

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 07, 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. April 16, 2008
 - b. Bills
 1. \$163,653.55
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

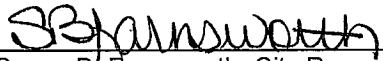
 - a. Award the contract for the "Main Supply Lines and Temporary Source Connection Project", authorize Mayor DeGraffenried to sign the "Notice of Award", "Notice to Proceed", and the Contract Documents
6. **FORMAL PUBLIC HEARINGS**
 - a. Annexation Policy Plan Amendment to include Northeast Annexation areas
7. **UNFINISHED BUSINESS**
8. **BUSINESS LICENSES**
9. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. City Manager
 - b. Planning Commission
10. **NEW BUSINESS**
 - a. Discussion with regard to the Utah County Recreation and Tourism Grant
 - b. Discussion with regard to the proposed amended Annexation Policy Plan
 - c. Approval of reimbursement for Summit Ridge Sewer and Water Impact Fee
 - d. Authorization for Mayor DeGraffenried to sign the "Notice to Proceed" and "Contract Documents" with Harper Contracting for the Pressurized Irrigation Pond
11. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)**
 - a. Ordinance 05-01-2008, "An Ordinance Adopting the Amended Annexation Plan"
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:


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
MAY 7, 2008**

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

Others attending: City Manager Stefan Chatwin, City Planner Dennis Marker, Sergeant Hurst, Administrative Services Manager Shannon Hoffman, Brent Arns, Alex Ashton, Jennings Smith, Citlali Carranza, Jeffrey Pereira, Scott Anderson, Chamber of Commerce Representative Angela Lance, Laura Kay Beddoes, Jared Beddoes, Shane Deros and Greg Callaway. City Recorder Susan Farnsworth was excused.

PLEDGE OF ALLEGIANCE

Council Member Green led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Council Member Askerlund offered a Word of Prayer.

CONSENT AGENDA

Minutes

April 16, 2008

Bills

\$163,653.55

Council Member Askerlund moved to approve the Consent Agenda of April 16, 2008. Council Member Vincent seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Award the contract for the "Main Supply Lines and Temporary Source Connection Project", authorize Mayor DeGraffenried to sign the "Notice of Award", "Notice to Proceed", and the Contract Documents"

Council Member Green moved to award the Main Supply Lines and Temporary Source Connection Project, authorize Mayor DeGraffenried to sign the Notice of Award, Notice to Proceed, and the Contract Documents. Council Member Askerlund seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

FORMAL PUBLIC HEARINGS

Annexation Policy Plan Amendment to include Northeast Annexation areas

Council Member Vincent moved to enter into a public hearing with regard to the Annexation Policy Plan Amendment to include the Northeast Annexation areas. Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

Mayor DeGraffenried invited those who signed up to speak to take 4 to 5 minute to make their comments.

Laura Kay Beddoes reiterated that her family did not want to be part of the Northeast Annexation. She indicated that her signature is included, along with others, on a petition for those who do not want to be annexed into Santaquin.

Greg Callaway stated that he was in attendance at the Planning Commission meeting where this issue was discussed. He expressed his gratitude to the Planning Commission for listening to their concerns and making the recommendation that they did. He asked that the City Council take the Planning Commissions recommendation into consideration.

Brent Arns introduced himself as a representative of Payson City. He voiced his concern regarding the proposed Annexation Policy Plan amendment and its boundaries. He indicated the proposed boundaries go further north than the High Line Canal, which is the historic boundary between Payson and Santaquin. He asked that the two communities come together to discuss this issue and agree on boundaries instead of land grabs in either direction.

Mayor DeGraffenried indicated that he had no objections to meeting with Payson City, but he did object to calling the Highline Canal is a "Historic Boundary". The boundary is on maps produced by Payson, but has never been seen, by Santaquin, as a boundary between the two communities.

Mayor DeGraffenried invited Mr. Arns to set up a meeting with representatives from the two communities to discuss boundary issues in the Santaquin Council Chambers.

Mr. Arns submitted, for record, a copy of letter from the Payson City Planner dated April 15, 2008 regarding the proposed Annexation Policy Plan Amendment (see attachment "A").

