

NOTICE AND AGENDA

Amended 12-14-04

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, December 15, 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 December 1, 2004
 - b. Bills - \$69,719.58
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
7. UNFINISHED BUSINESS
 - a. Discussion and possible action with regard to the proposed LeBaron Development
 - b. Approval of the East Side Park Design and fees associated with the construction
8. NEW BUSINESS
 - a. Discussion and possible action with regard to an Inter Local Cooperation Agreement of the Utah County Council of Governments
 - b. Discussion and possible action with regard to NRCS issue
 - c. Discussion and possible action with regard to the proposed SCADA System
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 with regard to the Mayor Pro-tem position
 - 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 0957
Susan B. Farnsworth, City Recorder 12-14-04

POSTED:
CITY CENTER
POST OFFICE
NS BANK

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE CITY CENTER
DECEMBER 15, 2004**

Mayor A. LaDue Scovill called the meeting to order at 7:00 P.M. Council Members attending: Tracy Roberts, Wes Morgan and Dennis Brandon.

Council Members Excused: Martin Green and Todd Starley.

Others attending: City Manager Stefan Chatwin, City Engineer Shon Fullmer, Project Manager Mark Stevenson, Legal Counsel Brett Rich, City Planner Jim Bolser, Police Chief Dennis Howard, Planning Commissioner Brent Vincent, Carl Durney, Marie Durney, Delene Jaques, James DeGraffenried, Caleb Warnock, Darcy Heaps, Tammy Drager, Steve Oliphant, Melody Oliphant, Natasha Wullensten, Jim Linford, Luke Hallett, Ken Bond, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Roberts led the Pledge of Allegiance.

Council Member Green arrived at 7:01 PM.

INVOCATION/INSPIRATIONAL THOUGHT

Mr. DeGraffenried offered an invocation.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on December 1, 2004

Bills -\$69,719.58

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

Council Member Starley arrived at 7:08 PM.

Each of the Council Member submitted his corrections to be edited to the minutes of the December 1, 2004 meeting.

Council Member Morgan questioned the vehicle allowance for City Engineer Fullmer asking if there had been an increase. City Manager Chatwin was not aware of an increase and stated that he would research the amount paid.

Council Member Morgan questioned the \$3,200 payment for concrete. He stated that there had been no concrete poured at 200 East, curb and gutter. Mayor Scovill responded that the concrete work and payment was for the east side of 200 East by the new Stake Center.

Council Member Morgan questioned the payment to the Utah State Treasurer. City Manager Chatwin responded that he would research the reason for the payment.

Council Member Morgan asked why there were so many cell phone charges. Council Member Roberts commented that it was strange that the City was spending \$1000 per month on cell phones. Council Member Starley commented that some of the cell phone users have two charges listed by their name. City Manager Chatwin responded that the charges were shown as two because the expense was shared by two different departments. Council Member Morgan questioned if all City employees needed a cell phone. Mayor Scovill indicated that he would research the need of a cell

one for City employees. Council Member Roberts stated that he would like to see a written statement justifying the need for an employee to have a cell phone. He indicated that he paid for his own personal cell phone. Council Member Morgan stated that he did not necessarily agree with Council Member Roberts and added that if an employee had a need for a cell phone, the City should provide and pay for one. Council Member Roberts stated that employees are within five minutes of the City Center. Mayor Scovill stated that there were occasion when an employee was out of the office and was needed immediately. Council Member Roberts suggested having one or two cell phones that could be checked out as needed by an employee. Council Member Green asked what employees were covered under the 'Admin and Rec.' heading. City Manager Chatwin responded that he, Mayor Scovill, Recorder Farnsworth, and Administrative Assistant Hoffman were under Admin., with Craig Ercanbrack with the Recreation Department also having a cell phone.

Council Member Brandon questioned the payments to Genola Town and Goshen Town. Mayor Scovill responded that the amounts were for court payments received by the Santaquin Justice Court for fine collections.

Council Member Starley questioned the monthly 'Spam' filter payment to Net-it-works. He commented that protection software could be purchased for less than the monthly fee the City was paying. City Manager Chatwin stated that he would research the possible purchase of protection software.

er the discussion, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Mayor Scovill stated that if those individuals who had requested time during the Public Forum portion of the meeting were speaking on the same subject, one spokesperson would be invited to the podium.

Mr. Durney approached the Council and indicated that each of the individuals who had signed the roster would address the Council Members.

Mr. Durney indicated that he had been asked to read a letter from a concerned group regarding the Oak View Hills Annexation. He requested that the letter be attached as part of the City Council Meeting minutes. (Attachment #1).

Mr. Durney stated that the group felt that the City was responsible for protecting property values. He indicated that they felt that a Residential, R-15 zoning, for the proposed annexation, would be compromise. Mr. Durney urged the Council Members to require the R-15 zoning.

Council Member Morgan stated that he felt some of the information Mr. Durney presented seemed biased. He stated that there were unusually large lots that would bias the information presented as being an average-sized lot. Mr. Durney responded that the average lot measured 20,067 square feet. Council Member Morgan stated that the zoning classification only sets the minimum lot-size required. He commented that he could not understand the request for the R-20 zoning, stating that Santaquin City had no R-20 zoning in place. Mr. Durney responded that small lots detract from the adjacent property as well as the neighborhood as a whole.

Ms. Durney approached the Council Members and read a letter she had prepared regarding her perceived problems in Santaquin.

