

**NOTICE AND AGENDA
AMENDED 2-28-05 1255**

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, March 2, 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 February 16, 2005
 - b. Bills -\$102,827.79
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
6. **FORMAL PUBLIC HEARINGS**
 - a. Public Hearing with regard to the land purchase associated with expansion of the Orchard Cove Park
7. **UNFINISHED BUSINESS**
 - a. Discussion and possible action of the Council Members Assignments for 2005
 - b. Authorization for Mayor Scovill to sign an Inter Local Agreement with Nebo School District with regard to Orchard Hills Elementary
8. **NEW BUSINESS**
 - a. Authorization for Mayor Scovill to sign the Agreement between Santaquin City and JUD Engineers, INC associated with the Pressurized Irrigation Project.
 - b. Discussion and possible authorization to hold in reserve, for the Pressurized Irrigation Project, \$200,000 collected from Summit Ridge.
 - c. Discussion and possible action with regard to Ercanbrack's money in lieu of water associated with their project
 - d. Authorization for Mayor Scovill to sign the contract extension associated with BFI Waste Systems
 - e. Authorization to purchase 1.57 acres @ \$40,000 from Eldon Roberts to expand the Orchard Cove Park
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. Resolution 03-02-2005 "A Resolution Initiating Proceedings to Establish A Special Service District"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. City Manager Chatwin
 1. Update with regard to the Mosquito Abatement funds
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor Scovill
 1. Discussion with regard to "Wasatch Choices 2004"
 - b. Council Member Roberts
 1. Update on the Santaquin Canyon Debris Basin
 2. Discussion and possible action with regard to the Fireworks Contract
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, City Recorder

POSTED: CITY CENTER, POST OFFICE, ZIONS BANK

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 2, 2005**

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

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

Mayor Scovill excused Council Member Wes Morgan explaining that he was in St. George for a water conference. Mayor Scovill indicated that he had made arrangements with Council Member Morgan to join the meeting via telephone conference if necessary.

Staff excused: City Recorder Susan Farnsworth

Others attending: City Manager Stefan Chatwin, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Eldon Roberts, Jonathan Roberts, Allie Lunt, Janet Lunt, Amanda Norton, Jim Norton, Erin Ercanbrack, Craig Ercanbrack, Walter Calloway, Stephanie Green, BFI representatives Gordon Raymond and Blake Hatch, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Roberts led the Pledge of Allegiance.

INVOCATION / INSPIRATIONAL THOUGHT

Council Member Starley offered a Word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on February 16, 2005

Bills - \$102,827.79

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

Council Members Green and Starley submitted their corrections for the February 16, 2005 meeting minutes. City Manager Chatwin stated that Council Member Morgan had submitted his corrections to him and gave those corrections to the Deputy Recorder to be added to those corrections already made.

Council Member Brandon questioned Staples Credit Plan payment for the Police Department. Mayor Scovill responded that he believed it was for office supplies. City Manager Chatwin stated that he would verify what the payment was for.

City Manager Chatwin indicated that Council Member Morgan had submitted his corrections for the February 16, 2005 meeting to him.

After the corrections were made, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing.

FORMAL PUBLIC HEARINGS

Public Hearing with regard to the land purchase associated with the expansion of the Orchard Cove Park.

Council Member Starley moved to enter into the Public Hearing with regard to the land purchase associated with the expansion of the Orchard Cove Park. Council Member Brandon seconded the motion.

Mayor Scovill explained that the original design was to expand the existing park to the north, but because of potential hazards, it would be better to expand to the west. He indicated that there is 1.89 acres, but the City would only purchase 1.75 acres at \$40,000 per acre. He stated that the road would be part of the 1.89 acres. He added that the property owner would be giving the ground for the road to the City at no cost. He stated that the total purchase price for the 1.75 acres would be \$62,800.00. Mayor Scovill indicated that the road placement would require the moving of the existing playground equipment.

Council Member Brandon commented that he agreed that more parks were needed, but don't see taking money designated for parks already approved used to purchase more land. Mayor Scovill responded that 20 acres to the north in the North Santaquin Orchard annexation would be used for a park. Council Member Brandon questioned if the City would develop that land for a park. City Manager Chatwin responded that the developer of the property would put in the park. Council Member Brandon asked who would be responsible for the purchase and installation of the playground equipment. City Manager Chatwin responded that the City would be responsible.

