

NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, July 16, 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. July 2, 2008
 - b. Bills
 1. \$142,264.35
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
 - a. Zachary Marsh - Eagle Scout recognition
 - b. Scott Thompson - Update of the UDOT Projects
 - c. Discussion and action with regard to appointment of a new Council Member
6. FORMAL PUBLIC HEARINGS
 - a. Parks, Recreation, Trails and Open Space Master Plan
 - b. Jones Annexation
 - c. Close of the Public Hearing with regard to the Well Improvements/upgrade at approximately 500 South
7. UNFINISHED BUSINESS
 - a. Discussion and possible action with regard to final approval of The Canyon Subdivision at approximately 1000 South Canyon Road.
 - b. Discussion and possible action regarding request to pay money in lieu of providing water for The Canyon Subdivision
8. BUSINESS LICENSES
9. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
 - a. City Manager
 - b. Planning Commission
10. NEW BUSINESS
 - a. Discussion and possible action with regard to extension of Final Plat approvals for the Orchards Subdivision Plats A, B, C, & D
 - b. Discussion and possible action regarding Parks, Recreation, Trails and Open Space Master Plan
 - c. Discussion and possible action with regard to the P.I. Pond
 - d. Discussion and possible action regarding a Code Amendment pertaining to Planned Unit Development Standards
 - e. Discussion regarding a Code Amendment pertaining to the Main Street Business District Zone
11. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)
 - a. Ordinance 07-01-2008 "An Ordinance amending the City's Planned Unit Development Standards"
 - b. Ordinance 07-02-2008 "An Ordinance adopting the Parks, Recreation, Trails and Open Space Master Plan
 - c. Ordinance 07-03-2008 "An Ordinance amending the Santaquin City Zoning Map to include the Jones Annexation Area"
12. PETITIONS AND COMMUNICATIONS
13. REPORTS BY MAYOR AND COUNCIL MEMBERS
 - a. Mayor DeGraffenried
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

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
JULY 16, 2008**

At 7:02 PM Mayor James E. DeGraffenried called the meeting to order. Council Members attending: Filip Askerlund, Martin Green, James Linford and Brent Vincent.

Others attending: City Manager Stefan Chatwin, City Planner Dennis Marker, Legal Counsel Brett Rich, Kevin Schmidt, UDOT Representatives Lori Dibble and Scott Thompson, Zachary Marsh, Lottie Marsh, Keith Broadhead, J-U-B Representatives Ross Wilson, Alex Beseris, Marti Hoge, Lynn Mecham, Mike Olson, Connie Hansen, Ruel Haymond, Angela Lance, Tracy Roberts, Ferrell Bott, Joseph Abbott, Jimmy DeGraffenried, Allen Thompson, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Vincent led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Haymond offered a Word of Prayer.

CONSENT AGENDA

Minutes

July 2, 2008

Bills

\$142,264.35

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

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ms. Lance addressed the Mayor and Council Members with regard to the proposed development at approximately 30 West Main. She was worried the developers would complain about her pet store and the "pet store" smells. She reported she would be filing a formal complaint in the near future.

Ms. Lance also indicated she would like to have an Ordinance drafted addressing the "cat" problem within town. She reported there is a problem with rabies within the animal population. Mayor DeGraffenried requested City Manager Chatwin have the Planning Commission put this issue on their agenda for attention.

Zachary Marsh - Eagle Scout recognition

Mayor DeGraffenried presented Mr. Marsh with a Certificate of Recognition. Mr. Marsh has worked diligently to attain the rank of Eagle Scout. Mr. Marsh collected items and arranged distribution of 500 personal care kits for Military personnel. Mr. Marsh received thanks for his hard work.

Scott Thompson - Update of the UDOT Projects

UDOT Representative Thompson reported the Main Street/Highland Drive realignment project is scheduled to begin the early part of August. Mr. Thompson indicated the project would not begin until after Santaquin Orchard Days is over. Mr. Thompson said the project was awarded to Condie Construction who has working with the City in the past. Mr. Thompson indicated he would like to have a public information booth at the park during the celebration. This way there would be a UDOT Representative on hand to answer any questions the community may have.

