#### NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, May 3, 2009, in the Council Chambers, 45 West 100 South, at 7:00 pm.

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#### **AGENDA**

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. INVOCATION/INSPIRATIONAL THOUGHT
- 4. CONSENT AGENDA
  - a. Minutes
    - 1. April 15, 2009
  - b. Bills
    - 1. \$358,846.33
- 5. FORMAL PUBLIC HEARINGS
  - a. Wastewater Master Plan
- 6. 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. Doug Rohbock
- 7. UNFINISHED BUSINESS
- 8. BUSINESS LICENSES
- 9. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
- 10. NEW BUSINESS
  - a. Possible action with regard to the Openshaw Single Lot Split
  - b. Possible action with regard to the Canyon Subdivision Final Plat Amendment Request
  - c. Establish the time, place and order posting of a Public Hearing for the Tentative FY2009/2010 Budget
  - d. Authorization to spend up to \$120,000 for acquisition of options on real estate

#### 11. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)

- Resolution 05-01-2009 "Adoption of the Tentative FY2009/2010 Budget"
- b. Ordinance 05-01-2009 "An Ordinance Adopting the Wastewater Treatment & Collection System Facility Master Plan"
- c. Ordinance 05-02-2009 "Ordinance Amending Provisions of the City's Multi-family Development Standards"
- 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.

RY.

Susan B. Farnsworth, City Recorder

POSTED:

CITY CENTER POST OFFICE ZIONS BANK

® Amendment to Agenda

#### CITY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS MAY 6, 2009

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

Others attending: City Planner Dennis Marker, Department of Public Safety Director Dennis Howard, Legal Counsel Brett Rich, Doug Rohbock, Kari Elmer, Lynn Adams, Chad Rowley, Curtis Rowley, Jeremy Spenst, Keith Broadhead, Tod Rowley, Phillip Rowley, Kathy Brandon, Dennis Brandon, Jonathon Ward, Mike Robertson, Terry Kester, Ray Rowley, Fred Openshaw, Mark Openshaw, Kenyon Farley, Nolan Jensen, Cory Hone, Jimmy DeGraffenried, Edith Jarvis, Bruce Houser, Ricki Rowley, Brenda Rowley, Don Anderson, Floyd Pando, Wes Morgan, Ray Rowley, and other unidentified individuals.

#### PLEDGE OF ALLEGIANCE

Council Member Vincent led the Pledge of Allegiance.

#### INVOCATION/INSPIRATIONAL THOUGHT

Mr. Rohbock offered an Invocation.

# CONSENT AGENDA Minutes April 15, 2009 Bills \$358.846.33

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

#### FORMAL PUBLIC HEARINGS

#### Wastewater Master Plan

Council Member Green moved to enter into a Public Hearing with regard to the proposed Wastewater Master Plan. Council Member Linford seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

Mayor DeGraffenried reviewed the need for the City to adopt the Wastewater Master Plan. He indicated the City has tried to draft a plan to help the City grow in a positive way. He reported the Community Action Committee has had a great input in drafting the plan. The City has held four open houses pertaining to the City's needs pertaining to wastewater. Information is available at the City Office if the public would like to review it. Mayor DeGraffenried reported \$4.7 million dollars have been allocated to the City by Department of Water Quality as well as approximately \$300 thousand dollars from the Federal Appropriations Committee. Additional money has been applied for through the State of Utah. Mayor DeGraffenried indicated the City **WOULD** not build a sewer system if the City could not pay for it.

Lynn Adams – resident of Santaquin, feels additional planning is required before the project is started. He was told the additional funds would be used to consolidate the system. Mr. Adams was also told there is a 15% contingency fund built into the project.

Chad Rowley – resident of Santaquin, read a statement presented to the Mayor and City Council (see attachment "A" for the statement).

Council Member Askerlund requested Trevor Lindley address Mr. Rowley's question of the "safety net" as well as where the water would be stored during the winter months. Mr. Lindley indicated there are two options pertaining to the safety net and the storage issue. They are to pump the water back to the present location or discharge into the Highline Canal. As of this time, discharging to the canal has not been approved.

Council Member Linford was told there are various "types" of water being considered for irrigation with the exposure to the public being taken into consideration. Mr. Lindley explained the quality of water collected is measured by "turbidity".

Mayor DeGraffenried thanked Mr. Rowley for his comments and reassured him that all options will be reviewed and considered before the City begins the project. He commented that this area is the number two sour cherry producer in the nation. Mayor DeGraffenried reminded those in attendance that by approving the Wastewater Master Plan the decision has not been made as to where the facility will be placed or what kind of facility would be built. Mr. Lindley reported the need to adopt the Master Plan gives the City flexibility to request funding and finalize impact fees.

Mayor DeGraffenried stated there would be an additional Public Hearing before the kind of system or a location is determined. Mr. Lindley reported the \$360 thousand dollars will be used to "keep the engineering going forward" as there are issues that can be addressed that is needed for either plan.

Keith Broadhead – resident of Santaquin, was told that the engineering for the project was not put to an "RFP" as J-U-B Engineering is acting as the City's Engineers. Mr. Broadhead was told that the City has water rights that have not been developed and any money received for the proposed sale of the current lagoons would be used to pay down the sewer loans.

Kenyon Farley – member of the Citizen Action Committee, reported there was some good that came from that committee. He wanted it known that the consensus of the committee was not unanimous. He indicated he doesn't want the facility on the North of the City and the land for the proposed facility has been platted to be used as a park. He reported in 1994 he and Keith Broadhead went through a similar issue and the "farmers" gave a great deal to the City. At the time, He felt the agreements put in place in 1994 would not be addressed a mere 15 years later. He would like to see an MBR as the facility but would like to have it placed at the current lagoon location. Mr. Farley reported he has come to cherish the "right to quiet and pleasure" he currently enjoys. He thanked Mr. Dan Adams for the "guts" to visit with him on a regular basis.

Mike Roberts – resident of the Community reported his family owns the property to the east of the current lagoons and would like to be considered when finding a way to reuse the sewer water. He would use the water on the family hay fields.

There was a "straw vote" taken with the majority attending indicating they would like to have the sewer facilities located where the lagoons currently are.

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

At 8:20 pm Council Member Askerlund moved to take a 5 minute break as we were experiencing computer problems. Council Member Hansen seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

At 8:35 pm the meeting was called to order.

#### FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS Doug Rohbock

Mr. Rohbock stated "something went wrong the other night". He thanked the Mayor and Council for their hard work but "doesn't know if we will ever know what went wrong". He stated he was talking about the shooting of Mr. Bachelor. He would like to see if there was someway productively to make sure this doesn't happen again (someone's husband, father and son being killed). Mr. Rohbock wondered if the City had an Emergency Plan. He was told that we do and it would be followed if there was an emergency. Mr. Rohbock voiced his concern with "turning authority" over to an outside agency and giving up our rights as the City. Mr. Rohbock indicated he doesn't, as he is sure Mike Bachelor didn't, trust in the "laws". Mayor DeGraffenried thanked Mr. Rohbock for his attendance this evening.

