

**MINUTES OF A REGULAR COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SEPTEMBER 4, 2002**

Mayor A. 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, City Engineer Shon Fullmer, City Planner Jim Bolser, Nancy Woodside, Carmel Hall, Jim DeGraffenried, Ray Rowley, Joe Fowers, Kellie Robbins, Neal Caines, and Denise Windley.

**PLEDGE OF ALLEGIANCE**

Council Member Callaway led the Pledge of Allegiance.

**PRAYER**

Council Member Morgan offered a word of Prayer.

**APPROVAL OF THE MINUTES**

***Approval of the minutes of a Regular Meeting held on August 21, 2002.***

Council Member Morgan moved to approve the minutes of the August 21<sup>st</sup> meeting with one change. Council Member Clayson seconded the motion. Council Members Morgan, Staheli, and Clayson voted in favor of the motion. Council Member Callaway indicated he was not present for the entire meeting therefore he would not vote. Council Member Durrant was out of the room when the vote was called for.

**BILLS**

Council Member Staheli moved to approve payment of the bills in the amount of \$73,111.30. Council Member Callaway seconded the motion with a unanimous vote.

**Review and possible action with regard to the Larsen Single Lot Split**

Council Member Staheli moved to approve the Larsen Single Lot Split. Council Member Durrant seconded the motion with a unanimous vote.

**PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

***Carmel Hall – Discussion with regard to a proposed State of Utah Liquor Store***

Ms. Hall introduced herself to those in attendance. She reported she is interested in opening a State Sanctioned Liquor Store. She is asking for the general consensus of the Mayor and Council members with regard to this type of business. At this time, a location for the business has not been determined as of yet. Mayor Scovill suggested Ms. Hall begin the permitting process associated with the Business License. Council Member Staheli indicated he would like to have the Police Chief involved in the permitting process. Council Member Staheli asked Legal Counsel Rich to research into the City's prerogative to turn down such a request. The consensus of the Mayor and Council was split

***Nancy Jane Woodside-candidate for congress***

Ms. Woodside introduced herself to those in attendance. She indicated she would be running against Chris Cannon for a Congress Seat. She invited those in attendance to visit her web site for information with regard to her Congress goals.

**FORMAL PUBLIC HEARINGS**

***Ordinance pertaining to amending the Utah County Government Fee Schedule***

Council Member Durrant moved to open a Public Hearing with regard to the Utah County Government Fee Schedule. Council Member Staheli seconded the motion with a unanimous vote.

Mayor Scovill reviewed the proposed Fee Schedule change. He also indicated there have been a number of Representatives of different Animal Rights Activists Groups attending the COG Meetings soliciting support of this amendment to the County Fee Schedule. The amendment would exempt animal rescue groups from certain fees at the Animal Shelter.

Council Member Morgan 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 Information Sign*

Council Member Durrant indicated he has received a bid from Bona Signs pertaining to a 5 X 8 Monument Style City Sign. He indicated Bona Signs would honor the price they submitted in 2001. The cost of the two-sided sign would be approximately \$2,727.42. Council Member Clayson indicated the Chamber of Commerce is interested in participating with the purchase of an Electric Sign. Council Member Morgan recommended the cost for an electronic sign be explored, offer a sign placement recommendation, and establish criteria for the messaging be presented at the next Council Meeting. Council Member Callaway recommended Council Member Clayson talk with the Chamber of Commerce to see what they would be willing to donate towards the project. Council Member Staheli suggested that Council Member Durrant look into the cost of the electric sign to gauge how much financial participation the City might need from the Chamber. Council Member Durrant will report on this issue next Council Meeting.

## INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

### ***Ordinance 9-01-2002 "AN ORDINANCE AMENDING THE UTAH COUNTY GOVERNMENT FEE SCHEDULE ADOPTED IN BOOK FORM BY SECTION 2-1-6 OF THE UTAH COUNTY CODE, BY EXEMPTING ANIMAL RESCUE GROUPS FROM CERTAIN FEES"***

Council Member Durrant moved to not authorize the Mayor to sign Ordinance 9-01-2002. Council Member Callaway seconded the motion. Council Member Durrant indicated the City struggles to meet their financial obligations without absorbing additional obligations with no return. The vote was unanimous.

