

**CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
FEBRUARY 18, 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 and Tracy Roberts.

Others attending: Planning Commission Representatives Zaloma Goodall, City Manager Roger Carter, Frank Garner, Scott Porter, Benjamin Rees, Representing Jason & Rees and Dave Cleveland (video taped the meeting), Valerie Butler, Stephen Geryl, Roger Porter, Shirley Porter, David Smith, Tom Larsen, Tod Rowley, Laviee Roberts, Lynn Thomas, Dennis Howard, Rex Bean and other unidentified individuals.

PLEDGE OF ALLEGIANCE

Council Member Green led the Pledge of Allegiance.

PRAYER

Mr. Roger Porter offered a Word of Prayer.

CONSENT AGENDA

Approval of the minutes February 4, 2004

Approval of the minutes of a Regular Meeting held on February 4, 2004

Bills - \$46,612.49

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

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ms. Butler approached the City Council and inquired whether or not the Council Members had reviewed the letter she had placed in their box. She asked each Council Member to review said letter before the next City Council meeting. Ms. Butler indicated that a new council member for the Main Street Enhancement Ad Hoc committee was needed. Mayor Scovill assigned Council Member Green to that committee. Ms. Butler informed Council Member Green that the next meeting would be held at 7:00 PM on Tuesday, February 24, 2004 at the City office.

Council Member Green asked Ms. Butler for an update on what had been accomplished to this point. Ms. Butler explained that the committee had been working on the beginning stages of Main Street development; i.e. signage, the 'look' of buildings, roofing, trees, drinking fountains, benches, awnings, street lighting, parking issues, etc. She indicated that the committee would appreciate recommendations and direction from the City Council.

Council Member Brandon asked what sort of budget the committee would be able to work with. City Manager Carter indicated that the Economic Development Committee has a \$1,000 budget, but the Ad Hoc Committee did not. Ms. Butler reported that the Ad Hoc Committee members are: Blain Oberg, Jesse Smith, Zaloma Goodall, Martin Green, and Sandra Hartford.

Mayor Scovill reported that the Utah Department of Transportation (UDOT) had advanced the City \$30,000 for the Main Street lighting upgrade enhancement. City Manager Carter added that the City is still working with Utah Power & Light on the lighting enhancement and commented that the City should only have to come up with approximately \$25,000 for the project.

Mr. Larsen inquired what would be done with the problematic intersection at Highland Drive and Highway SR 198. Mayor Scovill indicated that a round-about being studied was a possible solution, but that was a totally different issue than the Main Street Enhancement Project.

Ms. Butler indicated that she would like comments from the Council Members in a timely manner. She asked if all the Council Members would report to Council Member Green, would meet with her on Tuesday evening.

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Nothing

NEW BUSINESS

Presentation of a check to the Chamber of Commerce

Council Member Brandon presented a \$2,500 check to Tod Rowley for the Chamber of Commerce. Council Member Brandon indicated that the Council Members and the Mayor appreciate the hard work that the Chamber does for the community.

Mr. Rowley approached the Council and expressed his appreciation for the donation. He reported that the Chamber had met at a retreat in February to set long and short term goals. He reported that the Chamber had set 6 – 7 goals for this year, 2004. He indicated that one short term goal, would be a fairly large goal and would require time and help from everyone.

Mr. Rowley explained that many of the Chamber of Commerce members have children and grandchildren and stated that skating had become more popular. As one of their goals, the Chamber planned to create a skating park. He indicated that the Chamber would like the City to suggest the location for the skating park and indicated that donations would be solicited from local businesses. He asked for the City's blessing on the project.

Mr. Rowley reported that the Chamber of Commerce had also discussed creating a Youth Council that would present ideas to the Chamber. He indicated that in the past, there had been a Youth Council and stated that Sunny Howard had expressed interest in chairing the Youth Council.

Mr. Rowley reported that the second and larger goal would be a swimming pool. He indicated that the subject had been discussed for many years. He added that monies from past Cherry Days had been collected and were currently in an account held by Sandra Gurney. Mr. Rowley indicated that the swimming pool would be a 2 – 4 year goal, however, the Chamber would like to get it into the works now. Ms. Gurney indicated that she would be willing to work on the committee.

