

**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, February 1, 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. Approval of the minutes
 1. Approval of the minutes of a Regular Meeting held on January 18, 2006
 - b. Bills
 1. \$54,960.06
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. Award of Recognition Plaques
6. **FORMAL PUBLIC HEARINGS**
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**
 - a. Selection of a Merchant Account System for Credit Card Payments
 - b. Discussion and possible action with regard to selection of the Santaquin Days Committee
 - c. Discussion and possible action with regard to the Final approval of the Kelly's Cove Infill Subdivision
 - d. Discussion and possible action with regard to the Final approval of "The Vistas" Plat B
 - e. Discussion and possible action with regard to the Final approval of "The Vistas" Plat C
 - f. Discussion and possible action with regard to the Final approval of the "Countryside Estates" Plat B
 - g. Discussion and possible action with regard to the acquisition of a Fire Truck and an Ambulance for the City by a Lease Purchase Agreement ®
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Resolution 02-01-2006 Consideration For Adoption Of "A Resolution Authorizing The Issuance And Sale Of Not More Than \$7,600,000 Aggregate Principal Amount Of Water Revenue Bonds, Series 2006 (The "Series 2006 Bonds") Of Santaquin City, Utah; Fixing The Maximum Aggregate Principal Amount Of The Bonds, The Maximum Number Of Years Over Which The Bonds May Mature, The Maximum Interest Rate Which The Bonds May Bear, And The Maximum Discount From Par At Which The Bonds May Be Sold; Providing For The Publication Of A Notice Of Bonds To Be Issued; Providing For The Running Of A Contest Period; And Related Matters"
 - b. Ordinance 02-01-2006 An Ordinance amending the certain provisions of Santaquin City purchase order system provided Santaquin City Code Section 1-10-2 ®
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. Chamber of Commerce
 1. Kay Tischner-Chamber of Commerce update
 - b. City Manager
 1. General update
 2. Council Chamber Sound System
 - b. Planning Commission
 1. General update
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
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 CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
FEBRUARY 1, 2006**

Mayor James E. DeGraffenried called the meeting to order at 7:05 pm. Council Members attending: Arthur Adcock, Tracy Roberts, Todd Starley, Martin Green, and James Linford.

Others attending: City Manager Stefan Chatwin, Legal Counsel Brett Rich, City Engineer Shon Fullmer, City Planner Dennis Marker, Police Chief Dennis Howard, Troy Kunz, Brent Vincent, Filip Askerlund, Dennis Brandon, Kathy Brandon, Annalee Marker, Craig Ercanbrack, Shayne Durrant, Paige Durrant, Jesse Conway, Dennis Carlisle, Ben Howell, Rex Bean and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Starley led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Askerlund Offered an Invocation.

CONSENT AGENDA

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

Approval of the minutes

Approval of the minutes of a Regular Meeting held on January 18, 2006

Bills

\$54,960.06

After making changes to the minutes, the vote was unanimous to approve the Consent Agenda.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Award of Recognition Plaques

Mayor DeGraffenried presented Craig Ercanbrack, Dennis Carlisle, Brent Vincent, Shayne Durrant, Filip Askerlund, Wesley Morgan and Dennis Brandon with Award of Recognition Plaques. He thanked each of them for their commitment to the Residents of Santaquin City as they served in the various positions.

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Nothing

BUSINESS LICENSES

Council Member Starley reviewed with the Mayor and Council Members the following Business Applications: Cassidy and Jessica Butler D.B.A. Image Video, Tim Ringger D.B.A. Ringger Designs LLC, Lewis Hildreth D.B.A. Meadowlark Enterprises, Jamil Adair D.B.A. EVO Merchant Services of Utah and Thomas R. Davenport D.B.A. Billiard Universe.com LLC.

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

NEW BUSINESS

Selection of a Merchant Account System for Credit Card Payments

Council Member Green moved to table. Council Member Linford seconded the motion. The vote was unanimous.

Discussion and possible action with regard to selection of the Santaquin Days Committee

Council Member Green moved to enter into discussion with regard to selection of the Santaquin Days Committee. Council Member Linford seconded the motion. The vote was unanimous.

Council Member Green reported that Marie Durney would serve as Santaquin Days Committee Chairperson with the City Staff acting as additional contact Persons. The City Staff will contact Mrs. Durney to schedule an "Event Kickoff Meeting".

Council Member Green was asked if Mrs. Durney would Chair the Light Parade as well. Those in attendance were told the Chamber of Commerce is over that particular event.

Discussion and possible action with regard to the Final approval of the Kelly's Cove Infill Subdivision

Council Member Roberts moved to discuss the Final approval of the Kelly's Cove Infill Subdivision. Council Member Starley seconded the motion. The vote was unanimous.

A discussion was held with regard to the Information Memorandum submitted by City Planner Marker, addressing questions and concerns with regard to the proposed Infill Subdivision (see attachment "A").

Council Member Roberts requested going on record indicating that the proposed split fits with in the Ordinance requirements.

Council Member Adcock reported while passing the property, he noticed the trailer is being prepared for removal. Mr. Prestwich indicated he was waiting on the Mayor and Council's final approval before he actually removed the trailer.

