

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
DECEMBER 17, 2003**

Mayor A. LaDue Scovill called the meeting to order at 7:00 P.M. Council Members attending: Walter Callaway, Allen Reed, Wesley Morgan, Shayne Durrant, and Marilyn Clayson.

Others attending: City Manager Roger Carter, Legal Counsel Brett Rich, Police Chief Dennis Howard, City Planner Jim Bolser, Planning Commission Members Dennis Carlisle and Rex Bean, Nebo School Superintendent Carl Nelson, Dennis Brandon, Richard Greenhalgh, Todd Starley, Tracy Roberts, Tina Carter, and Martin Green.

PLEDGE OF ALLEGIANCE

Council Member Durrant led the Pledge of Allegiance.

PRAYER

Council Member Morgan offered a word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on November 19, 2003 and December 3, 2003

Bills - \$329,172.46

Council Member Durrant moved to approve the items on the Consent Agenda. Council Member Clayson seconded the motion. After a brief discussion the vote was unanimous.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

FORMAL PUBLIC HEARINGS

Public Hearing with regard to the M. Jensen Annexation

Council Member Reed moved to enter into a Public Hearing with regard to the M. Jensen Annexation. Council Member Durrant seconded the motion with a unanimous vote.

Ms. Carter (Daughter of Monte Jensen) addressed the Mayor and Council with regard to the proposed Annexation. She indicated the property is currently being cleaned and cleared of the old cars and scrap metal. Council Member Morgan indicated he would not be in favor of the annexation at this time because of the location of the annexation and the proposed development surrounding the annexation until the cleanup is complete. Ms. Carter indicated that Mr. Jensen is currently in litigation with Utah County due to a citation which was issued because of the property nuisance. Mayor Scovill indicated that the property, in the current condition, is in violation of the current Santaquin City Ordinances.

Ms. Carter is scheduled to meet with the Planning Commission on January 8, 2004 for the review of the proposed annexation and a concept plan.

Council Member Reed moved to close the Public Hearing. Council Member Clayson seconded the motion with a unanimous vote.

UNFINISHED BUSINESS

Discussion and possible action with regard to the M. Jensen Annexation.

Council Member Callaway moved to take no action on the M. Jensen Annexation. Council Member Reed seconded the motion with a unanimous vote.

NEW BUSINESS

Presentation by the Nebo School District

Nebo School District Superintendent Mr. Nelson presented the Mayor and Council Members with information with regard to building of new schools. Mr. Nelson indicated that since 1980 the number of school aged children within the School District has increased from 12,590 to 23,078.

Mr. Carl Nelson reported that proposed future changes would include returning the 6th graders back to the Elementary Schools and moving the 7th graders to the Jr. High Schools. This would allow the Middle Schools to be used as Grade Schools.

Currently the maximum allowable leeway tax rate increase is .0020, current tax rate is .0010, and the available tax rate is .0010. The proposed tax rate increase is .0006.

To repay the proposed \$140 million dollar bond (which includes 10 new schools), a Residential property tax would increase 55 per year, per each \$100,000 of Residential market value. The Bond Election will be held on February 3, 2004 with a proposed bond authorization of \$140 million and a proposed leeway authorization increase of 0.0006.

An additional presentation will be held on January 22, 2004 at the Payson Park School beginning at 7:00 P.M.

Peterson Black and Associates-Review of the FY2002-2003 Audit

Mr. Olsen reviewed the FY2002-2003 Audit with the Mayor and Council Members. Mr. Olsen said that the Independent Auditors' Report showed there are no instances of noncompliance that are required to be reported under Government Auditing Standards. Also reported by Mr. Olsen, was that the City was in compliance with the Bonding requirements. The Report on Bond Compliance indicated that Peterson Black & Associates audited the Financial Statements of Santaquin City and found no areas of non-compliance.

Mr. Olsen thanked the Staff for their cooperation throughout the audit and he complimented the Staff on their professionalism and knowledge.

Acceptance of the Greenhalgh Addition Annexation Certification

Council Member Durrant moved to accept the Greenhalgh Addition Annexation Certification. Council Member Reed seconded the motion. Council Members Durrant, Morgan, Reed and Callaway voted in favor of the motion. Council Member Clayson abstaining from voting due to a conflict of interest.