### ***Ordinance 9-02-2002 "AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE PROVIDING FOR CLASSIFICATION OF HOME OCCUPATIONS, THE PERMITTING THEREOF, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE"***

Council Member Callaway moved to adopt Ordinance 9-02-2002. Council Member Durrant seconded the motion. Council Member Morgan indicated he had E-mailed the Mayor and Council with his change suggestions. Council Member Morgan indicated that his proposed changes would simplify the Ordinance. After the discussion, Council Members Callaway, and Durrant, voted in favor of the motion with Council Members Morgan, Staheli, and Clayson voting against the motion. **THE MOTION FAILS**

Council Member Morgan will work with City Planner Bolser to review the present ordinance and implement the suggestion that have been made.

### ***Resolution 9-01-2002 "A RESOLUTION SETTING ANNUAL WAGES FOR CERTAIN STATUTORY OFFICERS/EMPLOYEES OF SANTAQUIN CITY"***

A discussion was held with regard to the increase of the Mayors wage. It was determined that the budget included a \$250.00 per month increase for the Mayor and \$100.00 per month increase for Council Members.

Council Member Durrant moved to adopt Resolution 9-01-2002. Council Member Callaway seconded the motion with a unanimous vote.

## **PETITIONS AND COMMUNICATIONS**

Nothing

## **REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**

### ***City Manager***

#### **Discussion with regard to the Council Protocols**

City Manager Carter reviewed with those in attendance the proposed Santaquin City Council Protocols. The Protocols have been reviewed and the Council's suggestions have been incorporated into the Resolution. Council Member Durrant indicated he would like to have the Resolution passed and make changes as needed.

#### **Resolution 9-02-2002 "SANTAQUIN CITY COUNCIL PROTOCOLS"**

Council Member Staheli moved to adopt Resolution 9-02-2002 with changes to the document formatting. Council Member Callaway seconded the motion. Council Members Morgan, Staheli, Callaway, and Durrant voted in favor of the motion. Council Member Clayson voted against the motion due to not having read the proposed Resolution.

**AT 8:45 P.M. COUNCIL MEMBER CALLAWAY MOVED TO TAKE A 10 MINUTE BREAK. COUNCIL MEMBER STAHOLI SECONDED THE MOTION WITH A UNANIMOUS VOTE.**

**AT 8:55 P.M. MAYOR SCOVILL CALLED THE MEETING TO ORDER.**

### ***City Engineer***

#### **Discussion and possible action with regard to the 730 North sewer line issue**

City Engineer Fullmer reviewed with the Mayor and Council the need for replacement of the sewer main at 730 North from 200 East to Center Street. (See attachment "A-1" and "A-2")

Council Member Clayson moved to authorize City Engineer Fullmer to move forward with the project, with the cost not to exceed \$63,000. Council Member Staheli seconded the motion. Council Member Staheli indicated that this issue was discussed at previous meetings and wondered what the difference is in the issue at this time than the last time it was talked about. City Engineer Fullmer indicated that the northern sewer line alternative that we had discussed previously, would take 2 to 3 years and would not solve our immediate problem; therefore he recommended we now proceed with the 730 North replacement line. After this discussion, the vote was unanimous.

City Engineer Fullmer was instructed to solicit bids for this project. If a Special Council Meeting is needed, one will be called.

#### **Discussion and possible action with regard to a retaining wall at the Cottonwood Estates Subdivision**

A discussion was held with regard to installing a retaining wall between the park property and private property. At the time the C. & J. Development partnership was dissolved, Steve Jaussi, Pine Creek Construction, assumed the responsibility for installing this wall. Neal Caines provided, for Legal Counsel's review, the signed contract between NAC Company and Pine Creek Construction indicating Pine Creek Construction will assume this responsibility.

Council Member Callaway moved to table a decision with regard to installation of the retaining wall at the Cottonwood Estates Subdivision until additional information is available. Council Member Durrant seconded the motion with a unanimous vote.

**Discussion and possible action with regard to funding for the new sidewalk in front of the City Center**

Council Member Callaway moved to authorize City Engineer Fullmer to continue with the sidewalk in front of the City Center and Museum, with the cost not to exceed \$12,835. Council Member Clayson seconded the motion with a unanimous vote. (See attachment "B" for the Preliminary Engineers Estimate)

City Engineer Fullmer reported that the pump part that was dropped down the Cemetery Well has been retrieved and shipped back to the manufacturing company. As of yet, a damage assessment has not been offered by the manufacturer. Council Member Morgan suggested releasing Utah Pump from the contract, try to recoup as much of the loss as possible, and hire someone who would finish the project. City Manager Carter recommended, due to the tanks continuing being full, allowing Utah Pump to complete the project.

Council Member Morgan questioned when the Sewer Study Comparison would be complete. City Engineer Fulmer will contact Epic Engineer with a completion date. The issue should be ready for discussion at the next Council Meeting.

***Planning Commission***

**Review and setting of a Public Hearing with regard to proposed Code Amendments pertaining to Permitted and Conditional Land Uses**

The Mayor and Council Members were told that a Public Hearing has been set for September 18, 2002 to discuss these proposed amendments. Any questions or comments that the Mayor or Council Members may have should be directed to the City Planner.

**Review and setting of a Public Hearing with regard to proposed code amendments pertaining to Seasonal Businesses**

The Mayor and Council Members were told that a Public Hearing has been set for September 18, 2002 to discuss these proposed amendments. Any questions or comments that the Mayor or Council Members may have should be directed to the City Planner.

**Review of recommendation letter pertaining to the 5-M Annexation**

Issues pertaining to the 5-M Annexation were discussed during the Council Work Session. Legal Counsel Rich will draft the Annexation and Development Agreement. A copy of the draft will be available for the Mayor and Council to review and make comments on.

**Discussion of the proposed Annexation Policy Plan**

City Planner Bolser reported that the notices have been mailed for a Public Hearing for the Planning Commission with regard to the Annexation Policy Plan. A target completion date is November 20, 2002.

***City Attorney***

Legal Counsel Rich reported he would review the State Statute with regard to State regulated Liquor Stores. He will have further information by next meeting.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council Member Morgan requested an update with regard to the Summit Ridge Project. Mayor Scovill indicated there has been some interest shown in the bonds. There isn't anything concrete to report as of today.

Council Member Morgan questioned what the process is to filling the vacant Planning Commission seat. Council member Morgan will contact Shannon to review the Letters of Interest that are on file.

**NEW BUSINESS**

***Authorization for the Mayor to sign Auditing Contract with Peterson and Associates***

Council Member Staheli moved to authorize Mayor Scovill to sign the Auditing Contracts with Peterson and Associates. Council Member Durrant seconded the motion with a unanimous vote.

**BUSINESS LICENSES**

Nothing

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

**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

***Discussion with regard to property acquisition***

At 10:15 P.M. Council Member Staheli moved to enter into an Executive Session with regard to property acquisition. Council Member Clayson seconded the motion with a unanimous vote.

At 10:50 P.M. the Mayor and Council returned to the Regular Council Meeting.

***Possible action with regard to property acquisition***

Council Member Durrant moved to authorize City Manager Carter continue with the property acquisition at 200 West Main. Council Member Clayson seconded the motion. Council members Morgan, Callaway, Durrant and Clayson voted in favor of the motion. Council Member Staheli vote against the motion.

**ADJOURNMENT**

At 10:15 P.M. Council Member Durrant moved to adjourn with a second from Council Member Staheli and a unanimous vote.

Approved on September 18, 2002.

Original Minutes signed by Mayor A. Ladue Scovill and attested to by City Recorder Susan B. Farnsworth.