

**CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 17, 2004**

At 7:00 PM, Mayor A. LaDue Scovill called the meeting to order. Council Members attending: Todd Starley, Dennis Brandon, Martin Green, Wesley Morgan.

Council Member Tracy Roberts was excused because of knee surgery.

Others attending: City Manager Roger Carter, Legal Counsel Brett Rich, Planning Commission Representative Doug Rohbock, Sandy Gurney, Caryl Ward, Jessica Young, Jon Young, Amanda Jones, Benjamin Rees, Representing Jason & Rees and Dave Cleveland (video taped the meeting), Shayne Bott, Dan Olsen, Jesse Smith, Keith Broadhead, Mike Drager, Tammy Drager, Bruce Bradley, Kae Bean, Neal Caines, Rex Bean, Ernie Thornton, Stephen George, and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Starley led the Pledge of Allegiance.

PRAYER

Mr. Rohbock offered a Word of Prayer.

CONSENT AGENDA

Approval of the minutes March 3, 2004

Approval of the minutes of a Regular Meeting held on March 3, 2004

Bills - \$78,938.88

Council Member Starley moved to approve the items on the Consent Agenda. Council Member Green seconded the motion with a unanimous vote.

Council Member Morgan referenced the Robbins Single Lot Split and the discussion regarding the determination of ownership and the paving of the road. He commented that he understands that the road may not be a private road, as determined during the discussion. Mayor Scovill indicated that he has been made aware that the road may be a dedicated street rather than a private road. Mayor Scovill stated that if the road has been dedicated to the City, the City Engineer or City Planner would have to research the situation to determine how, when, and who would pay for the paving of the road.

Mayor Scovill reported that the statement on page 21 which states that the Payson City Chamber would be giving an update on the Central Utah Project is incorrect. The statement should read that the Central Utah Project would be giving the update at the Payson City Chamber of Commerce meeting. He indicated that the place and date were correct.

Council Member Starley referenced page 17, the last paragraph, and requested removal of a statement.

With the motion made and seconded to approve the minutes as corrected, the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ms. Ward of 403 North Peach Street addressed the Council Members and distributed a document regarding City Council Open Forum. Ms. Ward indicated that she was representing the Eastside subdivision residents regarding a community grant. She expressed her appreciation to Mayor Scovill, the Council Members and City Manager Carter. She indicated that the residents felt more confident with the meeting regarding the Eastside Park, but express sorrow with hearing that City Manager Carter would be leaving.

Ms. Ward reported that she had addressed the City Council last October regarding the park installation and indicated that she has now found that a grant might be available to pay for the installation. She indicated that she would need assistance from the police department with an anti-drug grant, i.e. increases police patrolling in the area on Friday and Saturday nights. She further indicated that a neighborhood cleanup campaign at the northern part of the east bench would help with securing a grant. She reported that the neighborhood residents would be willing to assist police in the neighborhood watch to ensure the safety of the children. They would request sign, i.e. Children at Play, No Dumping, and No ATVs, to encourage park efforts going forth.

Police Chief Howard encouraged Ms. Ward to organize a neighborhood watch group and offered the use of the Police Department offices to hold their meetings. He indicated that organizing the watch group, the residents would be trained, and then he would be able to post a neighborhood watch sign. With regards to ATV traffic in the neighborhood, he commented that the City has an ordinance allowing ATVs to travel through the city at 15 MPH for access to the outskirts of the City. Addressing the request for increased patrolling, he indicated that the Police Department has requested additional manpower. Currently, there are two officers available through midnight, after midnight only one officer is on duty.

Mayor Scovill commented that a neighborhood watch program would be a real asset to any neighborhood. Ms. Ward commented that reporting of suspicious activity would increase. Chief Howard directed Ms. Howard to report such activity to Dispatch, who in turn would be able to reach the officer immediately. He commented that the Santaquin location is an administrative office, and stated that she should not leave a message there. He again referred her to County Dispatch.

Council Member Green asked if there is a big drug problem in Santaquin. Chief Howard responded in the affirmative and commented that this was the case all over.

Mayor Scovill directed Ms. Ward to meet with Chief Howard to obtain information and/or training regarding organization of a neighborhood watch program. He asked Ms. Ward to submit a copy of the grant information to Chief Howard.

