

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
JUNE 5, 2002**

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

Others attending: Legal Counsel Brett Rich, City Engineer Shon Fullmer, City Planner Jim Bolser, Zions Bank Representative Carl Empy, City Building Official Randy Spadafora, Chris Woodard, Katie Woodard, Zaloma Goodall, JoDell Goodall, Shelly Goodall, Bethany Olsen, Savannah Kelly, Angela Sanders, Jack Hudson, Kathleen Hudson, Planning Commission Chairperson Doug Rohbock, Holly Peterson, Denise Windley, Keela Goudy, Dick Kay, Kevin Olsen, and other unidentified Individuals.

City Manager Roger Carter was excused.

PLEDGE OF ALLEGIANCE

Mr. Rohbock led the Pledge of Allegiance.

PRAYER

Council member Staheli offered a word of Prayer.

APPROVAL OF THE MINUTES

Approval of the minutes of a Regular Meeting held on May 15, 2002.

Council member Callaway moved to approve the minutes of a Regular Meeting held on May 15, 2002. Council member Durrant seconded the motion with a unanimous vote.

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

Council member Staheli moved to approve the minutes of a Special Meeting held on May 21, 2002. Council member Clayson seconded the motion with a unanimous vote.

BILLS

Council member Clayson moved to approve payment of the bills in the amount of \$55,581.66. Council member Morgan seconded the motion with a unanimous vote.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Zaloma Goodall – Discussion and possible action with regard to the City Celebration Dinner

Mrs. Goodall presented the Mayor and Council members with two different menus to choose from for the City Celebration Dinner. The choice will be made this week.

Awarding of the bids associated with the Electrical pertaining to the Park Lights

Council member Callaway moved to award the bid for electrical work pertaining to the lighting at the West Park, to S & S Electric, Inc, not to exceed \$7,420. Council member Staheli seconded the motion. After a short discussion the vote was unanimous.

JoDell Goodall and Neighbors – Discussion with regard to the twin home located at 100 S and 400 E

Mr. Goodall indicated he represented the neighbors with regard to issues pertaining to a duplex currently being built at approximately 100 S. 400 E. He indicated the property belonging to Jack Hudson and his Son should be considered a duplex and the proposed duplex should not be allowed because of the Ordinance which prohibits Multi Family Units so close together. Legal Counsel Rich indicated, with the information provided to him for review, issuance of the building permit should be permitted. Council member Morgan indicated that if an error was made on the City's side, the error should be corrected. Those in attendance were told the matter would be taken under advisement and would be reviewed.

Miss Pleasant Grove

Miss Kelly extended to the Mayor and Council members, an invitation to attend the Pleasant Grove Strawberry Days Celebration. They also presented the Mayor and Council members with a Strawberry Cheese Cake.

FORMAL PUBLIC HEARINGS***Public Hearing with regard to a proposed Ordinance pertaining to Accessory Building Setback and Location Requirements.***

Council member Durrant moved to enter into a Public Hearing with regard to a proposed Ordinance pertaining to Accessory Building Setback and Location Requirements. Council member Clayson seconded the motion with a unanimous vote.

City Planner Bolser reviewed with those in attendance the proposed Ordinance. Council member Callaway questioned if the RC Zone allowed for accessory buildings. City Planner Bolser indicated there is such a provision. Council member Morgan reviewed a number of set back and accessory building issues. Mayor Scovill questioned why two off-street parking spaces are being required. City Planner Bolser explained the need for off street parking during the winter months to allow for snow plowing as well as Public Safety accessibility.

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

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS***Resolution 6-01-2002 "A Resolution Providing For the Setting of Fees Associated With the Rental of the Centennial Park (300 West 100 South)"***

Council member Clayson moved to approve Resolution 6-01-2002. Council member Callaway seconded the motion with a unanimous vote.

Resolution 6-02-2002 "A Resolution Establishing Fees within Santaquin City for Animal Licensing"

Council member Clayson moved to approve Resolution 6-02-2002. Council member Callaway seconded the motion with a unanimous vote.

Resolution 6-03-2002 "A Resolution Establishing Fees within Santaquin City Cemetery"

Council member Callaway moved to approve Resolution 6-03-2002. Council member Staheli seconded the motion with a unanimous vote.

Resolution 6-04-2002 "A Resolution Of The City Council Of Santaquin City, Utah, ("The Issuer") Finalizing The Terms And Conditions Of The Issuance And Sale By The Issuer Of Its Excise Tax Road Bonds, Series 2002 In The Aggregate Principal Amount Of \$525,000; Awarding And Confirming The Sale Of Said Series 2002 Bonds; Authorizing The Execution By The Issuer Of A Second Supplemental Indenture Of Trust, And Other Documents Required In Connection Therewith; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transaction Contemplated By This Resolution; Providing A Severability Clause; Repealing Resolutions And Orders In Conflict; Providing An Effective Date; And Related Matters"

Council member Morgan moved to approve Resolution 6-04-2002. Council member Staheli seconded the motion with a unanimous vote.

Authorization for the Mayor to sign Bond Purchase Agreement associated with Resolution 6-04-2002.

