

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
AUGUST 15, 2001**

The meeting was called to order by Mayor LaDue Scovill at 7:00 PM. Council members attending: Shayne Durrant, Walter Callaway, and Frank Staheli. Council member Marilyn Clayson arrived at 7:25 P.M. Council member Kirk Greenhalgh was excused.

Others attending: City Manager Roger Carter, City Engineer Shon Fullmer, Legal Counsel Brett Rich, Sunrise Engineering Representative Lyle Hansen, Naomi Greenhalgh, Karl Greenhalgh, Glen Thomas, Madge Thomas, Donna Bott, Idonna Crook, Greg Fowkes, Robert Strange, Gail Smith, Heman Smith, Bill Brost, Cleann Brost, Shane Morris, Ray Rowley, Steve Parsons, Karen Parsons, Jed Hanson, Mark Stewart, Laurie Stewart, Richard Healey, Wes Morgan, and Nell Morgan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council member Callaway.

PRAYER

Naomi Greenhalgh offered a word of prayer.

APPROVAL OF THE MINUTES

Regular Meeting held on August 1, 2001

Council member Durrant moved to approve the minutes of August 1, 2001. Council member Callaway seconded the motion with a unanimous vote.

BILLS

Council member Staheli moved to approve payment of the bills in the amount of \$57,983.87. Council member Durrant seconded the motion with a unanimous vote.

ITEM 6A

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

20 Minute discussion with regard to the 300 West safety issue

Glen Thomas indicated he would need access to his property, which is located along 300 West to be able to water his animals. He was concerned that with widening the road, he would have to park in the lane of traffic to do this. A number of Citizens would like to see the ditches, located on the East side of 300 West be covered, install curb and gutter on one side of the road, along with constructing an 80' road from the subdivisions on the Northwest of town to Center Street which will take traffic off of 300 West.

Richard Healy voiced his concern with the City making decisions with regard to 300 West without any input from the Residents along that road.

Nell Morgan indicated the safety issue has been discussed, by the Mayor and Council, a number of times at various Council meetings. She invited the public to all of the Council meetings so they will continue to be up to date on the City issues.

FORMAL PUBLIC HEARINGS

Trail Ordinance

Council member Staheli moved to enter into a Public Hearing with regard to the proposed Trail Ordinance. Council member Clayson seconded the motion with unanimous vote.

One change was made to the definition of the Type III Trail. The thirty-foot easement will now be a twenty-eight foot easement.

Mr. Morgan wondered if the easement requirements were set in stone. He was told that as soon as the Ordinance is passed the Ordinance supersedes all previous plans or Ordinances pertaining to the trails issue.

Council member Durrant moved to close the Public Hearing with regard to the proposed Trail Ordinance. Council member Clayson seconded the motion with a unanimous vote.

Telecommunications Ordinance

Council member Durrant moved to enter into a Public Hearing with regard to the proposed Telecommunications Ordinance. Council member Clayson seconded the motion with unanimous vote.

Mayor Scovill reviewed the proposed Ordinance with those in attendance. Included in the discussion was the fact that Monopole Towers will not be permitted in the Commercial Zones.

Council member Durrant moved to close the Public Hearing with regard to the proposed Telecommunications Ordinance. Council member Clayson seconded the motion with a unanimous vote.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

None

PETITIONS AND COMMUNICATIONS

None

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager

Discussion with regard to the Summit Ridge Development Inspection Services

Council member Staheli recommended a number of changes to the proposed Resolution Setting Inspection Fees associated with the Summit Ridge Development.

City Manager Carter will redraft the proposed Resolution for Council Review and additional comments.

Discussion with regard to the Summit Ridge Development Water conveyance

City Manager Carter reported as per the City's Water Right Specialist, the City has undeveloped water rights available. A portion of these rights will need to be developed or they may be acquired by the other sources. Summit Ridge Development would like to pay monies in lieu of transferring 500 acre feet of water rights associated with their project. A draft Resolution was reviewed and discussed. Final approval of the Resolution will be held at a later date.

Update on the Sewer Impact Fee Study

City Manager Carter indicated he has requested, from Sunrise Engineering, a cost estimate associated with updating the current Sewer Impact Fee Study. Council member Staheli indicated he may have a copy of the update associated with the last study. He will do some research and contact City Manager Carter.

