

MINUTES OF A REGULAR COUNCIL MEETING
HELD AT CITY HALL
February 5, 1991

The meeting was called to order by Mayor D. Lynn Crook at 7PM. Councilmembers present: Gerald Fowkes, Max Holman, Dennis Lamb and Keith Broadhead. The Invocation was offered by Councilwoman Clayson and Councilman Holman led the Pledge of Allegiance.

Citizens present: Gregg Fowkes, Floyd Alder, Hottt Carter, and Leslie Broadhead.

Approval of the Minutes of January 15, 1991 and January 22, 1991: Councilwoman Clayson made the motion to approve the Minutes of January 15th as corrected, Councilman Holman seconded the motion and motion carried. Councilwoman Clayson made the motion to approve the Minutes of January 22, 1991, Councilman Broadhead seconded the motion and motion carried.

Discuss Legislation on Clean Water: Mayor Crook discussed Legislation which required all water operators being certified. Councilman Broadhead stated that this will require alot of schooling and time for Dennis Barnes, water superintendent.

Sewer Project Report: Councilwoman Clayson reported that a Public Hearing for a sewer system would be February 28, 1991. She stated that they needed to inform the public of the project. Councilwoman Clayson agreed to meet with the Economic Development Committee and review the results of the Survey. She also stated that Sunrise Engineering Inc. had completed over 50% of the Facilities Plan.

Water Project Report: Councilman Broadhead reported that the election results were 91 for and 3 against on the Water Revenue Bond Election. He stated that many citizens told him that they knew a "no show vote" was a "yes vote" so they did not bother to vote. Councilman Broadhead read letters from Safe Drinking Water and Water Resources which outlined the procedure to finalize the loans. He stated that the water rates would have to increase enough to make the payment plus maintain a required reserve. He suggested that the increase become effective with the new fiscal year. He also stated that Mayor, Recorder and Treasurer would have to be bonded. *2/10/91*

Convention Center at U.V.C.C.: Mayor Crook read the attached Resolution regarding the issue, of County participation in the construction of an auditorium at U.V.C.C., being placed on the Ballot next fall. Council agreed that the citizens should have the right to vote but they would not support the project. Councilman Broadhead made the motion to approve Resolution 91-3, which would place the issue on the fall Ballot. Councilman Lamb seconded the motion and motion carried unanimously.

Business License Resolution 91-2: Councilwoman Clayson made the motion to approve Resolution 91-2, Business Licenses. (attached) Councilman Holman seconded the motion and motion passed unanimously. Councilwoman Clayson stated that an "Amusement Device License" was required in addition to a "Commercial License".

Business License Renewals: Councilwoman Clayson made the motion to approve: "Commercial Licenses" for Kathleen Williams, Wasatch Bank, Kay Tischner, Dr. John Day, Suzanne Carter, Kurt Stringham, Dick Kay, and Rees Nelson; "Home Occupation Licenses" for Patricia Openshaw and Linda Gee; "Home Industry Licenses" for Carolyn Kester and Rees Nelson and an "Industrial License" for Bart Olson. Councilman Broadhead seconded the motion and motion carried. A "Home Occupation" application for David Smith was referred to the Planning Commission.

Financing Ambulance: Mayor Crook read a letter from the Attorney regarding the Fire Department and the E.M.T.s becoming separate entities. Leslie Broadhead, President of the E.M.T.s, stated that they did not want to become separated from the City. Mayor Crook read attached Resolution 91-4, approving financing the ambulance with Zions Bank. Councilwoman Clayson made the motion to approve Resolution 91-4, Councilman Broadhead seconded the motion and motion carried unanimously.

E.M.T.s: Leslie Broadhead reported that the new secretary, Perianne Isaacson, had caught up on the ambulance billing. Leslie also stated that the new ambulance would be ready the middle of February. She further stated that the ambulance would be delivered in Salt Lake as it was not cost effective to fly to Florida and drive it back.

Mayor Crook read a letter from the Attorney regarding complaints on William Prince's horse, abandon property procedure and the problem with JoDell Goodall and broken headstones.

Proposed Vehicle Pool for South County: Mayor Crook reported that Salem and Spanish Fork initiated a program where each city would make a list of their equipment available for lease and a price for it and an operator. Council agreed this would be a good program.

Bills: Councilwoman Clayson made the motion to approve the bills in the corrected amount of \$10,827.01. Councilman Broadhead seconded the motion and motion carried.

Miscellaneous: Mayor Crook read a letter naming the deadline of July 1st. for Certificate of Compliance for underground petroleum storage tanks. Options to solve this problem were discussed.