Council member Morgan moved to authorize the Mayor to sign the Bond Purchase Agreement associated with Resolution 6-04-2002. Council member Callaway seconded the motion with a unanimous vote.

AT 9:00 P.M. COUNCIL MEMBER MORGAN MOVED TO TAKE A 10 MINUTE BREAK. COUNCIL MEMBER CLAYSON SECONDED THE MOTION WITH A UNANIMOUS VOTE.

AT 9:15 THE MEETING WAS CALLED TO ORDER BY MAYOR SCOVILL.

Resolution 6-05-2002 "A Resolution Encouraging The Utah County Commission To Place An Opinion Question On The November 2002 Ballot To Give County Residents And Opportunity To Express Their Opinion Concerning The Imposition Of A Local Sales And Use Tax Of .1% To Fund Recreational And Zoological Facilities And Botanical, Cultural, And Zoological Organizations (Zap Tax)"

Council member Morgan questioned if the moneys collected from the Zap Tax had been earmarked for a certain project. Mayor Scovill indicated there are some Cities that have pledged the money to the Recreation Departments. Santaquin City has not, as of yet, pledged the proposed tax.

Council member Clayson moved to approve Resolution 6-05-2002. Council member Callaway seconded the motion. Council members Clayson and Callaway voted in favor of the motion with Council members Morgan, Durrant and Staheli voted against the motion. **The motion dies due to the vote.**

Resolution 6-06-2002 "A Resolution Setting the Santaquin City Fee Schedule"

Council member Durrant moved to approve Resolution 6-06-2002 with one change pertaining to the Cemetery Fees. Council member Morgan seconded the motion with a unanimous vote.

Ordinance 6-01-2002 "An Ordinance Amending The Santaquin City Code Providing For Accessory Building Setback And Location Requirements, Codification, Inclusion In The Code, Correction Of Scrivener's Errors, Severability, And Providing An Effective Date".

Council member Durrant moved to approve Ordinance 6-01-2002 with the strike out the parking requirements. Council member Durrant withdrew his motion. Council member Morgan moved to refer the Ordinance back to the Planning Commission for consideration of striking the two stall on-site parking requirement, the 85% rule associated with the set back rule, reconsider the side setback in the Commercial Zones so that buildings can be closer than 20' and reconsider the front and side corner lot setbacks. Council member Durrant seconded the motion with a unanimous vote. Mayor Scovill asked Council member Morgan to provide the Planning Commission with written comments specifying which items in the Ordinance to reconsider.

PETITIONS AND COMMUNICATIONS

Nothing

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES***City Manager***

City Manager Carter was excused from the meeting.

Planning Commission

Planning Commission Chairperson Rohbock indicated the Planning Commission will be reviewing the Master Roads Plan. He also indicated the City needs to adopt a Sexually Oriented Businesses Ordinance. Legal Counsel Rich was asked to research a simpler form of the ordinance. Legal Council Rich indicated he could request a copy of South Salt Lake City's Ordinance which has recently been challenged in the Court systems.

Mayor Scovill indicated the City Manager will take the responsibility of gathering different adopted Ordinances for the Council to review.

Review and set for Public Hearing a proposed Ordinance amending the Santaquin City Code providing for requirements of pre-qualification, permits, and bonding prior to construction within Santaquin city rights-of-way.

City Planner Bolser reviewed with the Mayor and City Council the proposed Ordinance. The Public Hearing will be set for June 19th.

City Attorney

Legal Council Rich indicated he is required to review the Contract for the ballpark lights and render a Legal Opinion. He will have the review completed by the June 12th Work Session.

AT 10:30 P.M. COUNCIL MEMBER MORGAN MOVED TO EXTEND THE MEETING FOR 20 MINUTES. COUNCIL MEMBER CLAYSON SECONDED THE MOTION. COUNCIL MEMBER MORGAN WITHDREW HIS MOTION.

COUNCIL MEMBER STAHELI MOVED TO EXTEND THE MEETING FOR ITEM 11A CERTIFICATION OF THE STRATTON ANNEXATION ONLY. COUNCIL MEMBER DURRANT SECONDED THE MOTION WITH COUNCIL MEMBERS MORGAN, STAHELI, DURRANT, AND CLAYSON VOTING IN FAVOR OF THE MOTION. COUNCIL MEMBER CALLAWAY VOTED AGAINST THE MOTION.

City Engineer

City Engineer Fullmer will E-Mail the Council members with any information he was going to present.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Nothing

NEW BUSINESS

Certification of the Stratton Annexation

Council member Staheli moved to accept the Certification associated with the Stratton Annexation. Council member Durrant seconded the motion with a unanimous vote.

Setting of a June 12th Work Session

The Mayor and Council will hold a Work Session on June 12th. Agenda items include discussion of the proposed amendments to the Ordinance pertaining to water requirements due at annexation and the natural gas financials pertaining to the City's Natural Gas Company.

UNFINISHED BUSINESS

Nothing

BUSINESS LICENSES

Nothing

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 10:40 P.M. Council member Staheli moved to adjourn with a second from Council member Durrant and a unanimous vote.

Approved on June 19, 2002.

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