MOVED ITEMS 5C AND 5D TO AFTER 6C

FORMAL PUBLIC HEARINGS

Parks, Recreation, Trails and Open Space Master Plan

Council Member Green moved to open the Public Hearing with regard to the Parks, Recreation, Trails and Open Space master Plan. Council Member Askerlund seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

J-U-B Engineering Representative Besis presented an over view of the proposed plan. He indicated the Advisory Committee set goals and objectives which included providing parks and open spaces. He indicated there were 3 open houses at which community members could submit comments. The plan identifies existing facilities such as neighborhood parks, community parks, and special parks as well as outlined existing facility deficiencies. Other highlights of the plan are identifying the level of service, ways to meet future demands, recommendations of existing parks as well as implementation of the highlights.

City Planner Marker reported some of the members of the Advisory Committee have involvement with other parks and recreation facilities.

There were no public questions or comments.

Council Member Linford moved to close the Public Hearing with regard to the Parks, Recreation, Trails and Open Space master Plan. Council Member Green seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

Jones Annexation

Council Member Green moved to open the Public Hearing with regard to the Jones Annexation. Council Member Vincent seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

City Planner Marker reviewed the location of the proposed Jones Annexation. He reported the annexation is approximately 47 acres located at the mouth of Santaquin Canyon. The proposed annexation does include the Aaron Jones property as well as the Openshaw agriculture land.

Mr. Bott was told the lots would range in size from 12,000 square feet to 1 acre.

There were no additional questions or comments.

Council Member Askerlund moved to close the Public Hearing with regard to the Jones Annexation. Council member Green seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

Close of the Public Hearing with regard to the Well Improvements/upgrade at approximately 500 South

Council Member Green moved to close the Public Hearing, from a previous meeting, with regard to the Well Improvements/upgrade at approximately 500 South. Council Member Linford seconded the motion.

EXECUTIVE SESSION

At 7:37 pm, Council Member Askerlund moved to enter into a closed Executive Session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Green seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

Those attending: Mayor DeGraffenried, Council Members Askerlund, Green, Linford, Vincent, Legal Counsel Brett Rich and City Recorder Susan Farnsworth.

The closed Executive Session returned to the Public Meeting at 9:37 pm.

Discussion and action with regard to appointment of a new Council Member

Council Member Green moved to appoint Connie Hansen to fulfill the remaining term of Arthur Adcock. Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the unanimous.

Administer the Oath of Office to new Council Member

City Record Farnsworth administered the Oath of Office to new Council Member Connie Hansen.

MOVED TO ITEM 11C***Ordinance 07-03-2008 "An Ordinance amending the Santaquin City Zoning Map to include the Jones Annexation Area"***

Council Member Askerlund moved to approve Ordinance 07-03-2008 "An Ordinance amending the Santaquin City Zoning Map to include the Jones Annexation Area". Council Member Vincent seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative. Council Member Hansen abstained from voting.

UNFINISHED BUSINESS***Discussion and possible action with regard to final approval of "The Canyon Subdivision" at approximately 1000 South Canyon Road***

Council Member Askerlund moved to grant final approval for The Canyon Subdivision subject to the Annexation documents being executed. Council Member seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative. Council Member Hansen abstained from voting.

Discussion and possible action regarding request to pay money in lieu of providing water for "The Canyon Subdivision"

Mr. Jimmy DeGraffenried reported he has secured 16 shares of Summit Creek Irrigation stock and has a tentative option for the additional 5 shares required for development.

Council Member Linford moved to authorize the developers of "The Canyon Subdivision" to pay money in lieu of water equivalent to 5 shares of water at a price set by the City Engineer. Council Member Vincent seconded the motion. Council Member Askerlund reported he would like a "checks and balance" in place when assessing a value per acre foot of water. Council Member Green asked if an option of submitting the 5 shares instead of paying money should be included in the motion. Legal Counsel Rich indicated that the motion in conjunction with the City Ordinance covers the water options. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative. Council Member Hansen abstained from voting.

