

**MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
MARCH 21, 2001**

The meeting was called to order by Mayor Pro tem Frank Staheli at 7:05 P.M. Council members attending: Shayne Durrant, Walter Callaway, and Frank Staheli. Council members Marilyn Clayson and Kirk Greenhalgh was excused. Mayor LaDue Scovill arrived at 7:10.

Others attending: City Manager Roger Carter, City Engineer Shon Fullmer, City Planner Andrew Jackson, Legal Counsel Brett Rich, Fire Chief Shayne Bott, EMT Association Representative, Lee Savage, Zions Bank Representative Carl Empey, Knell Architect Representative Roger Nell, LDS Church Representative Phil Rowley, Tom Peterson, Shannon Harris, Tom Peterson, Brent Norton, Nell Morgan, Wes Morgan, Neal Caines, Bob Lynds, Byron Bastian, Jim DeGraffenried, Jimmy DeGraffenried, and Dennis Barnes.

PLEDGE OF ALLEGIANCE

Council member Durrant led the Pledge of Allegiance.

PRAYER

Nell Morgan offered a word of Prayer.

APPROVAL OF THE MINUTES

Council member Callaway moved to approve the minutes of the Special Meeting of March 6, 2001, Regular Meeting of March 7, 2001 and Special Meeting of March 14, 2001. Council member Durrant seconded the motion with an unanimous vote.

BILLS

Council member Durrant moved to approve payment of the bills in the amount of \$63,093.26. Council member Staheli seconded the motion with an unanimous vote.

FORMAL PUBLIC HEARINGS

Council member Staheli moved to enter into a Public Hearing with regard to an Ordinance adopting Design Review Process, Application and Fees. Council member Durrant seconded the motion with an unanimous vote.

City Planner Jackson reviewed the proposed Ordinance with those in attendance. The purpose of the Ordinance is to establish a Design Review Process, Application, and Fees. These fees will be used to help off set costs incurred while the proposed design is following the review process.

Mr. Lynds indicated Summit Ridge Development doesn't have a problem with the proposed Ordinance but would like to have a cap on the estimated cost associated with outside Engineering.

Mr. Morgan requested a more clear definition of "a large or significant review" associated with the \$400 fee.

Council member Durrant moved to close the Public Hearing with a second from Council member Callaway and an unanimous vote.

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Mr. Morgan reported the City Beautification week will be held the week of April 16th to April 21st. Mr. Morgan requested permission to contact the sanitation providers for extra large dumpsters which will be placed through out town during the clean up week. Mr. Morgan will coordinate with the Irrigation Companies the ditch cleaning efforts also.

Mr. Harris questioned the feelings of the Mayor and Council with regard to the sale of beer on Sundays. Council members Staheli and Callaway indicated they would not negotiate the Ordinance pertaining to beer sales through the drive up window. They were not apposed to revisiting the current Ordinance addressing these issues.

City Engineer Fullmer reviewed the bids associated with the Eastside Water Tank. The low bidder for the project was Gerber Construction with a bid of \$416,699.00.

Council member Callaway moved to accept the bid for the Eastside Water Tank, from Gerber Construction, in the amount of \$416, 699.00. Council member Staheli seconded the motion. After a brief discussion the vote was unanimous vote.

City Engineer Fullmer reported Mike Carter, Woodriver Development Representative, has a concern with regard to the easement to the proposed water tank. This easement would exist across his undeveloped property. He would like a guarantee, from the Mayor and Council, that when the land is approved for development, the City would work with him to adjust the easement as needed to accommodate the development.

Council member Durrant moved to authorize the Mayor to sign Notice of Award contingent on the right-of- way and utility easement being executed by Mike Carter. Council member Staheli seconded the motion with an unanimous vote.

INTRODUCTION AND ADOPTION OF RESOLUTION AND ORDINANCES

Council member Durrant moved to approve Resolution 03-03-2001 A Resolution Authorizing the Appointment of a City Manager and describing the terms and conditions of the Employment of City Manager. Council member Staheli seconded the motion with an unanimous vote.

NEW BUSINESS

ITEM 11 B Review and possible approval of the Eastside LDS Church

Council member Callaway moved to approve the LDS Church to be located on the Eastside. Council member Staheli seconded the motion with an unanimous vote.

ITEM 11A Discussion and possible decision with regard to Natural Gas Utility Municipal Line of Credit

Zions Bank Representative Carl Empy reviewed the loan dept associated with the Natural Gas Utility. Mr. Empy recommended the City reevaluating the direction in which the City would like to go in connection with the Natural Gas Utility before assuming additional debt.

Council member Staheli moved to table the decision with regard to Municipal Line of Credit as it applies to the Natural Gas Company. Council member Callaway seconded the motion with an unanimous vote. This discussion will continue at a Work Session to be held on April 11th.

AT 8:40 P.M. COUNCIL MEMBER DURRANT MOVED TO TAKE A 10 MINUTE BREAK. COUNCIL MEMBER CALLAWAY SECONDED THE MOTION WITH AN UNANIMOUS VOTE.

AT 8:50 P.M. MAYOR SCOVILL CALLED THE MEETING TO ORDER.

ITEM 11D Review and possible acceptance of the Certification of the Peterson Addition Annexation

Council member Staheli moved to accept the Certification of the Peterson Addition Annexation. Council member Durrant seconded the motion with an unanimous vote.

