

NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, June 7, 2006, in the Council Chambers, 45 West 100 South, at 7:00pm.

AGENDA

1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE**
 3. **INVOCATION/INSPIRATIONAL THOUGHT**
 4. **CONSENT AGENDA**
 - a. Minutes
 1. May 17, 2006
 - b. Bills
 1. \$117,189.57
 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
 6. **FORMAL PUBLIC HEARINGS**
 - a. Finalized 2006/2007 Budget
 7. **UNFINISHED BUSINESS**
 - a. Ratification of acceptance of item #10 of the Public Safety Building Change Order #3
 8. **NEW BUSINESS**
 - a. U.D.O.T. Representatives – Discussion on SR-198 and Highland Drive Re-alignment
 - b. Authorization for Mayor DeGraffenried to sign the Aqua Engineer Waste Water Impact Fee Contracts
 - c. Approval of a Mass Grading Application for KBS Farm Holdings, Summit Ridge Communities and Sunroc Construction
 - d. Discussion and possible approval of the Ercanbrack Single Lot Subdivision at approximately 450 N 700 E
 - e. Discussion and possible action with regard to Temporary Construction water
 9. **BUSINESS LICENSES**
 10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Resolution 06-01-2006 "Fiscal Year 2006/2007 Finalized Budget"
 - b. Ordinance 06-01-2006 "An Ordinance Amending the City's Bonding Process"
 - c. Ordinance 06-02-2006 A Temporary Ordinance Establishing Land Use Regulations of Non-Residential Developments in the C-1, C-2, I-1, and RC Zones Pending the Adoption of a Permanent Ordinance". (previously known as Ordinance 05-03-2006)
 11. **PETITIONS AND COMMUNICATIONS**
 12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. City Manager
 1. General update
 - b. Planning Commission
 1. General update
 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

Susan B. Farnsworth, City Recorder

POSTED:

CITY CENTER
POST OFFICE
ZIONS BANK

® Amendment to Agenda

**MINUTES OF A COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
JUNE 7, 2006**

Mayor James E. DeGraffenried called the meeting to order at 7:00 p.m. Council Members present: Tracy Roberts, Todd Starley, and James Linford. Arthur Adcock and Martin Green were excused.

Others in attendance: City Manager Stefan Chatwin, Legal Counsel Brett Rich, City Planner Dennis Marker, Candi McMullin, Keith Broadhead, LaDue Scovill, Steven Sorenson, Kurt Stringham, U.D.O.T Representatives Lori Dabling, Degen Lewis, Gary Horton, Geoff Dupaix, Barbara Kester, Terry Kester, Stephanie Green, Glen Ware and other unidentified Individuals.

PLEDGE OF ALLEGIANCE

Council Member Starley led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Stringham offered a Word of Prayer.

CONSENT AGENDA

Minutes

May 17, 2006

Bills

\$117,189.57

Council Member Starley moved to approve the Consent Agenda. Council Member Roberts seconded the motion. The vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

MOVE TO ITEM 8A

U.D.O.T. Representatives – Discussion on SR-198 and Highland Drive Re-alignment

Ms. Dabling U.D.O.T. Representative reviewed a proposal for the SR198 and Highland Drive Re-alignment. She indicated Federal Highway Funding would be used to pay for the projects within the Santaquin and Genola City limits. Mr. Horton indicated the purpose and need for the project is to improve the safety of the intersections. The proposed re-alignment would move the roadway closer to the entrances of Stringham's Hardware and Terry's Tire Shop. Concerns of the project include maintenance of traffic during the construction. There are 3 different proposed routes which will be used during the closures and the tie-in process of the newly constructed road. Those in attendance were told that the proposed roadway would have a three-way stop and would require the entrance to Mr. Kester's Business being moved. If the access to the business is moved a retaining wall will need to be added to the roadway. Mr. Kester was told that closure of the road would be approximately 10 days with a business access being maintained at all times. Anticipated length of construction would be approximately 4 months and should begin in the Spring of 2007. City Manager Chatwin indicated a J.U.B Representative, who is the City's acting Engineer, will be contacting a U.D.O.T. Representative to address issues pertaining to relocation of utilities. Mr. Broadhead questioned what access would be available for Emergency Vehicles during the construction of either project. He was told the roadway would be passable to the Emergency Vehicles if need be. Ms. Dabling questioned if the City currently had a Noise Ordinance. If so U.D.O.T. is requesting a copy.

Council Member Starley questioned if there were a way to enforce large truck braking on the Freeway. He was told that the City is required to have a Noise Ordinance in place as well as commitment to funding of the signage (approximately \$300 per sign) and enforcement of the Ordinance.

