

MINUTES OF A SPECIAL MEETING OF
THE SANTAQUIN CITY COUNCIL HELD
JULY 1, 1987

Meeting was called to order at 7:15 P. M. by Mayor Pro Tem Sherman Jones. The following councilman were also present: Clara Goudy, LaMar Openshaw, Art Adcock and Kevin Steadman. Councilman Adcock led the pledge of allegiance and Councilman Jones offered the invocation.

Resignation of Mayor Herb Lloyd: Mr. Jones stated the first order of business was to accept the resignation of Herb Lloyd as mayor. Mr. Openshaw made a motion that this be accepted. Mr. Adcock seconded the motion which passed unanimously. Mr. Jones suggested there be a letter of thanks sent to Mr. Lloyd from the council. He also said he was glad Mr. Adcock had reconsidered and had withdrawn his resignation.

Reed McMullin - Zone change: Mrs. Rosenlund reported that Mr. McMullin was in Nevada but would send someone in to represent him. Also, that at the Planning and Zoning meeting held on June 23rd, the Planning Commission made the recommendation that this small piece of property be re-zoned from T-5 to Commercial (C-1). Mrs. Goudy said this could not be commercial as it would be spot zoning. Mrs. Rosenlund explained that the entire frontage road was commercial and the sign property was contiguous because only the freeway is in between, which allows it to be commercial also. Mr. Jones suggested this be put off for a few minutes to see if someone came in representing Mr. McMullin.

Minutes of previous meetings: Mr. Openshaw made a motion that the minutes of the meeting held June 2, 1987, be accepted and Mrs. Goudy seconded the motion which passed unanimously. Mr. Adcock made a motion that the minutes of the meeting held June 16, 1987, be accepted. Motion was seconded by Mr. Openshaw and passed. Minutes of June 23, 1987, were read and after two changes were made; (1) last paragraph on page 2, was changed to read "Councilmen Jones and Openshaw voted against the motion but it carried", and (2) Mr. Openshaw said to change paragraph 7 on page 2 to say: "I wonder if Sam works for the city or the city works for Sam", Mrs. Goudy moved these minutes be approved. A second was made by Mr. Openshaw. Motion carried unanimously and the minutes were signed by the Mayor Pro Tem.

Applications for City Recorder: Mrs. Goudy said she thought the position was city recorder, not city administrator. We do not have a city administrator or a city manager. City manager and city administrator are the same thing. Mr. Openshaw said he thought the notices should be changed. Mrs. Rosenlund said it had already gone to the newspapers but probably was not received in time to have been published by now. Mrs. Goudy said anyone applying for recorder/ administrator would want a lot more money than the council wanted to start them out at. Mr. Adcock said there are duties the person who has that position is expected to do which are not within the statutory parameters of a city recorder, so we almost have to say administrator. Mr. Jones said Sam was doing a lot of stuff for the council which is not required of a city recorder but if they want to try to run the ad another way, they will have to change the ordinance. The ordinance covering the duties of the city recorder was read and it was found the posting for the job did not meet the requirements of the ordinance. Mrs. Rosenlund was asked to let those people who have picked up applications know that the posting was in error. She was also asked to

call the newspapers and change the ad to conform with the ordinance and to change the date for accepting applications to July 10th with interviews to be held on July 15th. The person chosen would start work the first of August. Mrs. Goudy made a motion that an executive session be scheduled for July 15, 1987, at 7:00 P. M. to interview applicants for the position of city recorder. The motion was seconded by Mr. Openshaw and passed unanimously.

Mr. Jones said Sam had told him that if the council had someone in mind for the job they could just start them to work as it was not necessary to post the opening, according to state code.

There was a discussion of the pay scale to be offered for the job of city recorder. Mr. Adcock said he would like to see the city adopt some sort of a graduated wage scale. Mr. Openshaw said they need to determine what the starting salary will be so that when an applicant asks they will know what to say. Mr. Jones said maybe they did not need to decide tonight and Mrs. Goudy and Mr. Openshaw said they felt it should be decided now. Mr. Adcock reminded the council that last meeting they balanced the budget by taking \$21,000 worth of salary out of the budget so whatever they decide to pay the new recorder, the budget will be out of balance that amount. Also, Sam will have to be paid comp time and vacation time which will have to come out of the new budget too.