ITEM 11E Review and possible acceptance of the Amended Greaves Annexation Petitions

Council member Callaway moved to accept the petition for the Amended Greaves Annexation. Council member Durrant seconded the motion with an unanimous vote.

ITEM 11G Review and possible approval of the Sydney Point Subdivision

Council member Durrant moved to approve the Sydney Point Subdivision. Council member Staheli seconded the motion with an unanimous vote.

ITEM 11C Review and possible approval of a Interlocal Agreement for Judicial Services

Council member Staheli moved to table the Interlocal Agreement for Judicial Service until next Council meeting. Council member Callaway seconded the motion with an unanimous vote.

ITEM 11H Review and possible acceptance of Petitions for the Tuckett Annexation (formerly known as NAC Addition)

Council member Durrant moved to accept the Petitions for Annexation associated with the Tuckett Annexation. Council member Staheli seconded the motion with an unanimous vote.

ITEM 11F Review and possible approval of the Royal View Subdivision (located at approximately 450 North 400 East)

City Engineer Fullmer reviewed the plans for the proposed subdivision. The indication was made that Mr. Ferguson did not feel he should assume the entire cost of installing a PRV for the

CITY COUNCIL MINUTES

MARCH 21, 2001

PAGE 4 OF 5

5 lot subdivision. City Engineer Fullmer indicated there are a number of safety reasons associated with the high water pressure in that area of town. Therefor he felt there is a need for the PRV.

Council member Staheli moved to give Final Approval of the Royal View Subdivision upon receiving 3 shares of water and the issues associated with installation of the PRV are addressed. Council member Staheli withdrew his motion then moved to table this issue. Council member Callaway seconded the motion with an unanimous vote.

ITEM 9D Fire Chief-Discussion and possible approval of a Comprehensive Hydraulic Rescue System Inspection and Maintenance Agreement

Chief Bott reported there is a need to have access to someone equipped to maintain the hydraulic equipment for the Fire Department. The Mayor and Council were in agreement with Chief Bott, the decision was made to review the contract closer to the new budget year.

Chief Bott reported that the fire department has finished their equipment inventory and has completed their clean up efforts. An invitation was extended to the Mayor and Council to attend the Firemen sponsored breakfast scheduled for the Memorial Weekend.

ITEM 9E EMT Representative Lee Savage

Mr. Savage indicated the Ambulance Association was in need of a defibrillator and would like authorization to purchase the needed items out of State Grant monies.

Council member Callaway moved to approve the needed expenditure. Council member Durrant seconded the motion with an unanimous vote.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

None

REPORT OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

Planning Commission

It was reported that Filip Askerlund resigned from the Planning Commission. A new member will be appointed at the next Council meeting.

City Attorney

None

City Engineer

City Engineer Fullmer reported that the minimum amount of Title Insurance available for the property associated with the proposed water tank would be \$10,000 which would cost \$200. The

fee for \$500,000 Title Insurance would be \$2000.

City Engineer Fullmer was directed to acquire the minimum Title Insurance available for the property.

Also reported was that the test well pumping is continuing and going well however, the test pumping may go over the original hours bid.

City Engineer Fullmer indicated he has received a material bid for the PRV to be installed in the Orchard Cove Subdivision. He was instructed to order the materials and have the PRV installed.

REPORTS BY MAYOR AND COUNCIL

Council member Staheli reported that he had spoken with Filip Askerlund with regard to the Cottonwood Estates Subdivision park property deed. Council member Staheli indicated he thought the property owners (Pine Creek) indicated they would develop the park then the City will assume ownership. Council member Staheli will speak to Mr. Askerlund.

UNFINISHED BUSINESS

Discussion and possible approval to receive proposals associated with the Orchard Cove Park Design and Construction

Council member Callaway reported the Mountainland Association of Governments Representative Shon Segar will be designing the park. Mr. Segar has agreed to complete the design at no cost to the City. Council member Callaway will meet with Mr. Segar on Thursday afternoon.

BUSINESS LICENSES

Non

EXECUTIVE SESSION *(May be called to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems.)*

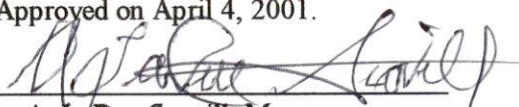
At 10:25 P.M. Council member Staheli moved to inter into an Executive Session to discuss character, professional competence, or physical or mental health of an individual. Council member Durrant seconded the motion with an unanimous vote. Those attending are: Mayor Scovill, Council members Callaway, Durrant, and Staheli, Legal Counsel Brett Rich, and City Manager Roger Carter.

At 11:42 P.M. the Mayor and Council returned to a Regular Meeting.

ADJOURNMENT

At 11:43 Council member Durrant moved to adjourn with a second from Council member Callaway and an unanimous vote.


Approved on April 4, 2001.


A. LaDue Scovill, Mayor


Susan B. Farnsworth, Recorder

ATTACHMENT "B" TO THE COUNCIL MEETING MINUTES OF 3-21-01

I, A. LaDue Scovill, duly sworn as Mayor of Santaquin City, affirm that upon vote of the City Council, the Mayor and Council members entered into a Closed Session to discuss the character, professional competence, or physical or mental health of an individual which was the sole purpose of this meeting held on 3-21-01.



A. LaDue Scovill, Mayor