

**CITY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER
DECEMBER 6, 2000**

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

Others present: City Manager Tom Austin, City Engineer Shon Fullmer, Sunrise Representatives Lyle Hansen and Robert Worley, Nielsen and Senior Representative Brett Rich, Mitch Maughan, Brent Norton, Nell Morgan, DeeAnn Sorensen, Paul Sorensen, Epic Engineering Representative Joe Santos, Barbara Kester, Terry Kester, Troy Kunz, Dave Ackley, Mike Carter, Doug Greenhalgh, LaRain Goodall, and other unidentified Individuals.

City Recorder, Susan Farnsworth was excused.

PLEDGE OF ALLEGIANCE

Mayor Scovill led the Pledge of Allegiance.

PRAYER

Council member Durrant offered a word of Prayer.

Mayor Scovill thanked Council member Clayson for organizing the committee to decorate the Downtown area with Christmas Lights.

APPROVAL OF THE MINUTES

Council member Staheli moved to approve the minutes of November 15, 2000 with one change. Council member Clayson seconded the motion with an unanimous vote.

PUBLIC HEARING

Council member Greenhalgh moved to enter into a Public Hearing with regard to proposed adjustments to the **WATER IMPACT FEES**. Council member Clayson seconded the motion with an unanimous vote.

City Manager Austin indicated that the Water Impact Fees and the Water Rates are separate issues. This Public Hearing will only address the Water Impact Fees issues. Mr. Worley gave a brief overview of the Impact Fee findings.

Mr. Carter questioned the amount of money in the Water Impact Fund. The amount is approximately \$900,000.00.

The Public was informed that the proposed effective date of the new Water Impact Fee will be January 1, 2001.

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City Manager Austin will notify the Builders currently building within the City Limits of the proposed fee change.

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

Council member Staheli moved to enter into a Public Hearing with regard to **AMENDMENTS TO THE MASTER ROADS PLAN**. Council member Greenhalgh seconded the motion with an unanimous vote.

Mayor Scovill read a Letter of Recommendation from the Planning Commission with regard to the Master Roads Plan.

Mr. Carter commented of the closeness of two 80' roads on the East side.

Mr. Goodall indicated he felt that the City made an error on the road down in the Orchard Cove Subdivision and he hoped the City would have enough foresight to make sure the roads are in the right place. Mr. Goodall also questioned who would be paying for the road between his property and the Greenhalgh property. Mayor Scovill indicated that the Master Road Plan is just a plan and is flexible.

Mr. Greenhalgh asked about the alignment of Center Street and how it affected his property. Mr. Greenhalgh also voiced concerns about where 100 West would go in relation to his irrigation and if the ditch would be piped and at who's expense. Mr. Greenhalgh was told that the Developer would be responsible for the improvements.

Mrs. Morgan indicated she was concerned with the City deeding over wide Right-of-ways to homeowners.

Mayor Scovill and Council members expressed gratitude to those who participated in the Public Hearing.

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

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

None

ITEM 8D

Craig Ercanbrack reported that there was an account set up before the Recreation Department handled the Jr. Jazz program. This account was under the direction of the school with

approximately \$4100 in this account. The account was closed and the money was deposited into the City Recreation Fund. Mr. Ercanbrack proposed to purchase 4 adjustable basketball hoops for the Jr. Jazz program.

Council member Callaway moved to authorize the purchase, not to exceed \$2500, for 4 adjustable basketball hoops. Council member Greenhalgh seconded the motion after a brief discussion the vote was unanimous.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

Mayor Scovill along with Brett Rich reviewed the progress of the South County Annexation. Mr. Rich reviewed and explained each of the recently acquired waivers from the Town of Rocky Ridge, Juab County, and the Juab School District. He also explained the "Hold Harmless Agreement" with South County and Summit Ridge and the S.I.T.L.A. Letter of Agreement.

Council member Clayson moved to approve **Ordinance 12-1-2000 (ANNEXATION OF SOUTH COUNTY II ADDITION)**. Council member Durrant seconded the motion after a brief discussion the vote was unanimous. Council member Clayson amended the motion to gratify the action of Mayor Scovill signing the waiver and the Indemnification Agreement with Juab School District and authorize Mayor Scovill to execute the waiver and Indemnification Agreements with S.I.T.L.A., Summit Ridge Development, and South County Development. Council member Durrant seconded the motion with an unanimous vote.

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

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

ITEM 9A

Acceptance or Denial of Carter III Addition Annexation Petitions.

Council member Durrant moved to accept the Annexation Petition associated with the Carter III Addition Annexation. Council member Clayson seconded the motion after a discussion the vote was unanimous.