On a closing note, Ms. Dabling reported that Payson City has received monies to reconstruct the Dry Creek Structure as well as adding a Pedestrian access. Bids for the project are currently being accepted with the approximate beginning date of mid summer.

FORMAL PUBLIC HEARINGS

Finalized 2006/2007 Budget

Council Member Linford moved to enter into a Public Hearing with regard to the Finalized 2006/2007 Budget. Council Member Starley seconded the motion. The vote was unanimous.

There weren't any Public comments or concerns.

Council Member Starley moved to close the Public Hearing. Council Member Linford seconded the motion. The vote was unanimous.

UNFINISHED BUSINESS

Ratification of acceptance of item #6 of the Public Safety Building Change Order #3

Council Member Starley moved to ratify the acceptance of item #6; the addition of an upstairs closet, in the amount of \$1663.56 on the Change Order dated April 26, 2006. Council Member Linford seconded the motion. The vote was unanimous.

NEW BUSINESS

Authorization for Mayor DeGraffenried to sign the Aqua Engineer Waste Water Impact Fee Contracts

Council Member Starley moved to authorize Mayor DeGraffenried to sign the Aqua Engineer Waste Water Impact Fee Study Contracts. Council Member Linford seconded the motion. The vote was unanimous.

Approval of a Mass Grading Application for KBS Farm Holdings, Summit Ridge Communities and Sunroc Construction

Council Member Linford moved to approve the Mass Grading Application for KBS Farm Holdings, Summit Ridge Communities and Sunroc Construction for the term of 6 years. Council Member Starley seconded the motion. The vote was unanimous. For the record, Council Member Green, in a earlier presented letter to the Mayor, indicated he was in favor of the approval.

Discussion and possible approval of the Ercanbrack Single Lot Subdivision at approximately 450 N 700 E

Council Member Starley moved to approve the Ercanbrack Single Lot Subdivision. Council Member Linford seconded the motion. The vote was unanimous.

Discussion and possible action with regard to Temporary Construction water

Mayor DeGraffenried reported that throughout construction there are times when water is needed. He proposed assessing, at the time a Building Permit is purchased, a \$50 fee for construction water. This would allow the use of the water with some compensation to the City. A Water

connection and meter would be required before the builder would be presented with a Certificate of Occupancy. Mr. Ware questioned if the City had the manpower to perform this service. He was told the issue would be discussed in more detail.

Council Member Linford to table for further discussion. Council Member Starley seconded the motion. The vote was unanimous.

BUSINESS LICENSES

Council Member Starley moved to approve a new Business License for Libni Balderas for drywall services. Council Member Linford seconded the motion. The vote was unanimous.

Council Member Starley reviewed 2 additional submitted Business License Applications. The Businesses are as follows:

- Scott Ewell D.B.A. West Mountain Value and Excavating, and
- Israel Haroldsen D.B.A. Analytical Resource Laboratory.

The Mayor and Council Members were told that all the required inspections were complete therefore; Council Member Starley moved to approve the above-mentioned Business Licenses. Council Member Linford seconded the motion. The Vote was unanimous.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 06-01-2006 "Fiscal Year 2006/2007 Finalized Budget"

Council Member Linford moved to approve Resolution 06-01-2006. Council Member Roberts seconded the motion.

Council Member Linford reported the budget is balanced. By law the City is allowed to "carry" to the next year a money surplus but financially is not able to do so. Council Member Roberts indicated that the Preliminary Budget did not include a donation to the Chamber of Commerce. Mayor DeGraffenried reported he as well as Council Member Green met with Representatives of the Chamber of Commerce to discuss a donation being included in the Final Budget. It was decided that a donation of \$1,500 would be added with the Chamber of Commerce being required to report to the Mayor and Council each quarter as to how the monies would be spent. After the discussion, Council Members Roberts, Starley, and Linford voted in favor of the motion.

Ordinance 06-01-2006 "An Ordinance Amending the City's Bonding Process"

Council Member Roberts moved to approve Ordinance 06-01-2006, An Ordinance Amending the City's Bonding Process". Council Member Starley seconded the motion. Council Members Roberts, Starley, and Linford voted in favor of the motion.

