

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, December 16, 2009, 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. December 02, 2009
    2. December 04, 2009
  - b. Bills
    1. \$120,853.34 + 125,833.68 = \$246,687.02
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
  - a. Sewer Rates
7. UNFINISHED BUSINESS
8. BUSINESS LICENSES
9. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
10. NEW BUSINESS
  - a. Whitaker Construction Gravel Pit Discussion
  - b. Approval of Change Order #4 Summit Ridge Well Upgrade
11. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)
  - a. Ordinance 12-01-2009 "An Ordinance amending the City Zoning Map by Approving the Rezoning of 1.2 Acres from CBD to MSR"
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, City Recorder

### POSTED:

CITY CENTER  
POST OFFICE  
ZIONS BANK

**MINUTES OF A REGULAR COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
DECEMBER 16, 2009**

Mayor James E. DeGraffenried called the meeting to order at 7:00 pm. Council Members attending: Filip Askerlund, Connie Hansen, James Linford, and Brent Vincent. Council Member Martin Green was excused.

Others attending: City Manager Ben Reeves, City Planner Dennis Marker, Director of Public Safety Dennis Howard, Legal Counsel Brett Rich, Rick Steele, Kim Broadhead, Keith Broadhead, Dennis Brandon, Denise Rohbock, Doug Rohbock, Lance Wollebaek, Sharron Davis, Larry Davis, Terry Kester, LaDue Scovill, Norm Taylor, Dick Kay, Lavon Ross, Maurine Ross, Marianne Stephenson, Brent Stephenson, Ed Segar, Carla Sager, Marie Durney, Holly Peterson, Val Broadhead, Glade Robins, Oran Wall, Rick Wall, Jody Hendershot, Joe Davis, Lynn Adams, Brody Adams, Shayne Ahlin, Doug Wyeth, Ron Chapel, Dean Wall, Clarice Peterson, Wes Morgan, Steve Gray, Shauna Gray, Stacy Flygar, Elaine Tasker, James Baldwin, Marie Smith, Terry Smith, Janice Collier, Fried Collier, Kyle Francom, Marilyn Clayson, Kelly Robins, Steve Clement and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Mr. Rich led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Mr. Adams Offered an Invocation.

**CONSENT AGENDA**

***Minutes***

December 02, 2009

December 04, 2009

***Bills***

$\$120,853.34 + 125,833.68 = \$246,687.02$

Council Member Askerlund moved to approve the Consent Agenda. Council Member Hansen seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

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

Nothing

**FORMAL PUBLIC HEARINGS**

***Sewer Rates***

Mayor DeGraffenried introduced Ben Reeves as the new City Manager. Mr. Reeves thanked those attending for their interest in the issue to be discussed this evening. City Planner Marker along with City Manager Reeves reviewed information pertaining to the current sewer treatment system. (See attachment "A" for information).

Council Member Linford moved to enter into a Public Hearing with regard to Sewer Rates. Council Member Vincent seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

Mayor DeGraffenried read a statement with regard to the purpose of the public hearing. He asked the comments be kept to the issue at hand with a 3-minute maximum per speaker.

Mr. Rohbock thanked the Mayor and Council Members for "attending to City Business". He indicated he doesn't want to see his sewer rates go up and appreciates the efforts in applying for grants. He indicated his business has "dropped off" and he would like to "drive a Mercedes" but could not afford one same as he thinks the City can not afford this type of a project.

Mr. Broadhead, former Mayor, read a letter to those in attendance. (See attachment "B" for a copy of the letter.)

Mr. Scovill reported he is a former Mayor of Santaquin City. He realizes sewer rates would need to be increased with any of the options taken. He indicated he supports the MBR and the Mayor and Council in the efforts.

Mr. Wyeth indicated he would be against the sewer expansion.

Mrs. Durney indicated she is committed to helping those in need find grants to pay their utility bills if needed. (See attachment "C" for Mrs. Durney's comments)

Mrs. Peterson diverted her time to Mr. Broadhead.

Ms. Clayson reported she served the residents for a period of 10 years as a Council Member. She reviewed sewer fees from surrounding community and questioned why competitive bids were not obtained before granting engineering contracts. She thanked the Mayor and Council Members for their dedication to the Citizens of the Community.

Mr. Kay indicated he also appreciated the work of the Mayor and Council Members. He said due to the down turn of the economy, the City Leaders should not "get the City into any additional debt". He recommended addressing the sewer need by limiting the building permits issued. He said the City as a whole should control growth until the commercial base is healthier. He again thanked the Mayor and Council Members for their dedication to the Residents.

Mr. Robins indicated he is opposed to the increase in sewer rates. He indicated Santaquin City should connect to Payson City which he believes would cost the Residents less money than the proposed MBR. (See attachment "D" for Mr. Robins' comments)

Mr. Francom reported he respected the opinions of those who had comments so far. He said he was in favor of the MBR System and didn't think a building moratorium was the answer.

