

**MINUTES OF A RUGULAR CITY COUNCIL MEETING
HELD IN THE COUNCIL CHMBERS
JULY 18, 2001**

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

Others attending: City Manager Roger Carter, Legal Counsel Brett Rich, City Engineer Shon Fullmer, Brent Norton, Jimmy DeGraffenried, Guenn Anderson, Bill West, Tom Peterson, Jim DeGraffenried, Bob Lynds, Kent Kunz, Troy, Jesse Smith, and Neal Caines.

PLEDGE OF ALLEGIANCE

Mayor Scovill led the Pledge of Allegiance.

PRAYER

City Manager Carter offered a word of prayer.

APPROVAL OF THE MINUTES

Regular Meeting held on July 11, 2001

Council member Staheli moved to approve the minutes of July 11, 2001 Council member Durrant seconded the motion with a unanimous vote.

BILLS

Council Member Durrant moved to approve payment of the bills in the amount of \$27,484.16. Council member Callaway seconded the motion with a unanimous vote.

FORMAL PUBLIC HEARINGS

None

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

City Manager Carter reported that the 2nd Engineering Firm interviews will be scheduled for next week.

INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTION

Resolution 7-02-2001 "A Resolution Authorizing Santaquin City To Enter Into An Interlocal Agreement, With Genola City, For Police Services"

After a lengthy discussion, Council member Staheli moved to approve Resolution 7-02-2001. Council member Durrant seconded the motion with a unanimous vote.

Resolution 7-03-2001 "A Resolution Authorizing Santaquin City To Enter Into An Interlocal Agreement, With Genola City, For Building Inspection Services"

Council member Callaway moved to approve Resolution 7-03-2001. Council member Staheli seconded the motion with a unanimous vote.

Resolution 7-04-2001 "A Resolution Authorizing Santaquin City To Enter Into An Interlocal Agreement, With Genola City, For Court Services"

Council member Durrant moved to approve Resolution 7-04-2001. Council member Staheli seconded the motion with a unanimous vote.

Ordinance 7-01-2001 "An Ordinance Establishing Campaign Finance Disclosure Requirements For Candidates For City Office"

Council member Callaway moved to approve Ordinance 7-01-2001. Council member Durrant seconded the motion with a unanimous vote.

Ordinance 7-02-2001 "An Ordinance Approving the Tuckett Annexation along with the Annexation and Development Agreement"

Council member Durrant moved to table Ordinance 7-02-2001. Mayor Scovill reminded the Council of the time frame associated with school opening and the 3rd West safety issues. Council member Callaway indicated he wanted the 100 West road "opened up" from 4th North to the North end of the proposed annexation. Council member Staheli seconded the motion with a unanimous vote.

ITEM 12B

DISCUSSION AND POSSIBLE ACTION WITH REGARD TO THE 300 WEST ISSUE

A discussion was held with regard to constructing a black top sidewalk, to be separated from the road, by a painted strip, to address the safety issue. The proposed Annexation Agreement states the City would be responsible for installation of the sidewalk, at the Developers expense, up to \$20,000. Jimmy DeGraffenried indicated he thought the sidewalk could be constructed on the West side of the road. The Developers will have the sidewalk construction designed, fees to be paid out of the \$20,000, and present it to the City Engineer for review and approval. The point was made that there may be a "no parking" enforcement issue after the proposed sidewalk is installed. Council member Staheli indicated he would like to have stop signs installed on all cross roads along 300 West. Council member Durrant and Callaway were in agreement. Public Works Director, Dennis Barnes will be instructed to have them installed.

Ordinance 7-03-2001 "An Ordinance Approving the Peterson Annexation along with the Annexation and Development Agreement"

Council member Durrant moved to table Ordinance 7-03-2001 until August 1st Council meeting. Council member Callaway seconded the motion. Council member Staheli reviewed with Jim DeGraffenried the issues that will be addressed in the next meeting. After the discussion the vote was unanimous vote.

PETITIONS AND COMMUNICATIONS

None

**AT 9:45 PM COUNCIL MEMBER CALLAWAY MOVED TO TAKE A 5 MINUTES BREAK.
COUNCIL MEMBER DURRANT SECONDED THE MOTION WITH A UNANIMOUS VOTE.**

AT 9:55 PM THE MAYOR CALLED THE MEETING TO ORDER.

