

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, October 6, 2004, in the Council Chambers, 45 West 100 South, at 7:00 P.M.

### AGENDA

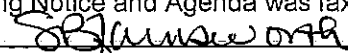
1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVOCATION/INSPIRATIONAL THOUGHT
4. CONSENT AGENDA
  - a. Approval of the minutes
    1. Approval of the minutes of a Regular Meeting held on September 15, 2004 and a Special Meeting held on September 22
  - b. Bills -\$203,700.48
5. PUBLIC FORUM, BID OPENINGS, 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 proposed Beer Handlers Ordinance
  - b. Public Hearing with regard to the proposed Subdivision Platting and Utility Requirements Ordinance
  - c. Public Hearing with regard to the CDBG Small Cities Program for Program year 2005-2006
  - d. Public Hearing with regard to the proposed Oak View Hills Annexation
7. UNFINISHED BUSINESS
8. NEW BUSINESS
  - a. Final Approval of the Apple Cove Subdivision Plat "B"
  - b. Discussion and possible action with regard to Santaquin City participating in the North Santaquin Orchards S.I.D
9. BUSINESS LICENSES
10. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS
  - a. Ordinance 10-01-2004 "An Ordinance Amending The Santaquin City Code Providing for the establishment of a Beer Handler's Ordinance"
  - b. Ordinance 10-02-2004 "An Ordinance Amending The Santaquin City Code Providing For Amendments To Subdivision Platting And Utility Requirements"
  - c. Resolution 10-04-2004 "A Resolution Declaring The Intention Of The City Council Of Santaquin City, Utah County, State Of Utah, To Construct Improvements Within Said City Consisting Of Sewer, Water And Pressurized Irrigation Improvements, Land Acquisition For Construction Of A Municipal Park And Other Miscellaneous Improvements; To Create The Santaquin City, Utah Special Improvement District No. 2004-1; To Defray The Cost And Expenses Of Said Improvement District By Special Assessments To Be Levied Against The Property Benefited By Such Improvements; To Provide Notice Of Intention To Authorize Such Improvements And To Fix A Time And Place For Protests Against Such Improvements Or The Creation Of Said District; To Fund A Reserve Fund; To Declare Its Official Intent To Reimburse Itself For Expenditures Paid By It Prior To The Sale Of Bonds; And Related Matters"
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
  - b. City Council Member Roberts-update on the County Equestrian Park
  - c. 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

I, 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.

  
Susan B. Farnsworth, City Recorder

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

**CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
OCTOBER 6, 2004**

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

Others attending: City Manager Stefan Chatwin, City Planner Jim Bolser, Administrative Assistant Shannon Hoffman, Fire Chief Shayne Bott, Ambulance Director Paul Terry, City Engineer Shon Fullmer, Tom Peterson, Douglas Weight, LEI Representatives Jesse Conway and Greg Magleby, Bill Ferguson and Utah County Representative Pat Bird.

**PLEDGE OF ALLEGIANCE**

Council Member Starley led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Chief Bott offered a Word of Prayer.

**CONSENT AGENDA**

***Approval of the minutes***

Approval of the minutes of a Regular Meeting held on September 15, 2004 and a Special Meeting held on September 22

***Bills -\$203,700.48***

Council Member Morgan moved to approve the Consent Agenda. Council Member Brandon seconded the motion. Council Member Morgan, Brandon and Starley had questions with regard to payment of the bills and requested corrections to the minutes. After the discussion, the vote was unanimous.

**PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Nothing

**FORMAL PUBLIC HEARINGS**

***Public Hearing with regard to the proposed Beer Handlers Ordinance***

Council Member Green moved to enter into a Public Hearing with regard to the proposed Beer Handlers Ordinance. Council Member Morgan seconded the motion. Legal Council Rich indicated the requested corrections had been made. The vote was unanimous.

There were no Public comments or questions.

Council Member Green moved to close the Public Hearing. Council Member Starley seconded the motion. The vote was unanimous.

***Public Hearing with regard to the proposed Subdivision Platting and Utility Requirements Ordinance***

Council Member Brandon moved to enter into a Public Hearing with regard to the proposed Subdivision Platting and Utility Requirements Ordinance. Council Member Starley seconded the motion. The vote was unanimous.

Council Member Morgan indicated he had questions with regard to the proposed Ordinance. He was told the Planning Commission and Council Members would be holding a Work Session to review the proposed Ordinance.