Nolan Jensen reported he has been a baseball coach for over 15 years. He stated the current Recreation Director recently left him a voice mail to which he was offended. He indicated he was excited when the City hired a full time director but has found that the programs have taken a nose dive instead of getting better (see attachment "B" for a list of his concerns). Mr. Jensen ended his comments by saying that the Pony League brought in approximately \$1900 and he hasn't seen "anything" for this money. Mr. Jensen indicated he also had an e-mail from an additional coach who could not attend the meeting (see attachment "C").

Corry Hone indicated he also had an issue with the Recreation Department. He is concerned with the field conditions and feels the City has liability issues associated with the fields not being conditioned. He reported he doesn't see the Recreation Director at any of the events as well as the teams can't use the batting cages. He would like to have a change in the way the department is run.

#### **UNFINISHED BUSINESS**

Nothing

#### **BUSINESS LICENSES**

Council Member Green reviewed the following Business Licenses. He indicated the appropriate fees have been paid and the applicants have received the required inspections.

- Blain Oberg D.B.A. Blain Oberg Construction
- Joseph Bigler D.B.A. Edison Cost Management
- Travis Ryan D.B.A. T & S Sports

Council Member Green moved to approve the afore mentioned business licenses with the requirement that Travis Ryan provide the FFL Final approval within 3 months of the license issuance date. Council Member Hansen seconded the motion. Council Member Askerlund asked what would happen if the equipment associated with Oberg's license were to be parked on the property located within the City boundaries. City Planner Marker stated Mr. Oberg would be given

written notice to come into compliance with the City Code. Council Members Askerlund, Green, Hansen, and Linford, voted in the affirmative. Council Member Vincent voted against the motion.

## REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES Nothing

#### **NEW BUSINESS**

#### Possible action with regard to the Openshaw Single Lot Split

City Planner Marker reviewed the Openshaw Single Lot Split (see attachment "D" for Staff recommendation).

Council Member Vincent moved to approve the Openshaw Single Lot Split. Council Member Askerlund seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

# Possible action with regard to the Canyon Subdivision Final Plat Amendment Request

City Planner reported the Canyon Subdivision Amendment decreases the proposed lots from 24 to 17. Mayor DeGraffenried stated the owner of the property was his son Jimmy. Mayor DeGraffenried also indicated he didn't have any interest of financial obligation in the property. Council Member Green stated his concern with the creation of the flag lot. He was told the City Code allows the creation. It was also reported that all lots require a minimum of 24' frontage. Mr. DeGraffenried reported Aaron Jones has agreed to allow access lot 18 through his property. The City would not record the subdivision plat until the permanent access is recorded. Council Member Askerlund was told the costs of the infrastructure contributed to the decrease of the number of lots as well as his wife preferred the larger lots and "she is the boss". Council Member Vincent indicated he felt the "Flag Lot allowance" was stretched in this instance (see attachment "E" for Staff recommendation).

Council Member Askerlund moved to approve the Canyon Subdivision Final Plat Amendment. Council Member Green seconded the motion. Council Members Askerlund, Green, Hansen, and Linford voted in the affirmative. Council Member Vincent voted against the motion.

# Establish the time, place and order posting of a Public Hearing for the Tentative FY2009/2010 Budget

Council Member Askerlund moved to authorize City Recorder Farnsworth to post the Public Hearing for the Tentative FY2009/2010 Budget which will be held on May 20, 2009 at approximately 7:00 pm, post the notice in the 3 official posting sites, for at least 7 days prior to the meeting and publish the notice in the Payson Chronicle the week of May 11, 2009. Council Member Linford seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

#### Moved item 10d to after the Executive Session

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)

Resolution 05-01-2009 "Adoption of the Tentative FY2009/2010 Budget"

Council Member Green moved to approve Resolution 05-01-2009, Adoption of the Tentative FY2009/2010 Budget. Council Member Askerlund seconded the motion. Through a roll call vote, Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

# Ordinance 05-01-2009 "An Ordinance Adopting the Wastewater Treatment & Collection System Facility Master Plan"

Council Member Linford moved to approve Ordinance 05-01-2009, An Ordinance Adopting the Wastewater Treatment & Collection System Facility Master Plan. Council Member Hansen seconded the motion. Council Members Green, Hansen, and Linford, through roll call vote, voted in the affirmative of the motion. Council Member Askerlund and Vincent voted against the Ordinance.

# Ordinance 05-02-2009 "Ordinance Amending Provisions of the City's Multi-family Development Standards"

Council Member Askerlund moved to approve Ordinance 05-02-2009, Ordinance Amending Provisions of the City's Multi-family Development Standards. Council Member Hansen seconded the motion. Through a roll call vote Council Members Askerlund, Green, Hansen, and Linford voted in the affirmative. Council Member Vincent voted against the motion.

#### PETITIONS AND COMMUNICATIONS

Nothing

#### REPORTS BY MAYOR AND COUNCIL MEMBERS

**Mayor DeGraffenried** 

Nothing

**Council Members** 

**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 10:11 pm Council Member Green moved to enter into an Executive Session to discuss pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property. Council Member Linford seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

Those attending the Executive Session: Mayor DeGraffenried, Council Members Askerlund, Green, Hansen, Linford, and Vincent, City Planner Marker, Legal Counsel Rich and City Recorder Farnsworth.

The regular meeting reconvened at 10:50 pm.

Authorization to spend up to \$120,000 for acquisition of options on real estate Nothing

#### CITY COUNCIL MEETING MAY 06, 2009 PAGE 6 OF 6

#### **ADJOURNMENT**

At 10:51 pm Council Member moved to adjourn. Council Member seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative.

Approved May 20, 2009.

James E. DeGraffenried, Mayor

Susan B. Farnsworth, City Recorder



#### **CLOSED EXECUTIVE SESSION AFFIDAVIT**

I, James E. DeGraffenried, Mayor of Santaquin City, do hereby certify that the Executive Session held on May 06, 2009 was called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property.

James DeGraffenried, Mayor

City Council Meeting May 6, 2009 Attachment "A"



# Cherry Hill Farms, Inc. PO Box 1148 Santaquin, UT 84655

801-754-3969

May 6, 2009

Mayor James DeGraffenried and Santaquin City Council Members:

It is ironic that the rural and agriculture lifestyle our city promotes and advertises is the lifestyle at further risk by one of the proposed locations for the new sewer treatment facility.

The present location of the sewage lagoon ponds was a compromise between Santaquin City leaders and agriculture interests to keep the wastewater treatment out of the middle of the fruit industry and was constructed in a location less threatening to the majority of the fruit acreage. Several years ago fruit growers provided, at no cost, easements for pipe lines needed to complete the current sewage project. We applaud the efforts of past Santaquin City Fathers as they worked to cooperate with the fruit industry.

