

**CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBER  
JANUARY 7, 2004**

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

Others attending: City Manager Roger Carter, City Planner Jim Bolser, Legal Counsel Brett Rich, City Employees Shannon Hoffman, Darlene Gray, Shon Fullmer, and Jody Thomas, Police Chief Dennis Howard, First West Benefits Representative Ken Kuhni, Jeremy Thomas, Kevin Farnsworth, Walter Callaway, Allen Reed, Doug Rohbock, Marianne Stevenson, Allen Gurney, Sandy Gurney, Jane Tanner, Keith Broadhead, Mike Carter, Brent Vincent, Idonna Crook, Donna Bott, Frank Staheli, Kara Staheli, Shayne Durrant, Christy Hubbard, LaVieve Roberts, Dennis Carlisle, and Stan Robbins.

**PLEDGE OF ALLEGIANCE**

Council Member Roberts led the Pledge of Allegiance.

**PRAYER**

Mr. Kuhni offered a Word of Prayer.

**CONSENT AGENDA**

***Approval of the minutes***

Approval of the minutes of a Regular Meeting held on December 17, 2003

***Bills - \$72,534.50***

Council Member Morgan moved to approve the Consent Agenda. Council Member Green seconded the motion. Council Member Morgan requested two changes to the Minutes and questioned if the payment for Civil Science would reflect payment in full. He was told that the payment represents a partial payment. After the brief discussion the vote was unanimous.

**PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Mrs. Bott thanked the City Employees for decorating the museum for the holidays. She also questioned if the deadline for expending the Museum Grant has past. City Manager Carter requested Mrs. Bott meet with him at a later date to discuss the Grant issue.

***Ken Kuhni – Representative of First West Benefits***

Mr. Kuhni introduced himself as the Health Insurance Benefits Coordinator for the City. He reviewed with the Mayor and Council Members the positive changes that have occurred since the beginning of the 2003/2004 Fiscal Year which began in July. Those changes include the Blue Cross Blue Shield Insurance coverage options available for the City Employees to choose from, as well as an increase in the Life Insurance benefits at a lesser cost to the City. Mr. Reed and Mayor Scovill complimented First West Benefits for their support and great representation of the City.

***Announcement of the Christmas Lighting Contest Winners***

Grand Prize- Scott and Chris Haskell

Most Lights- Gerald and Charlotte Davis

Most Creative- Rick and Karen Wall

Most Unique- Corrie Braithwaite

Most Beautiful- Warren and Thelma Ahlin

Mayor Scovill reviewed the names of the winners of the Christmas Lighting Contest with those in attendance. The winners were unable to attend Council Meeting this evening. The winners will receive additional Christmas Lights, which were donated by Greg's Distinctive Decorating.

**FORMAL PUBLIC HEARINGS**

Nothing

**UNFINISHED BUSINESS**

Nothing

**NEW BUSINESS**

***Reappointment of the City Recorder***

Mayor Scovill recommended the reappointment of Susan Farnsworth as the City Recorder. Council Member Green requested tabling the reappointments, agenda items 7a and 7b, until the next Council Meeting. This will give the new Council Members a period of time to work with the existing City Recorder and City Treasurer. Council Member Roberts seconded the motion.

Council Member Morgan questioned what additional information the new Council Members hoped to obtain within the next two weeks.

Council Member Starley indicated he would like the opportunity to review the reappointment process before voting for or against the reappointment.

Mayor Scovill told Council Member Starley that the process consisted of the Mayor making a recommendation and the Council voting on his recommendation.

Council Member Brandon agreed with Council Member Starley and requested the reappointments be discussed during an Executive Session.

Council Member Morgan indicated the reappointment procedure is part of the Utah Code and added that the new Council Members could have reviewed the Code at any time.

Council Member Roberts indicated he would like to discuss the reappointment in an Executive Session and not in a Public Meeting.

Council Member Morgan once again questioned why an Executive Session was needed. He said the reappointment should be based on job performance not on a personal nature.

Mr. Reed questioned if the new Council Members were afraid to make a commitment. He indicated the staff knew their jobs and did them well. He commented that the new Council needed to make the reappointment and give the staff a chance.

Planning Commission Chairperson Rohbock indicated he has had a number of opportunities to work with both the City Recorder and City Treasurer. He commented that, at all times, both were very professional.

Mrs. Tanner indicated she has the opportunity to work with the City Recorder and Treasurer as the Director of the Senior Citizens. She indicated she has always been treated respectfully with the Recorder and Treasurer going out of their way to be helpful.

