

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, November 3, 2010, in the Council Chambers, 45 West 100 South, at 7:00 pm.

### AGENDA

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVOCATION/INSPIRATIONAL THOUGHT
4. CONSENT AGENDA
  - a. Minutes
    1. , October 20, 2010
  - b. Bills
    1. \$78,923.08
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
  - a. Ordinance 10-01-2010 "Rezoning of 1.4 acres from C-1 to I-1 and 0.2 acres from I-1 to C-1"
8. BUSINESS LICENSES
9. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
10. NEW BUSINESS
11. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)
  - a. Resolution 11-01-2010 "A Resolution to enter into an agreement with Central Utah Water Conservancy District for the acceptance and use of grant proceeds on the Santaquin City Water Reclamation Facility Project"
  - b. Resolution 11-02-2010 "Resolution to enter into an Interlocal Agreement with Payson City, Utah for Waste Disposal Services"
  - c. Resolution 11-03-2010 "A Resolution to enter into a Purchase Agreement for the acquisition of land along 100 North in support of the Main Street 400 East Project with Robert Anderson and Alan Roper"
  - d. Resolution 11-04-2010 "A Resolution of the Santaquin City Council authorizing the execution of a Development Agreement between Apex Storage LLC and 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. 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 faxed to the Payson Chronicle, Payson, UT, 84651.

BY: Susan B. Farnsworth  
Susan B. Farnsworth, City Recorder

### POSTED:

CITY CENTER  
POST OFFICE  
ZIONS BANK

**MINUTES OF A COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
NOVEMBER 3, 2010**

The meeting was called to order by Mayor James E. DeGraffenried at 7:05 pm. Council Members attending: Filip Askerlund, Martin Green, James Linford, Rick Steele, and Brent Vincent.

Others present: City Manager Ben Reeves, Director of Public Safety Dennis Howard, Community Development Director Dennis Marker, Legal Counsel Brett Rich, Taylor Smith, Lisa Pearson, Bryce Pearson, scouts Talon Haws and Justin Pearson of troop 669, Jared Christensen, Jacob Hales, Logan Hawkins, Dalyn Lowe, Grady Bing, Brad Wilson, Scott Losee, members of troop 1571 and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Talon Haws led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Askerlund offered an Invocation.

**CONSENT AGENDA**

***Minutes***

October 20, 2010

***Bills***

\$78,923.08

Council Member Askerlund asked Public Safety Director Dennis Howard about the payment to Discount Guns and Ammo. Chief Howard said the invoice was for uniforms. Council Member Steele moved to approve the Consent Agenda. Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative.

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

Nothing

**FORMAL PUBLIC HEARINGS**

Nothing

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

Ben Reeves said the Chamber of Commerce had begun working on the annual light parade. The parade will go down Main Street to 100 West and come around. Participants will enter the senior center for hot chocolate, and then meet with Santa.

Dennis Marker said that, due to a lack of agenda items, the Planning Commission did not hold a second meeting in October. A joint work session with the City Council and Planning Commission is scheduled for Thursday, November 11 at 6 p.m. Items on the agenda include accessory apartments, improvements in the core area, and the hillside overlay zone. The Planning Commission plans one additional meeting this year, presently scheduled for December 9. The terms of Commissioners Stringham and Payne expire December 31. A notice has been placed in the newsletter inviting those who would like to serve on the Commission to send a letter of interest to the City. A notice will also be placed in the Payson Chronicle newspaper. Mayor DeGraffenried said he will be out of town the night of the joint session, and suggested Planning Commission Chair Richard Payne chair the meeting.

Mr. Marker said he met with UDOT regarding changes to I-15. UDOT plans to replace four bridge decks between Spanish Fork and Santaquin in the spring. Santaquin's Main Street deck is scheduled for replacement. UDOT and the City will try to coordinate with the Main Street project to limit inconvenience as much as possible. A hole has been dug on the south side of the off ramp for the new traffic signal. There will be some striping adjustments under the overpass, resulting in two east bound lanes and a shared left turn lane.