Mayor Crook reported that Spanish Fork City was preparing a demonstration on pesticides. Council agreed that Mike Cruz

should attend.

Mayor Crook reported that he, Pam Norton and Kim Barlow, principal of the elementary school, attended a conference on the Bill of Rights. He brought back information for the Library. He also said that Mr. Barlow would promote the Bill of Rights at the school.

Mayor Crook stated that Officer Mike Mellen may go to work for Payson City. Councilman Broadhead stated that he was tired of training officers for other cities. He said that Nephi was hiring County Sheriffs part time. He suggested that the City considered giving the other two officers a pay increase and hiring County Officers part time as needed.

Mayor Crook reported that there is a leak in the roof at the Seniors building. The new roof was guaranteed for seven years and he would check this out.

Mayor Crook reported that he had met with the Senior Citizens and they worked out a bill to send to Genola representing their share of the Senior Citizen Program.

Mayor Crook reported on problems with the Crossing Guard.

The City honoring the Martin Luther King Holiday was discussed. It was suggested that the Ordinance could be re-written to include this holiday next year.

The Queen Contest and City float was discussed. It was agreed that this would be separate from the Cherry Days Financial Committee. Councilwoman Clayson agreed to ask Allison Hansen to head this committee and the City would contribute \$1,000.

Councilman Lamb voiced concerns regarding the repairing of the A.C.O. truck.

Councilman Broadhead asked permission to purchase an asphalt saw for \$1,400. Council approved the purchase.

Mayor Crook read the attached "Disclosure Statement" for Councilman Broadhead. No objections from Council.

Council agreed to donate \$100 towards a "Support Our Troops" banner. The banner is 35 feet wide, 4 feet high and can be repainted to advertise other things such as Cherry Days. Utah Power & Light agreed to hang the banner.

Hortt Carter, manager of K.C.s Cafe, discussed the problem with the driveway into his parking lot. Councilman Fowkes stated that U-DOT needed to fix this gutter.

Councilwoman Clayson reported that men from Orem were willing to use the Library as a pilot program, no cost, to put them on a

computer system. She said that the Library Board was in favor of this.

Councilwoman Clayson discussed committee to advertise Santaquin. She asked each Councilman for a picture and personal information to be put in a book, American Heritage.

Adjournment: At 9:15PM Councilman Lamb made the motion to adjourn, Councilman Holman seconded the motion and motion carried unanimously.

Approved this 19th day of February, 1991.



Mayor D. Lynn Crook

Elaine Tasker, Recorder/Clerk

RESOLUTION NO. 91-3

A RESOLUTION OF THE CITY COUNCIL OF Santaquin
REQUESTING THE UTAH COUNTY COMMISSION TO PLACE
BEFORE THE PEOPLE OF UTAH COUNTY, A SPECIAL BOND ELECTION
IN THE AMOUNT OF \$7,700,000.00 TO HELP PLAN AND CONSTRUCT
THE UTAH VALLEY SPECIAL EVENTS CENTER.

WHEREAS the construction of a Utah Valley Special Events Center will help Utah Valley grow and expand economically and culturally and will provide needed facilities for our growing County; and

WHEREAS many medium-sized conventions, trade shows, cultural events, concerts, religious gatherings, and public events have been unable to be held in Utah County for lack of facilities that will seat audiences over two thousand (2,000) people.

WHEREAS a feasibility study done in 1989 by Economic Research Associates indicates both a need and support for a Special Events Center that would seat up to Ten Thousand (10,000) people for a variety of uses; and

WHEREAS Utah Valley Community College is proceeding with the construction of facilities for Physical Education Activity Courses, intercollegiate athletics, and for other college functions which will be built even if there is no support to expand these facilities to a Special Events Center; and

WHEREAS there exists a "short window of opportunity: to expand the Utah Valley Community College's Physical Education Facility to include a Special Events Center; and

WHEREAS the Special Events Center will be available for use by government services and community groups; and

WHEREAS there is a unique opportunity for a joint venture between the State, the County, and UVCC to complete the needed Physical Education Facilities as well as a Utah Valley Special Events Center.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Utah County Commission place before the people of Utah County, a Special Bond Election in the amount of Seven Million, Seven Hundred Thousand Dollars (\$7,700,000.00) to be joined with an appropriation from the State of Utah to plan and construct the Utah Valley Special Events Center.

2. This resolution shall take effect immediately upon passage.

3. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this 5th day of February, 1991.