Mrs. Gurney was concerned about the newly elected Council Members making uneducated decisions that would affect the lives of the professionals in the City Office. She reported she worked in the PTA for a number of

years and throughout her years of service, she only heard from the few unhappy individuals and never the large number of happy individuals.

Council Member Roberts indicated it was his duty to the people who elected him to make a change in the staff.

Mr. Staheli indicated that the reappointment is a 2-year appointment. He said he agreed with the positive comments that had already been shared. He served approximately 5 years on the Council and through those 5 years he saw nothing but positive conduct from the City Staff. He believes that the reappointment should be performed this evening.

Mr. Durrant reported that the City runs like a business. If the Council didn't make the reappointments this choice would come at the expense of the City. He concluded by saying that the City Recorder and City Treasurer have the knowledge that the new Council Members lack. The Council Member would be doing a great injustice to the residents of the City if they allowed 2 or 3 negative individuals to dictate whether the reappointment happens or not.

Mr. Callaway indicated that the choice to not make the reappointment would show the incompetence of the new Council Members.

Mr. Mike Carter reported he was a resident of the City and a client of the City. He indicated he has had a number of opportunities to work with both the Recorder and Treasurer. He indicated he has never had a negative experience with either of them.

Council Member Brandon reported that individuals had indicated that the Staff is unfriendly and as Council Members they would like to resolve the reported issues.

Mr. Gurney indicated that those with the negative comments had the same right to attend this Council Meeting as those with the positive comments.

Council Member Morgan reiterated that the decision for reappointment should be based on Staff performance and not on personal issues.

Council Member Starley indicated that the Council was not saying that a reappointment would not be made, but he felt it important to hold an Executive Session.

Mayor Scovill reported that the Council Members define Ordinances and Resolutions that the Staff is required to adhere to. In the process of enforcing these Ordinances and Resolutions, the residents of the City may occasionally feel the Staff is being offensive, rude or inconsiderate to them. The Staff is only following the guidelines that the City Council has set forth. He recommended retaining the City Recorder and the City Treasurer. He also indicated that anytime would be a critical time to be training a new Recorder or Treasurer but especially at this time when the new fiscal year budget process has just begun and with the number of annexations and the development of the Summit Ridge project.

Planning Commission Chairperson Rohbock indicated he would like to once again thank the Staff for all they do and the manner in which they perform their duties.

Council Member Roberts commented that he had knocked on hundreds of doors while campaigning. If he had heard one or two negative comments he would have dismissed them. He indicated that a number of people wanted changes made.

Mrs. Gurney said that this City is great and the new Council Members would be performing a great injustice by making uneducated changes. She also indicated that if they continue to make uneducated changes the next four years would be very long and unproductive.

Mr. Durrant reported he has great respect for anyone who participates in City Government. He feels Council Member Roberts has strong opinions, but decisions that affect the City cannot be based on opinions.

Mayor Scovill indicated he had met with the new Council Members before they took the Oath of Office. From the information he received from the meeting, he doesn't understand why the new Council Member feel the reappointment should not be made.

Council Member Brandon indicated that it is not the intent of the new Council Members to put the City in a crippling position. He would however like to have a chance to discuss a few issues in an Executive Session. He also reported that his working relationship with the staff has been minimal.

Mr. Broadhead reported that there are State Laws pertaining to the reappointment. The law indicates that a reappointment will need to be made before the 1<sup>st</sup> Monday in February. He also reported that as a past Council Member and Mayor, he has had an opportunity to work with both the City Recorder and City Treasurer, although Mrs. Thomas was in another position at the time. He feels the individuals who currently serve in these two capacities are the appropriate individuals to continue to fill these positions.

City Employee Gray questioned if any of the four new Council Members campaigned with the notion of replacing the City Recorder or City Treasurer. She was answered by three of the four that this issue was not part of their campaign. She indicated she had been approached prior to the Elections, asking her to apply for the City Records position.

Mr. Farnsworth questioned why the new Council Members thought they had the knowledge to make a change when the new Council Members hadn't had the opportunity to work with the Staff Members.

Mrs. Staheli indicated she had worked with the Staff on a number of projects. She indicated the Staff Members are very committed to the City and those who have had negative comments are the same individuals that believe everything about the City is negative.

Mr. Gurney questioned why the new Council Members didn't take the initiative to get to know the Staff and their work ethic after the November Elections.

Mrs. Gurney indicated that if the new Council Members made the choice to not make the reappointment, the City would have a very hard time attracting the caliber of Employees that they currently have. She wondered who would want to work for a Council that would remove a person from their job because they were doing their job.

Council Member Starley indicated he felt some of the comments he had heard should only be addressed in an Executive Session.