Mayor DeGraffenried led a discussion with regard to the negatives of constructing a home in the rears of the property. He indicated Fred Openshaw, the adjoining property owner, uses his out buildings in the summer and fall in association with his fruit business. Mr. Prestwich indicated the building footprints showed the home layout being at the front of the property.

Council Member Starley moved to give Final Approval of the Kelly's Cove Infill Subdivision contingent on the removal of the existing trailer. Council Member Roberts seconded the motion. The vote was unanimous.

Discussion and possible action with regard to the Final approval of "The Vistas" Plat B

Council Member Green moved to discuss The Vistas Plat "B". Council Member Starley seconded the motion. The vote was unanimous.

Council Member Green asked Mr. Kunz if he had reviewed the Staff recommendations (see attachment "B"). Mr. Kunz indicated he had reviewed the recommendation and has knowledge

they would be a part of the approval. Mr. Roberts voiced his concerns with the slopes associated with some of the lots. Mr. Kunz indicated the lots in question would be the most prestige lots with the homes being designed fit the existing land slopes and contours. Mayor DeGraffenried indicated he has visited the site and is confident the land should be used as proposed.

Council Member Green moved to give Final Approval of The Vistas Plat "B", grant Summit Ridge Development exception to Section 11-4-9 of the Subdivision Ordinance and require all 17 recommendation mentioned in the City Planners Memorandum be fulfilled. Council Member Linford seconded the motion. The vote was unanimous.

Discussion and possible action with regard to the Final approval of "The Vistas" Plat C

Council Member Starley moved to discuss granting Final Approval of the Vistas Plat "C". Council Member Green seconded the motion. The vote was unanimous.

Council Member Linford indicated the same requirements should be attached to The Vistas Plat "C" as are attached to Plat "B".

Council Member Roberts moved to grant Final Approval with the same attachments. Council Member Green seconded the motion. The vote was unanimous.

Discussion and possible action with regard to the Final approval of the Countryside Estates Plat "B"

Council Member Green moved to enter into a discussion. Council Member Starley seconded the motion. The vote was unanimous.

Council Member Starley asked for an explanation with requiring box culverts with in the subdivision. City Engineer Fullmer indicated the original design plans included box culverts but due to a conversation between the project Engineering Firm and Summit Creek Irrigation Representative, they were replaced with something else. The Preliminary Approval had already been given therefore any changes in the design plans would need approval. City Engineer Fullmer indicated the box culverts are a requirement as per the City's Construction Standards.

Mr. Conway indicated the culverts were downsized due to Summit Creek Representative Clint Ercanbrack's remarks. City Manager Chatwin reported the staff recommends the box culverts be installed as required by the DRC.

Mayor DeGraffenried indicated he spends a lot of time in the various development meetings and understands any changes made cause the developers problems. He is assured that after Preliminary Approval, the City change requests only if it is to the benefit of the Residents. Mayor DeGraffenried requests the designers offer the same courtesy and not make changes to plans after they are approved.

It was reported that the canyon water will be released on approximately April 1st so the Contractor would like to get started as quickly as possible.

Council Member Green insisted a copy of all documentation be given to the City Recorder at the time it is presented to the Mayor and Council Members, so she may have the information to include in the minutes.

It was reported that the natural ravine would be required to be wrapped and the Developer would not be required to install fencing along it.

Council Member Adcock indicated he remember the water problems of the 80's, therefore he cannot support the construction of the Subdivision.

Mayor DeGraffenried reported with the enhancements of the ravine, capacity of the ditch will exceed the present capacity. City Engineer Fullmer agreed with Mayor DeGraffenried.

Council Member Adcock is concerned with building in a low spot where there has been a water problem in the past.

Council Member Roberts moved to approve Country Side Plat "B" with all requirements of the City Engineer, i.e.: box, rip wrap and details of channel. Council Member Starley seconded the motion. Council Members Roberts, Starley, Green and Linford voted in favor of the motion. Council Member Adcock voted against the motion.

Discussion and possible action with regard to the acquisition of a Fire Truck and an Ambulance for the City by a Lease Purchase Agreement

Council Member Green moved to move this discussion item to after 10B. Council Member Linford seconded the motion. The vote was unanimous.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 02-01-2006 Consideration For Adoption Of "A Resolution Authorizing The Issuance And Sale Of Not More Than \$7,600,000 Aggregate Principal Amount Of Water Revenue Bonds, Series 2006 (The "Series 2006 Bonds") Of Santaquin City, Utah; Fixing The Maximum Aggregate Principal Amount Of The Bonds, The Maximum Number Of Years Over Which The Bonds May Mature, The Maximum Interest Rate Which The Bonds May Bear, And The Maximum Discount From Par At Which The Bonds May Be Sold; Providing For The Publication Of A Notice Of Bonds To Be Issued; Providing For The Running Of A Contest Period; And Related Matters"

Council Member Green moved to discuss. Council Member Linford seconded the motion. The vote was unanimous.

Mr. Ward reported approval of this Resolution begins the process of Issuance of Bonds pertaining to the Pressurized Irrigation Systems. The Residents have 30 days to make comments after the publications. A Public Hearing will be held on March 1 and has been noticed to the Public.

Council Member Green moved to approve Resolution 02-01-2006. Council Member Linford seconded the motion. In a roll call vote, Council Members Adcock, Roberts, Starley, Green, and Linford voted in favor of the motion.