D Lynn Crook
by
Mayor

ATTEST:

Elaine Sarker
City Recorder

COUNCILMEMBERS VOTING "AYE"

Marilyn Clayson

Keith Broadhead

Dennis Lamb

Max Holman

Gerald Fowkes

COUNCILMEMBERS VOTING "NAY"

The Council agreed that the Citizens should have the right to vote, but they want it on the record that they do not support the project.

NAY:

The resolution was then signed by the Mayor in open meeting and recorded by the City Recorder. The resolution is as follows:

A RESOLUTION APPROVING THE FORM OF THE EQUIPMENT LEASE AGREEMENT WITH ZIONS FIRST NATIONAL BANK, SALT LAKE CITY, UTAH. FINDING THAT IT IS IN THE BEST INTERESTS OF THE SANTAQUIN CITY TO ENTER INTO SAID AGREEMENT, AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF.

WHEREAS, the City Council of Santaquin City, Utah ("City Council") has determined that a true and very real need exists for the leasing of the equipment described in the Equipment Lease Agreement presented to this meeting; and

WHEREAS, the City Council has reviewed the form of the Equipment Lease Agreement and has found the terms and conditions thereof acceptable to Santaquin City; and

WHEREAS, the City Council has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the leasing of such equipment under the Equipment Lease Agreement.

BE IT RESOLVED by the City Council of Santaquin City, Utah as follows:

Section 1. The terms of said Equipment Lease Agreement are in the best interests of Santaquin City for the leasing of the equipment described therein.

Section 2. The Mayor and City Recorder are hereby authorized to execute and deliver the Equipment Lease Agreement and any related documents necessary to the consummation of the transactions contemplated by the Equipment Lease Agreement for and on behalf of Santaquin City.

Section 3. The officers of Santaquin City are hereby authorized and directed to fulfill all obligations under the terms of the Equipment Lease Agreement.

Adopted and approved this ____ day of _____.

By _____

_____ Title

By _____

_____ Title

(S E A L)

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

I, Elaine Tasker, hereby certify that I am the duly qualified and acting City Recorder of Santaquin City, Utah.

I further certify that the above and foregoing instrument constitutes a true and correct copy of the minutes of a Regular meeting of the City Council of said Municipal Entity including a Resolution adopted at said meeting held on December 4, 1990, as said minutes and Resolution are officially of record in my possession, and that a copy of said Resolution was deposited in my office on _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Municipal Entity this ____ day of _____, 1990.

Title

(S E A L)

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

I, Elaine Tasker, the duly qualified City Recorder of Santaquin City, Utah do hereby certify:

(a) that in accordance with the requirements of Section 52-4-6(1), Utah Code Annotated (1953), as amended, public notice of the 1990 Annual Meeting Schedule of the City Council of Santaquin City (the "Governing Body") was given, specifying the date, time and place of the Regular meetings of the Governing Body scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the Governing Body to be posted on _____, at the principal office of the Governing Body at Santaquin City, Utah; said Notice of Annual Meeting Schedule having continuously remained so posted and available for public inspection during Regular office hours of the undersigned until the date hereof; and causing a copy of the Notice of Annual Meeting Schedule to be provided on _____ to at least one newspaper of general circulation within the geographic jurisdiction of Santaquin City, or to a local media correspondent;

(b) that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, public notice of the Regular meeting of the Governing Body on December 4, 1990, was given by specifying in a Notice of Regular Meeting the agenda, date, time and place of the City Council Meeting and by causing the Notice of Regular Meeting to be posted at the principal office of the Governing Body at Santaquin City, Utah on the ____ day of _____, a date not less than 24 hours prior to the date and time of the Santaquin City Council Regular meeting; and causing copy of the Notice of Regular Meeting to be provided on _____ to at least one newspaper of general

circulation within the geographic jurisdiction of Santaquin City,
or to a local media correspondent.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the official seal of said Santaquin City this ____ day of
_____.

Title

(S E A L)

(1) Interest has been computed at the rate of ^{7 1/2 %} 8.0% per annum. Interest shall accrue from the Commencement Date.

(2) Rental payments shall be due monthly commencing ^{April 1, 1991} ~~January 1, 1991~~. The following payments shall be due on the 1st day of the month, up to and including December 1, 1993, and shall be in an amount equal to the sum of the payment amount attributable to principal and the payment amount attributable to interest for the applicable month.

(3) The Option Purchase Price, on any given date of calculation, is equal to the Principal Outstanding on the Rental Payment Date immediately preceding the date of calculation (unless such calculation date is a Rental Payment Date, in which case, the Principal Outstanding as of such date) plus accrued interest from such Rental Payment Date at the rate set forth in (1) above.

