

MINUTES OF A REGULAR COUNCIL MEETING
HELD IN THE CITY CENTER
FEBRUARY 18, 1997

The meeting was called to order by Mayor Keith Broadhead at 7PM. Councilmembers present: Paul Bean, Marianne Stevenson, Hortt Carter and Calvin Wall. Hortt led the Pledge of Allegiance. Dennis Howard was excused for work. The city manager, Tom Austin, and the city attorney, Mitch Maughan, were also present.

Others present: Troy Peterson, Kristy Peterson, Don Gilson, Aaron Jones, Valerie Butler, Irma Bowman, Jerry Bowman, Bekki Janson, Tim Lowe, Lynne Lowe, Mike Watson, Dennis Carlisle, Shantel Craig, Randy Peterson, John Reinhard, Lynn Smith, Merelda Davis, Kevin Davis, Sherron Davis, Larry Davis plus several who did not sign the register plus unlegible signatures.

Mayor Broadhead suggested the agenda items be addressed out of order as Councilman Carter ask to be excused for part of the meeting. Paul moved to re-arrange the agenda order, Marianne seconded, motion carried 4-0.

Public Forum: Jerry Bowman read the attached letter.

Santaquin Heights Subdivision - Review and possible Approval: Mayor Broadhead stated there is a question on approval of this subdivision as lots were advertised for sale before final acceptance of the subdivision. This violates state statue and city ordinance. The real estate agent, Mike Watson, explained their action and claimed it to be a common practice. Mr. Maughan disagreed stating it was a clear violation of statue and read the rulings. The developer, Greg Tidwell, stated the advertising was due to communication error. Mr. Maughan said there is no provision to prevent approval of the subdivision providing they comply with all requirements. Mayor Broadhead stated there are two issues before the Council - approval of the subdivision and possible legal action. The engineer, Joe Santos, reported all their paper work is in order. Tom's check list is also complete up to P&Z's letter of recommendation (Shauna will present later in meeting). Jim Norton said their group (neighbors) do not oppose the subdivision. Mayor Broadhead recommended approval of the subdivision and the violation issue discussed in executive session (litigation). Paul moved to approve the subdivision and consider litigation in an executive meeting, Hortt seconded, motion carried 4-0. Mr. Tidwell agreed to meet downstairs to review his project with the concerned citizen's group.

Davis 8-Plex - Discussion: Tom claimed responsibility for any oversight that may occur during development or building. He stated Larry Davis' 8-plex violates the ordinance in three regards. This did not happen on purpose. It was an administrative error which he will be disciplined for. Mrs. Davis works for the city so it does give the appearance of wrong doing. This is not true. Legal counsel advised if Mr. Davis is required to tear the buildings down the city would have to pay for it. It is a mistake we will have to live with.

Hortt stated he also erred. There is a duplex in town located in the wrong zone which he is responsible for. We all make mistakes, we are a growing community and we can only do our best.

Bills: Computer crashed - no bills. Hortt moved to authorize Mayor Broadhead to approve the warrants as soon as they can be printed, Calvin seconded, motion carried 4-0.

Minutes of February 4, 1997: Draft minutes were available. It was agreed to table approval untill next meeting when final minutes can be printed.

Business Licenses: Marianne moved to approve a business license for: Brent Garner, Scott Brown, Lanny Wiley, Guy Wall, Dick Kay, Denise Rohbock, Dee Clement, Steve Parsons, Angela Ross, Nan Smith, Jesse Smith (2), Troy Fail and Chantel Craig; Hortt seconded the motion, motion carried 4-0. Mrs. Craig licensed a metal fabrication shop and agreed to adhere to the ordinance.

Executive Session: At 8:14PM Hortt moved to adjourn regular meeting and move into an execution meeting to discuss land acquisition, personnel and litigation, Paul seconded, motion carried 4-0. At 8:49PM Marianne moved to close executive session, Hortt seconded, motion carried 4-0.

Regular Meeting: Hortt moved to reopen regular meeting, Marianne seconded, motion carried 4-0.

Mayor Broadhead stated three issues were discussed. Two require action.

Hortt moved a letter of reprimand be placed in Tom's personnel file for errors by exclusion on the Davis' 8-plex, Paul seconded, motion carried unanimously

Hortt moved to authorize the city attorney to proceed with "Class-C" legal action against Greg Tidwell, developer.

Miscellaneous: Tom recommended withdrawal from NET for lack of support plus he opposed combining all grants for one task force. Council agreed.

Tom reported he is in the process of reorganizing his police reserve. Payson PD has given permission for two of their officers to have reserve status in Santaquin. He ask permission to put them on the street in Santaquin uniforms. Council approved.

Paul reported mix zoning in the commercial zone will be on the next Planning Commission's agenda. He was advised many cities are doing this.

Paul moved reimbursement for expenses be paid the Planning & Zoning Secretary in the amount of \$100 per month beginning January 1st, Hortt seconded, motion carried unanimously.

Marianne reported Lorraine Kursa, renter, wants additional repairs done to the rental if funds are still in the budget.

Marianne reported there is an agreement with the American Legion for the use of their old building (Senior Center). Myron Olson, representing the American Legion, will meet with the Senior Citizens regarding placing an American Legion Plaque on the

Mayor Broadhead asked if there are any additional comments regarding the 8-plex. No comment. Issue put to rest.

