

NOTICE AND AGENDA

AMENDED

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, April 4, 2007, 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 4, 2007
 - b. Bills
 1. \$993,610.47
5. **PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Public Forum will be 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. Miss Santaquin update
6. **FORMAL PUBLIC HEARINGS**
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**
 - a. Discussion with regard to the Arena
 1. Rick Wall
 2. Rental Fees
 - b. Adoption of the Emergency Response Plan
 - c. Discussion and possible action with regard to the Oak Summit Plat "E" final approval
 - d. Discussion and possible action with regard to the Oak Summit Plat "F" final approval
 - e. Discussion and possible action with regard to a rezoning request to rezone approximately 35 acres from R-10 to R-15 at approximately 800 South 100 West (referred to as the Wathen Property owned by East Santaquin Meadows, LLC)
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Ordinance 04-01-2007 "An Ordinance amending the Santaquin City Code pertaining to Street Lighting and Street Signage requirements"
 - b. Resolution 04-02-2007 "Fee Schedule"
 - c. Resolution 04-03-2007 "A Resolution approving the opening of an Employee Deduction Account at Utah Community Credit Union" ®
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. Planning Commission
 1. General Update
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor DeGraffenried
 - b. City Manager Chatwin
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 4-17-07 1404
Susan B. Farnsworth, City Recorder

POSTED:

CITY CENTER, POST OFFICE, ZIONS BANK

® Amendment to Agenda

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
APRIL 18, 2007**

Mayor James E. DeGraffenried called the meeting to order at 7:04 pm. Council Members attending: James Linford, Tracy Roberts, Arthur Adcock, Martin Green, and Filip Askerlund.

Others attending: City Manager Stefan Chatwin, City Planner Dennis Marker, Legal Counsel Brett Rich, Planning Commissioner Carolyn Callahan, Administrative Assistant Shannon Hoffman, Police Officer Shawn Carter, Lynette Davis, Mike Carter, Scott Lance, Angela Lance, Lon Tanner, Rick Wall, Dean Wall, Jared Steele, Holly Steele, Brandon Wall, Casha Carter, Shandy Wall, Carla Carter, Trevor Wall, Nancy Bradford, Ross Bradford, Deonne Wall, Craig Ercanbrack, Erin Ercanbrack, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Roberts led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Council Member Adcock offered an invocation.

CONSENT AGENDA

Minutes

April 4, 2007

Bills

\$993,610.47

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

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Lynette Davis presented a poster for the Miss Santaquin pageant to the City. The 2007 Miss Santaquin Pageant has been scheduled for April 28. Mrs. Davis presented tickets to the members of the City Council who wished to attend. Ms. Davis said the girls running for Miss Santaquin this year were very talented, and their platforms included such causes as children's literacy, diabetes awareness, sign language, cancer awareness and preventing teen suicide. Council Member Green said he and his wife helped with the mock interview process and felt all the girls were very capable and had outstanding platforms.

Angela Lance addressed the Mayor and Council Members by saying she is the former manager of the Payson Animal Shelter, and would like the City Council to consider opening an animal shelter in Santaquin. The City currently contracts with South County. Ms. Lance said she has spoken to Police Chief Howard and they have set up some perimeters for the shelter. She and her husband Scott have purchased the IFA building at 33 West Main and believe there is room for a business and an animal shelter in the building. The City Planner would be required to give 180 days notice to South County if Santaquin opens a shelter. Ms. Lance said the benefits for having the shelter located in Santaquin included saving money and keeping the Animal Control Officer in town. Mayor DeGraffenried suggested Ms. Lance apply to the City to have her proposal placed on the next City Council agenda.

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Nothing

NEW BUSINESS***Discussion with regard to the Arena***

Several members of the Roping Club were present to discuss the proposed arena scheduling and fees. Lon Tanner said a resolution was passed in 1993 which stated the Roping Club had control of the arena, and now the City was trying to take that away.

City Attorney Brett Rich said in his opinion the resolution was not an enforceable contract, as the roping club was not a legal entity, a long-standing principle exists that one City Council cannot bind another, and there is no termination date on the resolution, which would tie up city property in perpetuity.

Rick Wall and Trevor Wall spoke about the amount of time, money and energy the group had given to the arena in the last 40 years. The Mayor said an increase in population and groups that want to use the arena has necessitated the changes in fees and scheduling. He said he recognized the amount of work that has gone into the arena, and that similar work from members of the public had gone into the ball fields and bowery, which the City charged reservation fees for. City Manager Stefan Chatwin said all groups should be allowed equal access to City facilities, or the City is open to a lawsuit.

Mayor DeGraffenried asked the roping club members what they wanted from the City. The group asked for use of the arena on Tuesdays and Thursdays, and possibly Saturday mornings and Sunday afternoons. The Mayor said the cost for reserving two half days for the year would be \$1000. The rental fee would reflect period reserved and not the number of club members. An agreement to 'work off' some of the fee could possibly be negotiated. When the arena is not reserved, anyone can ride.

Rick Wall asked about keeping their cattle at the arena. After some discussion by the Council, it was decided that the ground under the holding pen would be rented at a cost of \$100 for the year, with a maximum of 30 head allowed. Should another group wish to keep cattle at the arena, they would be allowed to lease a separate piece of ground and they could build their own holding pen on that leased ground.

Carla Carter said she and her husband had been in charge of the Rodeo Committee for several years and had planned to do it this again year. She indicated they had not been contacted and felt offended by this. Council Member Askerlund said he was informed the roping club had been disbanded, and he had not known about the rodeo committee, but would be glad to have their help as well as the help of any club members who wished to participate. Mayor DeGraffenried said he would like to apologize publicly for not following through in finding out about a rodeo committee. (See attachment "A" for added information.)

Council Member Askerlund said chute gates to this year's rodeo had been sold for \$1000 to \$1400 each, some other events have been sold, and presently \$1500 for buckles is being raised. Local businesses have donated over \$10,000, and he believed the rodeo should prove enjoyable for everyone. Some representatives from the USU extension service recently visited Santaquin,

and gave advice on how to raise money for items such as a bigger arena as well as establishing a racetrack.

