

MINUTES OF A REGULAR COUNCIL MEETING
HELD MARCH 7, 1995
IN THE CITY CENTER

The meeting was called to order by Mayor Keith Broadhead at 7PM. Councilmembers present: Paul Bean, David Hathaway, and Hortt Carter. Max Holman was excused for work. Calvin Wall arrived late. Hortt led the Pledge of Allegiance.

Others present: Thelma Gilson, Don Gilson, Maurin Ross, LaVon Ross, Lynn Crook, Ed Dix, Jubon Dix, Ryan Maloney, T.J. Hamilton, Elfaun Wall, Sherman Jones, Merle Jones, Ramona Rosenlund, Forrest Smith, Conway Barker, Jay Mecham, Leland Kelley, Janet Kelley, Roger Kaufman, Dick Kay, Ed Westover, Bob Westover, Johnny Johnson, Shawna Johnson, and Mariane Hamilton.

Public Hearing - Subdivision Ordinance: Hortt moved to open the public hearing for comments on the proposed subdivision ordinance, Paul seconded, passed 4-0. Mayor Broadhead stated there would be no decision on the ordinance tonight. The Council have concerns and will address the issues in a joint meeting with the Planning Commission.

Lynn Crook voiced concerns with the culinary water ordinance and ask why everyone was not notified of the public hearing. He questioned why county residents pay double water rates and the impact on cost of water shares with this ordinance. Mayor Broadhead replied this meeting is for comments on the subdivision ordinance only. Mr. Crook questioned the tax money received from a vacant lot compared to a home. Stated the proposed ordinance discouraged development.

Calvin Wall arrived.

Mr. Crook ask the purpose of the proposed ordinance. Hortt answered to update the ordinance. Mr. Crook stated there is too much paper work to sell one lot, it is ridiculous. He suggested a reduction of paper work to sell one or two lots.

Don Gilson stated the State law provides the development of ten lots on existing frontage with permission from the Planning Commission and City. Mr. Gilson ask the Council to research this. Mr. Gilson had concerns regarding half streets and sixty foot streets. He also felt cable TV should not be a required improvement. A plan should be setup to reimburse the original developer for improvements taken advantage of by future developers.

Roger Kaufman asked why a lot in the City has to pay money or provide water shares. He felt that requirement should only apply to annexation. Mayor Broadhead answered - that requirement is not in this ordinance. It is in the water ordinance and the Council wants to revisit this ordinance. Mr. Kaufman asked Council to reconsider requirements for a two lot subdivision.

Fawn Wall opposed water and sewer requirements to sell a lot. Mayor Broadhead stated these requirements are not part of this ordinance and ask if he opposed any part of this ordinance. Answer - all the paper work.

Sherman Jones gave a history of the current subdivision ordinance. He stated he helped work on this ordinance. It took one and a half years for the finished product. The ordinance will work for citizens and subdividers, it is a good balance. Mr. Jones ask Council to consider this in their update.

Ramona Rosenlund stated the paper work to sell one lot is absolutely ridiculous, she just went through it, it is stupid. Paul stated she subdivided on the old ordinance. Mrs. Rosenlund also protested the thirty additional feet for corner lots and the water requirements. Mrs. Roselund questioned the need for fifteen feet utility easements. Mayor Broadhead answered if that is a standard easement. Water and sewer are ten feet apart plus consideration for power and phones.

Edmond Dix stated he did not live in Santaquin. He would like to move back but the ordinance makes it impossible. He is concerned with the private road requirement and the cost to develop one lot.

Mayor Broadhead reported the Council is sending the ordinance back to the Planning Commission to jointly consider their concerns. The meeting will be advertised, no decisions will be made, the public is always welcome.

Paul stated the Planning Commission advertised their meeting when they worked on this ordinance and no one showed up.

Bob Westover stated if sewer is a requirement, it will restrict growth to the North.

Calvin moved to close the public hearing, Paul seconded passed 4-0.

Public Forum: Lynn Crook asked if Council intended to amend the culinary water ordinance. Mayor Broadhead answered yes.