Ms. Durney stated that because of safety concerns, she felt a road should be put in between 690 East and 600 East. She added that the City's mission should be to provide each citizen from oldest to youngest with a safe walkway to and from the school. She requested a meeting with City Planner Jim Bolser to discuss road and trail issues. City Planner Bolser indicated that he would be available to meet with her at her convenience.

Mayor Scovill asked Ms. Durney to provide the City Recorder with a copy of her statement so it could be included in the meeting minutes. Ms. Durney indicated that she would provide a copy of her statement.

Ms. Durney closed by asking the City to remove the fence at the end of 690 East that Mr. Bastian put up around his property. Mayor Scovill responded that the City could not remove the fence because the City did not have the authority to do so.

Ms. Jacques approached the Council Members regarding a "thank you" for the water meeting she attended with staff and indicated that she would address other issues. Ms. Jacques read her letter of appreciation to the staff for the time taken regarding her water concerns. (Attachment #2).

Ms. Jacques addressed a concern she had regarding the treatment and derogatory statement made by Council Member Brandon.

Council Member Roberts thanked Ms. Jacques for attending the City Council Meeting and asking questions. He stated that when the citizenry gets involved, that's how residents stay free.

Council Member Brandon publicly apologized to Ms. Jacques. He stated that Ms. Jacques had stopped him on a Thursday when he was trying to leave his residence. He stated that he felt Ms. Jacques did not understand the water issues relative to Santaquin. He explained that he had a City Work Session that he needed to be to. He continued to become more frustrated with Ms. Jacques because of her not allowing him to leave. He indicated that he had already missed the Work Session and did not want to be late for the Planning Commission meeting. Council Member Brandon stated that if he offended Ms. Jacques, he apologized.

Ms. Jacques stated that it was not only Council Member Brandon, but all the Council Members who have not asked her anything about her concerns. Council Member Morgan stated that none of the Council Members were ignoring her concerns, but indicated that Mayor Scovill had committed to and was available to answer all questions after the meeting held with staff.

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Discussion and possible action with regard to the Proposed LeBaron Development

City Manager Chatwin explained that the proposed LeBaron Development had gone through the Planning Commission, referring a copy provided the Council Members of the memo sent to him by Planning Commission Clerk Gray. He noted that attached to the memo was the response by Police

Chief Howard and Fire Chief Bott regarding their concerns. He stated that Mr. DeGraffenried had provided additional information relating to their concerns.

Council Member Brandon asked why these concerns had not been clarified to the Council Members. City Manager Chatwin responded that it was before the Council Members now to clarify issues such as the length of the driveway, parking, etc. He added that Fire Chief Bott indicated that a fire hydrant would be required at the entrance to the property.

Council Member Morgan asked why the Council was reviewing this item now, when the recommendation letter had been dated September 23, 2004. City Manager Chatwin stated that there had been issues that had to be resolved before the Council Member could review the item. He further indicated that Mr. DeGraffenried had been out of town causing a 2 week delay.

Council Member Brandon stated that he thought Main Street to be an inappropriate area for condominiums. He stated that he was not questioning the value of what Mr. DeGraffenried was building, but questioned where commercial businesses would go if residential dwellings were allowed there. City Manager Chatwin responded that because the proposed development included on both residential and commercial, it would be within the owner's legal right to built as either. Council Member Brandon agreed, but stated that the City needed the economic base.

Council Member Roberts commented that he agreed with Council Member Brandon regarding economic development. He added that Mr. DeGraffenried had the right to build as he chose, as long as he met all City requirements. He added that the Council Members had to protect the individual's rights as long as it did not harm other people.

Council Member Morgan asked City Planner Bolser if there was a Code regarding the minimum distance between multi-unit dwellings. City Planner Bolser responded that any unit, no matter the type and ownership situation, could be either owner-occupied or renter-occupied without violating any laws.

Council Member Roberts moved to approve the proposed LeBaron Development. Council Member Morgan seconded the motion.

Council Member Morgan stated that he would like a more clear statement regarding the motion being made for a final, preliminary, or conceptual approval. City Planner Bolser responded that the motion made would be pertaining to the action regarding the Planning Commission recommendation to approve the project as a site development rather than requiring Mr. DeGraffenried going back through the development approval process. He added that Mr. DeGraffenried would have to satisfy the State's requirements, file as a condominium plat with the Utah County Recorder's Office, as well as receive approval from the City Council.

Council Member Roberts indicated that Council Member Morgan could make the amendment to his motion. Council Member Morgan requested the motion be amended for approval subject to the Utah Department of Transportation's approval of the ingress and egress to the property. Council Member Roberts moved to accept the friendly amendment.

Council Member Green – Aye.
Council Member Roberts – Aye.
Council Member Starley – Aye.
Council Member Morgan – Aye.
Council Member Brandon: Nay.

Approval of the East Side Park Design and fees associated with the construction

City Project Manager Stevenson approached the Council Members stating that the approval of the East Side Park Design and fees would be for final approval.

Council Member Green moved to approve the East Side Park Design and fees associated with the construction. Council Member Starley seconded the motion.

Council Member Morgan stated that many designs for park had been reviewed and asked if the December 1st design was the specific design the Council Members would be approving. Project Manager Stevenson responded in the affirmative.

Council Member Brandon commented that there was a conflict with scheduling regarding the completion of material removal and payment made to the contractor. He inquired as to who did the removal. Project Manager Stevenson responded that out of 3 bidders, Oberg Construction was the low bidder. Council Member Brandon asked if the money had been appropriated under the old concept plan. City Manager Chatwin responded that based on the size of the bid, less than \$20,000.00, approval to accept the bid had been given by Mayor Scovill. Council Member Brandon stated that he felt this was a misappropriation of funds. City Manager Chatwin reported that this procedure was part of previous discussion that was approved by the previous City Council.

