

MINUTES OF A REGULAR MEETING  
OF THE SANTAQUIN CITY COUNCIL  
HELD MARCH 18, 1986

Councilman Clara Goudy called the meeting to order at 7:11 o'clock p.m. The following Councilmen were also present: La Mar Openshaw, and Raymond Rowley. Mr. Sellers explained that Mayor Herb Lloyd and Councilman Sherman Jones were going to be late and that Councilman Art Adcock would not be here as he was working. Councilman <sup>Openshaw</sup> Goudy 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 and to each member of the governing body by mailing copies of the Notice and Agenda at least two days before to each of them.~~ *posted in three public places and placed in the office boxes of the governing body.*

Councilman Goudy offered the invocation and Councilman Openshaw led the pledge of allegiance.

Reading & approval of minutes of previous meeting. The Council reviewed the minutes of the March 4, 1986, meeting. Mr. Sellers said that he felt the minutes should also contain the property description of the Mrs. Leo Ford annexation and asked that this be included. Councilman Rowley moved that the minutes be approved with the inclusion of the property description and Councilman Goudy seconded. The motion passed unanimously.

Councilman Ray Rowley - Discuss rodeo. Councilman Rowley introduced Farrel Craig, a representative of the local roping club, and Bill Crittendon, a rodeo producer from Kamas, Utah. Mayor Lloyd entered the meeting during the discussion of the rodeo. Mr. Crittendon explained to the Council that he would need a minimum of \$1,600.00 to \$1,800.00 to break even on the rodeo. After a discussion on needs and who would provide what services, Mr. Crittendon said that he would accept 75% of the gate up to \$3,000.00, with the 25% or excess of \$3,000.00 to go to the city. He said that he would provide the rough stock, time calves, steers, flags, announcer and personnel to handle the rough stock. Val Broadhead offered the use of a sound system. The balance of the people to make the rodeo work would be drawn from volunteers from the community. Mr. Crittendon also explained that Coors might sponsor part of the \$700.00 needed for prize moneys. Acting Chief Doug Schmidt explained that alcoholic beverages could not be sold in the parks area unless the city passed an ordinance approving this. Councilman Openshaw moved that the city sponsor the rodeo and Councilman Rowley seconded. The motion passed unanimously.

Pat Neff - Wasatch Bank - Queen Contest. Miss Neff explained that the Bank would like to sponsor the Queen contest, if it were OK with the city. She said that they planned on having the contest during the last week in April. The Council stated that they would appreciate the Bank doing this. Mayor Lloyd said that either he or the city would take care of the tiara for the Queen.

\* Approve Treasurers' Spring Conference - April 17-18 in St. George. Councilman Goudy moved that the city send Mrs. Rosenlund and Councilman Openshaw seconded. The motion passed unanimously.

Discuss what should be done about Summitt Creek leaving debris on side of ditches. Councilman Openshaw said that he found an agreement between the city and Summitt Creek and that he would take care of this.

\* Val & Keith Broadhead - Request for dumping in landfill. Keith Broadhead said that he feels the \$35 to \$40 cost to ~~dump~~ residents to dump a dumptruck load of material in the landfill was too high. He explained that they had checked with Payson and the cost to residents there is only \$5, with \$10 being charged non-residents.

Councilman Openshaw moved that the city allow contractors to dump free of charge for residents if they have the residents' landfill card. If they do not have the resident's landfill card, they will have to pay the cost according to the resolution of fees. Councilman Rowley seconded the motion and it passed unanimously.

\* Mrs. Leo Ford Annexation - Zoning Hearing. Since there was no one in attendance at the meeting to discuss this, Councilman Goudy moved that ~~the annexation of~~ Mrs. Leo Ford's property, annexed during the March 4, 1986 meeting, be zoned as T-5. Councilman Openshaw seconded the motion and it passed unanimously.

Public Hearing on sign moritorium. Councilman Goudy discussed the possibility of making a zone of 200 East to 200 West on Main Street as a no non-appertenant sign zone.

Councilman Jones entered the meeting at this time and explained that he thought this would not be legal.

Mr. Sellers was asked to contact Richard Johnson and discuss the legalities with this proposal.

Councilman Goudy moved that the moritorium be extended for another two weeks and Councilman Openshaw seconded. The motion passed unanimously.