We appreciate and thank each of you for your efforts to educate our industry and community on the different water treatment proposals you are considering. You have worked hard to help educate all of us.

We do not feel that the sewage ponds have exceeded their capacity yet. However, they will some day and your foresight and ingenuity is appreciated as our community prepares for that time.

We would ask you to please seriously consider constructing, when needed, the MBR system at the present sewage pond location. We fully understand the alternatives considered for placing the MBR system on the north side of Santaquin. However, please consider the following:

- The proposed northern location, near the center of our fruit growing region, is a serious
  concern to the fruit industry. Our products are sold world-wide. Inspectors visit our orchards
  and facilities on a regular basis. Any real or perceived food safety threat can influence their
  purchasing decisions.
- The negative aspects of any sewage treatment facility to a future industrial park, located at the present lagoon site, should not be considered any more important than risking loss of fruit sales due to sewage water issues and food safety concerns.
- 3. Water from a northern location will still be pumped. Pumping costs will not be eliminated. Yes, they may be reduced slightly; however, there is a cost to protecting the lifestyle many citizens believe to be important. A small increase in pumping expenses was the cost that past City Fathers agreed to live with and understood. Please remember the commitments that past city leaders have made.
- 4. The future plans for the northern region of Santaquin show plots proposing housing, parks and subdivisions. It seems to be more logical, where possible, to place a sewage treatment facility near an industrial area of town; not adjacent to housing developments or to displace a planned city park.

City Council meeting SANT. RECREATION May 6, 2009 Attachment "B" Beter Community Need to be prepared for Practices & Dam 2 weeks Needed Pitching Mound of Asking 1. Fields Needs to be conganized Not doubled up with other pagenns 2. Tayouts Deats Paperts need to be intormed (EMA:1) Unitorms, Score books,
Balls, Bats, Catchers equipte
Ditching Machine Access
Balling Cage Net 3 Eguiptment 4. Team Rosters D Need Names of contact info comunicate with Coaches (Added players) (we pick up)? 5 Game Schedules Umpipes, fields Ready Lined Light for right Games 6 GAMES

City Council meeting Mary 6,2009 Attachment "B-2"

7. Costs, increase yet we recieve

1ess in equiptment, uniforms, umpires General
1 for Pany

4 field conditions which is a selection

At Reflection of the city to All

who Panticipate

I'm Speaking only on what I have experienced in Baseball have heard many of the same complantes from other coaches is & Panents in volved in other activities other than baseball

City Council meeting may 6, 2009 Pottachment "C!"

Concerns for Youth Sports in Santaquin

From:

Brian Rowley (isee2020@hotmail.com)

Sent: Tue 5/05/09 12:45 PM To: nolanjen@msn.com

Baseball:

\* Jersey's: Other cities pay less money and have better jerseys, (Team Shirt & Hat) I think we need to make sure the kids wear pants and cleats as well. Make them more of a team.

Each uniform should be the same, and all kids should be required to wear the same gear. This builds a sense of team unity. And if all kids are doing it, it also brings equality in appearance.

\* Fields: Have you tried to practice on a field that has mud divits? That sure makes it interesting for the ball to bounce differently each time. The field needs to be taken care of better. The fields need to be softer and not cement. Kids can't slide into bases without coming up with raspberries (and I'm not talking fruit either:)) The don't want to slide if the field is not taken better care of.

Wetting the field, Chalking the field, grass care, infield care.

- \* Equipment: We have a catchers mask that is falling apart, Balls: Are the 12 balls we got from the city for "Game's" or practice? I assume they are for game's but we need more to practice with. Subsequently I went and purchased 3 dozen balls in SF for the purpose of having practice balls, for hitting, fielding and etc.
- \* Umpires: I'd like to have a list of who the umpires are, and when they are umpiring our games. Flag football we had a difficult time with that.
- \* Starting Baseball earilier: I know for baseball, other programs are going before we are, and they end before we do (which is good for other summer activities) Can we start that earlier.
- \* I'm concerned about the discouragment that I hear about in our youth program. The kids are not wanting to come out and play. It's hard to only have 2 or 3 teams to play against, It's hard to have a team stacked with 6 extra subs, because nobody wins when you only get limited playing time.

I believe the role of the Youth program is to provide an environment for those who are not playing accelerated leagues to get the time and attention at playing the sport that the others are getting at Accelerated levels. I don't mind having a kid from an accelerated team play the city sports, but I do not think it right that a youth team is made up of mainly accelerated players.

I'm not sure if that is the reason we are having difficulty fielding enough kids for more

Cornert City Council meeting May 6, 2009 Attachment "C-2"

teams?

\* Keys to the pitching machine. - We've been told that there are keys to the pictching machine, but haven't been able to get one. That would help our kids in practice.

Scheduling practices: Need to post a schedule on the field's of when a practice is scheduled. That way we can see when the field is available to use.

City Council meeting May 6, 2009 Attachment "D"



## A Community Prospering in Country Living

(Agriculture, Equestrian, Recreation)

### **MEMORANDUM**

April 30, 2009

To:

Mayor DeGraffenried and City Council

From:

Dennis Marker, City Planner

RE:

Openshaw Single Lot Subdivision

900 South Canyon Road

Zone: R-20 Lots: 1

Acres: 0.66

#### Background:

Mr. Mark Openshaw is seeking approval of a single lot subdivision at approximately 45 East 900 South (See attached maps). The applicant's proposal is to subdivide one lot from his family's larger orchard property. The new lot would be approximately 0.66 acres (28,801 square feet). The remaining family property will have approximately 11.05 acres and continue to be used for agricultural purposes. These parcels were annexed in 2008 and an R-20 zone was placed upon them.

#### **Analysis:**

#### Lot Standards.

The subject lot and mother parcel are located in the R-20 Zone. Minimum lot sizes in this zone are 20,000 square feet. The subject parcel will have over 28,000 square feet.

Lots in the R-20 Zone must have 130 feet of frontage. The frontage is based on property line width along City owned right-of-way for vehicle travel. The proposed lot has 131.12 feet of frontage on 900 South.

<u>Access.</u> The parcel will have direct access off of 900 South. The larger family parcel will continue to utilize historic access near the intersection of Canyon Road and 900 South.

<u>Utilities</u>. The applicant will need to connect service lines to existing facilities in the street.

Additional Items: Road Dedication. The applicant's property encroaches upon a City master planned future road (i.e. 900 South). City code Title 11-6-32, Public Sites and Open Spaces, requires that where a proposed. . . public use, as shown in [an] adopted city plan is located in whole or in part within [the] subdivision, the planning Commission may require the development, dedication, or reservation of such area. Over 15' of right-of-way will need to be dedicated along Lot 1. It is proposed that additional dedication of property along 900 South and

City Council Meeting May 6, 2009 Attachment "D-2"

Canyon road, along the mother parcel, be postponed until future development of the farm occurs. Any future dedication will affect both lot frontage and lot areas.

