

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 1, 2006**

Mayor James DeGraffenried called the meeting to order at 7:00 pm. Council Members attending: Arthur Adcock, Tracy Roberts, Todd Starley, Martin Green, and James Linford.

Others attending: City Manager Stefan Chatwin, City Planner Dennis Marker, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Police Chief Dennis Howard, Financial Advisor Jonathon Ward, J.U.B. Representative Ross Wilson, Archie Johnson, Lyle Topham, Dee Clements, Idonna Crook, Donna Bott, Fern Nelson, Norman Taylor, Jake Kester, Chris Gifford, Kathy Jensen, Clay Jensen, LaRain Goodall, Don Anderson, Mark Bing, Dalaine Bing, Ronnie Memmott, Janice Memmott, Cleanne Brost, Bill Brost, Ed Westover, Wesley Morgan, Nell Morgan, Norma Overson, Wayne Overson, Walter Callaway, Terry Kester, Corry Hoffmeier, Joan Odikirk, Kristy Peterson, Troy Peterson, Lee Sorensen, Shayne Durrant, Bart Morrill, Ryan Davenport, Kevin Kester, and other unidentified Individuals.

PLEDGE OF ALLEGIANCE

Council Member Green led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Morgan offered an invocation.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on February 15, 2006

Bills

\$55,782.61

Council Member Green moved to approve the Consent Agenda. Council Member Linford seconded the motion. The vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

MOVED TO ITEM 9-BUSINESS LICENSES

BUSINESS LICENSES

Council Member Starley reviewed the three following submitted Business License Applications: Keith and Chris Judd D.B.A. Keith Judd's Pro-Service, Melody Oliphant D.B.A. Feed 'N Grow, and Jana Burdick D.B.A. Scentsy Independent Consultant.

Council Member Starley moved to approve the above-mentioned Business Licenses. Council Member Roberts seconded the motion. The vote was unanimous.

FORMAL PUBLIC HEARINGS

Pressurized Irrigation Project

Council Member Roberts moved to enter into a Public Hearing with regard to the Pressurized Irrigation Project. Council Member Starley seconded the motion. The vote was unanimous.

J.U.B. Engineering Representative Wilson presented a brief overview of the Pressurized Irrigation Project to those in attendance.

Mrs. Nelson questioned if the project would decrease the water available through the Summit Creek Irrigation Shares. Those present were told any Summit Creek water would be delivered at the discretion of the Summit Creek Irrigation Company Representatives. It's proposed that a fee of \$200 will be assessed to all existing households at the time of the project installation. This fee would include installation of the lateral to the property line as well as the meter. Any additional costs would need to be the expense of the property owner.

Mrs. Hoffmeier asked where the water was coming from for this project. The project will include Summit Creek Irrigation water as well as some well water with piping being placed up to the current Summit Creek Irrigation diversion dam. The proposed right of way will be in the existing roadway. The project will be funded by \$5 million dollars of Central Utah Project grant Money. The grant money was obtained by pledging one thousand acre feet of water per year. Also \$6.5 million dollars is available through a 20 year 3.5% interest Community Impact Board Loan.

Mr. Odikirk questioned what the cost was associated with changing filters as well as how often they would need to be changed. Someone from the audience indicated the filters would cost in the neighborhood of \$380. J.U.B Representative Wilson indicated the Residents would make their own choice as to which filter they would use as well as within what price range.

Mr. Durrant is concerned on how the bond is scheduled to be repaid. The indication was made that Users fees, connection fees as well as impact fees would be used to make the payments. Mr. Durrant indicated he was disappointed that the issue did not come to the Public for a vote.

City Manager Chatwin indicated that due to the period associated with the application of the CUP Grant Money, the decision was made not to have a Residents vote. The Mayor and Council Members made this decision after much discussion and every angle of the issue was reviewed.

Council Member Starley agreed with Mr. Durrant on the issue of Public Vote but due to the above mentioned timeline it wasn't possible. The Council Members were elected to represent the Residents and hopefully those elected would make decisions that will benefit the City as a whole.

Mr. Jake Kester indicated he attended a Public Hearing and according to the law the City wasn't required to have a vote on the issue.

Mrs. Gifford reported she has three different irrigation system open accesses on her property. She questioned if the City would need to add an additional open access for the proposed project. She was told the Pressurized Irrigation Systems would be an underground system.