\* Myron Olson - annexation request. Mr. Olson explained that ~~the~~ debris is washing from the south of his property, across the State road and plugging up his ditch and asked if anything could be done about this. Councilman Openshaw said that he would have the city crew take care of damming the water to prevent this.

The Council explained to the Olsons that they have found out that in order to create an island, which they would do in annexing their property, they need to have a resolution allowing this to occur. They asked the Olsons to come in to the next meeting where the resolution would be approved.

Set Public Hearing for allowing islands left when property is annexed. This was set for April 1, 1986.

\* Bart Olson - request for re-consideration of special agreement Olsons' have for water to greenhouses in the County. Mr. Olson explained that he would like to annex this property, but felt the city was asking too much. Councilman Jones said that ~~he~~ was referring to the waterline which Ben Alexander placed in and which the city's  
→ Mr. Olson

\* ordinances require# that anyone else hooking into reimburse the person who put it in by their 50% of usage. He also explained that there are some costs for an irrigation ditch which was piped and he feels the people on the south side of the road should also pay some on this when they are annexed. Councilman Jones said that the costs were pretty much even on both sides of the ditch, but that the city covered the portion allotted to the south side and needs to be reimbursed.

Mr. Olson said that the ditch was piped to keep the people on the north side from getting flooded out and was of no benefit to the people on the south side of the road. Mr. Sellers stated that the ditch was piped for the protection of the children in the area, which included Mr. Olson's children. He said that the city and Summitt Creek were going to put in a large canal for half the cost.

Councilman Rowley said that their position was that they would not benefit from the ditch. Councilman Jones stated that the major reason for the pipeline was the protection of the children. He also said that the people on the south side refused to participate and there was nothing the city could do because they were in the County, so the city decided to have them participate as they are annexed.

Mr. Olson said that the city needs to decide if they want the Olsons as part of the city and what they will have to pay and then they will decide if they want to pay that amount.

Mr. Olson said that he would like to have the city re-consider the agreement with them which allows the Olsons water to the greenhouses in the County for 10 months per year. He said that, when the agreement was first made, there were some drought years and the business has been growing. He said that he cannot afford to have his water shut off this year. Mr. Olson explained that, if the water is shut off, a lot of Santaquin people would lose their jobs.

Councilman Goudy stated that last year the Council agreed to sell Mr. Olson water through the time when it would normally be turned off. Mr. Olson said that he would like to see the whole agreement changed.

Mr. Olson said that he feels he is providing a good benefit to the city. He stated that his payroll is \$150,000.00 per year to city residents. Mr. Olson said that the Council ought to look at the business and help him out if they determine there is a good benefit to the city.

Mayor Lloyd wasn't sure of the background on the agreement. Councilman Jones explained that the city decided to sell Mr. Olson its surplus water, which they determined ran from August 15 to June 15 of each year. The meter, then, was to be shut off from June 15 through August 15 of each year.

Councilman Goudy asked Mr. Olson how much water he would use during the two month period and Mr. Olson said that he wouldn't know this, but that the city would have record of this. Mr. Olson said that he didn't think it was such a large amount as it would prohibit the watering of a park or anything like this. Councilman Goudy said that she would like to see the prior water usage and the plans for

expansion.

Councilman Rowley asked if Mr. Olson wanted a guarantee of so many gallons per day and Mr. Olson said that he would like to have the guarantee of water.

Councilman Jones asked Mr. Olson if he wanted water all year around. Mr. Olson said that he does and Councilman Jones asked why he doesn't apply for a County hook-up to city water. Mr. Olson said that this is what he thought they had. Councilman Jones said that the Olsons have a special agreement, which is not a County hook-up.

Mayor Lloyd asked what a County hook-up entails and Councilman Jones said that it requires two shares of Summitt Creek water to be deeded to the city. Mr. Olson said that he isn't going to give any more shares of water to the city. Councilman Jones said that this is the way the ordinance is set up and the Council must live by them. He said that the Council cannot just raise their hands and break a city ordinance. He also said that the Council needs to decide whether the city has water they can give away.

Councilman Jones said that another alternative, besides getting a County hook-up, is that Mr. Olson could be annexed into the city. Mr. Olson said that the city is asking too many things of him to be annexed.

