

Minutes of a Regular Council Meeting
Held at the City Center
August 10, 1993

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

Others present: Jay Mecham, Mark Birchette, Eric Brimhall, Leland Kelley, Janet Kelley, Val Broadhead, Humbert Torres, Gail Torres, Magerito Torres, Frank Robinette, Robert Nelson, Rhea Cruz and Mike Cruz

Approval of the Minutes of July 20, 1993: Max moved to approve the minutes of July 20th, Hortt seconded, passed 5-0.

Roofing of Safety Building: Fire Chief, Val Broadhead, ask procedure to have the safety building reroofed, (old library). After discussion, Max agreed to contact three companies for bids. Council will review the bids at the next meeting.

Chief Broadhead requested the Fire Department receive interest on their reserve fund. He also reported a surplus truck was available for the Fire Department and he would pick it up.

Collection of Garbage: Jay Mecham presented a bid for city waste pickup. He reviewed his business history. Mayor Crook ask about a price guarantee on his bid. Mr. Mecham stated the bid would be effective as long as landfill fees and fuel remains the same. Mr. Mecham agreed to pickup christmas trees at no extra cost. He also agreed to pickup small amounts of limbs or etc. with the regular pickup. That larger amounts of garbage such as if someone would clean out their garage would require an extra fee. Mr. Mecham stated he was allowed to dump in Goshen, Payson, Springville and etc. That limbs could be dumped in Springville for \$2.50 a pickup under this agreement. Mr. Mecham stated regular garbage cans, sacks, boxes or etc. could be used by the customer for his service. Mayor Crook stated Council was not prepared to make a decision tonight. That they were pursuing all avenues available before the landfill deadline to close.

Janet Hathaway arrived.

Rainbow Bar: Robert Nelson, investor of rental property, and Gail Torres requested a business license to reopen the Rainbow Bar. Elaine explained the bar did not comply with State regulations as it is located too close to the Calvary Church. That if the City approved the business the State would conduct a Public Hearing to determine if the citizens would approve the business. Mrs. Torres stated she wished to have a place for hispanics to go. That they would serve beer and fast food and dancing would not be allowed. Mayor Crook stated there had been problems in the past for the City with a Spanish Bar. After discussion, Keith moved to table the decision for more information, Hortt seconded, passed 5-0.

Approve to Amend Engineering Fee for Sewer: Mayor Crook explained the engineering fee for the sewer design would have to be increased as the lagoon site moved west of town and required a

new design. Hortt moved to approve the additional cost of amendment No. II for \$31,500 and amendment No. III for \$20,000 for engineering service for the sewer system, Max seconded, Keith abstained, passed 4-0.

Possible Annexation: Chad Rowley and Phil Rowley representing Mountainland Apples discussed the pros and cons of annexation of this business. Chad asked if the City would be willing to wave the water line requirement for annexations as the City would receive \$5,000 per year from their business from franchise tax, water fees and business licenses. Keith stated the expenditure for this project would come from the water fund and the income (franchise tax) would go into the general fund. That if this was approved assistance from the general fund would have to be considered. Keith ask the Rowleys if they would trade their well right for annexation and the water line. Answer NO. The possibility of this business connecting to the sewer was also discussed. Keith stated the funding agencies would have to approve this. Chad stated they would be willing to pay their share of the sewer. Phil Rowley stated he would annex his home and part of his land if an agreement is reached. He also stated if this occurs that Jay Smith would consider annexing his property. Zone changes for this business was discussed. Council agreed they needed more firm figures on costs before they could make a decision. They suggested the Rowleys go to the Planning and Zoning meeting tomorrow night for their input and a zone determination.

Impact Fee for Jr. Kester: Jr. Kester, owner of the new proposed service station / car wash, and Jim DeGraffenried, contractor, asked that the impact fee for the new business be waved. They explained two service stations had been located there in the past and the one station had paid the impact fee before construction. Hortt stated the impact fee had been waved on a similiar situation in the past. Hortt moved Jr. Kester not be charged an impact fee on his new business, Max seconded, passed 5-0.

