

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, June 29, 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 as to the process to fill the vacancy of the Mayor position
  5. PETITIONS AND COMMUNICATIONS
  6. REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES
  7. REPORTS BY MAYOR AND COUNCIL MEMBERS
  8. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
  9. EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
- 
10. 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 City Recorder

**POSTED:**  
CITY CENTER  
POST OFFICE  
ZIONS BANK

**MINUTES OF A SPECIAL CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
JUNE 29, 2005**

At 7:00 P.M. Mayor Pro-tem Martin Green called the meeting to order. Council Members attending: Todd Starley, Wesley Morgan, Dennis Brandon and Tracy Roberts.

Staff Attending: City Manager Stefan Chatwin, Legal Counsel Brett Rich

Others attending: The Daily Herald Representative Heidi Toth, James DeGraffenried, Denise Rohbock and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Green led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Starley offered an Invocation.

**NEW BUSINESS**

***Discussion and possible action as to the process to fill the vacancy of the Mayor position***

Mayor Pro-Tem Green announced that the City had received letters of interest from Arthur Adcock, Dennis Brandon, and James DeGraffenried.

Mayor Pro-Tem Green recommended the Council Member enter into an Executive Session to discuss the character, professional competence, or physical or mental health of an individual.

Council Member Starley moved to enter into an Executive Session to discuss the character, professional competence, or physical or mental health of an individual.

Council Members Roberts requested that each candidate be given the opportunity to address the Council Members with regard to his/her background and/or qualifications. Mayor Pro-Tem Green responded that each candidate would be invited into the Executive Session one at a time. Legal Counsel Rich indicated that general discuss with each candidate would be appropriate in an open meeting setting. City Manager Chatwin added that competency, etc. would need to be discussed in the Executive Session.

Council Member Morgan stated that he thought the Council Members had agreed to hold this Special Council Meeting to consider the candidates and then to enter into an Executive Session to determine if the Council Members would want to interview all or any of the candidates. He commented that he thought he had heard Mayor Pro-Tem Green tell one of the candidates that they would be able to address the Council Members at this meeting with a brief introduction. Council Member Starley indicated that he understood the same.

Council Member Roberts suggested letting each candidate make a quick statement about themselves. Council Member Morgan stated that he had some questions for each candidate and indicated that he thought each candidate could make a statement and then the Council Members would enter into an Executive Session to discuss what the Council Members would like to know additionally about the candidate. Legal Counsel Rich stated that it would not be appropriate for the Council Members to discuss competency, character, etc. in an open meeting. Council Member Starley stated that he would prefer interviewing the candidates in the public meeting and then enter into the Executive Session to discuss each individual.

Legal Counsel Rich stated that the candidates could be invited into the Executive Session. Council Member Starley asked Mayoral Candidate Brandon which he would prefer. Mr. Brandon responded that it did not matter to him.

Following a brief discussion, Council Member Starley withdrew his motion to enter into the Executive Session to discuss the character, professional competence, or physical or mental health of an individual.

Council Member Roberts moved to allow each candidate 3 to 4 minutes to express their reason(s) for being mayor. He added that after each candidate's statement, the Council Members would then enter into an Executive Session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Starley seconded the motion.

Mayor Pro-Tem Green invited Mr. DeGraffenried to approach the Council Members.

Mr. DeGraffenried introduced himself and stated that he and his family have lived in Santaquin since 1969. He stated that his wife's family were some of the original settlers of Santaquin. He and Carla have 8 children, 7 of whom are married and live in Santaquin. He reported that he has been a General Contractor since 1971. During his business career, he has overseen jobs as high as \$5 million and as little as an out-house. Mr. DeGraffenried stated that he felt he could perform the mayoral duties basically on his experience with working with people. He indicated that he has worked with people in the construction field, in the Church, etc. adding that he "has been up the river and over the mountain."

Mr. DeGraffenried stated that he knows a bit about government, parliamentary procedure and the rights of the individual and how they tie into the rights of all citizens. He asked the Council Members if they had any questions.

Council Member Morgan asked Mr. DeGraffenried if he had any changes he would like to make in the way the City operates; I.E. personnel or City employees, compared to the way the City operated under the direction of the previous mayor. Mr. DeGraffenried responded that he would make some changes in the way the Council Meetings were conducted. He indicated that in his opinion, he would analyze each employee, but added that he did not believe he would make any personnel changes.