Ordinance 02-01-2006 "An Ordinance amending the certain provisions of Santaquin City purchase order system provided Santaquin City Code Section 1-10-2".

Council Member Starley moved to discuss. Council Member Roberts seconded the motion. The vote was unanimous.

Legal Counsel Rich recommended revising the current Ordinance pertaining to the Purchase Order System, which would allow the Council the flexibility to make certain purchases for the City.

Council member Roberts indicated the current Ordinance requires anything over \$75,000 to go out to bid which is difficult to do when a single source is available or a certain piece of equipment is available and is at the best interest of the Residents.

Council Member Roberts moved to approve Ordinance 02-01-2006 as amended. Council Member Starley seconded the motion. Council Members Linford, Green, Starley, Roberts, and Adcock voted in favor of the motion through a roll call vote.

Discussion and possible action with regard to the acquisition of a Fire Truck and an Ambulance for the City by a Lease Purchase Agreement

Council Member Linford moved to discuss. Council Member Roberts seconded the motion. The vote was unanimous.

Upon Legal Counsel Rich's review of the Current Ordinance pertaining to the Purchase Order System, it was determined that all Council action with regard to the purchase of the Fire Truck and Ambulance should be ratified by a Council motion.

Council Member Roberts was in favor of the changes to the above-mentioned Ordinance. He indicated the City should be allowed to use discretion as to accepting not only the lowest bid, but also the most responsible on any purchase.

Council member Starley moved to ratify the Council's prior decision to acquire the Fire Truck and Ambulance through the Banc of America Lease Agreement as in the best interest of the City. Council Member Green seconded. The vote was unanimous.

Legal Counsel Rich was excused at 8:30pm.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Chamber of Commerce

Kay Tischner-Chamber of Commerce update

Mr. Tischner didn't attend the meeting.

City Manager

General update

Council Chamber Sound System

City Manager Chatwin reported that bids are currently being solicited from a number of sources. Council Member Starley indicated he would call two private contractors who do this kind of business and have them contact City Manager Chatwin. Nebo School District will be contacted as an additional source.

Council Member Green was told Work Session with Mr. Stuart Reid is still scheduled for 6:00 pm on Thursday, February 2, 2006

***Planning Commission
General update***

Mr. Bean reported the Planning Commission didn't hold a meeting this past week.

He requested the Planning Commission Agendas be made more Community friendly which in turn would allow the Citizens to participate in the discussions. City Planner Marker is currently working on a draft Agenda.

It was reported that five Letters of Interest were received with regard to the two Planning Commission positions. The names of the applicants will be compiled and interviews held.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Linford reported he recently met with Susan with regard to the budget process. The current year budget looks to be adequate thanks to the hard work of the Staff. He has concerns with regard to the future Fiscal Year needs and how they are to be funded. He indicated he wasn't in favor of a tax increase. He will continue to work with the Staff on Budget issues and report to the Council periodically.

Mayor DeGraffenried reported the Staff is currently reviewing Inter-local Service Agreements with Genola and Goshen. Mayor DeGraffenried will discuss with the Mayor of Goshen their lack of participation with regard to the Ambulance Service provided by Santaquin City.

Council Member Roberts indicated he would not vote for a tax increase "no matter what it was for".

Council member Linford indicated he would be meeting with Representatives of Radio Shack. He reported Santaquin City meets the requirements for a Radio Shack small Retail Store.

Council Member Starley indicated he would like the term of Mayor Pro-tem to be shortened to 6 months so others can have the opportunity to serve in that position.

It was mentioned that the cross walks on the State Highway needed to be repainted. Contact will be made with the UDOT Representative.

Council Member Starley asked where the designated Notice Posting places were. He was told notices are required to be hung at the City Office but are also hung at Zions Bank and the Post Office as a Resident accommodation.

Council Member Adcock questioned if the City water wells had a backup system if the power supply should fail. He was told to speak with City Engineer Fullmer or any of the Public Works Crew.

Council member Adcock also questioned if the new Public Safety Building would accommodate the new 55' Fire Truck. He was answered in the affirmative.

Council Member Adcock remarked that by increasing the late payment fee associated with the Utility Billings to 20% it may encourage Residents to pay their Utility Bills on time. City Manager Chatwin indicated Community Development Secretary Darlene Gray is conducting a survey of penalty fees assessed by the surrounding City's and will be put the results in the Council Members boxes.

Council Member Adcock asked if any recent discussion have been held with UDOT to discuss the possibility of a traffic light. He was told that a survey is completed each year and the final decision being made by UDOT.

Council Member Adcock requested City Manager Chatwin thank the Public Works Crew for the manner in which they handle removal of snow.

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

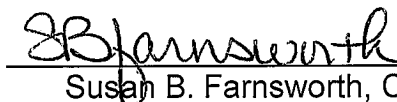
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
Nothing

ADJOURNMENT

At 9:05 Council Member Starley moved to adjourn. Council Member Linford seconded the motion. The vote was unanimous.

Minutes approved on February 15, 2006


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder

**MINUTES OF A PLANNING COMMISSION MEETING
Held in the City Council Chambers
December 22, 2005**



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

Commissioners Present: Brent Vincent, Clara Goudy, Allen Reed, Doug Rohbock, Dennis Carlisle and Rex Bean.