BUSINESS LICENSES

None

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

Nothing

Planning Commission

City Planner Marker reported that during the past Planning Commission Meeting the PUD Ordinance was reviewed and referred to the City Council with a positive recommendation.

It was reported that the Planning Commission will not have an additional meeting this month as it is a holiday.

NEW BUSINESS

Discussion and possible action with regard to extension of Final Plat approvals for the Orchards Subdivision Plats A, B, C, & D

Council Member Green moved to grant a 6-month extension for the "Orchards Subdivision Plats A", "B", "C", and "D". Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford, Vincent and Hansen voted in the affirmative. (See attachment "A" for request)

Discussion and possible action regarding Parks, Recreation, Trails and Open Space Master Plan

City Planner Marker reported the Parks Capital Facilities Plan was last updated in 2000. The plans should be updated every 5 years. The updated plan will be a primary reference for the Council when the Parks Impact Fee is updated.

Discussion and possible action with regard to the P.I. Pond

City Planner Marker reviewed the different funding options with regard to the need for a "slope easement" (see attachment "B" for Staff Members Memo). Mr. Allen Thompson reported he has discussed the easement possibility with his partner. He indicated he was disappointed in the manner of which "pond" issue was handled. He indicated he would work with the Staff members to get an easement signed. City Manager Chatwin requested direction from the Council as to what direction the staff should move. It was reported there are time restraints with the project. Mayor DeGraffenried suggested authorizing staff members to gather information while meeting with Mr. Thompson and his partners.

City Planner Marker led a discussion with regard to a possible location of a second Pressurized Irrigation Pond. It was reported that Kimball Hansen, owner of the proposed site, has a property access concern, utility connection issues, as well as wanting to construct a family recreational dwelling on the property. Mr. Hansen is willing to explore, with the City Staff, pond construction options. The Mayor and Council were in favor of the pond location being moved exclusively to Mr. Hansen's property and begin the annexation process (See attachment "C" for location map).

Discussion and possible action regarding a Code Amendment pertaining to Planned Unit Development Standards

City Planner Marker reviewed the changes recommended by Legal Counsel Rich.

Due to time restraints, Council Member Green moved to continue the discussion on the PUD and Main Street Business District Zone until August 6th Council Meeting. Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford, Vincent and Hansen voted in the affirmative.

Discussion regarding a Code Amendment pertaining to the Main Street Business District Zone

See above paragraph.

Authorization for Mayor DeGraffenried to sign P.I. Pond Change Order #2

Council Member Green moved to authorize Mayor DeGraffenried to sign Change Order #2 associated with the Pressurized Irrigation Pond. Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 07-01-2008 "An Ordinance amending the City's Planned Unit Development Standards"

See paragraph titled Discussion and possible action regarding a Code Amendment pertaining to Planned Unit Development Standards.

Ordinance 07-02-2008 "An Ordinance adopting the Parks, Recreation, Trails and Open Space Master Plan"

Council Member Askerlund moved to approve Ordinance 07-02-2008 "An Ordinance adopting the Parks, Recreation, Trails and Open Space Master Plan". Council Member Green seconded the motion. Council Members Askerlund, Green, Linford, and Vincent voted in the affirmative. Council Member Hansen abstained from the vote.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor DeGraffenried

Mayor DeGraffenried reviewed the information he would like to present during the "State of the City" address which will be held on July 17, 2008, 7 pm at the Orchards Hills Elementary School.

Council Member Green presented Susan Farnsworth with the Employee of the Month

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

Nothing

ADJOURNMENT

At 10:58 pm Council Member Green moved to adjourn. Council Member Linford seconded the motion. Council Members Askerlund, Green, Linford and Vincent voted in the affirmative.