There were no Public comments or questions.

Council Member Starley moved to close the Public Hearing. Council Member Brandon seconded the motion. The vote was unanimous.

***Public Hearing with regard to the CDBG Small Cities Program for Program Year 2005-2006***

Council Member Morgan moved to enter into a Public Hearing with regard to the proposed CDBG Small Cities Program for Program Year 2005-2006. Council Member Brandon seconded the motion. The vote was unanimous.

Ms. Hoffman opened the Public Hearing for the CDBG Program by stated that this hearing is being called to allow the citizens an opportunity to make suggestions regarding what type of projects they would like the City to consider for funding under the 2005/2006 Community Development Block Grant Program. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. Mountainland Association of Governments (MAG), in which Santaquin City is a member, is expecting to receive approximately \$1.5 Million in this new program year. These funds are distributed between Utah, Summit and Wasatch Counties. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interest persons can review it at any time. Ms. Hoffman then read several of the eligible activities listed including, construction of public works and facilities, ie: water and sewer lines, fire stations, acquisition of real property, provision of public services like food banks, homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons. The program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons. Ms. Hoffman listed some of the projects that Santaquin has done in the past with CDBG funds. They projects included; construction of the new City Library, installation of 26 new fire hydrants within the core area of the City, purchase of a new fire truck, installation of water lines, purchase of property for a new well, an addition to the Senior's Citizen Center, and development of a spring in Santaquin Canyon. Ms. Hoffman indicated that Santaquin City has received approximately \$1.5 million dollars since 1984 through the CDBG Program.

City Council Member Green questioned if the City had looked at any other projects that could be funded by this grant. Ms. Hoffman explained that the City has handed in its new capital improvements plan to MAG as part of the Regional Consolidated Plan. This list shows which projects the City has identified as being needed in the Community. Any project, which funding is applied for, must be on this list.

Ms. Hoffman asked that anyone with questions, comments, or suggestions during the hearing please identify themselves by name, before they speak. The Recorder will include your names in the minutes and the Council would like to specifically respond to your question and suggestions during the Hearing.

Council Member Starley questioned where the grant monies that were distributed by MAG came from and if the monies were actually tax dollars. Ms. Hoffman indicated that HUD Program, which is where the monies come from, is a federally funded program and confirmed that the monies were tax dollars.

The Mayor and Council were told that Ms. Hoffman would be the person who would complete the application for the grant.

Council Member Brandon asked if the money could be used for subsidizing of the pressurized irrigation system. Ms. Hoffman didn't know the answer to that question but she will do some research.

Chief Bott and Director Terry indicated they would like to see the city apply for an additional year of funding for the new Public Safety Facility. Council Member Starley questioned if there is a formula associated with Fire and EMT coverage per Resident. Chief Bott indicated both departments have adequate Volunteers at this time. However, the need for Volunteers increases with the increase of roof tops and population. Chief Bott indicated that upon build out of the Summit Ridge a Satellite Station may be needed.

Council Member Brandon, with a second from Council Member Starley, thanked the volunteers for their willingness and their efforts to serve the Citizens of Santaquin.

There were no Public questions or comment.

Council Member Brandon moved to close the Public Hearing. Council Member Starley seconded the motion. The vote was unanimous.

***Public Hearing with regard to the proposed Oak View Hills Annexation***

Council Member Morgan moved to enter into a Public Hearing with regard to the proposed Oak View Hills Annexation. Council Member Brandon seconded the motion. The vote was unanimous. Council Member Roberts was out of the room at the time of the vote.

City Recorder Farnsworth indicated that State Statue addressing Annexations includes a timeline which begins at the time the Annexation Petition is accepted by the Council. The Public Hearing is the last step to be completed within that timeline. A time period is not assessed to the actual adoption of the proposed annexation.

Council Member Roberts returned to meeting.

Council Member Morgan asked City Planner Bolser to express the concerns that the Planning Commission had with the proposed annexation, as it had been tabled at their last meeting. City Planner Bolser indicated traffic and water pressure were some of the concerns.

Legal Council Rich indicated the Planning Commission would be addressing City Code not State Statue.

Council Member Starley indicated he had a concern with increased traffic flow and would encourage the Planning Commission along with any additional Committees to review the Master Roads Plan before allowing development.

