

MINUTES OF A REGULAR MEETING
HELD AT THE CITY CENTER
JULY 5, 1994

The meeting was called to order by Mayor Keith Broadhead at 7PM. Councilmembers present: Paul Bean, David Hathaway, Hortt Carter, Max Holman and Calvin. Paul led the Pledge of Allegiance. City Manager, Tom Austin, was also present.

Others present: Ned Thomas, LaDue Scovill, Bob Westover, Ed Westover, Brent Olsen, Conway Barker, Jenene Barker, Kim Barlow, Lynn Crook, Charles Hedelius, Dick Kay, Archie Alexander, Nadine Alexander, David Smith, Lynn Smith, Brad Peterson, Rene Reed, Brent Vincent, Brad Greenhalgh, Kent Butler, Lee Leifson, Brenda Wall, Eldon Greenhalgh, Dennis Barnes and Ken Orton of Rural Water Users Association.

Approval of the Minutes of June 21, & June 29, 1994: Hortt moved to approve the minutes of June 21st, Max seconded, passed 5-0. David moved to approve the minutes of June 29th, Paul seconded, passed 5-0.

Public Forum: Mayor Broadhead opened the meeting to anyone wishing to address the Council on any subject not on the agenda. No comments.

New Subdivision Ordinance / Public Hearing: Brent Vincent, Planning & Zoning Administrator, reviewed changes in the proposed subdivision ordinance since the public hearing with the Planning Commission. Amendments include minor subdivisions (less than four lots) exempt from providing water shares plus curb and gutter requirements and corner lots must have the same buildable space.

Lynn Crook asked if this means corner lots must be larger.
Answer - Yes.

Mr. Vincent further stated sections #30 & #31 (park requirements) were deleted.

David moved the meeting be open to a Public Hearing on Subdivisions, Hortt seconded, passed 5-0. Mayor Broadhead ask for comments.

Conway Barker ask the determination of major and minor subdivisions and the use of the irrigation water after taken.

Mr. Vincent read the seven requirements to qualify a minor subdivision.

Paul stated the water will be needed for future development. Mayor Broadhead said it will someday be used for pressurized irrigation.

Lynn Crook voiced concerns regarding private roads. Mr. Vincent read the ordinance clarifying the issue of private driveways to landlock property.

Lynn Crook ask the Council to explain section #26 and asked if it complied with State law. Mayor Broadhead agreed section #26 will

be researched.

A clarification between private roads in the subdivision ordinance and private roads in the zoning ordinance was made.

Kent Butler questioned the amount of the fee in lieu of water rights. - Mayor Broadhead answered the going rate at the time.

Ed Westover felt if there is enough water for the present population, the water requirement should be placed on annexations as the new people would be causing the problem. The citizens of Santaquin elected the Council, their obligation is to serve them, not outsiders. Outsiders deserve to be treated differently than people currently annexed inside the City. The people causing the problem should pay for the problem.

David expressed the opinion if Mr. Westover developed a subdivision he would be creating a problem, adding a strain to the system.

Hortt asked if all developers would be residents of Santaquin.

Kurt Stringham, P&Z member arrived.

Bob Westover asked if there was enough water for current citizens if they were to develop to the existing city limits.

Discussion on water rights that could be developed if the water is there.

LaDue Scovill stated two small subdivisions will create the same need as one major subdivision.

Dick Kay ask if they were proposing the annexations completed in the last four years, when the water share requirement was removed, should get off scott free. He felt they should provide their water shares as they develop their land.

Mayor Broadhead stated removing the water share requirement from the annexation ordinance was the dumbest thing he has done.

Dick Kay stated that was beside the point, they needed a means to get water to accommodate growth.

Ed Westover stated he annexed into the City under the terms at that time. The City felt there was enough water at the time. If there is not everyone should be treated the same, whether they are a one lot subdivision or more. He suggested a fee be assessed with the impact fee to new residents.

Mayor Broadhead stated the problem with money is they have money and still don't have water.

Ed and Bob Westover stated they still won't get water. Anyone who can afford it will give money in lieu of water.

Eldon Greenhalgh suggested the Council go buy water.

Lynn Crook had a question regarding applications to the C.U.P. He heard they may not go through Utah County.

Mayor Broadhead replied he understands they will go to LeVan. It may take years to acquire water.

Mr. Crook stated he was opposed to the removal of the water requirement for annexations when he was mayor. The new well did bring in additional water at that time. But the well will take twenty years to pay off. Money and water are critical, you can print money but you can not print water. A trust fund should be established to purchase water when it is available.