Council Member Askerlund addressed Mr. Arns regarding his opening remarks and the mention of a "land grab". He indicated that there is not one person here that considers the proposed policy amendment as a "land grab". He added that he resented the comment. He explained that it is not the city's intent or desire to "land grab" and if Payson City would like to sit down to discuss these issues then maybe the wording should change.

Mr. Arns indicated that the "land grab" issue has come into play with the future freeway interchange proposals. He again asked that the two communities come together to agree upon a boundary.

Citlali Carranza requested to know more about the annexation. City Planner Marker reviewed where Mrs. Carranza's property was located in relation to the annexation petition. Mrs. Carranza asked about the benefits of annexing into Santaquin City. City Planner Marker explained that the annexation petition is not on the agenda for discussion tonight. The public hearing is being held to discuss the Annexation Policy Plan Amendment so that the annexation petition can be considered. City Planner Marker indicated that he would be happy to meet with Mrs. Carranza and get her more information regarding the proposed annexation petition. City Planner Marker explained that the Annexation Policy Plan Amendment does not address any benefits to property owners other than tax implications. He further explained that coming into Santaquin City would reduce their tax rate and greenbelt status would remain intact.

Council Member Askerlund asked City Planner Marker to get Mrs. Carranza's contact information and contact her to set up a meeting to clarify any concerns that she has.

Council Member Linford moved to close the public hearing. Council Member Green seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

PUBLIC FORUM

Mayor DeGraffenried moved back to the Public Forum.

Chamber of Commerce representative Angela Lance presented the City Council and award in appreciation of all the City does for the Chamber of Commerce. She thanked the City for their involvement in this year's Easter Egg Hunt and for the purchase of the bunny suit.

UNFINISHED BUSINESS

Nothing

BUSINESS LICENSES

Council Member Adcock reviewed the following business license. The description of the business is to help neighbors landscaped and remove dirt on Friday's and Saturday's. He indicated the appropriate fees had been paid as well as required inspections have been preformed.

- o Brian W. Hall D.B.A. S R Landscaping at 1291 Cedar Pass

City Council Member Askerlund asked where excess dirt would be moved to. City Manager Chatwin indicated that he would not be storing or stockpiling any dirt on the premise. He is running the landscaping office out of his home. Council Member Askerlund voiced his concern about unwanted rocks being relocated somewhere else in the city. City Manager Chatwin explained that he will have to remove materials legally and abide by the same ordinances regarding illegal dumping that everyone else does. Council Member Vincent asked about what type of equipment will be used. City Manager Chatwin indicated that the application did not specify what type of equipment would be used, but he was sure that the applicant had been given a copy of the city ordinance regarding equipment use and storage in a residential area. He added that if the applicant violates any ordinance he can be cited and the application could be revoked or brought back to the Council for further review.

Council Member Adcock indicated that Mr. Hall has been given approval from the Summit Ridge Home Owners Association to operate the business.

Council Member Adcock moved to approve a new business license for Brian W. Hall D.B.A. S R Landscaping. Council Member Askerlund seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Chatwin asked to address the City Council later in the meeting.

Planning Commission

Nothing

NEW BUSINESS

Discussion with regard to the Utah County Recreation and Tourism Grant

Administrative Services Manager Hoffman explained that she will be submitting an application for the Utah County Recreation and Tourism Grant in the amount of approximately \$4,200.00. She recommended using the monies to replace fencing at the Santaquin Ballpark Complex that is in

bad disrepair. The cost estimate to replace the 3 1/2' fencing with 6' fencing on one field is approximately \$6,500. The project would also include cement curbing under the fencing to make it easier to maintain the lawn under the fence. Council Member Vincent asked why the fence height was being increased. Administrative Service Manager Hoffman explained that the fields in this complex are very close together and foul balls have a tendency to go over the shorter fencing into the adjacent fields and into the areas where spectators sit. Council Member Askerlund asked about the timeframe of the project. Administrative Services Manager Hoffman explained that the application is due to Utah County on May 16, 2008 and the monies would need to be spent by October 2008. The project will not be able to be done before baseball season starts this year. It will be completed this fall. The City Council was in favor of submitting an application for replacement of fencing at the Santaquin Ballpark Complex.