Ms. Gurney commented that when the discussion of a swimming pool had taken place in the past, grants were available through Mountainland. She requested that the \$10,000 previously set aside for the swimming pool project, but later used to purchase a pump truck during the 1983 flood, be returned to the pool fund. Ms. Gurney commented that the monies had been lost in the process and that the funds needed to be replaced. Ms. Gurney also indicated that she holds approximately \$15,000 in an account that she would like to move into the City account for the swimming pool. Mayor Scovill indicated that he, City Manager Carter and Council Member Roberts would research the location of funds discussed.

Council Member Green indicated that there are contractors and others in the City that could be approached to help with the project. Mr. Rowley commented that the committee has not as yet been created.

Mr. Rowley commented that he had heard rumors that money is available for parks and recreation through the City and stated that he felt it was time to work on other things rather than parks. He indicated that he would like to have the committee organized by the first of March 2004 and stated that someone from the City Council should be on the committee. Mayor Scovill indicated that one of Council Member Roberts assignments was to oversee parks and recreation.

Mr. Rowley reported that the Chamber's third goal was to continue with things as they have already been done; i.e. the business directory, scheduling of Santaquin Days, the Easter Egg Hunt, the rodeo concession, the Chamber of Commerce Summer Party, the December Light Parade, etc. and asked for the City's continued support. He indicated that Chad Rowley and Kirk Greenhalgh would co-chair the Events Committee. He reported that Carwin Carter would continue to organize the rodeo.

Mayor Scovill expressed his appreciation to the Chamber of Commerce members.

Council Member Morgan commented that the City would probably have a major roll in the operation and upkeep of the swimming pool and asked that the Chamber of Commerce Committee would estimate the cost of operating the pool. Mr. Rowley responded that the skate park would have no admission charge, but the pool would cover operating costs, etc. He indicated that the committee would review all options.

Council Member Morgan asked Mr. Rowley how the new meeting room was working for the Chamber members. Mr. Rowley expressed his appreciation for the room and reported that the Chamber had not yet had used the room. He reported that their first meeting in the room would be on March 11, 2004. Mr. Rowley reported that he could be reached anytime at South Ridge Farms, 754-5511.

Council Member Morgan asked for an update regarding the City entrance sign, which the Chamber earlier said they would work on. Mr. Rowley indicated that he was not sure what has happened with the sign. He explained that the Chamber of Commerce did not want the new sign to detract from the sign already in place. For present, the sign is at status quo.

Jared Sommers – Utah County Division of Substance Abuse

Mr. Sommers was not present.

Mayor Scovill reported that this involved elimination of alcohol sales to youth. He indicated that a presentation had been made to the Utah County of Governments several months ago and hoped that someone would have been at the meeting to present the same information. Mayor Scovill suggested looking at this seriously and indicated that a copy of a possible Resolution had been included in each Council Member's packet.

Mayor Scovill indicated that he, Police Chief Howard and City Manager Carter would review the information and return to the Council with a recommendation. Chief Howard reported that portions of the program are being done by the City's Police Department and further indicated that they currently operate with Utah County for tobacco and alcohol 'stings' on a quarterly basis.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 02-01-2004 "A RESOLUTION DEFINING THE AMERICAN LEGION'S USE OF THE CITY FACILITIES"

Mayor Scovill explained that this resolution is before the Council to honor the commitment made to the American Legion to use the building whenever necessary and included the storage of their equipment for the Honor Guard at funerals. He commented that a secure gun safe is being built in the building and that the Legion may use the City building for their meeting. This Resolution will fulfill the City's prior commitment to the American Legion.

Mayor Scovill indicated that he would entertain a motion to approve the proposed resolution. Council Member Roberts moved to pass ***Resolution 02-01-2004 "A RESOLUTION DEFINING THE AMERICAN LEGION'S USE OF THE CITY FACILITIES"***. Council Member Green seconded the motion.

Council Member Roberts – Aye.