Approved on August 6, 2008.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder

July 9, 2008

Santaquin City

45 W 100 S

Santaquin, UT

84655

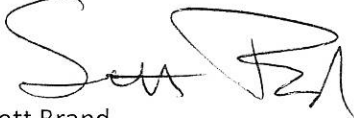
RE: Extension for the Final Plats for The Orchards Plats A, B, C, D

To Whom it May Concern:

We are requesting an extension for the Final Plats for the Orchards Plats A, B, C, and D. We would appreciate being added to the agenda for the July 16, 2008 meeting. Due to the delays in the offsite improvements and market conditions, we are requesting an extension for the Final Plats A, B, C, and D for the Orchards. Unfortunately, due to the above circumstances we have not been able to commence work on those plats.

We appreciate your assistance in the above matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Brand". The signature is stylized with a large, sweeping "S" and a distinct "B".

Scott Brand

Santaquin Orchards Group

3115 E Lion Ln. #300

Salt Lake City, UT 84121

801-830-8300



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

MEMORANDUM

July 14, 2008

To: Mayor DeGraffenried and City Council via Planning Commission
From: Dennis Marker, City Planner
RE: Pressurized Irrigation Pond Construction

Staff needs direction pertaining to two PI ponds; first, the slope easement on Purple Sage Land Development Company, LLC property, and second, annexation process for the Kimball Hansen property.

Ahlin Property PI Pond

A 3,800 square feet slope easement, necessary for the reconstruction of the overflow channel near the Ahlin property PI pond (see attached plans), is proposed to continue the PI pond construction. The slope easement would need to be obtained from Purple Sage Land Development Company, LLC. Five options the Council has asked staff to evaluate include; 1) construction of a pipe within the overflow channel rather than constructing a retaining wall or seeking the easement, 2) construction of a retaining wall rather than seeking the easement, 3) condemnation of the property, 4) condemnation for the easement, and 5) purchase of the easement.

The piped channel option.

Option Cost – approx. \$195,000

Design - 10' x 4' Box culvert with drop structure

Culvert length – approx. 150 feet

Culvert cost per lineal foot – approx \$1,200

Additional Costs – Engineering design, construction (includes additional cutting of hill side), and time lost waiting materials and pipe construction before completing the dam structure.

The retaining wall option.

Option Cost – approx \$50-60,000.

Design – Segmented Block Retaining wall

Wall length – approx. 189 feet

Wall square feet – approx. 2,000 square feet

Wall cost per square feet – approx \$25.00

Additional Costs – Wall engineering, construction, and time lost waiting for the wall to be built before completing the dam structure.

Condemnation* for the property option.

Option Cost – approx. \$30,000

Appraisal cost – approx \$500.00

Estimated square foot cost for Single Family, Large Lot property – \$4.60

(based on ½ acre lot selling for \$100,000)
Cost to Purchase property based on assumed square foot value – \$17,500
Additional court costs and legal fees – approx \$8,000
Additional Costs – the property owner may incur legal fees if process is disputed.

Condemnation* for the easement option.

Option Cost – approx. \$15-20,000

With court and legal costs the same as condemning for the property the only change is the amount of money to be tendered for the easement and possible increase in appraisal costs due to additional study for easement consideration. Easement valuations can run between 20-50% of land valuation depending on the easement's impact upon the property.

*Special Note: Any condemnation filings enable the City to have immediate access to the property after filing with the courts the appraisal, necessary court papers, and amount of money necessary to complete the transaction.

Purchase of Easement area option.

Option Cost - TBD


The cost of this option is based on legal fees and the amount of money the City Council is willing to offer for the easement. The larger factor is the willingness of the property owner to sell the easement. Length of negotiations and time lost on PI pond construction could make this option unfeasible due to construction time frames.

