

NOTICE AND AGENDA AMENDED 3-15-05 1115

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, March 16, 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. **CONSENT AGENDA**
 - a. Approval of the minutes
 1. Approval of the minutes of a Regular Meeting held on March 2, 2005
 - b. Bills -\$44572.66
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. Discussion and possible action to award the contract for the Drainage across SR-198 Project.
6. **FORMAL PUBLIC HEARINGS**
 - a. Public Hearing with regard to Drinking Water Source Protection Regulations
 - b. Public Hearing with regard to the Santaquin City Long Range Master Plan
 - c. Public Hearing with regard to a Santaquin City Code Amendment pertaining to Corner Lots and Fencing Regulations
7. **UNFINISHED BUSINESS**
 - a. Update with regard to the Inter Local Agreement with Nebo School District and Santaquin City
8. **NEW BUSINESS**
 - a. Discussion and possible action with regard to water issues pertaining to the Nebo School District
 - b. Setting of the 2005/2006 Budget Work Session – March 23RD
 - c. Discussion and possible action with regard to the South Utah Valley Municipal Water Association
 - d. Discussion and possible action with regard to the extension of the water line from the Red Barn to the Summit Ridge Project
 - e. Discussion and possible action with regard to the Kester Tire Shop
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Resolution 03-01-2005 "A Resolution Declaring Santaquin City's Intention To Reimburse Expenditures From The Proceeds of Municipal Bonds To Be Issued By Santaquin City"
 - b. Ordinance 03-01-2005 "An Ordinance Amending the Santaquin City Code Providing for the Creation of Drinking Water Source Protection Regulations"
 - c. Ordinance 03-02-2005 "An Ordinance Amending the Santaquin City Code Providing for the Adoption of the Santaquin City Long Range Master Plan"
 - d. Ordinance 03-03-2005 " An Ordinance Amending the Santaquin City Code Providing for Amendment of Corner Lot and Fencing Regulations"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor Scovill
 1. Update on the Agreement between Santaquin City and JUB Engineers, INC associated with the Pressurized Irrigation Project
 - b. Council Member Roberts
 1. Update on the Santaquin Canyon Debris Basin
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: 

Darlene L. Gray, City Deputy Recorder

POSTED: CITY CENTER, POST OFFICE, ZIONS BANK

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 16, 2005**

Mayor A. LaDue Scovill called the meeting to order at 7:00 P.M.

Council Members attending: Dennis Brandon, Wes Morgan, Todd Starley, Tracy Roberts and Martin Green.

Staff excused: City Recorder Susan Farnsworth

Other attendees: City Manager Stefan Chatwin, City Engineer Shon Fullmer, City Planner Jim Bolser, Legal Counsel Brett Rich, Caleb Warnock (Daily Herald), Terry Kester, Barbara Rausch, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Green led the Pledge of Allegiance.

INVOCATION / INSPIRATIONAL THOUGHT

Council Member Morgan offered a Word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on March 2, 2005

Bills -\$44,572.66

Council Member Green moved to approve the Consent Agenda. Council Member Brandon seconded the motion.

Council Member Green commented that he had not seen payment information regarding the cell phones for staff. He indicated that he did not recall seeing cell phone payments for the last few billings. Council Member Morgan added that the payables list seemed unusually short. Mayor Scovill responded that all payment of City bills must go before the Council Members. City Manager Chatwin added that no billing or payment information had been excluded from the documentation before the Council Members. Mayor Scovill indicated that he would find out the billing and/or payment information for the cell phones.

Council Member Morgan asked if the Caselle payment was for one month. Mayor Scovill responded that he thought the payment was water and sewer adjustments to the City's utility billing system. Council Member Starley stated that the payment seemed steep. Council Member Morgan questioned the amount paid and asked if they were for monthly services. Mayor Scovill asked if the Council Members would like a Caselle representative to appear before the Council Members to explain the services they render the City, as well as an explanation of the amount billed. Council Member Morgan indicated that he knew that a benefit of the software involved tying the Court and City systems together. He added that it would be beneficial for the Council Members to have periodic updates. Mayor Scovill stated that he would have the Caselle updates on the April 6, 2005 Council Agenda.