Mr. Bing questioned if his flag lot would require a connection to the system. He was instructed that if the property had its own tax notice a connection is required. Mrs. Bing questioned if the system would increase her existing water pressure. The indication was made that some pressure might be increase with the proposed pressure realignments.

Mr. Memmott Representative of Summit Creek Irrigation requested that they be informed of the different aspects of the project. It was said that Mr. Clint Ercanbrack had been included in many discussion pertaining to the project. Mr. Wilson indicated he felt there was a great working relationship between the City and Summit Creek Irrigation.

Mr. Morgan addressed those in attendance (see attachment "A") for Mr. Morgan's comments.

Mr. Callaway indicated that while he was on the Council, he requested J.U.B Engineering get diversion points from Summit Creek Irrigation. He was instructed that continuous discussions are being held as to the locations. Mr. Callaway indicated he had spoken with Clint Ercanbrack and was told that an exact location had not yet been established. Mr. Wilson indicated that statement was correct and discussions are still being held. Mr. Callaway recommended the City establish an upper diversion point so there would not be a need for pumping. He indicated the City should draft a letter thanking Randy Brailsford for his continuous work in pushing the Central Utah Water project into Utah Valley.

Mr. Taylor indicated he did not believe there was enough water pressure to support this project. The attendees were told once again, that the project would require pressure realignments.

Mr. Rohbock was told the project would begin in the "core" part of town with any new developments being required to install and fund the Pressurized Irrigation into their project. He was also told that phasing of the project is due to the availability of funding.

Mr. Adams questioned when the Residents would be required to begin paying on the project. The fees would be assessed to the Residents at the time the service is available to them.

Mr. Bean questioned what the proposed base rate of approximately \$12.65 per month included. Mr. Wilson indicated that a base rate would be charged with the water usage being metered. The proposed usage fee would be begin at approximately .65 per 1000 gallons of water as used.

Council Member Adcock indicated the connection fee could be paid over a period as not to cause any undue hardships for the Residents.

Mr. Davenport wondered what guarantee the City has that any CUP Water would actually be available to the City. He questioned if the City had in place any contract that what would impose penalties if CUP did not keep their word.

Mr. Taylor questioned why he shouldn't continue to use culinary water; he then would not have to make any adjustments to his current sprinkling systems. The statement was made that the culinary water needs are increasing and Residents should take the opportunity to use the secondary system.

Mr. Kevin Kester questioned what provisions were going to be made to accommodate the mobile home parks. He was told the issue is being addressed but a decision had not been reached as for yet.

Mayor DeGraffenried asked if anyone else had a comment or concern. Hearing none, Council Member Green moved to close the public Hearing. Council Member Linford seconded the motion. The vote was unanimous.

At 8:33 pm, Council Member Green moved to take a 5-minute break. Council Member Starley seconded the motion. The vote was unanimous.

At 8:40 pm, Mayor DeGraffenried called the meeting to order.

Accessory Structure Location

Council Member Green moved to enter into a Public Hearing with regard to Accessory Structure Locations. Council Member Starley seconded the motion. The vote was unanimous.

City Planner Marker reported that the current City Code requires a two-hour fire protection be provided on all accessory structures that are constructed within 10 feet of side or rear property line. The International Building Code, which the City has adopted, requires that a type U Structure, which includes sheds, barns, private garages, etc. must have a one-hour fire protection if less than 10 feet from a property line. The proposed Code Amendment provides for this lesser fire protection.

Having no Public comments, Council Member Roberts moved to close the Public Hearing. Council Member Green seconded the motion. The vote was unanimous.

R-10 Zone Lot Area

Council Member Starley moved to enter into a Public Hearing with regard to R-10 Zone Lot Area. Council Member Roberts seconded the motion. The vote was unanimous.

City Planner Marker reviewed the memorandum sent to the Mayor and Council Members with regard to this issue (see attachment "B"). The Code amendment will verify that within the R-10 Zone a lot size should be not less than 10,000 square feet. Mr. Bean indicated the Planning Commission had reviewed this issue and is agreements with City Planner Marker's comments as outlined in the memorandum.

Having no Public comments, Council Member Roberts moved to close the Public Hearing. Council Member Starley seconded the motion. The vote was unanimous.