Curb, gutter and sidewalk are required and must be bonded for prior to recording of the subdivision plat. Design for these improvements is shown in the documents provided by the applicant.

The initial plat (attached with this memo) for this subdivision, as reviewed by the Planning Commission, included the subject parcel as well as the family farm from which it is being created. As the Development Review Committee review ensued, it was found that various overlaps with adjacent properties as well as boundary disputes existed around the farm. However, there were no such concerns with the boundaries surrounding the proposed subject parcel. After discussing the matter with the County Recorder's office it was determined that the most convenient way of creating the new parcel at this time, without having to solve all of the boundary issues around the remaining farm property, was to record a single lot plat. The plat would still formalize the segmentation of the family farm and show the appropriate dedication of right-of-way along 900 South, but would not necessitate the immediate resolution of disputed boundaries. Boundary disputes around the family property can be resolved when future development of the farm is imminent.

#### Recommendation:

The Planning Commission reviewed this proposal during their January 22, 2009 meeting and after conducting a public hearing on that same date, forwarded a positive recommendation to the City Council (See attached minutes).

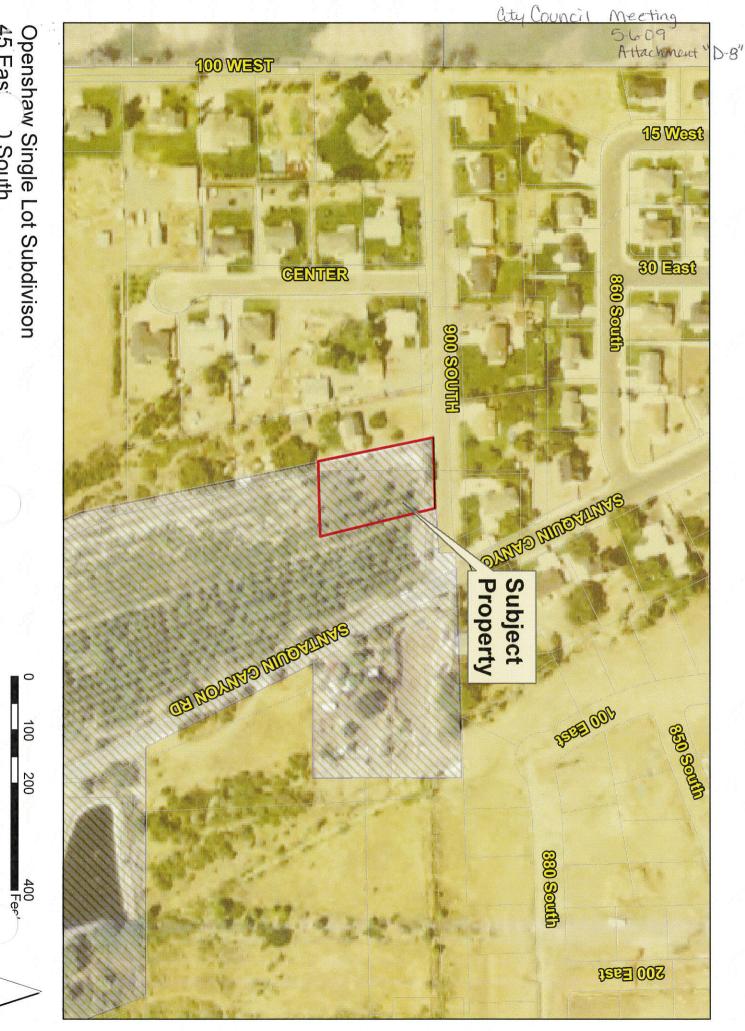
Staff recommends the City Council approve the Openshaw single lot subdivision located at 45 East 900 South, as proposed by Mr. Mark Openshaw, based on the following findings and conditions:

#### **Findings**

- 1. With the dedication of property to the City for improvement of 900 South, the proposed lot meets all the requirements for a residential lot in the R-20 Zone.
- 2. The single lot plat provides for the dedication of needed right-of-way along 900 South along the frontage of the newly created parcel. Future dedication can still occur when development of the remaining farm property is proposed.
- 3. Platting the single lot at this time facilitates the needs of the property owner while postponing the need to resolve boundary issues around the remaining farm property. One of these disputes includes a possible overlap with City owned property.

Dennis L. Marker City Planner

Tanher





Produced By Santaquin City Community Development

City Council Meeting 5-6-09 Attachment "D-4"

#### PLANNING COMMISSION MINUTES

January 22, 2009 - Page 4

#### Major Home Occupation Review - Openshaw Wholesale Fruit Distribution, continued:

Commissioner Chatterley made a motion to approve a conditional use permit for Openshaw Wholesale Fruit Distribution at 65 East 900 South, based on the findings that: 1) the proposed use is in harmony with the general objectives of the general plan and the development code as long as all applicable home occupation standards are complied with; 2) the proposed use follows the intended purposes of the R-20 zone; and 3) all the review criteria for conditional uses have and can be met.

The criteria can be met under the following conditions: all safety inspections and building permits be obtained prior to opening business; that a Santaquin City business license be obtained prior to opening and remain in good standing for the duration of business operations; that all applicable standards for major home occupations listed in the Santaquin City Code be followed; that appropriate amounts of water be dedicated to the city for the development of the property and payment of applicable impact fees be made; that a lighting plan and screening plan be submitted with the building permits for review and approval by staff; that all business associated truck traffic not drive on 900 South; that this use be reviewed upon legitimate unresolved complaint; and that all issues raised in this meeting be resolved. Commissioner Mecham seconded the motion.

Commissioner Colson said she would like to emphasize that the issues included an agreement on sound arriers, safety for children, walkways, and consideration of intersection improvements. Commissioner Chatterley amended his motion to include the issues indicated by Commissioner Colson. Commissioner Mecham seconded the amended motion. The vote to approve a conditional use permit for Openshaw Wholesale Fruit Distribution was unanimous.

#### **Openshaw Single Lot Split:**

Commissioner Stringham opened the public hearing on the Openshaw Single Lot Split at 900 South Canyon Road. Mark Openshaw said currently the property boundaries are in dispute. When the initial survey was done, it appeared a piece of the road was in dispute. Dennis Marker said it appears on the County maps that the Openshaws own some of the road, and there is some confusion on where the property lines actually are. Mr. Openshaw said when the flood control was built, it was deeded to the County under the condition that if it is torn down, the land is returned to the owner. The Openshaws still pay taxes on the property. No additional comments were addressed to the Commission. Commissioner Stringham closed the public hearing on the Openshaw Single Lot Split.

Mr. Openshaw said that he would try to make the access appropriate for Canyon Road, but asked that the City not make an additional burden for him that they would not ask another business. If it will be necessary to develop curb and gutter as part of the subdivision process, he will consider that. Possible lot options were discussed.