Commissioners Excused: Rick Steele.

Staff Present: City Manager Stefan Chatwin, City Planner Dennis Marker, Planning Commission Clerk Darlene Gray.

Attendees: Fred H. Openshaw, Patricia Openshaw, Kendall Hogan, Scott Prestwich, Carolyn Quigley, Fred C. Openshaw, other unidentified 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

Nothing.

Public Hearing

Public Hearing with regard to Kelly's Cove Flag Lot Request.

Commissioner Reed moved to open the Public Hearing with regard to the Kelly's Cove Flag Lot Request. Commissioner Carlisle seconded the motion.

Commissioner Vincent stated that there were several individuals who signed the Public Hearing roster. He invited Mr. Fred H. Openshaw to approach the Commissioners. Mr. Openshaw stated that he appreciated the opportunity to address the Commissioners. Mr. Openshaw explained that his property borders the property involved in the flag lot request. He stated that he owns the 30 x 60 metal building located along the southwest boundary that is used as a fruit packing plant. He expressed his concern regarding another private home being built in the middle of the block. He stated that he did not believe there should be pieces of property zoned half as commercial and half as residential.

Mr. Openshaw explained that in 1874, Eli Openshaw received a loan to build a residential hotel on the property he now operates as a farm business. He continued to explain that in the 1930's a medical office was established in the same building by his grandfather. He stated that his parcel has always been used as a commercial-type parcel. He reported that his father then began to sell fruit from the property. He stated that he would have a serious problem if the flag lot request were approved because of the proximity of his shop and sales area. Mr. Openshaw stated that he spoke to Kay Tischner who indicated to Mr. Openshaw that he would not be in favor of the flag lot split. He stated that the City should be looking toward commercializing the whole area.

Mr. Fred C. Openshaw approached the Commissioners and stated that according to City Ordinance, he had not received a certified letter with regard to the flag lot request. He stated that he found out about the Planning Commissioner meeting from family members. He stated that instead of bringing in or

approving the request for residential development, the City should look at expanding its commercial zone in the city. He stated that approving the Flag Lot would hamper commercial expansion.

Ms. Quigley approached the Commissioners and stated that two years ago when they built their home, they were required to submit and pay for an excavation permit. She stated that anyone who builds on this lot should be expected to do the same.

Mr. Hogan stated that because of possible noise issues, his recommendation would be to not approve the request.

With no further discussion, Commissioner Rohbock moved to close the Public Hearing with regard to the Kelly's Cove Flag Lot Request. Commissioner Reed seconded the motion.

Commissioner Vincent asked those in attendance to please sign the meeting attendance roster.

Flag Lot Application Review

Review and Possible Action Regarding the Proposed Kelly's Cove Flag Lot.

City Planner Marker displayed an aerial view of the property owned by the applicant Mr. Prestwich. Commissioner Bean asked what the purpose of the Flag Lot would be. Mr. Prestwich responded that he would like to create another single family residential lot. City Planner Marker stated that the property could not be used for anything other than a single family dwelling.

Commissioner Goudy expressed her concern with regards to the commercial fruit packing shed that borders the property. Mr. Fred C. Openshaw stated that the approval of the Flag Lot would create a bigger problem for their commercial operation. He stated that he was not opposed to the creation of a residential lot, but asked the Commissioners to consider full block zoning. He stated that once a piece of property is zoned residential and a single-family dwelling is constructed, it would be difficult to rezone that piece of property to commercial.

Mr. Fred H. C. Openshaw gave a brief history of the property and the operations there.

Commissioner Rohbock asked if Mr. Prestwich would be required to construct a masonry fence to separate the commercial from the residential property. City Planner Marker responded in the negative.

Commissioner Bean stated that the Commissioners should consider what would be the intent with the core part of town. Commissioner Carlisle stated that his question was a good question, but that issue was not before the Commissioners with regard to the Flag Lot Request. Mr. Fred C. Openshaw voiced his opinion to the contrary. He stated that every time the City makes a decision that deals with Flag Lots or Infill Reduction, it affects the core of town. Commissioner Carlisle responded that the Openshaw property is surrounded by residential on 3 sides anyway.

City Planner Marker stated that based on the criteria he distributed to the Commissioners staff would have to recommend approval of the Flag Lot Request. Commissioner Rohbock asked if the recommendation for approval could include a buffer between the commercial and residential properties. He stated that he would not want to put a hardship on the existing business. He stated that he would make a motion with the condition that Mr. Prestwich would construct a noise-obstructing fence. Commissioner Carlisle stated that Mr. Prestwich had met the City criteria for a Flag Lot and it would be a "buyer beware" situation. Mr. Fred C. Openshaw voiced his disagreement.

Council Representative Starley stated that if he understood the Ordinance, it stated that the request 'may' be approved and legally did not have to 'be' approved. Commissioner Carlisle added that the Commissioners could only make a recommendation, adding that the approval or denial would fall on the Council Members.

Commissioner Carlisle moved to recommend approval of the Kelly's Cove Flag Lot Request to the City Council based on the request meeting the review criteria. Commissioner Rohbock seconded the motion.

Commissioner Vincent asked Mr. Fred C. Openshaw if they had a business license to operate at their location. Mr. Fred C. Openshaw responded in the negative. Mr. Fred H. Openshaw stated that as a farming operation, they were not required to have a business license. City Planner Marker indicated that he would research the City Code with regard to a farm operation business license.

