

**MINUTES OF A REGULAR CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
NOVEMBER 20, 2002**

Mayor LaDue Scovill called the meeting to order at 7:00 P.M. Council members attending: Marilyn Clayson, Shayne Durrant, Walter Callaway, Frank Staheli, and Wesley Morgan.

Others attending: Legal Counsel Brett Rich, City Planner Jim Bolser, Dennis Carlisle, Mark Greenwood, Richard Greenwood, Cade Brown, Carl Marvin, Sean Bennion, Jeremy Killpack, and John Killpack. City Manager Roger Carter, Shannon Harris, Jessie Conway, and Gregg Magleby arrived at 7:30 P.M.

Mayor Scovill invited the attending Boy Scouts to introduce themselves. The Scouts attending are Carl Marvin, Cade Brown and Jeremy Killpack.

PLEDGE OF ALLEGIANCE

Council Member Clayson led the Pledge of Allegiance.

PRAYER

Mr. Carlisle offered a word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on November 6, 2002

Bills

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

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Mountainland Association of Government-Presentation of the PUCK Award associated with 21st Century Communities Program

City Planner Bolser presented the Mayor and Council Members with an award associated with the 21st Century Communities Program. This award was earned by completing the designated steps within the program.

FORMAL PUBLIC HEARINGS

Public Hearing with regard to the proposed amendment to the General Plan to adopt the Santaquin City Annexation Policy Plan

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

City Planner Bolser reviewed with those in attendance the guidelines, which were followed when the Annexation Policy was drafted. He indicated that when the plan was drafted, natural boundaries, serviceability, and public desires were considered.

There were not any Public questions or comments.

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

Second Public Hearing with regard to the 2003/2004 Small Cities CDBG Project

Council Member Callaway moved to table this Public Hearing. Council Member Clayson seconded the motion with a unanimous vote.

Public Hearing with regard to the West Santaquin Annexation

Council Member Staheli moved to enter into a Public Hearing. Council Member Durrant seconded the motion with a unanimous vote.

There were not any Public comments or questions.

Council member Clayson moved to continue the Public Hearing until December 4th. Council member Durrant seconded the motion with a unanimous vote.

UNFINISHED BUSINESS

***Discussion and possible action with regard to the City Information Sign
Chamber of Commerce***

Council Member Clayson indicated the Chamber of Commerce would like to have some recognition on the City Information Sign. They would also like to have some control of the advertising associated with the sign. Council Member Durrant indicated that all the sign bids would not be available until Friday and suggested discussing this issue at the next Council Meeting.

Council Member Durrant moved to table this issue until the next meeting. Council Member Clayson seconded the motion with a unanimous vote.

NEW BUSINESS

Discussion and possible action with regard to the Site Plan associated with the Speedy Turtle.

Mark Greenwood reviewed with the Mayor and Council Members the site plan associated with the remodel of the Speedy Turtle which is located at 400 East Main. Mayor Scovill had a concern with the location of the vehicle vacuums. Mayor Scovill questioned if the noise of the vacuums would have an impact on the Neighbors living on the West. Mr. Greenwood indicated the issue would be taken into consideration when the design is reviewed by the Development Review Committee. Mr. Greenwood indicated there would be one access into the business from Main Street and two accesses from 400 East. These accesses will be approved by UDOT and Santaquin City Representatives. The details of the fence and retaining wall will be worked out within the Development Review Committee process.

Council Member Durrant moved to accept the Site Plan associated with Speedy Turtle. Council Member Clayson seconded the motion with a unanimous vote.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 11-02-2002 "AN ORDINANCE AMENDING THE SANTAQUIN CITY GENERAL PLAN, PROVIDING FOR THE ADOPTION OF THE SANTAQUIN CITY ANNEXATION POLICE PLAN ELEMENT AND MAP, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS. SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE".

Council Member Durrant moved to approve Ordinance 11-02-2002. Council Member Clayson seconded the motion. After a brief discussion it was determined to include a footnote on page 9.1 indicating that the Population Trend formation was obtained from the US Census and also noted that the City's projections are slightly higher. Council Member Durrant amended the motion to include the changes. Council Member Clayson seconded the amendment. Council Members Clayson, Durrant, Callaway, Staheli, and Morgan voted in favor of the motion.