Council Member Roberts asked where the playground equipment would be moved to at the Orchard Cove Park. City Manager Chatwin responded that at present there were no plans on where to move the equipment because this project was conceptual. Council Member Roberts stated that the Master Plan map shows the expansion of this park.

City Manager Chatwin commented that there are enough funds to pay for all existing projects to include the Eastside Park and the Orchard View Elementary School Park. He stated that would not be sufficient monies to develop the Orchard Cove Park, but added that as the City collects Park Impact fees, the park expansion could be completed.

Council Member Green moved to close the Public Hearing with regard to the land purchase associated with the expansion of the Orchard Cove Park. Council Member Starley seconded the motion. The vote was unanimous.

Mayor Scovill turned some time to Council Member Green for a special recognition. Council Member Green introduced Allie Lunt, Erin Ercanbrack, and Amanda Norton, students on the Girl's Basketball Team for Payson High School who participated in 4-A State Basketball Game. He indicated that the girl's team had only lost one game including the games they played in California. He commended the girls for not only their State Championship but for the sportsmanship shown throughout the season.

Mr. Norton stated that all the girls present had played in the Santaquin Junior Jazz program. He added that the team did not have to recruit any players and stated that the girls that went

through the Santaquin Junior Jazz program were the same girls that went on to the State Championship.

Council Member Green gave individual recognition to Amanda Norton and her partner who competed in the State Distributive Education Clubs of America (DECA) marketing competition. Ms. Norton indicated that she and her partner competed in State and made it to the National competition.

UNFINISHED BUSINESS

Discussion and possible action of the Council Members Assignments for 2005
Mayor Scovill distributed and reviewed the Council Members responsibilities for 2005.

Council Member Brandon asked what happened to all the other Council Member duties, i.e. Development Review Committee (DRC) Representative and the Economic Development Committee. Mayor Scovill indicated that those responsibilities fall under the direction of staff and added that they were administrative duties that he would be responsible for. Council Member Brandon stated that the DRC and Economic Development Committee Council representation was critical to the growth of city and questioned it being left to staff. Mayor Scovill indicated that there were three members of staff on the Development Review Committee. Council Member Brandon stated that the Mayor had still relieved the Council Members of their responsibilities. He stated that this gives the indication that staff is conducting the City's business. City Manager Chatwin stated that these areas of responsibility are under the direction of the Mayor and indicated that the staff reports to the Mayor, being the administrative head of the City. He added that if the Mayor wants to delegate certain responsibilities to the Council Members, it is an issue that the Mayor can consider with members of the Council. He reiterated that the staff is under direction of the Mayor and reports directly to the Mayor.

Council Member Starley expressed his concern regarding Council representation on the Economic Development Committee. Mayor Scovill responded that at present, there is no Economic Development Committee and indicated that he would put a committee together and at that time assign a Council Member to be on the committee.

Council Member Brandon stated that as they moved forward as elected officials and seeing that certain assignments had been delegated to staff, he was concerned with what the City Council was doing for the City. Mayor Scovill indicated that he appreciated Council Member Brandon's concerns. He stated that he thought the Council Members did not need to be involved in the day-to-day functions of the City.

Without further discussion, Council Member Starley moved to approve the Council Member Assignments for 2005. Council Member Green seconded the motion. The vote was unanimous.

Authorization for Mayor Scovill to sign an Inter Local Agreement with Nebo School District with regard to the Orchard Hills Elementary

Mayor Scovill recommended this agenda item be tabled. He reported that Legal Counsel Rich had received a different document with a number of changes that raised issues regarding the use of the school property for City use. He stated that originally, the school would provide two

ball fields that the City would be able to use. However, according to the documentation received, one ball field would not be built. He indicated that he had called the District office to find out why one ball field had been deleted. He reported that the school district labels the area as a ball field, but it would only be a grassy area. Mayor Scovill stated that there were other issues that would have to be discussed.

Legal Counsel Rich reported that he had spoken with the District Legal Counsel, Reed Park, but did not know how much information the Council Members felt he should share in an open meeting. Council Member Starley asked if the reason for the omission of one ball field was financial or land size related. Legal Counsel Rich reported that he was told that when a 'ball diamond' is indicated on building plans, the school district did not construct ball diamonds in conjunction with building a school. Mayor Scovill commented that the ball field construction was part of the Inter Local Agreement. Legal Counsel Rich reported that the school district would construct a place to play ball, but the second field was eliminated because of fire lane issues. He reported that Mr. Park had only found out a few days prior that the ball park had been removed from the agreement and that the State Fire Marshall required fire access on the far west end of the project.

