

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, August 15, 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. July 25, 2012 Special Council Meeting
    2. August 1, 2012 Work Session
    3. August 1, 2012 Council Meeting
    4. August 8, 2012 Work Session
  - b. Bills
    1. \$94,914.25
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**
10. **NEW BUSINESS**
11. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
  - a. Resolution 08-04-2012, "A Resolution Amending Resolution 01-04-2011 Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011A-1 Bonds; Amending Resolution 01-05-2011 Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011B Bonds, and related matters."
  - b. Resolution 08-05-2012, "A Resolution Establishing Main Street as the Official Designated Parade Route for Orchard Days Celebrations"
  - c. Resolution 08-06-2012, "A Resolution Authorizing 'Addendum #2 – Water Measurement' to the Summit Creek Water Management Project Memorandum of Understanding (MOU)"
  - d. Resolution 08-07-2012, "A Resolution to Ratify Emergency Upgrades to the Santaquin City Pressurized Irrigation System"
  - e. Ordinance 08-01-2012, "An Ordinance Amending the Santaquin City Code Title Six Chapter Two Amending the City's Off Highway Vehicle Policy"
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. **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  
Susan B. Farnsworth, City Recorder

## POSTED:

CITY CENTER, POST OFFICE, ZIONS BANK  
® Amendment to the agenda

**MINUTES OF A COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
AUGUST 15, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 7:00 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, Staff Planner Greg Flint, Planning Commission Member Nick Miller, Trevor Wood, Jim Mosher, Brent Norton, Sherry Chandler, Santaquin 5<sup>th</sup> Ward Scout Troop #898 member Ryan Craig and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Council Member Steele led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Hunsaker offered an Invocation.

**CONSENT AGENDA**

***Minutes***

July 25, 2012 Special Council Meeting  
August 1, 2012 Work Session  
August 1, 2012 Council Meeting  
August 8, 2012 Work Session

***Bills***

\$94,914.25

Council Member Broadhead asked what the bill for Neilson and Senior was for. The documentation of the billing was not available at the Council Meeting but will be supplied for Council Member Broadhead's review.

Council Member Steele moved to approve the minutes of the July 25, 2012 Special Council Meeting, the minutes of August 1, 2012 Work Session, the minutes of August 1, 2012 Council Meeting, the minutes of the August 8, 2012 Work Session and the bills minus the Civil Billing of Neilson and Senior. Council Member Carr seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted in the affirmative.

**FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Mrs. Chandler asked that a "Dead End" Street Sign be installed at 100 East and 820 South. There are a number of large trucks who use her driveway as a turn-a-round after noticing the roadway is a dead end. The Public Works Department will be asked to install the sign.

Mr. Mosher reported he would like to have a Haunted House in his garage. The cost of admission would be one can of food. He proposes having the Haunted House open for one night only. City Manager Reeves will contact Director Marker with regard to the request.

**FORMAL PUBLIC HEARINGS**

Nothing

**UNFINISHED BUSINESS**

Nothing

## **BUSINESS LICENSES**

It was reported the follow new Business Licenses were issued during the months of July and August:

- Floorescence, Eric House, Mobile Floor Cleaning
- Time to Dance, Lexie Ward, Dance Studio
- Creative Academy Preschool, Kathleen Lange, Preschool
- Est-Pro Consulting, Ben Smith, Construction Consulting
- Seasons of Santaquin, Richard Porter, Assisted Living Center
- Wonderful Life Preschool, Megan Warren, Preschool

## **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

Planning Commission Member Miller reported the Planning Commission received a request for a conditional use permit for a Spook Alley at 312 North 200 East. The applicants asked to have the business open weekends from mid-September to Halloween, a total of 18 days. At the meeting last Thursday, the Commission held a public hearing for the Spook Alley. About eight citizens turned up at the meeting to protest the permit. They expressed concerns about noise, parking, safety and disturbing neighborhood animals. The applicants were able to show they could mitigate most of the noise by keeping the sound system indoors. Black plastic barriers will be used around the area where the horses are so they will not be startled. Parking will be handled by parking attendants and security personnel will be on site while the business is open. After a lot of discussion, the Commission granted the conditional use permit for the business.