The City Council recessed from 8:26 to 8:37 p.m.

Adoption of the Emergency Response Plan

Mayor DeGraffenried reported that changes to the current Emergency Response Plan included emergency centers and the procedure for the command center. Ecclesiastical Leaders were also invited to participate in updating the plan.

Council Member Adcock moved to adopt the revised Santaquin City Emergency Response Plan. Council Member Linford seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

Council Member Adcock said the Emergency Response Committee would meet next Tuesday.

Discussion and possible action with regard to final approval for Oak Summit Plats "E" & "F"

City Planner Marker reviewed the placement and history of Oak Summit Plats "E" and "F" (see attachment "B" for Staff recommendations). Mr. Marker said because of the discussions with the developer on proposed changes to Main Street, modifications could be made to road alignments, which would affect the actual locations of the crossing of the debris channel and road locations. Mike Carter has asked to have these modified phases approved because of the road alignments. The DRC and the Planning Commission have forwarded the plats for approval.

Mr. Carter said the road alignment changes had come about because of the flood, and the City had suggested the changes. Mr. Carter said he now has a plan everyone agrees with. Water pressure issues were discussed. City Manager Chatwin said the City Engineer has given his approval to move forward.

Some concerns were expressed on the parks and open space, as no dedications have yet been made to the City. Mr. Carter said the problem is the changes asked for by the City. He said after these phases are approved he would like to have everything else designed and the open spaces defined. A couple of acres have been given to the City for the water tank, the hillside will be dedicated, with a deed restriction that will keep it from ever being developed, a retention basin for the storm drain will be included, Peter Rabbit Park and a larger park will be included in future phases. Mr. Carter said the trail is usable now, the trench will be rip-wrapped and the trail brought to the standards of the Bonneville Shoreline, which is about 12 feet wide. Mr. Carter said he thought it would take about five years to finish everything. Mayor DeGraffenried asked Mr. Carter to begin master planning the remainder of the development, with a time schedule of when things would be completed. He said he and the Council were concerned that all the improvements be made.

Council Member Roberts moved to grant final approval to Oak Summit Plats "E" and "F", contingent on the three conditions specified by City Planner Dennis Marker being met, i.e.: That the applicant completes all necessary final review processes and approvals as required by the Santaquin City Code including Bonding, Dedication of water and payment of development fees for inspections, street lighting and street signage, etc, a phasing plan amendment be made between

the applicant and the City which addresses timing, construction and dedication of open spaces and recreation amenities in the remainder of the Oak Summit Development, and no future phases of the development will be approved without the above amended phasing plan as well as dedication of open spaces within all future phases. Council Member Green seconded the motion. Council Members Linford, Roberts, Green, and Askerlund voted in the affirmative. Council Member Adcock voted against the motion.

Discussion and possible action with regard to a rezoning request to rezone approximately 35 acres from R-10 to R-15 at approximately 800 South 100 West (referred to as the Wathen Property owned by East Santaquin Meadows, LLC)

City Manager Chatwin said this acreage was zoned from R-15 to R-10 for an adult community, and then the developer could not go forward with the plans, so the original zoning was being restored. Council Member Askerlund said contractor Robert Field had come to the Planning Commission with a concept plan for the 35 acres, which required the zoning to remain at R-10 for the project to be financially feasible. The Planning Commission recommended rezoning to R-15, as they felt the option of a PUD overlay was still available to the developer. City Planner Marker said the advantages to the City of a PUD overlay included a donation of 10% of the acreage to the city, and that density bonuses were given for amenities such as additional open space, requiring garages and specific home looks. Stricter CC & R's can force a higher quality project.

Council Member Green moved to grant the request to rezone approximately 35 acres at approximately 800 South 100 West (referred to as the Wathen Property owned by East Santaquin Meadows, LLC) from R-10 to R-15. Council Member Adcock seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

BUSINESS LICENSES

Council Member Adcock reviewed the following submitted Business License:

- ❖ Glenl Wear D.B.A. Envirogreen Landscape and Design.

Council Member Adcock moved to approve the new Business License for Glenl Wear. Council Member Roberts seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 04-01-2007 "An Ordinance amending the Santaquin City Code pertaining to Street Lighting and Street Signage requirements"

Council Member Askerlund said a question was raised, in the Planning Commission Meeting regarding charging the developer a slightly increased price for streetlights and signs, to cover costs in the event of a price increase. Administrative Assistant Hoffman said the City receives a bid on the products, which is good for a certain amount of time. When the price changes the Fee Schedule is amended.

Council Member Askerlund asked if the ordinance referred to smaller subdivisions, with two or three lots, as well as larger ones. City Planner Marker said the signage and lights are determined by design of the subdivision, and may be required for a small subdivision depending on current lighting and signage.

Council Member Askerlund asked about the notification on trenching. Ms. Hoffman said the developer notifies the City when a trench is scheduled to be open. The trench will be used for streetlight wiring which in turn saves the developer money.

Council Member Askerlund moved to approve Ordinance 04-01-2007, "An Ordinance amending the Santaquin City Code pertaining to Street Lighting and Street Signage Requirements". Council Member Green seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

Resolution 04-02-2007 "Fee Schedule"

Mayor DeGraffenried added the proposed rodeo grounds fees of \$50 for single day use, \$25 for single half-day use, \$750 for yearly day use, \$500 for yearly half-day use, and \$100 yearly rent for areas used to hold cattle, maximum of 30 head, to the fee schedule.

Administrative Assistant Hoffman said the water rates would change when the Pressurized Irrigation system went online. There will be separate water rates for those who are online.