Resolution 3-1-95 - Authorizing the Mayor to Enter into and Sign an Inter-Local Agreement with Genola for Law Enforcement. Presentation of Genola Law Enforcement Contracts for Approval and Signing: Mayor Broadhead reported Genola Town had personnel changes and no longer have a police department. They asked Santaquin to provide police protection for Genola. Mayor Broadhead read part of the agreement to include: Genola will pay Santaquin \$26,000 per year plus two police cars, Santaquin will hire one more officer providing twenty four hour protection. This benefits Santaquin as much as Genola, it is a win win situation. Patrol time in Genola is forty hours per week, additional time is \$18.50 per hour. Part of the agreement is a \$53,000 grant. This will reduce Genola's first year payment to \$11,000. The agreement is for one year and either party may back out. Santaquin / Genola Police Department will be painted on the police cars. David moved to approve Resolution 3-1-95 giving Mayor Broadhead the authority to sign this agreement, Paul seconded, passed 4-0.

Ordinance 3-1-95 / Hazardous Waste Spills: Mayor Broadhead explained this ordinance provides for assessment of damage and legal avenue for recovering the costs of a hazardous waste spill. Paul moved to approve Ordinance 3-1-95, David seconded, passed

Ordinance 3-2-95: Vacates the public right-of-way located at 100 East 400 South: Mayor Broadhead reported the abandonment of this right-of-way is necessary for the sale of the Dean Peay home. The right-of-way could not be a thru street. The proposed street would go from 400 South on 100 East south to the freeway (approximately one half block). Part of the right-of-way will be deeded to the Dean Peay Trust and part to Farrell Craig, as per the fence line description. Adjoining property owners are in agreement. Calvin moved to approve Ordinance 3-2-95, Hortt seconded, passed.

Ordinance 3-3-95 / Constitutional Taking-Review of City Actions in Fairness to Private Property Owners: Hortt moved to table action on ordinance 3-3-95, David seconded, passed 4-0.

Road Discussion - Vernon Prince: Mr. Prince was not present. Mayor Broadhead reported Mr. Prince had requested asphalt on 500 South between 100 and 200 West. There is twenty five feet from the fence to the ditch, sixteen feet roadway. H-K Construction bid \$3,734 to asphalt the street. Ramona Rosenlund suggested this is a private road. Mayor Broadhead replied it has been deeded to the City. Hortt questioned the special improvement tax Mr. Prince was assessed for this street in 1957. Mr. Crook stated this assessment was to asphalt the road east of Mr. Prince, 100 West street. David felt it a waste of money to asphalt the road untill the flooding problem is resolved. Mayor Broadhead reported asphalt was running short on the sewer project. The Council considered a road plan using B&C Road Funds. A Sunrise Engineer will evaluate the roads and give a free repair estimate. Dennis Barnes, Public Works Director, agreed on an over all road plan with a priority repair list. Hortt moved to table a decision untill after the road survey, Paul seconded, passed 4-0.

Pressure Irrigation-Report on Work Meeting Summit Creek Irrigation-Decision if Study is to Continue: No discussion.

Criteria for Sewer Installers-Detailed Discussion with Regard to Requirements of Private Contractors to Install Sewer Connections to Private Homes. Should they be Bonded, have Contractors License, Business License - Chic Greenhalgh: Mayor Broadhead reported there have been numerous questions regarding this issue. Dennis read sections from the State Licensing Regulations stating which license holders are qualified to install sewers. Home owners can do their own work if they are qualified and have it inspected. "Exceptions" does not apply to plumbing or electrical work. Contractors license, bonding, insurance and business licenses was discussed. Mayor Broadhead stated the question before the Council is can an individual just buy a backhoe and start installing sewers, it sounds like the answer is no. A City business license is needed to obtain a state license. Ramona Rosenlund ask if she has a backhoe could she dig her own line, lay the pipe and have the City inspect it. Dennis answered yes. It was agreed twenty four hours notice be given for sewer line inspections. Hortt stated the state agency told him anyone could do the trenching (not lay the pipe) if the cost is under \$500. Mayor Broadhead stated the City's goal is to protect the citizens from shabby work. He suggested a flyer with "dos and don'ts on

hiring a contractor" be sent out. Boyd Hamilton stated the bishop asked him to install sewer connections for widows and single woman at a minimal cost as they are on a limited income. He could do this for \$500 or less. He will just do the trenching, not lay the pipe, at an hourly rate. Mayor Broadhead stated according to the regulations that would still be contracting. He is not sure of Santaquin's obligation in policing the contractors. He is concerned with protecting the elderly ladies and all citizens from scams. It was agreed all contractors register at the city office.

Janet Kelley ask the deadline for sewer hookup. Mayor Broadhead answered the whole town will be billed June 1st. Connections can begin April 15th. The ordinance states connections will be made within ninety days after the sewer is available. This may be impossible for the whole town, they will check the progress in the fall. Question regarding septic tanks. They need to be drained, disabled and inspected.

