

**MINUTES OF A CITY COUNCIL MEETING
HELD IN THE COUNCIL ROOM
SEPTEMBER 18, 2002**

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

Others attending: City Manager Roger Carter, Legal Counsel Brett Rich, Police Chief Dennis Howard, Fire Chief Shayne Bott, Planning Commission Chairperson Doug Rohbock, Mike Carter, Rose Larson, Verl Wall, Joe Fowers, Jesse Conway, David Smith, Steve Hadlock, Matt Evans, Seth Keller, Corban Curry, Christian Santos, Bradley Dallin, Gaven Curry, Matt Hendershot, Cody Olsen, Paula Smith, Marilyn Ross, Randy Smith, Jerry Ross, Doug Rohbock, Greg Magleby, Kirk Greenhalgh, and Scott Strong.

PLEDGE OF ALLEGIANCE

Council Member Durrant led the Pledge of Allegiance.

PRAYER

Mayor Scovill offered a word of Prayer.

CONSENT AGENDA

Approval of the minutes

Approval of the minutes of a Regular Meeting held on September 4, 2002

Approval of the minutes of a Special Meeting held on September 13, 2002

Approval of the minutes of a Special Meeting held on September 16, 2002

Bills \$88,191.73

Resolution 9-02-2002 "A RESOLUTION ESTABLISHING A SANTAQUIN CITY EMERGENCY RESPONSE PLAN"

Council Member Staheli moved to approve the Consent Agenda. Council Member Durrant seconded the motion. Mayor Scovill recommended removing the Resolution 9-02-2002 from the Consent Agenda in order to discuss the Resolution. Council Members Staheli, Durrant, Callaway, and Clayson indicated that would not be necessary. Council Member Morgan had two questions on the bills. Council Members Clayson, Durrant, Callaway, and Staheli voted in favor of the motion to approve. Council member Morgan voted against the motion because the Emergency Response Plan was not available for Council review prior to the meeting.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Engineer

Engineer Fullmer reported that a cost associated with the retaining wall, to be located within the Cottonwood Estates Subdivision, has not been submitted.

It was reported that the City Staff's evaluation of the critique of our Interim Sewer Study will be available for review during the next Council Meeting.

Mayor Scovill reported he has been in contact with Utah Pump Representative Mitch Winegar. They were scheduled to meet on Friday, September 13th but could not meet due to Mayor not being available that day. Engineer Fullmer will contact Mr. Winegar for an update on the pump repair and report next Council Meeting.

Engineer Fullmer indicated the bid opening would be held on Tuesday, September 24th, in association with the 730 North Sewer lines expansion.

Engineer Fullmer was thanked for his tireless efforts to remedy and prevent problems caused by the flooding and mud slides in the past week.

FORMAL PUBLIC HEARINGS

Ordinance pertaining to the Determination of Uses of Land

Council Member Durrant moved to open the Public Hearing with regard to the Determination of Uses of Land. Council Member Callaway seconded the motion with a unanimous vote.

There was not any Public comment or questions.

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

Ordinance pertaining to Seasonal Businesses

Council Member Clayson moved to open the Public Hearing with regard to Seasonal Businesses. Council Member Callaway seconded the motion with a unanimous vote.

There were not any Public comments or questions.

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

Proposed changes to the Santaquin City Code pertaining to Cemetery Lot Ownership

Council Member Clayson moved to open the Public Hearing with regard to changes to the Santaquin City Code pertaining to Cemetery Lot Ownership. Council Member Durrant seconded the motion with a unanimous vote.

There were not any Public comments or questions.

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

UNFINISHED BUSINESS

Utah Pump Representative – Update with regard to the Cemetery Well

The pump Representative was not present. Engineer Fullmer will contact him and report next Council Meeting.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 9-03-2002 “AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR THE ESTABLISHMENT OF PROVISIONS REGARDING SEASONAL BUSINESSES”

Council Member Durrant moved to adopt Ordinance 9-03-2002. Council Member Callaway seconded the motion. Council Member Morgan indicated he would like a change of wording in section 10-6-33. Council Member Durrant amended his motion to include Council Member Morgan’s recommendation, (City Planner Bolser will make the word change). Council Member Callaway seconded the amendment. Council Members Clayson, Durrant, Callaway, Staheli, and Morgan voted in favor of the motion.