Council Member Askerlund made a motion to approve Resolution 04-02-2007, Fee Schedule, including agreed upon rodeo ground fees. Council Member Green seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

Resolution 04-02-2007 "Employee Account"

Administrative Assistant Hoffman said some employees like the option of using a credit union, and a credit union in Spanish Fork is being utilized now, but this is causing a time crunch for payroll, so the City would like to set up an account at Utah Community Credit Union in Santaquin. It requires a City Council resolution to set up a corporate account.

Council Member Green made a motion to approve City Resolution 4-03-2007, "Approving the opening of an employee deduction account at Utah community Credit Union". Council Member Askerlund seconded the motion. Council Members Linford, Roberts, Adcock, Green, and Askerlund voted in the affirmative.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

Planning Commissioner Callahan reported on the April 12, 2007 the Planning Commission met. Ms. Callahan said the General Plan review was complete and the Plan forwarded to City Council at the last meeting. Council Member Linford asked if the changes were approved by a majority. Ms. Callahan said they were not. Mayor DeGraffenried said he has spoken to the Planning Commission Chair and future changes will be made by majority of the commissioners. Ms. Callahan said Oak Summit Plats 'E' and 'F' were forwarded, although the Commission had some concerns on the green space. The Commission also discussed redefining the 'core' of the City, and will have a public hearing on the definition at the April 26, 2007 meeting. Leon Wall applied for a three-lot subdivision, which falls within the new 'core' definition. The Wall subdivision was forwarded with a positive recommendation, contingent on the new 'core' definition being approved.

Ms. Callahan said the City Planner had been asked to draft some architectural standards for Main Street for the

next meeting. She suggested a moratorium be placed on Main Street building until the standards were in place.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor DeGraffenried asked a Council Member to volunteer to represent the City working with the Nebo School District on unusual uses such as a car show. Council Member Linford volunteered.

City Manager Chatwin said the information on the new water schedule and PI system will be going out shortly.

Council Member Roberts said he had spoken to the charter school developers, and they expressed their appreciation for working with City Planner Marker. Council Member Roberts said the school looked like it would be a nice addition to the community.

Council Member Adcock said he felt more City information should be available to the Council. Mayor DeGraffenried said he plans to meet with City Department heads every Tuesday at 4 p.m. and will put a memo in the Council Member's boxes after the meeting. City Manager Chatwin said sometimes developers bring confidential information to the City and to let others know at too early a stage could hurt negotiations.

Council Member Green suggested moving items that the City Attorney is involved with to the beginning of the agenda, so the City is not paying for his time when he is not needed. City Manager Chatwin said he would find out the protocol on changing the agenda order.

Council Member Askerlund said he had been asked by a citizen about requiring homeowners to put in landscaping. City Manager Chatwin said there is no code requirement, but sometimes CC & R's for the development require landscaping, which is a civil matter. City Planner Marker said the City can only enforce lawn care if weeds become a fire hazard.

Council Member Askerlund said some individuals had paid the Chamber of Commerce to put up signs in the arena, which created a dilemma selling the space for the rodeo. The Chamber of Commerce will be contacted about stopping this practice. Council Member Askerlund said 18 groups have contributed to the rodeo so far, for a total of around \$10,000. There are still 24 people on the list that Mr. Askerlund plans to contact. The Red Barn is interested in sponsoring an annual cherry pit-spitting contest. They will provide awards, and Todd Rowley said if the winner's distance is comparable to the national's, the Red Barn would send them to the national contest. The Barn has also agreed to allow the 8 x 17 Red Barn replicas in the parade, and have suggested some other ideas, such as a soapbox derby on the hill. Buckles would be sold, either as a package or individually. The following businesses have purchased events:

- Chute 1 - Scott Peterson
- Chute 2 - Stone Ridge Roofing
- Chute 3 - Utah Community Credit Union
- Chute 4 - Summit Ridge Communities
- Car Show - Central Utah Sheet Metal

Bull Riding - Norton Corp.
Hide Race - Fast Trax
Baby Show - Latter Days Assisted Living

The following businesses have contributed monetarily to the rodeo:

5 Buck Pizza
Condie Construction
Jay D Jensen, DDS
JTM Management
McMullin Orchards
Santaquin Calcite Company

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

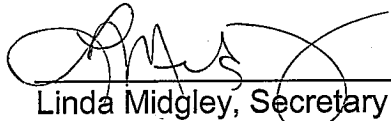
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
Nothing

ADJOURNMENT

At 10:20 pm Council Member Green moved to adjourn. Council Member Linford seconded the motion. The vote to adjourn the meeting was unanimous.

Approved on April 18, 2007.


James E. DeGraffenried, Mayor


Linda Midgley, Secretary

Brief History of the Santaquin Arena

1978-1979 original arena torn down. It was located where the ball fields are currently located.

The City designated the area just south of the old location for a new arena to be built.

Walt Limb donated excavation for the project. The Roping Club gathered pipe and provided labor to build the arena fence.

3-4 years later, the City purchased and installed chain link fence around the perimeter, the sprinkler system, sod and power.

In the mid 80's there was a dispute between the Robbins and the Arena's south fence. It was surveyed and through a court order the fence was moved south approximately 120'. City paid for all surveying and court costs.

When the annual Rodeo started, the City purchased the Bucking Chutes, and Panels for Catch Pens. The Roping Club Installed.

In 1995 the Sewer System Installed, making it necessary to remove the cow pens. The City purchased new panels. The Roping Club Installed.

1996-1997 The Roping Club purchased approximately \$2,000 worth of material to build the existing hay cover and the cow shelter, to house the roping clubs hay and cows. The City reimbursed the Roping Club with 2 Years of free hay from the sewer lagoon hay fields, valued at \$4,000-6,000 per year.

1998-2005 The City provided hay for the roping club cows, with payment due in the fall of each year when cows were sold.

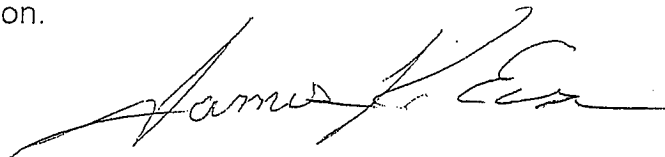
2000-2005 City purchased and installed new lighting.

