

NOTICE AND AGENDA
AMENDED, July 29, 2005 1:52 pm

Notice is hereby given that the City Council of the City of Santaquin will hold a Special City Council Meeting on **TUESDAY, August 02, 2005**, in the Council Chambers, 45 West 100 South, at 7:00 P.M.

AGENDA

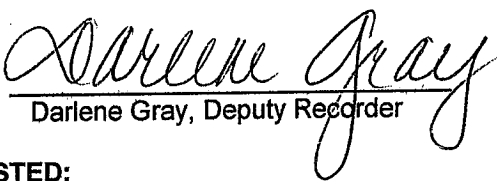
- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION/INSPIRATIONAL THOUGHT**
- 4. NEW BUSINESS**
 - a. Discussion and possible action regarding the new Council Member
- 5. EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
- 6. EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
- 7. 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:


Darlene Gray, Deputy Recorder

POSTED:

CITY CENTER
POST OFFICE
ZIONS BANK

**MINUTES OF A SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
August 2, 2005**

Mayor Brandon called the meeting to order at 7:04 P.M. Council Members attending: Wesley Morgan, Martin Green, and Todd Starley.

Mayor Brandon excused Council Member Tracy Roberts.

Staff attending: City Manager Stefan Chatwin, Legal Counsel Brett Rich and Deputy Recorder Darlene Gray.

Others attending: Fil Askerlund, Jill Askerlund, Steve Thomas and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Morgan led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Askerlund offered an invocation.

NEW BUSINESS

Discussion and possible action regarding the new Council Member.

Mayor Brandon explained that the Council Members would only be interviewing the individuals who submitted a letter of interest for the Council position. He indicated that two of the three individuals were present and invited them to approach the Council Members to introduce themselves. Council Member Green asked why the August 3rd Council Meeting agenda had listed the appointment. City Manager Chatwin explained that the initial posting did not post the appointment date.

Mayor Brandon invited Mr. Askerlund to approach the Council Members and introduce himself.

Mr. Askerlund indicated that he and his family have been residents of Santaquin for nine years. He reported that he had served on the Planning Commission as a chairperson for approximately three and a half years. He stated that he currently sits on the City's Board of Adjustments. Mr. Askerlund stated that he has thought it was time for him to be involved in City government if the people decided that is what they wanted. Mr. Askerlund stated that there were some issues that he would like to target. He stated that Santaquin was growing rapidly and added that there was a desperate need for a commercial tax base, as well as increased parks and recreation facilities. He commented that there were many children in the community and indicated that felt there was insufficient places for them to recreate. Mr. Askerlund stated that the City needed to look into possible commercial ground sites to purchase to entice business to come and open here which would also bring in tax revenue. He stated that the established businesses should be involved in cleaning up Main Street. He stated that he would like to be part of this type of development.

Mr. Askerlund stated that it was important to be honest, individuals with integrity who would say what they mean and mean what they say. He stated that he has tried to live by that standard all of his life. He stated that there were great people in this town and added that with the help of the community, Council Members and staff, the town would be even more special than it is.

Mr. Askerlund indicated that Santaquin would continue to grow with projects like Summit Ridge and the North Santaquin Orchard developments. He stated that residential doors would not bring in the tax revenue the City needs.

Mr. Askerlund asked if the Council Members had any questions for him. Council Member Morgan asked if Mr. Askerlund intended to run for the Council seat in November. Mr. Askerlund responded in the affirmative and stated that he had already submitted his Declaration to the City Recorder.

Council Member Morgan asked if Mr. Askerlund would make any changes to policies or procedures. Mr. Askerlund responded in the negative and added that it had been a while since he had worked with the Ordinances and did not know what changes had already been made. He commented that he would like to get back to adhering or trying to follow the City's Master Plan. Council Member Morgan stated that the City's General Plan was the same plan that Mr. Askerlund had worked on while on the Planning Commission and indicated that the Council Members would be working on an update of the General Plan. Mr. Askerlund stated that it would be good to have a basic idea of what the Council wanted to accomplish. Mr. Askerlund stated that in some instances he felt the City has given to developers where it shouldn't have; I.E.; park space. He indicated that he knows that every square foot of ground is important to a developer, but stated that if a developer wants to help the community, they should be able to give to the community in the form of land or cash donations for recreation facilities.