ITEM 11B

Notice of Intent to Create a Special Improvement District associated with Summit Ridge Development
Council member Durrant moved to issue a Notice of Intent to Create a Special Improvement District with the understanding that all 8 of the concerns are public record and satisfied to the Council's satisfaction. Council member Staheli recommended adding to the motion that a Public Information Meeting, which will be held on August 22, to begin at 6 PM, will be held prior to the Public Hearing. Upon further discussion of the Public Hearing dates, Council member Durrant added to his motion Council member Staheli's recommendation.

Council member Staheli read the documents associated with the Notice of Intent to Create a Special Improvement District, noting 2 needed changes. Council member Staheli seconded the motion. The vote was unanimous. (see attachment "A" for the 8 concerns)

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager
None

Planning Commission

Reports by Chairperson Brent Norton

A Planning Commission update letter was included in the Mayor and Council packets. (See attachment "B-1", "B-2", and "B-3")

City Attorney

Legal Council Rich reported he has prepared a letter to Diane Banks with regard to water shares issues associated with the Summit Ridge.

Mayor Scovill reported he met with Keith Broadhead and Sunrise Representative Tony Fuller with regard to Santaquin City's Water Rights. The 44.5 shares of South Jordan Canal District water, associated with the Eastside Annexation, may have restrictions. Mr. Fuller will research this issue and contact Mayor Scovill.

Changes associated with Shares

City Engineer

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

Engineer Fullmer reviewed 2 options associated with the sewer lagoon expansion. Engineer Fullmer will move forward with the most economical option and proceed with the expansion.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Council member Staheli

Report and possible action with regard to the Public Affairs Emergency Preparedness Fair

Council member Staheli received permission to offer the City Center as an optional place to hold the Public Affairs Emergency Preparedness Fair for the City.

NEW BUSINESS

Approval of the 2001 Election Judges

Council member Callaway moved to approve the list of Election Judges. Council member Staheli seconded the motion with an unanimous vote. (See attachment "C")

Approval of Pay Request #2 for the Water Tank

Council member Callaway moved to approve the Pay Request #2 from Gerber Construction in the amount of \$132,810.00. Council member Durrant seconded the motion with a unanimous vote.

UNFINISHED BUSINESS

Discussion and possible action with regard to the Robbins Fence Issue

Council member Staheli reported he spoke with Roping Club Representative Wade Eva with regard to the fence along the City property boundary and the Robbins property boundary. Mr. Norton indicated he thinks the Roping Club should be responsible for replacing the fence not the City. Mayor Scovill recommended participating in replacing the fence at a certain percent. It was determined the City will participate in the amount of \$300 with the understanding the section adjacent to the Rodeo Grounds be reconstructed.

Council member Staheli moved to participate in replacing the fence, in the amount of \$300, with the understanding that the contribution will be used to replace needed fencing adjacent to the Rodeo Grounds. Council member Callaway seconded the motion with a unanimous vote.

BUSINESS LICENSES

None

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

None

ADJOURNMENT

At 10:20 PM Council member Durrant moved to adjourn with a second from Council member Staheli and a unanimous vote.

Approved on August 1, 2001.


A. LaDue Scovill, Mayor


Susan B. Farnsworth, Recorder

Discussion Points Summit Ridge Development

- Financials-audited or compiled. Also of new investor. This is important because there are "other improvements" that enhance the value of the appraised value of property. We need to know how these "other improvements" are going to be paid.
- Golf Course contract. This is needed because the appraised value of the property is based upon a completed golf course
- Agreement to pay on assessment. SRD has verbally agreed to pay 125% of assessment on commercial property upon sale and pay \$1,000 per residential lot of assessment when selling to developers, this would be placed in a "sinking fund" to be used for debt service or in case of default
- Updated appraisal. Since SRD was combining commercial and residential property values, appraisal rules require you to discount the total appraised value. The Appraiser is working on this discounting
- Water Rights. All issues of water rights and conveyance need to be resolved.
- Accelerated district creation time-table. This will require the city to approve the waiving of certain procedural issues to speed up the time table. Bond counsel has agreed to waive this, but Brett and the City need to sign off on this.
- Construction Manager. The city will need to get a construction manager or general contractor to deal with the bidding process and other construction related issues. SRD would like to be able to be the construction managers; this could present some conflict.
- Public Works Inspection. Under development ordinance the city requires a 7% fee. Since SRD is a planned community, this is probably an excessively large amount to impose upon SRD, a public works inspection fee needs to be set for phase one of this project.