Ms. Flygar indicated "she didn't get the memo that Santaquin City was not involved in the economic down turn". She didn't want her rates to increase and thought all options for the sewer should be examined before a decision is made.

Council Member Linford moved to close the Public Hearing with regard to sewer rates. Council Member Hansen seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

At 8:16 pm Council Member Askerlund moved to take a 5 minute break. Council Member Linford seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

At 8:26 pm the Regular Council Meeting resumed.

### **UNFINISHED BUSINESS**

Nothing

### **BUSINESS LICENSES**

Nothing

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

Mr. Wollebaek reported there was a request for construction of a church within a commercial zone. Additional information will be shared as it is available. Richard Payne will serve as Planning Commission Chair and Lance Wollebaek will serve as co-chair. Council Member Hansen thanked the Planning Commission Members for their dedication. Ms. Hansen's sentiment was shared by the Mayor and Council Members.

### **NEW BUSINESS**

#### ***Whitaker Construction Gravel Pit Discussion***

Mr. Clement indicated the geology of the pit has changed some. At this point processing has found the product to be either sand or large rock. Mr. Clement would like to have a crushing permit allowing operation into December 2010. Those in attendance were told the reclamation process will be completed hand in hand with the grading efforts. Mr. Clement indicated a running trail has been installed North to South within the pit. Council Member Hansen reported she was not against the request but pointed out that no one has a "crystal ball" and could not forecast the future. City Planner was told the Mayor and Council Members were comfortable with the Staff handling the paperwork associated with extension of the permit.

#### ***Approval of Change Order #4 Summit Ridge Well Upgrade***

City Planner Marker reviewed the request for an extension of the of the Summit Ridge Well project. The Contractor is requesting a 31 calendar day extension in order to complete the project without penalty. Council Member Vincent indicted if the extension is allowed and a penalty is not assessed then the Contractor would be submitting a change order for an additional amount. City Planner Marker indicated the funding is based on grants what need to be expended before the end of the year. City Manager Reeves reported during his experience as a City Manager, he hasn't ever had a project that didn't reveal surprises in the underground infrastructure one the ground was opened.

Council Member Hansen complimented the Mayor and Council Members for taking "change orders in hand" and looking out for the City's best welfare.

Council Member Linford moved to approve Change Order #4 Summit Ridge Well Upgrade.

A discussion was held as to the possibility of loss of funds if the extension is not approved. Council Member Askerlund was told approval of the extension does not constitute acceptance of an additional change order with additional fees attached.

After the discussion, Council Member Vincent seconded the motion. Council Members Askerlund, Linford and Vincent voted in the affirmative. Council Member Hansen voted against the motion.



## INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

### ***Ordinance 12-01-2009 "An Ordinance amending the City Zoning Map by Approving the Rezoning of 1.2 Acres from CBD to MSR"***

A discussion was held with regard to the property owner being able to build a multi family unit on the property.

Council Member Askerlund moved to approve Ordinance 12-01-2009 "An Ordinance amending the City Zoning Map by approving the Rezoning of 1.2 Acres from CBD to MSR". Council Member Vincent seconded the motion. Through a roll call vote, Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

## 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)

At 9:00 pm Council Member Linford moved to enter into an Executive Session. Council Member Hansen seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

Mayor DeGraffenried, Council Members Askerlund, Hansen, Linford, and Vincent, City Manager Reeves, City Planner Marker, Legal Counsel Rich, Rick Steele and City Recorder Farnsworth attended the Executive Session.

At 10:13 pm the Regular Council Meeting resumed.

## REPORTS BY MAYOR AND COUNCIL MEMBERS

### ***Mayor DeGraffenried***

Nothing

### ***Council Members***

Council Member Askerlund reported he received calls and e-mails with regard to snow removal. This issue will be addressed in the Mayor's Memo.

## ADJOURNMENT

At 10:15 pm Council Member Askerlund moved to adjourn. Council Member Linford seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative.

Minutes approved on January 6, 2009.

