

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
APRIL 2, 2003**

At 7:10 P.M. Mayor A. Ladue Scovill called the meeting to order. Council Members attending: Marilyn Clayson, Shayne Durrant, Walter Callaway, and Wesley Morgan. Council Member Frank Staheli was excused due to his Army Unit being activated.

Others attending: City Manager Roger Carter, Legal Counsel Brett Rich, City Planner Jim Bolser, UDOT Representatives Geoff Dupaix and Craig Haskell, Planning Commission Representative Zaloma Goodall, Brylee Kurz, Mike Kurz, Denny Brandon, Oren Wall, Shauna Wall, Jack Jarvis, LaZawn Jarvis, ElFawn Wall, Nan Taylor, Kirk Greenhalgh, Neal Caines, Dale Rowley and James Birschi.

PLEDGE OF ALLEGIANCE

Council Member Callaway led the Pledge of Allegiance.

PRAYER

City Manager Carter offered a word of prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on March 19, 2003

Bills - \$422,302.54

Council member Durrant moved to approve the items on the Consent Agenda. Council Member Clayson seconded the motion with a unanimous vote.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ms. Taylor and Ms. Brandon reviewed with the Mayor and Council Members the projects that the Chamber of Commerce have completed or are continually participating in. Ms. Brandon indicated the Chamber donated \$1000 to the Veterans Memorial; they Chair the Light Parade and City Wide Easter-Egg Hunt, along with being involved in a number of other functions. The Chamber of Commerce Members are requesting a \$5000 donation from the City during the new budget year. City Manager Carter reported the Tentative Budget does reflect a yearly donation however he is not sure of the amount.

Mr. Greenhalgh indicated he is spearheading the plans for the construction of a gazebo, which will be located at the Squash Head Park located on Main Street. Mr. Greenhalgh will work with Council Member Callaway and Infrastructure Inspector Mark Stevenson with regard to the design and the specific location of the gazebo and will approve the plans with the City Council.

Presentation of the Rodeo Committee

Council Member Durrant indicated the Rodeo Committee would not be attending this evening.

UDOT Representative Geoff Dupaix - Review of proposed Main Street Project

Mr. Dupaix reviewed the plans for resurfacing Main Street. The project is currently in the bid process and will be started soon. Council Member Durrant reminded the UDOT Representatives that the City Celebration would be held the first week in August. Mr. Dupaix indicated the project would not impact any Celebration Plans.

FORMAL PUBLIC HEARINGS

Public Hearing with regard to the Single and Multiple Unit Dwellings

Council Member Durrant moved to open the Public Hearing. Council Member Callaway seconded the motion with a unanimous vote.

There were no Public concerns or comments.

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

Public Hearing with regard to Reorganization of Certain Listed Permitted and Conditional Uses

Council Member Clayson moved to open the Public Hearing. Council Member Durrant seconded the motion with a unanimous vote.

There were no Public concerns or comments.

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

Public Hearing with regard to the North Santaquin Orchards Annexation

Council Member Durrant moved to open the Public Hearing. Council Member Clayson seconded the motion with a unanimous vote.

There were no Public concerns or comments.

Council Member Durrant 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 City Sign

Council Member Durrant reported that there are a number of UDOT regulations associated with a City Information Sign, which would be constructed within the UDOT right-of-way. Council Member Durrant recommended constructing a 2 sided, changeable lettering, monument style sign that will be incorporated with the existing Welcome To Santaquin Sign. He would like to have the construction of the sign completed by the City Celebration. Council Members Clayson, Callaway and Morgan are in favor of Council Member Durrant continuing with the plans and cost estimates for the later presentation to the City Council.

NEW BUSINESS

Acceptance of Council Member Frank Staheli's resignation

Mayor Scovill reported that Council Member Staheli has submitted a Letter of Resignation. Council Member Morgan moved to accept the Letter of Resignation submitted by Council Member Staheli. Council Member Clayson seconded the motion with a unanimous vote.

Appointment of a Mayor Pro-tem

Mayor Scovill reported that Council Member Frank Staheli was serving as the Mayor Pro-Tem. Due to the acceptance of Mr. Staheli's resignation the position was vacated. Council Member Durrant moved to appoint Council Member Callaway as Mayor Pro-Tem. Council Member Clayson seconded the motion with a unanimous vote.

Discussion and possible action with regard to the proposed Wallsville, Plat "C" Single Lot Split

Council Member Durrant moved to approve the Wallsville, Plat "C" Single Lot Split. Council Member Clayson seconded the motion. Council Members Clayson, Durrant, Callaway and Morgan voted in favor of the motion.