The City pays for the Stock Contractor for the annual Rodeo and receives the Rodeo proceeds. The Roping Clubs provides the additional manpower, not covered by the Stock Contractor.

The Roping Club puts on and annual the Little-Buck-A-Roo Rodeo at the Arena. Roping Club receives proceeds.

The City has provided the general maintenance, new sand, arena grooming, mowing, water, power etc. since it was established. The Roping Club has provided some repairs on chutes and gates.

At most, there is one remaining Roping Club member who provided labor to build the arena fence at the existing location.



CITY COUNCIL MEETING 4-18-2007
ATTACHMENT "A-2"

Mayor D. Lynn Crook
Councilman Keith Broadhead
Councilman Horstt Carter

Councilman David Hathaway
Councilman Max Holman
Councilman Calvin Wall

NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a regular council meeting on the 2nd day of March 1993, at the City Center, 45 West 100 South Street which shall begin promptly at 7PM.

Agenda:

1. Roll Call
2. 7:00PM Approval of the Minutes of February 16, 1993
3. 7:40PM Public Hearing / Ross-Gilson-Shelton Annexation
Councilman Carter
4. 8:00PM Surveying of Canyon Road - Councilman Carter
5. 8:10PM Agreement with Santaquin Roping Club - Councilman
Broadhead
6. 8:30PM Citizen of the Month Discussion - Council
7. 8:45PM TOD Surplus Equipment Requests - Mayor Crook
8. 9:00PM Business License Renewals - Councilman Carter
9. 9:10PM Bills
10. 9:20PM Miscellaneous
11. 9:30PM Executive Session - Acquisition/Litigation/Personnel
12. 10:00PM Adjournment

CERTIFICATE OF MAILING

The undersigned duly appointed and City Recorder/Clerk for the municipality of Santaquin hereby certifies that a copy of the foregoing Notice and Agenda was mailed to the Payson Chronicle, 12 South Main Payson, Utah 84651 and the Utah County Journal, 500 West 1200 South, Orem 84058. Postage Paid

BY: Elaine Tasker
Elaine Tasker, Recorder/Clerk

Broadhead's cellular phone being used for City emergencies.

Mayor Crook reported he received a letter from Wildlife Resources and they intend to reduce the size of the elk herds and do not want to feed the herd east of Santaquin.

Public Hearing / Ross-Gilson-Shelton Annexation: Hortt reported two people had asked a question pertaining to this proposed annexation. One voiced concerns regarding the animal hides in Mr. Ross's yard and one regarding the motor home in Mr. Ross's yard being lived in by Chief Allen. Mr. Ross stated he normally keeps the hides, from his fur business, cleaned up but the deep snow this year prevented this. Mr. Ross also stated it was an asset having Chief Allen living on his property as he received no protection from the County. Mr. Ross agreed, if his property is annexed, he would keep the hides cleaned up, he would not allow non-conforming living quarters on his property and he would obtain a business license for his fur business. Road widths and easements were discussed. Council agreed road widths must be 56' even if it leaves non-conforming buildings on Mr. Ross's property. Mr. Ross and Mr. Gilson agreed to have the road deeds and mylar map prepared for approval at the next meeting. Mayor Crook asked Mr. Ross what improvements he would expect from the City on the road. Mr. Ross replied he would not expect the road to be oiled until the north half of the road is annexed.

Councilman Hathaway, Farrel Craig and Dean Wall arrived.

Mr. Ross ask what improvements he would be required to make. Hortt replied he would have to comply with the current subdivision ordinance at the time he should subdivide but felt he could do improvements as they build if they build in a continuous manner and not skip around.

Keith suggested the City have the road from 500 South to the headhouse be surveyed. Council agreed to the survey and the annexation when deeds and mylar map are complete. Gene Jones, adjacent property owner, stated he had no problems with the roadways as discussed.

Agreement with Santaquin Roping Club: Keith read the attached agreement, Resolution 93-6. Keith moved to approve Resolution 93-6, Max seconded, passed 5-0. Farrel Craig and Dean Wall, Roping Club representatives, signed the agreement and were excused.

Mayor Crook reported the Council and Attorney for the sewer project would hold a special meeting Thursday, March 4th at 10AM.

Calvin discussed the road on 400 East from Main to 400 North. He stated portions of this street is lower than the adjoining property. After discussion, Council agreed to repair the worst spots in the road but not to raise the road until after the sewer project. Keith stated the sewer will run down the middle of this street.

Calvin reported the renter in the Hall home had done maintenance and improvements and felt the rent should not be increased. He further stated the renter was applying for weatherization (new windows) through the County Assistance Program. Council agreed

CITY COUNCIL MEETING 4-18-2007

ATTACHMENT "A-4"

RESOLUTION ~~23-6~~

An Agreement With Santaquin Roping Club

- WHEREAS: The Santaquin roping Club has donated numerous hours and money towards improvements and
- WHEREAS: The Santaquin Roping Club has sponsored and conducted the yearly rodeo at no charge and
- WHEREAS: The Santaquin Roping Club is at present the only active organized equestrienne club in Santaquin and
- WHEREAS: The Santaquin City Council desires an organization to manage and protect the rodeo grounds.

IT IS HEREBY RESOLVED BY The City Council of the City of Santaquin, Utah as follows:

Section 1. The Santaquin Roping Club shall have unconditional control of the use of the arena, corals and equipment. Other clubs and citizens are encouraged to use these facilities. But, shall contact the presidency of the Roping Club for permission and a schedule. All instructions or rules required by the Santaquin Roping Club shall be adhered to.

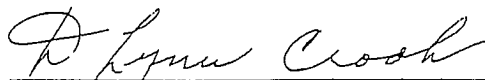
Section 2. The rodeo grounds shall be a part of the Parks Department although the roping club will schedule the use of the arena.