Kimball Hansen property

Mr. Kimball Hansen spoke with me on July 15, 2008 about the possibility of a PI pond on his property, located east of Aaron Jones home and south of Joe Fowers home (See attached map). Mr. Kimball is willing to work with the City to locate the pond on his property if 1) he can be annexed into the City, 2) maintain access to his property via the established means, 3) utilize the property as a family retreat for the anticipated future, 4) that all utility connections promised to him for giving up the tank property (3 water meters) will be provided to him at no cost, and 5) all agreements will be in writing.

The currently proposed pond location would change Mr. Hansen's access and may necessitate annexing the Brockbank property into the City. If the Brockbank property is brought into the City, as they have indicated they would like to be, then the properties owned by Glad Robbins to the west, Joe Fowers to the northwest, and Jack Jarvis to the north would also have to be brought into the City. These property owners have indicated a willingness to remain in the County at this time.

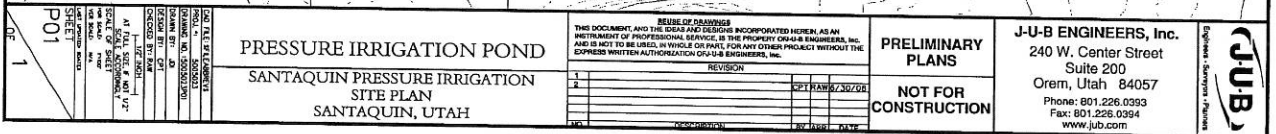
The pond may be able to be pushed entirely onto the Hansen property, which Mr. Hansen has stated he would not be opposed to as long as the location and agreements were advantageous to both he and the City.

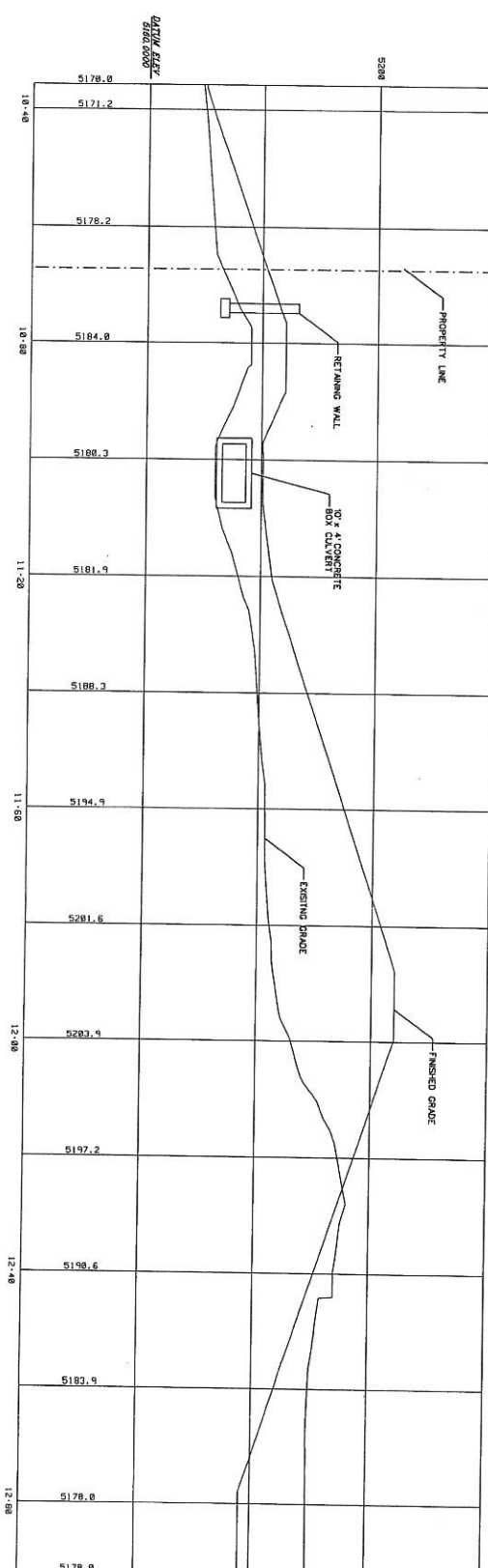

Dennis L. Marker
City Planner

Topographic map of the Purple Sage Land Development. The map shows a proposed road (dashed line) and a retaining wall (solid line) along a slope. A slope easement area is indicated by a dashed line. The map includes contour lines, a north arrow, and a scale bar.