Council Member Green question when the zoning in that area was changed from R12 and R15 to the current R10. Council Member Green indicated there were R12 and R15 in that area. City Planner Bolser indicated the R10 and R15 areas do not border the proposed annexation. When

applying for annexation a zoning request may be made. The City's Master Plan would address the zoning of any newly annexed property with the Council Members having the final voice.

Council Member Roberts questioned if the property is located above the water service level. He was told that Developer Mike Carter is required to install an additional water line, which would raise the service level within that area of the City.

There were no Public comments or questions.

Council Member Starley moved to close the Public Hearing. Council Member Morgan seconded the motion. The vote was unanimous.

### **UNFINISHED BUSINESS**

Nothing

### **NEW BUSINESS**

#### ***Final Approval of the Apple Cove Subdivision Plat "B"***

Council Member Morgan moved to approve the Final Plat for the Apple Cove Subdivision Plat "B". Council Member Roberts seconded the motion.

Council Member Morgan indicated it would be helpful if the surrounding area would be included on the Subdivision Map. Council Member Morgan questioned if the area to the West of the proposed development is sufficient enough to build on. City Planner Bolser indicated this area is included in Plat "C" of this subdivision, which has not been reviewed. The question was asked why cul-d-sacs were being allowed in the proposed subdivision when through streets would be more desirable. City Planner Bolser reported that the railroad tracks alignment was taken into consideration when the cul-d-sacs were approved.

City Engineer indicated that Plat "A" included a temporary turn-around on 720 North. This turn-around will be used for Emergency Vehicles until additional Westerly development is completed and 720 North roadway extended to the West.

The Developers will be required to improve and pave ½ plus 10 feet of the 350 West road.

Mr. Peterson indicated a combination of Summit Creek Water Shares and money in lieu of water has been received by the City for the entire Apple Cove project.

After the discussion the vote was unanimous.

#### ***Discussion and possible action with regard to Santaquin City participating in the North Santaquin Orchards S.I.D***

Mayor Scovill indicated he would like combine items 8B and 10C as they address the same matter items.

***Resolution 10-04-2004 "A Resolution Declaring The Intention Of The City Council Of Santaquin City, Utah County, State Of Utah, To Construct Improvements Within Said City Consisting Of Sewer, Water And Pressurized Irrigation Improvements, Land Acquisition For Construction Of A Municipal Park And Other Miscellaneous Improvements; To Create The Santaquin City, Utah Special Improvement District No.***

***2004-1; To Defray The Cost And Expenses Of Said Improvement District By Special Assessments To Be Levied Against The Property Benefited By Such Improvements; To Provide Notice Of Intention To Authorize Such Improvements And To Fix A Time And Place For Protests Against Such Improvements Or The Creation Of Said District; To Fund A Reserve Fund; To Declare Its Official Intent To Reimburse Itself For Expenditures Paid By It Prior To The Sale Of Bonds; And Related Matters"***

Council Member Brandon moved to combine items 8B and 10C and approve Resolution 10-04-2004. Council Member Green seconded the motion.

Council Member Starley questioned if non-petitioners of the annexation would be affected by creation of the S.I.D. The Council Members were reminded that the Resolution is an Notice of Intent only, not actually approval of the S.I.D. If the Council Members approve the Resolution, a protest period will begin and the non-petitioners will be allowed to make a protest if they so choose. Council Member Green wondered what happened to the protests if there were any. The Mayor and Council were told the protests would need to be sent to the City and would be presented and considered at the S.I.D. Public Hearing. Council Member Roberts questioned why the Council would want to create a tax burden for the Property Owners. Mayor Scovill indicated the Property Owners have requested the S.I.D. be formed. Council Member Brandon indicated he sees the principle of a S.I.D. the same as going to the bank for a loan. Legal Council Rich indicated the correct dates have been inserted throughout the document.

After the discussion the vote was unanimous.

## **BUSINESS LICENSES**

Nothing

## **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

***Ordinance 10-01-2004 "An Ordinance Amending The Santaquin City Code Providing for the establishment of a Beer Handler's Ordinance"***

Council Member Roberts moved table the Ordinance due to just receiving the revised version and not having time to review it. Council Member Starley seconded the motion. Council Members Starley and Roberts voted in favor of the motion. Council Members Brandon, Morgan, and Green voted against the motion.

