

**MINUTES OF A REGULAR COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
APRIL 18, 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, Fire Chief Shayne Bott, City Engineer Shon Fullmer, Monica Giffing, Brent Norton, Roxanne Clark, Jennifer Clark, and Chad Argyle.

**PLEDGE OF ALLEGIANCE**

Mayor Scovill led the Pledge of Allegiance.

**PRAYER**

Chief Bott offered a word of Prayer.

**APPROVAL OF THE MINUTES**

Council member Clayson moved to approve the minutes of the Regular meeting of April 4, 2001. Council member Callaway seconded the motion with an unanimous vote.

**BILLS**

Council member Callaway moved to approve Payment Request #6 for Chad Broderick Construction (New Library) in the amount of \$30,784.75 (included in bill total). Council member Durrant seconded the motion with an unanimous vote.

Council member Staheli moved to approve payment of Change Order #4 for Armstrong Drilling (Eastside Well) in the amount of \$12,474.00 and authorize payment of the change order #3 and #4 totaling 23,760.00 (not included in bill total). Council member Clayson seconded the motion with an unanimous vote.

Council member Callaway requested from, Engineer Fullmer, a cost analyst associated with the Eastside well and tank project.

Council member Staheli moved to approve payment of the bills in the amount of \$134,184.91. Council member Greenhalgh second the motion with an unanimous vote.

**FORMAL PUBLIC HEARINGS**

None

**PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS (ALL PUBLIC FORUM WILL BE LIMITED TO 10 MINUTES)**

**Fire Chief Shayne Bott to present an award**

Chief Bott presented Chad Argyle with a Letter of Commendation for his efforts associated with the Fire Department.

**Appointment of a new Planning Commission Member**

Council member Staheli moved to accept Mayor Scovill's recommendation to appoint Rick Steele to the Planning Commission to complete the remaining term of Filip Askerlund. Council member Callaway seconded the motion with an unanimous vote.

Mayor Scovill reported that Martin Green has resigned as a member of the Planning Commission therefor leaving a Chairperson vacancy. A replacement will be appointed upon completion of further interviews.

**American Cancer Society presentation**

American Cancer Society Representatives Roxanne Clark and Jennifer Clark reviewed a method of fund raising called "Relay For Life". This fund raiser will include Cities from Springville to Nephi which will be held at Payson High School. The Representatives challenged the Mayor and Council to form a relay team and participate in the fund raiser to be held on July 15 and 16.

**INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES**

Council Member Durrant moved to approve Ordinance 04-02-2001. Changes to Sections 1-10-1, 1-10-2, and 1-10-3 of the Codified Ordinances. Council member Callaway seconded the motion with an unanimous vote.

**PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**

None

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

**Planning Commission**

Commission member Norton reported that Rick Steele sat in on the last Planning Commission. QWEST Communication will be submitting additional information concerning installing a tower at the West Park. Also reported was that Planning Commission will be holding a Public Hearing concerning a proposed Zone Change for the Elray Davis property (from RM8 to Commercial)

**City Attorney**

**Discussion and possible decision with regard to water issues pertaining to Annexation**

Legal Counsel Rich reported he has researched the Case Law pertaining to Annexation water requirements. Legal Counsel Rich will draft an Ordinance for the Mayor and Council to review.

Also reported was that Summit Ridge has contacted Nelson and Senior Representative Craig Smith to evaluate water shares pertaining to the South County Annexation. Until Summit Ridge Development addresses the Mayor and Council pertaining to this issue Nelson and Senior will not proceed.

**City Engineer**

**Discussion and possible decision with regard to McMullin Annexation water issues**

Engineer Fullmer reported that due to an overlap of the property description, East Side Annexation included approximately 3 acres that didn't belong to McMullin's. Mr. McMullin indicated he would provide copies of the transferred water rights to Engineer Fullmer. Upon receiving the copies, Engineer Fullmer make necessary water rights adjustments back to McMullin's for the actual acreage.

Engineer Fullmer will draft a Notice of Award, for Gerber Construction, for construction of the Eastside water tank. Upon receiving the required Quit Claim Deed associated with the property, Mayor Scovill will sign the Notice.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council member Clayson questioned what is a Re Development Agency. Legal Counsel Rich explained that the tax increment associated with the improvement of the property helps to repay the RDA.

Mayor Scovill reported that the Administrator of the Natural Gas distributor system failed to control the amount of natural gas pulled from Questar's distribution lines therefor there will be an additional charge for the Natural Gas overage. More information is forth coming.

Mayor Scovill reported that due to a previous commitment City Manager Carter will be on leave from April 25th to May 7th.

After a lengthy discussion, a decision was made to hold a Work Session on May 9th to review the issues associated with the proposed Summit Ridge Development SID's.

**AT 9:50 P.M. COUNCIL MEMBER CALLAWAY MOVED TO TAKE A 5 MINUTE BREAK. COUNCIL MEMBER STAHOLI SECONDED THE MOTION WITH AN UNANIMOUS VOTE.**

**AT 9:55 P.M. MAYOR SCOVILL CALLED THE MEETING TO ORDER.**

Council member Callaway indicated he asked the Building Inspector to have the Subdivisions under construction cleaned up. Council member Greenhalgh suggested having Engineer Fullmer draft letters to the Developers and Contractors.

Council member Greenhalgh reported Twin D is still in violation of their contract to clean out the sewer trunk lines throughout town. Legal Counsel Rich will draft a letter to them.

**NEW BUSINESS**

**Review and possible decision pertaining to the Orchard Cove Subdivision Park designs**

Engineer Fullmer presented a park design drafted by Mountainland Associates of Governments Representative Shon Segar. Additional information is needed before the project can be bid on. Council member Callaway will have a meeting with the homeowners in the subdivision to let them review and make comments concerning the draft.

**Discussion and possible decision pertaining to taxes due on the Orchard Cove Subdivision Park**

Upon inspection of the park site, by Council member Callaway, and report is made to Legal Council Rich, a letter will be drafted to Pine Creek Development and NAC Company outlining the unresolved issues pertaining to the Orchard Cove Subdivision and the contract signed September 6, 2000.

Council member Staheli moved to approve payment of ½ of the assessed 2000 taxes in the amount of \$414.07 payable to Utah County. Council member Durrant seconded the motion with an unanimous vote.

**UNFINISHED BUSINESS**

None

**BUSINESS LICENSES**

Council member Clayson moved to approve a new business license for Chad Shephard D.B.A. Shepy's Hydro Seeding and Lawn Care, Bianca Cottam D.B.A. Bianca's Daycare, Cascade Pickering D.B.A. Santaquin Daycare, and Gary Jackson D.B.A. Super Sheds By Durabuilt Products. Council member Callaway seconded the motion with an unanimous vote.

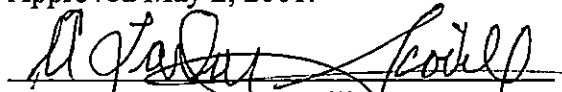
**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)

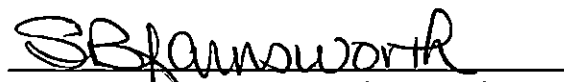
None

**ADJOURNMENT**

At 10:25 P.M. Council member Clayson moved to adjourn with a second from Council member Durrant and an unanimous vote.

Approved May 2, 2001.

  
A. LaDue Scovill, Mayor

  
Susan B. Farnsworth, Recorder