Council Member Green asked if the City made it a policy to pay for work before its completion. City Manager Chatwin and Mayor Scovill responded in the negative, explaining that the problem has been corrected internally.

City Manager Chatwin stated that the Council Members would see different contract bids come before them before the project is completed. Council Member Brandon asked if the project would be bid out in small increments. Project Manager Stevenson responded in the negative. City Manager Chatwin confirmed that all approvals would be through the City Council.

Mayor Scovill reported that there is an Ordinance or Resolution in place regarding the approval process. He indicated that the Mayor has the authority to approve \$20,000.00 or less without the bid being brought before the Council.

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

NEW BUSINESS

Discussion and possible action with regard to an Inter Local Cooperation Agreement of the Utah County Council of Governments

Mayor Scovill indicated that each Council Member had received a copy of the Inter Local Cooperation Agreement. He stated that Utah County has the Mountainland Association of Governments and the Utah County Council of Governments which is a council of mayors and commissioners who discuss different issues, e.g., dog vaccinations for rabies, etc. He stated that the Council Members only

Discuss issues within the County and have no authority to impose regulations, assess fees or funds, etc. An example would be if an ordinance were needed to control ATV use in the foothills of a city, this group would work on a mutually agreeable resolution for all cities within county.

Council Member Roberts asked what the cost would be to be a member of the Council. Mayor Scovill responded that there is no cost associated with the Council. Council Member Roberts stated if the Council of Governments has no authority, why the Council Members would bind the city for 10 years, etc. Mayor Scovill referred Council Member Roberts' concern to Legal Counsel.

Legal Counsel Rich stated that by giving notice no later than 90 days prior to the anniversary date; the City could be released from any agreement. Legal Counsel Rich commented that the agreement seems to be creating an entity, but the agreement states that it is not. The agreement also states that the Council of Governments does not have any authority, but then states that it has the ability to sue without a contract. He expressed his concern for the ambiguities. He stated that he thought the Council was a good idea, but the agreement seemed to be fuzzy.

Council Member Roberts expressed his concern by commenting that this was a way to create Government encroachment on the people. He stated that he felt this would be bad for the City. Mayor Scovill responded that the City has been involved with the Council for approximately 20 years and if the Council were going to encroach on City operations, it would have done so by now.

Council Member Green moved to accept an Inter Local Cooperation Agreement of the Utah County Council of Governments. Council Member Brandon seconded the motion.

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

At approximately 9:08 PM, Mayor Scovill recessed for a 5 minute break.

At approximately 9:14 PM, Mayor Scovill reconvened the meeting.

Discussion and possible action with regard to NRCS issue

City Engineer Fullmer gave the Council Members an update regarding the Santaquin City East Bench Watershed Protection.

Council Member Starley left the Council Chambers at 9:34 PM.

Engineer Fullmer reported that the NRCS has available grant money for additional infrastructure. He indicated that the following priorities were discussed:

Re-seed the Diversion Structure at tributaries 4 and 5

Construct drainage piping across Sr-198 near Stringham's Hardware @ \$42,000

Construct drainage piping across SR-198 near the north end of the Eastside Subdivision @ \$36,000

Council Member Starley returned to the Council Chambers at 9:39 PM.

Engineer Fullmer proposed putting a culvert under SR-198 at Stringham's Hardware to channel water flow to the freeway drainage into the Strawberry Highline Canal. He stated that permission had not as yet been obtained, but added that the Utah Department of Transportation did not have a problem accepting the water.

Engineer Fullmer stated that the City would be required to match the funds at 25% and would have to be completed by April 1, 2005.

Council Member Starley moved that the City Council 1) put all required work out to bid, accept a bid, then approve the work that the City can afford to do, and use \$11,000+ in-kind and 2) determine other costs after the bids have been received. Council Member Green seconded the motion. The vote was unanimous.

Mayor Scovill indicated that he had a conversation with Mountainland Association of Governments regarding available money. City Planner Bolser reported that there was a regional pre-disaster mitigations plan through FEMA which MAG, as the State regional agency, has developed. Mayor Scovill asked City Planner Bolser to prepare an over-view for the Council Members. City Planner Bolser asked if he should provide each Council Members with a copy of the hazard mitigation plan. Mayor Scovill responded in the affirmative.

Discussion and possible action with regard to the proposed SCADA System

Engineer Fullmer indicated that he would like the Council Members approval for the expenditure to begin fabrication of the PLC panels for the SCADA System. He reported that the low bid from "W Cubed" was \$44,144.00.

Council Member Green moved to approve the proposed SCADA System expenditure requested by Engineer Fullmer. Council Member Morgan seconded the motion. The vote was unanimous.

BUSINESS LICENSES

Council Member Green presented the license application from Robert H. Oberg, S W Technology and moved that the Council Members approve the Business License. Council Member Starley seconded the motion with a unanimous vote.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Nothing

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

Commissioner Vincent reported that the Planning Commission met on December 9, 2004 and indicated that the Catherine Holman Single Lot Split had been approved.

He reported that Commissioner Chris Michalek was voted in as the Planning Commission Chairperson for 2005 and Commissioner Rex Bean had been voted in as the Deputy Chair. He indicated that both of these Commissioners would submit letters to Mayor Scovill requesting an extension of their positions on the Planning Commission.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill

Discussion with regard to the Mayor Pro-tem position

Mayor Scovill indicated that this agenda item would be on the January 19, 2005 agenda.

