

MINUTES OF A REGULAR MEETING  
OF THE SANTAQUIN CITY COUNCIL  
HELD SEPTEMBER 2, 1986

Mayor Herb Lloyd called the meeting to order at 7:05 o'clock p.m. The following Councilmen were also present: Art Adcock, Clara Goudy, and Raymond Rowley. Mayor Lloyd excused Councilmen Sherman Jones and Lamar Openshaw. The Mayor 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 Art Adcock offered the invocation and Councilman Rowley led the pledge of allegiance.

Prior minutes. The minutes of July 29, 1986 and August 5, 1986 were reviewed by the City Council. Councilman Adcock moved that they be approved as corrected and Councilman Goudy seconded. The motion passed unanimously.

Report from Councilman Rowley concerning flood committee request for high water flow. Councilman Rowley said that Doyle Winterton from the Utah County Engineer's Office offered the attached plan for running high water from Santaquin Canyon. He said that he did not know about the meeting until the day before and would like more notice than that.

Councilman Rowley said that he and the Summitt Creek representatives were very upset that Clyde Naylor did not come himself.

Councilman Rowley said that, of the five entities involved, Genola Town and Utah Power & Light did not come to the meeting. He said that this meeting was a follow up meeting of one held in June. He said that his impression of the June meeting was that the County and State Engineers were going to specify a flood channel, get the easements down the flood channel and then control the high water.

Councilman Rowley reported that Mr. Winterton stated that no one from the Flood Committee did anything to come up with a plan, so they had  
\* worked on the ~~plan they~~ submitted for a week and was the one they wanted to go with. He said that Mr. Winterton explained to them that the plan had been accepted by Clyde Naylor of the County Engineer's Office and Bob Morgan of the State Engineer's Office. Mr. Sellers said that the thing which upset the people at the flood meeting was that Clyde Naylor and Bob Morgan had been out riding around with Genola people, but had not checked with anyone from the city or irrigation company.

Councilman Rowley said that, during the June meeting, the two engineers said that they would come out and ride around with representatives of each member of the flood committee and come up with

a good plan to handle the high water. He said that, instead of this, Clyde Naylor came out and rode around with a Genola Councilman and they decided where to put the water, which is right down the Center Street of Santaquin.

Councilman Rowley reported that they are proposing to build a channel large enough to hold 300 second feet of water. He said that this would entail dropping Center Street into a curved bowl, open ditch. He said that any water which would be above what the Summitt Creek reservoir could handle would subsequently be ~~set~~ down Center Street. He explained that this could be anywhere from 1 to 300 second feet and, if more than this came down, the street would be flooded over into the houses.

Councilman Rowley said that the way the County proposed to pay for this was Santaquin City 30%, Summitt Creek 30%, Utah County 30% and Genola 10%. He said that Summitt Creek and the city ~~has~~ <sup>have</sup> already declared this part as being ridiculous.

Councilman Rowley said that he and the Summit Creek representatives rode through Genola with Mr. Winterton and showed him the other route which would be less costly to complete. He said that, while riding around seeing these things, the liability question arose and the answer was that the ones who pay for the project will be liable for any and all damages, according to the percentages that are paid. He said that, as far as he is concerned, Santaquin City will not pay for going down Center Street. He also said that Genola is not going to go along with going down through Genola.

Councilman Rowley said that he really foresees a lawsuit in order to get this problem solved. Councilman Goudy said that, if the channel goes down Center Street, there will be a lawsuit from everyone who lives on the street and clear down north of town. Councilman Rowley said that this is why he can't see Santaquin City paying for something which will place itself in jeopardy of lawsuits from its own residents. He said that Genola won't do this either and Summitt Creek is going to go with the cheapest route. Councilman Rowley also said that Summitt Creek is opposed to going down Center Street because they do not want to shut a city street down for 1 second foot of water.

\* Councilman <sup>Said that he</sup> Rowley <sup>asked</sup> if they wanted to improve the <sup>current</sup> channel for up to 5 second feet and then run the big amounts of water down Center Street. He said that a channel should be constructed to handle all the high or extra amounts of water from the canyon, which the flood committee has already constructed ~~a majority of the channel~~ to highway 6.