Mr. Callaway asked if a full court gymnasium with hard wood floors would be part of the new school. Mayor Scovill responded in the negative. Mr. Callaway expressed his concern for tremendous costs regarding City residents having to travel to Spring Lake Elementary School for recreation purposes. Council Member Starley stated that the Council Members had looked at the expansion of the gymnasium, but could not find the funds to participate in said expansion. Mr. Callaway insisted that someone from the City talk to the School District about expanding the gymnasium. He stated that the Junior Jazz fees and the price of gasoline to go back and forth to Spring Lake Elementary School, puts a hardship on City residents. Council Member Starley stated that his opinion it did not add a hardship because residents participate at their own choice.

Mayor Scovill stated that the Council Members could table the item and renegotiate the agreement, or they could move to approve the authorization to sign. Council Member Starley moved to table the authorization for Mayor Scovill to sign an Inter Local Agreement with Nebo School District with regard to the Orchard Hills Elementary. Council Member Brandon seconded the motion. The vote was unanimous.

NEW BUSINESS

Authorization for Mayor Scovill to sign the Agreement between Santaquin City and JUB Engineering, Inc. associated with the Pressurized Irrigation Project

Mayor Scovill indicated that he had read and discussed the agreement with JUB representative Larry Perkins, and with Legal Counsel Rich. Mr. Perkins suggested tabling this item to give Legal Counsel Rich the opportunity to review the agreement.

Council Member Starley asked Legal Counsel Rich if he had reviewed the agreement. Legal Counsel Rich responded that he had not because he had been in court all day.

Without further discussion, Council Member Brandon moved to table the authorization for Mayor Scovill to sign the Agreement between Santaquin City and JUB Engineering, Inc.

associated with the Pressurized Irrigation Project. Council Member Starley seconded the motion. The vote was unanimous.

Discussion and possible authorization to hold in reserve, for the Pressurized Irrigation Project, \$200,000 collected from Summit Ridge

Mayor Scovill suggested that this agenda item be tabled until the JUB issues were resolved. Council Member Starley asked if the City would receive some water rather than payment in lieu of water. City Manager Chatwin responded that the agreement had been made to accept 500 acre feet money in lieu of water, stating that Summit Ridge Development has already paid \$250,000, money that could be used for the Pressurized Irrigation System.

After a brief discussion, Council Member Roberts moved to approve the authorization to hold in reserve, for the Pressurized Irrigation Project, \$200,000 collected from Summit Ridge. Council Member Brandon seconded the motion. The vote was unanimous.

Discussion and possible action with regard to Ercanbrack's money in lieu of water associated with their project

Mayor Scovill indicated that the Ercanbrack property had been annexed a number of years ago, stating that the Annexation Agreement stipulated that 500 West would be extended from 200 North through this property to Highway 6. He indicated that the agreement stipulates that the residential area would be built on east part of the property and that Commercial zoning would along the frontage and west side of the property. He explained that the existing building would remain as Commercial, as well as the frontage. Mayor Scovill reviewed the map indicating that 500 West would extend from the north behind the existing building, then to the east and finally tie into Highway 6. He indicated that money in lieu of water in the amount of \$77,849.37 for 35.38 acre feet of water had been received by the City. He stated that the acreage amount is 34.11 acre feet. Mayor Scovill asked the Council Members if they would want to accept the entire payment holding the overage for future development, or if the Council Members would rather refund the overage of approximately \$2,200. City Manager Chatwin recommended the money be refunded to Mr. Ercanbrack. Council Member Brandon responded that he would like to hold the \$2,200 in credit for the Pressurized Irrigation System. He stated that he felt monies received in lieu of water should be used for water projects.

Without further discussion, Council Member Brandon moved to accept the Ercanbrack's money in lieu of water associated with their project to be cashed by Mayor Scovill and put into a water account to be used for water projects with any over payment amount for this particular development to be negotiated between the Mayor and the property owner as to whether the over payment would be kept or returned. Council Member Starley seconded the motion. The vote was unanimous.

