

MINUTES OF A REGULAR MEETING
OF THE SANTAQUIN CITY COUNCIL
HELD MARCH 17, 1987

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Councilman Art Adcock called the meeting to order at 7:00 o'clock p.m. The following Councilmen were also present: Sherman Jones and Clara Goudy. Councilman Adcock noted that the Mayor would be in shortly and excused Councilmen Raymond Rowley and LaMar Openshaw. Councilman Adcock stated that the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been provided the Payson Chronicle, the Daily Herald and the Deseret News by mailing copies of the Notice and Agenda at least two days before to each of them, and to the governing body by mailing of the agenda and information to their homes. City Recorder/Clerk Sam Sellers recorded the meeting.

Councilman Jones offered the invocation and Councilman Adcock led the pledge of allegiance.

Prior minutes. The minutes of March 3, 1987, were reviewed by the Council. Councilman Goudy moved that the minutes stand approved as corrected and Councilman Jones seconded. The motion passed unanimously.

Business license resoltuion./Lavorn Sparks - yearly sign fee. Councilman Adcock stated that these two items had ought to be discussed together, as they are almost synonymous, since Mr. Sparks is also in to see how much his license fee will be.

Mr. Sellers explained that he contatced the city's attorney concerning this and he has stated that licensing two sides would be discriminatory, inasmuch as the city is not licensing other businesses in this fashion, and that the city does not license other commercial businesses by the square foot. He said that the attorney recommended that the city license Mr. Sparks on a flat fee as they have the others in town.

Mr. Grant Johnson asked about the circumstances surrounding this sign. Councilman Adcock stated that the city has approached the city's attorney relative to the business license ordinance and fees charged therefore on non-appertunant signs. He said that the indication given is that the city should not license signs by the side nor by the square foot, but should license them on a flat fee basis as they do other businesses.

Mr. Johnson stated that when this sign went up, Mr. Sparks was trying to get it in Spanish Fork, alledgedly in a residential neighborhood. He claimed that Spanish Fork prohibited him from placing the sign in a residential area. Mr. Johnson said that Mr. Sparks then came to Santaquin to place the sign in.

Mr. Johnson stated that, at the time the sign was placed in, the sign requirement alledgedly was twenty square feet and that the city would

not allow him to put in a sign any larger than sixteen square feet. He said that the city then turns around and lets Mr. Sparks put in anything he wants with part of it on the street.

Councilman Adcock stated that the street issue has been covered before and that he didn't know what the requirements were when the sign was put in. Mr. Johnson stated that he felt the sign is a nuisance and that it should be removed this day. He said that he is representing others in the area who are attending a Church gathering.

Councilman Jones stated that the Council is not meeting on whether the sign should be there or not, but rather to discuss the license fees. He said that they are discussing things which are not on the agenda.

Mr. Johnson said that he wants the sign removed from the area. Councilman Jones said that, as far as the city and Council is concerned, Mr. Sparks is not breaking any laws. Mr. Johnson said that this sign is in violation of the law. Councilman Jones asked Mr. Johnson to search this out and let the Council know where the sign is in violation. Mr. Johnson asked if the sign ordinance mandates a twenty square foot sign and Councilman Jones said that it does not. Mr. Johnson asked if this changed after the sign was placed in. Councilman Jones said that it was before he got in the Council.

Mr. Johnson said that this sign does not belong in a residential area and told the Council he wanted it out. Councilman Adcock said that he didn't think the Council had the authority to do this. Mr. Johnson said that he would try some way to do it. Councilman Jones said that Mr. Johnson can take this to court if he would like, but that this is the only way it will be taken out, is by a court order.

Councilman Jones explained that Mr. Sparks has not broken any laws by putting the sign up. Mr. Johnson said that he wanted to have the ordinance quoted to him. Councilman Goudy told Mr. Johnson that at the time he wanted to put in his sign there was a restriction, but later, and before she became a Councilman, the city decided to go with the Uniform Sign Code, which then allowed that sign. Councilman Goudy said that she feels the sign is an infringement on people's rights by not being able to sit in their living room and look out at the valley, but that it was placed in according to the ordinances in effect at the time.