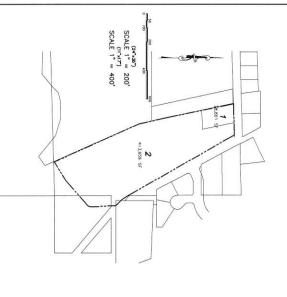
Commissioner Payne made a motion to forward the Openshaw Single Lot Split at 900 South Canyon Road to the City Council with a positive recommendation on the condition that the new parcel have a minimum 130 eet of frontage, the required improvements be done, and that the necessary right-of-way be worked out with city. Commissioner Colson seconded the motion. The vote to forward the Openshaw Single Lot Split to the City Council with a positive recommendation was unanimous.

Attachment

"D-3"

# OPENSHAW PLAT "A"

SANTAQUIN, UTAH COUNTY, UTAH A RESIDENTIAL SUBDIVISION FINAL PLAN SET **MARCH 2009** 



# SHEET

COVER & INDEX
OPENSHAW PLAT "A"
SITE PLAN
PLAN & PROFILE—900 SOUTH—STA. 10+00 TO STA. 12+75
DETAIL SHEET

# -SHEET INDEX-SHEET NAME





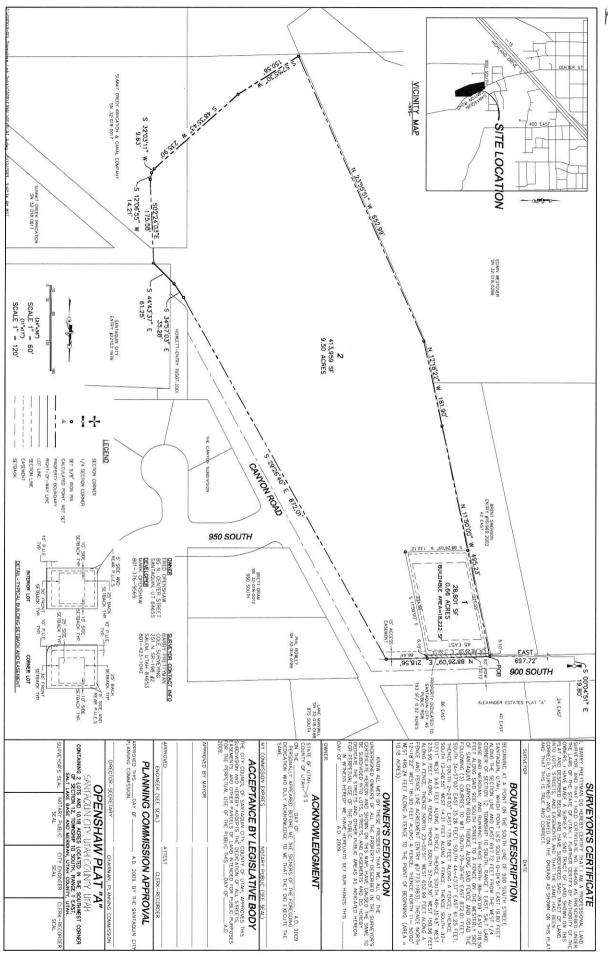
ATLAS

ENGINEERING PHONE 501 - 655 - 0566 FAX 801 - 635 - 000 MEXT ON NORTH 1500 MEXT OREN, UT 84057

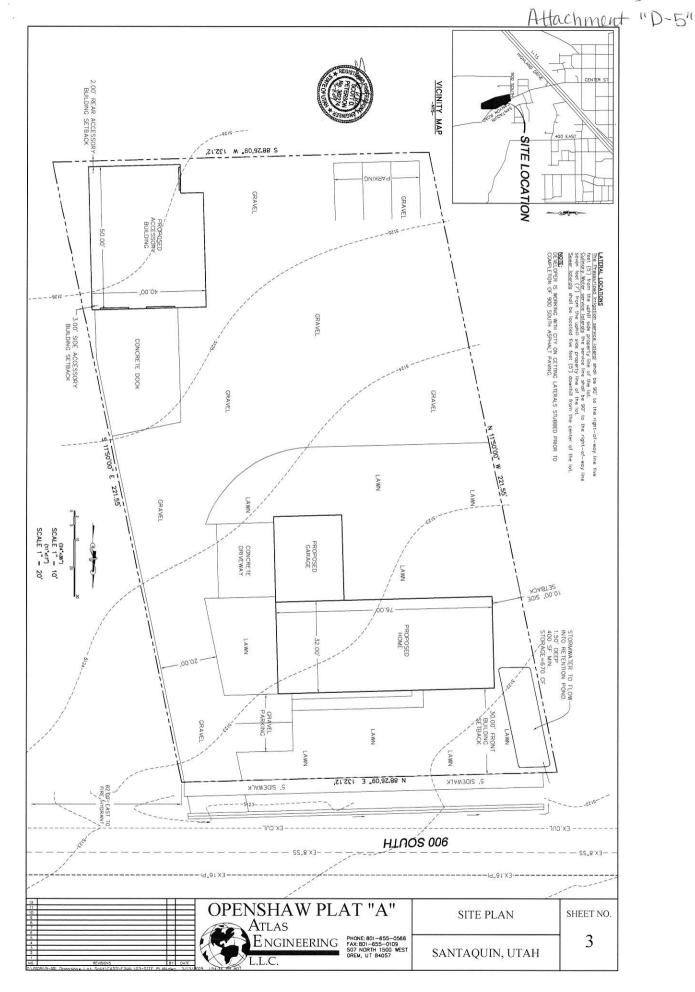
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Cuty Council Meeting 5-6-09

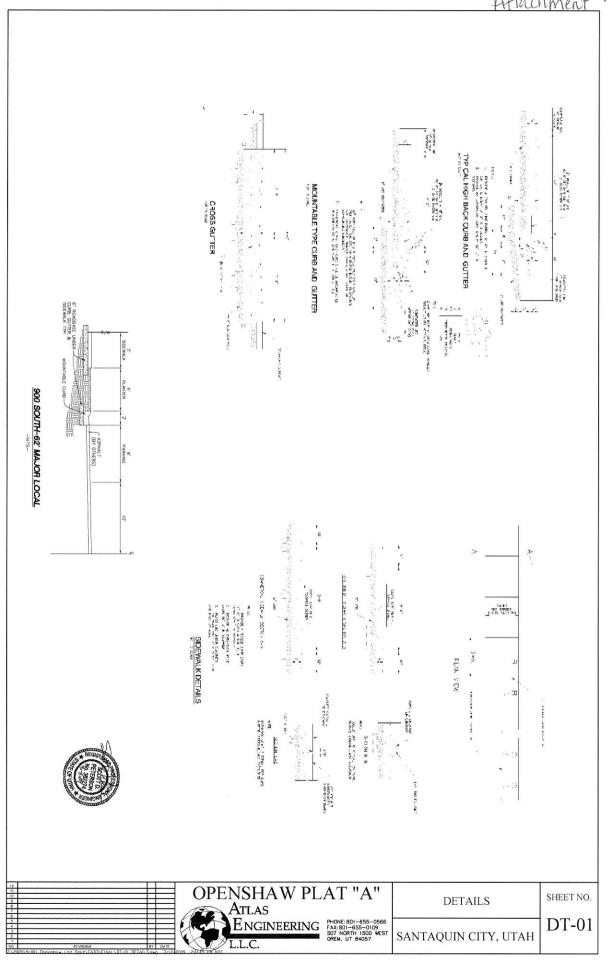
Attachment "D-4"