Mr. Askerlund stated that he felt another issue before the City was having sufficient ways to evacuate the east bench in the event of an emergency. He stated that he thought that some of the City ordinances may not enforced as strictly as they should be. He commented that the City had a difficult situation with the influx of new people. He stated that the core part of town should be kept looking as nice as possible. He stated that the newer homes have curb, gutter, sidewalk, landscaping, etc., but added that the ordinances regarding weeds or cars were not being enforced. Nonetheless, we want to attract businesses here, we must clean up the town. Mr. Askerlund stated that the clean up could be done as a community or part of a religious function, boy scouts, or whatever way and means needed to be done to accomplish this goal. He stated that there are residents in town who own heavy equipment that could help by donating their time and equipment to help with the clean up.

Council Member Green stated that Summit Ridge Development had come before the City Council in a work session trying to back out of building the golf course that is required by the annexation agreement they signed with the City. He indicated that their proposal was to do away with the golf course and give so much money per house as it was built out. Council Member Green asked Mr. Askerlund how he felt about allowing Summit Ridge Development out of the annexation agreement regarding the golf course. Mr. Askerlund replied that the situation had two faces. He referenced Cedar Hills and the problems the City and residents face regarding the tax payers paying to sustain the golf course. Mr. Askerlund commented that he would hope that in this instance, if the people would hold to the annexation agreement, the agreement would be some type of security that would ensure the residents would not be burdened with the cost. Mr. Askerlund stated that in his opinion, in order to develop a viable tax base there would have to be people move here that are established. He stated that most of the starter homes are occupied by young families with small children who don't have a lot of disposable income. He indicated that the golf course would attract people who want to get out of sprawl of northern and central Utah County. Mr. Askerlund stated that he would not release Summit Ridge Development from the annexation agreement based on them just wanting to get out of building the golf course. He stated that if there were financial concerns; I.E. the whole project failing, then there would need to be some discussion to stop that from happening all together.

Council Member Green stated that he had spent time with Police Chief Howard and an officer and indicated that he has had some concerns regarding police protection since he has been on the City Council. He reported that the funds had been found for the Fire Department to purchase a fire truck and stated that he felt the City was not meeting the needs of the Police Department. He reported that the City was six to eight police officers below where it should be. He stated that the Council Members had discussed the possibility of raising taxes and asked Mr. Askerlund if he would be opposed to that. Mr. Askerlund responded that it would depend on the term of the taxation and if any others funds were available other than taxation. He stated that Police Officers put their lives on line every day. He stated that residents think Santaquin is a safe, quiet town. He reported that he has spoken with Chief Howard and if one of the officers on duty has to transport someone to the jail, the town is left with no protection unless it is from the County Sheriff's Department or the Payson Police Department. He expressed his concern and reported that his home has been broken into twice. Mr. Askerlund stated that if raising taxes was the only way to resolve the problem, he would vote 'yes', dependant on how long the tax would be charged. Mr. Askerlund added that the growing crime rate was also a concern to him. He stated that in the last eight months, four teens from Santaquin have died from drug overdoses. He stated that the effect of drugs has been devastating and losing four is intolerable. He stated that every kid has access to drugs in this town and when they run out of money, they turn to stealing. If need more law enforcement, so be it. Mr. Askerlund reported that he has two brothers-in-law in law enforcement for approximately 20 years and stated that it is not fair to the officers in this town to leave them without backup.