Appointment of one or more Planning Commission Members

Mayor Scovill recommended appointing Allen Reed to the Planning Commission to replace Carl Durney and recommended Brent Vincent to fill the second seat, which will be available when Commission Member Goodall vacates her seat within the next few months. Council Member Durrant indicated he supports Mr. Reed as a Planning Commission Member.

Council Member Durrant moved to appoint Allen Reed to the Planning Commission beginning January 1, 2004. Council Member Callaway seconded the motion with Council Members Clayson, Durrant, Morgan, and Callaway voted in favor of the motion. Council Member Reed abstained from voting.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Resolution 12-01-2003 "A RESOLUTION DECLARING THE INTENTION OF THE SANTAQUIN CITY COUNCIL TO ADOPT AN ORDINANCE ESTABLISHING TEMPORARY ZONING REGULATIONS OF COMMERCIAL SIGNS"

Council Member Durrant moved to adopt Resolution 12-01-2003. Council Member Clayson seconded the motion. Council Member Morgan questioned what the purpose of the Resolution was. He was told this Resolution is the result of the need for additional language pertaining to billboards along State of Federal Highways. All signing issues will be addressed while the Ordinance is in effect. Council Member Durrant indicated although he works for a Signing Company, he is in favor of this action.

Council Member Durrant amended the motion to include a change of the code section in paragraph 5 from 10-9-104 to 10-9-404. Council Member Clayson seconded the amendment. Council Member Durrant then amended the motion to also include a change of 2003 to 2004 in subsection 1 under the section beginning with "NOW, THEREFORE". Council Member Clayson seconded this amendment also. Council Members Clayson, Durrant, Morgan, Reed, and Callaway voted in favor of the motion.

AT 9:00 P.M. COUNCIL MEMBER DURRANT MOVED TO TAKE A 10-MINUTE BREAK. COUNCIL MEMBER REED SECONDED THE MOTION WITH A UNANIMOUS VOTE.

Ordinance 12-02-2003 "AN ORDINANCE PERTAINING TO UTILITY SERVICE REGULATIONS; AND AUTHORIZING THE UTILITIES CLERK TO COLLECT, ADMINISTRATE AND REGULATE THE COLLECTION OF UTILITY ACCOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE"

Council Member Callaway moved to adopt Ordinance 12-02-2003. Council Member Reed seconded the motion. Council Member Clayson indicated she would like a change in wording within Section 1B. The discussion was held as to who is ultimately responsible for payment of the delinquent Utility Bill. A decision has to be made as to who should receive the monthly bills the Landlord or the Renter. If the Landlord is responsible for all costs of utilities, at what point are they notified? Council Member Callaway amended the motion to table Ordinance for additional studying. Council Member Reed seconded the motion. Council Member Clayson, Durrant, Morgan, Reed, and Callaway voted in favor of the motion.

PETITIONS AND COMMUNICATIONS

Nothing

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

Annual Management Report

City Manager Carter presented the Mayor and Council Members with an Annual Management Report. City Manager Carter reported

- ❖ Santaquin City is experiencing fast growth, in spite of economy, unemployment, war, etc. there has been growth of approximately 7% in the past year alone, and 34.29% since the Census 2000
- ❖ Fairly consistent revenue stream compared to growth. There has been about a 6.45% revenue growth between 2002 and 2003. The budget has grown by 105% since 1999
- ❖ The fund balances are healthy in spite of the flood and fire mitigation efforts which the City funded
- ❖ In spite of the revenue slowdown (sales tax), expenses have been kept within budget even with increased population
- ❖ Total bonded debt of the City has also been reduced on a per capita basis

Some of the accomplishments of the past year are as follows

- ❖ The City has received \$270,565 in Grant Funds (an increase of \$29,140 from 2002)

