

NOTICE AND AGENDA

AMENDED 01-03-05

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, January 5, 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 December 15, 2004
 - b. Bills -\$280,994.49
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. Public comment with regard to the Transportation Enhancement Funds Proposal (pedestrian/bike path along Highland Drive and Canyon Road)
6. **FORMAL PUBLIC HEARINGS**
 - a. Public Hearing cancelled (The Oak View Hills Annexation Public Hearing was held on October 6, 2004)
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**
 - a. Approval of the proposed Holman Single Lot Split
 - b. Presentation by the City Planner pertaining to Zoning and Re-zoning Policies and Procedures
 - c. Acceptance of the 2005 Council Meeting, Work Session, and Joint Work Session schedule
 - d. Formal approval to move forward with the Transportation Enhancement Application
 - e. Ratification of the authorization for Mayor Scovill to sign the Spillman Technology for the Department of Public Safety
 - f. Discussion with regard to the Restaurant Tax Money Distribution
 - g. Discussion and possible action with regard to Infant Burials within the Cemetery
 - h. Discussion with regard to the Council Member assignments
 - i. Approval of the Oak View Hill Annexation and Development Agreement
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**
 - a. Ordinance 01-01-2005 "Ordinance accepting the Oak View Hills Annexation"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
 - a. Planning Commission
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
 - a. Mayor Scovill
 1. Discussion with regard to the Stockholders meeting of the Summit Creek Irrigation and Canal Company
 - b. City Manager Chatwin
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 (01-03-05, 1647)

Susan B. Farnsworth, City Recorder

TESTED:

CITY CENTER
POST OFFICE
ZIONS BANK

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
JANUARY 5, 2005**

Mayor A. LaDue Scovill called the meeting to order at 7:03 P.M. Council Members attending: Todd Starley, Martin Green, Wesley Morgan, and Dennis Brandon. Tracy Roberts was excused.

Others attending: City Manager Stefan Chatwin, City Planner Jim Bolser, Administrative Assistant Shannon Hoffman, Police Chief Dennis Howard, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Utah County Sheriff Jim Tracy, Jack Jarvis, Kathryn Holman, Kent Barlow, Rex Bean, Mr. Wilson, Jim Linford, Marie Durney, Mr. Elder, Rick Steele, Byron Bastian, Gregg Magleby, Jessie Conway, Darcy Heaps, Judy Vincent, Brent Vincent, Dennis Haskell, David Anderson, Guenn Adare, Delaine Jacques, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Starley led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Council Member Morgan offered an Invocation.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on December 15, 2004

Bills - \$280,994.49

Council Member Starley moved to approve the Consent Agenda. Council Member Green seconded the motion. Council Member Morgan reviewed requested changes to the minutes of the December 15th meeting along with asking questions with regard to payment of the bills. After the discussion, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Public comment with regard to the Transportation Enhancement Funds Proposal (Pedestrian/bike path along Highland Drive and Canyon Road)

Ms. Hoffman reviewed the proposed Transportation Enhancement Plan with those in attendance. She indicated the project area would be along Highland Drive from Main Street to Canyon Road. At Canyon Road, the project would continue South to the existing Pedestrian/bike path and North along Canyon Road to the North side of the overpass. The proposed plan exists of a 10' Pedestrian/bike path, lighting, landscaping and an elevated Pedestrian/bike structure located under the Center Street overpass. Ms. Hoffman reported the new project would be a continuation of the Main Street Enhancement Project, which includes an elevated sidewalk under the Main Street overpass.

Ms. Heaps reported it is currently difficult to see traffic when exiting the freeway from either North or South bound. She questioned if the proposed elevated sidewalk would further hinder the view. Ms. Hoffman reported the slope protection will be cut back and a retaining wall installed which will increase visibility. Mr. Linford questioned what Pedestrian safety precautions would be installed. Ms. Hoffman indicated the proposed plans include fencing along the raised walkway similar to the structure located in Mesquite, Nevada. Mr. Bean questioned what the source of funding would be and what would be the obligations of the proposed grant. He was told that the City's obligation would be 20% of the awarded grant. The City would be allowed to meet the 20% obligation by having the Employees complete some of the required work. Mrs. Durney wondered if there were plans currently in place for the children from her area of town to get to the new school. She was told this proposed project didn't include this particular area. Ms. Hoffman indicated that was one

of the reasons this particular project was proposed. Mr. Linford was told the estimated cost of the project is \$625,000. Mr. Linford along with Ms. Heaps indicated they supported the proposed project. There were no other Public comments.

Mrs. Durney addressed those in attendance (see attachment "A" for Her comments).

Mr. Barlow also addressed those in attendance with regard to Oak View Estates Annexation (see attachment "B" for His comments).

Mr. Steele indicated he had questions and concerns with regard to the same annexation. He wondered if an outside Engineering Firm has reviewed the proposed annexation. Delaine Jacques commented that the State Engineer did review water issues pertaining to the proposed annexation and quantified the plans to resolve the issues.