Council Member Starley requested information regarding the payment for the park and playground equipment. City Manager Chatwin responded that the payment was for garbage receptacles and benches ordered for all the parks.

After the corrections were submitted by each Council Member and made, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ms. Rausch explained that she would like to add a garage onto her existing dwelling. She indicated that they had removed the trees along the side property line making the access area 25' to accommodate the building of the garage on the opposite side of the house. Ms. Rausch indicated that she had checked with the Building Department and was told that the 10' side setback requirement had to be maintained. She expressed her concern regarding the homes on the east side above Stringham's Hardware store, stating that the side setbacks were smaller than what she would be required to meet. She reported that she thought removing the trees from one side of the property would satisfy the footage requirement for meeting the width requirement for emergency service vehicles. City Planner Bolser responded that the setback requirement is not necessarily for service vehicles, but for service personnel. Ms. Rausch questioned what the difference would be if the service vehicle or personnel could access to a back yard from one side area rather than the other.

City Manager Chatwin asked Ms. Rausch to meet with him and the Building Official in the morning. Ms. Rausch asked if they could meet at her home. City Manager Chatwin responded in the affirmative. Ms. Rausch stated that she was trying to abide with the City Codes and Ordinances, but could not understand why the mobile home located at the corner of the block could have several vehicles in various stages of repair parked there, as well as tires stacked around the property.

Discussion and possible action to award the contract for the Drainage across SR-198 Project

Engineer Fullmer approached the Council Members and distributed the bid results. He explained that the Council Members had given prior approval for bids to be obtained. Engineer Fullmer stated that the projects bid were Schedule A for the Drainage across SR-198 / near Stringham's Hardware and Schedule B for the Drainage across SR-198 / near the north end of the Eastside Subdivision. Engineer Fullmer stated that the bids submitted were favorable, and indicated that both projects could be done. He reported that the apparent low bidder for the Schedule A project – Drainage across SR-198 / near Stringham's Hardware had been submitted by H E Davis Construction for \$26,584.00. Engineer Fullmer reported that he had spoken with H E Davis Construction and they can do the project for that amount.

Council Member Starley asked which of the two projects would be the priority project. Engineer Fullmer responded that Schedule A – Drainage across SR-198 / near Stringham's Hardware would be the more important of the two.

Engineer Fullmer reported that B D Barney Construction in Spanish Fork was the apparent low bidder for Schedule B – Drainage across SR-198 / near the north end of the Eastside Subdivision with a bid of \$17,177.00. Engineer Fullmer stated that he felt that both contractors were reputable and was pleased with the outcome of the bidding.

Engineer Fullmer reported that the 30" concrete pipe to be used in the Schedule B project would not be available for 30 days. He indicated that 36" concrete pipe could be used on the project, but added that the City would have to pay the \$5.00 per foot difference between the cost of the pipe, or approximately \$800.00. Council Member Starley asked if the City should

wait the 30 days for the 30" pipe. Mayor Scovill responded that the NRCS has given the City an April 1, 2005 deadline in conjunction with the projects. He indicated that he had contacted NRCS requesting an extension. NRCS has agreed to extend the deadline as long as the City awards and starts the project by April 1, 2005.

Council Member Morgan commented that the unit cost quoted by B D Barney in the Schedule A bid was \$96.00 for the 36" concrete pipe, making the difference in the cost between the 30" and 36" concrete pipe approximately \$8,000.00. Engineer Fullmer explained that the cost for the 36" pipe would be less in Schedule B because the installation depth was shallower than the depth in Schedule A.

Engineer Fullmer reviewed and explained each line item breakdown on the H E Davis Construction and the B D Barney Construction bids.

With no further discussion, Council Member Starley moved to accept the H E Davis Construction bid for Schedule A - the Drainage across SR-198 / near Stringham's Hardware. Council Member Roberts seconded the motion. The vote was unanimous.

Council Member Starley moved to accept the B D Barney Construction bid for Schedule B - the Drainage across SR-198 / near the north end of the Eastside Subdivision. Council Member Roberts seconded the motion.