Section 3. It is expected that the Roping Club shall do minor repairs and maintenance of the grounds and equipment. Any needs for major repairs or maintenance should be reported to the Public Works Director or the Councilman over Parks.

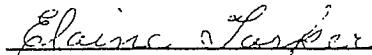
Section 4. This resolution shall be enforce as long as the Roping Club is organized as present. In the event the Roping Club dissolves, the control over the rodeo grounds will divert entirely, to Santaquin City.

Section 5. This resolution shall become effective upon passage.

Approved this 2nd day of March, 1993.



D. Lynn Crook, Mayor

ATTEST: 
Elaine Tasker, Recorder

This Agreement approved by:



MEMORANDUM

April 6, 2007

To: Mayor DeGraffenried and City Council via Planning Commission
From: Dennis Marker, City Planner
RE: Oak Summit Subdivision Plats E and F (Final Review) Zone: R-12(PUD)
200 South 1030 East Lots: 32 Acres: 10.5
Density: 3.0 u/a

Background:

Mr. Mike Carter, representing Blackhawk L.L.C., is seeking approval of Oak Summit Subdivision, Plats E and F located at approximately 200 South 1030 East (**See attached subdivision plans**). The Development Review Committee (DRC) has reviewed the proposal and found that all development issues have been addressed relative to the submitted plans and plans. The Planning Commission reviewed the proposal during their April 12, 2007 meeting has forwarded the plats to the City Council with a positive recommendation for approval (**See attached DRAFT Planning Commission minutes**).

The subject area is part of the Carter IV Annexation and subject to a development agreement between Blackhawk, LLC and the City. The development agreement included an approved concept plan for the Oak Summit subdivision. The proposed development complies with the annexation and development agreement concept plan lot layout (See attached development concept plan).

Analysis:

Zoning.

The subject property is zoned R-12 and was permitted to utilize the PUD overlay for development. This included reduced frontages, lot areas and setbacks in return for dedicated open spaces, recreation areas, CC&Rs, garage requirements, etc, as outlined by the City's PUD overlay standards and the mentioned annexation development agreement. The proposal complies with the above standards.

Lot Standards.

Area: The R-12 Zone requires lots to have 12,000 square feet. The PUD overlay zone allows lots to be smaller than the base zone based on the density credits awarded with the subdivision. The annexation development agreement establishes the total number of

units and the density for the Oak Summit project. The proposed lot sizes are consistent with the annexation development agreement and the associated concept plan attached to that agreement.

Setbacks: The PUD overlay states:

The setback requirements are to be determined by the City Council upon recommendation from the Planning Commission for all structures within the planned unit development, and shall not fall below the requirements of the uniform building code, and shall not be reduced below the required setback for the zone in which the PUD is to be located in an amount greater than the percent of density bonus earned for the project (S.C.C. 10-7K-9.A)

The required setbacks for the Zone are 30 feet to front, 25 to rear and 10 feet on the sides. With the 25% reduction the setbacks could be 22.5 to front, 18.75 to rear and 7.5 on the sides.

Frontage: The R-12 Zone requires at least 100 feet of frontage. The proposed frontages are 80 feet. The PUD overlay states:

Frontage requirements shall be determined by the City Council upon recommendation from the Planning Commission for all lots or parcels within the planned unit development (S.C.C. 10-7K-9.B)

Access.

City ordinance requires two access points into each subdivision or phases thereof having more than 9 lots. The two proposed phases will have two access points onto 270 South. All lots will have direct access onto public streets. No private streets are proposed within this development. All improvements will comply with the street cross-sections approved in the City Construction Standards.

Impact on Adjacent Properties.

The development will have to obtain access onto adjacent properties for sewer construction and maintenance. This will need to be obtained and proof provided to staff before recordation of the proposal can occur. The improvements made with these phases will enable adjacent properties to have better access to public streets, sewer, culinary and secondary water supplies. Road systems have been designed to handle the subject development as well as future phases to the north, east and south.

Sensitive Lands.

There are no areas with 30% slopes in these phases. Lands to the east, which will be incorporated in future phases of the development do have such topographic characteristics and will need to be evaluated with those phases. The area is subject to debris flows from the east in wet year conditions. A large flood and debris channel has been partially constructed along the east side of these phases to protect these lots by capturing any spring runoff or debris flows that

may occur. The construction of this channel will be evaluated further in future phases of the Oak Summit development.

Recreation Amenities.

The concept plan approved with the annexation and development agreement requires the developer to install a hiking trail along the flood and debris channel as well as dedicate park area for public use. The annexation and development agreement stipulates that these improvements are to be done by the developer and at the developer's cost and are to be constructed in order to obtain the desired densities of the concept plan.

Additional natural open space will be provided to the City east of the proposed phases. Much of these natural areas exceed 30% slopes and are unbuildable based on City Development Standards. These lands will also be in future phases.

Staff Concerns:

Attached with the development agreement was a phasing plan which specified the amount of lots and acres to be included with each phase (See attached Phasing Plan). The proposed plats E and F include smaller areas than were approved in the phasing plan and do not include required open spaces. These smaller phases are in part due to road construction standards and master planned road and trail alignment changes, which the City has requested be implemented by the developer. These changes have altered the open space locations and amounts. The applicant has requested that since the exact location of these areas is not yet known, as well as the necessity for more detailed review of sensitive lands in the development, that the City Council approves these smaller phases and allow the open spaces to be provided in future phases.

Recommendation:

Staffs recommends the City Council approve the proposed Oak Summit Subdivision, Plats E and F, located at approximately 200 South 1030 East, based on the following findings and subject to the following conditions:

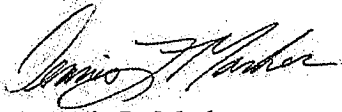
Findings

1. The development is located within the R-12 (PUD) Zone and complies with requirements for density bonuses and design stipulated in S.C.C. 10-7K.
2. The development is under the Carter IV annexation and development agreement which establishes densities and subdivision design elements.
3. The proposed subdivision is in harmony and complies with those standards made part of the Carter IV Annexation and Development Agreement.