Council Member Starley asked Mr. Askerlund his thoughts regarding government and its exercising eminent domain. Mr. Askerlund responded that he thought the Supreme Court went too far. He stated that he could understand if it was a necessity for the community, but to exercise eminent domain for a hotel or golf course was not the way the Constitution had been written or interpreted. He stated that there were times when it was necessary, I.E. the Interstate across the country.

Council Member Starley referenced Mr. Askerlund's experience with the Planning Commission and asked what his thoughts were regarding Envision Utah. Mr. Askerlund responded that Envision Utah was just starting when he was on the Planning Commission and he stated that he had attended a meeting in Salt Lake City, but added that he did not remember all of the details.

Council Member Starley asked Mr. Askerlund how he felt about private property rights and the government's possible influence in those rights. Mr. Askerlund asked Council Member Starley to be more specific. Council Member Starley stated that there were a lot of properties in town that had disabled vehicles, etc. He asked at what point government would let these individuals be allowed to live their own lives if they chose to live it in a mess. Mr. Askerlund stated that those situations should be looked at on a case-by-case basis. He stated that we all live in this country based upon the laws set. He stated that the Council Members write the Ordinances and Laws that govern Santaquin. He stated that it would be a common civil duty that each resident should do by keeping their own property in order, but added that they should not have to do it by force. He stated that each resident should make an effort in having our community be a nice community. Mr. Askerlund stated that there are many trip hazards on Main Street. He indicated that he thought that from the stand point of health, cleanliness and beauty, there would be legal

ramifications for the community if Ordinances were not enforced. He added that it would also be a question of liability.

Council Member Starley asked Mr. Askerlund what he would be able to offer the citizens if he were appointed to the Council seat and what would be the likes or dislikes of the position. Mr. Askerlund responded that he considered himself a fairly calm and reasonable person. He reported that he like to study and research thinks out and added that he would bring experience from many different aspects. Mr. Askerlund reported that he has worked for worldwide corporation and has served in positions that required decisions that impacted the livelihood of many. Mr. Askerlund stated that he disliked contention explaining that he felt contention destroys communities. He stated that he thought through discussion and debate, issues could be resolved amicably and for the best of the community.

Council Member Starley asked if Mr. Askerlund thought he could make his own decision or would it be more of a 'go along to get along with' attitude or would Mr. Askerlund be able to make a stand because he thought his decision was the right thing to do. Mr. Askerlund stated that he would make his own stand. He stated that he would be able to explain the process he had gone through regarding his decision in a clam and peaceful manner.

Mayor Brandon thanked Mr. Askerlund for his time and comments.

Mayor Brandon invited Mr. Thomas to approached and address the Council Members. Mr. Thomas explained that he has lived in Santaquin for approximately nine years. He stated that he is originally from Provo.

Mr. Thomas stated that he had been involved in local boxing clubs and saw a lot of his friends end up in the State Prison. Because of this, he indicated that he has been very involved in drug rehabilitation programs at the University of Utah. Mr. Thomas stated that he spent six years as an addiction and substance abuse counselor. Mr. Thomas indicated that he has spent a lot of time in the Scouting program and stated that he started Boy Scout Troops in Wasatch and Salt Lake County. Mr. Thomas reported that he personally founded a co-ed Explorer Post. He stated that his children have been involved in community sponsored Cub Packs.

Mr. Thomas reported that he was an Infantry Fire Platoon Leader while in the Marines where he learned leadership and teamwork skills. Mr. Thomas stated that he started his own business as an appraiser. In doing so, he reported that he has taken many courses on zoning, unusual houses, how to appraise them, and how commercial businesses affect a community. He stated that he has read much regarding forced taxes. He stated that taxes were a necessary evil that should be used sparingly and cautiously.