Mr. Johnson said that when Mr. Sparks came up to put the sign up the twenty foot requirement was still on the books. He said that he came down to the city offices and protested the sign to Sam Sellers, who he stated said that Mr. Sparks could do anything he wanted because it was commercial property. Mr. Johnson said that his property is also commercial property and that the city wouldn't let him put up a sign four feet by eight feet. He said that the city had no right allowing Mr. Sparks to put the sign up without a public hearing.

Mr. Johnson said that the sign is built over the city street. Councilman Jones stated that there are signs all up and down the

commercial area on Main Street that project over the street property. Mr. Johnson said that this is not allowed in a residential area and Councilman Jones said that the sign is in a commercial zone just like Main Street.

Councilman Adcock stated that he didn't want to put anymore time on this subject as it is not related to the agenda business. Mr. Johnson said that the Council will spend what time it takes. He said that Mr. Sparks had no business putting this sign in a residential area. Councilman Adcock explained to Mr. Johnson that this is not what the Council is meeting to discuss. He said that the only thing the Council is meeting to discuss is the amount of his license fee.

Mr. Johnson said that the Council will discuss moving the sign. Councilman Adcock said that the Council is not discussing moving the sign. Mr. Johnson said that he is telling the Council to move the sign. He said that the sign will be chopped out and moved and that the neighborhood doesn't want it.

Mr. Johnson left the meeting at this point.

Councilman Jones recommended that the Council set the fees for non-appertunant signs at \$50.00, as it was last year. Councilman Adcock moved that the meeting recess for ten minutes while Mr. Sellers prepares the resolution. Councilman Jones seconded the motion and it passed unanimously at 7:20 p.m.

The meeting reconvened at 7:30 p.m. Councilman Goudy moved that Resolution No. 87-1 be approved and Councilman Adcock seconded. The motion passed unanimously.

Introduction update to Cemetery Ordinance. Councilman Adcock explained that the Council has not had adequate time to consider this ordinance, so it will be brought up on the next agenda.

Councilman Adcock also explained that the Animal Control Ordinance will be handled on the next agenda.

Class for Mike Cruz on mechanical and electrical repair - Mr. Sellers stated that Mr. Cruz, of the city staff, has the opportunity to attend a class at Utah Technical College on mechanical and electrical automotive repair. He said that this would be an asset to the city because Mr. Cruz would then be able to repair the city's vehicles and equipment. The Council approved this class for Mr. Cruz. Mr. Sellers also said that there would be books involved and the Council stated that they would also cover this.

Councilman Goudy asked if the city would need to reimburse mileage. Mr. Sellers said that if Mr. Cruz drove his own vehicle, then they might need to do this. Councilman Adcock asked if there wasn't a small truck Mr. Cruz could drive. Mr. Sellers said that this is another department. Councilman Jones said that he felt that Dennis Barnes could get with Eddie Neff and get permission for this.

Current bills. The following bills were reviewed by the Council:

AT&T Information.....	\$ 24.00
Chris Radio & Communications.....	161.52
Doug's Auto Supply.....	467.03
LN Curtis & Sons.....	69.27
Baller Hardware.....	49.19
Ramona Rosenlund.....	37.58
Intermountain Farmers Association.....	20.80
Mendenhall's Market.....	27.60
Mountain Bell.....	171.78
Mountain Fuel.....	622.14
Holly Broadhead.....	25.00
Tischner Ford.....	4.41
Macey's Sack 'n Save.....	111.19
Utah Power & Light.....	1,377.38
State Department of Health.....	25.00
DYNA Systems.....	80.23
Thatcher Chemical.....	445.00
Central Store.....	62.46
Jones Office & Book.....	6.00
Stringham's Hardware.....	160.45
W.R. White & Co.....	919.17
Motorola Computer Systems.....	1,063.29
El Ray Davis.....	50.00
Utah State Treasurer.....	183.00
Tel America, Inc.....	13.77
UTC at Provo.....	136.00
Guy Wall.....	350.00
Russ Strong Plumbing.....	175.00
National Steel & Tube Distributing.....	79.00
Save-A-Dollar Auto.....	98.67
Builders Hardware Co.....	59.64
Crankshaft Grinding, Etc.....	965.00
Johnson & Jackman.....	<u>794.00</u>

Mr. Sellers said that he needed to hold the \$79.00 bill to National Steel & Tube Distributing as Councilman Openshaw has not signed the Purchase Order on this bill as yet. Councilman Jones moved that the bills be paid with the one exception for a hold and Councilman Goudy seconded. The motion passed unanimously.