City Manager Chatwin

City Manager Chatwin reported that at the request of the Mayor and City Council, he had requested a refund for monies not spent for the Cricket Abatement. He will report back to the Council Members regarding any response.

City Manager Chatwin indicated that the next phase of the Main Street Enhancement project was to install a safe walking path from Highland Drive to the underpass of Center Street and Canyon Road. He reported that the preliminary estimate was \$630,000.00. He asked if the City Council would want Administrative Assistant Hoffman to proceed with the application process for T-21 funding. He added that the deadline for filing would be January 7, 2005.

After a brief discussion, City Manager Chatwin indicated that he would direct Ms. Hoffman to prepare the application.

Council Member Green had nothing to report.

Council Members Roberts had nothing to report.

Council Member Starley had nothing to report.

Council Member Morgan had nothing to report.

Council Member Brandon apologized to the City Council regarding his action toward Ms. Jacques. He stated that he felt some citizens push the Council Members past their limitations.

Council Member Brandon reported that he had discussed his concerns regarding the Oak View Hills Annexation with City Manager Chatwin. He stated that there was a conflict of interest because Mr. Durney was previously on the Planning Commission and had a misconception of what the property values were in that area. He commented that there have been water pressure problems for some 20 years and commented that the previous councils continued to let the problem exist.

Council Member Brandon stated that when City Manager Chatwin came into his position, he dissolved the Economic Development Committee. He asked City Manager Chatwin what the Council Members could do to help him looking at what is coming into the community. City Manager Chatwin responded that he did not dissolve the Economic Development Committee and indicated that members of the committee have simply stopped attending the scheduled meetings. He reported that committee members have expressed their frustration and felt the meeting was a waste of time. City Manager Chatwin indicated that he and the Mayor have discussed a shift in responsibilities and added that he would be spending more time in areas of Economic Development. He reported that he, Project Manager Stevenson and Administrative Assistant Hoffman would work on identifying resources in Santaquin, figure goals, and look for direction from the City Council.

Council Member Starley informed the Council Members that the Miss America Pageant in the fitness portion of the competition requires a swim suit. He stated that Santaquin had the ability to dismiss the requirement, but a letter from Mayor Scovill would have to be sent before the end of the year. He stated that the recommendation from him and the Miss Santaquin committee would be to have the swim suit competition in the Miss Santaquin Pageant. Mayor Scovill responded that there is a Resolution that prohibits the swim suit portion in the Miss Santaquin Pageant. Mayor Scovill indicated that he would research the Resolution.

Council Member Starley announced that the Miss Santaquin Pageant would be held on April 1, 2005 at Payson High School's newly remodeled Auditorium. He reported that Amanda Jones would remain as the chair. He added that the Miss Utah Pageant would be held in June 2005. He stated that the sign up sheets were available at the City offices.

Council Member Starley asked the Council Members about participation in the Miss Teen Utah Pageant. He indicated that he and the other committee members felt that the City did not have the funds and would prefer not to support this pageant. Council Member Roberts indicated that he supported Council Member Starley's suggestion not to support the pageant.

Council Member Starley asked if the City would want to pursue a new float. Mayor Scovill requested the item be discussed at a later date.

10:41 PM, Council Member Green moved for an extension of the City Council Meeting. Council Member Starley seconded the motion with a unanimous vote.

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

Nothing


Council Member Starley moved to enter into an Executive Session regarding possible litigation.

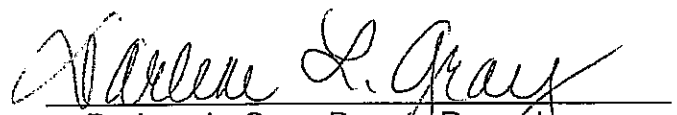
EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

ADJOURNMENT

At 11:00 p.m. Council Member Green moved to adjourn. Council Member Roberts seconded the motion. The vote was unanimous.

Approved on January 5, 2005.


A. LaDue Scovill, Mayor


Darlene L. Gray, Deputy Recorder

12-15-04

Attachment #1

To: Santaquin City Mayor
Santaquin City Engineer
Santaquin City Planning Commission
Santaquin City Council

From: Concerned Citizens in the Neighborhood 450 S and South and 690 E
and East

Date: November 19, 2004

Subject: Concerns about the proposed annexation for Oak View Estates

The purpose of this letter is to state our concerns about the proposed Oak View Estates Subdivision. We are not opposing annexation, but we strongly urge that:

A. If the proposed annexation is approved, it should be zoned at least R20

B. A street be constructed to connect the south end of 690 East to 600 East.

The reasons for item A:

1. We want to protect our property values

The purpose of zoning is to ensure compatibility of neighborhoods. Zoning that is not compatible with our existing neighborhood could lower our property values. We are adamant that our property values not be decreased by the proposed annexation.

2. Our existing neighborhood is compatible with R20 zoning

Our neighborhood consists of lots on 450 South and south of 450 South and on 690 East and east of 690 East, which is the neighborhood adjacent and just north of the property that is proposed to be annexed for the Oak View Subdivision. This neighborhood is presently zoned R10. However, the existing lots are actually compatible with R20 zoning. The attached spreadsheet shows the size of each of the lots in this neighborhood and the average lot size, average home market value, and average 2004 taxes. In summary, the data show:

Average lot size	26,533 square feet (0.609 acres)
Average market value	\$223,666
Average taxes paid	\$1631

The data clearly indicate that our existing neighborhood should be zoned R20, and that the average market value of the existing homes represents an upscale neighborhood.