Discussion with regard to the proposed amended Annexation Policy Plan

City Planner Marker presented the proposed Annexation Policy Plan amendment. He stated that State law dictates the process that the city has to go through to adopt an Annexation Policy Plan. Meetings have to be held to notify affected entities within 1/2 mile of the boundaries, i.e., School District, Special Service Districts, etc. He explained that a Planning Commission meeting was held in March to take comments from affected entities. The Planning Commission takes the comments from the affected entities and incorporates the comments into the plan. The Planning Commission is then required to have a public hearing to consider the plan. The public hearing was held April 24, 2008. City Planner Marker indicated that there was a full crowd at the public hearing and the meeting lasted for approximately 2 hrs. The comments from the public hearing are included in the City Council meeting packets for review.

City Planner Marker indicated that the Planning Commission's recommendation to the City Council is to adopt the Annexation Policy Plan Amendment with the exclusion, from the map, of the area between I-15 and Highway 198 and also the area between 128th South and 124th South. He explained that the majority of the property owners within this small area have signed a petition indicating that they do not want to be annexed into Santaquin.

City Planner Marker stated that because this is just a policy plan and it is non-binding on any property owner or any city, Staff recommends that the City Council adopt the Annexation Policy Plan as proposed with the map as shown.

Council Member Askerlund asked how many property owners that originally signed the annexation petition have withdrawn their names from the petition. City Planner Marker indicated that there are currently two property owners out of the approximately twenty property owners who signed that have requested to withdraw their names from the petition.

Council Member Askerlund asked what had changed their minds. City Planner Marker indicated that some of them felt there was some misrepresentation by the individual(s) who asked them to sign and they didn't know exactly what they were signing.

Mayor DeGraffenried indicated that the discussion tonight is not about the annexation petition. The discussion is to establish the City's Annexation Policy and amend the plan. The questions being asked can be asked and addressed in a discussion regarding the annexation petition.

City Planner Marker indicated that the Northeast Annexation petition can not be adopted until the Annexation Policy Plan has been amended to include the properties included in the annexation.

City Councilmember Askerlund indicated that most of his questions pertained to the annexation petition and he will ask them at the appropriate time.

City Planner Marker again recommended approving the Annexation Policy Plan as proposed. He explained that portions of the annexation can be excluded from the petition at future date if the City Council would like to do so.

Council Member Vincent asked if there is anyone in the area that the Planning Commission has recommended to exclude from the policy plan that wants to be included in the annexation. City Planner Marker indicated that none of the property owners in the area excluded by the Planning Commission want to be annexed into Santaquin.

Council Member Adcock commented that if the plan is adopted as the Planning Commission recommended then it handicaps the city. If the plan is adopted as presented the City Council can either include or exclude any properties in the annexation.

Council Member Linford asked if Utah County had any problems with the Annexation Policy Plan amendment. City Planner Marker indicated that the only comment made by the county is that there be a logical service boundary considered when drawing these plans.

Approval of reimbursement for Summit Ridge Sewer and Water Impact Fee

City Manager Chatwin explained that the reimbursement request made by Summit Ridge Communities is in accordance with the Annexation Development Agreement. As part of the agreement impact fees that are collected from new home being constructed are reimbursed back to Summit Ridge for approved improvements. Under the agreement 30% of the impact fees collected can be reimbursed for approved wastewater improvements and 100% of the impact fees collected can be reimbursed for approved water improvements qualify for reimbursement. The developer has to submit an itemized list of improvements that qualify for reimbursement. He added that the City Engineer has reviewed and approved the reimbursement request.

Council Member Linford asked what the dollar amount of the reimbursement request was. City Manger Chatwin stated that the reimbursement amount requested for the Wastewater improvements was \$21,390 and the amount for Water improvement was \$77,500. He reiterated that the monies requested have already been collected by the City. Impact fees are included on each building permit and the money is collected when the permit is picked up.