UNFINISHED BUSINESS

Authorization for Mayor DeGraffenried to sign a contract with Stuart Reid for Consulting Services

Council Member Starley moved to authorize the Mayor to sign the contract with Stuart Reid for Consulting Services. Council Member Green seconded the motion. Council Member Adcock questioned if the single correction to the contract had been completed. He was informed the correction had been made. Mr. Starley amended the motion to include the beginning date of the contract to be March 10, 2006. Council Member Green seconded the amendment. Mayor DeGraffenried reviewed the contents of the contract with those in attendance. After the discussion, the vote was unanimous.

Set date for Joint Council and Planning Commission Work Session

The Mayor and Council agreed to hold a Council and Planning Commission Joint Work Session with one of the discussion items being the approval process as associated with Planning Commission, Development Review Committee, and the City Council. The date of the Work Session will be April 12, 2006 beginning at 6:30pm.

NEW BUSINESS

Discussion with regard to the RDA

City Manager Chatwin reported that a RDA area was established some years ago, which included an area of West Main Street. The RDA was formed with the intent to promote new business within that specific area. The question was asked if the Council Members would like Legal Counsel Rich to review any issues pertaining to the area. Legal Counsel Rich reported the power of RDA's have been diluted over the past few years. The Mayor and Council Members were told that the established RDA would not be in competition with Consultant Reid.

Council Member Linford was told that a RDA takes advantage of the increase of the tax increment on the property.

The Mayor and Council requested Legal Counsel Rich research any time frame issues associated with the current RDA and report back to them.

Discussion and possible approval of Cedar Point @ Summit Ridge Plat "B"

City Planner Marker reviewed the proposed approval of Cedar Point @ Summit Ridge Plat "B". He indicated Plat "B" consists of approximately 63 lots. City Planner Marker commented that addressing is being discussed with the Building Department, construction details are being reviewed by the City Engineer, and there are some 30% slopes, which will require the Council Members granting authorization to build on those slopes.

Council Member Linford moved to approve Cedar Point @ Summit Ridge Plat "B" and include the 17 draining and grading recommendations. Council Member Roberts seconded the motion. The vote was unanimous.

Discussion and possible approval of Cedar Point @ Summit Ridge Plat "C"

Council Member Roberts moved to approve Cedar Point @ Summit Ridge Plat "C" with the same recommendations as Plat "B". Council Member Green seconded the motion. The vote was unanimous.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 03-01-2006 "A Resolution Declaring Surplus Vehicles Owned By Santaquin City"

Council Member Starley moved to approve Resolution 03-01-2006 "A Resolution Declaring Surplus Vehicles Owned by Santaquin City". Council Member Green seconded the motion. A roll call vote shows Council Members Adcock, Roberts, Starley, Green and Linford voted in favor of the motion.

Ordinance 03-01-2006 "An Ordinance Amending the Minimum Lot Size Requirement Within The R-10 Zone Classification, Codification, and Inclusion in the Code"

Council Member Starley moved to approve Ordinance 03-01-2006 "An Ordinance Amending the Minimum Lot Size Requirement within the R-10 Zone Classification, Codification, and Inclusion in the Code" with the omitting of the last sentence in 10-7B-4. Council Member Green seconded the motion.

Council Member Roberts indicated until the discussion on this issue, he was under the assumption that an R-10 meant a 10,000 square foot lots. He indicated this change is a good thing.

After the discussion, a roll call vote showed Council Members Adcock, Roberts, Starley, Green and Linford were in favor of the motion.

Ordinance 03-02-2006 "An Ordinance Amending the location and Construction Standards Required for Accessory Structures on Residential Properties"

Council Member Starley moved to approve Ordinance 03-02-2006 "An Ordinance Amending the location and Construction Standards Required for Accessory Structures on Residential Properties". Council Member Green seconded the motion.

A discussion was held as to whether someone should be allowed to build a structure within an easement. City Manager Chatwin recommended tabling the Ordinance if the Council would like to add additional language to the Ordinance.

Council Member Starley declared he had a conflict of interest because he in the future could be building a shed within the easement.

Council Member Starley amended the motion to include deletion of the last three words in 10-7A-6B-1 and add the wording "the City". Council Member Green seconded the motion.

After the discussion, a roll call vote showed Council Members Adcock, Roberts, Green and Linford were in favor of the motion Council Member Starley voted against the motion (even though he made the motion).