Council Member Morgan commented that the Council Members were not awarding the total bid prices, but the unit cost for the items that resulted in the final bid. Engineer Fullmer stated that there would be change orders for the actual quantities verses the estimated quantities for material used on the project.

With the motion made and seconded, the vote was unanimous.

FORMAL PUBLIC HEARINGS

Public Hearing with regard to Drinking Water Source Protection Regulations

Council Member Green moved to enter into the Public Hearing with regard to Drinking Water Source Protection Regulations. Council Member Brandon seconded the motion. The vote was unanimous.

City Engineer Fullmer introduced the Division of Drinking Water representative, Kate Johnson. Ms. Johnson introduced Gary Holgan, who is with the engineering firm representing the Summit Ridge Development.

Mayor Scovill asked if there were any comments from the public. With no public comments make, Engineer Fullmer gave a brief presentation.

Without further discussion, Mayor Scovill entertained a motion to close the Public Hearing and to move on to Agenda item 10.b for action.

Council Member Starley moved to close the Public Hearing with regard to Drinking Water Source Protection Regulations. Council Member Morgan seconded the motion with a unanimous vote.

Ordinance 03-01-2005 "An Ordinance Amending the Santaquin City Code Providing for the Creation of Drinking Water Source Protection Regulations"

Council Member Green moved to accept Ordinance 03-01-2005 "An Ordinance Amending the Santaquin City Code Providing for the Creation of Drinking Water Source Protection Regulations". Council Member Morgan seconded the motion.

Engineer Fullmer explained that water sources were a valuable part of a community and indicated that the State requires an adopted provision that ensures that the water source would be kept safe for the public. He stated the State mandates that Preliminary Engineering Reports (PER) must be adopted. He explained that the report determines different zones of influence. He indicated that adopting the proposed Ordinance acts as a tool to protect existing as well as future water sources.

Engineer Fullmer explained the impact if the proposed Ordinance was not adopted. He stated that the existing water may not be adequately protected from contamination which would create difficulties in permitting new water sources; thereby restricting development because of limited water sources, etc.

Council Member Roberts requested information regarding the written language associated with the penalty phase in the Ordinance. He stated that if an individual in a particular zone were to spill some oil, the individual would have his/her utility services disconnected and would never be able to reconnect again. Engineer Fullmer responded that he did not believe that would be the case. Council Member Roberts explained that his duty would be to deal with the language in Ordinances and if he did not, he would be derelict in his duty if the language were harmful to the citizens. Ms. Johnson agreed with Council Member Roberts commenting that the language should be corrected. She stated that if the penalty language in the document were the issue, it could be changed.

Council Member Roberts suggested deletion of some of the language in the document. Council Member Morgan indicated that the paragraph in which Council Member Roberts requested the deletion is part of the current Ordinance and deals with something other than water source protection and thought that Council Member Roberts may have taken the paragraph out of context. Engineer Fullmer indicated that he believes the disconnection of services dealt with utility non-payment. Council Member Morgan requested staff verification. Mayor Scovill commented that the City will have a pressurized irrigation system and would need the authority to deal with any public safety problems. He added that adoption of the Ordinance would be to protect the water source and not necessarily to shut off water service to the citizens. Legal Counsel Rich recommended having the Ordinance adopted which would allow the City to take action if needed. He indicated that the intent of the Ordinance was not to shut off water service. He stated that the language in §1-18, Penalty, could be changed to read "services to the premises of such user shall be disconnected *until such time as the violation is remedied*". Council Member Roberts was in agreement with the proposed change to the language.

Council Member Morgan pointed out minor spelling errors that should be corrected. He indicated that under Definitions 8-1-17-2, C defines pollution source and D defines potential source and asked for clarification. Mr. Holgan responded that a pollution source does not necessarily threaten a drinking source. Council Member Morgan stated that a pollution source is a threat, not a potential one. Ms. Johnson indicated that a pollution source is specifically something that could discharge a potentially hazardous threat to contaminate a water source. She stated that it should be thought of as a hierarchy with a pollution source being the highest threat.