Mrs. Roberts indicated that the polls showed that the residents wanted a change.

Council Member Brandon reported he was not opposed to making the reappointment but felt the perceived problems needed to be addressed. He added that he felt the time to address the perceived problems would be during an Executive Session.

Mayor Scovill indicated a motion and a second were made to table the reappointments until the next Council Meeting. Council Members Roberts, Green, and Starley voted in favor of the motion. Council Members Morgan and Brandon voted against the motion to table. The motion to table until next Council Meeting carries.

***Reappointment of the City Treasurer***

See above discussion and action.

***Stan Robbins-discussion and possible decision with regard to culinary water issues***

Mr. Robbins reported that the water well, which provided water to his home has gone dry. His residence is located at approximately 500 S 800 W, which is about 600' out of the current City limits. His well is currently at a depth of 270'. Mr. Robbins is currently soliciting bids to drill the well deeper. Mr. Robbins asked if he had an option to connect to the City's water system although he doesn't live within the boundaries of the City. He was told he would be allowed to connect temporarily to the City's water source, because of the emergency nature of his need, but all the particulars would need to be worked out by the City Engineer. Council Member Roberts questioned what time frame would be associated with needing the City's culinary water. Mr. Robbins indicated the time frame would not exceed 6 months. Mayor Scovill recommended the Council approve a temporary water line to Mr. Robbins property.

Council Member Brandon moved to accept Mayor Scovill's recommendation to allow Mr. Robbins to connect to the City's water system for a period of time, not to exceed 6 months. Council Member Roberts seconded the motion. After a brief discussion the vote was unanimous.

**INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

Nothing

**PETITIONS AND COMMUNICATIONS**

Nothing

**REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

***City Manager***

A Work Session is scheduled for next Council Meeting to discuss Capital Budget requests. The Work Session will begin at 6:00 P.M.

City Manager Carter will be meeting with the Representatives of the North Santaquin Orchards Annexation and the City's Financial Advisor to discuss a Special Improvement Bond.

City Manager Carter reported he has received indications from the Representatives of Summit Ridge that they are still on track with their time frame. As more information is available the Council will be updated.

***Planning Commission***

Nothing

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council Member Roberts thanked the Citizens for attending the Council Meeting and indicated he would serve them well as a Council Member.

Council Member Morgan told the new Council Members they will be invited to attend a South Utah Valley Municipal Water Association Training Meeting on February 12, 2004, at the Spanish Fork Fair Grounds.

Council Member Brandon reported that the Chamber of Commerce Installation Banquet would be held on January 29<sup>th</sup> beginning at 6:30 P.M. Jon Huntsman will be the guest speaker. Any Chamber Member should have tickets for purchase.

Council Member Starley questioned if the City is currently working with the Church Emergency Preparedness Committee. City Manager Carter indicated that the City is offering a CERT Class, which will begin on January 14<sup>th</sup>. He recommends the City Council Members recruit individuals to attend this training. Council Member Starley also apologized if he offended anyone with his comments and indicated that was not his intentions to do so.

Mayor Scovill reminded the Council Members of a Work Session which is scheduled for Wednesday, January 14, 2004. A Representative from ERA would like to discuss the possibility of expanding the City's Declaration of Annexation Policy. Mayor Scovill indicated that a discussion will be held next Council Meeting with regard to abatement of the Utility Bills for activated Military Personnel living in Santaquin. Mayor Scovill also reported that each of the Council Members received a copy of a letter received addressing offering of Prayers in a City Council Meeting. At the present time Legal Counsel Rich is researching case law and will have comments at a future Council Meeting.

**BUSINESS LICENSES**

Nothing

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

**AT 8:25 P.M. COUNCIL MEMBER STARLEY MOVED TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. COUNCIL MEMBER BRANDON SECONDED THE MOTION. COUNCIL MEMBERS ROBERTS, GREEN, BRANDON AND STARLEY VOTED IN FAVOR OF THE MOTION WITH COUNCIL MEMBER MORGAN VOTING AGAINST.**

Those invited to the Executive Session were Council Members Roberts, Morgan, Green, Brandon, and Starley, City Recorder Susan Farnsworth, City Manager Roger Carter, Legal Counsel Brett Rich and Kevin Farnsworth.

**AT 9:58 P.M. THOSE INVITED TO THE EXECUTIVE SESSION RETURNED TO A REGULAR COUNCIL MEETING.**

**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 9:59 P.M. Council Member Green moved to adjourn with a second from Council Member Starley and a unanimous vote.

Approved on January 21, 2004.

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Mayor A. LaDue Scovill

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Susan B. Farnsworth, City Recorder