Council Member Askerlund moved to approve the reimbursement for Summit Ridge Sewer Impact Fee and Water Impact Fees as requested. Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

Authorization for Mayor DeGraffenried to sign the "Notice to Proceed" and "Contract Documents" with Harper Contracting for the Pressurized Irrigation Pond

Council Member Green moved to authorize Mayor DeGraffenried to sign the Notice to Proceed and the Contract Documents with Harper Contracting for the Pressurized Irrigation Pond. Council

Member Vincent seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

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

Ordinance 05-01-2008, "An Ordinance Adopting the Amended Annexation Plan"

Council Member Linford moved to approve Ordinance 05-01-2008 "An Ordinance Adopting the amended Annexation Policy Plan", as recommended by staff. Council Member Green seconded the motion.

Council Member Linford commented that it makes sense to include the entire area in the Annexation Policy Plan. He added that whether or not the area is accepted in any annexation in the future is irrelevant. Having all the area included in the plan eliminates islands and squares up the area.

Following Council Member Linford's comments, Council Members Adcock, Linford, Green and Askerlund voted in the affirmative. Council Member Vincent voted against the motion.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor DeGraffenried asked City Manager Chatwin to make his report.

City Manager Chatwin reported that there has been some interest by an investor to develop an equestrian development and facility. He indicated that he did not want to give out too much information at this time, but would keep the City Council informed.

Council Member Adcock asked if Court was held this week, due to the Judge being ill. City Manager Chatwin indicated that the Judge was in court this week and is feeling better.

Council Member Adcock reported that he will be attending a SUMWA meeting and a South County Animal Board meeting next week.

Council Member Askerlund reported that City Treasurer Jody Thomas was elected by her peers in the Utah Association of Public Treasurers to be a Board Member. In order to serve as a board member the City Council must approve the appointment. He added that this is a great opportunity for Ms. Thomas and recommended that the City Council approve the appointment.

Council Member Askerlund addressed Sergeant Hurst and asked if the Police Department could produce a quarterly report that compares the number of calls from year to year. Sergeant Hurst indicated that he was sure a report could be compiled and would get something to the City Council as soon as possible.

Council Member Askerlund reported that he has been approached by staff about purchasing some inflatable bouncers instead of a movie screen. He explained that staff is still unclear about the legal issues of showing movies. He indicated that before the plans are changed he would like to have a statement from Legal Council regarding liabilities. He asked for the City Council input.

Council Member Vincent indicated there are liability issues with inflatable bouncers also. City Council Member Askerlund indicated the City Recorder Susan Farnsworth indicated that the City had an insurance policy that would cover use of these types of bouncers. It would be a good idea to get a statement from the Insurance Company regarding coverage before any decision is made.

Council Member Vincent asked which would benefit more people.

Council Member Adcock commented that the copyright laws are very clear and showing a private movie without paying for the copyright is illegal. He added that he would rather see the money go towards installing bleachers at the rodeo arena.

Council Member Askerlund indicated that Legal Counsel Rich is still not clear what the copyright laws are. Legal Counsel is researching the laws and will to get back with the City Council.

Council Member Green indicated that they were able to have the movie in the park last year because the law is unclear. Due to the success of the event last year he recommended buying the movie screen.

Council Member Linford indicated that he would like to proceed with the purchase of the movie screen if the legal issues are addressed.

City Manager Chatwin recommended that someone speak to Recreation Manager Kevin Schmidt regarding the responsibilities of showing a movie and how often it will be held. Mayor DeGraffenried asked Council Member Askerlund to discuss the issue with Mr. Schmidt.

Council Member Askerlund reported that he recently met with the Miss Santaquin Committee regarding the possibility of having the royalty involved with the city sponsored booth at the park during the celebration. The Committee would like the girls involved in as many events as possible. Council Member Green recommended having the royalty at the booth for a specific time, not the whole day, so they can participate in other events.

Council Member Askerlund reported that the Santaquin Days Committee would like to combine the youth dance with a battle of the bands. He explained that they would like to have the dance/battle of the bands behind the City Office. Concerns were raised about the noise and the effect it would have on the neighbors and how late the event could be held. Sufficient notice would need to be given to the neighbors prior to the event. Council Member Askerlund asked the City Council for input on the age of those allowed to attend. After a brief discussion the City Council agreed to leave the attendance age the same as last year, 13 to 18 years old.