3. The property proposed to be annexed should be zoned at least R20

To be compatible with our existing neighborhood and to protect our property values, the property proposed to be annexed should really have average lot sizes of about 26,000 square feet, which would be zoned higher than R20. We expect, however, that there would be opposition to that. Consequently, we

12-15-04

Attachment #1

would compromise at a zoning of R20, which we feel would be mostly compatible with our existing neighborhood and would help protect our property values and the integrity of our area. We would vigorously oppose lower zoning, which we believe would not be compatible with our existing neighborhood, and would not protect our property values.

The reasons for item B:

The Nebo School District is planning to have a new school opened in the fall of 2006

1. This new school will be located south and west of our neighborhood. There is presently no access from the south end of our neighborhood to 600 East and the area where the new school will be located. Unless a street is constructed to connect the south end of our neighborhood to 600 East, children in the proposed annexation would be forced to go north on 690 East to 450 South, then west to 400 East and then south to the school. This would cause congestion on these streets and great inconvenience to both parents and students.
2. Furthermore, children could not easily walk or ride bicycles to the school unless 690 East is connected to 600 East. Many would probably try to cut through yards from 690 East to 600 East rather than go clear north to 450 South.
3. Even if the annexation is not approved, 690 East needs to be connected to 600 East, both to facilitate traffic to the new school, and to provide access to the south end of 690 East in emergencies.

We, the undersigned members of this neighborhood strongly urge the City Council, for the reasons stated above, to zone the property proposed to be annexed for the Oak View Subdivision at R20, and to require that a street be constructed to connect the south end of 690 East to 600 East.

Bernard & Evelyn Hagwood - 560 S. 690 E. Santa Fe
 Scott & Chris Haskell 879 E 550 S. 754-5369
 754-3266
 Dan and Judy Lund 820 E. 550 S. 754-1118
 Garin & Angela Ross 825 E. 550 S. 754-5033
 Manuel Elden 715 E. 600 S. 754-3161
 Judy Vincent 718 E. 600 S. 754-3841
 Jack & Daray Steaps 740 E. 550 S. 754-0242
 Marilyn E. Fox Alexander 675 E. 450 S. 754-0432
 William T. Alexander 675 E. 450 S. 754-0431
 Douglas & Karla Olson 790 E. 550 S. 754-3192
 Rick Velt 990 E. 270 S. 754-3080
 Sam & Beverly Hunt 830 E. 450 S. 754-5348

12-15-04

attachment #1

Branden & Jody Black 119 E. 450 S.

Jonathan & Lisa Holden 783 E. 450 S.

Rynn & Sylvia Adams 610 E. 450 S.

LaVon & Maurine Rose 700 E. 450 S.

David & Christina Mado 415 S. 690 E.

Ron & Ann Jensen 490 S. 690 East

Sawn & Ruth Wall 780 E - 450 S

Don & Betty 893 E. 550 S.

Ronald & L. Gilson 850 E. 450 S.

Thelma & L. Gilson 850 E. 450 S.

Cheryl & Kenford 893 E. 550 S.

Scott and Jana Marie 892 E. 550 S. (phone permission)

Dennis and Mary Hall 873 E. 450 S.

Edward & Natasha Wolfenstem 793 E. 550 S.

James & Janice King 510 S. 690 E.

Richard & Cindy Porter 810 E. 450 S.

David & Colleen Wilson 710 E. 550 S.

Jeff & Holly Christensen 815 E. 690 E.

Donna & Michael Yost 891 E. 450 S.

The following data were taken from the records of the Utah County Recorder

#1

Subdivision	Plat	Lot #	Property Owner	Lot Size	
				acres	square feet
Dry Mountain Estates	A	4	Walker, Jerry & Sharon	0.32	13,939
		5	Lewis, Roland & Sharon*	0.93	40,511
		6	Wall, Elfawn & Ruth	0.93	40,511
		7	Porter, Richard & Cindy	0.93	40,511
		8	Tipton, Steven & Donna	0.93	40,511
		9	Steele, Larry & Beverly	0.93	40,511
	B	2	Thompson, Kelly & Carol	0.52	22,651
		3	Christiansen, Jeff & Jody	0.52	22,651
		4	King, James & Janine	0.32	13,939
		5	Jensen, Ron & Ann	0.32	13,939
		PT1	Lewis, Roland & Sharon*	0.14	6,098
		PT1	Ross, Lavon & Mary	1.04	45,302
	D	1	Jaques, Donald & Delene	0.34	14,810
		2	Stevenson, Brent & Marianne	0.35	15,246
		3	Grettenberger, Joseph & Sandra	0.34	14,810
		4	Wulfenstein, Richard & Natashaia	0.30	13,068
		5	Ross, Gavin, & Angela	0.30	13,068
		6	Lunt, Dan & Janet*	0.30	13,068
		7	Haskell, Christine	0.30	13,068
Barlow Estates	A	1	Barlow, Kent & Nancy	0.73	31,799
		2	Roper, Jason & Stacey	0.71	30,928
Oak Ridge Estates	A	1	Wilson, David & Colleen	0.43	18,731
		2	Carlisle, Dennis & Darlene	0.43	18,731
		3	Heaps, Todd & Darcy	0.36	15,682
		4	Olsen, Douglas & Karla	0.37	16,117
		5	Lund, Jodi	0.37	16,117
		6	Swan, Craig & Jane	0.37	16,117
		7	Mellen, Michael & Kim	0.37	16,117
		8	Hazelwood, Bernard & Evelyn	0.50	21,780
		9	Anderson, Lee & Annette	0.50	21,780
	D	1	Steele, Rick & Trudy	0.41	17,860
		2	Craig, Neil	0.41	17,860
		3	Durney, Carl & Marie	0.41	17,860
		4	Allen, Leonard	0.45	19,602
		5	Wilson, Ramona & Bob	0.45	19,602
		6	Brook, Dean & Debbie	0.45	19,602
		7	Vincent, Brent & Judy	0.45	19,602
		8	Geenhalgh, Brad & Lisa*	0.45	19,602
		9	Mattinson, Bradley & C*	0.45	19,602
	B	1	Unice, Scott & Jana	0.52	22,651
		2	Jarvis, Larry	0.51	22,216
		3	Roberts, Brenda*	0.57	24,829
Oakmont	A	1	Linford, James & Cheryl	1.30	56,628
None			Bastian, Byron & Vickie	1.73	75,359
None			Gilson, Donald & Donald et al	3.65	158,994
total lot sizes				27.41	1,193,980
*vacant lots not included in market value or taxes					
total				average	
lot size				27.41 acres = 1,193,980 sq. ft.	
market value of homes				\$8,722,985	
2004 taxes				\$223,666	
				\$61,982	
				\$1,631	

