

**CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
OCTOBER 20, 2004**

At approximately 7:04 P.M. Mayor Scovill called the meeting to order. Council Members attending: Todd Starley, Wes Morgan, and Dennis Brandon.

Council Member Starley indicated that Council Member Roberts contacted him and indicated that he would not be able to attend the meeting. Council Member Brandon reported that Council Member Green was caught in traffic and would be tardy. Mayor Scovill reported that City Manager Chatwin would be excused and asked that all excused be noted in the minutes.

Others attending: City Engineer Fullmer, Public Works Superintendent Barnes, Caleb Warnock (Daily Herald Representative), Aqua Engineering Bruce Ward, SKM Representative Ryan Pack, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Mr. Warnock led the Pledge of Allegiance.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. Barnes offered an Inspiration thought.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on October 6, 2004.

Bills -\$83,832.23

Council Member Brandon moved to approve the Consent Agenda. Council Member Morgan seconded the motion. Council Member Morgan questioned the purchase of the grooming equipment. Council Member Starley commented that he was surprised to see that the item had already been paid for. After the discussion, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Nothing

NEW BUSINESS

Discussion and possible action with regard to the SCADA System

Mayor Scovill indicated that he has sent City Engineer Fullmer on an errand to the eastside and would hold this item until he returns.

Discussion and possible action with regard to 200 East issues

Mayor Scovill indicated that there had been discussion regarding 200 East north of 400 North. He reported that the road would be re-done from the new Church to 400 North. He suggested that the project would be broken into two parts, the first being the installation of the curb, gutter and sidewalk along the west side from the 400 North intersection to the existing sidewalk. He stated that the road work would be done next spring because it was too late in the

year. Council Member Brandon asked if the funds would be obtained from impact fee monies. Mayor Scovill responded in the negative. Council Member Morgan questioned why the curb and gutter work would be completed now because there would be a strip of dirt between the curb, gutter and sidewalk and the road in the Topham's front lawn. He added that the pavement is breaking down daily. Mayor Scovill responded that it was too late in the season for someone to bid and complete the project. Council Member Morgan asked what benefit there would be to do part of the project now when it could be done cheaper to do as one job. Mayor Scovill stated that the property had already been surveyed and staked. Council Member Morgan commented that he would not want the City appear foolish to the citizens by doing the curb, gutter and sidewalk first without a road in place. Council Member Brandon commented that metal stakes could be used to keep the survey markings, and then the whole project could be completed in the spring. Mayor Scovill indicated that he and City Engineer Fullmer had discussed doing the project as a whole and stated that if the road is done now, it would have to be dug up in the spring to install the Pressurized Irrigation System (PI). Council Member Brandon commented that the only benefit to doing the sidewalk now, would be for pedestrian use. Council Member Morgan agreed with the sidewalk being a plus for pedestrian use, but asked if gravel could be placed temporarily between the sidewalk and the existing road.

Engineer Fullmer presented a breakdown of the project cost to the Council Members (Attachment 1 & 2). He explained that the PI would have to be installed in the middle of the road and that the asphalt paving must be done when the temperature must be above 50 degrees during the day. Council Member Brandon inquired where the funds would come from. Engineer Fullmer stated that \$24,000 had been received from the Church and remaining funds would come from the roads department.

Council Member Green arrived at 7:24 PM.

Mayor Scovill stated that his recommendation would be to proceed to install the curb, gutter and sidewalk and the PI pipeline with road base and gravel for the width to the present oil road and gravel the rest of the road until spring. He added that sealed bids would be accepted for both projects to be separated; concrete work and asphalt work.

Without further discussion, Council Member Green moved to accept the proposal to repair 200 East as stated in the two estimates submitted by City Engineer Fullmer with the understanding that there will be a drive-able surface if asphaltting cannot be completed before the change in weather. Council Member Starley seconded the motion with a unanimous vote.

Discussion and possible action with regard to the SCADA System

Engineer Fullmer reported that Mayor Scovill asked him to check the storm retention pond on the eastside. He reported that a small amount of water was coming out of the canyon and had not as yet reached the retention pond. He reported that most of pond had been cleaned out last week. He stated that there is water in the pond due to the runoff from the subdivision. Council Member Starley asked if the water were clear or muddy. Engineer Fullmer responded that he could not tell in dark, but it appeared that most of the water was clear. He also reported that there was no puddling in front of Mr. Dan Olsen's home. He reported, however, that there were large piles of gravel in the road at that location. He reported that the sumps in the area had been cleaned out

and that the gravel should not be left in the road to run into the sumps. Council Member Green reported that the piles of gravel belong to Mr. Evan Davis who is doing some work in his yard.

Mayor Scovill reported that Mr. Davis has been notified regarding the removal of the gravel from the City streets.