Council Member Morgan stated that the Animal Feeding Operation seemed like over-kill and added that swine are not allowed in the City. Council Member Starley indicated that this section addresses animals confined in a feeding operation for 45 days or more could apply to a single dog in a dog kennel. Ms. Johnson stated that in her opinion, this statement should be removed. She also stated that the Ordinance should define how many animals are allowed.

Council Member Starley recommended voting to deny approval of the proposed Ordinance because he felt more time would be needed for clarification of the document. Mayor Scovill responded that the Council Members must pass the Ordinance to get the Summit Ridge well in place. Council Member Starley responded that he did not agree with the language in the document. Mayor Scovill indicated that the City was trying to create a well-head protection ordinance. He stated that if the Ordinance was adopted, it would allow the Summit ridge well to be activated.

Mayor Scovill stated that the motion had been made and seconded and was before the Council Members. Council Member Morgan indicated that he did not see any fatal flaws and would vote in favor of the Ordinance subject to the suggested changes made by Legal Counsel Rich. Council Member Starley requested clarification or strike section 8-1-17-2-C-1; Animal Feeding Operation. Mr. Holgan suggested changing striking C-1 and adding under C-2 adding a statement regarding a Commercial Feed Operation with more than 10 animal units. He indicated that the paragraph would have to be renumbered.

Council Member Staley asked under 8-1-17-6, Administration, who would be the administrator. City Manager Chatwin responded that the City Council would be the administrator. Council Member Starley stated that it should be more explicit. Legal Counsel Rich stated that the section would be fine the way it is written.

Council Member Starley asked if septic tank drainage fields were a problem. Ms. Johnson responded in the affirmative and stated that the problem is not the septic tanks but the neglect or ignoring the tank was.

Council Member Starley asked if there was anything in the Ordinance that prohibits the use of home and garden sprays. Ms. Johnson responded in the negative. Council Member Starley asked why it was not covered in the Ordinance. Mr. Holgan responded that most homeowners voluntarily follow the instruction on the containers. He stated that the State has brochures that discuss proper use of chemicals and added that the best practice is common sense.

With the motion made and seconded, Mayor Scovill asked Council Member Green if he would like to change his motion to approve. Council Member Green agreed to change his motion to

approve Ordinance 03-01-2005 "An Ordinance Amending the Santaquin City Code Providing for the Creation of Drinking Water Source Protection Regulations" with all changes suggested by the Council Members and Legal Council Rich. Council Member Morgan agreed to the changes and seconded the motion.

ROLL CALL

Council Member Green – Aye
Council Member Roberts – Aye
Council Member Starley – Aye
Council Member Morgan – Aye
Council Member Brandon – Aye

Public Hearing with regard to the Santaquin City Long Range Master Plan

Council Member Brandon moved to return to Public Hearing with regard to the Santaquin City Long Range Master Plan. Council Member Starley seconded the motion. The vote was unanimous.

Mayor Scovill asked if anyone in attendance had any comments regarding the Long Range Master Plan.

With no comments, Council Member Roberts moved to close the Public Hearing with regard to the Santaquin City Long Range Master Plan. Council Member Starley seconded the motion. The vote was unanimous.

Public Hearing with regard to a Santaquin City Code Amendment pertaining to Corner Lots and Fencing Regulations

Council Member Green moved to open the Public Hearing with regard to the Santaquin City Code Amendment pertaining to Corners Lots and Fencing Regulations. Council Member Starley seconded the motion. The vote was unanimous.

Ms. Rausch approached the Council Members and asked for an explanation of the proposed Code Amendment. Council Member Roberts responded that the Amendment states the Corner Lot clear view would be determined by the line of sight, rather than by distance. Ms. Rausch asked if the line of sight would pertain to bushes, vehicles, etc. Mayor Scovill responded in the affirmative.

With no further comments, Council Member Roberts moved to close the Public Hearing with regard to a Santaquin City Code Amendment pertaining to Corner Lots and Fencing Regulations. Council Member Starley seconded the motion. The vote was unanimous.