Council Member Morgan – Aye.

Council Member Green – Aye.

Council Member Starley – Aye.

Council Member Brandon – Aye.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Economic Development Committee – Semi-Annual Report

Mayor Scovill indicated that this agenda item would be tabled and reviewed at the first Council meeting in March 2004.

City Manager

City Manager Carter indicated that the City's Economic Development Committee had received \$4,000 additional funds from Utah Power and Light, as well as \$4,000 from Summit Ridge Development to be used toward developing an infrastructure plan for services at the south interchange.

Council Member Green inquired when the pressurized irrigation project would be discussed. City Manager Carter indicated that City Engineer Fullmer would need to be schedule that update. Mayor Scovill reported that he and Engineer Fullmer had met last week and had also received letter a from J U B Engineering regarding finalization of issues discussed. He indicated that he would schedule a work session to report progress to the Council Members. He stated that the report would include the cost incurred by residents, as well as funds required to install the proposed system. He commented that the project would cost around \$10 million and added that it would tie in the Central Utah Water Project.

Council Member Starley asked who had approved plans to be used at the south interchange and asked what plans had been given to the Economic Development committee. City Manager Carter responded that the presentation regarding development at the south interchange had been made to Economic Development committee because it part of their function to review and make recommendation regarding economic development within the City. He indicated that the previous CC had endorsed the plan and funding was secured for the committee.

Council Member Morgan said he thought that the south interchange had been chosen by the provider of the money. City Manager Carter indicated that the money provider had not chosen the location and added that the committee looked at what would be reasonable and the committee felt the south interchange development could be used as leverage for additional funding from Summit Ridge Development.

Council Member Starley asked if the committee members were strictly only looking at plans and nothing specific like lighting. City Manager Carter responded that the committee members were looking at issues involving what the City thinks would be the best use of the land. He added that the committee assists with plans, creating vital layout that would be done in conjunction with the Summit Ridge Project.

Planning Commission

Planning Commission Representative Goodall reported that the Planning Commission had approved a Conditional Use Permit for a day care. She reported that the Commissioners had discussed the new sign ordinance. Council Member Morgan asked if the Commission as a body had unanimous views regarding billboards. Council Member Brandon indicated that the Commission is somewhat divided. Commissioner Goodall commented that the Commissioners were united in some ways, but added that some of the Commissioners felt that they should be less intrusive on individual property rights. She explained that the Commissioners were not against the proposed sign ordinance, but stated that there was some misunderstanding of what a sign can say.

Council Member Roberts expressed his desire to be on record for thanking the Planning Commissioners for being concerned with life, liberty and property. Commissioner Goodall commented that there was no one here who was not concerned with individual rights.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Brandon indicated that he had been present at the Planning Commission Meeting discussion regarding signs and reported that at present, nothing has been drafted.

Council Member Roberts reported that he had met with Idonna Crook and Donna Bott regarding the Museum. Ms. Crook and Ms. Bott indicated that they had secured approximately \$18,000 worth of antique items for free. They expressed their desire to report to the Council Members at a future meeting.

Council Member Roberts relayed the concern that Ms. Crook and Ms. Bott have regarding the roof on the log cabin. He reported that these ladies would like to use Grant funds to purchase supplies to repair the roof. City Manager Carter explained that the Museum Director had missed the Grant deadline and indicated that the City had requested and received an extension to March 30, 2004.

Council Member Roberts indicated that he would talk to Doug Rohbock regarding removing the wheeled frame from under the cabin. The frame was used to transport the cabin to its present site. Mayor Scovill commented that Kirk Greenhalgh and the Postmaster were also involved in the initial moving. He suggested that the Museum Director needed to determine the repairs on the cabin and indicated that the City would need to match the \$1,800 Grant monies. Council Member Roberts indicated that he would check into in-kind donations. He commented that he would work with the Daughters of Utah Pioneers (DUP) to fix the inside of the cabin.

Mr. Garner, a Genola resident, commented that he had several bundles of cedar shake shingles that he would donate to the roof repair of the cabin.

Council Member Morgan had nothing to report.

