

**CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
FEBRUARY 4, 2004**

At 7:00 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 Allen Reed and Rex Bean, Police Chief Dennis Howard, Justice Court Clerk Jane Swan, Members of Scout Troop #102 Hayden Callaway, Austin Ercanbrack, Josh Ross, Dereck Larson and Scout Master Craig Ercanbrack along with Members of Troop #100 Cam Killpack, Dallan Lundquist, and Brandon Black. Also attending was Denise Ray, Shayne Durrant, Scott Porter, Dale Cleveland, Craig Facer, Richard Greenhalgh, Ruel Haymond, Ed Westover, Roger Porter, Kara Staheli, Frank Staheli, Chris Rode, Hugh Rode, Tom Larson, Steve Thomas, Genola Town Council Member Brian Draper, Goshen Town Council Member Roger Jensen, Valerie Butler, Chris Wall, Daily Herald Representative Justin Hill, and other unidentified Individuals. City Manager Roger Carter was excused.

PLEDGE OF ALLEGIANCE

Mayor Scovill led the Pledge of Allegiance.

PRAYER

Mr. Durrant offered a Word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on January 21, 2004

Bills - \$136,676.04

Council Member Green moved to approve the items on the Consent Agenda. Council Member Brandon seconded the motion. Council Member Starley indicated he thought that the Council Members stipulated that there was to be no additional use of any logo until the logo issue was resolved. Mr. Durrant indicated that Regan Sign Company agreed to install a sign on one of their billboards at no cost to the City. The billboard space would be available to the City until the advertising space was sold. Council Member Roberts indicated he left the last Council Meeting with the understanding that there would be no addition use of the Mountain Logo. Mr. Durrant said that if the Council Members would like the sign removed Regan Sign Company would do so at the City's expense. Those in attendance were told by City Recorder Farnsworth that City Manager Carter did not know that the sign was installed until he received a phone call inviting Him to go and take a look at it. Council Member Morgan said that the billboard does not indicate that the Mountain Logo is the official City Logo. He said the free billboard sign is the only Santaquin Advertisement on any of the I-15 billboards, and it should be left in place as long as Regan Sign Company would allow it to remain. After this discussion the vote was unanimous.

Council Member Brandon asked what service J-U-B Engineering offered. He was told that they are performing a Feasibility Study with regard to a City wide pressurized irrigation system. He also had a question on a portion of the Nelson and Senior billing, for Summit Creek Irrigation issues, as well as the billing from Spanish Fork City for GIS services.

Council Member Roberts commented the Council Members could have a lap top computer for the price of the Lawyer's bill.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Mr. Haymond addressed those in attendance with regard to the letter that was sent to the Mayor and Council Members from an Atheist Group (see attachment "A"). He quoted from the letter that certain criteria would need to be met if the City Council wanted to allow the opportunity for Citizens to individually choose to publicly pray at meetings. He indicated that the author of the letter was not a Santaquin City Resident nor did the author vote for any of the Council Members. Mr. Haymond said that life and liberty would not exist if there were no laws. He also cited several examples showing how the demands of the Atheist's letter violated Constitutional Principles. Mr. Haymond closed by reading the post script of the letter which states, "City Officials should maintain the City's Religious neutrality by not giving prayers at the City Meetings".

Council Member Starley stated that although he is an Elected Council Member he should not be required to leave his religious beliefs at the Council Room door.

Mr. Durrant shared the concerns of his neighbor with regard to the removal of snow. He indicated that Mr. Judd who lives at approximately 500 E 550 S would like to have the snow removed out of his driveway. Mr. Durrant was told that his neighbors request would be given to the Maintenance Department.

Appointment of Economic Development Committee Members

Council Member Green moved to appoint Tod Rowley and Troy Kunz to the serve on the Economic Development Committee. Council Member Morgan seconded the motion. The vote was unanimous.

Administering of the Oath of Office to the Justice Court Judge

Mayor Scovill reported that Tim Haveron will not be reappointed as the Justice Court Judge which has served Santaquin City and the Towns of Genola and Goshen. Mayor Scovill introduced Hugh Rode, who will be serving as the new Justice Court Judge. Mr. Rode introduced his wife, Chris Rode and indicated he was excited to be a part of the Justice System. City Recorder Farnsworth administered the Oath of Office, separately for each venue Mr. Rode will be serving.

Town of Genola Council Member Draper as well as Goshen Town Council Member Jensen served as representation during the Administering of the Oath of Office to Mr. Rode. They reported that their Towns enjoy all of the partnerships they have with Santaquin City. They believe these partnerships greatly benefit the Citizens of their Communities.

FORMAL PUBLIC HEARINGS

Nothing

UNFINISHED BUSINESS

Nothing

NEW BUSINESS

Presentation by the Atheist Group

No one attended on behalf of the Atheist Group.