Council Member Morgan asked who the applicant would be, the neighborhood representatives or the City. He also questioned who would be the recipient. Ms. Ward indicated that there would be a meeting to determine how the grant funds would be spent. She reported that the priorities would be the neighborhood cleanup, the watch group, and the sign placement. Mayor Scovill asked Ms. Ward to coordinate proposed sign placement with Chief Howard. Ms. Ward reported that the grant might be available within week of receipt of application.

Ms. Ward asked about the availability of dumpsters for use north of Peach Street. She reported that there are piles of plywood and junk below the retention basin. Mayor Scovill reported that the property belongs to Mr. McMullin who would be responsible to clean the area. He indicated that dumpsters would be located throughout the community for the annual spring cleanup. City Manager Carter informed Ms. Ward that she could call the City office regarding dumpster placement.

Ms. Bean approached the Council Members as a Chamber of Commerce representative for the "Welcome Bag Committee". She indicated that the objective of the "welcome" bag was to provide new move-ins with items from community businesses. She indicated that she would be contacting local businesses for gift certificates, coupons, any advertising media, etc. She commented that there were approximately 40 new move-ins per month. She asked for the City's help in distributing bags to anyone who come to the City office to sign in for utilities. She also asked if the City would be willing to donate something to the "welcome" bag, e.g., a flyer with the City's history, community information, library hours, phone numbers, etc. Council Member Morgan

suggested Ms. Bean contact non-city entities, e.g., schools for registration information, etc. Ms. Bean indicated that she would contact the schools, the fire department, and other entities.

Council Member Brandon commented that anything available in the City could be provided in a brochure. Mayor Scovill asked the Council Members to consider what the City could include in the “welcome” bag and bring their recommendations back before the Council.

Mayor Scovill asked how Ms. Thomas, City Treasurer / Utility Clerk would handle distribution of the bags. Ms. Bean reported that the bags could be filled and stored in the Chamber Room, ready for distribution.

FORMAL PUBLIC HEARINGS

Public Hearing with regard to a proposed Ordinance amending the Santaquin City Code Providing for Utility Connections.

Mayor Scovill stated that the proposed ordinance amending the Santaquin City Code providing for utility connections; disconnect stipulations, deposits associated with utility service, etc. He indicated that there was no sign-ins on the Public Hearing roster who would like to address the Council.

Council Member Green moved to enter in the Formal Public Hearing. Council Member Starley seconded the motion with a unanimous vote.

Mr. Bean asked if anyone had seen the proposed ordinance. Mayor Scovill indicated that the proposed ordinance has been available at the City office. Mr. Cleveland commented that he recalled a City Council meeting regarding water service shut-offs for non-payment. He stated that, in his opinion, the fact that the resident continued to be billed for disconnected services was wrong. He commented that the resident should not be charged a minimum for disconnected services. He commented that the ordinance should be looked at again.

With no further discussion, Council Member Brandon moved to close the Public Hearing with regard to a proposed Ordinance amending the Santaquin City Code Providing for Utility Connections. Council Member Green seconded the motion with a unanimous vote.

UNFINISHED BUSINESS

Nothing

NEW BUSINESS

Discussion and possible action with regard to the Peach Tree Estates Subdivision.

Council Member Morgan moved to approve the Peach Tree Estates Subdivision. Council Member Brandon seconded the motion.

Council Member Morgan indicated that he was concerned that the subdivision map did not identify what surrounds the five lots. Council Member Morgan distributed a map he had drawn identifying the problem areas. He reported that there would be two lots north of the Peach Tree Subdivision that would not have curb, gutter or sidewalk would exist north and south of these two lots. He indicated that although he is in favor of accepting the subdivision, he was also concerned with the potential problems the City would be faced with. For example, curb and sidewalks but they will be in place on both sides of 200 East going north, but traffic to the south would be funneled along a section of road with only 15’ wide pavement. Council Member Morgan suggested an Ad Hoc Committee be established to address solutions to various types of potential problems with new development joining with existing streets and residential areas.

Mayor Scovill indicated that there had been a meeting with LEI Engineering Inc. and informed the Council Members that the information they would be receiving within 2-3 weeks regarding the annexation agreement would will give light to Council Member Morgan's concern.

Council Member Green suggested the agenda item be tabled until more information would be available for the Council Members to review. Mayor Scovill indicated that it would not be necessary to table the issue.

With the motion made and seconded, the Council Members voted unanimously to approve the Peach Tree Estates Subdivision.

Discussion and possible action with regard to the City's policy on Prayer in City Council Meetings.