Authorization for Mayor Scovill to sign the contract extension associated with BFI Waste Systems

Council Member Green moved to authorize Mayor Scovill to sign the contract extension associated with BFI Waste Systems. Council Member Starley seconded the motion.

Council Member Brandon asked why the contract with BFI was being extended rather than putting the contract out to bid. Mayor Scovill indicated that the City had the option to extend the current contract for an additional period of time. He stated that the City has had a good

relationship with BFI, but indicated that it would be up to the Council Members if they would want the contract to be put out to bid.

Council Member Roberts requested the clause in the Resolution regarding a 'unanimous vote' be removed. City Manager Chatwin indicated that it would be removed.

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

City Manager Chatwin indicated that City Recorder Farnsworth had the original agreement and would have Mayor Scovill sign it and then she would contact BFI.

Authorization to purchase 1.57 acres @ \$40,000 per acre from Eldon Roberts to expand the Orchard Cove Park

Council Member Green moved to authorize the purchase of 1.57 acres @ \$40,000 per acre from Eldon Roberts to expand the Orchard Cove Park. Council Member Roberts seconded the motion.

Council Member Starley asked if a copy of the agreement was available. Mayor Scovill responded that there was no written agreement in place at this time. He indicated that he would meet with Mr. Roberts to determine legal descriptions, etc.

Mayor Scovill asked Mr. Roberts to share how the name of the development had been chosen. Mr. Roberts reported that in tracing property title information, it was discovered that his great-grandfather had homestead on that particular piece of ground. The project will be called The Homestead.

The vote was unanimous.

BUSINESS LICENSES

Council Member Starley reviewed the Craig Swan, Craig Swan Drywall Home Occupation, and the Julie Dolph, Horse 'n Around Home Occupation Business License applications. He reported that staff had signed off on both applications.

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

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 the City was in the process of establishing the Pressurized Irrigation System and stated that the Council Members had approved \$200,000 to be set aside for engineering service payment until financial bonds were acquired. He stated that in order to reimburse the City for any payment made, the Council Members would have to have this Resolution in place to allow reimbursement to the City with money from the bond. He stated that if the Resolution did not pass, monies paid out by the City could not be reimbursed to the City.

Council Member Brandon asked why the City would need to be reimbursed. He stated that when the City acquired the bonds, the money would then go to the expense of the project. City Manager Chatwin explained that the bond had not as yet been acquired, but bills were now due. He indicated that money used to pay the current bills would not be paid back from acquired bonds. Council Member Brandon expressed his concern that money being paid back to the City would not be put into the General Fund. Mayor Scovill indicated that if the money were to be paid out of the General Fund, then it would be reimbursed to the General Fund or whatever fund it would have been paid out of. City Manager Chatwin remarked that there would need to be some kind of fund that earmarks the money for water use. He indicated that he would research and meet with outside financial advisers. Council Member Brandon indicated that he was not comfortable with the proposed Resolution and indicated that he would abstain. Mayor Scovill responded that a Council Member could vote against the Resolution. Council Member Brandon responded that he would not. Mayor Scovill commented that he did not feel comfortable with the vote of abstention. Legal Counsel Rich indicated that Council Member Brandon did not need grounds to abstain.

ROLL CALL VOTE

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

Resolution 03-02-2005 "A Resolution Initiating Proceedings to Establish a Special Service District"

Council Member Green moved to approve Resolution 03-0202005 "A Resolution Initiating Proceedings to Establish a Special Service District. Council Member Starley seconded the motion.

Council Member Starley commented that he thought the Council Members had approved the Special Service District in late fall last year. Legal Counsel Rich responded that the item had been discussed by never approved. Council Member Green added that this item was on the last Council agenda, but added that it had been tabled.

ROLL CALL VOTE

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

PETITIONS AND COMMUNICATIONS

Council Member Starley asked Legal Counsel Rich what connotes a Petition or Communication and who it would come from. Legal Counsel Rich responded that it would be unusual to have petitions before the Council Members, but one could be brought to the Council Members by citizens.

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager Chatwin

Update with regard to the Mosquito Abatement funds

City Manager Chatwin reported that he had left several messages for County Auditor, Kim Jackson. He reported that Mr. Jackson called this morning regarding the reimbursement for the Mormom Cricket Abatement funds paid by the City. Mr. Jackson asked if the City would accept a partial reimbursement. City Manager indicated that partial reimbursement was not acceptable.