Mr. Adcock said he felt the top end should be around \$20,000 and Mrs. Goudy said she did not feel they could afford more than \$18,000 tops. Mr. Openshaw said he thought \$21,000 tops. Mrs. Goudy said she thought \$7.00 per hour or \$1,100 per month or drop down to \$1,000 per month. Mr. Steadman reminded the council they would have to also offer benefits. Mrs. Goudy then said make it \$6.50 per hour to start with. Mr. Jones said they should set a bottom and a top figure to start with and Mr. Openshaw agreed. Mr. Openshaw said he would suggest \$21,00 per year the top range and that is the top and does not mean in six months or a year, and a low of \$17,000. Mr. Jones said he figured \$18,000 tops. Mr. Adcock said he figured \$20,000 tops, Mrs. Goudy said \$13,000 per year which would be \$7.00 per hour and it wouldn't hurt to start there. Mr. Steadman said a lot of people use a job like this as a stepping stone and because of the education requirements of the city, this is probably what someone would do here. We need to keep in mind our recent past history of salaries and jobs and we don't want people to say you had this problem and now you are doing this so we have to talk out of the same side of our mouth. It will be a new person so if it is kept low, this is alright with him. He said he felt it had to be kept low just because of what has been happening. Mr. Adcock said he too felt it would be just a stepping stone for someone and so should be kept low. Mr. Steadman said that on the other hand, you often get what you pay for.

Mrs. Goudy said that when the salary started getting to \$19,000 to \$21,000, there would be the same problem unless the tax base changed and another council can not be bound by the present council but she feels that with the situation they face now, they can't offer too much more. Mr. Adcock said they need to set a range for starting between one figure and another, depending on qualifications and that is what they should say. Mr. Steadman said maybe \$12,000 to \$15,000. Mrs. Goudy said this was too wide a range. Mr. Openshaw said he felt it should be higher than \$13,000, maybe \$15,000.

After more discussion, Mr. Adcock made a motion that the starting salary for a new city recorder be between \$13,000 and \$15,000 per year. Mr. Steadman seconded the motion which passed unanimously.

Reed McMullin - Rezone of property: Mr. Paul Staheli, representing Mr. McMullin, entered the meeting so his problem was heard at this time. Mr. Staheli said he had appeared before the Planning Commission and what they were requesting was a zone change of the property where the sign is located by the freeway. It is a very small peice of property, about 1/5th of an acre, which the billboard sits on. It was annexed into the city as T-5. Now to make it legal with the State Department of Transportation, it has to be zoned either commercial or industrial so now they are requesting it be changed from T-5 to commercial. They are not changing the use of the property at all, they just want to make it legal with the Department of Transportation. It is contiguous with commercial property zoning just accross the freeway. He went on to say they have purchased one share of water and transferred that to city ownership rather than to them and then to the city. The property is very small with just the billboard and an old fruit stand sitting on it. One side of the sign advertises McDonalds and the other side a restaurant in Nephi.

Mrs. Goudy said she had a problem with this which is that even though it is not spot zoning, it really is because it is a piece of property on the one side of the freeway, even though it is commercial on the other side of the freeway, it is the only property on the west side of the freeway that is commercial.

Mr. Steadman made a motion that this change of zone request be posted for a public hearing on July 21, at the regular council meeting. Mr. Openshaw seconded the motion. The vote was 4 for and 1 against, with Mrs. Goudy voting against the motion. Motion passed.

Mr. Adcock asked if Mr. Staheli would mind saying what he paid for the share of water and Mr. Staheli said \$1,200. Mr. Staheli was thanked for coming and left the meeting.

Filling Vacancy of Mayor: Mr. Jones asked if anyone had a name they wanted to present to fill the vacancy for mayor. Mr. Adcock explained that this vacancy had to be filled within 30 days and the person appointed would hold office until a new mayor was elected and took office in January. The same thing is true with the council. Any vacancy there must be filled within 30 days and the appointed person serves until a newly elected councilman takes office, also in January.

Mr. Steadman asked what brought Mr. Adcock back into the fold, as he had submitted a resignation to the city office. Mr. Adcock said he had about a dozen people tell him they didn't blame him for resigning but would appreciate it if he would stay and the most vocal was his wife, so he decided to stay.

Mrs. Goudy suggested that since Mr. Steadman had been on the council for a little while and his term would be up in six months and because she felt they needed someone for mayor who had some experience in the city government, and she would like to have Mr. Steadman be the mayor for the next 6 months. She said that if Mr. Jones or Mr. Openshaw were to become the mayor, they would have to resign as councilman and so they would lose two years on the council. She said she did not feel she was in town often enough during the hours that the city office is open that she could function as mayor so it was between Mr. Steadman and Mr. Adcock. Mr. Adcock is doing a great job with public safety and she feels he is needed there and so would like to have Mr. Steadman as the new mayor.