Mayor Scovill indicated that the City had received a request from the atheist group to establish a policy on prayer in City Council meetings. The group opposes prayer in a public setting and asked for a copy of the City's policy regarding prayer. Mayor Scovill indicated that the City currently does not have a policy and noted that there is nothing in the State Code that required such a policy. He indicated that it would be to the City's advantage to have a policy in place. Mayor Scovill stated that he had asked Legal Counsel to prepare a policy governing invocation/inspirational thoughts. He stated that the policy would be a one-plus page document that the Council Members would discuss and act upon.

Legal Counsel Rich commented that a policy draft intended as a draft for discussion, would comply with requirements set by case law in Utah. He cited a 1993 case and a case involving Murray City approximately one year ago. He reported that the court outlined what the requirements were in both instances. He commented that individuals who wanted to participate would have to submit a written request.

Council Member Green asked if the atheist group would leave the City alone if a prayer policy were adopted. Legal Counsel Rich indicated that there was no way for him to answer Council Member Green's question. He indicated that the group did not previously provide a return address and had not appeared at any Council Meetings.

Mayor Scovill asked if all Council Members would be in favor of the drafting of a proposed prayer policy. All Council Members voted in favor.

Mayor Scovill asked for permission from the Council Members to address agenda item 10a, the Fire Department Update. The Council Members had no objection to alter the Council Meeting procedure.

Fire Department – Update on the Departments accomplishments, goals and objectives.

Fire Chief Bott and several Fire Department volunteers gave a presentation regarding the accomplishments, goals and objectives of the Fire Department.

Mayor Scovill asked for permission from the Council Members to address agenda item 10d, the Economic Development Update. The Council Members had no objection to alter the Council Meeting procedure. Council Member Starley indicated that he would also like to turn his Council Member 'report' time to out of town pageant representatives, who would like to address the Council Members.

Economic Development

Mr. Caines, Chair of the Economic Development Committee, approached the Council Members. He distributed and explained a Goal Time-Line chart. Mr. Caines reported that short term goals included:

- to determine the proper location for Industrial zones
- to determine a 'look' for Santaquin. Mr. Caines reported that an Ad Hoc Committee had been created to decide on a standard design for Main Street.

Mr. Caines reported that a long term goal was the installation of utilities in the designated industrial zone. He stated that Utah Power & Light is in the process of conducting a study regarding the breakdown of where certain zones should be.

Mr. Caines indicated that the committee would appreciate any help with marketing materials; i.e. a brochure that explains the highlight of Santaquin City, etc. He commented that the Economic Development Committee had the funds and would like to design the brochure. Council Member Morgan commented that there was a brochure that had been designed a few years ago. Mr. Caines stated that the disc could not be found. City Manager Carter reported that there was a booklet that the Chamber of Commerce had produced, but it would have to be reproduced because the disc was corrupt.

Mr. Caines reported that the Committee would be requesting additional funds for the next fiscal year in the amount of \$3,000 for the printing of the brochure.

Council Member Morgan indicated that while he appreciates the update, there still is a need for someone to recruit businesses. Mr. Caines agreed and added that volunteers are needed to actively recruit for more business in the City. He reported that Ms. Hoffman, City Administrative Assistant, has done a lot of work for the committee and added that she has done a wonderful job.

City Manager Carter commented that the challenge was not having the product, i.e., utilities to the south interchange. He reported that the City has not been able to accommodate businesses who want to locate here.

Mayor Scovill expressed his appreciation for the Economic Development Committee members.

Mr. Bean commented that he was sure Council Member Roberts was inquiring about the use of the City building for the Republican Caucus Meetings. City Manager Carter responded that Councilman Roberts had been given the responsibility to contact staff regarding availability of rooms in the City building. Ms. Gurney reported that no one knew where the meetings were scheduled to be held.

Without further discussion, Council Member Starley introduced Amanda Jones as the Miss Santaquin Pageant Committee Chair, Bonnie Haycock as the Co-Chair, and Dennis Flynn, a Miss Utah Representative and trainer. Council Member Green volunteered to be a judge for the Miss Santaquin Pageant.

Ms. Jones reported that she is currently in the process of getting the Miss Santaquin Pageant franchised with the Miss Utah pageant. She indicated that the cost to send the Miss Santaquin Queen to the Miss Utah Pageant would involve additional cost and requested a minimum of \$1,000 for the pageant budget. Council Member Green asked if the additional funds could include donations. Ms. Haycock responded in the affirmative. Mayor Scovill reported that the funds would not be available for the 2003-2004 Budget and added that he was not sure if it would be available in next year's budget.

