

## 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 03, 2008, 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. November 19, 2008
    - b. Bills
      1. \$ 1,826,508.60
  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. Discussion and possible action with regard to Countryside Estates Plat "E" final approval
    - b. Discussion and possible action with regard to the proposed rezoning of approximately 1.4 acres from C-1 to I-1 approximately 600 North Highway 198
  8. BUSINESS LICENSES
  9. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
    - a. City Manager
    - b. Planning Commission
  10. NEW BUSINESS
    - a. Action with regard to Summit Ridge's request for extension of Stone Hollow Plats "C", "D", & "E" approvals
  11. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)
  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: S. B. Farnsworth  
Susan B. Farnsworth, City Recorder

**POSTED:**  
CITY CENTER  
POST OFFICE  
ZIONS BANK

® Amendment to Agenda

**MINUTES OF A CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
DECEMBER 3, 2008**

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

Others attending: City Planner Dennis Marker, Legal Counsel Brett Rich, Director of Public Safety Dennis Howard, Keith Broadhead, Tracy Roberts, Marie Durney, Jon Killpack, and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Mr. Broadhead led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Linford offered a Word of Prayer.

**CONSENT AGENDA**

***Minutes***

**November 19, 2008**

***Bills***

**\$1,826,508.60**

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

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

Mr. Roberts, President of C.S. Lewis Academy, thanked the Mayor and Council for their help with getting the roadway reopened during the Main Street and SR198 realignment project. He indicated the parents were very pleased with being allowed to have a direct route to the school.

Mr. Roberts also reported the school made a decision to install all the landscaping instead of installing the trail, as indicated in the site plan, along Highland Drive. Council Member Askerlund was told C.S. Lewis Academy should have a contract with the City addressing the time frame associated with the trail installation. Council Member Hansen was told the Trails Master Plan addresses the connection of the City to other Cities/Towns through a trails system. Mayor DeGraffenried thanked Mr. Roberts for attending the meeting this evening.

Mrs. Durney addressed the Mayor and Council Members with regard to the need for a Noise Ordinance (see attachment "A"). She provided the Mayor and Council Members, Legal Counsel, City Recorder, and City Planner with a copy of Payson's Noise Ordinance. Mayor DeGraffenried thanked Mrs. Durney for the information provided and indicated the staff would review her request.

Mr. Killpack requested an update with regard to the UTA Bus service within the Santaquin City area. City Planner Marker reported that if Santaquin did join the transportation district, Santaquin would receive minimal services due to funding reasons. Mayor DeGraffenried indicated the City is currently working with UTA and Commuter Rail to expand service to this area. Mr. Killpack was told the County Commissioners have been discussing a time frame associated with the expansion but have not set a definite date.

**FORMAL PUBLIC HEARINGS**

Nothing

## **UNFINISHED BUSINESS**

### ***Discussion and possible action with regard to Countryside Estates Plat "E" final approval***

City Planner Marker reviewed with those in attendance, the location for the proposed plat. He indicated the public utilities have been stubbed into the property line through the previous plat construction. City Planner Marker indicated the developer has requested to pay money in lieu of water for these last 3 lots. It was reported that the developer has, to date, transferred 33 shares of Summit Creek Irrigation Water to the City for the development of this area.

Council Member Green moved to grant final approve for the Countryside Estates Plat "E" with allowing the Developer to pay money in lieu of water at the current fee as set by the City water engineer. Council Member Linford seconded the motion. Council Members Askerlund, Green, Hansen, Linford and Vincent voted in the affirmative.

### ***Discussion and possible action with regard to the proposed rezoning of approximately 1.4 acres from C-1 to I-1 approximately 600 North Highway 198***

Council Member Green moved to table the action with regard to the proposed rezoning of approximately 1.4 acres from C-1 to I-1 approximately 600 North Highway 198. Council Member Askerlund seconded the motion. Council Members Askerlund, Green, Hansen, Linford and Vincent voted in the affirmative.

## **BUSINESS LICENSES**

Council Member Green reviewed the following Business Licenses application. He reported all applications had received the appropriate reviews and inspections.

- John Chatterley D.B.A. John Chatterley Consulting
- Launey Ivers D.B.A Food Storage Depot
- Glenn W. Pearmain D.B.A. Wyoming Saddle N Cowboy Craft
- Dee Rosser D.B.A. Shan'D's

Council Member Green moved to approve a new business license for John Chatterley, Launey Ivers, Glenn Pearmain, and Dee Rosser. Council Member Hansen seconded the motion. Council Members Askerlund, Green, Hansen, Linford and Vincent voted in the affirmative.

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

### ***Planning Commission***

There were not any Commission Members attending.