He reported that Mr. Jackson's response was "okay." City Manager Chatwin reported that he would continue contact with Mr. Jackson for the full refund. Council Member Starley asked if the reimbursement would go back into the General Fund. Mayor Scovill indicated that the funds had been paid out of the General Fund and therefore would return to the General Fund.

Planning Commission

Planning Commissioner Vincent reported on the Planning Commission meeting of Thursday February 24, 2005 indicating that Conditional Use Permit renewal had been approved for Bennie Lee, Home Occupation Massage Therapy business and for Jenifer Robinson, a Day Care. He reported that The Homestead concept plan had also been approved.

Council Member Brandon indicated that the Planning Commission had approved recommendation of the Orchard Cove Park expansion property purchase.

Commissioner Vincent reported that the Commission had recommended approval of the Kester Tire Shop with suggestions regarding fencing.

Council Member Starley commented that Mayor Scovill had not received the letter of resignation from Commission Chairperson Michalek.

Commissioner Vincent reported that there would not be a Planning Commission meeting on March 10, 2005.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill

Discussion with regard to "Wasatch Choices 2004"

Mayor Scovill reported that there would be a meeting on March 18, 2005. He indicated that the cities would get together and discuss transportation needs between now and 2040. He encouraged the Council Members to attend. He indicated that Council Members interested in attending the meeting should RSVP as soon as possible. Council Members Green, Roberts and Starley indicated that they would attend.

Legal Counsel Rich was excused at 8:59 PM.

Council Member Roberts

Update on the Santaquin Canyon Debris Basin

Council Member Roberts reported that he had spoken to Clyde Naylor, the County employee over Public Works. He stated that Mr. Naylor recalled that the basin had been cleaned 3 or 4 times by the County. Council Member Roberts added that he has been trying to reach County employee Craig Searle, but did not as yet make contact. He reported that he had spoken to

the secretary for the County Commissioners, who suggested that Council Member Roberts that he request to be put on the County Commission agenda. He reported that the County Commissioners meet every Tuesday at 10:00 AM. He suggested Mayor Scovill attend the meeting regarding the cleaning of the debris basin. Mayor Scovill responded that he would not be available until after 11:00 AM on Tuesday because of a prior commitment. Council Member Roberts responded that he did not know the time frame for the meeting, but would research and get back to Mayor Scovill.

Discussion and possible action with regard to the Fireworks Contract

Council Member Roberts indicated that a faxed copy of the Fireworks Contract was available and reported that the total would be \$3,000 with \$1500 to be paid up front and the balance of \$1500 to be paid at the time of fireworks.

Council Member Brandon asked if the contract would be with a different company. Council Member Starley responded in the negative and reported that he had spoken to Mark Robbins who will run the fireworks at no charge.

Council Member Roberts reported that he had spoken to Mr. Robbins and their concern was that as the rodeo gets bigger and better, it would also run longer. He wondered if the fireworks should be held on a different day other than Saturday evening. He added that he thought the Saturday night fireworks would be a great way to end the rodeo and the City celebration. Mayor Scovill commented that the crowd would already be at the rodeo and it would be the conclusion of the Santaquin Days Celebration.

Council Member Green moved to approve the Fireworks Contract from Lantus Fireworks. Council Member Starley seconded the motion. The vote was unanimous.

Council Member Green asked for an update on the Miss Santaquin Pageant. Council Member Starley responded that there were 8 entrants for the Miss Santaquin Pageant that will be held April 1, 2005.

Council Member Roberts asked Council Member Starley for the booth charge for the Celebration participants. Council Member Starley reported that the charge depended on the type of booth was requested; food vs. non-food. Council Member Starley indicated that he would provide Council Member Green with all the information.

Council Member Starley asked Council Member Green if he would like to proceed with the Ice Cream Feast. Council Member Green deferred to Council Member Starley explaining that Council Member Starley had all the contact information.

Council Member Starley presented copies of the proposed street lights for the Main Street Enhancement project that had been passed by the committee. City Manager Chatwin reported that staff would be researching the total project cost for the different kinds of lights. He indicated that all the information would be presented to the Council Members for their decision.

Council Member Starley reported that Amanda Jones, Miss Santaquin Pageant Chairperson, had requested money be transferred from the funds to be used to repair the existing float, into the pageant scholarship fund. Council Member Brandon stated that there should be a float to

represent the City. Council Member Roberts agreed. The Council Members agreed that additional funds for the scholarship fund could be raised through donations. Mayor Scovill suggested Council Member Starley meet with Council Member Green regarding donations.