Council Member Brandon indicated that he had talked with Ms. Bott regarding the Museum budget and asked if the Museum budget had been spent. City Manager Carter responded in the affirmative and explained that the hardwood floors in the Museum had been damaged and were replaced. He indicated that the insurance only covered part of the repair cost.

Council Member Starley reported that the Miss Santaquin Pageant would be held on April 24th this year. He indicated that City Recorder Farnsworth was very helpful in getting the information onto the City cable channel. Council Member Starley reported that Amanda Jones had accepted the Pageant Chair position. She has directed the pageant in Springville and asked him to give consideration of franchising so the contestants could participate in the Miss Utah Pageant. He indicated that his recommendation would be to look into the franchising possibility. He indicated that there are only 60 cities that are involved and it would be big publicity for the city. There would be an entry fee for the queen of \$450 which covers the dress and pageant cost.

Council Member Roberts asked if Council Member Starley would be interested in having the Sheriff's Department Honor Guard present the flag at the beginning of the program. Council Member Starley indicated that he would present the offer to Pageant Chairperson Jones.

Council Member Starley proposed fixing the gymnasium and stage at the City building. He commented that he had been trying to obtain donations of materials to paint, repair, etc. Mayor Scovill indicated that Council Member Roberts should be included because of his responsibility over buildings. Council Member Green suggested finding a local contractor who could help with equipment, e.g. a paint sprayer.

Council Member Green asked about the photographs of past City royalty and indicated that he would like to display the photographs. City Manager Carter commented that the photographs had been taken down when the building was renovated. City Manager Carter added that photographs of previous mayors were secured with the royalty photographs and asked what suggestions the Council Members had regarding display of these photographs. Council Member Roberts indicated that he would take care of displaying the photographs.

Council Member Starley reported that he would be having a meeting with Carwin Carter and the rodeo contractor.

Council Member Starley indicated that because of concerns and time constraints, it was suggested that the Jr. Miss and Little Miss Santaquin Pageants not be held this year. Council Member Green commented that if the pageant was not held for one year it would be hard to get back into having the pageant. He commented that there had been a lot of participation last year. He indicated that if Chairperson Jones could not do the Jr. and Little Miss, Council Member Starley should find someone who would be willing to chair the pageant. Council Member Starley indicated that he was having a hard time finding residents who would be willing to chair the events. Council Member Brandon suggested soliciting help through the City's website. Council Member Starley responded that the request for help is already on the website.

Council Member Starley reported that there would be a meeting next Tuesday, February 24, 2004 regarding the Eastside Park. He commented that there were concerns with the US Forest Service property and the containment ditch running through the park. City Manager Carter indicated that the park had a retention basin and commented that when the City originally met with the Forest Service, they indicated that they could not permit the basin because a flood channel would not be allowed on Forest Service property. Because the area has a natural drainage for flow, into the basin, a channel was not built. If a channel were to be built, the Forest Service indicated that a full environmental study would be required.

Council Member Brandon asked if the previous City Council Members had been honored for their service to the City. He indicated that he felt it would be appropriate to award those members with a plaque. Mayor Scovill indicated that he had no objections to awarding the previous council members with a plaque. Council Member Starley indicated that Frank Staheli should be included with the previous council members.

BUSINESS LICENSES

Report of issued Business Licenses

Council Member Green indicated that Shantel Craig had approached him regarding the use of the gymnasium to start a girl's dance club. City Manager Carter indicated that he had spoken with Ms. Craig and explained to her that the City is currently working on a rental policy with long term requirements, hourly rates, etc. He indicated that he would refer her to Craig Ercanbrack, City Recreation Director, to have her program incorporated into the City recreation program. He indicated that he would meet with Ms. Craig by the end of the week.

Council Member Starley indicated that he would like the Hammond presentation, which was presented last Council Meeting, entered in as part of the Council minutes.

Mayor Scovill reported that he had met with the property owners of the North Santaquin Orchard Annexation. He indicated that the Council Members would meet in a Joint Work Session, with the Planning Commission, on February 19, 2004 to review the Special Improvements District (SID) plan. He indicated that the Annexation Agreement had not as yet been completely defined. Mayor Scovill indicated that the details would need to be received within the next 2 weeks or by the first part of March.