Mr. Crook also stated residents were opposed to curb and gutter in a rural area. They should consider exempting one acre or larger lots from this requirement.

Kurt Stringham agreed. He stated this should be addressed in the zoning ordinance by the Planning Commission.

Kent Butler made reference to a Supreme Court ruling which stopped a city from enforcing a business to provide a bike path and deeding it to the city. He questioned if the water share requirement would fall under this ruling.

City Manager, Tom Austin, stated this was an excellent suggestion. He will research it.

Mayor Broadhead stated most cities require the water but in most cities the water is tied to the land. He agreed they should do more research before another public hearing. - No more comments.

Hortt moved to close the public hearing, Max seconded, passed 5-0.

Public Hearing / Annexation Policy Declaration - Adjust Boundries: Brent Vincent reported the Planning & Zoning Commission recommends the Annexation Policy Declaration includes the current fire district boundry. This would allow annexation requests from Valley Asphalt, Charlie Ainge and other neighboring properties. The new boundry extends from Genola's city limits to the McMullin's processing plant, East to the freeway, along the 5200' level to the Juab County line. Hortt moved the issue be open to a public hearing, David seconded, passed 5-0. David stated this is only a declaration of a boundry within which an annexation will be considered. This is not an annexation.

Kent Butler voiced concerns regarding annexing the Boys Home.

Tom reported the home is no longer a youth in custody facility. It is now a girls foster care home, custodial only, and promised to remain foster care.

Ed ask why the boundry did not include Keigly Quarry. Mayor Broadhead answered as a courtesy to Genola.

Kurt stated an annexation of more than five acres requires a policy declaration with this imaginary boundry. Property still has to be contiguous to city limits to qualify for annexation.

Mr. Scovill supported the new boundry.

Hortt moved to close the public hearing, Max seconded, passed 5-0.

Public Works / Quarterly Report: Dennis Barnes, Maintenance Supervisor, presented an overview of activities since March. The sprinkling system at the cemetery was completed. With the use of the storage pond this now allows daily watering of all the parks and the cemetery. The cemetery looked good on Memorial Day, they received several compliments. This new system will make an impact on the culinary water. This June was the driest since Dennis started working, 1983. All the grounds were fertilized in May. Dennis completed his certification to operate the lagoons. Sod was laid in the cemetery. A part time man was hired and works the landfill. They have been working with the sewer project, marking and repairing lines. He wrote job descriptions for the new personnel ordinance. There was some clean up work from the big wind storm. They helped remove the big snow slides in the canyon after work. Installed water meters and performed routine maintenance, mowing, pot holes and etc.

Dennis stated he would like a well head protection plan in place. He reported he had been working with Ken Orton, Rural Water Users from Spanish Fork, towards this goal. Mayor Broadhead agreed it was important to get on line in order to protect the water source. Ken Orton explained the purpose of the Rural Water Users is to provide safe drinking water through source protection. Options to maintain and control the quality of the water were discussed. The new sewer system will greatly impact the quality of the water in twenty to twenty five years. Caution in growth was considered, no manufacturing with chemicals, light industry preferred. An agreement with the property owners for the development of the area within a given radius of the well head would have to be obtained. It was agreed to address the issue as an agenda item for the next meeting.

Dennis reported they were compiling the costs of materials and man hours for the irrigation water projects and storage pond. This information will be submitted to C.U.P. for a retroactive grant.

Blackhawk Encampment: Max reported the Blackhawk Encampment requested the park next year for June 25th thru 30th. They made a \$300 donation for the use of the park. Tom reported the Blackhawk committee intended to propose a resolution to designate Santaquin their permanent base. Mayor Broadhead stated he promised them sewer in the park for next year. Power in the South end of the park, additional tables and RV dumps were considered.

Rene Reed expressed a concern regarding playground equipment. Hortt explained to Ms. Reed liability insurance dictates acceptable playground equipment and etc. which is very expensive. The recreation fund is now an enterprize fund. This structure will allow the fund to grow from year to year eventually providing funds for the equipment.

Annexation / Ron Crook: Hortt reviewed Mr. Crook's annexation map at stated it was ready for approval. The annexation will be advertised for consideration at the next meeting.

Darwin Robbins Property: Postponed

Bid for Bicycle Rack: Max reported Eddie Ahlin would build a six bike rack for less than advertised prices. Max moved to approve Mr. Ahlin's bid of under \$800 for the bike rack, Paul seconded, passed 5-0.