  
James E. DeGraffenried, Mayor

  
Susan B. Farnsworth, City Recorder

Mayor and City Council

I would like to state that I am opposed to the proposal to raise sewer rates and have listed three reasons why I feel they should not be raised. There are other, less expensive alternatives available for Santaquin City's wastewater treatment than the MBR technology that is proposed to be used in the new wastewater facility. There is no question that the MBR treatment facility is the best technology available. However with that state-of-the-art technology comes the more expensive price tag. It's like wanting a Mercedes-Benz car when you have a Kia budget. Some of the less expensive options are as follows.

a. Most of the south-Utah county cities are working towards building a regional wastewater treatment plant to be located in the Lake Shore area. Although the actual construction of that facility is several years away, Santaquin could connect to Payson's wastewater treatment plant in the interim. Payson City's manger is open to discussions on making this happen. A regional wastewater treatment facility makes sense because of the savings resulting from the economies of scale with this larger facility.

b. It is my understanding that the problem with the existing lagoons is that there is not sufficient property to dispose of the water from the lagoons in the summer. There are several farms in close proximity to the lagoons that could use the excess water if it was made available to them. I am personally associated with 80 acres that could utilize up to 320 acre-ft of water per summer. Utilizing the water in this manner would allow the life of the existing lagoons to be extended and enable the City to save money for a different facility when needed.

c. In the financial analysis section of the *"Executive Summary, Wastewater Collection and Treatment Facilities Master Plan, April 2009"*, it is projected that Santaquin's growth rate will be 4% annually over a 20 year time frame. This would mean that the City's population would double in 20 years. The financial analysis is counting on this growth to payback 1/3 of the loan that will be needed for the new wastewater facility. I feel that these projections are overly optimistic, especially in light of the economic downturn that we have recently experienced. All indications are that the recovery from the downturn will take many years rather than a few months. What this means to the residents of Santaquin is that they will be making up the difference in payments for the new growth that did not occur.

In conclusion, it appears to me that new growth is causing the need for the new treatment facility. I agree that we must grow, but the new growth should pay their way not the existing residents of Santaquin. I would be happy to discuss these items in further detail with you at your convience.

Thank you for your time.

Glade J. Robbins  
137 S. 300 E.  
Santaquin, UT 84655

Dear Council Members

I would like to voice my concerns about the proposed Sewer Rate increase. It is my understanding that this increase will be used to finance the proposed MBR treatment plant. I have done some research on this technology and I believe it will become the preferred treatment process for many cities in the future, and it is commendable that Santaquin City is working towards the reuse of this resource.

However my concern is that the City is asking the existing citizens, many of who can not afford an increase, to invest in and for future growth without any return in our investment. It could be argued that this plant will allow the city to grow both commercially and residentially, bringing new revenues to the city, but if that same increase was acquired through a tax increase it would create an additional \$500,000 per year. It would take a long time to realize this revenue increase through growth. The point that I am making is that this increase could unintentionally become a hidden tax. Most city councils are not too eager to return or lower rates once they have been raised. So any revenues that are realized due to the sale of the existing facilities, impact fees, money in lieu of, grants or debt reduction will not be returned to the citizens that you are asking to invest in this project. My guess is that it will be spent on expensive consultants, police, fire, streets, recreation, administration ECT.

Recently I built a new home, as has most of the council. When I bought my lot from the developer there was a portion of the price of my lot that was used to pay for water. Also when I purchased my building permit, I was charged an impact fee for Water, Sewer, Parks and Public Safety. Paying these fees should have covered any impacts my new home would put on these facilities. I feel that I have paid my share and should not be asked to pay for future growth through higher fees.

Now then, I am not the type to complain without having an alternative, so this is my suggestions.

You have been told that any modifications to the current laggon system are a band aid approach, but after talking to the design engineer of the current lagoons, I would have to disagree. He assured me that the current lagoons where designed to be upgraded with minimal expenses. The engineer also suggested that constructing a trunk line to Payson is a viable solution. Currently there is about 2.2 million dollars in the Sewer impact fee account. This should be enough to upgrade the current lagoons, creating enough capacity for another 5 to 20 years of growth. Keep in mind that you are not required to grow a hay crop and the existing plant is allowed to discharge to the land 24/7 as long as the water does not leave the property. You could actually discharge from March until November if necessary. I believe that building an additional treatment cell and then purchasing or leasing land for discharge is all that would be needed. Leasing water to the Kay's is a good start. In the meantime the impact fees, after the proper prceedures, should be re-set so that new growth will pay for the majority of any future improvements. Also you

should know that the existing debt will be paid off within the next five years freeing up approximately \$400,000 per year that can go towards the future improvements.

Secondly, I think that a trunk line to Payson should be looked at sometime in the future; and that the city should get back in the South County Regionalization Group. With the new annexation to the north this would provide the means to service any new growth. This is a little more expensive than the lagoons system, but I think it is a project that should be considered. I have been told that the city has concerns of losing chances for re-uses by letting this water go to Utah Lake. I believe this water could be traded to The Central Utah Water Conservancy District then taken out of the CUP Pipeline.

In talking to city engineers in neighboring cities, they believe that a regional MBR is a possibility in the future. Generally, building facilities as a group is more economical than going it alone, both in building it as well as O & M.