Council Member Brandon stated that he felt the City should continually watch developers who promise to do certain things, but don't. He understood that Summit Ridge would not be developing the golf course, which was part of the selling point of the project. He stated that the City should be concerned with what is being brought into the City and reiterated his concern for no Council representation at the Development Review Committee meetings.

Council Member Brandon reported that the Chamber of Commerce held a retreat recently and felt that the Chamber has brought issues to the City which was generally met with negativity. He stated that the Chamber of Commerce has done some good things for the Community and added that there needs to be a change in attitudes.

Council Member Brandon stated that the Council Members needed to be careful regarding the appointments made by Mayor Scovill without the Council Member's knowledge. He specifically addressed the way Council Meeting agendas are generated and the process of appointments. He expressed his concern regarding no Economic Development Committee. Council Member Brandon stated that he has only 10 months of his term and requested that the Council Members be careful with decisions made, i.e. water, money in lieu of, etc.

Council Member Brandon expressed his concern regarding the agenda which he felt could not be read through in the time allotted. He commented that he wondered why they were called Councilmen because they have not been asked for any counsel by Mayor Scovill. He stated that Mayor Scovill turns to the staff rather than the Council Members. Council Member Brandon stated that he felt pretty disturbed.

Council Member Green responded that the golf course at the Summit Ridge Development was under contract. Mayor Scovill added that it was also part of the Annexation Agreement. City Manager Chatwin stated that he had heard rumor also, but added that nothing has been brought to the City regarding the golf course. Mayor Scovill indicated that the City has legal obligations and the Summit Ridge Development has legal obligations. He indicated that if Summit Ridge Development wanted to make any changes, it would place the whole project on hold.

Council Member Starley asked Council Member Brandon who he had received his information from. Council Member Brandon responded that he would not comment. Council Member Starley asked is it was anyone with credibility. Council Member Brandon indicated that it was some who was real credible.

Council Member Brandon indicated that there was no date associated with completion of the golf course. City Manager Chatwin responded that the golf course was to be completed in 3 years. Mayor Scovill indicated that the completion date was tied to the bond issue made and stated that the bond did not go through.

Council Member Brandon indicted that the Conditions, Covenants and Restrictions associated with Summit Ridge had not been received. He stated that someone should have been present

at the meeting regarding the Summit Ridge project. Council Member Starley agreed and asked what Council Member was assigned to the Development Review Committee. City Manager Chatwin responded that the Development Review Committee basically reviews Ordinances, Codes, and technical aspects of a project. The project then goes before the Planning Commission for a look at a larger perspective. The project finally goes before the City Council who has the overall look at the project. He indicated it was the Mayor's prerogative to assign or not assign a Council Member to a position.

Mayor Scovill responded that he got the feeling that Council Member Brandon felt that Mayor Scovill was not doing anything right. He stated that he knew that there were members of City Council who wanted him to resign. He indicated that he spends hours and days trying to put things together and would like an explanation of why these Council Members would like his resignation. Mayor Scovill stated that he had no eggs to fry, no ambitions; he was only trying to help the City or the Council. Council Member Brandon responded that Mayor Scovill has Councilmen to rely on, stating that there were lots of meetings that Council Members had not been invited to. Mayor Scovill responded that he had no control over the Council Members. He indicated that the Council Members could attend any meeting they would like to be involved in. He stated he was not sure how to keep some of the Council Members involved. Council Member Brandon responded that he would be more than willing to sit in on any meeting, but he would need to be invited. Mayor Scovill invited the Council Members to attend a meeting at Payson Junior High School on March 8th at 6:30 PM. Council Member Roberts stated that his work schedule is one week on and one week off and indicated that he would bring his year schedule to Mayor Scovill. Mayor Scovill responded that he could not get Council Member Roberts to return any of his calls and stated that he has left messages on Council Member Roberts' phone. Council Member Roberts stated that he had not received any calls from Mayor Scovill for the past 5 months.

Mayor Scovill called for a motion to adjourn.

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 9:47 PM, Council Member Brandon moved to adjourn. Council Member Roberts seconded the motion. The vote was unanimous.

Approved on March 16, 2005.


A. LaDue Scovill, Mayor


Darlene L. Gray, Deputy Recorder