Mr. Linford reported he had questions and concerns with regard to the Conditions, Covenants, & Restrictions of the proposed Oak View Hills Annexation. He indicated they looked good on paper, but the City would not be enforcing them. Mr. Linford was told that the Developer along with a Committee of Individuals within the area of the subdivision would act as enforcers. Mr. Linford questioned how the enforcement mechanism would be put in place? He was told that would be at the discretion of Mr. Bastian. Mr. Bean questioned why someone should be allowed to dictate what another could do on their own property. Mayor Scovill invited Mr. Linford to visit with Mr. Bastian in order to resolve his concerns.

FORMAL PUBLIC HEARINGS

Public Hearing cancelled (The Oak View Hills Annexation Public Hearing was held on October 6, 2004)

UNFINISHED BUSINESS

Nothing

NEW BUSINESS

MOVED TO ITEM "E"

Revocation of the authorization for Mayor Scovill to sign the Spillman Technology for the Department of Public Safety

Chief Howard indicated that after the 9/11 Terrorist attack, a Committee was formed to research issues of the event. It was found that the inability to communicate, one Emergency Service or Agency, with one another, was a major issue. This finding prompted Homeland Security to make available funds to assist with correcting this fault. The Committee set goals, which included a uniform reporting system. Through a process of elimination, it was found that Spillman Technology has such a system which would meet the needs of the Police Agencies within Utah County. All information within the system would be protected and only available to those in need of accessing the information. Council Member Starley questioned how Chief Howard proposed to fund the system. Chief Howard reported that currently the City is being assessed a fee (approximately \$5.00 per call) each time Dispatch is contacted. With the implementation of the proposed system, this fee would be eliminated. The proposed system would require funding at the City level of approximately \$9,000 per year which is a lesser amount than currently being paid to Utah County for services. Sheriff Tracy reported that any requests for information, by anyone other than those with accessing privileges, would be subject to the GRAMA Laws requirements. Chief Howard indicated the data could be accessed by remote (car) or by desktop. The Police

Department already has the required hardware to run the proposed system. Council Member Starley questioned how the protected information is obtained. He was told that, for example, at the time of a traffic stop, the Officer would be required to enter certain information into a data log. The entry would then be filed with the information becoming a part of the permanent record of that Individual. Archiving of the information would be the responsibility Central Dispatch and stored in a secure place. Mr. Bean wondered how the leap from Homeland Security to Law Enforcement was made. He was told that the charge of Law Enforcement is to protect. It was reported that recently there were 13 different situations, within Utah County, that classified as terrorist events. When asked, Sheriff Tracy indicated that an Individual's information would only be expunged from the system by a court order.

Council Member Green moved to ratify the authorization of Mayor Scovill to sign the Spillman Technology Contract. Council Member Morgan seconded the motion. Council Members Green, Morgan, and Brandon voted in favor of the motion. Council Member Starley voted against.

MOVE TO ITEM "D"***Formal approval to move forward with the Transportation Enhancement Application***

Council Member Green moved to give formal approve to move forward with the Transportation Enhancement Application. Council Member Morgan seconded the motion. Council Member Starley questioned what the financial obligation of the City would be. Ms. Hoffman indicated the match would be approximately \$120,000 with the City Employees being allowed to perform a portion of the work which would decrease the out-of-pocket expense. Council Members Green, Morgan, and Brandon voted in favor of the motion. Council Member Starley voted against the motion.

Approval of the proposed Holman Single Lot Split

Council Member Brandon moved to approve the Holman Single Lot Split. Council Member Green seconded the motion. Council Member Morgan indicated he was not clear as to what is proposed to be split. Ms. Holman indicated the proposed split included a property on the east of her existing home, which faces 400 North. The Planning Commission has reviewed the proposed split which was found to meet all the City requirements. After the discussion the vote was unanimous.

Presentation by the City Planner pertaining to Zoning and Re-zoning Policies and Procedures

City Planner Bolser presented a summary of the lot size and frontage requirements for R-10, R-12, and R-15 Zones. He then showed maps of lots near the proposed Oak View Hill Annexation, indicating which lots had dimensions that would meet the requirements of the zones R-20, R-12, and R-15. Upon review of the R-10 Zone, it was found that there were 7 properties that didn't meet the 100' Frontage requirements required for the R12 upgrade (see attachment "C").

Ms. Vincent indicated her property was large enough to meet the zoning requirements of the R-15 and would like to be rezone to that level.

Mayor Scovill indicated the property owners could petition the City to have the zoning changed. Anyone interested in applying for rezoning can contact the Community Development Department for the information.

Acceptance of the 2005 Council Meeting, Work Session, and Joint Work Session schedule

Council Member Brandon to approve the proposed schedule of the 2005 Council Meeting, Work Session, and Joint Work Session. Council Member Starley seconded the motion.

Council Member Brandon amended the motion to the following meeting schedule: Council Meeting will be held on the 1st and 3rd Wednesday of each month with Council Work Sessions being scheduled as needed. Council Member Starley seconded the amendment. After the discussion, the vote was unanimous.