Discussion on Waste Collection - Jay Mecham: Jay Mecham stated he provides waste collection service to customers in Spring Lake and areas surrounding Santaquin. He ask permission to use Santaquin's landfill. Mayor Broadhead replied the landfill closes October 9th if it doesn't fill before that date. Mr. Mecham stated he has automated his business and is interested in serving Santaquin. Mayor Broadhead replied Council will discuss this issue at the next workshop, March 15th.

Subdivision Sewer Connections - Discussion: Mayor Broadhead reported they have not had an issue where a sewer line goes through an existing subdivision. Ed Westover paid six sewer connection fees in the Peterson subdivision thinking that would pay for the laterals to the property line. LaVon Ross paid for the laterals to his subdivision plus the connection fees. Bob Westover ask why his connection fee for a vacant lot does not include the lateral, the same as everyone else. Ed Westover suggested the lateral cost be refunded to Mr. Ross. Mayor Broadhead stated that is the reason for this discussion. After discussion, Paul moved to table the decision for legal advise, David seconded, passed 4-0.

Pressure Irrigation - 5th West Between Lark St and 400 North: Mayor Broadhead reported residents on 500 West requested something be done with the ditch along the street. The cost estimate to pipe the ditch is \$5,000. The residents will pay \$2,000, Summit Creek Irrigation Co. \$2,000, leaving \$1,000 plus labor for Santaquin City. Janet Kelley asked if this would not lead to other requests throughout the city. Mayor Broadhead replied this is the only street in town this can happen, there is a pressure fed main line above the ditch. Leonard Beckman stated it is the narrowest street in town. Mayor Broadhead added the ditch was destroyed with the sewer line and there could be a problem as it may flood homes. The road will be asphalted and this too could be damaged. We are not in irrigation but I am concerned with public safety and supports piping the ditch. This should happen in the next two weeks before water is turned into the ditch. Calvin moved to approve piping this ditch, Hортt seconded, passed 4-0.

Memo from Chief of Police - Decisions: Hортt read a letter from

Chief Austin explaining the need for another officer and vehicle. The agreement with Genola for police protection will provide two vehicles. The department is already short two vehicles, the hiring of another officer still leaves them short one vehicle. Chief Austin ask for permission to start the hiring process for another officer on March 11th if Genola approved the agreement in their meeting on March 9th. He also asked Council to consider purchasing a 1993 Ford Taurus fully equipped police vehicle with 18,000 miles and some warranty from Salt Lake County for \$12,000. Paul asked if Genola money would pay for the vehicle. Answer - no, it will pay for the officer's wage. Disbursement of the grant money was discussed. Chief Austin suggested the \$12,000 come from the \$44,000 in the capital improvement fund. Mayor Broadhead reported federal surplus has Chev 4x4 trucks with less than 10,000 miles for \$500. Hortt moved to authorize Chief Austin to proceed with the hiring process with the hire date April 1st and to hold the purchase of the vehicle untill surplus is checked out, Calvin seconded, passed 4-0.

Petition by Leonard Beckman for Condemnation of a Sewer Right-of-Way: Mr. Beckman stated the development of the cottonwood subdivision required a road right-of-way. He suggested the City develop a plan for development. Adjoining property owners are not excited about giving right-of-ways. Hortt stated it hasn't been the city's practice to assess easements. Mayor Broadhead stated when Cottonwood subdivision was approved (1978), sewer was not a consideration. Paul said Planning & Zoning is currently working on a master plan, it will address roads. Council agreed this is an issue to be heard by Planning & Zoning.

Bills: Hortt moved to approve a transfer from the State Fund to Zions Bank in the amount of \$229,346.67 to pay the interim loan for the sewer project plus \$29,549.32 warrants, Calvin seconded, passed 4-0.

Business Licenses: Hortt moved to approve a business license for Pam Wilson, Lynette DeGraffenried, Kroeber's Service, Neil Jensen and Boyd Hamilton. Calvin seconded the motion, motion carried 4-0.

Approval on the Minutes of February 7th and 15th of March: Hortt moved to table approval of the minutes for next meeting, Calvin seconded, passed 4-0.

Adjournment: At 9:10 PM Hortt moved to adjourn, David seconded, passed 4-0.

Approved this 21st day of March, 1995



Mayor Keith Broadhead



Elaine Tasker, Recorder