Council Member Askerlund reported that the Miss Santaquin Committee would like to announce the Grand Marshall of the upcoming celebration at the Miss Santaquin Pageant this year. He stated that if everyone was in agreement with this, he would like the City Council to get him names of nominees by the end of the week so the information could be ready and the Grand Marshall could be announced at the pageant on May 31, 2008.

Council Member Askerlund reported that the Miss Santaquin Committee would like to give out a Woman of Achievement award this year during the pageant. The award will honor a woman in the

Community for her service, humanity, etc. He asked the City Council to submit names of nominees by next City Council meeting.

Council Member Askerlund reported that Saturday, May 10, 2008 is has been scheduled for clean-up day. The information has been distributed to the wards, has been in the monthly newsletter and is on the website. He explained that he is frustrated by the lack of support by the community and hopes that the there will be a good turn out. He added that he will be at the bowery to serve hot dogs starting at 1:00p.m.

Council Member Linford suggested assigning a chairperson over the clean-up, as was done last year.

Mayor DeGraffenried excused Sergeant Hurst from the meeting. Sergeant Hurst asked about a date for the youth dance/battle of the bands. Council Member Askerlund indicated that they had not set a date yet, but would let the Police Department know as soon as possible.

Mayor DeGraffenried also excused Dennis Marker. City Planner Markers reported that he spent a week in Las Vegas at a conference. He indicated that he will put together highlights from the meeting to discuss with the City Council. He indicated that he also has Pole Sign and Main Street overlay information. Mayor DeGraffenried asked that those items be put on the next work session agenda. Dennis Marker added that the Planning Commission is almost finished with the PUD Ordinance and it will be the agenda for council review when complete.

Council Member Linford invited the City Council and their families to attend a breakfast hosted by the Utah Lake Commission on June 7, 2008 in conjunction with the Utah Lake Festival. He explained that the City will have a booth at the festival and will be giving away apples. He asked Council Member Green to get some handouts from Chamber to give out at the festival. He also asked for information regarding the General Plan and a sign that says Santaquin City. City Manager Chatwin indicated that he would take care of the General Plan information and the sign.

Council Member Green reported that the Lynette Davis from the Miss Santaquin Committee has inquired about the decorating and maintenance of the float. She wants to know if the responsibility will fall back on the Royalty or if a committee should be formed. Following a brief discussion the City Council agreed that the committee should be formed. Council Member Green suggested that the royalty be a part of the committee so they have ownership in the float. Mayor DeGraffenried asked the City Council to get names for a Committee to Council Member Green by next Wednesday.

Council Member Askerlund reported the Miss Santaquin Royalty would like to take cherries or apples to the cities in Utah County and invite them to attend the celebration. He indicated that if this were to happen he would like a well rehearsed presentation made to the communities.

Council Member Green asked if any information had been obtained regarding a recycling program. City Manager Chatwin indicated that he has talked to BFI, but has not received any information back.

Mayor DeGraffenried inquired if the establishing a recycling program could be done as an Eagle Scout Project. City Manager Chatwin explained that there is a negotiation and contract process

that has to be completed therefore having an Eagle Scout involved probably wouldn't be a good idea.

Council Member Green inquired about a nuisance violation letter that was issued to the property owner at approximately 500 North 200 West. City Manager Chatwin indicated that he went and looked at the property and agrees that the letter was issued by mistake. He indicated that he will take care of contacting her.

Council Member Green discussed revamping the City's Employee Recognition Program. He suggested recognizing an Employee of the Month and then selecting an Employee of the Quarter from the three monthly recognitions. The nominations would still go to Shannon and then a committee would choose who to recognize. Mayor DeGraffenried asked Council Member Green to form and chair a committee to make recommendations for employee recognitions. He asked that the names be run past him prior to being awarded.

Council Member Green inquired about the display case. City Manager Chatwin indicated that it is almost finished.

Council Member Vincent referred to the Staff Meeting minutes and asked if there has been a lot of problems with the Pressurized Irrigation System after it was "pressured up". City Manager Chatwin explained that the number of repairs made to the system was normal for the size of projects. He further explained that, as part of the contract, Vancon is required to repair all leaks in the system.