I understand that the city has a permit for re-use and recharge for 6000 acre ft of water, with a value of 30 million dollars. If this is the case then I should be receiving a dividend instead of paying a higher rate. I am not convinced that the city has an immediate need for this water. There is still underground water that is not being used; there is Summit Creek Water that should become available as growth comes. And now with the new annexation, there should be Strawberry Water Available. Plus it should be the developers' responsibility to provide water to the city.

Finally I would like to address the engineering of these projects. First of all I do not think it is ethical or a service to the citizens to award design and management of major projects to JUB just because they are the city engineers. With today's economy, there are many qualified engineering firms that are capable of designing and managing these projects. I believe that competitive bidding should be used as much as possible.

In closing, I believe that the council is acting in the best interest of the city, and I applaud your efforts in trying to keep ahead of the growth that will come to this city. However I believe you are about three steps ahead of yourselves. My suggestion is to proceed in this order; upgrade the existing lagoon system, build a truck line to Payson then consider a regional MBR. By taking this approach the new growth can pay for the majority of improvements, without putting any additional financial burden on the existing citizens.

Thank you for working hard and committing this part of your life for the Citizens of Santaquin.

Respectfully,

Keith Broadhead

cc.

all council members.



I'm grateful for the factual presentation we've just been given because I promised some friends ~~to whom~~ I love and admire ~~that~~ I wanted to get facts, pertinent information, that would help me make an informed decision about the matter before us tonight.

My husband Carl and I are watching the multi-disk movie John Adams. I feel somewhat like John Adams did as he defended in court the British general and soldiers. I choose to defend, based on facts, the unanimous decision of the City Council on July 1 to begin phasing out the lagoon system for a new mechanical treatment facility. ~~Also~~ <sup>Also</sup> on feelings that are important to me.

In the proceedings of this year's election there was an inordinate amount of tension in our part of the city. It was stressful to me. I felt as described by Shel Silverstein's "Tug O' War": "I will not play at tug o' war."

I'd rather play at hugo' war, where everyone hugs instead of tugs"... ending with "And everyone grins, <sup>to do</sup> And everyone cuddles, And everyone wins!"

all my life, and especially since I became a licensed Social Worker, I have sought to help

create win-win situations. I firmly believe we can work together to achieve one in this situation).

In the book Spencer's Mountain a teacher tells her student, "The world will step aside and let you pass by if you know where you're going." I vote we follow our leaders with the faith they know where they're going.

Just how strongly I felt the need to achieve a win-win situation here became evident as we listened to Natalie Cole at the Conference Center last Thursday<sup>night</sup> sing about "A Grownup Christmas List." Along with a list about world peace etc. was my hope for a win-win solution here.

A fact that gave me great hope appeared when I learned that Robert Grow is involved in our Desert Destiny where huge transformation will take place west of Santaquin. We've known Robert Grow most of his life and are impressed with his involvement in Envision Utah and more recently with the development of the Baywood Community including the new Quivira Mountain Temple.

As I see it we can sleep for 20 years as did Rip Van Winkle and wait for people to move to Santaquin then create the sewer

facility <sup>or move it now - 37</sup> I believe if we wait we run the risk of awakening to: instead of a nice "sleepy lagoon", a stinky lagoon. Also, as depicted in a recent newspaper cartoon where a new home owner exclaims to her friend "I'm so excited to finally have indoor plumbing." There sits in the middle of her living room - an outhouse!

If we move on with building the new facility - we can release a lot of creative energy among our citizens. Energy for people like Dan Olson and his friends who've worked on the concept of a reservoir and recreational facility in Poth Canyon for <sup>years</sup> 14 <sup>centuries</sup>. We can also utilize our energy, as I as a social worker intend to do, to apply for grants, etc. to help those who need help in paying utility bills.

I must confess another item on my Growing Christmas list would be for Lantana, etc. to have ~~an~~ an amphitheater on the East Bench. We've heard the Utah Symphony at Deer Valley and at Sundance and there's nothing there to compare with the views from the East Bench. (Bring old picture) Photographs Dan Lund took this photograph from his driveway when he lived on 550 So.) From the bench there are also views of some of Utah Lake and a wonderful vista of the vibrancy

of Santaquin. I know it would involve a lot of fund raising and planning but it is doable. I know people who own 80 acres of undeveloped there. I also relish the thought of those hills coming alive with the sounds of Craig Evans incredible music. Now I invite you to create a Grown Up Christmas list, ~~including~~ in fact, I'll make a contest of it. You envision something you'd like to have happen in Santaquin. Make it doable and positive (nothing like the anonymous letter I received a few years ago suggesting I get out town); make it creative, a blessing to all. Submit entries to me at the Senior Center/ City Hall by Dec. 31. The winners will receive this crisp new \$50 bill. I'm thinking to ask Robert Grow and his wife Linda to be the judges and I promise to not tell my 6'6" tall grandson that you got his crisp new bill and he will get one of equal value - just not so crisp.