Request of City Manager for 3% Increase in Water Rates: Tom reported the last increase to the water rate was in 1991. He requested a cost adjustment to reflect the cost of living. The proposal is to increase the rate from \$13.95 basic per month to \$14.37 per month plus lower the minimum of 10,000 gallons per minute to 8,000 gallons per minute. Mayor Broadhead reported they would be attending a seminar dealing with rates. It was agreed to advertise the proposal for adoption at the next meeting.

Retainage for HK Contractors: Keith explained the funding agencies would allow, by a vote of the Council, the reduction of 10% retainage to 5%. HK's retainage is \$290,000 and Sumsion's is \$209,000. It was agreed the contractors would guarantee their work for half this amount. Calvin moved to reduce the retainage to 5% (not retroactive), Max seconded, approved 5-0.

Baseball Funds: Elaine explained the baseball association was involved with the snack shack operation. Hortt requested this be transferred to the recreation fund leaving no involvement of city monies in the baseball fund. Elaine ask if they should consider giving the money back to the baseball association to manage. Hortt stated he wanted the baseball to continue under city managment.

Hire Planning Consultant: Paul voiced the opinion the City had reached the stage requiring professional assistance with planning and zoning. Paul recommended a consultant be hired to update the master plan. Council agreed. A meeting was scheduled with a planner, highly recommended, from Heber. Outcome of the meeting will be an agenda item next meeting. David had concerns regarding emergency management. Mayor Broadhead assured him it will become part of the master plan.

Friends of the Library: Postponed.

Business License: A Home Occupation Business License request was referred to Planning & Zoning for their approval before consideration by the Council.

Hortt moved to approve a sewer connection on a vacant lot for Max Holman at 277 North 200 East, D. Patten at 210 South Center, Rodney Hudson at 29 South 200 East and Blanche Greenhalgh at 344 East 100 North. Calvin seconded the motion, Max abstained, motion carried 4-0. A sewer connection for Max McKinnon was denied as it is located in an undeveloped area in the County.

Brad Peterson and Rene Reed, Art Council representatives, ask if the \$1,000 given them for a play was a one time deal or if they could count on it with each new budget. Hortt answered he would budget it in the recreation fund each year. Rene asked Hortt if he applied for the \$1,000 grant from the restaurant tax money. Hortt assured her he will next year. It was agreed ticket sales

from the Arts Council's production be returned to the recreation fund.

Bills: Hortt moved to approve the warrants in the amount of \$10,276.63, Max seconded, passed 5-0.

Miscellaneous: Hortt reported he had two bids to install the air conditioning in the city center. The materials would cost \$663 if the city crew were to do the labor. Moore Sheet Metal will supply the materials and install the system for \$2,111.40. After discussion, Hortt moved to approve Moore's bid for \$2,111.40, David seconded, passed 5-0.

Hortt suggested a Council project - put siding on the windows the city crew are going to board up. Last year the Council did the asphalt in front of the City Center. It was agreed to do the project in September and continue with an annual project.

Max discussed the need for animal control in the early mornings. Tom reported they received an offer from Andrew Goudy to control the dogs plus he may negotiate with the County. No decision.

David reported new officers for the E.M.T.s. Bonnie Craig will remain president, Laurie Lloyd is secretary, David Hathaway and Shane Bott are training officers and the maintenance position is to be determined later.

David reported they received advise from the League of Cities attorney regarding lawful procedure for the Fire Department. Volunteers are still considered city employees and require a Policy & Procedure Manual.

David discussed the time involved in preparing such a manual and possible reimbursement. Various sources of information were considered. David will prepare a plan for approval at the next meeting.

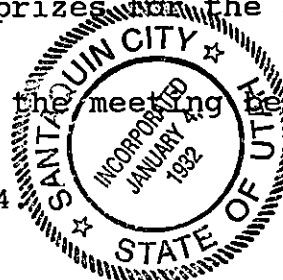
David thanked Tom and the Police Department on behalf of the E.M.T.s for their assistance on emergency calls.

Mayor Broadhead report the cannon is in place, HK Contractors assisted.

Elaine reported Kurt Lofgran had returned a lot of fish pond items stored in his basement since he was a councilman. Some items were damaged and destroyed. Friends of the Library would like to see if some are usable for prizes for the summer read program. Council approved.

Adjournment: At 9:30PM Hortt moved the meeting be adjourned, Max seconded, passed 5-0.

Approved this 19th day of July, 1994



Keith Broadhead PRO
Mayor Keith Broadhead

Elaine Tasker
Elaine Tasker, Recorder