ITEM 10A

Review and possible acceptance of the Parks and Recreation Master Plan.

Epic Engineering Representative Mr. Santos reviewed the Parks and Recreation Master Plan Study with the Mayor and Council members. (A copy of the study is available for review at the City Offices.)

Council member Callaway moved to accept the Parks, Recreation, and Open Space Master Plan. Council member Durrant seconded the motion with an unanimous vote.

ITEM 6B

Council member Callaway moved to approve **Resolution 12-1-2000 (A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH ZIONS FOR A POLICE CAR AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACTS)**. Council member Staheli seconded the motion with an unanimous vote.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

None

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

A. Planning and Zoning

None

B. City Attorney

None

C. Engineer

It was reported that the Developers of the Orchard Cove Subdivision have cleared the vacant properties.

City Engineer Fullmer reviewed with the Mayor and Council, the issue of placement of the curb, gutter, and sidewalk along with moving the power pole associated with the Courtney Subdivision. Mayor Scovill indicated the issues would need to be resolved by the City Engineer. Council member Greenhalgh will work with the Engineer on this project.

Council member Callaway and City Engineer Fullmer will resolve the issue of the construction of the trail through the Silver King Subdivision.

Engineer Fullmer reported he had the original survey of the City's gravel pit located on the South of town. A discussion was held with regard to the fee paid by Philip Rowley for gravel from that pit. As a discussion was held, the fee of \$90 was arrived at for the tonnage of gravel removed by Mr. Rowley. The Mayor recommended refunding, to Mr. Rowley, any funds received over the \$90.

NEW BUSINESS

ITEM 10B

Authorization by Motion for the Mayor to sign the 2000/2001 CDBG Contract for the Second Round of Funding for the Library.

Council member Clayson moved to authorize the Mayor to sign the 2000/2001 CDBG Contract for the Second Round of Funding for Library. Council member Durrant seconded the motion.

Council members Greenhalgh, Durrant, Callaway, and Clayson voted in favor of the motion with Council member Staheli voting against the motion.

ITEM 10C

Discussion on Possible Selection on the City Attorney Position.

After a discussion, Mayor Scovill recommended proceeding with the hiring of Nielsen and Senior as the City's Legal Counsel. Council member Staheli indicated he had a concern with the fact the Brett Rich didn't have enough Criminal Prosecution experience but felt comfortable with the 30 day release clause in the contract. Council member Durrant felt Mr. Rich would learn the criminal aspect of the job.

Council member Greenhalgh moved to accept Nielsen and Senior as the City's new Legal Counsel. Council member Staheli seconded the motion. Council members Greenhalgh, Durrant, Callaway, and Staheli voting in favor of the motion. After a discussion Council member Clayson voted against the motion.

BILLS

Council member Staheli questioned the bill submitted by Memory Lane Photo in the amount of \$594. Council member Greenhalgh commented on the amount of the Sunrise Engineering bill. Mayor Scovill reviewed the breakdown of the bill with the Council. The UBC Compliance fee has been rebilled to the responsible parties.

Council member Callaway reported the he was in Susan's office when she was trying to find out who the bill belonged to from the Northwest Fence Company. The bill will be rebilled to UDOT for the fencing bordering the Cottonwood Estates Subdivision and I-15.

Council member Staheli moved to approve payment of the bills in the amount of \$227,9951.82 minus \$594.00 for Memory Lane and \$5011.00 for Northwest Fence Company until the issues are resolved. Council member Durrant seconded the motion with an unanimous vote.

BUSINESS LICENSES

Council member Clayson moved to approve a Business License for John Deneal D.B.A. Artistic Bath & Kitchen. Council member Staheli seconded the motion with an unanimous vote.

REPORTS BY MAYOR AND COUNCIL

The issue of the Mallard Cable rate increase will be turned over to the newly hired Legal Counsel to resolve.

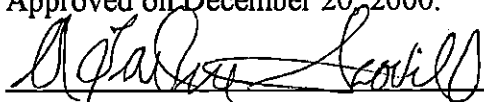
Council member Durrant reported he received a bid from Bona Signs, in the amount of \$2216.00, for an adjustable sign. Council member Staheli will make comparisons on the bids received.

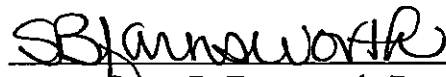
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ADJOURNMENT

Council member Greenhalgh moved to adjourn with a second from Council member Clayson and an unanimous vote.

Approved on December 20, 2000.


A. LaDue Scovill, Mayor


Susan B. Farnsworth, Recorder