Kester No.3 Annexation Amendment: Hortt explained that the engineer had to correct his description of the Kester Annexation. Hortt moved to approve Kester No.3 Amended Annexation, David seconded, passed 5-0.

Right-of-Ways for Sewer: Mayor Crook reported all right-of-ways should be obtained within two months. Council agreed personal contact and a meeting to explain the easements to the property owners. Hortt agreed to start obtaining signatures and report his progress at the next meeting.

Hortt reported Frank Robinette, County Building Inspector, could not do the inspections anymore. That Mr. Robinette had recommended Frank Wilkey of Nephi for the building inspector. That he is very qualified. Hortt stated he was interviewing Mr. Wilkey at 10AM tomorrow and invited Council to be present.

Mr. Robinette explained building permit procedures, the law and the Board of Appeals. He said he was willing to work with the City and answer any questions but his time would not allow him to continue doing inspections. He stated no jurisdiction could lessen the State Building Code. He recommended that everyone be

required to comply with the code. Keith ask the City's liability if the building inspector does not enforce the code. Mr. Robinette answered they would have to prove willful neglect before action would be taken. Council thanked Mr. Robinette for his willingness to help the City.

Business Licenses: Hortt moved to approve a business license for Rose Larsen (Verl Wall's) and Jalyann Steele, Keith seconded, passed 5-0.

Mayor Crook asked Leland Kelley, L&J Waste, how many tons of garbage he dumped in the landfill per year. Mr. Kelley agreed to check this out. Janet Kelley asked if L&J Waste would need to submit a new bid. Answer no. Mayor Crook explained they were trying to get two bids from Payson Landfill. One bid to use their landfill and another bid if Payson picks up the garbage. Landfill options were discussed.

Mike Cruz told the Council his crew/cab 1978 Chev truck was for sale. That the motor was two years old, the battery was new, it is a heavy duty good tight truck and the price is \$2,500.

Bills: Hortt moved to approve the bills with the addition of \$289 for Mr. Robinette bringing the total to \$2,521.43, Keith seconded, passed 5-0.

Miscellaneous: Mayor Crook discussed a letter prepared to send to Kay,s regarding the option on their land purchase. He stated Val Kofoed, Sunrise Engineer, requested an addendum delaying the purchase untill December 31st be included in the letter. That the attorney advised not to send the letter. Council discussed the time schedule for the sewer project. Keith stated the orchard lines needed done before spring so as not to damage the buds and blossoms.

Mayor Crook reported the Payson High School Principal, Ron Hitchcock, had contacted him regarding the letter sent to the band teacher in reference to the band performing at Santaquin Days Parade and Mayor Crook's response to this letter. Mr. Hitchcock stated he did not receive his copy and wished to discuss the problem with Mayor Crook. Mayor Crook also reported Kaye Westwood, Nebo School Board Member, had contacted him regarding these letters and she agreed with the Mayor's letter

Mayor Crook reported he had asked the Attorney if there would be a problem with the L&J Waste contract should the City have to use another service when forced to close the landfill.

Mayor Crook reported the new motor in the flat bed was heating up and needed checked out.

Mayor Crook reported Dennis, City Superintendent, would be trading in the backhoe for a new one.

David reported Beckie Shepherd had resigned as crossing guard. That she would fill in untill a replacement is found. David asked Elaine to advertise the position. Council agreed Beckie had done a good job.

David reported the Fire Department and the E.M.T.s had been very

busy and were doing a great job. That their training was paying off. David thanked the Council for their support.


Keith reported the C.U.P. Planning meeting would be held in Juab County next Tuesday. Keith invited Council to go with him.

Keith reported he had a request to purchase a old manhole section. Council approved the sale for \$20.

Executive Session: At 9:40PM Max moved the Council adjourn into an executive session to discuss personnel, Keith seconded, passed 5-0.

Adjournment: At 11:00PM Max moved to adjourn, Keith seconded, passed 5-0.

Approved this 24th day of August, 1993.


D. Lynn Crook, Mayor


Elaine Tasker, Recorder