Mr. Steadman said as he is a relative newcomer to the council and without as much experience and insight as any other member of the council and without Sam they are operating under a handicap. Mr. Jones said not necessarily. The duties of the mayor and council are spelled out in the code and he thinks Mr. Steadman would do a good job. Mrs. Goudy said if they went to someone who had previously been mayor they will run into "when I was mayor before this was the way we did it and we need to do it that way now".

Mr. Openshaw said since Mr. Adcock is over public safety anyway, and with the three and a half years experience he has on the council, he would vote for him to replace the mayor. Mr. Adcock declined saying he saw the mayors position as a coordinator and a figurehead and he would like to keep the experience and his vote on the council and also keep Mr. Steadman on the council and bring in someone to oversee them and channel their activities and that almost anyone could do this. He is for Kevin, but on the council, not as mayor.

There was a discussion of the possibility of a member of an employees family serving as mayor or on the council. The code on nepotism was read and this was dropped.

After some more discussion, Mrs. Goudy made a motion that Mr. Steadman be the acting mayor until election of a new mayor. Mr. Openshaw seconded the motion. The vote was four for with Mr. Adcock voting against. Motion carried.

Vacancy on Council: There was a discussion of possible names to fill Mr. Steadman's position on the council. The names of several people were brought up, five of whom had told Mr. Openshaw they would take the position if it were offered to them. Mr. Jones made a motion that Joe Pust be appointed to fill the vacancy on the council. Mr. Openshaw seconded the motion which passed unanimously.

Meeting was recessed while Mr. Pust was called. When he accepted, the judge was called to come in and administer the oath of office. Both these people arrived a few minutes later and Mr. Steadman and Mr. Pust were sworn into office. The meeting reopened.

Combining voting districts: Mrs. Goudy said she felt they should combine all voting districts into one as it would save money for judges, etc. This was agreed on.

Bart Olson - annexation of property: Mr. Olson did not come to the meeting nor had anyone heard from him, so this was not discussed.

Miscellaneous business:

Mr. Adcock: Said he had been told they could save \$4,200 by eliminating the benefits of part-time employees and they needed to consider that. Mrs. Goudy said she thought so too. Mr. Openshaw said he thought this was already decided by the people. Mr. Adcock said maybe the people had decided but the council had not done it. Mr. Jones said the council is the one who makes the vote.


Mr. Adcock said the council was violating their own ordinance concerning the landfill. The ordinance states the cards have to be punched twelve times and then they expire. Also, trucks bigger than 3/4 tons have to pay and dump trucks are not paying. Mr. Openshaw asked what dump trucks are not paying and


Mr. Adcock said Rowleys and some others. Mr. Jones said they had a special agreement with Rowleys as they own part of the dump. Mr. Adcock said what mattered is that the city is violating their own ordinance and that is how they got sued.

The other thing Mr. Adcock brought up is allowing people to work off their water bill. He did not think they could take projected revenues and write them off. Mr. Openshaw said they should turn the the water off if it came to that point. Mr. Adcock continued by asking what happened if someone were working off a water bill and was hurt? It was decided this should not be allowed any more.

Adjourn: Mrs. Goudy made a motion that the meeting be adjourned. Mr. Openshaw seconded the motion, which passed unanimously. Meeting adjourned at 9:20 P. M.

Approved this 7th day of July, 1987.


Kevin Steadman, Mayor

ATTEST: 
Ramona Rosenlund
City Treasurer

MODEL ORDINANCE

Section 1:

Beginning July 1, 1987, no person shall be granted a license to operate or maintain a trade, profession or calling, the transaction or carrying on of which requires a license, within _____ City (County) if such person operates an establishment which as part of its business serves alcoholic beverages, as defined in Utah Code Annotated Section 32A-1-5(1), to the public for consumption on the premises, unless that person shall show by certificate(s) granted by the Utah Division of Alcoholism and Drugs that each employee of the business engaging in the serving, selling or furnishing of such alcohol on the premises, has completed the Alcohol Training and Education Seminar, as required in Utah Code Annotated Section 32A-17-3(1).

Section 2:

Every new employee hired after the licensee has been licensed in compliance with section 1 above, who is required to complete this seminar, shall complete the seminar within six months of commencing employment. Violation of this section will result in revocation of the license granted under section 1, unless compliance with this ordinance is completed within two (2) months of the time that licensee first became aware that such violation occurred.