Update on the Natural Gas Study

Will be discussed later in the meeting.

Planning Commission

The Mayor and Council received a Planning Commission Report to review. (See attachment "A")

City Attorney

Mayor Scovill introduced, to those in attendance, Brett Rich as the City's Legal Counsel. Mr. Rich updated the Mayor and Council on various items. (See attachment "B")

City Engineer

Update and possible action with regard to the sewer lagoon winter storage and/or expansion

At the time of the sewer lagoon design, it was designed for 20 years at a growth rate of 3% per year. The City is close to reaching the projected growth. Provisions are being made to accommodate the future growth. A GEO-Technical Engineer will be performing the needed study associated with earth work at the existing lagoons. Also a letter to the State Division of Waste Water is being drafted updating them as to the needs of the City along with the up grades being performed.

Update and possible action with regard to the Orchard Cove Park clean up, Recording of the Quit Claim Deed, and release of the final balance associated with purchase of the land

City Engineer Fullmer reported the park has been cleaned up, but some of the issues on the punch list have not been resolved. Council member Durrant indicated he didn't want an additional deadline set for the completion of the punch list. He would like to have the needed items completed, by the City, and not release the remaining funds associated with the land purchase.

Council member Durrant moved to not pay the remaining balance due and use the money to complete the needed items on the punch list. The motion died due to a lack of a second.

Council member Callaway indicated he would like to give the Developers 7 days to complete the punch list excluding the required Pressure Reducing Valve. If the punch list is completed within the allotted time, the money will be paid to the Developers.

Council member Durrant moved to allow 7 days time to complete the punch list. Upon completion, the remaining money associated with the property purchase will be dispersed to the Developers. Council member Callaway seconded the motion.

Council member Durrant amended the motion to include completion of the asphalt issues. Council member Callaway seconded the amended motion.

Legal Counsel Rich recommended taking the monies due to the Developers and having Neal Caines (one of the individuals associated with the park issue) complete the asphaltting.

Upon further discussion Council member Durrant withdrew his motion. Council member Callaway agreed to the withdrawal.

Council member Durrant moved to consider the contract in default, use the remaining money associated with the purchase of the property to hire the asphalt work completed along with completing the items on the punch list, and take into consideration work already completed. Council member Staheli seconded the motion. Upon further discussion the vote is unanimous.

Review and possible Final approval of the Black Hawk Hills Subdivision

Council member Staheli moved to give Final Approval of the Black Hawk Hills Subdivision with Plats "B" and "C" not being recorded until the water pipeline is connected to the new water tank. Council member Clayton seconded the motion with a unanimous vote.

Review and possible Final approval of the Eastside Plat "E" Subdivision

Council member Clayson indicated she didn't think approval of additional lots should be granted until the decel and excel lanes along SR198 have been completed.

Council member Durrant indicated Mr. Morris did not meet a deadline set by the City associated with the SR198 issue.

Mr. Hansen indicated approval of this plat allows for the pipelines, from the well to the new water tank, to be installed.

Engineer Fullmer indicated to Mr. Morris, that if he is expecting reimbursement for any expenses associated with the Eastside park development, all construction plans must be approved through the City.

Council member Staheli moved to give Final Approval of the Eastside Plat "E" Subdivision. Council member Durrant seconded the motion with a unanimous vote.

REPORTS BY MAYOR AND COUNCIL MEMBERS

None

NEW BUSINESS

Discussion and possible action with regard to purchasing 4 lots associated with the Eastside Well

Mayor Scovill reported that the appraisal submitted by the City appointed Appraiser, of the 4 lots associated with the well, is \$176,000. Mr. Morris presented the Mayor with an invoice in the amount of \$208,000 for these same lots. Upon having the invoice returned to him, Mr. Morris acquired an additional appraisal in the amount of \$192,000. Mayor Scovill recommended splitting the difference of the two appraisals and purchasing the property.

Council member Clayson moved to approve payment in the amount of \$184,000 for 4 lots associated with the Eastside well. Council member Staheli seconded the motion with a unanimous vote.