Mayor Scovill asked if there were any questions regarding the SCADA System. Council Member Morgan asked if Engineer Fullmer intended to do the installation of the SCADA System in phases. Engineer Fullmer responded in the affirmative and indicated that upon approval of the Council Members, he would like to begin with the design phase of the project. He added that he would like to do the water and sewer concurrently. Council Member Green asked where the \$130,000 would come from. Engineer Fullmer indicated that the funds would be obtained from the water and sewer impact fees. He added that he would like to have approval for SKM to design the project. He reported that the designing would take approximately 1 to 1 ½ month and then the project could be put out to bid for the to installation. He stated that this would be a very good winter project because it would not require digging up any streets.

Council Member Brandon asked if the system would be capable of handling the PI system. Engineer Fullmer responded in the affirmative and added that the system could easily be adapted by any other provider because it was not proprietary.

Council Member Green asked if the whole system would be run by one main computer. Mr. Pack responded that each site would have its own local control. He reported that the master computer would be used more for gathering information, monitoring and data control. Council Member Green asked if the system could be hacked into. Mr. Pack responded that all the computers would be kept as secure as possible in a location that would not be easily accessible. He added that the system would use wireless radios to communicate from one station to another.

Mayor Scovill asked Public Works Superintendent Barnes for his thoughts on the system. Mr. Barnes commented that the biggest benefit would be knowing if the wells were running properly, how much water was in each tank, and if something were to happen, the system would automatically make a call with the problem. He added that the SCADA System would have the capability to turn the well pumps on and off as needed. He stated that each new well could also be added to the system.

Council Member Roberts arrived at 7:57 PM.

Engineer Fullmer stated that there are Federal grant funds available. He added that there are Federal mandates regarding risk assessments for both water and sewer systems. He stated that the risk assessment and action plan to provide safety with regard to Homeland Security would have to be completed. He added that this would be sort-of the 'fence on top of the cliff, rather than an ambulance at the bottom.'

Council Member Roberts stated that he could not see the 'fence around the cliff' because if he wanted to he could take out the system in one act in one place. Engineer Fullmer explained that there would be separate systems at each location with an intrusion alarm system that would let the City know when someone was in a facility before something could happen. Council Member Roberts expressed his concern with consolidating everything into one system.

Without further discussion, Council Member Green moved to accept Engineer Fullmer's request to proceed with the SCADA System. Council Member Morgan seconded the motion.

Council Member Starley asked how the cost would be split using impact fees. Engineer Fullmer stated that the base station and software would be split out. Any water related cost would come out of the water impact fees and sewer related costs would come out of the sewer impact fees.

Council Member Morgan suggested that the motion be amended to approve the project in phases as outlined in the documentation submitted by Engineer Fullmer. Engineer Fullmer requested the motion award the design and programming to SKM with other contractors being approved at a later date.

Council Member Green amended his motion as so stated, with the design phase of \$8,800 being approved to SKM. Council Member Morgan seconded the motion with a unanimous vote.

BUSINESS LICENSES

Nothing

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Nothing

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

The Planning Commission Representative was not in attendance. Planning Commission Council Representative Brandon reported that the Planning Commission members discussed the Oak View Hills Annexation. He indicated that this proposed annexation request would be coming before the City Council because of unresolved issues, i.e. water and road issues. Council Member Green asked if zoning of the proposed annexation had been discussed. Council Representative Brandon indicated that the proposed zoning would be Residential, R-10. He stated that the zoning was thought to have been Residential, R-20 or R-15, but indicated that it had not been zoned as such. Council Member Green stated that he served on the Planning Commission at the time of the zoning of the area and indicated that it had been zones as R-12 and R-15 and that the Planning Commissioners at that time voted it as R-12 and R-15.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill

Discussion and possible action with regard to the extension of the Utility Waiver for Active Military Members

Mayor Scovill explained that this item had been previously passed as a Resolution allowing those City residents currently in active Military service to be excused from paying the utility bills as long as the provided of the family was on active duty. He indicated that the Resolution terminated at the end of June 2004 and stated that there were still residents on active duty in Iraq and Afghanistan. He indicated that this has been brought back to the City Council for consideration and possible action.

Council Member Green motioned to continue the extension of the Utility Waiver for Active Military Members. Council Member Roberts stated that the extension could not be retroactive and added that government could not make their decision 'ex post facto'. Mayor Scovill stated that legal counsel's opinion suggested that this does not apply to a Municipality or State. Council Member Roberts stated that he had taken an oath and he would not participate in a retroactive request. Council Member Morgan stated that if Council Member Roberts is referring to Section 9 and Section 10 of the Constitution, Section 9 applies to the Federal government and Section 10 applies to State government. He commented that he did not see the connection that Council Member Roberts was trying to make. Council Member Roberts stated that the City gets its authority from the State.

Mayor Scovill asked the Council Members what effective date they would prefer; November 1 or August 1. Council Member Starley suggested making the extension effective starting with the utility bill due on October 25, 2004, with a review in one year.