Councilman Goudy said that all of Santaquin was not built on a flood plain and that there will be residents on Center Street who will sue because they did not build on a flood plain. Councilman Rowley stated that he can see this and doesn't feel the residents should pay 30% in order to sue themselves.

The Council indicated that they are totally opposed to this idea.

Councilman Rowley said that Genola thinks they can get out of the whole deal, but that a court will have to decide this. He said that Utah Power & Light and Genola were both in on the inception of the basin and whether they can now pull out a court will have to decide. He said that, if the State wants to tell the city they have to take the water down Center Street and they take all the lawsuits, then they will have to do this.

Mr. Sellers was asked to write a letter to the County Commissioners and let them know the city's stand on this issue and to ask them to allow the flood committee more advanced notice of the meetings.

Mr. Cyrus Bylund asked why the County feels the proposed channel runs down the original flood channel. Councilman Rowley said that he would have to ask Bob Morgan and Clyde Naylor this question. He said that, in times past, the flood waters may have run in every direction at one time or another because Santaquin sits on an alluvial fan. He said that the engineers are saying that at one time the water could have  
\* run north and this is the direction they are going to support ~~this~~ because Genola has been pestering them.

Mr. Sellers said that the County presented the city with an 1885 USGS Kings and Powells survey triangulation and topographical map, which appears touched up from the original, which shows the water running in a northerly direction. He said that, prior to running north, the water appears to be going northwesterly through the city to the west edge of Santaquin, then running north. He also said that it appears strange to him that Santaquin Canyon is the only canyon on the map which shows a dark line tracing the path of water flow from a canyon.

Councilman Rowley said that the last reported big flood, which was in  
\* about 1920, prior to the debris basin being built, went from the canyon out to White Lake. He said that there are still people in town who remember a wagon floating from Santaquin to White Lake in these flood waters. He stated that, whether they go by the last recorded flood or what the engineers say, will probably have to be decided by a court.

Mr. Sellers said that a recent soils map, attached to a land appraisal paid for by the flood committee, shows Santaquin Creek flowing through the city's landfill.

Mr. Bylund asked how the citizens lobby the County. Councilman Rowley said that he doesn't know the answer to this question because the County and State have come out and said that they are not going to take the responsibility for the high waters. He said that they explained that this must come through the flood committee.

Councilman Rowley said that he felt the costs would be less to go through Genola than to go through Santaquin.

\* Councilman Rowley said that the County estimated ~~that~~ <sup>the</sup> velocity of the

water down Center Street at 12 feet per second. He asked if the Council could imagine children playing next to an open ditch running water at 12 feet per second. Councilman Goudy mentioned that children have to cross this street to get to school. She also stated that the people who live on Center will be closed off from ingress and egress to their homes while any high water is flowing. Councilman Rowley said that this is the major problem.

Mr. Sellers said that, according to the last reported flood prior to the debris basin being built, the flood committee is dumping the water right back into the flood channel at highway 6, so he said that he doesn't think Genola can sue the flood committee for this. He said that the court will have to decide if they use the last recorded flood or the first recorded flood as the flood channel.

Councilman Rowley said that they suggested rebuilding the second reservoir which the State and County ordered breached during the 1984 flood and a lot of the flooding which Genola gets could be controlled.

The Council asked to be informed of meetings as well and the residents present also asked to be informed.

Councilman Openshaw's request for street repair funding. Mr. Sellers explained that Councilman Openshaw has requested funding for asphaltting the following streets: 300 North, from 300 to 400 East; 200 South, from 100 to 200 East; and, part of 400 North where its breaking up on 300 East. He said that Councilman Openshaw said that this will not cost over \$5,000.00 to do.

Mr. Dennis Barnes said that he felt the asphalt should be up to one to one and one-half inches so it won't break up. He said that, if one and one-half inches are laid, it takes about 120 ton to lay a block and the city is paying about \$29.70 per ton, which would cost almost \$3,600 for the asphalt.

Mr. Barnes said that he put a 2 inch overlay on the blocks he did last year, which would cost about \$4,400 for the asphalt, and only spent \$4,700 per block to have it laid. He said that he felt he had received a good deal from the asphalt company to lay these blocks.