Hortt was excused.

Oakmont Subdivision - Review and Possible Approval: Tom presented the mylar map. Joe was satisfied with plat A. He felt future development should be removed from plat. Mayor Broadhead voiced concerns regarding a connector's agreement to the Ross-Jarvis roads. Paul moved to table approval until the plat is corrected and the agreement in place, Calvin seconded, motion carried 3-0.

Rowley Estates Subdivision - Review and Possible Approval: Tom reported P&Z approved the subdivision. Mayor Broadhead had concerns regarding the road tie-in agreement, the asphalt and a fire hydrant. Paul moved to table approval until the plat map is corrected, Marianne seconded, motion carried 3-0.

T.A.G. Contract Renewal: Tom supported a contract renewal with "Teens Against Graffiti" stating we have used them and received good service. A cub scout group is currently spotting graffiti. Calvin moved to approve the contract renewal for approximately \$200, Marianne seconded, motion carried 3-0.

Hortt arrived.

Police Training/Vernal -- Council Review/Approval: Tom requested approval for Officers Hurst and Johnson to attend a forty hour block training in Vernal. The class is offered once a year and there are funds in the budget. Calvin moved to approve Tom's request, Marianne seconded, motion passed 4-0.

Planning and Zoning - Reports and Recommendations: The Planning Commission Chairperson, Shauna Johnson, presented the following recommendations for review and approval:

A zone change North on Orchard Lane from R-M-10 to R-M10-T for Burton Olson.

Annexation of 1.005 acres at 400 North 400 East for Jay Peterson.

Annexation of 19.042 acres at 500 North 400 West for Mckinnon/Pyne.

Subdivision "Santaquin Heights" at 450 South 500 East.

Subdivision "Oakmont Estates" phase one of preliminary plans.

Subdivision " Crooks Acres" at 400 South Center preliminary .

Paul moved to approve Crooks Acres subject to lot #4 remaining with the original ground and Mr. Crook prepares a new 3-lot map, Marianne seconded, motion carried 4-0.

Building Inspectors - Status and RFP: Tom reported he has two temporary building inspectors. It was agreed the position be advertised.

building.

Marianne reported she will meet with Doug Warren and Richard Bradford, U-VEDA, Thursday.

Marianne reported the Senior Citizens considered purchasing carpet with their Eldred Funds. Shepherd's Carpet advised against replacing their carpet. They now want to build a storage closet in the hall by the museum door. Mayor Broadhead agreed if they comply with ADA. Hortt suggested they use the office for storage. There was a question regarding Genola paying for their Seniors. Marianne will check this out.

Hortt moved to approve expenses for Dennis Barnes and Wade Eva for the Rural Water Conference, Calvin seconded, passed 4-0.

Hortt reported new Recreation Board: Brian Stevenson President, Craig Hansen Vice President and Janice Memmott Secretary. The baseball association will be part of the recreation department. Volleyball, soccer, football and mens basketball will be considered.

Mayor Broadhead read a letter to County Commissioners concerning services provided to county residents. Council approved sending the letter. There were concerns regarding double taxation and an increased dispatch fees.

Adjournment: At 9:35Pm Hortt moved to adjourn, Marianne seconded, motion carried unanimously.

Approved this 4th day of March.



Mayor Keith Broadhead



Elaine Tasker, Recorder

February 18, 1997

Keith Broadhead, Mayor, Santaquin City
Santaquin, Utah 84655

Dear Mr. Mayor and Santaquin City Council,

We as members of the Citizens for Planned Growth would like to express our acknowledgement that the planners of the Santaquin Heights subdivision have met the minimum requirements for their subdivision.

We would have liked to have seen custom homes following in the direction of those in the Jarvis and Ross subdivisions rather than low cost tract housing. We are sorry that the developers have not had this in mind in their planning. Although we are disappointed, we will welcome our new neighbors. We realize that the new home owners have had nothing to do with our disagreement in the way this subdivision was planned. We have a friendly neighborhood with parties which we would like our new neighbors to feel welcome to join.

Santaquin City has the responsibility to provide various services to its residents. There is a breakeven point in valuation of property taxes which in nearby cities is approximately \$250,000. Santaquin City needs to keep this in mind before accepting any future developments which will cost each property owner in the form of higher property taxes to help subsidize these new properties of lower tax valuation.

Although we have heard, for over a month, that some of these new lots had been sold, we were sure that such blatant disregard for both city ordinances and state land use laws would not actually have occurred. This past Sunday, February 16, 1997, the Daily Herald ran an advertisement offering to sell lots and homes on the East Bench of Santaquin. A phone call to the real estate salesperson listed indicated that these lots were in fact for sale. This Subdivision has not yet received final approval from Santaquin City. We are also aware of a couple who made a downpayment on one of these lots more than a month ago. This is now a matter for the city attorney to pursue.

With the value of lot and home being sold placed at \$109,840 to \$118,840, we wonder just what Mr. Tidwell had in mind when he repeatedly assured this community that his subdivision would "Put Santaquin on the Map".

Thank You,
Citizens for Planned Growth