Commissioner Bean asked Mr. Prestwich if having heard the concerns of the neighboring citizens he had any suggestions on how to alleviate the problems. Mr. Prestwich responded that knowing about the on-going farm operation; it would be in his best interest to notify future buyers of the commercial operation. He indicated that the buffer fence idea was a possibility, but stated that the other residential houses that surround the commercial operation are not separated by a fence.

Mr. Fred C. Openshaw reiterated that he had not received the required certified notification from Mr. Prestwich. City Planner Marker verified through the mailing list submitted by Mr. Prestwich that Mr. Fred C. Openshaw had not been sent a certified notification. City Planner Marker indicated that the item should be tabled until the notification requirements had been met.

With no further discussion, Commissioner Carlisle motioned to table the Kelly's Cove Flag Lot request because of lack of certified notification. Commissioner Rohbock seconded the motion. The vote to table the Kelly's Cove Flag Lot Request was unanimous.

Commissioner Vincent thanked everyone for their participation

MINUTES

December 8, 2005

Commissioner Bean stated that he had not as yet received the Economic Development meeting minutes that he had requested at the last Planning Commission meeting. City Manager Chatwin stated that he had not been able to determine the minutes for the last meeting and added that he would try to get those minutes to the Commissioners.

Commissioner Carlisle moved to approve the minutes of the December 8, 2005 meeting. Commissioner Rohbock seconded the motion. The vote to approve the minutes of the December 8, 2005 meeting was unanimous.

REPORTS OF OFFICIALS AND STAFF

City Council Report

Todd Starley

Council Representative Starley welcomed City Planner Marker.

Council Representative Starley reported that he has spoken with City Manager Chatwin regarding City Planner Marker and stated that he had heard good things. He stated that he thought things would smooth out and proceed in a positive direction. He stated that some of the discussion at this meeting brought out some interesting thoughts regarding Ordinance issues. Council Representative Starley

MINUTES OF A PLANNING COMMISSION MEETING
Held in the City Council Chambers
January 12, 2006



Deputy Chairperson Bean called the meeting to order at 7:02 P.M.

Commissioners Present: Clara Goudy, Allen Reed, Doug Rohbock, and Rex Bean.

Commissioners Excused: Rick Steele

Staff Present: City Planner Dennis Marker, Planning Commission Clerk Darlene Gray and Council Representative Todd Starley.

Staff Excused: City Manager Stefan Chatwin

Attendees: Kendall Hogan, Colleen Woolsey, Scott Prestwich, Fred C. Openshaw, Clint Ercanbrack and other unidentified individuals.

Pledge of Allegiance.

Commissioner Bean led those present in the Pledge of Allegiance.

Approval of the Agenda Time Frame.

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

PUBLIC FORUM

Nothing.

Subdivision Application Review

Review and Possible Action Regarding the Proposed Kelly's Cove Subdivision.

Commissioner Reed asked if another Public Hearing was necessary. City Planner Marker stated that it was not necessary and the Public Hearing could be reopened if the Commissioners chose to do so.

Mr. Prestwich was present to represent the Commissioners with regard to the changes to the proposed subdivision. He stated that the Infill development would be possible. He stated that the frontage of the lot could be divided equally with two homes with normal setbacks. One lot would have approximately 1/2 acre and the other lot would be 8,000 square feet. He stated that the mobile home would be removed.

Mr. Fred C. Openshaw stated that he was the best possible scenario and was supportive of it.

Commissioner Bean thanked Mr. Prestwich for working this out to the satisfaction of everyone involved.

Commissioner Bean asked those in attendance if anyone had any concerns with the proposed subdivision.

Commissioner Rohbock moved to recommend approval to the City Council of the Kelly's Cove Subdivision. Commissioner Reed seconded the motion. The vote to recommend approval of the Kelly's Cove Subdivision was unanimous.

**CITY COUNCIL MEETING
2-1-06 ATTACHMENT A- 5**

Committee Member Fullmer indicated that the new Construction Standard have been adopted and asked Mr. Magleby to attach the necessary details. Mr. Magleby requested an electronic copy of the new Construction Standards. Committee Chairperson Chatwin reported that there were a few changes in the new Construction Standards. He mentioned the changes in the street lighting and overlay requirements.

Committee Member Marker questioned how the development was going to tie into the existing trails system. He indicated that the asphalt trail would need transition into handicap ramps.

Mr. Magleby indicated that he may want to change the angle of a few lots if the larger drainage channel was not required. He explained that his intention was to take the drainage channel down the back side of lot 1 and then fan it out, delivering the water to the property line in the same fashion as it was before.

Mr. Ercanbrack asked about the size to the pipe south of the proposed project. Committee Member Fullmer replied that the pipe is a 36" and goes to a 42". He indicated that there is 500' section of the drainage channel that is still open. Mr. Ercanbrack asked about what was being put on the discharge side. Committee Member Fullmer indicated that it has a flare on the discharge side.

Mr. Conway asked about the development review schedule. Committee Chairperson Chatwin indicated that the development needs to be reviewed by the City Council, however, due to the changes they may recommend it be sent back to the Planning Commission for review. He indicated that the next city council meeting is scheduled for February 1, 2006. The development could be put on that agenda if the plan revisions are submitted in a timely manner.