Conditions

1. That the applicant completes all necessary final review processes and approvals as required by the Santaquin City Code including Bonding, Dedication of water, and payment of development fees for inspections, street lighting and street signage, etc., and

2. That a phasing plan amendment be made between the applicant and the City which addresses timing, construction and dedication of open spaces and recreation amenities in the remainder of the Oak Summit Development, and
3. That no future phases of the development will be approved without the above amended phasing plan as well as dedication of open spaces within all future phases.



Dennis L. Marker
City Planner

Dennis Marker

From: David Thurgood [DCT@JUB.com]
Sent: Thursday, April 12, 2007 5:48 PM
To: Dennis Marker
Subject: Oak Summit Plat "E" and "F"

Dennis,

We have reviewed the submittal for Oak Summit Plat "E" Sheets 1 through 8 and all of the Engineering comments pertaining to these sheets have been satisfied. We reviewed the submittal for Oak Summit Plat "F" Sheets 1 through 7 and all of the Engineering comments pertaining to these sheets have been address.

Please call if you have any questions. I am out of the office tomorrow, but can be reached on my cell.

Thanks,

David

4/13/2007



MEMORANDUM

March 2, 2007

To: Mayor DeGraffenried and City Council via Planning Commission
From: Community Development Department
RE: East Santaquin Meadows 2007 Rezoning (R-10 to R-15) R#07-01
Approximately 100 West 800 South 29.6 Acres

Note: This item was noticed to the public in accordance with the State Public Meetings Act.

Background:

The City Council, during their public meeting on February 14, 2007, requested that the property located at approximately 100 West 800 South be rezoned from R-10 (Residential, single family 10,000 square foot lots) to R-15 (Residential, single family 15,000 square foot lots). This property was zoned from R-15 to R-10 in December 2005 with the anticipation of an adult living community PUD being developed. The developer of that concept for the subject property has since placed the property for sale and due to no development agreement being in place that assures development of the original concept will be done, the Council desires to rezone the property back to R-15.

The Planning Commission reviewed this request during their March 8, 2007 meeting and during their April 12, 2007 meeting. Discussion of the rezone included adjacent densities, costs of the property, and a possible development plan by Mr. Robert Fields (See attached plan and Planning Commission minutes). The Planning Commission has forwarded a positive recommendation for the rezoning to the City Council.

The subject area includes a portion of Interstate 15 (I-15) and the property currently owned by East Santaquin Meadows, LLC (See attached map). The properties to the south are zoned R-15 and are being developed under a PUD overlay with a majority of lots ranging in size from 10,000 square feet to 13,000 square feet. Existing neighborhoods to the east have been developed as standard R-10 subdivisions. The northeast area of the subject property is adjacent to properties zoned RC, but which are vacant at this time.

Analysis:

Santaquin City Code (S.C.C.), §10-7-6, lists the following criteria approval of a rezoning request.

1. The rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

Criteria 1: General Plan and Annexation Plan

The Future Land Use map in the Santaquin City General Plan, adopted November 2000, shows this area appropriate for "Residential-Medium" land uses. This land use specifies residential single-family lots which may range from 10,000 to 12,000 square feet. The drafted master plan being reviewed by the City at this time also shows the area as medium density residential but lot sizes ranging from 9,000 to 20,000 square feet.

The purposes outlined for the R-10 zone are to encourage the creation and maintenance of residential areas within the city which are characterized by smaller to medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone. The uses permitted in this zone shall be single- and multiple-family dwellings, apartments, and certain other public facilities needed to promote and maintain stable residential neighborhoods (S.C.C. 10-7B-1 emphasis added). Neither General Plan prescribes multiple-family dwellings or apartments in this area, although they are listed as permitted uses in the R-10 Zone.

The purposes outlined for the R-15 zone are to encourage the creation and maintenance of residential areas within the city which are characterized by medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone (10-7D-1 emphasis added). Multiple unit dwellings in this zone require conditional use permits and adherence to site plan standards established in the Title 10.

Criteria 2: Spot Zoning

By rezoning the property to R-15, the City will be creating a link between two R-15 zones. The total acreage in R-15 zoning near this area would be approximately 216 acres.

Criteria 3: Adverse Affect on Surrounding Properties

Should this property develop, there will not be any direct traffic access into the existing neighborhoods to the east. Those residents along 900 South would experience some increased traffic. The amount of traffic would be based on the number of homes and access points in any future development of the subject property. Since the R-15 Zone would provide less density than the R-10 Zone, there would likely be less traffic impact on the existing neighborhoods.

Criteria 4: Nonconforming Uses

The subject properties are vacant with the exception of the I-15 corridor. No nonconforming uses will occur with this rezoning.

Public Notice:

Other than comments presented during the mentioned Planning Commission meetings, staff has received no comments from the public relative to this item.

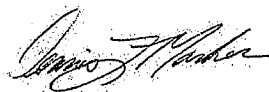
Recommendation:

Staff recommends the City Council **approve** the requested rezoning of approximately 29.6 acres near 100 West 800 South, as shown on the attached map, from the R-10 zone to the R-15 zone, based on the following findings.

Findings

1. The rezoning conforms to the intent of the Santaquin City general plan, R-15 Zone purposes and City annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to the Santaquin City Code.