Authorization for the Mayor to sign an Application for a Tourism and Recreation Fund Grant

Council member Durrant moved to authorize the Mayor to sign the Tourism and Recreation Fund Grant in the amount of \$4,049.00. Council member Staheli seconded the motion with a unanimous vote.

Reschedule the September 5th Council Meeting to September 4th

Council member Staheli moved to reschedule the September 5th Council meeting to September 4th. Council member Clayson seconded the motion with a unanimous vote.

AT 10:30 P.M. COUNCIL MEMBER STAHELI MOVED TO CONTINUE WITH THE COUNCIL MEETING TO COMPLETE THE AGENDA. COUNCIL MEMBER CLAYSON SECONDED THE MOTION WITH A UNANIMOUS VOTE.

Authorization to pay invoice #3" associated with the new Library submitted by Archos Design

Council member Durrant moved to authorize payment of invoice #3 submitted by Archos Design, in the amount of \$14,700.00. Council member Staheli seconded the motion with a unanimous vote.

Certification of the Openshaw East Annexation

Council member Staheli moved to accept the Certification of the Openshaw East Annexation. Council member Clayson seconded the motion with a unanimous vote.

UNFINISHED BUSINESS

Todd Starley-LDS Stake Emergency Preparedness Fair

Council member Staheli indicated this issue isn't ready for discussion.

BUSINESS LICENSES

Council member Clayson moved to approve a new Business License for Bonnie Hall D.B.A. Serendipity VIP Kennels and for Paul Spainhower D.B.A. PBS Gifts. Council member Durrant seconded the motion with a unanimous vote.

EXECUTIVE SESSION

AT 10:33 P.M. COUNCIL MEMBER STAHELI MOVED TO ENTER INTO AN EXECUTIVE SESSION WITH REGARD TO A DISCUSSION OF SALE OR PURCHASE OF PROPERTY. COUNCIL MEMBER DURRANT SECONDED THE MOTION WITH A UNANIMOUS VOTE.

AT 10:45 P.M. THE MAYOR AND COUNCIL RETURNED TO A REGULAR COUNCIL MEETING.

ITEM 9A

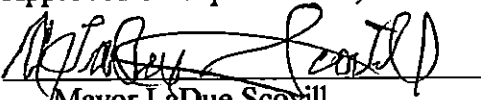
UPDATE ON THE NATURAL GAS STUDY

The Mayor and Council members are in agreement to have Sunrise Engineering update the Natural Gas Study.

ADJOURNMENT

At 10:48 P.M. Council member Callaway moved to adjourn with a second from Council member Durrant and a unanimous vote.

Approved on September 4th, 2001.


Mayor LaDue Scovill


Susan B. Farnsworth, Recorder

PLANNING COMMISSION REPORT

Meeting held on August 9, 2001

The meeting was called to order by Commission Chairman Brent Norton at approximately 7:00 P.M. Commission members attending: Brent Norton, Wes Morgan, Mick Peterson, Rick Steele, Alan Reed and Doug Rohbock. Commissioners excused: Julie Jones.

Others present: City Planner Jim Bolser, Planning Commission Clerk Sherron Davis.

APPROVAL OF MINUTES

Following review, Commissioner Peterson motioned to approve the minutes for the meeting of July 26, 2001. Commissioner Rohbock offered a second with a unanimously approval vote.

ACTION ITEMS

One Man Band Preliminary Review – City Planner Jim Bolser began the discussion by explaining that the applicant decided to make alterations to their plans following the review by the Development Review Committee (DRC) and meet with the DRC again before coming before the Planning Commission. Because of that, this item was to be a discussion item only between the Commission and the applicant to get the Commission familiar with the proposed development before it comes before them for approval. Discussion topics included subjects such as sidewalks, setbacks, right-of-way details and details of the property itself. Commissioner Rohbock ended the discussion by saying that the applicant should present the project to the DRC with their new plans before returning to the Planning Commission for preliminary approval.

Black Hawk Hills Subdivision Final Review – City Planner Jim Bolser explained that the plans before the Commission have had some very minor changes made to them in accordance with recommendations made by the DRC, but they may not show up on the plans before the Commissioners. Following a short discussion between the applicant and the Commission, Commissioner Morgan motioned to give final approval to the Black Hawk Hills subdivision contingent to the recommendation given by the DRC. A second was provided by Commissioner Rohbock and the motion passed unanimously.