Public Safety: Chief Howard was excused.

Discussion with regards to Infill and Flag Lot Review.

Committee Member Marker indicated that he planned to put this issue back through subdivision review.

2006 Meeting Schedule Review.


Committee Member Bott made a motion to accept the 2006 meeting schedule. Committee Member Barnes seconded that motion. The vote to accept the 2006 Development Review Committee meeting schedule was unanimous.

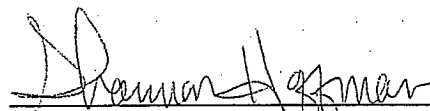
Approval of Minutes – December 13, 2005.

Committee Member Spadafora moved to approve the December 13, 2005 minutes, as amended. Committee Member Stevenson seconded the motion. The vote to approve the December 13, 2005 minutes was unanimous.

Adjournment

Without further discussion, Committee Member moved to adjourn the meeting. Committee Member Chatwin adjourned the meeting at approximately 3:45 PM.


Stefan Chatwin, Chairperson


Shannon Hoffman, DRC Clerk

**CITY COUNCIL MEETING
2-1-06 ATTACHMENT B-1**

**DEVELOPMENT REVIEW COMMITTEE
SPECIAL MEETING
January 17, 2006**

Conducting: Committee Chairperson Stefan Chatwin

Staff Present: City Engineer Shon Fullmer, Public Works Superintendent Dennis Barnes, Building Official Randy Spadafora, Project Manager Mark Stevenson, Fire Chief Shayne Bott, City Planner Dennis Marker and DRC Clerk Darlene Gray.

Staff Excused: Police Chief Dennis Howard

Attendees: LEI Representative Greg Magleby, Summit Ridge Development Representatives Keith Broadhead and Troy Kunz, and CentraCom Interactive Representative George Lee.

Committee Member Chatwin called the special meeting to order at 3:01 P.M.

The Vistas "B"

Second final review of a subdivision site at approximately Vista Ridge Drive.

The Vistas "C"

Second final review of a subdivision site at approximately Vista Ridge Drive and Crest Dale Lane.

Committee Member Chatwin indicated that Plats "B" and "C" would be reviewed together.

Public Safety: Committee Member Howard was not in attendance.

Fire Chief: Committee Member Bott indicated he had no concerns with regards to Plat B.

Public Works: Committee Member Barnes indicated that he had no concerns with regards to Plat B.

Building Official: Committee Member Spadafora indicated that he had a few address concerns, but would meet with Mr. Magleby to resolve them.

Project Manager: Committee Member Stevenson indicated that he had no concerns with regards to Plat B.

City Planner: Committee Member Marker distributed and reviewed his concerns. He indicated that a general notation with regards to slopes should be added to the plat. Mr. Magleby asked if each lot affected should be identified. Committee Member Chatwin indicated that as long as a general statement was annotated on the plat, individual lot identification would not be necessary. Mr. Magleby responded that the Title Company would more than likely take one deed and stated that he would prefer making a special note for each lot. City Planner Marker stated that there were grading and drainage plan concerns. He stated that he, Legal Counsel Rich and City Engineer Fullmer would discuss their concerns. He distributed the requirements for grading and drainage plans.

Mr. Magleby questioned what would happen to the 5' of dead zone between the retaining wall and the fence. Committee Member Marker responded that would be a decision that the property owner would have to make. Committee Member Fullmer stated that there could be problems with the upper lot owners filling past the property line and lower lot owners cutting into the bank. He stated it would be impossible to determine where the pre-existing grade was. He stated that there should be a buffer created at the property line. Committee Member Stevenson stated that a fence could be constructed on the property line which would leave some area between the fence and retaining wall. Mr. Magleby stated that there should be some conditions in place on what types of materials could be used as fencing. Committee Member Marker stated that the determination of material used would be more of a CC & R regulation rather than a City one. Mr. Kunz indicated that he would to see a 6' or 8' wall. Committee Member Fullmer stated that a 6' wall would have to be approved by an engineer.

Committee Member Chatwin stated that he understood that there would be certain thing that would have to happen before a Certificate of Occupancy was issued. Committee Member Marker stated that the City Council could grant exception and added that those exceptions could not impede safety. He stated that at this point that most certificates could be obtained with a 4' wall. Mr. Magleby stated that the 4' wall was too restrictive. Committee Member Chatwin suggested moving on and then approaching the Council with additional concerns at a later date.

Committee Member Stevenson stated that the driveways would be an issue. Committee Member Marker asked Mr. Magleby to put together examples of cross sections to take to the City Council. Mr. Magleby indicated that he would draw a 2 to 1 slope between the walls.

Committee Member Chatwin stated that the development review was not currently on the City Council agenda for the upcoming meeting. He stated that there would be a chance that the City Council would table any discussion and action with regard to the project. He stated that when received, he would put any and all information in the Council Members boxes for them to review.

City Engineer: Committee Member Fullmer indicated that he would need more details with regards to the overall plan, the two small retention ponds and storm drainage. He stated that he would meet with Mr. Magleby after the meeting.

Committee Member Chatwin asked the Committee Members if they would be comfortable with have the development move on to the City Council for their first meeting in February. All the Committee Members were in favor of moving the development forward.