City Council Meeting 5/4/09



City Council Meeting 5/6/09 Attachment "D-6"





# City Council Meeting may 6, 2009 A Community Prospering Attachment "E" in Country Living

(Agriculture, Equestrian, Recreation)

#### **MEMORANDUM**

April 22, 2008

To:

Mayor DeGraffenried and City Council

From:

Dennis Marker, City Planner

RE:

The Canyon Subdivision Final Plat Amendment

Approximately 1000 South Canyon Road

17 lots

S#08-01

Acres: 12.32

Notice: This item was noticed to the general public in accordance with City procedures.

#### Background:

The Canyon Subdivision property was annexed in 2008 with the Jones Annexation. An annexation development agreement was entered into with Mr. James DeGraffenried, Jr. and the City for the development of this property. In that agreement, a concept plan for the Canyon Subdivision was attached as an exhibit. That concept showed a potential of 24 lots with a minimum lot size of 12,000 square feet. Since the annexation occurred, Mr. DeGraffenried has completed the subdivision review process for the Canyon Subdivision. The subdivision has not been recorded yet.

Mr. DeGraffenried is now requesting the City consider a proposed amendment to the final subdivision plat. He is asking the city to allow him to reduce the number of lots from 24 to 17 and to have at least one lot less than 12,000 square feet (See attached plans). The City's development review process requires that any major modifications to a subdivision with final plat approval must receive a recommendation from the Planning Commission before being sent to the City Council for amendment approval. No public hearings are required for this request.

The Planning Commission reviewed this proposal during their April 23, 2009 regular meeting (See attached minutes).

#### Analysis.

Lot Standards

Number.

The concept plan for the development had 24 lots with at least 12,000 square feet (average lot size = .39 acres). The proposed plan shows 17 lots with the minimum lot size being 10,730 square feet (average lot size = .63 acres)

Frontage. Each of the lots will meet the frontage requirements for the R-10 zone, except that the applicant is asking to have at least one flag lot in this proposal. The plans shown to the Planning Commission included two lots being accessed from one flag lot stem. The revised drawings, included with this packet, show only one flag lot. The Planning Commission forwarded a positive recommendation on the flag lot as long as the City's flag lot standards are met (Standards are attached hereto as Exhibit A).

City Council meeting 5-6-09 Attachment "E-2"

The applicant is also proposing that one of the lots (lot 18) be allowed to have frontage along a private lane, rather than a public street. This option was discussed with the Planning Commission during their meeting and would be allowed under the City's Private Street standards (S.C.C. §11-6-4).

#### General Plan Considerations

The Land Use Map of the General Plan shows this area on the boundary between medium density (2.0-5.0 units) to the acre) and Low Density housing (0.5 to 2.0 units) per acre). The Countryside Estates development to the north was built with a 4.3 units per gross acre density (10,000 square) feet lots). The proposed density for The Canyon will be 0.77 units per gross acre.

#### Recommendation:

The Planning Commission reviewed this proposal during their April 23, 2009 meeting and has forwarded a positive recommendation to the City Council (See attached minutes).

Staff recommends that the City Council approve the propsed amendment to the Canyon Subdivision final plat based on the following findings and conditions.

#### **Findings**

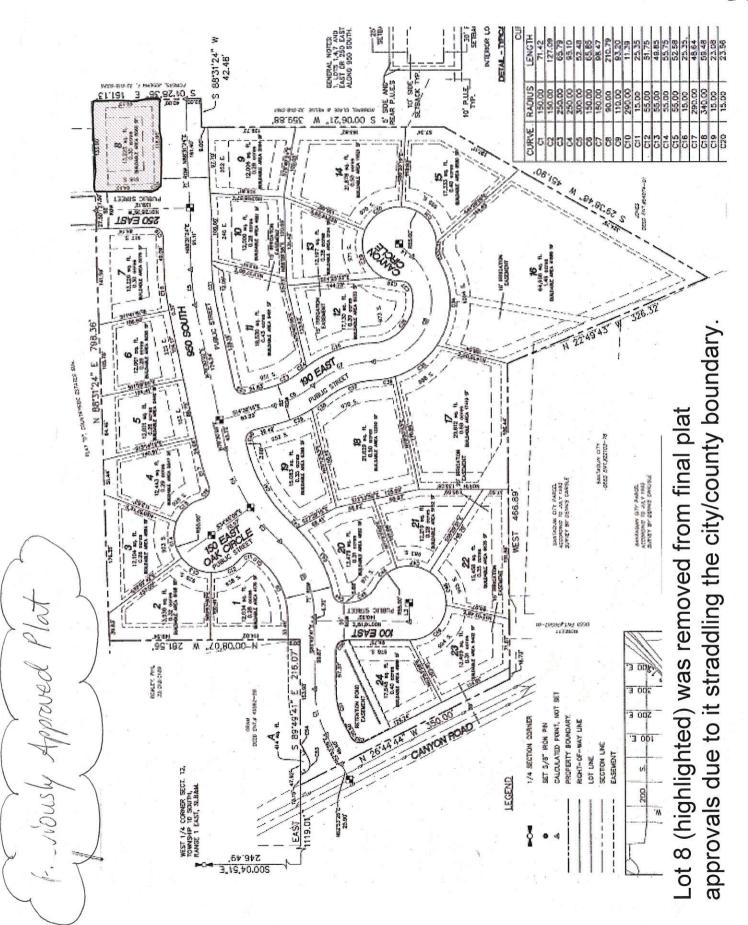
- 1. The proposed subdivision has fewer lots than the one previously proposed thus reducing the impact on the existing city streets and neighborhoods.
- 2. The proposed development complies with the General Plan's density standards for the area.
- 3. The proposed development provides a transition between the higher density Countryside Estates and the low density area of the bench as encouraged through the City's General Plan.
- 4. The subdivision will provide a key connection to the bench areas from Canyon Road, as outlined in the City's General Plan Transportation Element.
- 5. Public trails are being provided in accordance with the City's Parks and Recreation Element of the General Plan.