Mr. Barnes stated that he is for finding the cheapest and best way to overlay the streets and feels that maybe Councilman Openshaw knows a way.

\* Councilman Rowley moved that the Council authorize up to \$5,000.00 for the Street Department to repair the roads listed above and Councilman Goudy seconded. The motion passed unanimously.

Councilman Goudy. Councilman Goudy stated that there are some very serious structural problems with the Hall home. The Council recommended that the Building Inspector inspect the home for safety problems and then condemn the house and level it.

Councilman Goudy stated that she feels the ramp for the Library needs to be designed and put in without further delay.

Councilman Goudy explained that Mr. Sellers had found an executed copy of the agreement between the city and the American Legion on the Senior Citizens' Hall. She said that the agreement indicated that the property would be turned over to the Legion if and when they decide to build. She also pointed out that the agreement says that the City Recorder will be in charge of scheduling the building.

Councilman Adcock. Councilman Adcock said that he has just read the letter from the City Attorney concerning the Genola problem. Mr. Sellers said that he has contacted him and asked him to hold off on the filing until he hears from the city or the 22nd of September, whichever comes first. Councilman Goudy said that she was under the impression the two Councils were going to meet again prior to this date.

Councilman Goudy said that Santaquin needed to do something about the city's part of their negotiations. Mr. Sellers asked what the city's part was. Councilman Goudy said that she felt the city ought to put their suggestions out on paper and then present this to Genola. Mayor \* Lloyd said that this is what ~~they are~~ <sup>Genola is</sup> waiting for.

Mr. Sellers said that it was Councilman Jones' impression that they were going to meet on the city's suggestions and get back with the city on them. Mayor Lloyd said that Mayor Laker had called him and asked if Santaquin had done anything on the suggestions. He said that he felt these things should be written down in proposal form and sent to Genola.

Mr. Sellers said that, by changing the point of diversion without changing the agreement with Genola, the city would be placing itself right back in the same place they are now. Mayor Lloyd and Councilman Goudy said that they should isolate a spring for Genola and let them have their own spring. Mr. Sellers said that this proposal was put forth after Genola had left the meeting and that Councilman Jones contacted Councilman Max Nelson about this and the initial response was rejection because the spring might go dry.

Councilman Rowley said that the connection above the headhouse bypassing the city would only be done with a new agreement on costs of collection.

Mr. Sellers was asked to get with Councilman Jones and get a proposal sent to Genola.

Councilman Adcock stated that the city has received a verbal resignation from Officer Steve Kelly who has received a new job opportunity with the Washoe County, Nevada Sheriff's Department. He explained that he has asked for a posting advertising the new position which will be reviewed for hiring on the 16th of September. Councilman Adcock explained that he has received an application from a

Douglas Bushey, who is POST certified. He stated that, to lessen the impact on the other two officers, he would like to hire Mr. Bushey for the interim period. Councilman Adcock moved that Douglas Bushey be hired as an interim police officer from September 5, 1986, to \* September 16, 1986, at \$16,000 per year salary. He included in his motion that the officer hired at the September 16th meeting be paid \$16,000 on an annual basis for six months and then raised to \$17,000 on an annual basis for at least one year thereafter. Councilman Rowley seconded the motion and it passed unanimously.

Councilman Adcock stated that he is very pleased with Chief Ralph Coomes performance with the city. He said that, during his time with the city, Steve Kelly compiled over 300 hours in comp., vacation and holiday time which the city will have to pay and said that he does not think this will happen under Chief Coomes. He explained that, during the first 20 days of August, the department has written \$1,800.00 worth of fines.

Councilman Adcock explained that the first week in October is fire prevention week.

Councilman Rowley. Councilman Rowley said that he had a problem with the bowery over the weekend. He asked whose responsibility it is to make sure that the bowery is in shape for the rentals. Mr. Sellers said that he knows which incident Councilman Rowley is discussing. He said that it is unfortunate that, when people are asking the city to make cuts and when employees are sick, people can't be more understanding and work with the employees a little.