Council Member Morgan moved to approve Ordinance 10-01-2004. Council Member Green seconded the motion. Mayor Scovill reminded the Council Members they requested changes to the proposed Ordinance, which Legal Counsel Rich made and reviewed with them. Council Member Brandon indicated he has spoken with a number of Individuals who felt this proposed Ordinance would require additional licensing and would allow more government involvement in their establishments. Council Member Morgan indicated he approves of Ordinance and doesn't see the harm of additional training associated with the sale of alcohol (beer). Mr. Bird indicated the training would be at no expense to the Business Owner and could be completed at the place of business. Mr. Bird indicated that any training would be beneficial to the Business Owner along with helping to keep alcohol out of the hands of under age individuals. Mr. Bird reported that the County had conducted an undercover buy operation with one of the three businesses in town selling beer to an underage individual. Council Member Starley said he felt the proposed

Ordinance is to long. Legal Counsel Rich indicated the current Ordinance needed clarification so the clarifications are included in the proposed Ordinance.

After the changes were reviewed and the discussion held, Council Members Green, and Morgan voted in favor of the motion. Council Members Roberts, Starley, and Brandon voted against the motion.

***Ordinance 10-02-2004 "An Ordinance Amending the Santaquin City Code Providing For Amendments to Subdivision Plating And Utility Requirements"***

Council Member Green moved to table Ordinance 10-02-2004. Council Member Roberts seconded the motion. The vote was unanimous.

**PETITIONS AND COMMUNICATIONS**

Nothing

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

***Planning Commission***

City Planner Bolser reported the Planning Commission has reviewed the proposed Oak View Hills Annexation. The Commissioners have a number of questions with regard to water, traffic and zoning which will be addressed at a later Commission Meeting.

City Planner Bolser reported that Mountainland Association of Governments (MAG.) will hold a Transportation and Community Planning Open House on Wednesday, October 13. The Mayor, Council Members and Public are invited to attend.

Council Member Morgan asked the disposition of the Signage Ordinance. Signage issues will be addressed at a Work Session.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

***Mayor Scovill***

Nothing

***City Council Member Roberts-update on the County Equestrian Park***

Council Member Robert indicated additional information is not available at this time. When information is available, it will be shared with the Mayor and Council.

Council Member Green reported he will be out of town next week and is in need of a copy of the proposed Master Plan. City Planner Bolser will provide the needed draft.

Council Member Starley indicated he had been working with Employee Stevenson with regard to the Eastside Park issues. Council Member Starley proposed drafting a letter to the residents of the Eastside outlining the issues of the construction of the park. Mayor Scovill recommended Council Member Starley finalize the letter to the residents and submit it for the City Manager's review.

Council Member Morgan questioned if the proposed Neighborhood Information Meeting was held with the residents of the Eastside. It was reported that only one Resident attended.

Council Member Morgan indicated the weeds have been removed on City Property at approximately 400 North and 200 East, however now there is a private trailer parked on the property. Appropriate action will be taken.

***City Manager Chatwin***

City Manager Chatwin reported if the Council Members votes against an Ordinance, the Staff will not continue to work on the proposed Ordinance unless advised by the Council. He requested that if staff is asked by the Council to revise an existing Ordinance that it has the backing of at least three Council Members so the staff is not wasting time on a dead issue.

Council Member Starley would like to have additional training on S.I.D's. City Manager Chatwin proposed having quarterly training sessions. The Council Members were in favor of the proposal.

**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)

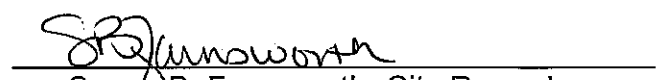
Nothing

**ADJOURNMENT**

At 10:30 P.M. Council Member Green moved to adjourn. Council Member Starley seconded the motion. The vote was unanimous.

Approved on October 20, 2004.

  
A. LaDue Scovill, Mayor

  
Susan B. Farnsworth, City Recorder



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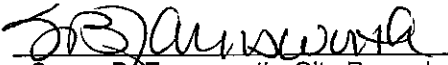
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    1. Approval of the minutes of a Regular Meeting held on October 6, 2004
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**Public Forum will be held to a 30 minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement**
6. FORMAL PUBLIC HEARINGS
7. UNFINISHED BUSINESS
8. NEW BUSINESS
  - a. Discussion and possible action of the SCADA System
  - b. Discussion and possible action with regard to 200 East issues
9. BUSINESS LICENSES
10. INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS
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 and possible action with regard to extension of the Utility Waiver for Active Military Members
  - b. Council Member Brandon
    1. Light Parade (see memo)
  - c. City Manager Chatwin
14. EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)
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### 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