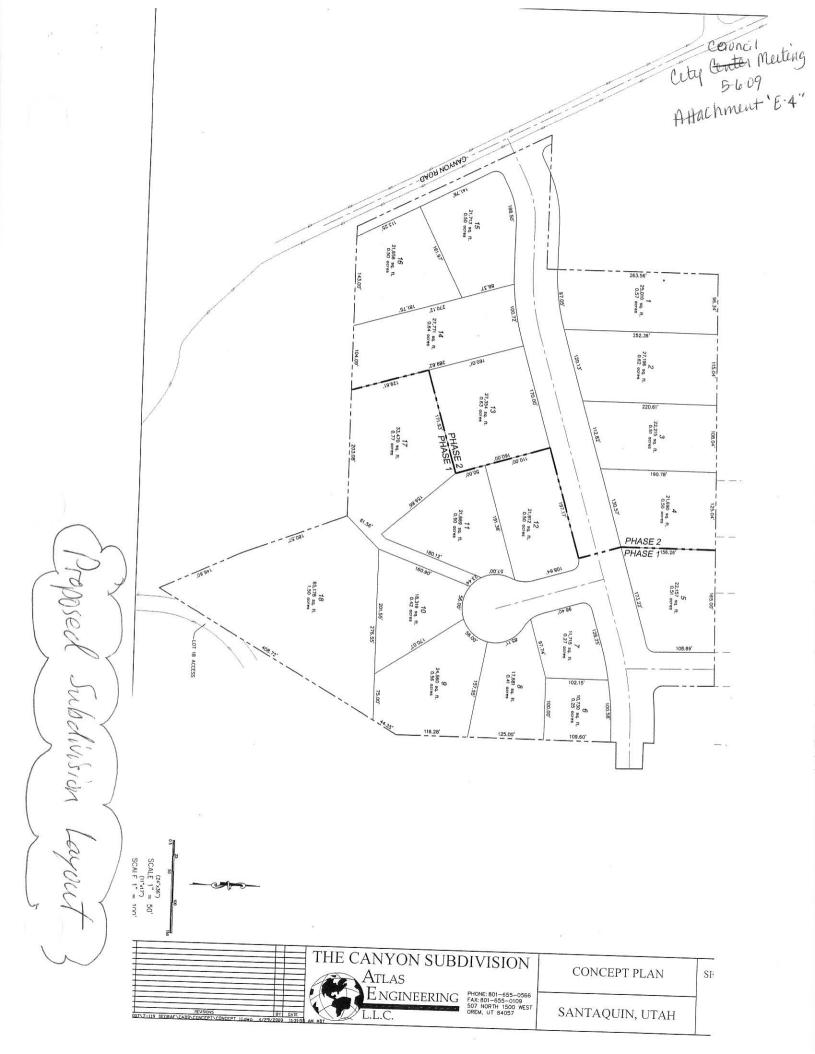
#### **Conditions**

- 1. That the annexation development agreement be amended to allow for at least one lot to have less than 12,000 square feet, and
- 2. That the proposed subdivision layout, having only 17 lots and an average lot size of 0.63 acres, replace the current exhibit within the annexation development agreement.
- 3. That any approved development details needing to be modified based on the proposed amendment be worked out with City staff prior to recording of the first phase.

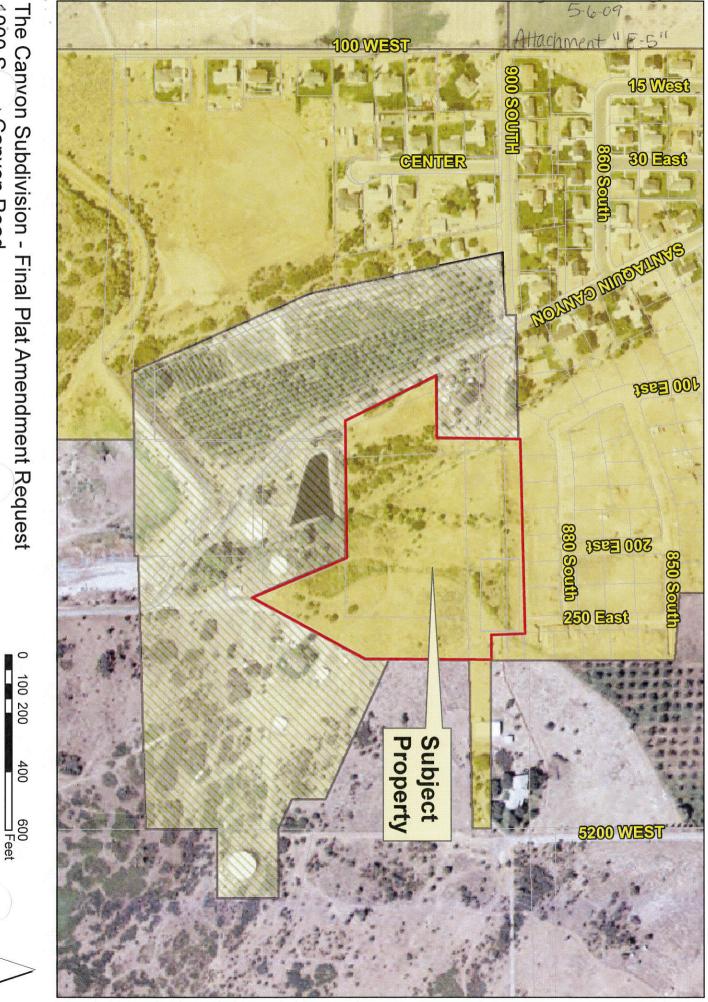
Dennis L. Marker City Planner

City Central Meeting 5-6-09 Attachment "E-3"





The Canvon Subdivision - Final Plat Amendment Request Canyon Road





Produced By Santaquin City Community Development

City Center meeting 5-6-09 Attachment "E-6"

# Ehxibit A 10-10-5: FLAG LOT RESTRICTIONS

Flag lot restrictions include:

- A. Fire regulations must be met in their entirety. The Santaquin City fire chief must approve all site plans. No structure shall be constructed which is further than two hundred fifty feet (250') from an existing fire hydrant, measured without encroachment onto adjacent properties.
- B. In no case can a flag lot be less than six thousand five hundred sixty (6,560) square feet. The access lane shall not be considered when calculating the minimum lot area.
- C. Structures must be compatible in appearance with surrounding structures.
- D. Flag lots shall not be developed without proof of ownership of a permanent access.
- E. Residential structures must meet eighty two percent (82%) of the lot size and setback requirements of the zone in which the property is located.
- F. Bulk standards, including utilities, drainage, etc., for the R-8 zone must be met in their entirety.
- G. Multiple unit dwellings and accessory apartments are not permitted on flag lots.
- H. In no case can the access lane exceed two hundred fifty feet (250') in length from the edge of the right of way to the center point of the turnaround area.
- I. Flag lots must have a twenty four foot (24') minimum width access lane, of which a minimum of sixteen feet (16') must be paved or of a city approved hard surfacing with a minimum four foot (4') unpaved utility easement on both sides.
- J. At the end of the access lane there must be enough open area for a fire truck to turn around.
- K. There must be accommodations for handling drainage both parallel and perpendicular at the point where the access lane intersects with the street frontage.
- L. No more than one flag building lot may be served by an access lane.
- M. The access lane is not to be dedicated to the public or treated as a public street and therefore shall be maintained, including snow removal, by the property owner.