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

Nothing

Planning Commission

General update

Mr. Bean reported to the Mayor and Council that the Planning Commission held a discussion with regard to a number of issues. An official meeting will be scheduled held to finalize the issues that were discussed and in turn would be reported to the Mayor and Council Members.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor DeGraffenried

Budget

It was determined that Work Sessions would be scheduled for March 14th, March 21st, and March 22nd to work on the 2006/2007 FY Budget.

Mayor DeGraffenried reported he had discussed with the front Office Staff the issue of handing out the Chamber or Commerce Bags to the new City Residents.

Council Member Linford indicated Dan Olson requested meeting with the Council to discuss park issues. Council Member Linford will contact Mr. Olson and invite him to a work session after the budget is set.

Council Member Green reminded the Mayor and Council Members that Miss Santaquin will be held on April 8th at Payson High School.

Council Member Starley requested an update on the Council Room PA System. He was told the system should be installed by next Council Meeting.

Mayor DeGraffenried and Council Members were told that a Pre-Construction Meeting associated with the Main Street Enhancement Project would be held the next week. H. E. Davis was awarded the contract for the project.

The question was asked if Mr. Sorenson finally made a decision as to allowing the continuation of Main Street East onto or through the East side of his property. Final agreements have not been reached between Mr. Sorensen and UDOT Representatives.

Mayor DeGraffenried and Council Members were told that the Food Tax Bill that was recently passed would not affect the City this year but may in future years.

Council Member Roberts reported that March 21, 2006 is the date of the Neighborhood Caucuses. The meeting will be held at the Elementary School.

Council Member Roberts indicated a Citywide Spring Clean-up should be scheduled. He indicated he felt the City Landfill did not offer any advantage to the City Residents unless they had grass clippings to dispose of. Council Member Linford recommended waiting until the budget was set before authorizing any additional spending. Council Member Adcock agreed with Council Member Roberts and said between the two of us; we won't forget.


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

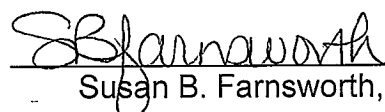
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
Nothing

ADJOURNMENT

At 10:15 pm, Council Member Linford moved to adjourn. Council Member Starley seconded the motion. The vote was unanimous.

Approved on March 15, 2006.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder

Wes Morgan Pressurized Irrigation Statement

Public Hearing, 3/1/06

1. Current wells and springs adequately meet Santaquin's current water needs for culinary and irrigation use, but they cannot meet future needs for both culinary and irrigation use.
2. A pressurized irrigation system will allow city-owned water from Summit Creek Irrigation Company and other sources to be used for city irrigation, thus freeing up well and spring water for culinary use only.
3. The need for a pressurized irrigation system is totally driven by anticipated city growth.
4. I live in a Santaquin house that was built over 125 years ago. How has my house and yard contributed to the need for pressurized irrigation? Answer: not at all. The same thing could be said for all houses existing at this time.
5. Financing for the construction of the pressurized irrigation system comes from a grant and a loan. Money to repay the loan will be paid by citizens, who will be billed for a connection fee and for the amount of secondary water they use.
6. Title 11 Chapter 36 of the Utah Code provides for the use of impact fees as a one time charge on a new development for the purpose of raising revenue for new or expanded public facilities to support the impact of the new development. The definition of "Public facilities" includes water rights and water supply, treatment, and distribution facilities.
7. The current debt repayment plan for the pressurized irrigation does not include an impact fee. Although the higher connection fee to be charged for new connections may be thought of as a quasi-impact fee, it is not an impact fee. Its amount was arrived at during discussions within the City Council, but its amount is arbitrary, not supported by any analysis or rational.
8. Some people may consider an impact fee to be inappropriate for the construction of a new system. But secondary irrigation is not a new system. It is a modification to an existing water delivery system, made necessary by the city's anticipated growth.
9. My recommendation:
 - a. Hire a qualified engineering firm to perform a secondary irrigation impact fee analysis.
 - b. Impose a PI impact fee and revise the PI financial repayment plan to include some or the entire calculated impact fee, thus reducing citizen's monthly secondary water bills.
 - c. This will provide some financial relief to those citizens who have not been the cause for needing a secondary system. In addition to increased water bills, many of these current residents will have to spend additional hundreds of dollars to install their own on-site delivery system to yards, gardens and corrals on their property.