Mr. Olson said that he had received a check a few days before the meeting for \$10,000.00 from Mountain Fuel for past franchise taxes which he had paid. Councilman Jones asked if the \$10,000.00 figure were accurate and Mr. Olson said that it was and for the last five years. Councilman Jones asked if he paid \$100,000.00 for fuel in the last five years and Mr. Olson said that he thought he did. Mr. Sellers said that Mountain Fuel has already passed this money to the city and he couldn't see Mountain Fuel giving the money to the Olsons without asking the city for reimbursement. Mr. Olson said that they have also asked for reimbursement on their power franchise taxes.

Mr. Olson asked where he should go from here on the water agreement and asked the Council what they would recommend. Councilman Jones said that, as long as it is legal, the Council can do it, but that he wouldn't vote for anything illegal. Councilman Jones said that Mr. Olson is basically asking the city to do something against its ordinance <sup>as</sup> ~~it~~ he is not willing to provide shares of water to the city.

Councilman Jones asked what would happen if the city's well went out and the city was without additional water. He said that Mr. Olson could sue the city for damages to his plants if they said that they would provide the water and then could not. Mr. Olson said that this was Councilman Jones's opinion and asked what the rest of the Council thought.

Councilman Openshaw said that he would like to see Mr. Olson annex into the city. Mr. Olson said that he would also like to annex, but that there would have to be some changes in the city's codes. Councilman Rowley asked what the major concern was. Mr. Olson said that in order to annex the back part of the property industrial, he

would have to provide a 100 foot buffer zone. He said that there was no way he would give up 100 feet of his property that he would not be able to build greenhouses on. Councilman Jones said that the idea behind this is to keep the residential and industrial area separated by a 100 foot buffer zone. Councilman Goudy asked if there were differences between some kinds of industries as opposed to others. Mr. Olson said that the city ought to look into an agricultural zone.

Councilman Goudy asked if the Planning & Zoning Committee could look into making an agricultural zone. Mr. Sellers said that they have looked into this and the way the city is now agricultural enterprises are allowed in the residential and industrial zones and so another zone specifically for agriculture would not be needed. Councilman Goudy questioned whether Mr. Olson was industrial. Councilman Jones *\* said that the other Councilmen should try and solve this problem. He said that the city has run around this problem for several years now.*

Councilman Jones said that if an agricultural zone were created then property all over the city would have to be rezoned. Councilman Goudy said that there are only one acre gardens in town. Mr. Sellers said that Ramona Rosenlund has 20 acres on her property. Councilman Jones said that this is zoned residential.

Councilman Goudy asked why Mr. Olson couldn't be annexed residential and Councilman Jones said that he could. Mr. Olson said that this would cost him two shares of Summitt Creek water per acre. Councilman Goudy said that she has been fighting this ever since she has been on the Council. Councilman Rowley said that this is holding up more than just Mr. Olson. *people from annexations*

Mr. Olson said that it is next to impossible to acquire shares of Summitt Creek water. Mr. Sellers said that it is impossible, according to the State Engineer, for the city to obtain any water for annexation other than Summitt Creek water.

*\* excepting application for well permits* Councilman Jones said that the State Engineer stated that they <sup>State</sup> are <sup>is</sup> giving water to people in the County. He said that he asked them why they couldn't give well permits to people next to a city and the State Engineer's Office told him that if the city refused to give these people water they would allow them well permits. He suggested this to Mr. Olson as an additional alternative to his water problem, that he apply to the State for a well permit. Mr. Olson said that they did, but they refused them because they were a business and that this was <sup>in</sup> 1980. Councilman Jones said that this was changed because the State told him this this spring.

Mr. Olson said that he felt Councilman Jones was telling the Olsons that he doesn't care whether they are in the city or not. Councilman Jones said that he has no objections to the Olsons being in the city.

Mayor Lloyd said that he felt Councilman Jones was saying the city has an ordinance and that they should live with it, rather than break their own laws. He also said that the ordinances cannot be changed for one situation. Councilman Rowley said that an ordinance could be changed if it would benefit more than one person. Mayor Lloyd stated that this is true, but the city is bound by the ordinance right now.

Mr. Sellers said that when and if the Council decides to change the amount of water shares required for annexation they need to study the amount of water the city has, the amount of ground in the city and the need of water to cover ground being brought into the city, so the city won't run short.

Councilman Goudy asked Mr. Olson if they could use their irrigation water for their greenhouses in a pressurized irrigation system. Mr. Olson said that he supposed there is a way it can be done.