Council Member Vincent inquired about the piles of concrete at the end of Center Street and asked if there was anything the city could do to get rid of it. City Manager Chatwin explained that the concrete is on property owned by the developer and it is a construction area so he does not think there is any violation of any ordinance. He added that the Community Development Department is working on the proper permitting for a crushing permit. Council Member Vincent recommended giving the contractor a time frame to get it cleaned up.

Mayor DeGraffenried reported that he has received a lot of complaints about the asphalt not being installed on the North end of Center. City Manager Chatwin explained that there have been some problems with the quality of work and the product not passing inspections. The original contractor is no longer working on the project. The City Engineer is working with the new contractor to get the problems resolved.

Council Member Vincent inquired about the ICSC Conference. He asked City Manager Chatwin why staff would not be attending this year. City Manager Chatwin explained that contracts have not been signed between the Boyer Company and Brian Segar yet. City Manager Chatwin explained that he felt it was a little premature to try to recruit businesses at this time. He added that the Boyer Company has also indicated that they will not participate in any recruiting without a signed contract.

Council Member Vincent inquired about the progress of the business park. City Manager Chatwin indicated that the business park is still being master planned. The location of the new wastewater treatment facility will have a lot of bearing on the progress of the business park. He added that he has had several inquiries about data centers. These types of developments require large power

distribution lines. The City needs to decide if they want these types of lines in our community or if different locations should be considered.

Mayor DeGraffenried reported that he has received a lot of complaints about the ball fields. He explained that the dirt is too hard and the fencing is too short and damaged. He has had several people offer to volunteer their time to clean up the fields. Shannon indicated that she has also received complaints and has asked the Public Works Department to groom the fields, add new dirt and tightened up the fencing where they could.

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)


Nothing

ADJOURNMENT

At 9:04 Council Member Askerlund moved to adjourn. Council Member Vincent seconded the motion. Council Members Adcock, Askerlund, Green, Linford, and Vincent voted in the affirmative.

Approved on May 21, 2008.


James E. DeGraffenried, Mayor


Shannon Hoffman, Admin Services Manager



April 15, 2008

Santaquin City
Attn: Planning Commission & City Council
45 West 100 South
Santaquin, Utah 84655

Dear Santaquin City Commissioners and Council,

Attached is a letter that was prepared for the April 10, 2008, Santaquin City Planning Commission meeting regarding the proposed amendment to the Santaquin City Annexation Policy Plan & General Plan. Due to the cancellation of the meeting based on a lack of quorum, please include these comments into the next scheduled meeting of April 24, 2008, Planning Commission minutes.

For clarification, I was able to speak with Mr. Randall Covington, Chairperson of the Utah County Boundary Commission for further clarification regarding a letter he sent to Payson City (see attachment). He mentioned according to State Code, he has limited authority to address the protest based on the ½ mile distance requirement defining an "affected entity." Payson City is baffled with the idea that there is no integrity with the Annexation Policy Plan that one community can over ride an established plan without any say or being "affected." He advised the Mayors meet and discuss a boundary line to resolve the issues. If not the issue could ultimately end up at District Court, in which he highly discouraged recognizing the importance of neighboring communities working together.

Payson City would prefer working out an agreed boundary without the involvement of District Court. Please consider the information provided on the April 10, 2008 letter.

Sincerely,

Mark Bradley
Payson City Development Services
City Planner
465-5204

Cc. Randall Covington, Chairperson of the Utah County Boundary Commission
Mayor Burtis Bills
Payson City Council Members
City Attorney David Tuckett

Payson City Corporation

439 West Utah Avenue, Payson, UT 84651 (801) 465-5200 Fax (801) 465-5208



UTAH COUNTY RECORDER

RANDALL A. COVINGTON, RECORDER

E-Mail ucadm.randyc@state.ut.us

Web <http://www.co.utah.ut.us>

100 EAST CENTER STREET

SUITE 1300

PROVO, UTAH 84606

PHONE 801-370-8179

FAX: 801-370-8181

April 8, 2008

Mayor Burtis Bills
439 West Utah Avenue
Payson, Utah 84651

Dear Mayor Bills;

I received your letter of March 24, 2008 regarding the intent of Santaquin City to amend their annexations policy plan and general plan; Northeast Santaquin Annexation Petition (amended).