The Commission has also been involved with the General Plan neighborhood meetings. The last meeting will be held tomorrow night.

## **NEW BUSINESS**

Nothing

## **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

***Resolution 08-04-2012, "A Resolution Amending Resolution 01-04-2011, Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011A-1 Bonds; Amending Resolution 01-05-2011 Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011B Bonds, and related matters."***

City Manager Reeves reviewed the proposed Resolution with those in attendance. He reported the new resolution would change the Amortization schedule for repayment of the Bonds.

Council Member Linford moved to approve Resolution 08-04-2012, "A Resolution Amending Resolution 01-04-2011, Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011A-1 Bonds; Amending Resolution 01-05-2011 Adopted by Santaquin City on January 19, 2011 to change the Amortization Schedule for the Series 2011B Bonds, and related matters." Council Member Steele seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted to approve Resolution 08-04-2012.

***Resolution 08-05-2012, "A Resolution Establishing Main Street as the Official Designated Parade Route for Orchard Days Celebrations"***

Council Member Carr moved to approve Resolution 08-05-2012, "A Resolution Establishing Main Street as the Official Designated Parade Route for Orchard Days Celebrations". Council Member Linford seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted to approve Resolution 08-05-2012.

***Resolution 08-06-2012, "A Resolution Authorizing 'Addendum #2 – Water Measurement' to the Summit Creek Water Management Project Memorandum of Understanding (MOU)"***

City Manager Reeves said that for approximately the past 2 years the City has been working with Summit Creek Irrigation, Highline Canal, Strawberry Water and Utah County to address issues of storm water and water recharging. The Council entered into a MOU initially to find a long term solution. This resolution addressed financing of the first phase of this project.

Council Member Broadhead asked "they are bringing this to us after the project is completed ... they didn't ask for this money before, they knew what the bids were"... "I know we went into an agreement with them but we have never ever talked about financially supporting anything. It all had to come to us for this approval. What benefit is this dam to Santaquin City at \$83,000?"

City Manager Reeves reported "We actually did bring the finance part to the Council. I think it might have been to the prior Council but I'm not sure. It was in draft form, it may have been in a work meeting and the unknown factor in that is whether Genola Town would participate or not. They are not participating and that is where we are at today. As far as the technical side of the water issues and the dam and the benefits we can enjoy from that I will turn the time to the Mayor to explain that."

Mayor DeGraffenried reported "The purpose of that dam going in was for us to be able to control the high water, which has cost us over the years many dollars. We can hold the water. We can transfer it back and forth. We can control the water coming out of our canyon. It also gives us an opportunity to keep Reservoir 2, which is the one we are now using, down according to what our snow pack is. It gives us an opportunity to control that and then we can flood over into that area and meter that as it comes in and also gives us the opportunity to bank a little more of our high water and to put that back into our system for future use. The benefit to us is it helps us and our City work staff to not have to go through so much to try to control high water."

Council Member Broadhead asked what the City's responsibility for flood control was. He indicated the responsibility was that of the County. Mayor DeGraffenried said some of the responsibility is Utah County's but "as it begins to come down on us, it becomes our responsibility also."

Council Member Broadhead asked "if we recharge this water, who gets the benefit of it"? Mayor DeGraffenried indicated "everybody who participates in it gets the benefit; we of course would get 30% benefit as the City since it will be coming back through Summit Creek Irrigation." Council Member Broadhead said, "We are only shareholder of Summit Creek, we would get that regardless." Mayor DeGraffenried stated that was correct but "we are also trying to put together

with this at the same time the recharge of our Type 1 water which would go in at the approximately the same area as the dam."

City Manager Reeves stated, "What is anticipated, there will be different bank accounts if you will, so water coming from this source would be credited to this entity and that water would be charged, it would be metered, would go into the ground, then the entity would be able to pull that same water back out, with a little bit of a haircut because you're putting it into the ground. For the recharge water we would put in, we would get back out our water."