Mr. Lee requested new plat maps and house counts. Mr. Magleby indicated that he would get that information to Mr. Lee.

Cedar Point "B"

First final review of a subdivision site at approximately Sageberry Drive and Foothill Drive.

Cedar Point "C"

First final review of the proposed subdivision site at approximately Hillwood Drive and Cedar Pass Drive.

Committee Member Chatwin indicated that Plats "B" and "C" would be reviewed together.

Public Safety: Committee Member Howard was not in attendance.

Fire Chief: Committee Member Bott indicated that he had no concerns.

Public Works: Committee Member Barnes indicated that he had no concerns.

Building Official: Committee Member Spadafora reviewed the addressing problems.

Project Manager: Committee Member Stevenson indicated that he had no concerns.

City Planner: Committee Member Marker reviewed his list of concerns. He stated that a sewer easement had been shown in Plat A, but not included in Plat B. Mr. Broadhead stated that the easement shown on Plat A could be removed. Committee Member Fullmer questioned how the City vac truck could drive to the manholes. Committee Member Marker stated that the City's Master Plan showed the trails on the east side and stated that it didn't matter what side of the road it could be on. Mr. Broadhead questioned how they would be able to tie the 12 acre park to the trail. Committee Member Fullmer stated that whenever there is a trail, there would have to be a dedicated right-of-way. Mr. Broadhead stated that

they could build a sewer access road and not install the trail. Committee Member Fullmer stated that the road must be a gravel road. Committee Member Stevenson asked if there would be enough distance between the rip-rap and fence to accommodate the vac truck. Mr. Magleby responded in the affirmative. Committee Member Chatwin asked if the road was paved, why it could not become a trail to be dedicated to the City. Mr. Broadhead stated that paving would not be done on an easement. He added that the sewer line is 25' inside property lines. Committee Member Fullmer stated that the wall should be installed and shown with a graveled road. Mr. Magleby stated that the easement could be restricted. Committee Member Chatwin asked that the easement and what kinds of restrictions would be proposed. He indicated that he did not want the City in a situation where someone would have to tear out a wall and plants to gain access to the sewer line. He indicated that he would review the issue with Legal Counsel Rich.

City Engineer: Committee Member Fullmer discussed the 3 to 1 maximum slope on the downhill side of the far north retention pond. He asked if the dedicated pond would be fenced or covered with sod. Mr. Broadhead stated that there would be a site-obscuring fence. Committee Member Fullmer stated that the existing slope shown at 18% would be more of a 33-50% slope after it was contoured would be a problem getting into for mowing and or maintenance. Committee Member Chatwin asked that Mr. Magleby meet with Committee Members Fullmer and Barnes to work out the redesign of the slope.

Committee Member Spadafora was excused at 4:16 PM.

Committee Member Chatwin stated that the 6 acre park dedicated to the City could not also be used as a retention pond. He stated that the primary use of the dedicated park would be used primarily as a park with secondary use as a retention pond and not a primary use as a retention pond with the secondary use as a park. His stated that his recommendation to City Council would be to not accept the 12 or 6 acre park with the primary use as a retention basin. Mr. Kunz stated that the development agreement only called for 12 acres being dedicated to the City. Committee Member Stevenson stated that it could be classified at part of the 5 acre per 1000 dedicated land. Mr. Kunz stated that the 6 acre park would be in addition to the 12 acre park at the north of the development. Committee Member Barnes stated that he would rather the pond and the park be separated.

Committee Member Fullmer expressed his concerns with the grades of lots 229 and 230 and their being sewer-able. He stated that the lots needed to be flatter. Mr. Magleby stated that they could put the manhole deeper.

Committee Member Chatwin requested the changes made and submitted and then the development would be scheduled for the second final review.

Approval of Minutes – January 10, 2006.

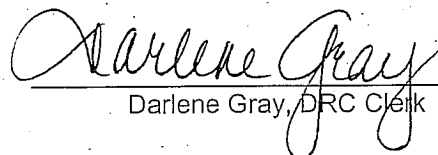
Committee Member Stevenson moved to table approval of the January 10, 2006. Committee Member Fullmer seconded the motion.

The vote to table the approval of minutes of the January 10, 2006 meeting was unanimous.

Adjournment

Without further discussion, Committee Member Bott moved to adjourn the meeting. Committee Member Chatwin adjourned the meeting at approximately 4:26 PM.


Stefan Chatwin, Chairperson


Darlene Gray, DRC Clerk



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MEMORANDUM

December 16, 2005

To:	Mayor DeGraffenried and City Council via Planning Commission	Zone: PC
From:	Dennis Marker, City Planner	Lots: 62
RE:	The Vistas @ Summit Ridge Subdivision, Plats B	Acres: 23.08
	1300 West Summit Parkway	Lots: 16
	The Vistas @ Summit Ridge Subdivision, Plats C	Acres: 7.08
	1300 West Summit Parkway	

Background:

Mr. Keith Broadhead, who represents Summit Ridge Development, has requested final approval of "The Vistas" @ Summit Ridge Subdivision, Plats B & C. The Vistas was granted preliminary subdivision approvals by the City Council on November 3, 2004. Since that time Summit Ridge has worked with the City Development Review Committee to address issues pertaining to drainage, road alignment, slopes, buildable areas, and grading.