Discussion and possible action with regard to the proposed Carson Meadows Subdivision, Plats "A" & "B"

Mayor Scovill indicated the Planning Commission report states that the property owner involved in the Carson Meadows Subdivision, Plats "A" & "B" has a property line dispute with a property owner to the South (Ms. Carmel Hall) of the proposed subdivision. The Planning Commission feels this dispute should be resolved before the plats are approved. Mr. Caines indicated Mr. Borgeson is not interested in signing a Property Line Agreement with Ms. Hall as indicated on the proposed Plat Map. Mr. Caines agreed with this suggestion. Legal Counsel Rich indicated that if a Court action has been filed, or the plat is not recordable, he recommends not approving the plats. If there isn't a Court action over the boundary, he doesn't have a problem with approval. Mayor Scovill recommends approving the Carson Meadows Subdivision, Plats "A" & "B" if the boundary line is straighten (moved to the North on the West end of the properties) between Mr. Borgeson and Ms. Hall. Council Member Clayson moved to accept Mayor Scovill's recommendation. Council Member Durant seconded the motion. Council Member Morgan reported one of the property owners is a relative but he (Morgan) has no vested interest or will receive any gain from any action associated with this property. Council Member Morgan also reported that because he was the Council Representative at the Planning Commission Meeting, Mr. Caines contacted him asking what his options were with regard to the approval process of the proposed subdivision. Council Member Morgan also reported that he (Morgan) is the Trustee of an additional parcel of property adjacent to the subdivision's East boundary, but it is not part of the proposed subdivision and once again he (Morgan) does not have any vested interest or will not receive any gain from this action. Council Members Clayson, Durrant, Callaway, and Morgan voted in favor of the motion.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS***Ordinance 04-01-2003 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR CHANGES TO THE PROVISIONS REGULATING SINGLE AND MULTIPLE FAMILY DWELLINGS"***

Council Member Callaway moved to approve Ordinance 04-01-2003. Council Member Durrant seconded the motion. Council Member Morgan indicated he did not discuss his recommendations with the City Planner. Council Member Callaway moved to withdraw his motion until Council Member Morgan meets with City Planner Bolser. Council Member Durrant seconded the withdrawal. Council member Morgan moved to table adoption of the Ordinance until next meeting. Council Member Callaway seconded the motion. Council Members Clayson, Durrant, Callaway, and Morgan voted in favor of the motion.

Ordinance 04-02-2003 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR THE REORGANIZATION OF CERTAIN LISTED PERMITTED AND CONDITIONAL USES"

Council Member Durrant moved to approve Ordinance 04-02-2003. Council Member Clayson seconded the motion. Mayor Scovill questioned if parks were Permitted Uses in a Residential Zone. He recommends adding parks as Permitted Use in each zone. Council Member Durrant amended his motion to include Mayor Scovill's recommendation. Council Member Clayson seconded the amended motion. Council Members Clayson, Durrant, Callaway, and Morgan voted in favor of the motion.

PETITIONS AND COMMUNICATIONS

Nothing

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

City Manager Carter requested the Mayor and Council Members submit their Capital Improvement Matrix. He would like to complete the Capital Improvement Plan.

Discussion of the Council Work Session of April 9th beginning at 5:30 P.M.

The Department Heads are scheduled to visit with the Mayor and Council Members on April 9th beginning at 5:30 P.M. Each Department Supervisor will have the opportunity to review their Department Budget with the Mayor and Council.

Planning Commission

Introduction of the proposed Santaquin City Code amendment to Title 11 regarding the Subdivision Code and setting of a Public Hearing

Those in attendance were told that a Public Hearing has been scheduled for April 16. Anyone who has questions or comments can contact City Planner Bolser before the Public Hearing. Council Members Callaway and Clayson indicated they have reviewed portions of the proposed code. They thanked the Planning Commission and City Planner Bolser for the time spent on drafting this Ordinance.

Planning Commission Representative Goodall reported that the Planning Commission denied the Carson Meadow Subdivision solely on the basis of the unresolved property boundary dispute. Ms. Goodall was thanked for the Planning Commissions work and dedication.

City Attorney

City Manager Carter has a draft of the Complaint associated with the Mitch Winegar issue. The needed information will be supplied to Legal Counsel Rich by the end of the week so the Complaint can be filed.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Scovill reported the applications for the City Legal Counsel have been reviewed. Interviews will be held on April 3rd, beginning at 10 AM. Mayor Scovill reviewed some of the applications with the Council.

Council Member Morgan questioned if there has been any further action with regard to the sewer lateral pertaining to vacant property at approximately 250 West Main. As of this date, a formal request for the help of the City has not been received. City Manager Carter will instruct City Engineer Fullmer to contact the prospective buyers of the property. Additional information should be available next Council Meeting.

Council Member Clayson reported she asked Max Mitchell to review with her the landscaping needs of the Cemetery expansion. She will be meeting with him on Friday. She will have additional information soon.

BUSINESS LICENSES

Council Member Clayson moved to approve a new Business License for Sunny Howard D.B.A. Always & Forever and for Bart Ryan D.B.A. RPM Painting & Maintenance Service. Council Member Durrant seconded the motion with a unanimous vote.

EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of a 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 10:10 P.M. Council Member Durrant moved to adjourn with a second from Council Member Clayson and a unanimous vote.

Approved on April 16, 2003.

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