Labels on the map include:

- Purple Sage Land Development
- Company is owner
- 10' x 4' BOX CULVERT
- SLOPE EASEMENT AREA
- RETAINING WALL
- 5180
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SECTION A-A

PRESSURE IRRIGATION POND
SITE PLAN
SANTAQUIN, UTAH

REVISION	
1	REVISED
2	REVISED
3	REVISED
4	REVISED
5	REVISED
6	REVISED
7	REVISED
8	REVISED
9	REVISED
10	REVISED

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

J-U-B ENGINEERS, Inc.
 240 W. Center Street
 Suite 200
 Orem, Utah 84057
 Phone: 801.226.0393
 Fax: 801.226.0394
 www.jub.com



DATE: 10/1/01
 DRAWN BY: JUB
 CHECKED BY: JUB
 AT: 1/11 SEE E AND V-1
 SCALE: 1" = 10'-0"
 SHEET: P01
 OF: 1

J Kimball Hansen
345 N. Calle Tortuga
Benson, Arizona 85602
520-586-2563
June 26, 2008

Jim Degraffenreid
Mayor of Santaquin
45 West 100 South
Santaquin, Utah 84655

Stefan T. Chatwin
City of Santaquin Manager
45 West 100 South
Santaquin, Utah 84655
schatwin@santaquin.org

Re: Proposed Pressure Irrigation Reservoir

Dear Sirs:

I am the owner of property on which the City proposed to construct a pressure irrigation reservoir to provide City water services. While I have cooperated with the City's request for access to my property for soil tests, I have significant concerns with the proposed location of the reservoir. See Attached JUB exhibit.

As you know, the county requires a minimum of 50 acres for construction of even a single dwelling. My property is currently approximately 51.8 acres. The City proposes to take 2.527 acres, which would leave me with less than 50 acres and, under the county zoning, the City would have taken—in addition to the 2.527 acres—my existing right to construct a dwelling on this property. Any cooperative resolution of the City's proposal must preserve my right to develop this property.

This is not the first time the City has requested a portion of this property to provide City services. In the 1990's, the City acquired a portion of this property to construct a water tank. As part of that acquisition, the City agreed to give priority to this property for annexation.

In furtherance of this prior agreement and to avoid the county development zoning if the City takes the additional 2.527 acres, I request that the City annex my entire parcel. It seems only fair that if the City wants this property to provide City services, that the City should bring this property into the City.

Absent annexation, the City must acquire and exchange with me sufficient contiguous land to maintain my parcel at 50 acres, or secure a variance from the County that would preserve my development rights even if the parcel is less than 50 acres.

My second concern relates to access to my property. The JUB exhibit indicates that my current access would be diverted around the reservoir. I am requesting the City to study whether an alternative, more direct access could be maintained; for example by a right-of-way along the east line of the water tank property.

I hope we can reach a mutually agreeable resolution of these issues. If not, I will oppose any acquisition that would impair my current development rights. Please call me to discuss these concerns.