## **NEW BUSINESS**

### ***Action with regard to Summit Ridge's request for extension of Stone Hollow Plats "C", "D", & "E" approvals***

Mr. Broadhead reported the request for extension was due to sales of the property. He indicated the property within this area was in the lower price bracket and would sale first when the economy allowed. (See attachment "B" for requests)

Council Member Linford moved to grant a 6 month extension for Stone Hollow Plats "C", "D", and "E". Council Member Hansen seconded the motion. Council Members Askerlund, Green, Hanson, Linford and Vincent voted in the affirmative.

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

Nothing

**PETITIONS AND COMMUNICATIONS**

Nothing

**MOVE TO ITEM 15**

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

Nothing

At 7:42 pm Council Member Askerlund moved to enter into an Executive Session to discuss the pending or reasonably imminent litigation, and/or purchase, change, or lease of real property. Council Member seconded the motion. Council Members Askerlund, Green, Hansen, Linford, and Vincent voted in the affirmative. Those attending: Mayor DeGraffenried, City Council Members Askerlund, Green, Linford, Vincent and Hansen, City Planner Marker, City Recorder Farnsworth, and Legal Counsel Brett Rich.

At 9:03 pm the Executive Session ended and the open portion of the Council Meeting continued.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

City Planner Marker reported that the Sumsion family who owns property included in the Northeast Annexation has a concern as to what could be done with the existing pit. The current County permit allows excavation and hauling only. The County allows a 1 to 1.5 slope with regard to reclamation issues. The property owners would like to begin the reclamation efforts in the manner that would benefit the future use of the "pit" property. It was reported the property owner would like to complete the current allowances within the County permit. The completion time frame associated with the permit is approximately 10 years. Council Member Askerlund indicated the pro's are that the City would have control of excavation and reclamation and a revenue base. The property owners would like to add a crusher to the property. Currently the City has a mass grading Ordinance that the property owners are required to adhere too. Council Member Green indicated he would like to think about this issue for "a while".

***Mayor DeGraffenried***

Mayor DeGraffenried reported he would be meeting with J-U-B Representative for an update on the PI Project finances, the Police Inter-local Agreement as well as the School District Agreement will be in their boxes by next Wednesday. Mayor also reported the construction has begun on the Pole Canyon road and the Sorenson's have signed with Boyer for the property purchase.

Mayor DeGraffenried also reviewed the cost of funding Years of Service Awards as well as cash Christmas gifts (see attachment "C"). The Council Members were in agreement with the cash proposals.

A discussion was held with regard to possibly purchasing rights within the East Santaquin Irrigation Company. Additional discussions will be held in the near future.

**Council Members**

Council Member Hansen requested the Noise Ordinance be drafted. She was also told City Planner Marker is scheduled to meet with the Boyer Company and Brian Segar with regard to sign issues. Council Member Hansen was told City Planner Marker will contact a UDOT Representative to discuss the possibility of placing a reader board on their property. Council Member Hansen requested the Animal Control Officer place a courtesy information sheet on the door of the animal owner before they take the dog to the pound.

Council Member Green reminded the Mayor and Council Members of the Christmas party that is scheduled for December 10<sup>th</sup> beginning at 6:30 pm.

The Community Choir will be holding their concert on December 14th beginning at 7 pm at the Stake Center located on the West side of town.

Council Member Askerlund thanked the Mayor and Council for their kind words pertaining to the passing of his Mother. Her funeral will be held on Friday.

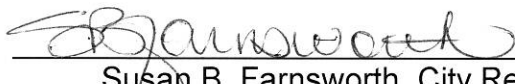
**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)  
Nothing

**ADJOURNMENT**

At 9:50 pm Council Member Vincent moved to adjourn. Council Member Linford seconded the motion. Council Members Askerlund, Hansen, Linford and Vincent voted in the affirmative. Council Member Green voted against the motion.

Approved on December 17, 2008.

  
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 December 3, 2008 was called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property.

  
James DeGraffenried, Mayor

12-3-08  
Date

626 S 690 E  
Santaquin, UT 84655  
December 3, 2008

Mayor and City Council  
Santaquin City

Dear Mayor and Councilmen:

I appreciate being able to address you tonight concerning a problem that is becoming increasingly more complex in Santaquin as the city matures. It is the definite need for a noise ordinance.

Five or six years ago I came to City Hall and inquired of three or four different workers as to whether the city had a noise ordinance. I was told we did have but no one knew where to find it, so I was given the number of the dispatcher to call as needed.


As we live in a full-fledged city and we talk the talk of city, I believe we need to walk the walk; to get in place some meaningful statements regarding Public Peace and Safety. We need a comprehensive and enforceable noise ordinance.

I decided to research what cities around us are doing about the problem. Genola has a noise ordinance that is now being reviewed. I was mailed a copy of Salem's ordinance that is good, but they don't have to contend with I-15 going through the middle of their city, so it is not comprehensive enough. A clerk in Nephi said, "Yes, we have an ordinance. I'll fax you a copy as soon as I finish what I'm working on." She called later and told me they have no ordinance; a big surprise!