Council Member Broadhead asked if the City owned any of the water that is going to be banked. City Manager Reeves said, "What is happening, as the Mayor was talking about, there's the whole issue of when the water does come through us, it is our responsibility especially now we are getting closer to 10,000 in population. We are going to have to go through the EPA and handle our storm water runoff." Council Member Broadhead interjected, "So you're talking storm water, we're talking flood water. Let's stick to the issue." Mayor DeGraffenried stated they both tie together. City Manager Reeves indicated there is also a secondary issue. "As the water reclamation facility project continues to grow with the growth of the City, the city would have the opportunity to do one of two things. They would either utilize the use of that water by putting it into the winter storage ponds to be able to use in our irrigation system or recharge it, then take it back out so you don't need to construct additional ponds in the future and all that is regulated through the State. There are some benefits to the City with regard to our ability to tie these projects in together and also a benefit to Utah County as a whole. All of us coming together has been a benefit." Council Member Broadhead said, "Of course it has, because we have the money. I don't see \$83,000 worth of benefit here. To me it looks like just the beginning to keep coming to us for more money. I would like to have that \$83,000. We could hire a guy. We could buy a vehicle."

City Manager Reeves suggested the Council table the Resolution and invite Mr. Franson from Franson Engineering into a meeting to answer all of their questions.

The Council Members were invited to the discussion meetings. They are held on the first Thursday of each month at 4:00 p.m. in the Public Safety Building. Public Works Director Eva as well as Council Member Payne have been attending the meetings and participating in the discussions.

Council Member Linford was in favor of tabling the Resolution until Mr. Franson is available to answer any questions the Council Members may have.

Council Member Broadhead indicated he would like to see what the benefit would be.

Mayor DeGraffenried stated, "The benefit would be, as it comes to Type 1 water, ranks in the millions of dollars because we don't have continually build other ..." Council Member Broadhead interjected "Are we going to put our Type 1 water in this pond?" Mayor DeGraffenried answered, "Oh, yes". The Council Members were told this would happen within the next couple of years. Council Member Broadhead commented "So this reservoir was built to put our Type 1 water in." Mayor DeGraffenried said we could put it in the reservoir or there were other areas along the side of it. But it would all "go in" permitted underneath the same system.

City Manager Reeves added Mr. Franson can go over all the details. "What they are talking about is having a recharge area at the mouth of the canyon but also having a recharge area right next to this reservoir as well." All the testing required for the recharge areas have been completed with the areas being approved.

Council Member Broadhead was told the Highline Canal as well as Utah County has "bought off" on the project as well as passed the same Resolution.

City Manager Reeves added Highline Canal gets hit at Highway 6. If the diversion wasn't installed, "the water comes down and hits Fowers, it hits Ewell's pond then it gets into the Highline Canal. They're looking at their resource, trying to protect it. They see a benefit of doing this project because it is much less expensive for them to deal with this and have it known and budgeted than it is for them to get wiped out in one given year, a heavy water year. Utah County obviously sees benefit to it. There is a desire of Utah County to move forward with a Storm Water District."

Council Member Broadhead was told the water fund would pay for the project. He was told the "Money In Lieu of Water" fund could be used. Council Member Broadhead was told the City could make a lump sum payment to avoid paying interest.

Mayor DeGraffenried stated that closing of the ditches within the City has contributed to the problem of high water disbursement.

Mayor DeGraffenried said this project "solves the problem of how to get rid of the Type 1 water as well as solves the problem of high water which has gone through our City and it also makes it better for us as a City; even though we pay 30% of this originally it makes it better for us to be able to continue to grow and to put the water where it needs to be."

Council Member Broadhead asked, "So if we go build the rest of these dams we are talking about, how much are we going to be into this project?"

Mayor DeGraffenried answered "Pretty much where we are sitting right now".

City Manager Reeves stated he would imagine future costs.