Council Member Morgan asked if Mr. DeGraffenried would run for the Mayor position in November whether or not he was appointed to complete the term. Mr. DeGraffenried responded in the affirmative.

Council Member Morgan asked Mr. DeGraffenried his opinion on the Pressurized Irrigation System, the Main Street Enhancement Project and the new Public Safety Building. He also asked if Mr. DeGraffenried intended on bidding on the public safety building. Mr. DeGraffenried responded that he thought the PI system would enhance Santaquin and indicated that he would do whatever needed to be done to ensure the installation of the system. He stated that he has been part of many issues that have been resolved with Summit Creek Irrigation Company. With regard to the Main Street Enhancement Project, Mr. DeGraffenried responded that he did not know much about the project. Council Member Morgan explained what the project would involve. Mr. DeGraffenried stated that it was important to bring the core of town and the east bench

together and thought this would be a positive project. He added that he has had many dealing with the City, State and Mr. Kester with regard to the Highland Drive realignment. Mr. DeGraffenried stated that as a past Planning Commissioner he has had occasion where he had declared a conflict of interest with regards to projects that his construction company may have submitted a bid for. He stated that in the public safety building issues, he would step away from conducting the meeting where the award of the bid would be presented to the Council Members. He also stated that he would not be privy to any information as "closed bids" are submitted to the City.

Council Member Roberts asked Mr. DeGraffenried if he saw his position as a contractor as being a detriment or something positive for the City if he were appointed the mayor position. Mr. DeGraffenried stated that he felt his position would be a positive one because as a contractor and someone who has been involved developments, he could handle developers and other contractors with a bit more ease than others. He stated that he saw his work experience as a positive one and added that he would not be intimidated by developers.

Council Member Starley asked Mr. DeGraffenried's opinion on the latest Supreme Court ruling regarding taking homes for development. Mr. DeGraffenried responded that as he had looked at the eminent domain issue, he did not totally agree, but felt if it were for the betterment of the community, it may be necessary. He stated that whenever a City felt the need to take an individual's property, that City should be very cautious. He stated that he felt that there are individual rights and property rights and that individuals elected to government positions must be able to protect both. Council Member Roberts stated that in his opinion, the Supreme Court was wrong and stated that their decision bordered on communism.

Council Member Morgan stated that with regard to day to day operations, Mr. DeGraffenried would be occupied with his own business and asked how he would manage the mayor's role and how would he be able to conduct City business. Mr. DeGraffenried responded that he did not believe he could put in the time that Mayor Scovill had, but he felt confident with the current staff and indicated that he would be available when needed. He added that most of his work is local. He stated that he would also be able to meeting in the morning or evening, whatever would be required. He indicated that he would rely on staff, but also expected that staff would follow the directions given them by either the Council Members or himself.

Council Member Morgan asked how Mr. DeGraffenried saw the relationship between the mayor and the Council Members. Mr. DeGraffenried responded that both parties would have to begin to know one another and what was expected from each. He stated that if it became necessary for his to vote on an issue, he would vote what he felt was right. He stated that as a Mayoral candidate, he did not have an agenda to resolve. He added that he would also do his best to 'trim the excess out.'

Mayor Pro-Tem Green thanked Mr. DeGraffenried.

Council Member Brandon introduced himself reporting that he has lived in Santaquin for about as long as Mr. DeGraffenried with the exception of a 5 year break. He stated that he has not been involved in City government except for his recent 18-month term as a Council Member. He stated that he has been involved in the sewer system.

Council Member Brandon stated that his family had been raised in Santaquin and added that they all live here. Council Member Brandon stated that Santaquin is home to him and added that he is committed to the city. He stated that as he has watched Santaquin grow, he has tried to keep informed of the things that were going on. He stated that as a Council Member, he has been involved in the Development Review Committee and the Planning Commission. He indicated that he had taken a special interest in the water situation and has worked hard with Summit Creek and felt it important to complete the project. He commended that as he has served on the City Council, he has seen what has been going on in the community. Council Member Brandon stated that he did not have any trouble asking for the Council Member's opinions. He indicated that he felt it important that Council Members and Mayor understand what they are voting for and especially understand the importance of not destroying anything for future residents.

Council Member Brandon stated that he felt the City had a good staff, but stated that he would make personnel or monetarily changes to make staff great. He stated that he felt the staff was doing a good job and had no issues with them. He added that he saw staff as a work in progress.