Ordinance 11-03-2002 "AN ORDINANCE AMENDING THE SANTAQUIN CITY ZONING MAP TO INCLUDE THE 5M ANNEXATION"

City Manager Carter reviewed the Annexation and Development Agreement with the Mayor and Council Members. One concern the Mayor and Council have had, is the need for additional emergency access associated with the proposed project. Nebo School District has agreed to allow emergency access through property owned by Nebo School District.

Council Member Clayson moved to approve Ordinance 11-03-2002. Council Member Callaway seconded the motion with Council Members Clayson, Durrant, Callaway, Staheli, and Morgan voting in favor of the motion.

PETITIONS AND COMMUNICATIONS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Carter reported the Police Department has moved into the new Public Safety Building. There have been a lot of positive comments with regard to the new offices and having the Police Department on Main Street.

Planning Commission

Planning Commission Representative Carlisle reported the Planning Commission reviewed the Site Plans associated with the Speedy Turtle and were in favor of the project.

He also indicated that the Planning Commission has reviewed the proposed Re-zoning Ordinance, Public Facilities Ordinance and the Home Occupations Ordinances and the Commission recommends the City Council schedule Public Hearings on the Ordinances.

Review proposed Ordinance and set a Public Hearing with regard to Amendment to the Code addressing Requirements for Re-zoning.

Review proposed Ordinance and set a Public Hearing with regard to Amendment to the Code addressing the creation of a PF Public Facilities Zone.

Review proposed Ordinance and set a Public Hearing with regard to Amendment to the Code addressing Home Occupations

City Attorney

Nothing

City Engineer

City Engineer Fullmer reported that Mayor Scovill and Legal Counsel Rich are continuing discussions with regard to issues pertaining to the Cemetery Well. He also reported the CDBG Fire Hydrant Project is under way. The Contractor will inform the Residents in the area that the water will be shut off during the workday.

Council Member Morgan questioned if the Spring runoff will affect the area of 450 South if the sump is not installed now. City Engineer Fullmer recommended that the project in the spring.

Mayor Scovill questioned if the debris basin on the Eastside has been cleaned out. He was told that it has not been cleared but the issue is being addressed.

Council Member Morgan questioned when the Long Term Sewer Lagoon Study would be completed. City Engineer Fullmer indicated he would contact EPIC Engineering for a completion date.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Staheli reported that the Library Board will be meeting to address the issue of the proposed Meeting Room/Work Room. Council Member Staheli will present the Mayor and Council with the Library Board's suggestions at the next Council Meeting. Mayor Scovill indicated he would not like to have the room used as a storage room. He indicated the room is too nice and should be available to use as a Meeting Room.

Council Member Clayson reported that the Chamber of Commerce held their last meeting in the new Library. The comment was made as to how nice the building was.

Council Member Durrant indicated he met with an EMT from American Fork with regard to the direction the Public Service Department is headed in their City. He reported that Santaquin City is beyond American Fork within the issue of Public Safety. He commends the City Staff for the progress they have made in this area.

BUSINESS LICENSES

Nothing

AT 9:17 P.M. COUNCIL MEMBER CLAYSON MOVED TO TAKE A 10 MINUTE BREAK COUNCIL MEMBER DURRANT SECONDED THE MOTION WITH A UNANIMOUS VOTE.

AT 9:27 P.M. MAYOR SCOVILL CALLED THE MEETING TO ORDER.

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)

Council Member Clayson moved to enter into an Executive Session to discuss pending or reasonably imminent litigation. Council Member Staheli seconded the motion with a unanimous vote.

AT 11:40 P.M. THE MAYOR AND COUNCIL MEMBERS RETURNED TO REGULAR COUNCIL MEETING.

The Executive Session pertained to the Sewer Lagoon Expansion issue and the potential Williams litigation.

Council Member Durrant moved to draft a response to Craig Call concerning matters contained in a November 13th letter from Jones Waldo. The response will say the Council was considering mediation on the matters. However, now that Jones Waldo, in their November 20th letter is asking D.E.Q. to withdraw the permit authorizing enlargement of the winter storage pond, it is unlikely the Council will agree to mediation. Council Member Clayson seconded the motion with a unanimous vote.

Council Member Durrant moved to pursuit legal course as per the City's Ordinance against all parties in the Williams case. If Cleary Buildings have attempted to work with the Williams's unsuccessfully than all charges should be dropped against Cleary. Council Member Staheli seconded the motion with a unanimous vote.

ADJOURNMENT

At 11:40 P.M. Council Member Durrant moved to adjourn with a second from Council Member Clayson and a unanimous vote.

Approved on December 4, 2002.

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