I do not know if your letter includes a formal protest of the Northeast Santaquin Annexation (amended), and if that protest is directed to the Utah County Boundary Commission. It is possible that you are just airing your concerns to the various people to whom your letter is sent.

If your letter is intended as a formal protest against the proposed annexations that will require Boundary Commission action, it is lacking in a number of areas.

1. The entity filing the protest must meet the definition of an "affected entity" 10-2-407(1)(a)(i) UCA and 10-2-401(1)(a)(iv) UCA. Measurements reveal that the distance from the closest point of the proposed annexation to the Payson City boundary exceeds the 1/2 mile distance by 240-300 feet.
2. Payson City objections should cite the section of the code which justifies the objection. 10-2-407 (2)(a)(ii) UCA
3. The protest should contain the name and address of a contact person who is to receive notices sent by the boundary commission with respect to the protest proceedings. 10-2-407 (2) (a) (iv) UCA
4. Santaquin City's City Recorder needs to be noticed. 10-2-407 (2) (b) UCA

Items 2-4 could be remedied to meet the State Statutes necessary to form a viable protest to the Utah County Boundary Commission. However, item 1 does not and cannot meet the statutory requirements, therefore the Boundary Commission cannot hear the protest.

Sincerely Yours,

Randall Covington
Chairperson, Utah County Boundary Commission



April 10, 2008

Santaquin City
Attn: Planning Commission & City Council
45 West 100 South
Santaquin, Utah 84655

Dear Santaquin City Commissioners and Council,

I have been asked to represent Payson City at the April 10, 2008, Santaquin City Planning Commission meeting to express concern and verbally protest the proposed amendment to the Santaquin City Annexation Policy Plan & General Plan. Please include these comments in your minutes of record.

Payson City received a letter from Mr. Randall Covington, Chairperson of the Utah County Boundary Commission in response to the protest letter Mayor Bills sent to Santaquin City and the Utah County Boundary Commission. The letter in essence stated Payson is not an "affected entity" based on current city boundary distance from the proposed annexation petition. Mr. Covington could not be reached for further clarification due to being out of office until Monday, April 14, 2008. Payson City would like clarification on the fact that Payson City is affected when an annexation policy plan is already in place and the proposal by Santaquin City overlaps such boundary.

According to **Utah State Code, § 10-2-401.5 Annexation policy plan**, please consider the following:

(4) In developing, considering, and adopting an annexation policy plan, the planning commission and municipal legislative body shall:
(a) attempt to avoid gaps between or overlaps with the expansion areas of other municipalities;

Furthermore, this chapter does not restrict cities to work together to help define such boundaries.

(6) Nothing in this chapter may be construed to prohibit or restrict two or more municipalities in specified counties from negotiating and cooperating with respect to defining each municipality's expansion area under an annexation policy plan.

On March 24, 2008, Payson City Mayor Burtis Bills submitted a letter of protest and expressed willingness to meet with Santaquin City to discuss the growth boundaries in

Payson City Corporation

439 West Utah Avenue, Payson, UT 84651 (801) 465-5200 Fax (801) 465-5208

effort to establish a common boundary between the two communities to help resolve future concerns and problems. The invitation is still there. The two communities need to put aside any past ill relationships and be willing to meet and discuss the issues at hand. The two cities have a responsibility to the people within these overlapping interests. Much energy and time is being wasted with conflict that can be resolved.

Please consider the information and recommend to the Santaquin City Council that they meet with Payson City Council to discuss and resolve the above mentioned items. Thank you for your time and consideration.

Sincerely,



Mark Bradley
Payson City Development Services
City Planner
465-5204

Encl. Copy of § 10-2-401.5 Annexation policy plan

Cc. Randall Covington, Chairperson of the Utah County Boundary Commission
Mayor Burtis Bills
Payson City Council Members
City Attorney David Tuckett