In conclusion, I am in favor of a pressurized irrigation system. I accept the inevitability of paying more in the future than I now do for a given amount of water. However, my recommendation to employ an impact fee will lessen the financial burden for current citizens and will put a greater obligation on the shoulders of new citizens who are, after all, the ones who created the need for a new pressurized irrigation system.



freedom • family • friendship

MEMORANDUM

February 24, 2006

To: Mayor DeGraffenried and City Council
From: Dennis Marker, City Planner
RE: ~~Code Amendment Pertaining to Accessory Structure Locations~~

Background:

The Planning Commission has recommended that the City Council review an amendment to the R-10 lots size requirement (See attached minutes from June 23, 2005 meeting). Current ordinance requires that new lots in the R-10 zone have 9,600 square feet in area. Other zones have lots size requirements as shown in Table 1. In order for consistency between our zone regulations and district designations, the Planning Commission has recommended that new lots in R-10 zone be required to have 10,000 square feet. Provisions are made for existing lots and possible reduction in future lot sizes based on subdivision size.

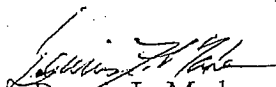
Table 1: Standard lot area requirements.

Zone	Required Lot Area – Standard lots (sq. ft)
R-8	8,000*
R-10	9,600
R-12	12,000
R-15	15,000
R-20	20,000
RC	8,000
* Infill development standards are available.	

The City Council reviewed this request on July 6, 2005 and had asked staff to conduct more research into the impacts this ordinance would have on current lots having 9,600 square feet (See attached minutes from July 6, 2005 meeting)

Recommendation:

Staff recommends the City Council approve the proposed amendment to the R-10 zone as found in the City's Land Use Ordinance, Section 10-7B-4, based on the following findings.


Dennis L. Marker
City Planner

www.santaquin.org

Exhibit A

10-7B R-10 Residential Zone

10-7B-4 Area Requirements. A land area of not less than 9,600 ft² shall be provided and maintained for each existing lot, tract, or parcel of land within the R-10 zone. All lots, tracts or parcels created after adoption of this Section shall have a minimum of 10,000 ft² provided and maintained for each lot. Subdivisions or subdivision phases which contain a minimum of ten lots may have a maximum of 10% of the total lots within the subdivision or subdivision phase being proposed containing a minimum of 9,600 ft².

MINUTES OF A PLANNING COMMISSION MEETING

Held in the City Council Chambers
June 23, 2005

City Council Meeting
March 01, 2006
Attachment "B-2"

Chairperson Brent Vincent called the meeting to order at 7:00 P.M.

Commissioners Present: Brent Vincent, Rick Steele, Dennis Carlisle, Doug Rohbock and Rex Bean.

Staff Present: City Planner Jim Bolser, City Council Representative Dennis Brandon and Treasurer / Planning Commission Clerk Jody Thomas.

Staff Excused: Commissioner Allen Reed, Planning Commission Clerk Darlene Gray and City Manager Chatwin.

Attendees: No other individuals.

Pledge of Allegiance.

Commissioner Vincent led those present in the Pledge of Allegiance.

Approval of the Agenda Time Frame.

Commissioner Vincent asked if anyone had any concerns regarding the agenda time frame. With no comments, Commissioner Vincent declared the agenda would be followed as advertised.

PUBLIC FORUM

Commissioner Vincent asked if there was anyone present who would like to participate in the Public Forum. There was no one in attendance to respond.

PUBLIC HEARING

Public Hearing Regarding the Proposed Amendment of § 11-5-4, 11-5-5, 11-5-11, 11-5-12, 11-6-16, 11-9-7 and 11-9-8, Subdivision Platting and Utilities.

Commissioner Rohbock moved to open the Public Hearing regarding the proposed amendment to §11-5-4, 11-5-5, 11-5-11, 11-5-12, 11-6-16, 11-9-7 and 11-9-8, Subdivision Platting and Utilities. Commissioner Steele seconded the motion.

With no one present to comment, Commissioner Bean moved to close the Public Hearing. Commissioner Steele seconded the motion. The motion to close the Public Hearing was approved with a unanimous vote.

Public Hearing Regarding the Proposed Amendment of §10-9-7B-4, R-10 Residential Zone.

Commissioner Bean moved to open the Public Hearing regarding the proposed amendment to §10-9-7B-4, R-10 Residential Zone. Commissioner Rohbock seconded the motion.

