

MINUTES OF A REGULAR COUNCIL MEETING  
Held at the City Center  
September 7, 1993

The meeting was called to order by Mayor D. Lynn Crook at 7PM. Councilmembers present: Keith Broadhead, Hottt Carter, Max Holman and Calvin Wall. Hottt led the Pledge of Allegiance. David Hathaway was absent.

Others present: Lisa Howard, Russell Hillman, Kent Fowden, Leland Kelley, Janet Kelley, Neil Davis, Annie Alder, Floyd Alder, Humberto Torres, Gail Torres, Abraham Walker, Shauna Walker, Karen Dix, Julie McNamara, Amber McNamara, Sharon McNamara, Sherry Adcock, Art Adcock, Carla Valerio, Una Painter, Una Jean Painter, Tom Painter, Tammy Painter, ElRay Davis, Laurence Allphin, LaMar Openshaw, Jack Stickney, Ted & Linda Kenison, Jay Mecham, Eric Brimhall, Mark Johnson, David Smith, Lynn Smith, Val Broadhead and Steve Parsons.

Public Hearing / Landfill Closure and Garbage Collection:

Mayor Crook explained the need to close the landfill due to EPA standards. It would be too expensive for Santaquin to comply with the regulations. He also stated the City was denied a Hardship License to operate the landfill. He stated garbage other than household garbage was a real concern. The bids were reviewed. Mayor Crook asked for input.

Janet Kelley stated L&J Waste's contract was valid for two more years.

Mayor Crook replied he expected an attorney's opinion regarding this issue before the meeting. The bid options were then discussed.

Neil Davis read Paragraph #6 from L&J Waste's contract which stated rates may be amended if Santaquin was forced to go to another landfill. He stated this was not a clouded issue and the contract should not be up for bid. Mayor Crook said there was a question on the contract and he was waiting for an attorney's opinion.

A citizen said this was a consumers' concern as Mr. Kelley would not pickup all types of garbage. Mayor Crook said there had been several complaints on L&J Waste because they will only pickup household garbage. The issue was discussed.

Question - How will this issue be decided.

Answer - By the City Council with input from the Citizens. Council agreed there could be no decision before the attorney's opinion. Council also agreed to accept written input untill the 17th of September.

Keith asked Russell Hillman, of Payson City, if their offer was only good now. Answer - It can be negotiated at a later date.

Mayor Crook stated if L&J's contract was valid they would negotiate with Mr. Kelley.

Art Adcock said the Payson bid sounded the best but the hearing was premature and should be tabled until they receive the attorney's opinion.

Keith said the landfill would have to close in a month.

Art & Sherry Adcock each stated they had no complaints with L&J Waste and felt the City should hire their own when possible.

Council set the Fall Cleanup from September 20th to October 1st, 1993. The landfill will close October 9th, 1993.

Rainbow Bar Decision: Mayor Crook reported there had been two requests for a business license to open the Rainbow Bar. The bar does not comply with State regulations as it is too close to the Calvary Church. If the City granted a license the State would hold a Public Hearing to waive the distance requirement. Mayor Crook asked for input.

Linda Kenison stated she opposed the bar.

Jack Stickney ask why the City would consider going against the State requirement.

Hortt - this is the procedure recommended by the State.

Lisa Howard ask guidelines to change the variance.

Hortt - the State would hold a Public Hearing on footage requirement only if the City approved the business.

Mrs. Torres, business license applicant, said she did not plan to run the bar as the previous owners did. They will have more control and run a quite bar.

Neil Davis said the bar had a history of law enforcement problems.

Val Broadhead stated management could control the problems, he had no problems when he operated a bar.

Art Adcock, County Officer, remembered past problems at the bar & apposed a bar in Santaquin. He stated Salem gets along just fine without a bar.

Hortt read Police incident reports for the Rainbow Bar and Walts Bar. He also read State and City regulations giving the City authority to control a business where beer is sold.

Opposing the bar and voicing concerns of the influence a bar would bring into town were: Ted & Linda Kenison, Art & Sherry Adcock, David & Lynn Smith, Lisa Howard, Jack Stickney, Steve Parsons and Laurence Allphin.

Keith moved to deny the license as it did not comply with State regulations, Max seconded, passed 4-0.

Landfill Closure Discussion & Bids: Tabled

Bids for Roof of Safety Building: Max reported two bids were

her.

Sewer Easements: Hortt reported a letter would be sent to all property owners requesting they come to a meeting for information regarding their easement and ask them to sign the easement. The meeting was set for Saturday, the 18th at 9AM. Easements not signed at this meeting will be given to the attorney to obtain.

Mayor Crook reported he had contacted the Kays in Goshen, owners of proposed lagoon site, and they agreed to the soil tests. Keith said they would have to have approval from the State Agencies before the testing and rescheduled the test for the 16th or 17th of September.

Mayor Crook reported Dan and Delreese Kay agreed to an extension on the Purchase Agreement. He could not contact Don Kay for an extension on the agreement but would check with him.

Approval of the Minutes of August 24, 1993: Hortt moved to approve the minutes, Max seconded, passed 4-0.

Rowley Annexation Water Line on 500 West: Keith reported it was approximately 1600 feet from Scovili's to Mtland Apples' building. The price for a new line was approximately \$10 per foot plus one fire hydrant bringing the total to \$17,500. Rowleys requested the City pay 60% of the cost as they will recoup this from franchise taxes and fees. After discussion, Calvin moved the City agree to pay 60% of the water line cost and to give Keith the authority to negotiate an agreement, Max seconded, passed 4-0. Mayor Crook suggested the money come from the Capital Improvement Fund.

Business License: Hortt moved to approve a business license application for Salt Creek Signs if it was not their billboard limbs and etc. was stacked around, Calvin seconded, passed 4-0.

Bills: Calvin moved to approve the bills in the amount of \$14,144.72, Hortt seconded, passed 4-0.

Miscellaneous: Keith reported Sunrise Engineers were having a problem with the State Engineer on water rights. Sunrise would follow up resolving the problem.

Keith reported he had instructed Sunrise Engineers to file change of diversion on the springs

Hortt reported the Arts Council wanted to become an active group and try for a \$3,000 Grant. They will move their props stored in an upstairs room into the old shower room.

Hortt reported he was trying to buy a used piano from the B.Y.U..

Max reported repairs were necessary to the outside of the museum as it was deteriorating. K&E Painting in Genola was low bid to paint and repair all the wood. Calvin moved to approve K&E's bid of \$4,905, Keith seconded, passed 4-0.

Keith reported the Spring Project walkthrough with the contractors would be September 13th at 9AM.

Mayor Crook reported the sewer ordinance was in the funding agency office being reviewed for approval. Kay McIff, Attorney, was trying to speed up this process so the City could approve the ordinance and set the connection fee. This would allow residents to start paying on their connection fee. This would help pay the interim finance payment due in December.

Mayor Crook reported the scaffling was here and the City would put the molding on the upstairs windows.

Mayor Crook reported he told Dennis to work on the shed at the shop when time would allow.

Executive Session: At 10:15PM Keith moved they adjourn into an executive session to discuss personnel, Hortt seconded, passed 4-0.

Adjournment: At 11:00PM Max moved they adjourn, Calvin seconded, passed 4-0.

Approved this 21st day of September, 1993.

  
D. Lynn Crook, Mayor

  
Elaine Tasker, Recorder