A worker in the Payson City Mayor's office referred me to their website where their noise control ordinance is listed. It comes under Title 7 Public Peace and Safety. It was like finding the holy grail to know city fathers cared enough about their citizens to adopt it on November 19, 2003. I have made copies for each of you, for the City Recorder and for the City Attorney and respectfully ask you, in good faith, to develop a similar ordinance for Santaquin. It is comprehensive and includes problem like ATVs, jake brakes, etc.

I read with interest, Mayor, your memo about getting a hotel and Maverick Store on the east bench. I thought of all the times we traveled and would have been blessed to stay overnight in as peaceful and beautiful a place as Santaquin, and know that you will go all out to make it a peaceful and inviting place to stay. I'm hoping the same peace can consistently be available to all citizens.

Sincerely yours,

  
Marie Durney



## A Community Prospering in Country Living (Agriculture, Equestrian, Recreation)

# Memorandum

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Date: November 25, 2008  
To: Mayor DeGraffenried and City Council  
From: Dennis L. Marker, Santaquin City Planner  
RE: Requested extension of Stone Hollow Plats C, D, & E approval

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According to Santaquin City Code (S.C.C.), 11-5-7 & 8, final plat approvals are good for one year and preliminary approvals are good for two years. Stone Hollow Plat C was granted final approval on June 20, 2007. Stone Hollow Plats D & E were granted preliminary approvals on December 6, 2008. Neither of these subdivisions has been recorded to date. Mr. Troy Kunz, representing Summit Ridge Communities, LLC has requested the City Council grant an extension of the above approvals.

The S.C.C. does allow the City Council to extend approvals for final plats a maximum of 6 months. Plat C was already given one final approval extension on June 4, 2008 and would lapse on December 4, 2008.

The S.C.C. allows the City Council to extend approvals for preliminary plats a maximum of 1 year. The preliminary approval of Plats D & E would lapse on December 6, 2008 if not extended.

The applicant is requesting these extensions due to current economic conditions.

Staff recommends the City Council grant the 6 month final approval extension for Stone Hollow Plat C and the 1 year preliminary approval for Stone Hollow Plats D & E.



November 24, 2008

Santaquin City  
Mayor James Degraffenried  
City Council  
45 West 100 South  
Santaquin, UT 84655

*RE: Extension of Stone Hollow Plat "C" Subdivision Approvals*

Dear Mayor Degraffenried & Santaquin City Council,

The purpose of this letter is to request a six month extension on the recordation and subsequent construction of Stone Hollow Plat "C". Due to the current market conditions, we feel that it would best to postpone the recordation and construction start of Stone Hollow Plat "C" for a period of six months.

Summit Ridge is currently working hard to market the community and we are optimistic about continuing the build-out of Summit Ridge in Santaquin. We would to extend an invitation to come and see the progression of the development.

We appreciate your consideration regarding this matter. If you have any questions, please do not hesitate to call me at 801.754.0300.

Sincerely,

R. Troy Kunz  
Vice President  
Summit Ridge Communities

cc Dennis Marker, City Planner



November 24, 2008

Santaquin City  
Mayor James Degraffenried  
City Council  
45 West 100 South  
Santaquin, UT 84655

*RE: Extension of Stone Hollow Plat "D" Subdivision Approvals*

Dear Mayor Degraffenried & Santaquin City Council,

The purpose of this letter is to request a six month extension on the recordation and subsequent construction of Stone Hollow Plat "D". Due to the current market conditions, we feel that it would best to postpone the recordation and construction start of Stone Hollow Plat "D" for a period of six months.

Summit Ridge is currently working hard to market the community and we are optimistic about continuing the build-out of Summit Ridge in Santaquin. We would to extend an invitation to come and see the progression of the development.

We appreciate your consideration regarding this matter. If you have any questions, please do not hesitate to call me at 801.754.0300.

Sincerely,

R. Troy Kunz  
Vice President  
Summit Ridge Communities

cc Dennis Marker, City Planner



November 24, 2008

Santaquin City  
Mayor James Degraffenried  
City Council  
45 West 100 South  
Santaquin, UT 84655

*RE: Extension of Stone Hollow Plat "E" Subdivision Approvals*

Dear Mayor Degraffenried & Santaquin City Council,

The purpose of this letter is to request a six month extension on the recordation and subsequent construction of Stone Hollow Plat "E". Due to the current market conditions, we feel that it would best to postpone the recordation and construction start of Stone Hollow Plat "E" for a period of six months.

Summit Ridge is currently working hard to market the community and we are optimistic about continuing the build-out of Summit Ridge in Santaquin. We would to extend an invitation to come and see the progression of the development.

We appreciate your consideration regarding this matter. If you have any questions, please do not hesitate to call me at 801.754.0300.

Sincerely,

R. Troy Kunz  
Vice President  
Summit Ridge Communities

cc Dennis Marker, City Planner