

**CITY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
OCTOBER 3, 2001**

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

Others attending: City Manager Roger Carter, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Fire Chief Shayne Bott, Shirl Ekins, Merelda Davis, Joe Davis, Caleb Warnock, Karl Greenhalgh, Kathe Martin, Tracy Roberts, Thad Rowley, Jessica Rowley, Donna Bott, Richard Ellsworth, Sherrie Skow, Ron Skow, Troy Knuz, Bob Lynds, Derek Rowley, Dale Rowley, Nell Morgan, Wes Morgan, Brent Norton, and Wayne Holland.

**PLEDGE OF ALLEGIANCE**

Council member Staheli led the Pledge of Allegiance.

**PRAYER**

Council member Durrant offered a word of Prayer.

**APPROVAL OF THE MINUTES**

Council member Staheli moved to approve the minutes for the September 19, 2001 meeting. Council member Clayson seconded the motion. Council members Greenhalgh, Clayson, Callaway, and Staheli voted in favor of the motion with Council member Durrant abstaining from voting (he was absent).

**BILLS**

Council member Greenhalgh moved to approve payment of the bills in the amount of \$104,868.71. Council member Callaway seconded the motion with a unanimous vote.

**FORMAL PUBLIC HEARINGS**

**Community Development Block Grant Public Hearing**

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

City Manager Carter, opened the public hearing for the CDBG program stating this hearing is being called to consider potential projects for which funding may be applied under the 2001/2002 Community Development Grant Program. It was explained that the grant money would need to 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 \$1.5 million during this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interested persons can review it at any time. City Manager Carter indicated there are a number of eligible projects which include, but are not limited to, construction of public works and facilities, ie: water and sewer lines, fire stations, acquisition of real property, provision of public services like food shelters, also eligible are loan programs for private businesses which would in turn hire low income persons and the program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons. The city has distributed the 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.

City Manager Carter indicated CDBG monies could possibly be used for Emergency Funding. Fire Chief Bott suggested a Public Safety Building, An Urban Interface Pumper Truck, or a new brush truck. Tracy

Roberts questioned if some of the proposed CDBG money will finish the construction of the new library. He was told that last years CDBG monies would complete the project. Nell Morgan would like to see a new Seniors Center constructed. Council member Clayson indicated she also is in favor of a new Seniors Building. Wes Morgan wondered if the money could be used to spruce up the city. City Manager Carter indicated he would check the requirements. Council member Greenhalgh and Council member Callaway indicated there is a great need for additional recreation facilities. Nell Morgan indicated a pool would be a nice addition to the City.

At 7:30 PM Council member Greenhalgh moved to close the Public Hearing. Council member Clayson seconded the motion with a unanimous vote.

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

**Appointment of Roger Porter to the Serve on the Board of Adjustments**

Council member Callaway moved to appoint Roger Porter to serve on the Board of Adjustments. Council member Staheli seconded the motion. Council member Greenhalgh, Clayson, Callaway, and Staheli voted in favor of the motion. Council member Durrant did not vote as he didn't know Mr. Porter.

**Discussion and possible award of the bid for Construction Manager associated with the Summit Ridge Development**

Council member Staheli moved to award the bid for the Construction Manager associated with the Summit Ridge Project, in the amount of \$385, 000 or 3% of the construction cost which ever is lower, upon the fact that the SID be established. Council member Durrant seconded the motion. Council member Staheli amended the motion that the award of the bid be contingent upon funding being established. Council member Durrant accepted the amendment. Council member Staheli withdrew the amendment with Council member Durrant accepting the withdrawal.

Council member Staheli moved to award the bid to Ellsworth Paulson in the amount of \$385,000 or 3% of the Construction cost which ever is lower, based on successfully executing of the contract between Santaquin City and the Construction Manager which shall include a clause provided that Santaquin City shall not be responsible for funding of the Contract. Council member Durrant seconded the motion with a unanimous vote.

**Ron and Sherri Skow- Discussion and possible action with regard to property located by the sewer lagoons**

Mr. Skow indicated he lives on the North of the Sewer Lagoons. He would like the Mayor and Council to give them and their property the same consideration as they may be giving the Goudy's. Council member Greenhalgh questioned if the Skow's had an odor issue when the landfill was in full use. They indicated the odor isn't coming from the landfill. Ray Rowley indicated he thought the Skow's live as close to the lagoons as the Goudy's. Mayor Scovill indicated issue would be researched and the Show's would receive notification of the research within 30 days.

**AT 8:20 PM COUNCIL MEMBER CALLAWAY MOVED TO TAKE A 5 MINUTE BREAK.  
COUNCIL MEMBER DURRANT SECONDED THE MOTION WITH A UNANIMOUS VOTE.**

**AT 8:30 PM THE MEETING WAS CALLED TO ORDER BY MAYOR SCOVILL.**

**Awarding of the Bid associated with the Eastside Well House**  
Moved to later in the agenda

Mr. Holland questioned when the holes would be filled by the Post Office. A work order will be given to the Maintenance Department on Thursday Morning.

**INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

**Resolution 10-01-2001 "RESOLUTION ALLOWING SUMMIT RIDGE DEVELOPMENT TO PAY MONIES IN LIEU OF WATER FOR DEVELOPMENT".**

Council member Durrant moved to approve Resolution 10-01-2001 with the 3 options. Council member Clayson seconded the motion with a unanimous vote.