PLANNING COMMISSION REPORT

Meeting held on July 12, 2001

This meeting was held in the Santaquin Seniors Center in order to accommodate the City Council Work Session. The meeting was called to order by Commission Chairman Brent Norton at 7:00 P.M. Commission members attending: Brent Norton, Mick Peterson, Rick Steele, Alan Reed & Doug Rohbock. Commission members excused: Wes Morgan, & Julie Jones.

Others present: City Planner: Jim Bolser, Bill Pepperoni, and former City Planner Andrew Jackson.

Commission member Brent Norton explained that the minutes of June 28, 2001 would be addressed at the next Planning Commission meeting.

PUBLIC HEARINGS

Telecommunications Ordinance: Once the public hearing was officially opened, former City Planner Andrew Jackson explained to the Commission how the ordinance has been changed to improve the effectiveness of telecommunications pole placement within the City. No one from the public had any comments on the change.

Commission member Rohbock moved to forward the Telecommunication Ordinance on the City Council and close the Public Hearing with a second from Commission member, Reed and an unanimous vote.

- B. **General Plan Amendment and Zone Change from approximately 300 West Main to the Westerly City boundary from RM-8 (Residential) to C-1 (Commercial):** Once the public hearing was officially opened, former City Planner Jackson gave an explanation as to the content and intent of the General Plan amendment.

Public Comment: Scott Smith asked how this zone change would affect the residential status of the homes on Main Street. Commissioner Rohbock explained that no one would get run off of Main Street. Andrew Jackson explained that present and future landowners would be classified as pre-existing nonconforming use and would never be forced off unless land was sold for commercial use. Andrew Jackson said property taxes should remain the same and if they didn't a petition could be filed. He said if they wanted to expand their house, it should still be taxed as residential. Bonnie Kay said she would not like changes as her vacant lot will someday go to grandkids so that they can build homes. Scott asked why the need was so great at this point in time. Commissioner Rohbock explained, this it is to prevent contractors coming in and developing without restrictions. Joseph Davis stated he wants the land to be zoned commercial. Scott suggested that the zoning be changed as the need arises. He asked about the Telecommunications tower. Brent Norton explained that the commission had rejected the proposal for the tower. Scott asked the difference between C-1 zoning and light industrial. He said he didn't mind as long as he wasn't limited in what he wanted to do with his land. Andrew suggested changing the City's General Plan rather than a broad zone change. He suggested changing zones in a piecemeal nature as the development occurs. It was brought up that the

dentist's office has been built in a non-commercial zone. It's this very example that the commissioners are trying to avoid. Chairman Norton suggested a discussion on this matter could be brought up at another meeting. Commissioner Rohbock suggested going commercial in the general plan. Andrew Jackson explained to Bonnie that changing the general plan would safeguard her residential intentions of her vacant lot. Bonnie asked if there would be another public meeting. Andrew Jackson explained there will be a public hearing with the City Council after the Planning Commission discusses and writes up their proposal. He also said the next planning commission meeting will allow for public comment. City Planner Jim Bolser informed the meeting that property owners will be receiving a letter stating it will be up for review again.

Commissioner Rohbock moved to close the Public Hearing with a second from Commissioner Mick Peterson and a unanimous vote.

Trail Ordinance: Once the public hearing was officially opened, Andrew Jackson informed the Commission of the minor wording changes made to proposed ordinance. Type I, II & III were more clearly defined on the top of page 3 of the proposed ordinance.

Commissioner Peterson asked if specific wording about the trails, if it should be in the master plan. Andrew Jackson said it will be. Bonnie asked where these trails are to go. Andrew Jackson described the general location of the trail system throughout the City. Brent asked about item B on page 4. Andrew Jackson explained if a developer comes in and wants to designate an open space for private property, they must properly sign it so trail users are not confused.

Commissioner Peterson had a question on page 6, animals, if it needs to be more clearly defined. Commissioner Rohbock asked about page 5, number A (6), Easements, would this deter flood control. Andrew Jackson explained this was intended only for homeowners and the city would not be affected.