Mayor Scovill suggested Ms. Jones and Ms. Haycock meet with the staff members, Jody Thomas, Shannon Hoffman and Susan Farnsworth, who have oversaw the pageant for the past four years. Donations will be solicited for the required \$1000 for Miss Utah and the Franchise Fee.

Ms. Haycock asked if the current committee had the Council's support to compete at the State level. Council Member Starley voiced his support for the committee's decision to franchise the Miss Santaquin Pageant and commented that recognition would help the pageant grow. He indicated that the \$1,800 budget would have to be replaced by donations and other like-support from the community and business owners. City Manager Carter commented that all monies collected would need to account for through City records. He reported that in the past, the auditors have had real concerns with individuals who collect and spend the funds. He stated that these funds are public funds and should be accounted for.

Mr. Flynn indicated that because of invaluable information, the current committee should involve the former committee members.

Council Member Morgan commented that he understands the benefit of Santaquin City having a representative. He questioned Mr. Flynn regarding the Miss Utah and Miss America contests being commercial ventures and whether or not the City should be spending City funds to support such a venture. Mr. Flynn responded that the Miss Utah pageant was privately owned.

Mayor Scovill thanked Ms. Jones, Ms. Haycock, and Ms. Flynn for their time and service.

At 10:00 PM, Council Member Starley moved to break for 5 minutes. Council Member Green seconded the motion with a unanimous vote.

At 10:05 PM, Mayor Scovill reconvened the Council Meeting.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 03-02-2004 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR UTILITY CONNECTIONS."

Mayor Scovill suggested that agenda item 8, ***Ordinance 03-02-2004 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR UTILITY CONNECTIONS"*** be considered at this time. He commented that he was not sure that 8b was ready for discussion. City Manager Carter suggested that the fee schedule in item 8b could be changed at any time.

Council Member Brandon moved to adopt ***Ordinance 03-02-2004 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR UTILITY CONNECTIONS."*** Council Member Morgan seconded the motion.

ROLL CALL

Council Member Morgan – Aye.

Council Member Green – Aye.

Council Member Brandon – Aye.

Council Member Starley – Aye.

Resolution 03-01-2004, "A Resolution Establishing the Fee Schedule for Santaquin City."

Because of the time restriction, Mayor Scovill indicated that he would entertain a motion to extend the City Council meeting. Council Member Starley moved to extend the Council Meeting. Council Member Brandon seconded with a unanimous vote.

Council Member Brandon moved to approve ***Resolution 03-01-2004, "A Resolution Establishing the Fee Schedule for Santaquin City."*** Council Member Green seconded the motion.

Council Member Morgan – Aye,
Council Member Green – Aye.
Council Member Brandon – Aye.
Council Member Starley – Aye.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Carter had nothing to report.

Planning Commission

1. Setting of a Public Hearing (April 7, 2004) with regard to the Ordinance providing for an amendment to the processes by which various types of Development Projects are approved.

Because of the time restriction, Council Member Brandon moved to have this agenda item put on the April 7, 2004 City Council Meeting Agenda as 'Unfinished Business'. Council Member Starley seconded the motion with a unanimous vote.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Starley

Discussion and possible action with regard to the Rodeo Stock Contractor – Danny Clegg.

Council Member Starley indicated that a vote would need to be taken on the Rodeo Stock Contractor that was presented at the last Council meeting. Mayor Scovill asked who would be authorized to sign the contract. City Manager Carter responded that the contract would be executed by the Mayor.

Without further discussion, Council Member Starley moved to authorize Mayor Scovill to sign the \$6500.00 rodeo contract. Council Member Brandon seconded the motion with a unanimous vote.

Council Member Morgan

Discussion and possible action with regard to the relationship between the City Council and Planning Commission.

This item will be discussed at the next City Council Meeting.

BUSINESS LICENSES

Report of issued Business Licenses

Council Member Green reported that Iris Hilton had applied for a business license for her Home Occupation candy making and selling business, "Drop o' Love." With no objections, Council Member Green approved Ms. Hilton's Business License application.

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 10:52 P.M. Council Member Brandon moved to adjourn. Council Member Green seconded the motion. The Vote was unanimous.

Approved on April 7, 2004

A. LaDue Scovill, Mayor

Darlene L. Gray, Deputy Recorder