Discussion with regard to the Restaurant Tax Money Distribution

Mayor Scovill reported that the County Commissioner have determined that \$150,000 will be available to distribute to the municipalities for funding Recreational Facility projects. Santaquin City is eligible for 2.96% of the accumulated amount, which would amount to approximately \$4,442.29. Mayor Scovill indicated the Council Members would need to choose a project before the monies could be applied for.

Discussion and possible action with regard to Infant Burials within the Cemetery

Council Member Morgan reviewed the current regulation pertaining to Infant Burials within the Cemetery. Council Member Morgan along with City Treasurer Thomas are proposing to dedicate a particular section of the Cemetery to accommodate ½ lot sizes with ½ of the required fees. Council Member Brandon raised the issue of Cremation burial. Council Member Morgan indicated he would be in favor of including Cremations within this section. Council Member Starley indicated he is in favor of the idea, and requested that the Infant Burial Site not be called Baby land.

Council Member Brandon moved to accept the concepts of ½ lots along with ½ fees, within a certain section of the Cemetery. Council Member seconded the motion. The Vote was unanimous. It was agreed that the Staff would workout the details and report back to the Council.

MOVED TO ITEM "I"***Approval of the Oak View Hill Annexation and Development Agreement***

Mayor Scovill called for a motion to approve the Oak View Hills Annexation and Development Agreement.

Council Member Morgan moved to table the Oak View Hills Annexation and Development Agreement. Council Member Brandon seconded the motion. The vote was unanimous.

Mayor Scovill indicated a work session will be scheduled to discuss Oak View Hills Annexation issues.

Discussion with regard to the Council Member assignments

A discussion was held with regard to the proposed Council Member assignments. Mayor Scovill requested the Council Members review his suggestions and a final decision will be made at a later date.

BUSINESS LICENSES

Council Member Brandon moved to approve a new Business License for Sage Hintze DBA Sage and Son's Construction. Council Member Green seconded the motion. The vote was unanimous.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 01-01-2005 "Ordinance accepting the Oak View Hills Annexation"

Council Member Brandon moved to table Ordinance 01-01-2005. Council Member Starley seconded the motion. The motion was unanimous.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

Mr. Vincent questioned if the Planning Commission would be invited to the Work Session with regard to the Oak View Hills Annexation. He was told that as soon as the Work Session was scheduled, the Commissioners would be notified.

Mayor Scovill indicated Rex Bean submitted a letter of interest, also one is forthcoming from Chris Michalek, to extend their tenure on the Planning Commission. Mayor Scovill indicated the Planning Commission appointed Chris Michalek as the Chair with Rex Bean being appointed as Deputy Chair.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill

Discussion with regard to the Stockholders meeting of the Summit Creek Irrigation and Canal Company

Mayor Scovill and the Council Members were in agreement to authorize Council Member Brandon to vote the City's Shares of the Summit Creek Irrigation and Canal Company stocks at the upcoming Share Holders Meeting. Mr. Brandon will report on the meeting at a later date.

City Manager Chatwin

Nothing

Council Member Starley reported he was in favor of the trail proposal along Highland Drive. The reason he voted against the project was because the Highland Dr. road is in need of being widened. He was told that the issues of the road improvements were taken into consideration when the project plans were drafted. Council Member Starley questioned how close to I-15 should the trail be placed. He was told there will be all necessary safety precautions taken.

Council Member Starley met with the Director of the Miss Santaquin Pageant with regard to including a swimsuit event in the pageant. The Pageant Director wants the swim event to part of the Public Pageant. Mr. Haskell reported a swimsuit event was included in the pageant this past year. It was held behind closed doors and not as part of the pageant "show".

Council Member Starley questioned if there was any progress with the issue of the City Logo. He indicated he will meet with Council Member Brandon to discuss his logo idea.

Council Member Starley asked as to why the Developers of Oak View Hills Annexation were being required to install all curb, gutter, and sidewalk at one time. City Planner Bolser indicated the City Code requires all infrastructure to be installed before building permits are issued.

Council Member Morgan questioned the Oak View Hills Annexation Agreement called out an incorrect street number identifying a particular street to be extended to the East. He was told that the numbering was correct.

Council Member Brandon reported he had a call from a concerned Citizen with regard to a older trailer that was moved into the Davis Trailer Park. City Planner Bolser indicated there were regulations with regard to the kinds and sizes of trailers allowed. City Staff will investigate this issue.

Council Member Morgan indicated there were also trailers without skirting and requested that issue be addressed also.

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

Nothing

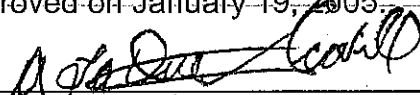
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

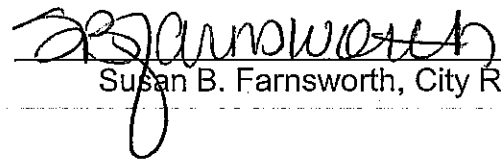
Nothing

ADJOURNMENT

At 9:50 P.M. Council Member Starley moved to adjourn. Council Member Green seconded the motion. The Vote was unanimous.

Approved on January 19, 2005.


A. LaDue Scovill, Mayor


Susan B. Farnsworth, City Recorder