To members of the City Council, City Employees, and Mayor,mbfdzxx

I would first like to thank the Mayor, Ladue Scovill, City Administrator, Stefan Chatwin, City Engineer-Shon Fullmer, other city employees, the private engineering company, Bill Birke with Division of Drinking Water, and Jim Lindford for their time and courtesy in participating in last week's meeting. I appreciate Mr. Fullmer answering our questions and explaining how they plan to fix the pressure problem in our water zone which is a distribution problem. I also appreciated him and the staff explaining how they are working on creating more water source capacity to store Santaquin's ample sources of water. We are very fortunate that we have these plentiful and dependable water sources. However, we need to continue to monitor and make sure that this stays in balance as growth occurs in our city. We also need to seriously look at and support the irrigation system that the city is proposing. Will it cost money? Yes. However, it is essential that we start using surface water to sprinkle our lawns and water our gardens as opposed to precious clean and filtered spring water from our wells. Bill Birke from the state also gave several good suggestions on how other cities have set up and monitored their irrigation systems. I learned a great deal on Friday and we appreciate their time.

Last week I called Dennis Brandon, to invite him to Friday's meeting. It was a very interesting conversation and I would like to defend myself on a number of unfair statements that were made to me over the phone.

As to the reference that Santaquin would be better off without my family and me here. I would like to let you know a little bit more about my background and how I have represented Santaquin, the State of Utah, and the this Nation.

- We purchased a foreclosure home in the City of Santaquin and have spent hundreds of hours and money cleaning and fixing this property. Please see the pictures of what we started with and our improvements.
- Currently I am a Bear and Webelos cubscout leader.
- I am currently working with Wasatch Speech and Language in Salt Lake City to form a Parent's Support group for children with Childhood Apraxia of Speech.
- I am currently working with Dr. Lawrence Shriberg and the University of Wisconsin-Madison on a preliminary study of Childhood Apraxia of Speech and also with hundreds of my extended family members that live in Utah and in 32 other states throughout the United States, South America, and Australia.
- While living in New Mexico, I worked with College of Eastern Utah and the U.S. Department of Education in creating hundreds of Internet lessons on many core curriculum standards for the state of Utah Educational Standards. I did projects on Uintah County, Cache County, and Box Elder County. My favorite internet project was on the Hill Airforce Aerospace museum and the interviews with many Veterans of World War II, Korea, Vietnam, and the first Gulf War. I also created lessons on the Middle East, Jerusalem, and Italy. During these projects, I research hundreds of historical sites in Utah and took thousands of pictures about Utah and it's heritage, towns, natural resources, recreation, geological features, wildlife, religion, and private business. These projects can currently be found on the Internet at www.surweb.org.
- While teaching in Box Elder School district, I wrote and was given over \$6,000 dollars worth of grants for my own classroom. I also helped write and work on many other grants for the school. I also taught and inserviced other teachers in the district on techniques on teaching science. By the way, I was really impressed to hear about the 5 million-dollar grant for the irrigation system.
- While in college, I served a full term as a National Collegiate 4-H officer. I traveled throughout the United States working with youth, talking with political leaders, and finding private funding through large businesses throughout the US. I was an active member of the College of Agriculture's council and College of Education Council. I also served as the Western Regional 4-H president. I was an officer in the Animal science club for three years and traveled throughout the west representing Utah State University.
- While in high school, I attended National 4-H Congress in Washington D.C. and met with Senator Orrin Hatch and former Senator Jake Garn about the issues of Latch-Key Children and illiteracy. I was a Sterling Scholar in Social Studies. I also was Utah Page in the Utah House of Representatives.
- My husband is currently a federal employee for the Department of Agriculture at Farm Service Agency. While living in New Mexico, he was an air traffic controller for the Department of Transportation at the FAA.
- While living in Tremonton, UT, he worked for the Federal government at Farmer Home Administration and Rural Housing. He was in the private banking sector as a loan officer for Farm Credit. He was a member of the Kawanis Club and has been a Cub Scout leader as well.
- While in college, he was selected as the Scholar of the Year for the Department of Agriculture at Utah State University. He was also an active member of the College of Ag Council and member of the Animal Science Club.
- While in high school, he was a State FFA officer. He also received his Chapter Farmer, State Farmer, and his Degree of American Farmer.