Mr. Thomas stated that he had no problem with conflict or standing on principle when making a decision. Mr. Thomas indicated that he loves Santaquin because it is a bedroom community and not a commercial center. He stated that attracting businesses would bring a big difference in living conditions. He stated that there were lots of issues that Santaquin faces. He reported that he had followed the golf course situation in Cedar Hills. He stated that the residents had stopped the building of a Wal-Mart. He commented that if the golf course was being paid for at tax payer expense, then as a motor cycle enthusiast, he should have a course available to him at tax payer expense also. He posed the question, "where does it stop?" He answered his own question by

stating that it would stop when the tax payers realize that the only way to do this would be by force and coercion.

Council Member Green stated that the golf course issue was not a form of coercion or a tax issue, but the fact that Summit Ridge Development was trying to back out of the annexation agreement. He asked how Mr. Thomas would respond. Mr. Thomas stated that Summit Ridge Development should give the money without strings attached. He stated that he felt the City would not want them to build something that would fail. He stated that if there were viable reasons for their wanted to back out of the agreement and a solution, he would be open to looking into it. He stated that if he were appointed to the Council seat, he would be against breaking the annexation agreement.

Council Member Green stated that Mr. Thomas made a comment regarding Santaquin being a bedroom community and with annexations coming in it could still be bedroom community, but stated that along with growth comes crime. He stated that if Mr. Thomas was not a proponent of raising taxes, how the City would take care of the day-to-day operations if the City doesn't have the tax base or raise taxes. Mr. Thomas stated that he was not opposed to being a community that attracts commercial type uses. He stated that he thought the Council Members would need to figure out a way to pay officers and employees other than through taxation. He referenced Woodland Hills and how their costs are paid for through impact fees. Mr. Thomas stated that he was opposed to taxing individuals and their income. Council Member Green stated that the City would not hire Police Officer with impact fees. He stated that the City had recently implemented a Public Safety Impact Fee. He stated that the City needed to somehow raise the level of security in the City; either by businesses or by taxes. Mr. Thomas stated that he would have to look into the situation. He added that many officers come from unions and added that he would have to do a complete study to how many officers were needed. He stated that the natural growth of the City would support the number of officers needed. He stated that the study should be an independent study outside of the realm of the local department.

Council Member Morgan asked if Mr. Thomas would run for the Council seat if he were appointed to complete the term. Mr. Thomas responded in the affirmative, but indicated that he was not sure if he would run for the seat if he was not appointed.

Council Member Morgan asked Mr. Thomas if he would make any changes to any of the City ordinances. Mr. Thomas stated that off-road vehicles were a problem in his neighborhood. He stated that the speed limit needed to be enforced, as well as the age limit of the drivers of the off-road vehicles.

Council Member Morgan asked if Mr. Thomas was the same person who, along with several others, approached the Council Members a few years ago to criticize the dog ordinance. Mr. Thomas responded in the affirmative and stated that he had a problem with officers who solicit tickets. He stated that he opposed the interpretation and enforcement of the dog ordinance. He indicated that officers had gone door-to-door asking residents if they had a dog and if the dog was under their direct supervision. If they were not, the officer would issue a citation. Mr. Thomas added that he was not opposed to the current dog ordinance.

Council Member Morgan asked if Mr. Thomas would be against growth or how he would deal with growth if he were a Council Members. Mr. Thomas stated that growth could not be stopped. He

stated that standards are started with the residents as they move in. He commented that Texas has never had zoning laws and he felt had some beautiful communities. Mr. Thomas stated that he would have to look at this more closely and do more research.

Council Member Morgan asked if Mr. Thomas felt if building standards should be more of the same or different. Mr. Thomas stated that he felt it would be fair to have different standards. He commented that the 'poor' should not be forgotten. He stated that if the City imposed more standards, the cost of housing would increase. He stated that there should be room for both the rich and the poor. Mr. Thomas added that if curb, gutter and sidewalk were to be installed throughout the City, who would pay for it. He stated that he would oppose assessing or forcing fees onto the residents. He added that he felt there were issues regarding sewer service on 900 South. He stated that the sewer line needed to be completed, but added that the residents should have a 'say' on connecting to the new line.