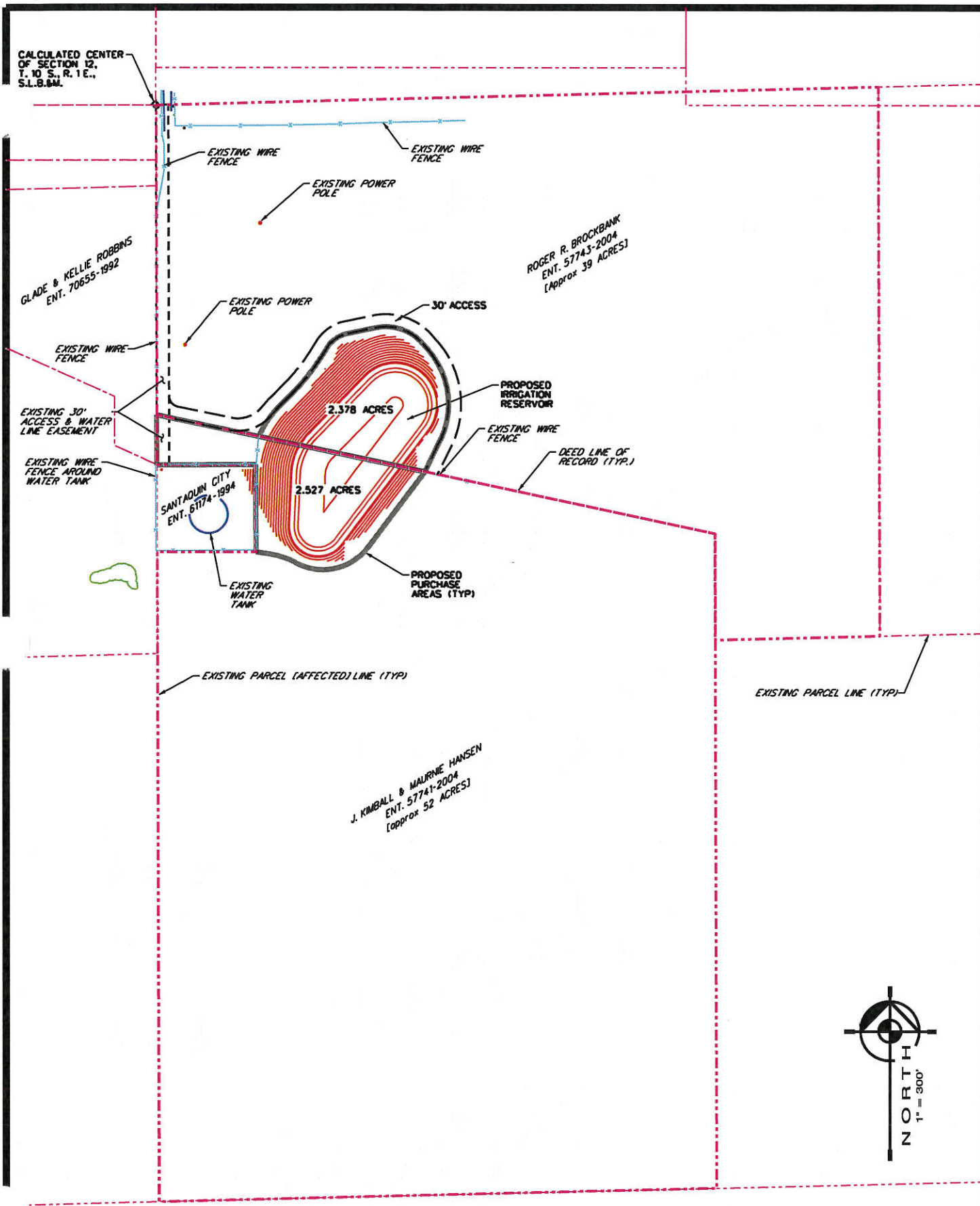
Sincerely,



J Kimball Hansen
Property Owner

Enclosure: JUB Engineers Survey and Proposal

Cc: JUB Engineers, Michael B. Early Attorney at Law



REUSE OF DRAWING THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF JUB ENGINEERS, INC. AND IS NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF JUB ENGINEERS, INC.		CAD FILE: PROJ. # 30-05-023 PLOT SCALE: 1" = 300' DRAWING NO.: DRAWN BY: TIK G/DA/GB DESIGN BY: MEB CHECKED BY:	SANTAQUIN PRESSURE IRRIGATION PROJECT - PROPOSED RESERVOIR SITE ROGER R. BROCKBANK AND J. KIMBALL & MAURINE HANSEN PROPERTIES	SHEET 1 OF 1
JUB Engineers • Surveyors • Planners				