Full Zoning Ordinance Review – City Planner Jim Bolser explained that this item was something that the Commission had reviewed before but had not completed their review or given approval. It was mentioned that not all commissioners had an opportunity to review the ordinance in the prior review sessions and not all commissioners had a copy of the ordinance to review. The Commission requested that Jim Bolser acquire copies of the most currently updated draft from former City Planner Andrew Jackson and distribute those to the Commissioners as soon as possible so they may have an opportunity to review the ordinance before their next meeting. The item was then deferred to the next scheduled meeting pending receiving draft copies prior.

DISCUSSION ITEMS

Parks, Recreation, and Open Space Master Plan – It was discussed that the City does have a master plan in place to cover these issues. It can be reviewed and amended as necessary. City Planner Jim Bolser explained that the master plan is a guide for the City to follow and may be adjusted as necessary.

Streets and Roads Plans – It was discussed that this would be the topic to be reviewed as a part of the Nebo Vision Program. City Planner Bolser agreed to deliver a copy of the Streets Master Plan Map and a copy of the current Zoning Map to Swaner Design for review in terms of expansion of the map and alteration to current infrastructure as depicted on the map.

Signage – City Planner Bolser explained that the Commission's review of the full zoning ordinance will include a revision of the sign ordinance in question. With this information, the Commission chose to address this topic at that time.

ADJOURNMENT

Commissioner Rohbock moved to adjourn with a second from Commissioner Reed and a unanimous vote. The time of adjournment was approximately 9:05 p.m.

**SANTAQUIN CITY COUNCIL
CITY ATTORNEY REPORT
August 15, 2001**

1. REDEVELOPMENT PROJECT: At the last City Council Meeting the Council adopted the Mainstreet Redevelopment Survey Area and directed that a Blight Study be completed as required by statute for that area.

Most of the initial evaluations for the Blight Study have been completed and the Blight Study Report will be drafted during the next three weeks. In the meantime, we have been completing the documentation required for the first phase of the process. We understand that the Council wishes to proceed as quickly as possible with the project and have prepared a tentative time line incorporating the appropriate steps with the schedule of the City Council. The time line shows the next step for the Redevelopment Agency is a public hearing on September 19, 2001, to consider public input and a determination of Blight. Nielsen & Senior will prepare and mail the appropriate notices for the public hearing. In addition we would like to schedule a meeting with Planning & Zoning as soon as possible to discuss and review the project.

2. PUBLIC DEFENDER CONTRACT: We are in the process of negotiating an agreement for the Public Defender for the next year. A draft has been delivered to the City Manager for review and should be completed in the near future.

3. SIERRA-PACIFIC TELECOMMUNICATIONS AGREEMENT: Legal Counsel for Sierra-Pacific left another message for me last week regarding the proposed agreement for its use of rights of way through Santaquin City. I returned his call and left a message, but have not heard back.

Timeline: Mainstreet RDA Project

DATE	ACTION
08.01.01	<p>Agency Meeting</p> <p>Agency Resolution Designating the Redevelopment Survey Area and Directing That a Blight Study Be Conducted Therein.</p>
	Preparation of Blight Study
	<p>Planning Commission Meeting</p> <p>Meet with Planning Commission regarding redevelopment plan: discuss nature of redevelopment, legal guidelines, and plans. Begin process of Planning Commission input.</p>
08.20.01	<p>Notice of Blight Hearing mailed to the last-known address of each property owner whose property lies <u>within</u> or <u>contiguous to</u> the Project Area (i.e., within 300 feet of its perimeter).</p> <p>Notice of Blight Hearing mailed (via certified mail) to the State Tax Commission, the County Assessor, the County Auditor, Each Member of the Taxing Agency Committee (or, if the Taxing Agency Committee has not yet been formed, to the governing body of each of the taxing entities of which taxable property is included in the project area).</p>
08.22.01	Notice of Blight Hearing—First Publication.
08.29.01	Notice of Blight Hearing—Second Publication.
09.05.01	Notice of Blight Hearing—Third Publication.
09.12.01	Notice of Blight Hearing—Fourth Publication.
09.19.01	<p>Agency Meeting</p> <p><u>Public Hearing</u> for the Purpose of</p> <p>(1) Making a Finding of Blight and</p> <p>(2) Informing the Public about the Proposed Project Area and Allowing Input.</p> <p>Agency Resolution Making a Finding of Blight.</p> <p>Agency Resolution Calling for the Preparation of Draft Redevelopment Plan.</p>
	Preparation of Draft Redevelopment Project Area Plan.