Council Member Broadhead asked "Is it ever going to end? On the high end we are protecting our Citizens. This is on the very low end and I don't see us protecting anything and if we can use it for recharge then maybe that is something I would like to hear from Mr. Franson, that we have the right to use this for our Type 1 water to bank."

City Manager Reeves stated it protects the City on liability also. "When water spills into Genola and Fowers..." Council Member Broadhead interjected, "Again, that's Utah County's responsibility for flood control. There was a court case a few years ago with Summit Creek and they ended up the only ones liable for it because they let the old channel be filled in."

Mayor DeGraffenried reported he was well aware of the court case and has read the documents. He said he "feels for the benefit of the City for now and into the future, I think this is one of the best things we can do water wise."

Council Member Broadhead said, "Understand 25 years is about 5 or 6 more Mayors and City Councils that we are obligating."

Mayor DeGraffenried stated that the project is scheduled to be completed in 3 years.

Council Member Steele said, "If Keith has questions...I know I remember listening to it at the time he brought it in and I thought it was a good idea myself. But if there are questions and concerns, Keith needs those answered as well as the rest of us did when we had him here before."

Council Member Carr stated he didn't have any questions on the matter. He would be fine with the decision to table or move forward.

Council Member Linford moved to approve Resolution 08-06-2012, "A Resolution Authorizing 'Addendum #2 – Water Measurement' to the Summit Creek Water Management Project Memorandum of Understanding (MOU)" as well as invite Mr. Franson to come in and answer any questions. The motion died for lack of a second.

Council Member Carr moved to table Resolution 08-06-2012 until further information is available from Mr. Franson to clear up any issues some of the Council have. Council Member Hunsaker seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted in the affirmative.

***Resolution 08-07-2012, "A Resolution to Ratify Emergency Upgrades to the Santaquin City Pressurized Irrigation System"***

Council Member Broadhead moved to approve Resolution 08-07-2012, "A Resolution to Ratify Emergency Upgrades to the Santaquin City Pressurized Irrigation System". Council Member Steele seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted to approve Resolution 08-07-2012.

***Ordinance 08-01-2012, "An Ordinance Amending the Santaquin City Code Title Six Chapter Two Amending the City's Off Highway Vehicle Policy"***

The changes to the existing Ordinance include increasing communications to the residents as well as clarifying some of the intent of the Ordinance. Mayor DeGraffenried read the letter to be included in the September Newsletter regarding the use of Off Highway Vehicles as well as vandalism within the parks.

Council Member Carr moved to approve Ordinance 08-01-2012, "An Ordinance Amending the Santaquin City Code Title Six Chapter Two Amending the City's Off Highway Vehicle Policy". Council Member Broadhead seconded the motion. Through a roll call vote, Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted to approve Ordinance 08-01-2012.

**PETITIONS AND COMMUNICATIONS**

Nothing

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

***Mayor DeGraffenried***

Mayor DeGraffenried discussed the need for establishing a Mayor Pro-tem. This issue will be addressed during the September 5<sup>th</sup> Council Meeting.

**Council Members**

Council Member Broadhead was told Director Marker will talk to UDOT with regard to 200 West. He also reported there is still a wasp problem at the Summit Ridge water feature.

Mayor DeGraffenried welcomed the Scout Troop 898 to the meeting. Mr. Craig reported the troop is currently working on their "Citizenship in the Community" badge.

It was reported the RV dump located by the Public Works Building is plugged. The Public Works Department will have to dig up the line to find the plug.

City Manager Reeves will be meeting with the Celebration Committee to review the past celebration and to make recommendations for future celebrations.

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

Nothing

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

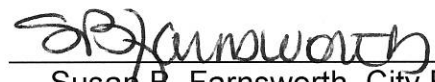
Nothing

**ADJOURNMENT**

At 7:58 pm Council Member Carr moved to adjourn. Council Member Hunsaker seconded the motion. Council Members Broadhead, Carr, Hunsaker, Linford, and Steele voted unanimously to adjourn.

Approved on September 5, 2012.

  
James E. DeGraffenried, Mayor

  
Susan B. Farnsworth, City Recorder