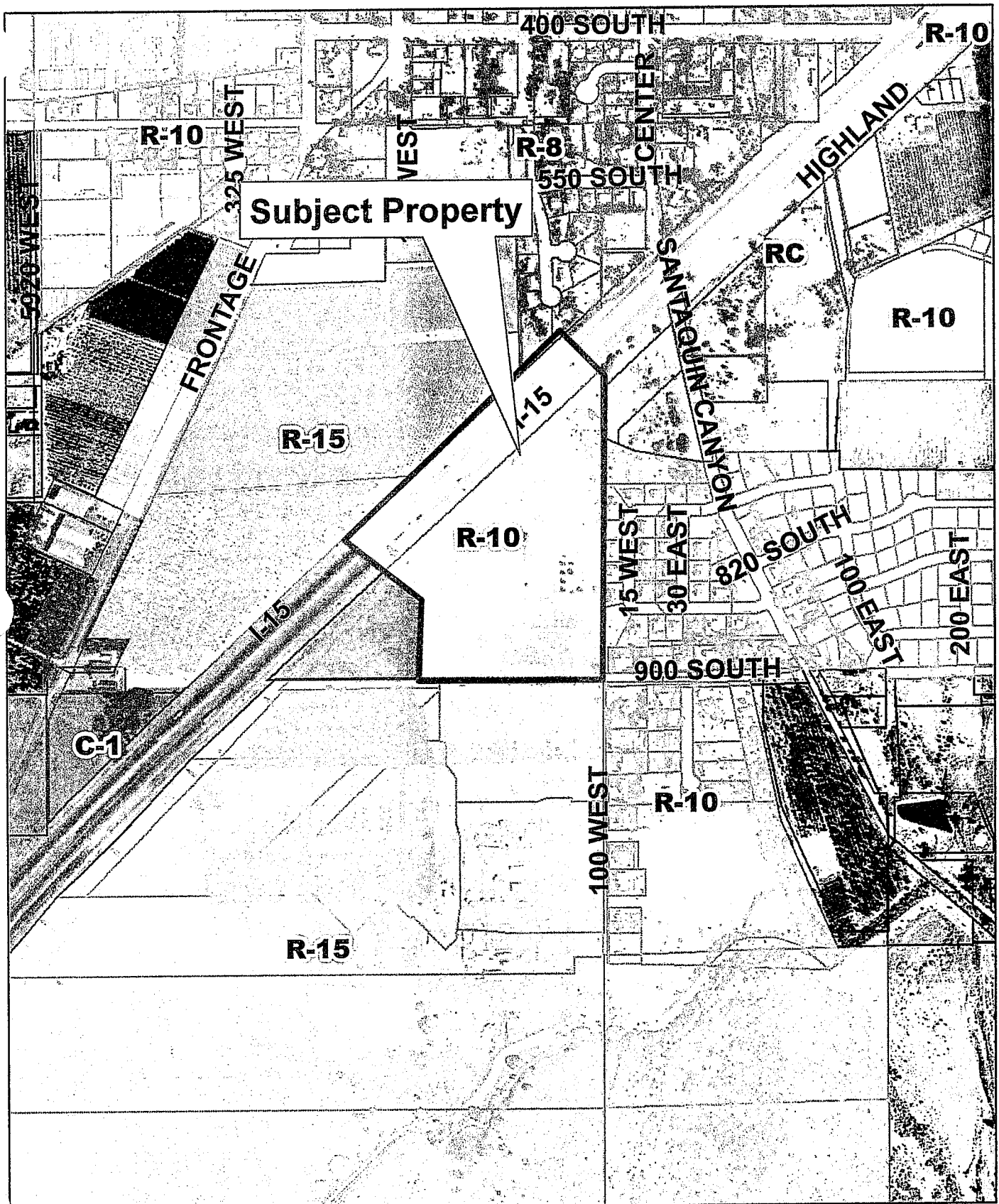
Also that staff be directed to prepare the appropriate ordinance language to effect the rezoning request and such ordinance be brought back for adoption during the next City Council meeting.



Dennis L. Marker
City Planner

Proposed East Santaquin Meadows 2007 Rezoning from R-10 to R-15
800 South 100 West

R#07-01



Produced By
Santaquin City Community Development

0 250 500 1,000 1,500 Feet



PLANNING COMMISSION MINUTES

April 12, 2007 – Page 2

Rezoning

Glenl Wear opened the Public Forum on the rezoning of 35 acres from R-10 to R-15 at approximately 800 South 100 West. Robert Field said he did extensive work on his plan to determine the largest size of the lots that could be developed and still build affordable homes. With the cost of easements and a million and a half dollars per mile for the road work, this concept plan shows the 29 lots needed to make the development profitable. A large number of the lots are 18 to 22 thousand feet, and some are 10,000. Mr. Field said some adjustments to the concept plan might be needed.

Mr. Field said he has been working with the developers to the south and east of the proposed development, and they are willing to share the costs of the Highland Drive sewer line and 900 South. They still have some easement issues to deal with but are close to agreement. Mr. Field said the zoning would have to remain R-10 to make the development cost effective. John Chatterley asked if Mr. Field was saying that he could not make any money if the area was zoned R-15. Mr. Field said he had tried different scenarios, but it could not be done. It would cost about \$700,000 to do Highland Drive, in addition to offset costs.

Carolyn Callahan asked if Mr. Field owned the property now. Mr. Field said the owner, Matt Walker, could not sell the property at a low enough price, so he wanted to partner with Mr. Field on the development. Ms. Callahan asked why the owner could not sell the property for less. Mr. Field said he had invested too much in the property to drop the price. Ms. Callahan said she was concerned that the zoning had been originally changed on the basis of a concept plan for an adult community, and now the Commission was faced with the same problem, zoning based only on a concept.

Dennis Marker said even if the land is rezoned R-15, the developer could petition for a PUD overlay, which could allow for a little more density. He said the City Council felt development agreements should be put in place before any more PUD overlays were granted.

Francisco Ugate said he would like to see the land remain R-10. He said with interest rates skyrocketing, it would be difficult to sell R-15 lots, which could run about \$200,000 per lot. Mr. Ugate said Mr. Field's plan would bring growth, money and a decent neighborhood to Santaquin. Carolyn Callahan said it was unfortunate the owner was asking so much for the land. John Chatterley said the request from city council to rezone the land was a priority, and the option did remain for a PUD overlay. Glenl Wear closed the Public Forum.