Commissioner Steele moved to close the Public Hearing and forward the Trail Ordinance to the City Council with a second from Commissioner Rohbock and a unanimous vote.

ACTION ITEMS

Morris Ercanbrack Annexation Concept Plan Review

Randall Ercanbrack introduced himself and Bill Pepperoni to the Commission. Mr. Pepperoni presented graphics of the concept plan to those present at the meeting. Chairman Norton asked how they would get 500 West through to Main Street. Mr. Pepperoni suggested that they would approach property owners in an attempt to work with them to make the road happen. Joe Davis said he would contribute his property for half of 500 West. Commissioner Rohbock suggested Mr. Ercanbrack figure out a way to get 500 West through. He also asked that the proposed 500 West be angled at Highway 6 to have the roads meet at a 90° angle. Mr. Ercanbrack said they would have to go the west of the existing houses in order to angle it properly. Chairman Norton asked about the height of their proposed townhouses in the project. Mr. Pepperoni explained that the townhouses are two stories, the condos are 2 1/2 stories. Chairman Norton asked Mr. Ercanbrack about his existing cold storage building. Mr. Ercanbrack said it would stay.

Chairman Norton asked if that would work out all right with new homes surrounding it. Mr. Ercanbrack said it would be an excellent buffer zone between Highway 6 and the existing single family homes along Lark Street. Mr. Pepperoni asked if they worked out the 500 West problem, would it be worth their time to come back to the Commission. Andrew Jackson suggested they approach the property owners that would be affected before redesigning the 500 West approach. Andrew Jackson asked Bill Pepperoni to submit a zoning text. Mr. Ercanbrack suggested that the sewer needs and access would have to be addressed.

The Commission decided to wait to act on this project until the applicant had an opportunity to communicate with the other property owners and come back with a better road plan for 500 West and zoning text.

Openshaw East Annexation Review.

City Planner Jim Bolser gave an explanation of a meeting he had with Mr. Doug Openshaw, regard his proposed annexation and subdivision. He explained that he advised Mr. Openshaw that his proposed subdivision plan did not provide sufficient information for Commission review and that Mr. Openshaw expressed a desire to proceed with the annexation alone and deal with the subdivision at a later time. Andrew Jackson stated that there is a provision in the General Plan that if an applicant does not have a sufficient subdivision plan at the time of annexation, then the proposed annexation would be zoned R-1-15 until such time that a sufficient subdivision plan is presented. The applicant then has the option of adapting their subdivision to fit the formal zoning for which it lies. No commissioners saw problems with acceptin the subdivision under this provision.

Commissioner Rohbock made a motion to approve the annexation proposal and send it on to the City Council for consideration. Commissioner Reed seconded the motion with an unanimous vote.

Eastside Estates Subdivision- Plat "E". Preliminary Plan Review.

Commission Chairman Norton motioned to table this issue as no applicant representation was present with a second from Commissioner Rohbock and a unanimous vote.

ADJOURNMENT

Chairman Norton moved to adjourn with a second from Commissioner Reed and a unanimous vote.

ELECTION JUDGES FOR 2001

NORTH ELECTION JUDGES

Dawn Warenski	754-3250
Marilyn Bowers	754-3930
Colleen Ahlin	754-3278

SOUTH ELECTION JUDGES

Idonna Crook	754-3958
Essie Higginson	754-3431
Brenda Shupe	754-5903

NORTH COUNTING JUDGES

Myrle Butler	754-3961
Tasha Trujillo	754-5065
Terry Lyn Trujillo	754-5065

SOUTH COUNTING JUDGES

Zaloma Goodall	754-3206
Donna Bott	754-3957
Clarice Peterson	754-3372

ALTERNATE JUDGES

Ruth Wall	754-3477
Chris Gifford	754-3044
Fay Fuller	754-3498
Lynn York	754-5234
Shauna Wall	754-3784
Shauna Jones	754-3116
Shirley Porter	754-5410
LaDean Westover	754-3446
Clara Goudy	754-3752
Betty Coombs	754-3353
Madge Thomas	754-3669
Marilyn Coombs	754-3676
Judy Steele	754-3985
Dorine Wall	754-3948
Jeri Bascom	754-3247