I know that many other citizens in Santaquin have represented this city and state much more than we have or will ever do. However Mr. Brandon, we are confused about what type of Citizen you want for this city, if we do not fit your criteria.

When making decisions, I honestly try to do my homework and use common sense. As for doing my homework, I would like to read the first law about "water" that pertains to the State of Utah. I do not believe that I have misinterpreted this very basic law that dates back to 1903.

-1 Waters declared property of public.

All waters in this state, whether above or under the ground are hereby declared to be the property of the public, subject to all existing rights to the use thereof.

The water is owned by the State of Utah. We as citizens and municipalities have "water rights" not "water ownership".

I was asked by councilman Brandon what my "agenda" is? It is very simple. I wanted to know about the water issues of this city and know when we will have adequate pressure. I also want to know about the situation with the water for future of all of Santaquin. I want to make sure our property values stay intact. I am also concerned about traffic issues. My other agenda is being a mom and helping my three-year-old son, Jared, learn to speak effectively or use sign language if necessary and making sure that we keep his severe asthma under control. I have no other "hidden" agendas.

I also do not want to cause any major problems for the City of Santaquin. As for the concern about bring in the state to look at the water situation, I have spoken to many neighbors and they have stated time and time again that the water pressure problem has been around for a number of years. They have that their complaints hadn't been heard by the city. If the state does recommend that a computer analysis be done on the entire water system, the city or developers can pay for this. It makes no difference to them.

As for not being from Santaquin and therefore I shouldn't be asking questions unless I have lived here for over thirty years. My family's descendants have been here in Utah County for generations upon generations. I would like to explain that my great great grandfather Hyrum Seeley and his wife, Mary Amelia Goldsborough lived Mona, Utah most of their lives and many descendants still do. My great-great grandfather Charles Whightman helped settle Payson and served as a soldier for this country. John Murray was one of the first settlers in Spanish Fork and his son Jeremiah Hatch Murray served as a Captain in the Black Hawk War. He also helped construct first railroad tracks through Spanish Fork canyon. My great great Grandmother's brother, Samuel Ashby, helped settle Lakeshore.

I am also a direct descendant of Wilford Woodruff, who was instrumental in making some major decisions so that the territory of Utah could gain statehood. He was one of the first pioneers to enter the Salt Lake Valley. He was probably the first, aside from Indian tribes, to fish in this untracked wilderness. He was the first fly fisherman to float a fly down a Rocky Mountain stream. He once went to Utah Lake, then fresh and clear and clean, and caught 1,500 pounds of fish. He was one of the first to get started building in Utah. Wilford Woodruff directed the building and management of a number of water power plants. For many years, most Utahns received an electricity bill from Utah Power and Light. He was the original founder and director of that electric company. (This information was taken from the book "The Presidents of the Church" by Truman G. Madsen.) I believe that my ancestors have played a significant role in settling Utah County. I have just as much right to ask questions to this city council, as does someone who has lived here for thirty years. My ancestry has worked hard to establish this state and defend the freedoms that we have in this nation.

However, my entire heritage is totally irrelevant. It should not make a difference how long any individual or family has lived in a certain area to voice his or her opinion. Let's just say that my cousin and her husband, who is a native Russian and just became a U.S. Citizen, moved to Santaquin. He would have just as much right to voice his opinion and ask questions concerning water as anyone else. Why? Because of other past leaders of this nation, who have paid a tremendous price for freedom.

John Lathrop came to America because of religious persecution. In America the blessing of life and liberty were his and he exercised his religious freedom. No pastor was ever loved more and he was a great influence among the colonists. His views were far advanced for the time in which he lived. (This information was taken for a Devotional Presentation given at Ricks College by Dr. Susan W. Easton, Sept. 27, 1983) He is the Forefather of many early Presidents of the United States, Presidents and ministers of many churches and different faiths, statesmen, university presidents, scientists, and inventors. Some of the direct descendants include: Samuel Huntington, Signer of the Declaration of Independence, U. S. President's: Ulysses S. Grant, President Franklin D. Roosevelt, George Herbert Walker Bush, U. S. Senator, Orrin Hatch; U.S. Congressman, Dan Marriott; U.S. Supreme Court Chief Justices, Melville Weston Fuller and William Howard Taft; Presidents of the Church of Jesus Christ of Latter-Day Saints: Joseph Smith Jr., Joseph F. Smith, George Albert Smith, Joseph Fielding Smith, Wilford Woodruff, Harold B. Lee, Gordon B. Hinckley, and Spencer W. Kimball; inventor of the cotton gin, Eli Whitney. (This information comes from the Book "Exiled, The Story of John Lathrop" by Helene Holt.) It is estimated that his descendants are approximately 20 million people today which also includes our current United States President and our Utah Senator, Orrin Hatch. I am sure that many in this room could trace their heritage to many of these great and honorable leaders. Many of his descendants continue to sacrifice their time, uphold our constitution, and serve our state and country with great dignity.

As the reference that my questions and inquiries are "bullshit". I will refer back to how George Washington felt and his frustration with the people who were suppose to come to Philadelphia to begin writing the constitution of United States. It begins with the following story written by J. Lloyd Eldredge, Professor at BYU:

Monday evening, May 14, 1787, George Washington dipped his quill pen in ink to write a letter to a friend in Williamsburg, Virginia. He was sitting at his desk in a room he had rented in a Philadelphia tavern. He wrote to his friend that he was troubled because the men who were supposed to have met him at an appointed time had not arrived. They were to help Washington write a constitution for the national government. The day appointed had come and past and delegates from only three states had arrived. The day that had been set was May fourteenth.

