to cover officers who travelled to court. He said some animal cases were brought to trial in order to cause the city trouble and cost, as the fine was the same whether they pleaded innocent or not. He said there is plenty of work for the animal control officer.

Mr. Reeves said he is just pointing out an issue, and it may be staff needs to look at some creative ideas. Council Member Broadhead said any department figures would look the same, and he wondered what was driving this conversation, as roads, parks, fire and recreation lost money as well. Mr. Reeves said he felt the Council needed this information, and agreed it would be healthy to look at all department trends. Mr. Rich said he brings up the court issue fairly often because some of that loss is prosecution costs.

The Council was asked for their opinions. Council Member Hunsaker said he would like to keep the court open and work on cutting costs. Council Member Linford said he felt the court was a great benefit to the City and to the Police Department, and the City needed to do everything possible to keep it. He suggested perhaps cutting hours, looking at an online traffic school, and making little changes that would be of financial benefit. Council Member Carr said he was in favor of keeping the court, and maybe they could look at ordinances and costs to enforce them.

In response to a question from Council Member Steele, Chief Howard said Santaquin's jurisdiction on Highway 6 went past Warm Springs Road. Mr. Rich said there would be a lot more development in the Elberta area in the next few years, and more enforcement will be needed then. He said one consideration is that the City is running three courts, Santaquin, Goshen, and Genola. If the court is dissolved it would be more difficult to get one in the future.

Chief Howard said in regard to the animal ordinance, now that cats are mentioned he feels the City is obligated to carry the financial burden if cats need to be euthanized. Mayor DeGraffenried said as the City grows, adaptations will have to be made to the ordinances.

***Utilization and Future of Municipal Buildings***

Mr. Reeves said there were issues with several municipal buildings. The recreation building has had animal problems, including bats and cats, seismic issues, cracks in the outer bricks, rotting floors, roofing and heating issues and leaking throughout the building. Mayor DeGraffenried said he had been on the Board when there was a discussion on building a new school, and he had recommended at that time that the building be torn down. The demolition process had begun when the museum expressed interest in using the building. Mr. Reeves said it will cost between one and two million dollars just to keep the building habitable. Council Member Broadhead said it was necessary to keep a senior center. The original one was built with a grant, and he didn't know if the City could get another grant to replace the center. He asked if a gym was necessary, or if portable offices could be used. Mr. Broadhead said the museum had sentimental value but was a money pit. Council consensus held that the future of the building would be a good discussion for a retreat.

The old public safety building is used once a month by the Chamber of Commerce, for occasional classes, and for storage. A citizen has expressed interest in renting the building for a dance studio. If the building was rented, property taxes would have to be paid. Mr. Reeves said it may make more sense to sell the building.

The property next door to the Public Works building is for sale. Mr. Reeves said if the Public Works building was also for sale, it would be a bigger, more attractive parcel, and could bring new business in.

***Review of Council Meeting Agenda Items***

No time was available for a review of agenda items.


***General Discussion***

No time was available for a General Discussion.

The meeting adjourned at 6:56 p.m.

Approved on October 17, 2012.

  
James E. DeGraffenried, Mayor

  
Linda Midgley, Deputy City Recorder