

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
OCTOBER 2, 2002**

The meeting was called to order by Mayor LaDue Scovill at 7:05 P.M. Council Members attending: Wesley Morgan, Walter Callaway, Shayne Durrant, and Marilyn Clayson. Council Member Frank Staheli was excused.

Others attending: City Manager Roger Carter, Administrative Assistant Shannon Hoffman, City Planner Jim Bolser, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Police Chief Dennis Howard, Fire Chief Shayne Bott, City Librarian Lyn Oryall, Planning Commission Chairperson Doug Rohbock, Ray Ross, Diane Ross, Archie Johnson, Dennis Brandon, Kathy Brandon, Margaret Smith, Tom Hinckley, Darren Oberg, Phillip Rausch, and Curtis Page.

PLEDGE OF ALLEGIANCE

Council Member Clayson led the Pledge of Allegiance.

PRAYER

Chief Bott offered a word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on September 18, 2002.

Approval of the minutes of a Special Meeting held on September 24, 2002.

Bills \$317,564.96

Approval of the Personnel Systems Payroll Study

Council Member Callaway moved to remove the approval of the Personnel Systems Payroll Study from the Consent Agenda. Council Member Morgan seconded the motion with a unanimous vote.

Council Member Morgan questioned what percentage of the road project completion, the bill from H.E. Davis reflected. City Engineer Fullmer indicated the bill represented approximately 60% completion.

Council Member Callaway questioned when the Cruz Cleaning Contract is due to expire. At this time the answer is not available.

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

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Ray Ross-Discussion with regard to a Motor Cross Track

Mr. Ross indicated his original intent was to construct a Motor Cross Track in the vicinity of the City Sewer Lagoons. Mr. Ross indicated he would like to wait until the final decision on the sewer lagoon expansion is made before a final decision is made as to where, or if, the track could be constructed. Manager Carter will inquire into the liability the City will assume with the construction of this project (see attachment "A").

FORMAL PUBLIC HEARINGS

1st Public Hearing with regard to the 2003/2004 Community Development Block Grant (CDBG)

Council Member Durrant moved to open the Public Hearing with regard to the Community Development Block Grant. Council Member Clayson seconded the motion with a unanimous vote.

Ms. Hoffman opened the Public Hearing for the CDBG Program by stated that this hearing is being called to consider potential projects for which funding may be applied for under the 2003/2004 Community Development

Block Grant Program. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. Mountainland Association of Governments, in which Santaquin City is a member, is expecting to receive approximately \$1.4 Million in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interest persons can review it at any time. Ms. Hoffman then read several of the eligible activities listed including, construction of public works and facilities, ie: water and sewer lines, fire stations, acquisition of real property, provision of public services like food banks, homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons. The program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons. Ms. Hoffman indicated that Santaquin City has received approximately \$618,600.00 in the past 5 years. The City has handed out its capital investment plan as part of the Regional Consolidated Plan. This list shows which projects the City has identified as being needed in the Community. It was asked that anyone with questions, comments, or suggestions during the hearing please identify themselves by name, before they speak. The Recorder will include your names in the minutes and the Council would like to specifically respond to your question and suggestions during the Hearing.

Chief Bott and Chief Howard indicated their idea for the CDBG Program is a Public Safety Building, which could be located on property owned by the City. Council Member Morgan question the cost associated with this kind of project. As of this date, a cost has not been assessed for a new building.

Council Members Morgan and Clayson questioned if building of tennis courts and swimming pools could be funded through the CDBG. Manager Carter indicated these are not valid projects.

Mr. Johnson requested sidewalks be constructed along Main Street from 400 West to the existing UDOT Shed site.

Council Member Morgan questioned if installation of a traffic signal would be a valid project. Manager Carter indicated this project also is not valid.

Mayor Scovill thanked those who participated in the Public Hearing.

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

Public Hearing with regard to the Santaquin City Eastside I-15 Rezoning

Council Member Clayson moved to open the Public Hearing with regard to the Santaquin City Eastside I-15 Rezoning. Council Member Durrant seconded the motion with a unanimous vote.

Those in attendance were told the proposed rezone would change the zoning of certain property East of I-15 from Residential to a RC-1 Zone.

Ms. Smith addressed the Mayor and Council with regard to the proposed rezoning. She indicated she is in favor of the Planning Commission's recommendations for the rezoning.

Mr. and Mrs. Brandon indicated they would like to have their property zoned so they could continue to build storage sheds. They indicated they bought their property for the purpose of constructing storage sheds. They were reminded that the proposed rezone wouldn't allow for construction of storage sheds since storage sheds are prohibited by the City Code in a Commercial Zone.

Council Members Clayson and Callaway agreed with the Brandon's and felt the property should be zoned so they can use it as they planned when the property was purchased.

Mr. Oberg addressed the Mayor and Council indicating he would like the Zoning Ordinance changed so both he and the Brandon's could continue to build storage sheds on their property.

Ms. Smith questioned what the time frame of construction is for the proposed frontage road extending from Canyon Road to the South Interchange. Mayor Scovill indicated there is not a time frame associated with the proposed road.

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

CURTIS PAGE- Mr. Page, Representative of the Eldred Manor Cash Grant for Seniors, presented the Mayor with a check in the amount of \$2300. Mayor Scovill will present the Seniors with this grant. The funds are to be used for the purpose defined in the application for the Grant.

UNFINISHED BUSINESS

Discussion and possible action with regard to the City Information Sign

Council Member Durrant indicated he has not received the information from Bona Signs pertaining to the City's Electrical Information Sign. This issue will be discussed at the next Council Meeting.