Analysis:

Lot Standards. The proposed lots meet the required frontage and area requirements stipulated for the PC zone.

Access. The two proposed phases will have through Plat A of The Vistas. All access is via public streets and improvements.

Setbacks. The setbacks for the proposed lots meet the standards approved as part of the Summit Ridge Development Agreement and are as follows;

Front: 16 feet to living area, 22 feet to garage door,
Secondary Side: 16 feet to living area or side of garage, 22 feet to garage door,
Side: 10 feet
Rear: 25 feet

Architectural Review. CC&R's have been drafted for these two Plats that have architectural standards for new home construction. These standards will be enforced by a Summit Ridge

established review committee. Santaquin City will only be reviewing building plans for code compliance and engineering integrity.

Staff Concerns:

Address designations shown on the final plats need to be redone to represent collaborative westerly and southerly numeric identifiers. This needs to be done before the City signs the recording documents.

During the Development Review Committee's final review it was determined that many of the lots being proposed in these two phases had slopes exceeding 30 percent. By City ordinance, Section 11-4-9, these areas are undevelopable and may not be improved as part of a subdivision. Section 11-4-6 of the City's subdivision regulations does allow the City Council to approve the subdivision by granting an exception. It reads as follows:

11-4-6: EXCEPTIONS TO AVOID HARDSHIPS:

Whenever a tract or tracts of land to be subdivided are, in the opinion of the city council, of such unusual shape or size, or are surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the city council may deviate or modify such requirements so that the subdivider is allowed to develop his or her property in a reasonable manner but so, at the same time, the public welfare and interests of the city and surrounding areas are protected and the general intent and spirit of this title is preserved. Such a deviation or modification shall not go beyond what is absolutely necessary to allow the subdivider to develop his or her property in a reasonable manner and any decisions in favor of deviation or modification shall be based only upon facts of the issues regarding the subdivision in question and all outside information or development shall be disregarded. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003) (*emphasis added*)

The proposed subdivision phases do have unusual conditions, i.e. 30% slopes that were not addressed during preliminary review. Due to the City having granted the preliminary approvals of the proposed layouts it would cause the developer "real difficulties and substantial hardships or injustices" if the City strictly applies Section 11-4-9 at this time.

In order for the City Council to grant an exception under 11-4-3, "the public welfare and interests of the city and surrounding areas [must be] protected and the general intent and spirit of this title [be] preserved." The spirit of Section 11-4-9 has been to preserve those areas of 30% or greater slopes to minimize possible future impacts to property owners. Staff has discussed the practicality of building on these slopes with engineers from other jurisdictions and reviewed the International Building Code standards for constructing homes on such slopes. During this research staff has found that the public welfare and interests of the city can still be protected if guidelines for building on those affected lots are established and adhered to. Staff has prepared 17 guidelines it feels serve the purpose and intent of Section 11-4-9 while caring for the welfare and interest of the city and future property owners in the subject plats (See Exhibit A).

Section 11-4-10 also requires "building and/or development to be done on lands containing natural state slopes of 20% or more, even if such slopes constitute a portion of the subdivision or development, where such lands are to be developed, shall be engineered and all plans stamped by an engineer licensed by the State of Utah." The seventeen standards listed in Exhibit A could also be applicable to those lots having 20% or greater slopes.

Recommendation: (Note: Two motions need to be made as recommended)

Staff recommends the City Council grant Summit Ridge Development an exception to Section 11-4-9 of the City's Subdivision Ordinance based on the following findings and condition.

Findings

1. Section 11-4-3 allows the City Council to grant exceptions to the City subdivision standards to avoid hardships as long as the public welfare and interests of the city and surrounding areas are protected and the general intent and spirit of this Title is preserved.
2. If Section 11-4-9 of the City subdivision standards were strictly applied to The Vistas @ Summit Ridge Plat B & C, real difficulties and substantial hardships to the developer would occur due to unusual topographical conditions found within the plats.
3. The unusual topographic conditions were not addressed during preliminary approvals which were granted on November 3, 2004.
4. The public welfare and interests of the city and surrounding areas can be protected and the general intent and spirit of the City's subdivision standards can be preserved if guidelines are established for future development on those lots having the noted unusual topographical conditions.
5. City Staff has prepared requirements for appropriate grading and drainage plans which meet the general intent and spirit of the City's ordinances.

Condition

1. The seventeen requirements outlined in Exhibit A be adhered to when developing those lots in the subject Plats having slopes of 20% or greater.

Staff also recommends the City Council grant final approval of The Vistas @ Summit Ridge, Plats B and C, based on the following findings and conditions.

Findings

1. Preliminary approvals for the subject Plats were granted on November 3, 2004.
2. The City Council, in accordance with Section 11-4-3, has granted an exception to Section 11-4-9 enabling those lots with 30% or greater slopes in the subject plats to be built upon.
3. The proposed plats meet the lot frontage and area requirements adopted as part of the Summit Ridge Development Agreement.

Conditions

1. That the applicant meet with staff to correct or modify property addressing concerns prior to the City signing the recording plat.
2. That the seventeen standards in Exhibit A: Requirements for Grading and Drainage Plans be applied to all lots having 20% or greater slopes.



Dennis L. Marker
City Planner

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.