Mayor Scovill asked the Council Members if agenda item 8.E regarding the Kester Tire Shop could be discussed. There were no objections from the Council Members.

Discussion and possible action with regard to the Kester Tire Shop

Council Member Roberts moved to accept the Kester Tire Shop. Council Member Starley seconded the motion.

Council Member Starley asked if the project had been approved by the Planning Commission. City Manager Chatwin responded in the affirmative. Council Member Brandon indicated that he the Council Members had received a copy of a letter from the Planning Commission. Council Member Green responded that he did not receive a letter. City Manager Chatwin stated that the recommendation letter had been received a month ago. Council Member Morgan asked if the tire shop was an action item. Mayor Scovill responded that the action would be the acceptance of Mr. Kester's design for the proposed tire shop. City Planner Bolser indicated that he could bring the site plan up on the overhead projector for the Council Members to review. Council Member Morgan stated that it was not a matter of the tire shop design, but a City communication problem because all the information had not been included in the packet.

Mr. Woolf approached the Council Members and stated that City Ordinance 10-6-35 addresses notification of adjacent property owners. Council Member Morgan asked under what conditions did the adjacent property owners need to be notified. City Planner Bolser responded that a site plan does not require notification. Council Member Roberts commented that the plans before the Council Members looked like Construction plans. City Planner Bolser responded that a site plan is the same as a construction plan.

Mayor Scovill stated that he would entertain a motion to discuss the approval of the site plan of the Kester Tire Shop. Council Member Morgan moved to discuss the Kester Tire Shop. Council Member Green seconded the motion.

City Planner Bolser read the February 24, 2005 letter from the Planning Commission recommending approval of the Kester Tire Shop. He indicated that the project would be completed in phases and stated that at present, the Phase 1 was before the Council. He stated that the Planning Commissioners requested that the fencing be installed in Phase 2 next to the existing residences. City Manager Chatwin commented that Mr. DeGraffenried, Contractor for the Kester Tire Shop, recommended that when the land east of the proposed Tire Shop was developed Mr. Kester and the developer of that land could share the cost of installing a fence or wall upon development.

Council Member Roberts commented that there is a likelihood of Main Street extending to the east. Mr. DeGraffenried stated that Mr. Kester would like to install a sound barrier on the south boundary of the property although it would not be required in Phase 1. He felt that if Main Street continued to the east, it would be a prime commercial situation. He stated that if residential development is extended to the east of the Kester property, Mr. Kester would provide a letter indicating the sound barrier would be installed upon development. Council Member Morgan stated that the protection of the neighbors was important and that is what the masonry wall would do.

Council Member Green expressed his concern regarding the access road coming down to Highland Drive. Mr. Kester responded that the sides of the road will have a more gradual slope to it. He indicated that he had spoken to the State Engineer, who reported that the Highland Drive realignment would begin by next spring and this would require relocating his access road.

Council Member Starley asked Mr. and Mrs. Woolf if their main concern was the masonry fence between the commercial property and the residential property. City Manager Chatwin responded that it had been Mr. Kester's intention throughout the development process to install the masonry fence to the south of the property. Mr. and Mrs. Woolf were agreeable to the installation of the masonry wall to the south.

City Manager Chatwin indicated that the Council would have to amend the motion to discuss if the Members intended on voting on this project.

Council Member Roberts moved to approve the Kester Tire Shop. Council Member Starley seconded the motion. The vote was unanimous.

At approximately 9:34 PM Council Member Starley moved to take a 10-minute break.

At approximately 9:44 PM, Council Member Brandon moved to resume the City Council Meeting. Mayor Scovill called the meeting to order at 9:44 PM.

Mayor Scovill indicated that agenda 7 A would be the next item for discussion.

UNFINISHED BUSINESS

Update with regard to the Inter Local Agreement with Nebo School District and Santaquin City

Mayor Scovill reported that he received a copy of the Inter Local Agreement the night before the City Council meeting and apologized for not getting it on the agenda as an action item. Mayor Scovill recommended the Council Members hold a Special City Council Meeting to consider this issue for action, as well as a work session to review the budget.