Councilman Jones. Councilman Jones explained that his meeting with the County Planning & Zoning Committee went very well. He said that they suggested the city and County meet more often. He stated that the County feels their contract with the city will provide adequate protection for residential buildings and they hope the larger buildings provide their own fire protection. They did state that they are going to require the larger buildings to have their own fire protection from here on out. The County said they would like to see the cities annex the larger buildings in order to alleviate these problems, but if they stayed in the County they may be required to

prove adequate fire protection. Councilman Jones said that the County will be getting in contact with the appropriate city officials in order to go through these larger buildings in the County and see what chemicals they contain.

Mayor Lloyd entered the meeting at 8:00 p.m.

Councilman Goudy. Councilman Goudy asked how the meeting with the County went on the flooding problems. Councilman Jones said that those who attended felt the meeting went very well.

Councilman Goudy said that she would like to publicly thank those who have moved their temporary signs off the streets. She said that there are still some in violation, however.

Councilman Goudy asked the Council how they felt about the revenues needed for the Library being placed on a special levy, which would be authorized by the State. She said that she would like the Council's input on this.

* Councilman Adcock. Councilman Adcock explained that Doug Schmidt's name has been turned in for a fireman. Chief Coomes asked how he felt about this, inasmuch as he is a police officer for the city. Chief Coomes said that he can see no problems with this at present. Councilman Jones moved that Officer Schmidt be approved as a fireman and Councilman Adcock seconded. The motion passed unanimously.

/ Mayor Lloyd. Mayor Lloyd asked if the city has received the past due franchise taxes from the Cable TV. Mr. Sellers said that, to his knowledge, the city has not. Mayor Lloyd said that he felt the city ought to file suit and Mr. Sellers said that the attorney is already pursuing this.

Mayor Lloyd asked if the city has been notified concerning a meeting with the County on the city's landfill. Mr. Sellers said that he has not seen this as yet.

Mr. Sellers. Mr. Sellers explained that the city was notified that the CDBG application filed would not be approved as it is. He said that the project could only be done for a Senior Citizens' Hall. Councilmen Jones and Goudy and some of the public present felt that the city ought to approach the Senior Citizens prior to making application. Mr. Sellers said that the Senior Citizens had been told the year before when the city applied for a similar type of grant that the city would continue to apply for grants for a hall at the old school. Councilman Goudy stated that she felt the city ought to have the old portion of the school as well as the lunchroom torn down and to leave the newer part of the school.

Mayor Lloyd said that he felt the governing body of the city should represent the welfare of the entire city. He also said that he felt a majority of the Senior Citizens would vote in favor of the project if they had an idea of what it will contain. Councilman Adcock said that

he didn't think he could be against an opportunity of getting assistance for citizens of the city.

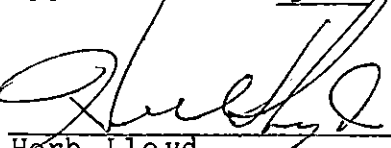
Councilman Goudy moved that the city withdraw its CDBG application and Councilman Jones seconded. Councilmen Goudy and Jones voted in favor of the motion and Councilman Adcock voted against. The motion failed.

Mayor Lloyd emphasized that the grant moneys, if the city is successful, will be used only for the Senior Citizens' portion of the building and not for the general government portion. The city will have to bond for this portion of the building.

Mayor Lloyd said that he would like to have the departmental budgets in by the next meeting so the Council can begin working on them.


Councilman Goudy moved that the meeting stand adjourned and Councilman Jones seconded. The motion passed unanimously at 9:20 p.m.

Approved this 21st day of April, 1987.



Herb Lloyd
Mayor

ATTEST:


Sam Sellers
City Recorder/Clerk