**Resolution 10-02-2001 "SETTING OF INSPECTION FEES ASSOCIATED WITH THE SUMMIT RIDGE DEVELOPMENT".**

Council member Staheli indicated he would like to have any monies not used out of the inspection fees returned to Summit Ridge. Mr. Lynds indicated he would like to have an accounting of the funds and a possible refund. He would also be willing to pay the additional costs if aware of the additional costs at least 6 months in advance.

Council member Callaway moved to approve Resolution 10-02-2001 as written. Council member Clayson seconded the motion. Council member Staheli questioned if this resolution bound the City to form an Improvement District. Legal Counsel indicated it did not. The vote was unanimous.

**PETITIONS AND COMMUNICATIONS**

**Formal denial of the Openshaw East Annexation**

Council member Durrant moved to deny the Openshaw East Annexation. Council member Staheli seconded the motion with a unanimous vote. (See the Openshaw East Annexation file for Letter from the County)

**ITEMS 6D AWARDING OF THE BID ASSOCIATED WITH THE EASTSIDE WELL HOUSE AND ITEM 9D2 DISCUSSION AND POSSIBLE ACTION WITH REGARD TO THE EASTSIDE WELL ISSUES**

Legal Counsel Rich indicated there are a number of issues pertaining to the bid procedure associated with the Eastside Well House which need to be addressed. One of the bidders submitting a bid, for the project, didn't attend a mandatory pre-bid tour. If the City chooses to waive the mandatory pre-bid tour this should be done in writing. A question of licensing requirements was raised. Legal Counsel Rich indicated an E100 General Engineering Contractors License should be sufficient to complete this job. Sunrise Engineering Representative Travis Taylor indicated the scope of the proposed job did not change because of the pre-bid tour. Mayor Scovill indicated a Representative of the low bidder contacted him about 10 minutes after the tour group left the City Offices. The intended bidder received directions to the tour site from Mayor Scovill.

**Council member Greenhalgh indicated he would abstain from commenting and voting because he had submitted a bid for the project.**

Council member Staheli moved to reject the lowest bid submitted because of the ambiguity due to licensure and not having been present at the pre-bid tour and award the bid to the next lowest responsible bidder Van Con Construction. Council member Durrant seconded the motion with council members Durrant, Clayson, Callaway, and Staheli voted in favor of the motion. Council member Greenhalgh abstained from voting.

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

**City Manager**

The CDBG Board will hold a Pre construction meeting associated with the New Library will be held next week. Council member Clayson will discuss the issue of a time capsule associated with the New Library.

Manager Carter reported that a meeting will be held also next week with the owners of the undeveloped Eastside Property. *with regard to flood potential.*

**Planning Commission**

See Attachment "A" for Planning Commission outline.

**City Attorney**

None

**City Engineer**

Review and possible Final Approval of the Apple Cove Subdivision Plat "A"

Engineer Fullmer indicated this subdivision is on property associated with the Peterson Annexation. One of the individuals included in the Annexation doesn't want to give up his water rights.

Council member Durrant moved to table the Apple Cove Subdivision Plat "A" until the Peterson Annexation is complete. Council member Staheli seconded the motion with a unanimous vote.

Council member Durrant questioned when the Eastside egress and ingress lanes would be completed. Valley Asphalt bid the job at approximately \$32, 500.00.

Council member Durrant thanked Engineer Fullmer for the progress of the Orchard Cove Subdivision Park.

**Fire Chief**

**Discussion and possible action with regard to a brush truck**

Discussion was held earlier in the meeting.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council member Staheli moved to change the Council meeting to October 16<sup>th</sup> because the Mayor and Mayor Pro tem will be out of town. Council member Callaway seconded the motion with a unanimous vote.

The Natural Gas committee meeting will be held on October 12, at 10:00 am. in the Council Chambers.

Council member Durrant indicated he is researching the route of the Olympic touch.

Council member Greenhalgh reported he is working on getting the old home located on Council member Clayson's property moved to a site agreed upon by the Museum Directors..

**NEW BUSINESS**

None

**UNFINISHED BUSINESS**

**Discussion and possible action with regard to approving proposed budget amendments**

Council member Staheli moved to approve the proposed budget amendments (see last Council Meetings Minutes for adjustments). Council member Callaway seconded the motion with a unanimous vote.

**BUSINESS LICENSES**

Council member Clayson moved to approve a new Business License for Robb and Kimberly Tracy D.B.A. Nebo Technical Institute and for Phillip DeGraffenried DBA It's in the Books Accounting. Council member Durrant seconded the motion with a unanimous vote. Council member Clayson will contact Shane Oliver with regard to his New Business application.

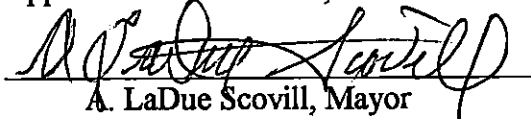
**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of a individual)

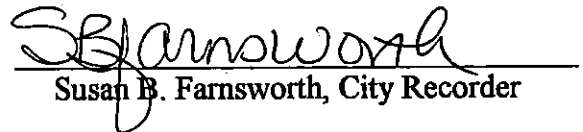
None

**ADJOURNMENT**

At 10:15 PM Council member Durrant moved to adjourn with a second from Council member Clayson and a unanimous vote.

Approved on October 16, 2001.

  
A. LaDue Scovill, Mayor

  
Susan B. Farnsworth, City Recorder