Mayor Scovill reported that he, Legal Counsel Rich, City Manager Chatwin, Council Members Brandon and Roberts had met with the Nebo School District Representative and felt that the Inter Local Agreement would be agreeable. Council Member Green expressed his concern regarding the life of the agreement and questioned the several sections in the agreement. Legal Counsel Rich addressed all of Council Member Green's concerns.

Council Member Brandon asked Legal Counsel Rich if there was anything contrary in the agreement to what had been previously agreed to. Legal Counsel Rich referenced page 3, the bottom of the first paragraph. He stated that the City's policy held to a 15 years time frame on the agreement.

Mayor Scovill again apologized for not having the Inter Local Agreement with Nebo School District and Santaquin City as an action item and reiterated that it would appear on the next City Council Meeting Agenda.

NEW BUSINESS

Discussion and possible action with regard to water issues pertaining to the Nebo School District

Council Member Brandon moved to table the discussion and possible action with regard to water issues pertaining to the Nebo School District. Council Member Green seconded the motion. The vote was unanimous.



Setting of the 2005/2006 Budget Work Session – March 23rd

Mayor Scovill indicated that the Work Session regarding the 2005-06 Budget would be on March 23, 2005. Council Member Roberts responded that he would not be able to attend because he would be at work. With approval of the other Council Members, Mayor Scovill set the Wednesday, March 23rd meeting time for 5:30 PM.

Council Member Brandon asked if the City department heads would attend the budget meeting. Mayor Scovill responded in the affirmative. Council Member Brandon reported that he had met with City Recorder Farnsworth regarding what the Council Members should be looking at when reviewing the budget. He indicated that he would like to know where the City would be going for the next fiscal year. Mayor Scovill stated that the Council Members discuss allocation of funds and set the course for where the money would go. Mayor Scovill further explained that all areas of City monies have been allocated to sections of City government that would be run and controlled by the City Council. He indicated that the Council Members had before them the recommendation of the Mayor and staff regarding how the money allocated for the 2005-06 fiscal year. He stated that the Council Members had the opportunity to agree with the recommendation as long as it balanced in the end. Council Member Starley commented that it did not give the Council Members the vision of where the City was going.

Mayor Scovill suggested the Council Members consider hiring additional help for the office. He reported that he had the opportunity to visit with staff and could see 'burn out' because of additional tasks caused by the growing community. He stated that he would like to hire additional person or two. He added that he has looked at the engineer's responsibilities and anticipates that there will be a need for additional help there also. He reported that there are a number of projects that will need more attention than the City Engineer has time for. Council Member Brandon responded that he could consider that as some kind of vision of where to prioritize in order to move the City forward and help the Mayor budget those things accordingly. Council Member Brandon stated that as City Council Members they should know what the direction the City was going. Council Member Morgan stated that reviewing the budget was tedious, but not complicated. He stated that the Council Members decide whether or not it wants to change a department's budget. He stated that the Council Member should not try to micromanage City departments but increase the needs if they see something that had been omitted.

Council Member Green and Legal Counsel Rich were excused at 10:27 PM.

Mayor Scovill noted the time and asked if the Council Members would want to extend the meeting. Council Member Roberts moved to table the remaining agenda items for discussion at the next Council Meeting.

Mayor Scovill stated that there were some items that would have to be discussed at this meeting.

Council Member Starley moved to extend the Council Meeting. Council Member Brandon seconded the motion.