DATE	ACTION
	<p>Planning Commission Meeting</p> <p>Input from Planning Commission on Draft Plan.</p>
10.08.01	<p>Notice of Combined Redevelopment Plan & Budget Hearing (July 13, 1009) mailed to the last-known address of each property owner whose property lies within or contiguous to the Project Area (i.e., within 300 feet of its perimeter).</p> <p>Notice of Combined Redevelopment Plan & Budget Hearing (July 13, 1009) mailed (<i>via certified mail</i>) to the State Tax Commission, the County Assessor, the County Auditor, Each Member of the Taxing Agency Committee (or, if the Taxing Agency Committee has not yet been formed, to the governing body of each of the taxing entities of which taxable property is included in the project area).</p>
10.10.01	<p>Notice of Combined Redevelopment Plan & Budget Hearing—First Publication.</p>
10.17.01	<p>Notice of Combined Redevelopment Plan & Budget Hearing—Second Publication.</p>
10.24.01	<p>Notice of Combined Redevelopment Plan & Budget Hearing—Third Publication.</p> <p>NOTICE OF BUDGET HEARING PUBLISHED AS DISPLAY ADVERTISEMENT.</p>
10.31.01	<p>Notice of Combined Redevelopment Plan & Budget Hearing—Fourth Publication.</p>

DATE	ACTION
11.07.01	<p>Regular Agency Meeting</p> <p><u>Public Hearing</u> to Allow Public Comment on the Proposed Project Area Budget.</p> <p><u>Public Hearing</u> to Consider the Redevelopment Plan.</p> <p>Agency Resolutions Adopting the Report and Recommendations of the Planning Commission.</p> <p>Recommending Modifications to the Plan and/or the Report (if necessary).</p> <p>Adopting Owner Participation Rules.</p> <p>Adopting Relocation Rules.</p> <p>Making Findings Regarding the Amount of Opposition to the Proposed Plan, and the Amount of Privately Owned Property Included in the Project Area.</p> <p>Passing Upon Objections.</p> <p>Approving Final Redevelopment Plan and Submitting Same to City Council for Adoption.</p> <p>(Conditioned upon the City's adoption of the Plan) Authorizing and Directing the Publication of the Ordinance, Recording of the Ordinance, and Transmittal to Taxing Agencies, and Related Matters.</p> <p>City Council Meeting</p> <p>Ordinance:</p> <p>Adopting the Redevelopment Plan, and</p> <p>Calling for publication of the ordinance (or a summary thereof) with a statement that the Plan is available for public inspection.</p>
ASAP	<p>Publication of Ordinance with Statement That the Adopted Plan Is Available for Public Review.</p>

DATE	ACTION
Within 30 Days of Adoption	<p data-bbox="358 272 894 304">The Agency records a document containing:</p> <p data-bbox="456 331 1008 363">A description of the land within the project area,</p> <p data-bbox="456 391 1403 423">A statement that the project area plan for the project area has been adopted, and</p> <p data-bbox="456 451 704 483">The date of adoption.</p> <p data-bbox="358 517 638 549">The Agency transmits</p> <p data-bbox="456 576 894 608">A copy of the project area description,</p> <p data-bbox="456 638 1143 670">A copy of the ordinance adopting the project area plan, and</p> <p data-bbox="456 697 976 729">A map or plat of the project area boundaries,</p> <p data-bbox="456 759 850 791">TO EACH OF THE FOLLOWING:</p> <p data-bbox="553 821 769 853">the County Auditor</p> <p data-bbox="553 883 797 915">the County Assessor</p> <p data-bbox="553 944 764 976">each taxing entity;</p> <p data-bbox="553 1006 859 1038">the State Tax Commission</p> <p data-bbox="553 1068 886 1100">the State Board of Education</p>