With no one present to comment, Commissioner Bean moved to close the Public Hearing. Commissioner Steele seconded the motion. The motion to close the Public Hearing was approved with a unanimous vote.

CONDITIONAL USE PERMIT APPLICATIONS

Review and Possible Action Regarding Amy Ashton, "A Salon"
756 East 200 South

Commissioner Vincent noted that the Conditional Use Permit for the "A Salon" was a renewal. City Planner Bolser added that there have been no problems or complaints reported to the City.

Without further discussion, Commissioner Rohbock moved to renew the Conditional Use Permit for Amy Ashton's "A Salon" with no expiration date. Commissioner Bean seconded the motion. The motion to approve the "A Salon" Conditional Use Permit Renewal with no expiration was approved with a unanimous vote.

Review and Possible Action Regarding Angela Murray, "For the Love of Pets"
434 North 200 East

It was noted that "For the Love of Pets" would be moving into the RC-1 zone on South Highland Drive. City Planner Bolser added that the same provisions would apply and that no problems or complaints have been received by the City.

Commissioner Rohbock moved to renew the Conditional Use Permit for Angela Murray "For the Love of Pets" with no expiration date. Commissioner Steele seconded the motion. The motion to approve the "For the Love of Pets" Conditional Use Permit with no expiration was approved with a unanimous vote.

CODE AMENDMENT REVIEW(S)

Review and Possible Action Regarding the Proposed Amendment of §11-5-4, 11-5-5, 11-5-11, 11-5-12, 11-6-16, 11-9-7 and 11-9-8, Subdivision Platting and Utilities.

After a brief discussion regarding why the exact requirements for hydrant pressure and why the pressures amounts are not listed in the Code, City Planner Bolser explained that hydrant pressure requirements are controlled by the International Fire Code which have been codified and is verified by the City's Fire Chief. The Planning Commissioners indicated that they would be more comfortable with actual numbers. The Planning Commissioners expressed their concern as to what bordering approving entities were involved with regard to City requirements or regulations. It was determined that the issues involved safety and potential hazard.

Commissioner Bean motioned to table the proposed amendment of §11-5-4, 11-5-5, 11-5-11, 11-5-12, 11-6-16, 11-9-7 and 11-9-8, Subdivision Platting and Utilities until the next meeting so the Commissioners could have enough time to review the check list and the changes made. Commissioner Rohbock seconded the motion. The motion to table the proposed amendment of §11-5-4, 11-5-5, 11-5-11, 11-5-12, 11-6-16, 11-9-7 and 11-9-8, Subdivision Platting and Utilities until the Planning Commissioners have the opportunity to review the check list was approved with a unanimous vote.

Review and Possible Action Regarding to the Proposed Amendment of §10-9-7B-4, R-10 Residential Zone.

After a review of the proposed amendment, it was found that things appeared exactly as the Planning Commissioners had requested.

Commissioner Bean moved to accept the proposed Amendment of §10-9-7B-4, R-10 Residential Zone as written. Commissioner Steele seconded the motion. The motion to accept the amendment of §10-9-7B-4, R-10 Residential Zone as written was approved with a unanimous vote.

DISCUSSION ITEMS

Discussion regarding PUD regulations.

Commissioner Vincent noted that this item was on the agenda at his request. After some discussion it was found that most were in favor of the Planned Unit Developments (PUD) for safety type issues, but not for physical appearance and / or features.

The Planning Commissioners expressed concern regarding whether or not a PUD is constructed properly. The Commissioners indicated that they would research further and review to verify that the PUDs in Santaquin City were constructed properly. Additionally, the Planning Commissioner requested that a copy of the current Planned Unit Development Code be included in their packets.

Discussion regarding Subdivision and Annexation processes.

The Planning Commissioners again requested to see copies of Development Review Committee minutes. Commissioner Vincent requested that a hard copy of the Subdivision Ordinance be put in his packet. After much discussion, it was determined that the Planning Commissioners would be in favor of tabling rather than denying an Annexation Petitions until all issues could be resolved.

It was also determined that the Planning Commissioners would like a joint work session with the City Council prior to an Annexation Petition being approved.

MINUTES

May 3, 2005 and May 26, 2005.