It wasn't not until Friday, May 25, that enough delegates had come to make it possible for the convention to begin its work. In the meantime, George Washington wrote to several friends to express his displeasure at their tardiness. What disturbed him most was the careless way some of the delegates were treating the meeting.

I feel some of the same frustration the George Washington felt. I am disturbed that many of our valid questions about water issues of Santaquin were at first quickly dismissed. I feel that water issues are very complex and extremely important. I am displeased with all of the city council for not doing their homework. Not one have you have called and personally listened to my concerns or issues or have even tried to figure out who or what I represent. I understand that you have the right to be frustrated with me; but members of this City Council do not have the right to swear at me and intimidate me.

As for the issue of not keep my mouth shut when I should have and not involving the state, I will not be intimidated with statements that because of my action I have upset the city council; therefore, Mr. Brandon stated something to the effect that the city council would most likely now vote to zone the property when it is annexed as R10 instead of R15 for Oak View Estates. These remarks are not what the delegates of United States spent an entire summer working on while they wrote the constitution and later on as they created the Bill of Rights which was later ratified 15 December 1791. This event took place exactly two hundred and thirteen years ago.

Amendment I

Freedom of Religion, Speech, and the Press, of Assembly Petition.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

I appreciate all of your time and your efforts that you put into city government and we realize that while serving in public office it can be very difficult. Even in our volunteer leadership positions, we had to make difficult choices and not everyone was pleased with them. However, I beg you to remember the rights of individual citizens that our past leaders and soldiers have worked so hard to create and defend.

Delene Jenkins Jaques

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**Drainage Across SR-198
(Near Stringhams Hardware)**

Preliminary Engineers Estimate

No.	Item Description	Quantity	Unit	Unit Price	Amount
1	Drainage Piping Across SR-198 (Stringhams Hardware)				
2	Mobilization, Udot Bond & Permit	1	L.S.	1,000.00	1,000
3	Saw Cut & Remove Existing Asphalt	86	Ln.Ft.	5.00	430
4	4 x 4 Drain Box	2	Each	3,500.00	7,000
5	36" RCP	122	Ln.Ft.	95.00	11,590
6	12" ADS	65	Ln.Ft.	20.00	1,300
7	Imported Backfill	75	Ton	10.00	750
8	Flowable Fill	30	Cu. Yd	75.00	2,250
9	Untreated Base Course	32	Ton	15.00	480
10	Asphalt Replacement	400	Sq.ft.	4.50	1,800
11	Concrete Work	1	L.S.	2,500.00	2,500
12	Rip Wrap	40	Cu. Yd	30.00	1,200
13	Compaction Testing	1	L.S.	700.00	700
14	Steel Plate Rental	1	L.S.	500.00	500
15	Traffic Control	1	L.S.	2,000.00	2,000
16				Sub-Total	33,500
17					
18	Contingency (10%)				3,000
19	Design				2,500
20	Construction Management				3,000
21	Total Project Cost				42,000
22					
23					
24					

45 West 100 South
Santaquin, Utah 84655
(801) 754-3211

Page 1 of 2

Date: 15-Dec-04
File: estimate
Est. By: DSF



**Drainage Across SR-198
(Near Eastside Subdivision)**

Preliminary Engineers Estimate

No.	Item Description	Quantity	Unit	Unit Price	Amount
1	Drainage Piping Across SR-198 (Near Eastside Subdivision)				
2	Mobilization, Udot Bond & Permit	1	L.S.	800.00	800
3	Saw Cut & Remove Existing Asphalt	120	Ln.Ft.	5.00	600
4	4 x 4 Drain Box	1	Each	2,000.00	2,000
5	30" RCP	159	Ln.Ft.	80.00	12,720
6	Imported Backfill	80	Ton	10.00	800
7	Flowable Fill	35	Cu. Yd	80.00	2,800
8	Untreated Base Course	32	Ton	15.00	480
9	Asphalt Replacement	450	Sq.ft.	4.50	2,025
10	Concrete Work	1	L.S.	2,500.00	2,500
11	Compaction Testing	1	L.S.	700.00	700
12	Steel Plate Rental	1	L.S.	500.00	500
13	Traffic Control	1	L.S.	2,000.00	2,000
14				Sub-Total	27,925
15					2,575
16	Contingency (10%)				2,500
17	Design				3,000
18	Construction Management				
19	Total Project Cost				36,000
20					
21					
22					

45 West 100 South
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Page 1 of 2

Date: 15-Dec-04
File: estimate
Est. By: DSF



Remaining Work on Tributaries No. 4 & No. 5

Preliminary Engineers Estimate

No.	Item Description	Quantity	Unit	Unit Price	Amount
1	<i>Re-Seed Tributary No. 4 & No. 5 Diversion Channels</i>				
2	Re-Seeding Disturbed Areas	7	Acre	100.00	700
3					
4	<i>Rip-Wrap Tributary No. 5 Diversion Channel</i>				
5	Rip Wrap Diversion Channel	2000	Ln.Ft.	3.00	6,000
6	(w/ onsite Materials)				
7	or				
8	Rip Wrap Diversion Channel	2000	Ln.Ft.	6.00	12,000
9	(Imported Materials)				
10					
11					

45 West 100 South
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Page 1 of 2

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