- ❖ There were 9,937 Volunteer hours (7,688 associated with the floods) for a savings to the City of approximately \$178,866
- ❖ Great projects have been accomplished due to the partnerships with Utah Power, UDOT, MAG, CDEC etc. These projects include Park lights, road projects, and economic development
- ❖ Increase of Public Safety training such as CERT Classes and Citizens Advisory Committee
- ❖ Current negotiations with Questar with regard to the City's Natural Gas System
- ❖ The Employees of the Public Works Department are "Jack's of all Trades." They assisted with flood mitigation, the Recreation Program, to name a few, while continuing to keep this City services operational
- ❖ Community Development Department has updated the Master Plan, there have been 133 Building Permits filed, 1,333 inspections conducted, 305 acres annexed with approximately 500 acres pending
- ❖ There were 94 Children enrolled in the Summer Reading Program
- ❖ The Engineer Department has been involved in a number of projects which included the sewer lagoon expansion, development of a pressurized irrigation system design, and flood mitigation efforts which have been accomplished and will continue to be accomplished

Some of the challenges of Santaquin City are:

- ❖ Growth
- ❖ Summit Ridge Development and North Santaquin Orchard annexations and their workloads
- ❖ Service deliverability
- ❖ Emergency preparedness and flood mitigation
- ❖ Transition to GASB 34 and financial controls
- ❖ Federal and State Regulations
- ❖ Economic Development
- ❖ Land use and proper development

City Manager Carter thanked the Mayor and Council Members for their leadership and indicated the Staff would like them to remember the great work that occurred during their tenure. He also indicated they would be missed.

Council Member Morgan thanked City Manager Carter for the Management Report and thanked the City Staff for their work which resulted in the positive report. He also thanked all of the Council Members for their dedication and their friendships.

Mayor Scovill also thanked the Council Members for their commitment and their friendships. He also indicated they should be proud of the accomplishments of their tenure.

Planning Commission

Planning Commission Representative Carlisle reported that Doug Rohbock was reappointed as Planning Commission Chairperson with Rex Bean being appointed as Deputy Chairperson for the calendar year of 2004. He reported that His Wife serves as PTA President of the Payson High School and has also previewed the Nebo School District's presentation. He would like the Mayor and Council Member to know that the PTA is in favor of the School Districts proposal.

Mr. Carlisle indicated he would also like to thank the Mayor, Council Members and City Staff for the professionalism, knowledge and efforts. He indicated it was always a pleasure working and associating with them.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Clayson reported she loves her town and has served a total of 10 years as a Council Member. She reported that he has loved the time spent. She also reminded the Council Elect that the Council job isn't about egos, but is about satisfying the Citizens.

Council Member Durrant expressed his appreciation to Council Member Morgan for his dedication to the Council position. He thanked the Staff for all of their accomplishments and the way they handle their responsibilities. He will greatly miss the close association with the Staff Members.

Council Member Morgan reported He along with Council Member Callaway attended the South County Mayors Meeting in place of Mayor Scovill. It was reported that AQUA Engineering discussed a possible State Requirement change pertaining to the phosphorus content of wastewater. It is AQUA Engineering's belief that the proposed change is to stringent, very difficult to meet, and is not backed by supporting science. If the requirements were implemented, the estimated cost to Santaquin City to upgrade the sewer system would be \$5 to \$6 million dollars. It was agreed to form a committee comprised of a Representative from the South County Mayors Group along with Representatives from Provo, Orem and Timpanogas Sewer Districts to investigate the proposed changes and possibly influence the ultimate outcome.

Also reported was that AQUA Engineering has been awarded the contract to conduct a study for a Regional Sewer System. The study will begin shortly.

Council Member Reed indicated he appreciated the opportunity to serve with each of the Council Members along with Mayor Scovill and the City Staff. He is looking forward to the opportunity to serve on the Planning Commission for the next 5 years.

Council Member Callaway also thanked the Mayor, Council, and Staff for the support throughout His Council term. He indicated to the Council Elect that the current Staff is one of the best. They would assist the Council Members in completing any project. He encouraged the Council Elect to rely on the knowledge and professionalism of the Staff.

BUSINESS LICENSES

Nothing

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

At 10:35 P.M. Council Member Callaway moved to enter into an Executive Session with regard to the character, professional competence, or physical or mental health of an individual. Council Member Reed seconded the motion with a unanimous vote.

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 11:10 P.M. Council Member Callaway moved to adjourn with a second from Council Member Reed and a unanimous vote.

Approved on January 07, 2004.

A. LaDue Scovill, Mayor

Susan B. Farnsworth, City Recorder