Mr. Marker said the City has repeatedly asked that UDOT hold off on the project, as the new deck will be torn out in a few years. Mr. Marker said UDOT is adamant that this is a bridge deck project only. Representative Patrick Painter and UDOT director John Njord have been invited to meet with City officials on December 8, 2010 to discuss some of the issues involved. The City has received a 'Notice to proceed' on the bridge decks for the first week of April.

Mr. Marker said he and a City engineer had met with all but three of the property owners affected by the changes on Main Street and 400 East. In general, the project has been well-received and is anticipated to be a benefit to the area. Concerns have been expressed regarding access to property, business impacts and landscaping impacts. Concerns will be incorporated and addressed in the preliminary drawings, which JUB Engineering anticipates will be ready November 23.

Mr. Reeves said he had been ill and missed the last website design meeting. The designers had been shown the logo selected by the public. The infrastructure back bone of the website has been completed.

The cemetery ordinance and a Red Flag ID theft ordinance will be on the next City Council agenda.

November training for personnel includes a winter driving class on the 4<sup>th</sup> and customer service training on the 9<sup>th</sup>. The employee handbook is being finalized. Department directors will be asked for their input. The handbook will be presented to the City Council for formal consideration.

The City Christmas party has been historically held the first Tuesday in December. Mr. Reeves invited any council member who wished to be on the committee to let him know.

The bid opening for the water reclamation facility is scheduled for November 23<sup>rd</sup>. The burning of the house on Main Street has been pushed back to November 20<sup>th</sup>.

## **NEW BUSINESS**

Nothing

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

***Resolution 11-01-2010 "A Resolution to enter into an agreement with Central Utah Water Conservancy District for the acceptance and use of grant proceeds on the Santaquin City Water Reclamation Facility Project"***

Mr. Reeves said the Central Utah Water Conservancy District has approved a \$500,000 grant for the Water Reclamation Facility project. The grant requires the City to make an agreement with the District for the funds. Legal Counsel Brett Rich said he and City Engineer Dave Thurgood had made a number of suggestions to the original boiler plate agreement which were now incorporated. Mr. Rich said the agreement does not exactly fit, but he is satisfied with it. Staff recommends the resolution be adopted as it will allow the City to receive the grant.

Council Member Linford moved to approve Resolution 11-01-2010 "A Resolution to enter into an agreement with Central Utah Water Conservancy District for the acceptance and use of grant proceeds on the Santaquin City Water Reclamation Facility Project". Council Member



Steele seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative by a roll call vote.

***Resolution 11-02-2010 "Resolution to enter into an Interlocal Agreement with Payson City, Utah for Waste Disposal Services"***

Mr. Reeves said one of the things the City was looking at to cut costs was a change in waste disposal services. Santaquin entered into negotiations with Payson for these services some time ago. Payson city manager Rich Nelson has recently accepted a position in Alpine City, and both cities would like to have this Interlocal Agreement passed while Mr. Nelson is still with Payson. Payson will accept solid waste at \$30 a ton. The City is currently paying \$32 a ton for Goshen waste disposal. Mayor DeGraffenried said he had spoken to Goshen Mayor Jensen, and he is supportive of the change if it is in Santaquin's best interest. Payson has indicated that Santaquin residents will have equal access to their landfill punch card system. Severability notice would require notice 90 days before the end of the budget year.

Solid waste collection for Santaquin is presently done by Allied, with the potential for renegotiation in 2012. The service may be put out to bid at that time, or the City may consider other options, such as in-house waste disposal. The distance to the Payson landfill is the same as to the Goshen landfill, so Allied does not have any issues with the change. Council Member Askerlund volunteered to be on the joint governance committee.