Commissioner Rohbock moved to approve the minutes of the May 3, 2005 meeting as corrected. Commissioner Bean seconded the motion. The vote to approve the minutes of the May 3, 2005 meeting was unanimous.

Commissioner Bean moved to approve the minutes of the May 26, 2005 meeting as corrected. Commissioner Steele seconded the motion. The vote to approve the minutes of the May 26, 2005 meeting was unanimous.

REPORTS OF OFFICIALS AND STAFF

City Council Report

Dennis Brandon

Council Representative Brandon reported that the City Council had been approached by Summit Ridge Development regarding payment in lieu of the installation of the golf course.

City Manager's Report

Stefan Chatwin

City Manager Chatwin was not in attendance.

City Planner's Report

Jim Bolser

City Planner Bolser reported that there were two training opportunities available to the Commissioners; the first was the 'Annual Planners Day' on September 13th and the second was the 'Citizen Planner' with four options of dates and locations.

NEW BUSINESS

Decision and Assignment of Planning Commission Representative to the City Council Meeting of July 6, 2005.

Commissioner Rohbock accepted the assignment to attend the July 6, 2005 City Council Meeting.

Planning Commission Representative Report to the City Council Meeting of June 1, 2005 and/or June 15, 2005.

Commissioner Bean apologized that he had forgotten his notes and had nothing to report for the June 1st meeting. No Planning Commissioner had accepted the assignment to attend the June 15th meeting.

Planning Commission New Business.

Commissioner Vincent suggested the Commission look into why the State only requires property owners to be notified at Subdivision and not Annexation and if this is something they themselves should require.

Commissioners Vincent and Steele agreed that they would like to review the 'Turn-a-round' policy and requirements.

Commissioner Vincent inquired as to why he is not being notified to approve the agenda. He also added that he would like to have Planning Commission meetings scheduled even if there are no Code Amendments or applications.

ADJOURNMENT

With no other business brought before the Planning Commission, Commissioner Rohbock moved to adjourn the meeting. With the motion to adjourn, Commissioner Vincent declared the meeting closed at approximately 8:50 P.M.

Approved on July 14, 2005.

Brent Vincent, Chairperson

Jody Thomas, Planning Commission Clerk

Council Member Brandon clarified the process reporting that this request would go before the Planning Commission and indicated that the item before the Council Members was just a petition. Legal Council Rich stated that the Council Members would have to vote whether or not to accept the petition. Council Member Brandon expressed his concern with the surrounding zoning and the petitioners zoning.

Council Member Starley moved to accept the Tod Rowley / Cherry Acre Annexation Petition. Council Member Morgan seconded the motion. The vote was unanimous.

Deputy Recorder Gray returned to the meeting at 8:07 PM.

Discussion with regard to the proposed amendment to Zoning Ordinances regarding R-10 Zoning,

City Manager Chatwin stated that this item had been discussed by the Planning Commissioners approximately one month ago. He stated that the Commissioners were making a recommendation to change the Code. He indicated that the proposed amendment to the Zoning Ordinance was a discussion item only. City Manager Chatwin indicated that he would be under the direction of the Council Members regarding the proposed amendment.

Council Member Roberts asked Commissioner Rohbock what the original Ordinance requirements were. Commissioner Rohbock responded that originally, there were sections in town with the R-10 zoning where developers were given a leeway to have 9,600 square foot lots. He stated that developers now think that all R-10 zoned lots can have the 9,600 square foot lots. Council Member Morgan indicated that originally the R-10 zones were defined as 9,600 square feet and was not a leeway issue. He stated that he still did not see what difference the extra 400 square feet would make. He asked why all the zoning designations were not consistent with what the Planning Commissioners were proposing; I.E., 10% allowance in all zoning classifications. Council Member Brandon stated that the 9,600 square foot lot size leeway was to accommodate the old lots in town, allowing them to be developed, but added that the lesser square footage became the standard. Council Member Morgan asked if there was anyone who could verify Council Member Brandon's information and added that the old lots in town were in the R-8 zoning classification.

City Manager Chatwin reminded the Council Members that if the R-10 Ordinance were changed with no provision, there would be homes that are currently in the R-10 zone with lot sizes under 10,000 which would make them pre-existing, non-conforming and added that the property would not be able to obtain a building permit for any accessory building. Legal Counsel Rich stated that he thought there would be vested rights that would make it possible for accessory buildings to be constructed. Mayor Pro-Tem Green asked Legal Counsel Rich to research the issue and report back to the Council Members.