Initials of Lessee
Signatory

RESOLUTION NO. 91-4

EXHIBIT "B"

RESOLUTION OF GOVERNING BODY

EXTRACT OF MINUTES

February 5, 1991

Santaquin City, Utah

The City Council of Santaquin City, Utah, met in Regular session at its Regular meeting place in Santaquin City, Utah on the 5th day of February, 1991, with the following members of the Council present:

D. Lynn Crook	Mayor
Marilynn Clayson	Councilmember
Max Holman	Councilmember
Dennis Lamb	Councilmember
Keith Broadhead	Councilmember
Gerald V. Fowkes	Councilmember

Also present:

Elaine Tasker

City Recorder

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following resolution was introduced in written form, read in full, and pursuant to motion duly made by M. Clayson and seconded by K. Broadhead was adopted by the following vote:

YEA:

5
NAY:

The resolution was then signed by the Mayor in open meeting and recorded by the City Recorder. The resolution is as follows:

A RESOLUTION APPROVING THE FORM OF THE EQUIPMENT LEASE AGREEMENT WITH ZIONS FIRST NATIONAL BANK, SALT LAKE CITY, UTAH. FINDING THAT IT IS IN THE BEST INTERESTS OF THE SANTAQUIN CITY TO ENTER INTO SAID AGREEMENT, AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF.

WHEREAS, the City Council of Santaquin City, Utah ("City Council") has determined that a true and very real need exists for the leasing of the equipment described in the Equipment Lease Agreement presented to this meeting; and

WHEREAS, the City Council has reviewed the form of the Equipment Lease Agreement and has found the terms and conditions thereof acceptable to Santaquin City; and

WHEREAS, the City Council has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the leasing of such equipment under the Equipment Lease Agreement.

BE IT RESOLVED by the City Council of Santaquin City, Utah as follows:

Section 1. The terms of said Equipment Lease Agreement are in the best interests of Santaquin City for the leasing of the equipment described therein.

Section 2. The Mayor and City Recorder are hereby authorized to execute and deliver the Equipment Lease Agreement and any related documents necessary to the consummation of the transactions contemplated by the Equipment Lease Agreement for and on behalf of Santaquin City.

Section 3. The officers of Santaquin City are hereby authorized and directed to fulfill all obligations under the terms of the Equipment Lease Agreement.

Adopted and approved this 5th day of February 1991 .

By D. Lynn Cook
Mayor Title

By Elaine Lasker
Recorder/Clerk Title

(S E A L)

STATE OF UTAH
COUNTY OF UTAH

)
:ss.
)

I, Elaine Tasker, hereby certify that I am the duly qualified and acting City Recorder of Santaquin City, Utah.

I further certify that the above and foregoing instrument constitutes a true and correct copy of the minutes of a Regular meeting of the City Council of said Municipal Entity including a Resolution adopted at said meeting held on February 5, 1991, as said minutes and Resolution are officially of record in my possession, and that a copy of said Resolution was deposited in my office on February 11, 1991.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Municipal Entity this 11th day of February, 1991.

Elaine Tasker
Recorder/Clerk Title

(S E A L)

STATE OF UTAH
COUNTY OF UTAH

)
:ss.
)

I, Elaine Tasker, the duly qualified City Recorder of Santaquin City, Utah do hereby certify:

(a) that in accordance with the requirements of Section 52-4-6(1), Utah Code Annotated (1953), as amended, public notice of the 1990 Annual Meeting Schedule of the City Council of Santaquin City (the "Governing Body") was given, specifying the date, time and place of the Regular meetings of the Governing Body scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the Governing Body to be posted on 1/7/91, at the principal office of the Governing Body at Santaquin City, Utah; said Notice of Annual Meeting Schedule having continuously remained so posted and available for public inspection during Regular office hours of the undersigned until the date hereof; and causing a copy of the Notice of Annual Meeting Schedule to be provided on 1/7/91 to at least one newspaper of general circulation within the geographic jurisdiction of Santaquin City, or to a local media correspondent;

(b) that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, public notice of the Regular meeting of the Governing Body on Feb. 5, 1991, was given by specifying in a Notice of Regular Meeting the agenda, date, time and place of the City Council Meeting and by causing the Notice of Regular Meeting to be posted at the principal office of the Governing Body at Santaquin City, Utah on the 1st day of February, a date not less than 24 hours prior to the date and time of the Santaquin City Council Regular meeting; and causing copy of the Notice of Regular Meeting to be provided on February 1, 1991 to at least one newspaper of general

circulation within the geographic jurisdiction of Santaquin City,
or to a local media correspondent.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the official seal of said Santaquin City this 11th day of
February 1991.

Elaine Tarker

Recorder/Clerk Title

(S E A L)