Library Board-Discussion and possible action with regard to the landscaping and the dedication of the new library

Mr. Hinckley indicated November 2nd is the scheduled date for the new library dedication. He questioned who would be responsible for the program associated with the dedication. Mayor Scovill suggested Mr. Hinckley be responsible for the program. Mr. Hinckley agreed.

Mr. Hinckley questioned if the landscaping will be complete at the time of the dedication. He was told that as much of the landscaping as can be complete will be completed by the dedication time.

Mr. Hinckley was also told the plumbing at the new library should be fixed before the dedication.

NEW BUSINESS

Authorization for the Mayor to sign a PTA Proclamation

Mayor Scovill indicated the Proclamation was written for the Month of September therefore he would like to pass on this issue.

Discussion and possible action with regard to Initiative 1

Mayor Scovill reviewed the letter drafted by the Tooele County Mayors. The information on Initiative 1 has not been available for the Mayor and Council Members to review.

Council Member Morgan moved to take no action with regard to this issue. Council Member Durrant seconded the motion with a unanimous vote.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 10-01-2002 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR A SECTION PERTAINING TO OFF-HIGHWAY VEHICLES"

Chief Howard led the discussion with regard to the proposed Ordinance pertaining to Off-Highway Vehicles. Council Member Morgan asked a number of questions with regard to the proposed Ordinance. Mayor Scovill recommended adopting the Ordinance with changing, on page 2, the penalty to Class C Misdemeanor instead of Class B Misdemeanor, in section 5-4-2A clarifying line 3, and in section 5-4-8 clarifying the last sentence.

Council Member Durrant moved to approve Ordinance 10-01-2002 with the recommended changes. Council Member Clayson seconded the motion. Council Member Callaway indicated he was glad to have this Ordinance in place. Council Member Callaway voted in favor of the motion, Council Member Clayson voted in favor of the motion, Council Member Morgan voted in favor of the motion, and Council Member Durrant voted in favor of the motion.

PETITIONS AND COMMUNICATIONS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Carter reported temporary structures are in place to keep additional flood water out of the subdivisions. These structures served their purpose through the last storm. A Staff Team has visited the flood site and made mitigation recommendations to City Manager Carter. These recommendations have been reviewed by State Representatives. Today, City Manager Carter met with a number of owners of developed and undeveloped property. The property owners, as a whole, were in favor of the recommendations for mitigation. A formal plan will be sent to the State Representatives for an official approval.

City Manager Carter recommended the Council Members voting in favor of Program A, B, and C of the Personnel Systems & Services Proposal. These programs are part of a proposal presented at City Managers request at an earlier Work Session by Mike Swallow. The costs associated with the programs are approximately \$6100. City Manager Carter will confirm the Cost of Services Employee estimate numbers with Mr. Swallow.

City Manager Carter also reported that the Wage Evaluation Committee, who has reviewed the proposal, consisted of Representatives of different Departments.

Council Member Clayson moved to approve the Human Resource Management Study Cost of Service not to exceed \$6100. Council Member Durrant seconded the motion. Council Member Clayson, Council Member Durrant, Council Member Callaway, and Council Member Morgan voted in favor of the motion.

Planning Commission

Review and setting of a Public Hearing for a proposed code amendment regarding Commercial Building and Development Location Requirements

The Mayor and Council Members were informed that a Public Hearing is scheduled for October 16th.

City Planner Bolser also indicated there is currently a seat on the Planning Commission that needs to be filled. Council Member Morgan will review the applicants and then begin interviews.

City Planner Bolser reported the Planning Commission had appointed a new Planning Commission Deputy Chairperson. Carl Durney will serve in this position.

City Attorney

Mayor Scovill requested Legal Counsel Rich begin working on the draft of the Openshaw East Annexation Development Agreement.

Legal Counsel Rich reported he had Annexation and Development Agreement drafts for the Stratton Annexation, 5M Annexation, and the Ercanbrack Annexation. Those will be available shortly for the Mayor and Council to review.

City Engineer

City Engineer Fullmer reported a pre-bid tour for the Sewer Lagoon Expansion Project was held today. There were concerns with regard to the time frame of construction. Some of the 15 Contractors who attended were concerned with having an early winter and having to deal with ground frost. The bid opening will be held on Wednesday, October 9th at 2 P.M. He would like to hold a Special Council Meeting that evening at 6:00 P.M. to award the bid. City Engineer Fullmer met with Department Environmental Quality and the State Engineering Office with regard to the required permits for the expansion. He was told that the permits were in the signing process.

City Engineer Fullmer reported the Road Paving Project is continuing on schedule. The project punch list will be available as soon as the project is complete.

The 300 West Road Expansion Project is underway. The Summit Creek water leak at the intersection of 300 West 400 North has not been repaired. Summit Creek Irrigation Representatives will be contacted once again with regard to this issue.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council Member Callaway indicated the retaining wall has been constructed at the Cottonwood Estates Subdivision Park. The adjacent property owner is willing to participate with the cost if the City would be willing to take monthly payments. The Council Members were in agreement that payments could be made upon signing of an agreement to pay.

Mayor Scovill indicated he would be attending the Genola City Council Meeting on October 10th to extend the City's thanks for their willingness to help with the summer water situation.

BUSINESS LICENSES

Council Member Clayson moved to approve a new Business License for Ronald Miller D.B.A. Miller's Mountain Memories Taxidermy. 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 approximately 9:50 P.M. Council Member Durrant moved to adjourn with a second from Council Member Clayson and a unanimous vote.

Approved on October 16, 2002.

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