City Manager Carter reported that he had met with Gale Lim, Summit Ridge Development and indicated that the project was scheduled to come back to the City Council in March 2004. Mayor Scovill added that there would be a number of issues that would be coming before the City Council.

Council Member Green referenced a Council discussion 2 weeks prior regarding his approval of Business License Applications without prior Council okay. Council Member Roberts asked Council Member Green to confirm that this process would not violate an ordinance. Council Member Green indicated that he had planned on approving the business license applications and returning them back to staff so an applicant could start without the delay of approval through public meetings. He commented that if the other Council Members approved of the proposed process, he would report to the Council licenses that he had approved. Mayor Scovill commented that some Business License Applications require three inspections before they are presented before the City Council.

Council Member Morgan indicated that an ordinance had been accepted a year ago regarding minor and major classifications for Home Occupation Business Licenses. Council Member Green commented that he would only consider the minor class home businesses. City Manager Carter indicated that Conditional Use Permits associated with Home Occupation businesses were approved through the Planning Commission and were a prerequisite to obtaining a Business License process.

Mayor Scovill suggested that Council Member Green approve all Home Occupation Business License Application whether they were minor or major class and added that all other Business License Applications come before the City Council. Council Member Green indicated that if something came up that would impact a neighborhood, he would bring the application before the City Council. Council Member Morgan commented that he was comfortable with Council Member Green's judgment.

Council Member Green indicated that he would like to bring Jenifer Robinson's Day Care Business License Application before the City Council and asked if anyone on the City Council had any additional information. Commissioner Goodall responded that the Conditional Use Permit for the Robinson Day Care had been approved. She indicated that Ms. Robinson would be tending only one child and explained that she had applied for the Business License to fulfill the State requirement. She reported that there was no reason why Ms. Robinson should not have a business license. Commissioner Goodall reported that the Conditional Use Permit had been issued for one year and with no objections from local residents, the permit could be renewed for additional time periods.

Commissioner Bean indicated that the State allows Ms. Robinson to care for up to eight children. He reported that she has four children of her own.

Council Member Roberts asked if anything was known about the applicant. Commissioner Goodall explained that if any complains were brought to the City, Ms. Robinson's Day Care would be shut down. Council Member Morgan asked that with the numerous day cares in the City, had any of them had a background check. An unidentified individual addressed by the name of Denise, indicated that background check applicants go through a process of being finger printed and the background check process takes about 30 days, and these background checks are a part of the State approval process.

Ms. Roberts commented that all applicants have to be approved by the State in order to have a day care and asked if there was a child / parent ratio. Commissioner Bean reiterated that the City allows eight children, exclusive of the applicant's own children. However, he commented that the State does count the applicant's children in the number allowed.

Council Member Green indicated that he would bring all applications for Day Care before the City Council for discussion. Council Member Roberts commented that he did not want something to come back onto the City Council. City Manager Carter indicated that the Council must apply an equal test among all the applicants to avoid discrimination. Ms. Thomas commented that it was the parent's responsibility to research the day care facility to find out if would be an appropriate place to leave their child. City Manager Carter commented that there are no resources to manage and monitor background check for applicants.

Council Member Green indicated that he would not sign off the Robinson's Day Care Business License Application because the application was not complete. Commissioner Bean offered to sign the application in behalf of City Planner Bolser. Deputy Recorder Gray was given the application to ensure the process was complete. Council Member Green approved the Business License on the condition that the Planning Commission Chair and City Planner Bolser would sign off on the application.

Council Member Green indicated that he had approved the Home Occupation Business License Application for Cory Hone Heating, Venting, and Air Conditioning business in his home.

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 8:38 P.M. Council Member Roberts moved to adjourn. Council Member Starley seconded the motion. The Vote was unanimous.

Approved on March 3, 2004

A. LaDue Scovill, Mayor

Susan B. Farnsworth, City Recorder