Discussion and possible action with regard to the Wall Single Lot Split

Planning Commissioner Reed reported the Planning Commission Members reviewed the proposed single lot split and found the request to be in accordance the City Ordinances. Planning Commission Member Reed indicated that during the past Planning Commission Meeting, Council Representative Brandon and Council Member Roberts voiced their support of the Planning Commission and the decisions that they make. Council

Member Morgan questioned why one of the lots didn't have a squared corner. Mr. Wall indicated that there is an additional lot, which has a separate deed that shares the same boundary.

Council Member Brandon moved to approve the Wall Single Lot Split. Council Member Green seconded the motion. Council Member Morgan questioned if Mr. Wall owned the adjacent lots and would they eventually be brought before the Council for another lot split approval. Mr. Wall answered in the affirmative. After the discussion the vote was unanimous.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Nothing

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

Planning Commission Representative Reed didn't have any addition information or comments for the Mayor and Council Members.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Discussion and possible action with regard to agenda items

Mayor Scovill indicated that Council Member Starley presented him with suggested amendments to Resolution 9-02-2002. These amendments are associated with the Santaquin City Council Protocols. A work session will be scheduled to consider modification to the protocols.

Mayor Scovill reported he had received a letter submitted by Summit Creek Irrigation Representative Tod Rowley. Mr. Rowley extended an apology to Council Member Brandon and the rest of the City Council for his actions with regard to his nomination for the Summit Creek Irrigation Board. Mr. Rowley indicated he didn't understand that by making a nomination, the implication was made that the nominee would also receive his vote. Mr. Rowley also congratulated Council Member Brandon for his efforts to abate hard feelings that exist between the Agriculture Producers and Santaquin City. Mr. Rowley indicated he did not intend to hurt or offend any person by his actions. Mr. Rowley closed his letter by indicating that he would continue to work on mending this wrong (see attachment "B" for the original letter).

Council Member Morgan is the City's Representative on the South Utah Valley Animal Services Special Service District. He asked if the Mayor would like him to represent the City on the Election Committee. The Mayor was in agreement. Council Member Morgan indicated that this Committee will draft details pertaining to a proposed County Tax Levy increase. Mayor Scovill reported that the current Animal Shelter, which is located in Spanish Fork, is incurring expenses that exceed the revenue received. Therefore all of Utah County Residents are subsidizing the shelter. North Utah County Cities are currently using an Animal Shelter located in Orem. Council Member Roberts stated that the County Commissioners form a Special Service District so they can claim they have not increased taxes.

Council Member Morgan indicated he recently attended a seminar sponsored by the Rural Water Association. He received information on the establishment and use of impact fees and water rates. One of the recommendations made by the Association was to review rate structures on a yearly basis. Council Member Morgan indicated he would like to attend the Rural Water training, which will be held in St. George this month.

Council Member Morgan questioned if the City has any regulations requiring property owners to replace broken windows in empty Commercial buildings. He was referring to the vacant building at approximately 50 West Main. Mayor Scovill indicated the broken window could be addressed as a nuisance which would be enforced by the Police department. Mayor Scovill reported that the building is currently being looked at for purchase by a Credit Union.

Council Member Morgan questioned if there is a time limit associated with Building Permits. He asks this question because of the half built addition behind the Phillips 66 located on Main Street. Mayor Scovill will speak with the City Building Inspector with regard to this issue and report to Council Member Morgan.

Council Member Green reported that he has a concern with the length of time associated with the issuance of a Business License. Mayor Scovill indicated that the Building Inspector and Fire Chief are required to do inspections. He stated that he would be comfortable with Council Member Green approving a license and then reporting to the Mayor and the Council Members. Council Member Roberts suggested a review be made to assure that the approval process does not violate any City Ordinances. Council Member Green will do the needed research and report back to the Mayor and Council Members.

Council Member Starley indicated he has begun the City Celebration preparations. He requested names for anyone interested in volunteering to help. Miss Santaquin entry forms are now available at the City Office with the pageant being scheduled for April 17th.

Mayor Scovill reported he, Administrative Assistant Shannon Hoffman, and City Engineer Shon Fullmer met with the Main Street Enhancement Committee with regard to the project of installing sidewalks, under the Main Street freeway overpasses, and lighting and landscaping at the entrance of the City. They were allotted 15 minutes to present their ideas and needs along with answering questions from the Committee Members. There is approximately \$4 million available for projects such as these throughout the State of Utah. If Santaquin is awarded any of this available funding we would be required to match 25% of the total project cost. UDOT's Traffic and Lighting Division has committed \$30,000 to the street lighting portion of the project. This amount could be used as a part of the required City match.

Council Member Starley questioned if there had been any new developments with regard to the Goshen Transfer Station. Mayor Scovill reported that there have been a number of different scenarios discussed but a resolution or decision has not been made.

BUSINESS LICENSES

Nothing

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 8:35 P.M. Council Member Brandon moved to adjourn. Council Member Starley seconded the motion. The Vote was unanimous.

Approved on February 18, 2004

Original minutes signed by A. LaDue Scovill, Mayor and attested to by Susan B. Farnsworth, City Recorder.