Council Member Vincent asked if the City would close the landfill. Mr. Reeves said he will present a financial analysis of various options to the Council. The City puts money into reserves every year for shutting down the landfill. Council Member Askerlund asked if the residue from the Water Reclamation Facility would go to the landfill. Mayor DeGraffenried said it would go to the Payson landfill, and could be used by Payson for mulch. Council Member Askerlund said it didn't seem right for Santaquin to pay Payson to take the waste if they were going to turn around and sell it as mulch. Mayor DeGraffenried said that could be worked out. Council Member Vincent asked about the Payson capacity in years. Mr. Reeves said it appeared the landfill has a capacity to handle multiple decades. Payson's mayor has invited the transfer station to move to the Payson site. If Santaquin is already part of the landfill, the City can step in and be part of the agreement, which will save money.

Council Member Askerlund asked how checks and balances for the waste disposal tonnage were done. Mr. Reeves said the City receives a standard invoice, which could be looked at if there is a sudden spike in tonnage. Mayor DeGraffenried said the City might want to address that in the future.

Council Member Steele moved to approve Resolution 11-02-2010 "Resolution to enter into an Interlocal Agreement with Payson City, Utah for Waste Disposal Services". Council Member Vincent seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative by a roll call vote.

***Resolution 11-04-2010 "A Resolution of the Santaquin City Council authorizing the execution of a Development Agreement between Apex Storage LLC and Santaquin City"***

Mr. Rich said he would make the changes to the development agreement agreed to by the City Council in the work session.

Council Member Askerlund moved to approve Resolution 11-04-2010 "A Resolution of the Santaquin City Council authorizing the execution of a Development Agreement between Apex

Storage LLC and Santaquin City" with the stipulation that buildings G and I will be completed within three years of the execution of the agreement change, and the Council may reverse the rezoning at that time if the two buildings are not completed. Council Member Green seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative by a roll call vote.

#### **UNFINISHED BUSINESS**

***4) Ordinance 10-01-2010 "An Ordinance of Santaquin City authorizing rezoning of 1.4 acres from C-1 to I-1 and 0.2 acres from I-1 to C-1"***

Council Member Linford moved to approve Ordinance 10-01-2010, An Ordinance of Santaquin City authorizing rezoning of 1.4 acres from C-1 to I-1 and 0.2 acres from I-1 to C-1. Council Member Vincent seconded the motion. Council Member Linford amended his motion, moving to approve the ordinance with the stipulation that the development agreement between Apex Storage and Santaquin City be accepted prior to the effective date of the ordinance. Council Member Vincent seconded the amended motion. Council Member Askerlund asked if the construction of Building F was contingent on the ordinance being signed. Mr. Marker said it was, as the zoning that would allow construction was not currently in place. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative by a roll call vote.

#### **PETITIONS AND COMMUNICATIONS**

Nothing

**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)

Council Member Vincent said he felt selling City property should be talked about in an open meeting, not in an executive session. Mayor DeGraffenried said they could discuss that option in the session.

At 7:54 p.m. Council Member Askerlund moved to enter into an Executive Session. Council Member Green seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative.

Those attending the Executive Session: Mayor DeGraffenried, Council Members Askerlund, Green, Linford, Steele and Vincent, City Manager Reeves, Community Development Director Marker, Legal Counsel Rich and Deputy Recorder Midgley.

The regular Council Meeting resumed at 9:02 pm. The Council suspended business from 9:04 to 9:09.

***Resolution 11-03-2010 "A Resolution to enter into a Purchase Agreement for the acquisition of land along 100 North in support of the Main Street 400 East Project with Robert Anderson and Alan Roper"***

Council Member Green moved to approve Resolution 11-03-2010 "A Resolution to enter into a Purchase Agreement for the acquisition of land along 100 North in support of the Main Street 400 East Project with Robert Anderson and Alan Roper". Council Member Askerlund seconded the motion. Council Members Askerlund, Green, Linford, Steele, and Vincent voted in the affirmative.