Council Member Roberts – Abstained
Council Member Starley – Aye
Council Member Morgan – Aye
Council Member Brandon – Aye

Discussion and possible action with regard to the extension of the water line from the Red Barn to the Summit Ridge Project

Mayor Scovill stated that there was no culinary or secondary water in the system at Summit Ridge and reported that it was proposed that the road would be paved by the end of June. He stated that the well would not be operational at that time and suggested extending the City water line from the Red Barn to the new frontage road 650' to connect to the Summit Ridge system so the pressurize line could be tested for leaks. He indicated that City Engineer Fullmer has recommending using 12" at a cost of approximately \$60,000.00. Mayor Scovill stated that the project would be large enough to put out to bid, but in doing so, the project may not be done in time. He indicated that Summit Ridge Development suggested that they install the extended line and would take the cost of the extension as money in lieu of water rights. City Manager Chatwin added that doing this would also provide water to the commercial area at the south interchange. Engineer Fullmer commented that the testing of the water line would be important to the commercial area. He added that he strongly recommended extending the water line and tying into the Summit Ridge Development as a backup source for water. Council Member Brandon asked where the water source was and indicated that he did not think there would be sufficient water to run two tanks. Mayor Scovill responded that the water would not be used by Summit Ridge until Building Permits were issued. Council Member Brandon indicated that he approved of the line testing, but not as a water source.

Council Member Starley moved to approve the extension of water line from the Red Barn to the Summit Ridge Project with a 12" line with the work to be done by Summit Ridge Development in lieu of water. Council Member Morgan seconded the motion. The vote was unanimous.

Mayor Scovill reported that agenda item 10-A must be reviewed at this meeting.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 03-01-2005 "A Resolution Declaring Santaquin City's Intention to Reimburse Expenditures from the Proceeds of Municipal Bonds to be Issued by Santaquin City."

Mayor Scovill explained that this Resolution had been voted for approval at the March 2, 2005 City Council Meeting, but indicated that a motion to approve and the seconded had not been made.

Council Member Morgan moved to approve Resolution 03-01-2005, "A Resolution Declaring Santaquin City's Intention to Reimburse Expenditures from the Proceeds of Municipal Bonds to be Issued by Santaquin City." Council Member Starley seconded the motion.

ROLL CALL VOTE

Council Member Morgan – Aye
Council Member Roberts – Aye
Council Member Starley – Aye
Council Member Brandon – Abstained

Discussion and possible action with regard to the South Utah Valley Municipal Water Association

Upon the approval to extend the Council Meeting, Mayor Scovill explained that the South Utah County Mayors would meet Thursday evening, March 17th and that they would be discussing proposed changes to the SUVMWA rule allowing it to deal with sewer matters in addition to water. He explained that the SUVMWA Board has certain responsibilities to include the power to bond, the power to condemn, the power to sue or be sued. Mayor Scovill reported that Council Member Morgan attends the meeting and if during any discussion Council Member Morgan agrees with the board's decision, the Santaquin City Council would be bound to that decision even though the Council had not considered the issue. Mayor Scovill expressed his concern that the SUVMWA board would be making decisions that the City would have no say in. He felt that there should be some limitation on what decisions the board can make. Council Member Brandon asked when the City could pull out of the association. Mayor Scovill responded that the City could pull out at any time. Council Member Brandon stated that if the City did not agree with the SUVMWA board vote, the City should pull out at that time. Mayor Scovill responded that the City could pull out, but stated that any Central Utah Water that would come to Santaquin would come through the South Utah Valley Municipal Water Association.

Council Member Morgan explained that the SUVMWA board had been established by Mayors and indicated that the board is now doing what the Mayors wanted them to do. He commented that he agreed that there should not be heavy commitments made without Council approval and there are mechanisms that need to be fixed. Mayor Scovill reported that he would be attending the Thursday meeting and asked if the Council Members would support his position regarding the SUVMWA board. He stated that if they did not, he would make a change in his philosophy.

Council Member Starley stated that he did not think the board should have the authority to bond or condemn. Council Member Morgan stated that the mayors did not have the authority, but the board they created did. Council Member Roberts asked if SUVMWA could do anything. Mayor Scovill responded in the affirmative. He added that he was not opposed to SUVMWA handling sewer issues. Mayor Scovill asked the Council Members how they would want him to vote at the Thursday meeting. Council Member Starley again expressed his concern regarding condemnation and thought the power to condemn should reside within the local entity.