Mr. Sellers said that the office personnel schedule the people for the park facilities and then Eddie Neff or a member of his crew comes in and checks on it. He said that Joe Ray Davis has been off sick which \* has left two people the job of covering for three and it ~~has~~ been tough on them. Mr. Sellers said that he wasn't sure whether the fee had even been paid as yet.

Mayor Lloyd. Mayor Lloyd explained that the meeting with the Utah County Planning & Zoning Committee on the Provo-Elberta landfill site earlier this evening was postponed until the 7th of October.

Mr. Sellers. Mr. Sellers stated that the city needs to enter into an agreement with the State of Utah in order to get the tax receipt records from them. He said that these reports will assist the city in making sure it is getting its full amount of sales taxes. The agreement basically makes the report confidential and prohibits the city from releasing this information. Councilman Rowley moved that this agreement be entered into and Councilman Adcock seconded. The motion passed unanimously.

Mr. Sellers said that he and Jim DeGraffenreid have been trying to get some financing for the redevelopment project. He said that they have discussed this with First National Bank who did not act too excited about investing in a project in Santaquin. He said that he is

checking into other leads for financing and asked if the city still backs this project. The Council said that they do.

Councilman Goudy. Councilman Goudy said that she has discussed the lease of the old school to Frank Okelberry, who said that he would check into this.

Current business licenses. The Council reviewed the following licenses:

Dean Elsberry "D & T Automotive" 15.00  
Soo Bong Im "Im's Watches" 10.00.

Councilman Goudy pointed out that Mr. Elsberry's license could not technically be termed a home resident business because he does not reside on the property. She said that this would be termed a commercial business and does not know if the Zoning Ordinance allows a commercial business in a residential zone. Mr. Sellers was asked to check this out and write a letter to Mr. Elsberry on the findings. Due to these problems, this license was not considered at this time.

Councilman Rowley moved that the license for Soo Bong Im be approved and Councilman Goudy seconded. The motion passed unanimously.

Mayor Lloyd. Mayor Lloyd said that he is still getting a lot of questions concerning the Cable TV. He asked if anyone knew what was going on. Mr. Sellers said that he would contact the city's attorney on this. The Council asked Mr. Sellers to incorporate within the letter the best way the city could possibly approach them on buying the business out with the franchise taxes going for part of the purchase price.

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

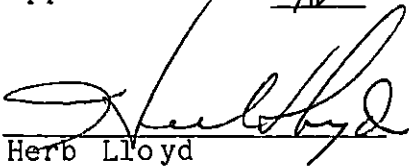
Don Eyre, Sr. Oil Co.....	\$ 878.40
Tischner Ford.....	208.53
Uinta Livestock Equipment.....	200.00
Macey's Sack and Save.....	71.95
Valley Asphalt, Inc.....	454.04
Waterworks Equipment Co.....	106.75
Utah League of Cities.....	222.00
PDM Corporation.....	25.03
Santaquin Pharmacy.....	44.22
Smith's.....	54.36
Stan Bonham Co.....	47.12
Pexton Wholesale.....	120.74
Utah Municipal Treasurer Association.....	15.00
Karen Rowley.....	681.70
Four-Phase Systems.....	1,048.29
L&J Waste.....	3,176.75
Tel America, Inc.....	74.43
Save A Dollar Auto.....	92.75
Total.....	\$7,522.06

Councilman Rowley moved that the bills be paid and Councilman Adcock seconded. The motion passed unanimously.

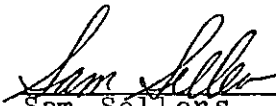
\* Paul Clint. Mr. Clint reported that there seemed<sup>s</sup> to have been a snag in the water rights in Pole Canyon and their~~attorneys~~<sup>have</sup> attorneys are \*researching this at this time. He said that he would<sup>have</sup> his engineer on the power call Sunrise Engineering and let them know the specifications for the city's research records.

Councilman Rowley moved that the meeting be adjourned and Councilman Adcock seconded. The motion passed unanimously at 9:10 p.m.

Approved this 16 day of September, 1986.



Herb Lloyd  
Mayor

ATTEST:   
Sam Sellers  
City Recorder/Clerk