Council Member Morgan asked if Council Member Brandon intended on running for the Mayor position in November. Council Member Brandon responded that he could not make that determination as to whether or not he would run. He stated that the Mayor position might be too big of a job and may be a situation where he would not feel comfortable pursuing a new term. He stated that at this time, he could not commit to whether or not he would run in November.

Council Member Morgan asked if Council Member Brandon was for or against the PI system. Council Member Brandon responded that he was 100% for the PI system. He indicated that it was just another step that our fore-fathers had started a long time ago. He indicated that he would push to secure water for the future.

Council Member Morgan asked his opinion on the Main Street Enhancement Project. Council Member Brandon responded that he thought it was a great project. He stated that the project dealt with safety issues for pedestrians.

Council Member Morgan stated that he believed Council Member Brandon had voted in favor of the new Public Safety Building. Council Member Brandon stated that partially due to the growth of the community, a new public safety facility was needed.

Council Member Morgan asked if Council Member Brandon had some ideas regarding change. Council Member Brandon responded in the affirmative and stated that he felt that staff should know that the mayor represents a positive position. He indicated that he would like to see an employee of the month, of a \$50 gift certificate for the best employee of the month, stating that this type of recognition would build good will in the community. Council Member Morgan asked if he had specific changes for part-time personnel. Council Member Brandon responded that he would make no changes at this time. He stated that right now, the City had a good staff and stated that he would work with staff and help them become better at what they do.

Council Member Morgan stated that it known that Council Member Brandon had been critical of the previous mayor and asked in what ways it would be different with him. Council Member Brandon responded that he hoped his criticism would fall back on each Council Member. He stated that if he were appointed as Mayor, he would hope each Council Member finishes his term feeling like he had accomplished something. Council Member Morgan stated that his question was not to be critical. Council Member Brandon stated that each Council Member had his own political agenda and stated that even if they did not agree, they have been able to discuss issues brought before them.

Council Member Morgan asked how Council Member Brandon saw the relationship between the Mayor and the City Manager. Council Member Brandon stated that the City Manager was an intricate part of the community. He indicated that the City Manager's responsibility was to keep staff on task and answer to the Mayor and Council Members. He stated that in the City Manager's position was to gather facts for and be able to respond to the Council Members when asked.

Council Member Morgan asked about the day to day operations of the City and how Council Member Brandon would manage things. Council Member Brandon stated that Mayor Scovill did his job efficiently. Council Member Brandon stated that he is in town most of the time and indicated that as things came up, he would be available. He added that the City Manager's job is to run the day to day things.

Council Member Starley asked Council Member Brandon's opinion regarding eminent domain. Council Member Brandon stated that he would hope that the City did not get into the position of seizing personal property. He stated that if a decision affects someone's life, he would rather do anything other than declare eminent domain.

Mayor Pro-Tem Green thanked both candidates for their presentation and time.

Council Member Starley moved to enter into an Executive Session to discuss the character, professional competence, or physical or mental health of an individual. Council Member Morgan seconded the motion.

The vote was unanimous.

City Manager Chatwin, Council Member Brandon and Deputy Recorder Gray were excused at 7:51 PM. Mayor Pro-Tem Green asked Legal Counsel Rich to remain in Council Chambers.

#### **PETITIONS AND COMMUNICATIONS**

Nothing

#### **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

Nothing

#### **REPORTS BY MAYOR AND COUNCIL MEMBERS**

Nothing

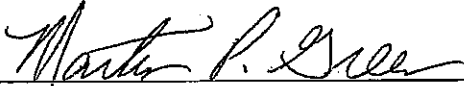
**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)


**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

**ADJOURNMENT**

At 8:30 PM, Council Member Starley moved to adjourn. Council Member Roberts seconded the motion. The vote was unanimous.

Approved on July 6, 2005

  
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Martin P. Green, Mayor Pro-tem

  
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Darlene Gray, City Deputy Recorder



## CLOSED EXECUTIVE SESSION AFFIDAVIT

I, Martin Green, Mayor Pro-tem of Santaquin City, do hereby certify that the Executives Session held on June 29, 2005 was for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual and that nothing else was discussed.

Martin P. Green  
Martin Green, Mayor Pro-Tem

7-4-05  
Date