Council Member Starley asked Mr. Thomas' thoughts related to eminent domain. Mr. Thomas responded that eminent domain had been grossly misused. He stated that the original intent was only for Interstate commerce. He stated that taking away an individual's property for a Wal-Mart would be wrong. He indicated that if it were directly related to safety, government would still have to be careful on how it is used.

Council Member Starley asked what Mr. Thomas would like or dislike regarding the Council seat. Mr. Thomas responded that he has always been involved in City government and felt is his duty to serve. He added that he would hate taking time away from his family.

Council Member Starley asked Mr. Thomas, generally speaking, if he felt a golf course would bring higher quality or upscale housing. Mr. Thomas responded that it would depend on the community. He stated that he did not think Santaquin would ever attract million or half-million dollar buyers. He added that if a golf course could sustain itself on its own merit, he would be okay with it.

Mayor Brandon asked Mr. Thomas, as an appraiser, if he saw houses around or on a golf course coming in at a lower appraisal rate. Mr. Thomas responded in the negative. He stated that golf courses have always been a positive influence on home appraisals that are right on the course. He added that the extra traffic has been a negative influence.

Council Member Starley asked Mr. Thomas his thoughts regarding Envision Utah. Mr. Thomas responded that he felt Envision Utah wanted to turn every community into a homogenized, grey community. He stated that he did not know all the specifics, but felt Envision Utah was meddling in issues that were traditionally resolved by each community. He stated that he would be very cautious of Envision Utah.

Council Member Starley asked if Mr. Thomas would favor new development with higher density or a more open-type development. Mr. Thomas stated that the market would dictate what type of development it would support.

Mayor Brandon referenced Rose Park and asked Mr. Thomas about curbing, or the lack of, in town. Mr. Thomas responded that Sugarhouse was a mirror example of Rose Park. He stated that it would depend on what the market was yielding. He added that developers would not

develop something that would not sell. He stated that Santaquin would transition if the market dictated it.

Council Member Starley asked Mr. Thomas what position he would take as a Council Member; a go along to get along, or would he stand on his own. Mr. Thomas responded that he would stand on his own. He stated that once a vote was made, he would do what he could to contribute to the decision to make it work.

Council Member Starley asked Mr. Thomas what his thoughts would be to improve ordinances that were not being enforced. Mr. Thomas stated that he was opposed to people going out and anonymously turning others in. He stated that if the complainant was not willing to face the person he was turning in, that complainant should just shut their mouth. He added that it would show poor morality on the person turning in their neighbors. He stated that this was much the same as what went on in Nazi Germany. Council Member Starley stated that after hearing Mr. Thomas comments that Mr. Thomas would not be in favor of a Santaquin Senior Patrol. Mr. Thomas responded that we would then be a tattle-tail community. He added that each should be allowed to face their accuser stating that he believed that was the way life should work.

Mayor Brandon thanked Mr. Thomas for his time and comments.

Council Member Morgan reported that Art Adcock was unable to attend this meeting because he was a leader for the trek to Martin's Cove and had left early Monday morning. He stated that Mr. Adcock expressed his desire to be considered for the Council seat. Council Member Starley stated that he felt the interview that they had with Mr. Adcock for the Mayor's position was sufficient.

Mayor Brandon explained that the Council appointment would take place during the regular City Council meeting of August 17, 2005. City Manager Chatwin stated that all interested parties should plan to attend the meeting.

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

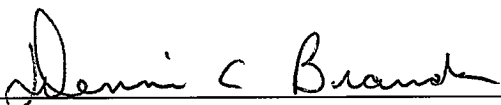
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
Nothing

ADJOURNMENT

At 8:08 P.M. Council Member Green moved to adjourn the meeting. Council Member Morgan seconded the motion.

The vote was unanimous.

Approved on August 17, 2005.


Dennis Brandon, Mayor


Darlene Gray, Deputy Recorder