#### **REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council Member Askerlund asked if the City is required to sell assets for the appraised value or if they can be sold for less. Mr. Rich said the City should make sure the asset is sold for market value, which can be different from the appraised value. He said he has seen city sales which are based on sealed bids, as the bids, if properly advertised, set market value. Mr. Rich said the property under discussion was advertised, but the City did not receive the minimum bid. Council Member Askerlund asked if people could bid without the property being re-advertised. Mr. Rich suggested the City advertise again, perhaps without a minimum.

Mr. Reeves said the Rowleys had offered \$44,000 for the 2.12 acres, which was under the appraised value. The property had been appraised using land values from industrial zones in Spanish Fork and Springville. Mr. Reeves said he had contacted Curtis Rowley, who told him he thought the appraisal was too high. Mr. Rowley felt the land should be appraised as orchard land. He said he would still be interested in the land at the price he bid, and would submit a bid if it was re-advertised. Mr. Rowley is considering building farm worker units in Genola, but has indicated he would build them on this land if he can purchase it for the right price. The structure would be a single elevation, three unit, two story of masonry stone that would look like an industrial building and hold about fifteen workers. He is willing to dress it up. Building permit revenues to the city for the units would be around \$15,000. Mr. Reeves said he would like some direction from the council.

Council Member Vincent said he would just as soon hang on to the land. If the landfill closes, the land will be worth more. Council Member Green said he was not sure he wanted to spend more money to get more bids when the City did not receive any before. Council Member Steele said he preferred to hold off, as he felt the land would be worth more later.

Mr. Reeves said it would not break the City budget to hold onto the land, he just wanted to be able to plan correctly for revenues and expenditures. Council Member Askerlund asked if Mr. Reeves had any idea of the value of the landfill after reclamation. Mr. Reeves said he did not, he had just instructed staff to find out the cost of covering the landfill. The kind of structure that could be built in the location was discussed.

Mr. Marker reviewed the assessed value of several similar properties in the county, ranging between \$3,000 and \$10,000 per acre. Council Member Askerlund said he would like to see a nice place for farm workers to live, but also wanted to be a good steward for the City. He suggested a price of around \$56,000, 70% of the appraised value.

Council Members Linford and Green said they would prefer to advertise for a re-bid. Council Member Askerlund said he would be comfortable if a re-bid came in at \$56,000, but did not want to take less than that. Council Members Steele and Vincent said they would prefer to hold on to the property. By majority consensus, the Council agreed to re-bid the property.

Mayor DeGraffenried said Genola officials would be meeting with the City Council regarding the termination of the contract for police at the work session scheduled for November 17<sup>th</sup>. The Mayor said he had spoken to Mayor Throckmorton to certify that the notice of termination had been received, and told him that Santaquin did not want to break the contract, as the City would be out \$50,000. Mayor Throckmorton indicated many residents wanted to keep the

same level of service. Mayor DeGraffenried said he had discussed some options with Genola, including keeping the contract with an amendment that it comes due on the anniversary of the fiscal year and paying less this year and picking up the difference next year. Genola officials indicated they have issued more building permits than expected and are anticipating Staker will bring in additional revenues. Mayor Throckmorton asked if they cut the contract now, if they could have it back on the same terms when they were able to. The Mayor said he could not guarantee that.

Mr. Reeves said the police department is 25% of the budget. Police departments have outpaced the growth of cities, and if revenues are not growing as fast as the police departments, it costs in other services. If the City was aware of the termination prior to the budget year, they might not have purchased a truck or added a part time officer.

Ben Reeves said the UTA proposition on the November 2 ballot had passed with 61% of the vote. Tax revenue will start flowing next year, and bus service will begin around August of next year. Mr. Reeves said there will be an article concerning the bus service in the paper soon.

#### **ADJOURNMENT**

At 9:56 pm Council Member Green moved to adjourn. Council Member Vincent seconded the motion. Council Members Askerlund, Green, Linford, Steele and Vincent voted in the affirmative.

Approved on November 17, 2010.

  
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 November 3, 2010 was called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property.

\_\_\_\_\_  
James DeGraffenried, Mayor

Nov 3, 2010  
Date