#### PLANNING COMMISSION MINUTES Attachment "E-7"

#### Santaquin City Council Chambers, 45 West 100 South April 23, 2009

**Present:** Council Member Brent Vincent, Commission Members John Chatterley, Pamela Colson, Lance Wollebaek, George Mecham, Fred Openshaw, Richard Payne, Kurt Stringham, City Planner Dennis Marker and Clerk Linda Midgley. Commissioner Mecham was excused from the meeting at 8:05 p.m.

Visitors:, Jimmy DeGraffenried, Terry Kester, Trish Wollebaek and other unidentified individuals.

Commissioner Kurt Stringham called the meeting to order at 7:02 p.m., and welcomed those attending.

#### INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Chatterley offered a word of prayer.

#### PLEDGE OF ALLEGIANCE

Commissioner Stringham led those present in the Pledge of Allegiance.

#### **RATIFICATION OF APRIL 9, 2009 MEETING CANCELLATION**

Commissioner Chatterley made a motion to ratify the cancellation of the April 9, 2009 Planning Commission meeting. Commissioner Payne seconded the motion. The vote to ratify the cancellation of the April 9, 2009 Planning Commission meeting was unanimous.

#### **AGENDA**

The Commission agreed by consensus to review item 9, Commercial Zones Development Standards, before item 8, Large Scale Developments.

#### **PUBLIC FORUM**

Commissioner Stringham opened the Public Forum. No items were brought to the attention of the Commission. Commissioner Stringham closed the public forum.

#### PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ITEMS

#### Canyon Subdivision Amendment and Phasing Plan

Jimmy DeGraffenried addressed the Commission. Mr. DeGraffenried said the Canyon subdivision would have a total of 17 lots, as he has a buyer who would prefer to combine lots 11 and 12 into one. He is amending the subdivision to allow for bigger lots. Two of the lots are currently shown as smaller than 12,000 square feet. Mr. DeGraffenried said Lot 7 will be enlarged to at least 12,000 square feet. The subdivision is zoned R-10.

Two flag lots with one access are shown on the plat map, which is not permissible under City ordinance. Mr. DeGraffenried said there are some different options available to access the lots. He is working with the Jones family to see if Lot 18 can be accessed along the Jones driveway. If that option is not available, Mr. DeGraffenried said it would be possible to make a wider access drive. He will work with the City to ensure the subdivision is in compliance with City ordinances. Dennis Marker said this subdivision has already been approved, but the amendment requires a recommendation from the Planning Commission. The City engineers will review the plans to ensure they meet specifications.

Cety Council meeting 5-6-09 Attachment "E-8"

#### PLANNING COMMISSION MINUTES April 23, 2009 - Page 2

#### Canyon Subdivision Amendment and Phasing Plan, continued

Commissioner Payne made a motion to forward the Canyon Subdivision Amendment and Phasing Plan to the City Council with a positive recommendation, contingent on the following conditions being met: that the flag lot issue be worked out to comply with City standards; that the annexation development agreement be amended to allow for lots less than 12,000 square feet; and that a revised map be attached reflecting the final proposed subdivision layout. Commissioner Openshaw seconded the motion. The vote to forward the Canyon Subdivision with a positive recommendation was unanimous.

#### DISCUSSION AND POSSIBLE ACTION ITEMS

#### **Commercial Zones Development Standards**

The Commission discussed the differences in meaning between 'should' and 'shall' in City ordinances. Dennis Marker clarified that the critical musts for the City are designated by 'shall', and the options the City would prefer are designated by 'should'. The 'shoulds' are not binding on the Architectural Review Committee (ARC), but they point the direction in which the City would like to move. Decisions made on the basis of a 'should' could be appealed legally. The Commission briefly discussed the possible make-up of antaquin's proposed Architectural Review Committee.

After some discussion the following changes, additions and deletions were made to the Commercial Zones development Standards

10-7F-6E-1: The sentence 'Any chain link materials must be vinyl coated' was added to the text. Mr. Marker clarified that a fence is not required between commercial properties.

Terry Kester addressed the Commission. Mr. Kester said the City was creating a double standard as the cemetery and school buildings had chain link fence that was not vinyl coated.

10-7F-6E-3a: The sentence 'Permanent outside storage or display areas shall be considered those areas utilized for more than 4 months in a calendar year' was changed to 'Permanent outside storage or display areas shall be considered those areas utilized for more than 6 months in a calendar year', and moved to the end of the paragraph.

10-7F-6E-3b: Section b, temporary storage, was stricken.

10-7F-6E-5: 'Screening walls and fencing must have staggered section and columns, or other significant visual relief, every 50 feet' was changed to 'Screening walls and fencing should have significant visual relief a minimum of every 50 feet'.

10-7F-6E-6: 'All wall types must utilize anti-graffiti protections at least 9' above ground level' was changed 5 'All wall types must utilize anti-graffiti protections up to 9 feet or the maximum height of the wall, whichever is less'.



#### **Chemtech-Ford Laboratories**

**Certificate of Analysis** 

Santaquin City Corporation

Attn: Denny Barnes 45 West 100 South Santaquin, UT 84655 Sample Type: Drinking Water

Sampler: Denny Barnes

Phone: (801) 754-3211 Fax: (801) 754-3526

Email:

Lab No.	Date/Time Sampled	Analysis	Result	Units	Method	Test Initiated Date/Time	Test Finished Date/Time					
San	nple ID: 500 West N	1ain			Use: Routine							
Com	ments:				Repeat Sample:							
Syste	em No.: UTAH25002	2		Failure Date:								
0902355-01	5/14/2009 10:00	Total Coliform	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
0902355-01	5/14/2009 10:00	E. Coli	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
Sam	ple ID: 395 East M	ain			Use: Routine							
Com	ments:				Repeat Sample:							
Syste	m No.: UTAH25002	2			Failure Date:							
0902355-02	5/14/2009 9:50	Total Coliform	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
0902355-02	5/14/2009 9:50	E. Coli	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
Sam	ple ID: 50 South 20	00 East				Use: Rou	ıtine					
Com	ments:				Repeat Sample:							
Syste	<i>m No.:</i> UTAH25002	2			Failure Date:							
0902355-03	5/14/2009 9:40	Total Coliform	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
0902355-03	5/14/2009 9:40	E. Coli	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
Sam	<i>ple ID:</i> 900 West 30	) South			Use: Routine							
Comi	ments:			Repeat Sample:								
Syste	<i>m No.:</i> UTAH25002	2.			Failure Date:							
0902355-04	5/14/2009 10:10	Total Coliform	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					
0902355-04	5/14/2009 10:10	E. Coli	Absent	Org/100 mL	SM 9223B	5/14/2009 16:00	5/15/2009 16:00					

Laboratory Director, David Gayer