Ordinance 06-02-2006 A Temporary Ordinance Establishing Land Use Regulations of Non-Residential Developments in the C-1, C-2, I-1, and RC Zones Pending the Adoption of a Permanent Ordinance". (previously known as Ordinance 05-03-2006)

Council Member Starley questioned if the Planning Commission had reviewed the proposed Ordinance. He was told that establishing a Temporary Ordinance does not require a Planning Commission review. This Ordinance allows for a Commercial Development to submit Construction plans with the understanding there will be landscaping requirements that are in the process of being implemented. Council Member Roberts questioned what a potential Commercial Developer would be told if they were to consult with the Staff during the time the proposed Ordinance is in effect. City manager Chatwin indicated that the potential Developer would be

treated as if this Ordinance was not in effect with the exception that the Developer would be told there would be a landscaping requirement. The Mayor and Council Members were told that the Ordinance allows for standards for development along Main Street. Council Member Roberts indicated a Main Street property owner attended the work session and expressed he believed with the new Public Safety Building being constructed on Main Street; future Developers are assured that Santaquin is vesting in the Main Street area. Council Member Roberts indicated that by the construction of the Public Safety Building the City in a sense was setting a standard. Mayor DeGraffenried said he addresses this issue "everyday of his life" and he doesn't feel this Ordinance would hold up the process of a Commercial Development. He indicated the Council has the right to repeal an Ordinance at anytime. Council Member Starley indicated he hadn't had enough time to "meld" this issue over in his mind. Legal Counsel Rich commented that this Ordinance would be in the best interest of the City. Council Member Roberts reported he had a concern that such an Ordinance would have a "chilling effect" on the potential Developers. He believes this Ordinance doesn't do that. Legal Counsel Rich indicated that the Council Members could change the time frame to a three-month period and at the three-month period the Temporary Ordinance could be extended.

Council Member Roberts moved to approve Ordinance 06-02-2006 "A Temporary Ordinance Establishing Land Use Regulations of Non-Residential Developments in the C-1, C-2, I-1 and RC Zones Pending the Adoption of a Permanent Ordinance for a period of six months with a Staff review at three month if it has not been fully completed. Council Member Linford seconded the motion. Council Members Roberts, Starley, and Linford voted in favor of the motion. Once again Mr. Green indicated in the previously submitted letter, he was in favor of the adoption of the Ordinance.

Mayor DeGraffenried excused Legal Counsel Rich at 8:55 p.m.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

General update

A Work Session will be held on Wednesday, June 14th at 6:30 p.m. to discuss Main Street Development issues. Stuart Reid will be attending the Work Session to answer any questions that the Mayor and Council May have.

It was also reported that the Credit Card acceptance should be on line by July 1st. The programming and interfacing "bugs" are now at a minimum.

Planning Commission

General update

Planning Commissioner Bean indicated they haven't had a meeting since the last report. City Planner Marker reported that during the next Planning Commission Meeting the Sexually Oriented Business Ordinance would be reviewed as well as a discussion being held with regard to rezoning along Main Street.

REPORTS BY MAYOR AND COUNCIL MEMBERS***Mayor DeGraffenried***

Mayor DeGraffenried indicated he felt with the issues the City is facing it would be appropriate to meet each Wednesday. He requested the Council Members make the appropriate arrangements to be available.

Council Member Linford reported the Crazy Daisy property is "looking good" but has concerns as to what is happening with the storage sheds. Mayor DeGraffenried will be meeting with the business owner to discuss the storage shed issues.

Council Member Linford indicting the business "Dead or Dieing Vehicles" isn't moving out of the area fast enough. Council Member Starley believes the Business Owner has done a better job at cleaning up the area. The question was asked if they had a current Business License. The Staff was directed to research this issue and report back to Council Member Linford.

Council Member Linford had questions with regard to the proposed Home Occupation Ordinance. He was told the Planning Commission would be reviewing a proposed Ordinance at a future meeting and then it would come to the Council for discussion.

Council Member Starley inquired as to the status of the 400 East Re-alignment Project. He was told J.U.B Engineering has found there would be additional requirements associated with the project and as soon as any additional information is available, the Council Members will be advised.

Council Member Starley requested reviewing the 20% late fee associated with Utility Billings. The issue will be discussed at a future Work Session.

Council Member Roberts indicated he would be attending Boy State this next week therefore he will not be attending the Work Session next Wednesday.

Mayor DeGraffenried reported he would like the Council Members to take a Public Utilities tour. A date and time for the tour will be discussed during the next Work Session.

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)

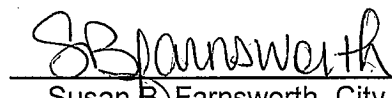
Nothing

ADJOURNMENT

At 9:17 p.m. Council Member Starley moved to adjourn. Council Member Roberts seconded the motion. The vote was unanimous.

Approved on June 21, 2006.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder