

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
JULY 3, 2002**

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

Others attending: City Manager Roger Carter, City Engineer Shon Fullmer, Carl Greenhalgh, Keela Goudy, Andrew Goudy, Denise Windley, Donna Bott, Idonna Crook, Zaloma Goodall, Sherman Jones, Elaine Tasker, and Dennis Barnes. At 9:25 P.M. Todd Starley and unidentified individuals arrived.

PLEDGE OF ALLEGIANCE

Council member Clayson led the Pledge of Allegiance.

PRAYER

Zaloma Goodall offered a word of prayer.

APPROVAL OF THE MINUTES

Approval of the minutes of a Regular Meeting held on June 19, 2002.

Council member Clayson moved to approve the minutes of a Regular meeting held on June 19, 2002 with Council member Morgan's recommended changes. Council member Callaway seconded the motion with Council members Morgan, Callaway, Durrant, and Clayson voted in favor of the motion with Council member Staheli abstaining from voting due to not attending the meeting.

Approval of the minutes of a Special Telephonic Meeting held on June 21, 2002.

Council member Clayson moved to approve the minutes of a Special Telephonic meeting held on June 21, 2002. Council member Callaway seconded the motion with Council members Morgan, Callaway, and Clayson voted in favor of the motion. Council members Durrant and Staheli didn't vote due to not being involved in the meeting.

BILLS

Council member Callaway moved to approve payment of the bills in the amount of \$146,525.72. Council member Clayson seconded the motion with a unanimous vote.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Mr. & Mrs. Goudy addressed the Mayor and Council members with regard to a conversation they have had with Craig Call, Private Property Ombudsman for the State of Utah. (See attachment "A" for a copy of the letter sent to the Goudy's by Mr. Call) Mayor Scovill once again, indicated to the Goudy's that the Council is very mindful of their situation.

Ms. Crook questioned who was allowed to vote, by proxy, the Summit Creek Water Shares owned by the City. She was told that currently Phil Rowley was acting on behalf of the City. Those in attendance were told that Council member Callaway will be acting on the City's behalf in the future.

Mr. Greenhalgh indicated that the City could request Summit Creek Irrigation change their by-laws which will allow a non-share holder to vote proxy for the City.

FORMAL PUBLIC HEARINGS

Nothing

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

Ordinance 7-01-2002 "AN ORDINANCE PERTAINING TO REQUIREMENTS OF PRE-QUALIFICATION, PERMITS, AND BONDING PRIOR TO CONSTRUCTION"

Council member Morgan suggested adding to Part "6" "Period of Use" the word "or" to line 3 behind the word and. Also requested by Council member Morgan was in Part "8" "Violations" delete all language after a Class "B" misdemeanor on line 5. Council member Staheli agreed with the suggestions. Council member Clayson indicated she believed the Ordinance was fine as written. Council member Durrant indicated he felt the changes were nitpicky. Council member Callaway was in agreement with Council members Durrant and Clayson.

Council member Staheli moved to approve Ordinance 7-01-2002 with Council member Morgan's suggestion. Council member Morgan seconded the motion. Council members Staheli and Morgan voted in favor of the motion. Council members Callaway, Durrant, and Clayson voted against the motion. **The motion died due to a majority vote.**

As the previous motion failed, Council member Staheli moved to approve Ordinance 7-01-2002 as written. Council member Durrant seconded the motion with a unanimous vote.

PETITIONS AND COMMUNICATIONS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

Council member Morgan question what the procedure should be with regard to handling of complaints the Council members receive. Manager Carter indicated the City is currently using "Immediate Action" forms to address actionable issues. Therefore the complaints should be referred to the City Staff. The Staff is informed when the issue or complaint has been addressed. The uncompleted "forms" will be reviewed during the Staff meetings with the appropriate individual or department being accountable for the action not being completed.

Planning Commission

Discussion And Setting Of A Public Hearing Pertaining To An Ordinance Amending The Santaquin City Code Providing For Classification Of Home Occupation, The Permitting Thereof, Codification, Inclusion In The Code, Correction Of Scrivener's Errors, Severability, And Providing An Effective Date.

The Mayor and Council were given a draft of the proposed ordinance for review. A Public Hearing has been set for the July 17th meeting.

Commission member Zaloma Goodall indicated the Planning Commission has reviewed the proposed Ordinance. The main discussion topic was the distinction between the Major and Minor Home Businesses.

City Attorney

Legal Counsel Rich was excused.

City Engineer

Engineer Fullmer reported the Cemetery well pump bowls were scheduled to ship today. Utah Pump should be ready to complete the assembly of the parts and have the project completed within 9 or 10 days. Mr. Barnes indicated the water levels are holding up but the citizens have been requested to water with caution.

Also reported was that the agreement for the roads project, between Santaquin City and H.E. Davis, has been signed and the Notice to Proceed will be sent on Friday.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council member Callaway reported the sprinklers for the Cottonwood Estates Park will be installed on Friday. The park should be completed shortly.

Council member Staheli reported a Time Capsule will be stored on site of the New Library. A time frame as to opening the time capsule has not been set.

NEW BUSINESS

Denial of the Greaves Annexation

Because of the commercial nature of the Greaves property, members of the council expressed concern about denying the annexation before one last attempt to contact the representative of the annexation is made. Therefore, Council member Callaway moved to table denial of the Greaves Annexation for 2 weeks. Council member Clayson seconded the motion with a unanimous vote.

Discussion and possible action with regard to water rates.

Council member Durrant moved to table the decision with regard to the water rates, have comments or suggestions to City Manager Carter with in 7 days, have a consensus of the Council as to what the rates will be and schedule a Public Hearing along with adoption for July 17th. Council member Clayson seconded the motion with a unanimous vote.

Discussion and possible action with regard to the City Landfill Fees.

City Manager Carter requested the Mayor and Council members review the Landfill fee data paying close attention to the issues of the funding of the Dump. Council member Morgan indicated he is in favor of paying a fee for the privilege to use the dump.

Council member Durrant moved to have the Council members give City Manager Carter their final input with in 7 days so a final decision may be made on July 17th. Council member Staheli seconded the motion with a unanimous vote.

Discussion and possible action with regard to costs associated with the Cemetery Well.

Council member Callaway moved to authorize payment to Utah Pump in the amount of an additional \$7,500 and authorize payment of the balance of the bill upon completion of the project. Council member Staheli seconded the motion with a unanimous vote.

Discussion and possible action with regard to the Santaquin/Genola Inter local Law Enforcement Service Agreement.

Council member Durrant moved to authorize the Mayor to sign the Santaquin/Genola Inter local Law Enforcement Service Agreement. Council member Callaway seconded the motion with a unanimous vote.

Mayor Scovill indicated the Town of Genola has the capacity available to pump approximately 250,000 gallons of water per day back into the Santaquin City for the City's use. As of 3:00 P.M. today, Santaquin City is taking advantage of the Genola Well.

UNFINISHED BUSINESS

Council member Morgan indicated he had a letter, in his box, from Phil Rowley addressing purchase or leasing of the City's gravel pit (located near the South Interchange). Mayor Scovill suggested the discussing of this item at a future Council Meeting. (See attachment "B" for a copy of the letter)

Council member Clayson indicated she thought the gravel pit is an asset to the City and should not be sold. The issue will be discussed at the July 17th Council meeting.

BUSINESS LICENSES

Council member Clayson questioned if a Business License was issued for Carol Ercanbrack. She was told that Ms. Ercanbrack is a County Resident therefore a City Business License is not required.

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

SECOND PUBLIC FORUM

Mr. Starley questioned why the restriction with regard to fireworks was implemented. City Manager Carter indicated the reason for the restriction is due to the water restriction. A choice was made by those associated with Public Safety, to allow fireworks on July 4th and 24th only instead of banning them all together.

Mrs. Bott indicated she saw on the television the Governor requesting that no fireworks be lit on the 4th of July. The Governor indicated he could not ban the fireworks State wide but asked the Mayors of each individual City to issue restrictions.

ADJOURNMENT

At 9:15 P.M. Council member Staheli moved to adjourn with a second from Council member Durrant and a unanimous vote.

Approved on July 17, 2002.

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