Mark Westover made a motion to accept and forward a positive recommendation to rezone the 35 acres from R-10 to R-15. John Chatterley seconded the motion. The vote to forward a positive recommendation on the rezoning was unanimous.



MEMORANDUM

Friday, April 13, 2007

To: Mayor DeGraffenried and City Council
From: Dennis Marker, City Planner
RE: Code Amendment affecting Street Lighting and Signage Requirements CA#05-03

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

Background:

On July 14, 2005, the Planning Commission held a public hearing regarding a code amendment affecting the City's Street Lighting and Street Signage Requirements as found in Section 11-6-27 and 28 of the Santaquin City Code (S.C.C.). That amendment was requested in an effort to clarify the City's processes for recouping cost for street sign and light installation. It also would establish location standards and construction standards for such signage and lighting. The amendment was never placed on an agenda for the City Council to review.

Since that time additional policy and construction standard changes have been made regarding these two public improvements. Those policies have included City fee schedule amendments and adoptions, as well as establishing more detailed construction standards that include much of the information previously recommended for codification. Based on these changes staff has prepared more simplified language that can address the initial reasons for the amendment and still provide the regulations necessary for implementing the City's street sign and street lighting program (See Exhibit A: Proposed Language). **The Planning Commission reviewed the language in Exhibit B during their April 12, 2007 meeting and has forwarded a positive recommendation of the amendment to the City Council.**

Exhibit B to this memorandum is the language currently adopted by the City.

Analysis:

State Land Use Laws. The amendment also complies with State law, which states that municipalities may enact "ordinances, resolutions, and rules pertaining to density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, and height and location of vegetation, trees, and landscaping, unless expressly prohibited by law" (UAC 10-9a-102(2)).

public facilities, and height and location of vegetation, trees, and landscaping, unless expressly prohibited by law" (UAC 10-9a-102(2)).

Santaquin has implemented a street lighting and street signage program in an effort to provide safety to motorists and pedestrians along public streets. The ability of the City to provide these services is dependant upon the funding and resources available to it. By requiring new developments to pay for the appropriate costs of these improvements is one way the City can fund these infrastructure improvements. State law allows the City to regulate transportation and infrastructure

Affect and Non-conforming Uses

No non-conforming uses will be made with this amendment.

Notice

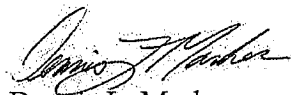
This item was noticed to the public for comment when reviewed in 2005. No comments were received at that time or when the Planning Commission reviewed the language again during their April 12, 2007 meeting.

Recommendation:

Staff recommends that the City Council adopt Ordinance 04-01-2007 which affects the City's Street Signage and Lighting Standards, based on the following findings.

Findings

1. State law provides for Cities to enact "ordinances, resolutions, and rules pertaining to ... transportation and infrastructure" and ordinances pertaining to "health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses. . ."
2. The proposed amendment provides the City with a means of providing for the health, safety, and welfare of the City's residents as well as transportation and infrastructure needs of the community.
3. The proposed ordinance will not create any non-conforming uses.



Dennis L. Marker
City Planner

Exhibit A (Page 1 of 1)
Proposed Language

11-6-27 Signs.

The subdivider shall obtain the approval of the Santaquin City police department with regard to the number, placement and nature of traffic regulation signs on subdivision plans. The subdivider shall be responsible for payment to the City, in an amount established by resolution of the City Council and recorded on the Santaquin City Fee Schedule for all materials, equipment and labor necessary for the installation of street identification signs required for the development. Required street sign fees must be paid prior to the recordation of the final plat.

11.6.28 Street Lighting.

- A. Locations. Street lighting shall be implemented as a part of all subdivisions reviewed in accordance with this title. Street lights shall be located in accordance with the City Construction Standards and at the discretion of the Santaquin City Director of Public works for safety purposes.
- B. Fees. Fees shall be in an amount adopted in the Santaquin City Fee Schedule for all hardware and materials necessary for the installation of the street lighting system, including all electrical services lines and all related appurtenances, unless otherwise arranged with the City in writing.
 - 1. Street light fees must be paid prior to the recordation of the final plat.
 - 2. After recordation and during construction of the subdivision, additional fees may be charged to the subdivider at the time of street light installation for the following items
 - a. Installation of wire for electrical service lines that extend more than ten (10) feet from the nearest junction box.
 - b. Trenching for installation electrical service lines that extend past open power trenches

Any additional fees must be paid prior to obtaining Certificate of Occupancy Permits for homes in the subdivision.

Exhibit B (Page 1 of 1)
Current Language in Santaquin City Code

11-6-27: SIGNS:

- A. Traffic Regulation Signs: The subdivider shall obtain the approval of the Santaquin City police department with regard to the placement and nature of traffic regulation signs on subdivision plans. The subdivider/developer shall arrange to have the city provide and install all required traffic signs, at the subdivider's/developer's cost. All such signs shall be installed in accordance to the "Manual On Uniform Traffic Control Devices" (MUTCD) 2000, or its successor.
- B. Street Signs: The subdivider/developer shall pay for all traffic signs required for the subdivision, and for all costs associated with the installation of those signs. All such signs shall be installed in accordance to the "Manual On Uniform Traffic Control Devices" (MUTCD) 2000, or its successor.

11-6-28: STREET LIGHTING:

- A. The developer shall pay the city for the installation of a street lighting system, including all electrical service lines, for the approved subdivision except as otherwise arranged with the city in writing.
- B. The subdivider shall provide street lighting at each intersection and at intervals not to exceed five hundred feet (500') measured within the public right of way. At the time of a final plat submittal, the subdivider shall provide the city with a list of the addresses and types of streetlights in order for the city to order such lights from the power company. The streetlights shall be placed as approved by the director of public utilities. Street lighting plans shall include appropriate distance, alternating sides of street, location upon the property, streetlight type, height, and illumination intensity as determined by the city construction standards. In the case of a cul-de-sac, one streetlight shall be provided and located in the bowl of every cul-de-sac.