Council Member Green amended his motion to continue the extension of the utility waiver for active Military members for 1 year effective October 2004 or until their release or return from active duty. Council Member Morgan seconded the motion with a unanimous vote.

***Council Member Brandon
Light Parade***

Council Member Brandon reported that in the past, the Chamber of Commerce has sponsored the light parade. He reported that the City Council Members and the Mayor have passed out candy canes during the parade. He stated that the Chamber members wanted to bring avoid duplication by coordinating with the Council regarding parade responsibilities. He stated that the Chamber wanted to have donuts and hot cocoa, and wanted to have Santa at the City Office gymnasium after the parade.

Council Member Brandon indicated that City Recorder Farnsworth would coordinate, upon approval of the Council, the putting together the treat bags that Santa would hand out. He added that Council Members would have opportunity to help if they had the time.

Council Member Green asked if the Council Members would hand out candy canes along the parade route. Council Member Brandon responded in the affirmative. He added that the Council could have a representative on a float. He indicated that the parade is on Saturday November 27th. Council Member Starley stated that he would not be in town for the parade.

Council Member Roberts suggested slowing the parade down. He commented that it moved too fast last year. Council Member Morgan suggested changing the parade route; starting on Main Street and ending at the City Offices. Council Member Brandon stated that he would talk to Amy Jackson.

Council Member Brandon reported that he had met with Mayor Scovill and the financial representatives from Zion's Bank. Council Member Starley asked if the Central Utah Project funds had officially been awarded. Mayor Scovill responded in the affirmative, explaining that a total of \$5 million would be disbursed over the next few years.

Council Member Roberts had nothing to report.

Council Member Green commented that he had come to the City offices on Monday evening. He stated that it was raining and the sprinklers were on. He questioned why the City would have sprinklers running during a rainstorm. Council Member Brandon reported that the water used was not culinary water, but irrigation water that would be lost if not used.

Council Member Starley reported that a letter regarding the Eastside Park would be sent next week. Mayor Scovill requested that Council Member Starley meet with Project Manager Stevenson before-hand. Legal Counsel commented that he did not see any problem with the letter.

Mayor Scovill reported that he had received a call from Mrs. Ward, a resident of the eastside, asking why there had been no meetings. She indicated that she was not aware of the first meeting held. Council Member Starley commented that he was certain that every house received a flyer regarding the meeting.

Council Member Starley reported that he would like to send a letter of 'Thank You' to all the businesses in town. Mayor Scovill indicated that this was done at the annual banquet hosted by the Chamber of Commerce. Council Member Starley stated that he would draft a letter to post on channel 10.

Mayor Scovill reported that the meeting before Thanksgiving would be a work session. He suggested changing the work session to Tuesday, November 23rd. All were in favor.

Council Member Morgan reported that there would be a South Utah Valley Water Users Association meeting on November 11th, Thursday, at 7 PM at the High Chaparral in Spanish Fork and recommended all the Council Members attend. He reported that the Regional Sewer Study that affects Santaquin would be discussed.

Council Member Morgan reported that Mayor Scovill had given him the assignment to be on the South Utah Valley South Animal Service District board for animal control. He reported that the facility is paid for with tax money, and added that the north part of the County did not benefit from its use. He reported that a new County Service district has now been created in the northern part of the County and added that a new County funded facility is under construction. He reported that more information would be forthcoming. Council Member Morgan reported that the board member term is for four years, but his term is for two years and expires December 31. He indicated that he would have to take a recommendation to the board for a Santaquin representative in November. The Mayor asked Council Member Morgan to serve one more year.

Council Member Morgan reported that he has met with Jim Peterson and Ted Jones. He stated that the Council would be approached soon with the first look at cemetery layout for the Veteran's Memorial.

Council Member Green asked if there was an Ordinance addressing the deadline for Council meeting packets. Mayor Scovill responded that agenda items should be submitted by the Wednesday one week prior to the Council Meeting and packets should be in Council Members City box by the Friday before the scheduled meeting. Council Member Starley indicated that City Manager Chatwin instructed staff to have the packets delivered on Monday the week of the scheduled Council Meeting. Mayor Scovill stated that he was responsible for not having the

packet information ready to be delivered. Council Member Green stated that he would like to be able to review the packet information over the weekend. Mayor Scovill reported that City Recorder Farnsworth reminds him regularly about the packet delivery deadline. Council Member Green complimented City Recorder Farnsworth for doing so.

Mayor Scovill reported that a family from the Salt Lake area had contacted him. The family is preparing a tree for the Festival of Trees and has asked each city to donate a hat or scarf to be exhibited on the tree. He had two hats for each Council Member to sign.

City Manager Chatwin

City Manager Chatwin was excused.

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 approximately 8:53 P.M. Council Member Brandon moved to adjourn. Council Member Starley seconded the motion. Mayor Scovill so moved that the meeting would be adjourned.

Approved on November 3, 2004.


A. LaDue Scovill, Mayor


Darlene Gray, Deputy City Recorder