Council Member Morgan stated that the cities involved with SUVMWA could not put out bonds to build a regional sewer plant but that SUVMWA (representing the cities) can. Mayor Scovill reported that the cost would be \$50 million to join in the regional sewer plant. He stated that there were 8 cities involved in the sewer portion with 10 cities making up the SUVMWA board. Mayor Scovill reported that he had not seen a copy of the SUVMWA By-Laws until last month.

and did not want to make a decision without the Council Members knowing about it. Council Member Starley indicated that he was uncomfortable recommending how Mayor Scovill should vote and added that any vote should be a responsible and informed vote. City Manager Chatwin stated that if the Council Members did not want to participate, the Mayor could vote against it.

Mayor Scovill informed the Council Members that there would be an Economic Development seminar in Spanish Fork on March 25, 2005 from 7:00 AM through lunch. He indicated that two individuals could attend at no cost with each additional person at \$60.00. He reported that Congressman Cannon and Gary Herbert would be in attendance. Council Member Roberts indicated that he would like to attend, but would check his work schedule.

BUSINESS LICENSES

Council Member Starley reviewed the Business License Application for Michael Lee Jones, M L J Services, a home / premise occupation. He indicated that all the required City Official signatures had been obtained.

Council Member Starley moved to approve the Business License presented before the Council Members. Council Member Morgan seconded the motion. The vote was unanimous.

Ordinance 03-02-2005 "An Ordinance Amending the Santaquin City Code Providing for the Adoption of the Santaquin City Long Range Master Plan"

Due to time constraints, this agenda item will be discussed at the April 6, 2005 City Council Meeting.

Ordinance 03-03-2005 "An Ordinance Amending the Santaquin City Code Providing for Amendment of Corner Lot and Fencing Regulations"

Due to time constraints, this agenda item will be discussed at the April 6, 2005 City Council Meeting.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Nothing

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill

Update on the Agreement between Santaquin City and JUB Engineers, Inc associated with the Pressurized Irrigation Project

Due to time constraints, this agenda item will be discussed at the April 6, 2005 City Council Meeting.

Council Member Starley stated that the Miss Santaquin Pageant Scholarship Funds for the current royalty is low. He indicated that he would like to know if the Council Members agreed that scholarship monies should be taken out of fund raising monies. He stated that currently, there is \$330.00 left in the scholarship fund. He reported that he received \$200.00 from Dynix. City Manager Chatwin stated that he understood that Miss Santaquin would receive \$350.00.

and the first attendant would receive \$100.00. He stated that the Miss America Pageant requires \$300.00 for Miss America and \$150.00 for each attendant.

Council Member Starley reported that \$1,800.00 had been requested as a scholarship payment, but reported that there was only \$500.00 left in the scholarship fund. City Manager Chatwin reported that the City had budgeted \$1,800.00 for the pageant, which was to be paid back through ticket revenue, etc. He expressed his concern that the City would be giving the money away for pageants and not giving to others in the community. He stated that the City should not be placed in a position of using tax payer monies for scholarships. Council Member Starley indicated that it was clearly stated that when an individual participates in the Miss Santaquin Pageant there would not be any guarantee or promise for any additional funds. He stated that according to Pageant Chairperson, Amanda Jones, most scholarships are paid out of fund raising monies and not from the City budget. City Manager Chatwin commented that Ms. Jones would prefer the \$1,800.00 be more of a donation to the scholarship fund rather than a loan for the Pageant. Council Member Starley reported that each contestant would be required to raise a minimum of \$100.00 for the scholarship fund. He asked if the City wanted representation, should the City make the contestants pay for our asking them to represent the City. He stated that if the City wanted the representation, the City should be paying for the pageant. Mayor Scovill stated that he would not be opposed to putting some additional monies into the pageant.

Council Member Starley stated that he would put this item on the agenda regarding regulations, etc. to help make the pageant run better financially.

Council Member Roberts

Update on the Santaquin Canyon Debris Basin

Due to time constraints, this agenda item will be discussed at the April 6, 2005 City Council 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 11:20 PM, Council Member Roberts moved to adjourn. Council Member Starley seconded the motion. The vote to adjourn was unanimous.

Approved on April 6, 2005.


A. LaDue Scovill, Mayor


Darlene L. Gray, Deputy Recorder