Ordinance 9-04-2002 “AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR THE USES WHEN SAID USES ARE NOT SPECIFICALLY LISTED”

Council Member Durrant moved to adopt Ordinance 9-04-2002. Council Member Clayson seconded the motion. Council Members Morgan, Staheli, Callaway, Durrant, and Clayson voted in favor of the motion.

Ordinance 9-05-2002 "AN ORDINANCE AMENDING SECTION 7-3-4 "C" OF THE SANTAQUIN CITY CODE PERTAINING TO THE RECORDING OF CEMETERY LOTS"

Council Member Durrant moved to adopt Ordinance 9-05-2002. Council Member Staheli seconded the motion. Council Members Clayson, Durrant, Callaway, Staheli, and Morgan voted in favor of the motion.

Resolution 9-03-2002 "A RESOLUTION ESTABLISHING A BUILDING MORATORIUM ON THE EASTSIDE OF SANTAQUIN CITY"

Council Member Callaway moved to adopt Resolution 9-03-2002. The motion dies due to a lack of a second.

Legal Counsel Rich reviewed the proposed Resolution with those in attendance. City Manger Carter indicated he has spoken with the Representative of the Department of Emergency Services. The Representative indicated he would be available at any time he would be needed. Council Members Morgan and Staheli recommend eliminating the property location language within the proposed Resolution. Mr. Carter said Riverwood Development would not submit for building permits until after the October 2nd Council Meeting or a plan to address the flooding issue is drafted, although other owners of property within the Black Hawk Hills Subdivision area may.

Council Member Staheli moved to table the Resolution until October 2nd Council Meeting. Council Member Durrant seconded the motion. Council Members Clayson, Durrant, Callaway, Staheli, and Morgan voted in favor of the motion.

PETITIONS AND COMMUNICATIONS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

City Manager Carter reported he was extremely proud of the City Staff and the manner in which they handled the flood disaster. The Council Members all expressed their thanks to City Manager Carter and the leadership that was shown throughout the crisis.

Planning Commission

Commission Chairperson Rohbock reported the Planning Commission approved and referred to the City Council, the Development Plans associated with the proposed Openshaw East Annexation. Legal Counsel Rich will begin drafting the Annexation and Development Agreement for the Property Owners and Council to review.

City Attorney

Legal Counsel Rich reviewed with the Mayor and Council the finding with regard to Municipal Authorization of Liquor Stores. (See attachment "A")

REPORTS BY MAYOR AND COUNCIL MEMBERS

At 8:25 P.M. Mayor Scovill excused Council Member Morgan due to illness.

Mayor Scovill reported Mayor Brown indicated Genola Town has a metal water tank that is in need of being drained and recoated on the inside. Mayor Brown has concerns that Santaquin City may continue to need water that Genola has been supplying. If the tank is drained, Genola will not be in a position to continue to supply the water. Mayor Scovill indicated to him that Santaquin City will not be needing the water any longer.

Council Member Staheli reported the Library is open. The dedication has been postponed until the middle of October. A date will be set upon the completion of the Board Members Meeting next week.

Council Member Callaway reported he accompanied Representative Cannon on the tour of the disaster site. Copies of the pictures taken of the area will be sent to Cannon for review.

Council Member Durrant reported an electronic information board would cost in excess of \$10,000. Council Member Durrant will provide the Mayor and Council with a cost estimate at the next Council Meeting.

NEW BUSINESS

Nothing

BUSINESS LICENSES

Council Member Clayson moved to renew a Business License for Lynn Robins D.B.A. Moriah Investment Group and grant a new Business License for Andrea Cottrell D.B.A. Austin Diversified Products, Andrea Shipley D.B.A. Little Wonders Preschool, and Tammey Rogers D.B.A. Tammey's Playground Family Home Daycare. 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 9:00 P.M. Council Member Callaway moved to adjourn with a second from Council Member Durrant and a unanimous vote.

Approved on October 2, 2002

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