Discussion and possible action with regard to acceptance of Public Finance Consultant's recommendations to award approximately \$1.179 million in sales tax revenue and refunding bonds to Wells Fargo Bank.

Council Member Morgan moved to accept the recommendation with regard to the acceptance of Public Finance Consultant's recommendations to award approximately \$1.179 million in sales tax revenue and refunding bonds to Wells Fargo Bank. Council Member Roberts seconded the motion.

[illegible][illegible]

Requirements for Grading and Drainage Plans

All lots having slopes of 20% or greater within the Summit Ridge Communities Development are required to complete and submit a Lot Grading and Drainage Plan ("The Plan") with any application for a building permit. Each Lot Grading and Drainage Plan must include a certification from the Summit Ridge Architectural Control Committee that the Plan meets the requirements and includes the information identified below.

1. Date, north arrow, and scale on the Plan (1"=50' or larger).
2. Name, address, and professional seal of engineer or surveyor responsible for preparation of the Plan.
3. Name and address of property owner and builder.
4. Address and recorded Lot number.
5. All property lines with bearings and distances.
6. All required building setbacks and easements according to final subdivision plat.
7. Existing grade contours for the entire lot at a maximum interval of two [2] feet. In addition, the Plan should identify natural features and drainage courses on the property.
8. Location of all existing structures, natural features, drainage courses and all existing grades exceeding 20% within 100' of all property lines. Contours must be at a maximum interval of two [2] feet.
9. Location, dimensions, and spot elevations of all existing and proposed structures and improvements on the lot including driveways, sidewalks, patios, and retaining walls.
10. All retaining walls must be identified by height and material and comply with the following standards:
 - a. Maximum height of retaining walls above finish grade shall not exceed six [6] feet in height unless allowed by 10.e. below.
 - b. All retaining walls greater than four [4] feet in height must be engineered and stamped by a state licensed professional engineer.
 - c. Minimum horizontal spacing between retaining walls shall be equal to the height of the nearest uphill retaining wall.
 - d. Retaining walls shall not be located within five [5] horizontal feet of rear property lines or property lines trending perpendicular to affected slopes unless allowed by 10.e. below.
 - e. Retaining walls may be constructed along property lines up to a maximum height of eight [8] feet under the following conditions:
 1. Adjoining property owners have entered into a written agreement and prepared a joint submittal for construction of the retaining wall.
 2. The City engineer has reviewed and approved the submittal for the retaining wall.
 3. A six foot tall fence is installed on top of any retaining wall exceeding six [6] feet in height along the property line.
11. Identify finished floor(s) elevation, finished grade elevations adjacent to structure, garage floor elevation, and finished grade at all lot corners.
12. Finish grade contours at a maximum interval of two [2] feet, which demonstrate the following:

- a. Ability to maintain a minimum 2% slope away from structure for a minimum distance of ten [10] feet.
 - b. Slope of driveway not to exceed 12%.
 - c. Drainage pattern for final lot grading.
 - d. No finish slope shall exceed 50%.
13. Storm water and management details including size and location of roof drains and adequate detail to demonstrate no drainage discharge to adjacent lots.
14. Demonstration that the proposed grading and drainage plan meets the requirements of the IRC as adopted by Santaquin City.
15. All buildings and improvements on slopes of 20% or greater must be engineered and all plans stamped by an engineer licensed by the State of Utah. The following items must be addressed:
 - a. Soil bearing capacity.
 - b. Backfill and drainage requirements around the structure(s).
 - c. Slope stability based on proposed grading plan and (amount of rain/water infiltration per minute).
 - d. Compaction requirements and necessary methods.
 - e. Other technical issues as deemed necessary by the engineer and the City.
16. Erosion Control details demonstrating ability to control erosion on slopes greater than 4 horizontal: 1 vertical (25%). These controls may include landscaping according to the CC&R's, retaining walls, terracing, drainage soils, catchment areas, or other reasonable methods. All back-filled areas must be retained.
17. Prior to excavation, silt fencing must be installed along all property lines trending perpendicular to a down slope. The silt fencing must remain in place until all rough grading around the structure and construction of retaining wall are completed.

These grading and drainage requirements are in addition to landscape and site plan requirements as described in the Covenants, Conditions and Restrictions for the Summit Ridge Communities Development.