Councilman Goudy said that the city would like to work with Mr. Olson. Mr. Olson said that he never gets anywhere with the city each time he comes in. Councilman Jones said that the things Mr. Olson is asking are beyond the Council's control. Mr. Olson said that the things the city is asking are beyond his control as well.

Mr. Olson asked if the city would agree to allow him the use of city water from June 15 through August 15, as they did the previous year. Councilman Jones said that the Parks are planning to plant another ~~acre~~<sup>are</sup> of ground at the Rodeo Grounds and that the Parks ~~is~~<sup>are</sup> the first to go dry in the event of a shortage of water, so he felt if Councilman Rowley felt good about it he would as well. Councilman Rowley said that he felt they could make it with the Olsons getting water.

Councilman Goudy said that she felt the city could agree with the additional water if there was water come July. Mr. Olson said that he needed to know sooner so he could determine whether he could plant.

\* Mr. Sellers said that he would give the Council a <sup>history</sup> usage of Mr. Olson's water usage since they have had water. The Council asked Mr. Olson to come back in on April 1.

Bid for Senior Citizens hall. Councilman Goudy moved that the city accept the bid of Kent Peterson and Councilman Rowley seconded. The motion passed unanimously.

Current licenses. The following licenses were reviewed:

Holly Broadhead & Betty Quinn "Santaqueen Drive Inn" Commercial \$105.11

Holly Broadhead & Betty Quinn "Santaqueen Drive Inn" Two Amusement Devices \$200.00

Councilman Goudy moved that the licenses be approved and Councilman Openshaw seconded. The motion passed unanimously.

Recorder's report of the UMCA conference. Mr. Sellers said that the report is there for the Council to look at, but did cover the budgeting part of the report.

Mayor Lloyd. Mayor Lloyd explained that the Police Department would like to place Robert Tasker on its reserve force in order to maintain his category one peace officer status. Councilman Rowley moved that Mr. Tasker be placed on the reserve force and Councilman Jones seconded. Councilmen Rowley and Jones voted in favor of the motion

and Councilmen Openshaw and Goudy voted against. Mayor Lloyd cast the tie-breaking vote in favor and the motion passed.

Mayor Lloyd explained that the Judge and Police Department have asked permission to hire Cheryl Russell for another 10 hours per week (3 hours for the Judge and 7 hours for the Police) and have found the money to do so. Councilman Goudy moved that Mrs. Russell be hired effective the first of this week and Councilman Openshaw seconded. The motion passed unanimously.

Mayor Lloyd also stated that the Police Department has requested an additional 10 hours per week for the Animal Control Officer, Mary Davis, which they have money for. Councilman Rowley moved that Mrs. Davis be given 10 more hours per week effective this week and Councilman Goudy seconded. The motion passed unanimously.

Councilman Jones. Councilman Jones said that he has not been getting too much response from the letters on the T-5 zone annexations.

Councilman Jones said that if the city allowed Mr. Bart Olson water year around, they in effect would be allowing him a water right and that they should be careful about this. He said that the city does not have adequate water to be giving rights away.

Councilman Jones also stated that he has told the Ercanbracks that the city does not have adequate funds to place the waterline in for him.

Councilman Goudy. Councilman Goudy said that Marilyn Clayson has accepted the position of Chairman of the Beautification Committee.

Councilman Goudy requested, and made a motion, to appoint Patti Foster as a Department Head for the Library. Councilman Rowley seconded the motion and it passed unanimously.

Councilman Goudy asked if the new liability insurance would cover the EMT's outside the city limits. Mr. Sellers said that it would not. The Council asked if Councilman Adcock has checked with the County about out-of-city coverage. No one seemed to know.

Councilman Goudy said that the Senior Citizens have asked the Council if they would approve a certain amount which Mr. Sellers could write checks without going through Council meetings for approval. Mayor Lloyd said that he felt the Senior Citizens should function like any other department of the city and that he and Councilman Goudy would go to them and let them know this. The Council supported this position.

Councilman Rowley. Councilman Rowley said that he has been notified of a meeting between Summitt Creek's major shareholders and Genola Town and asked if the city knew about this. He said the meeting was set up for the coming Friday. Mr. Sellers said that the city has not been officially notified of this meeting.

\* Councilman Rowley said that his crew had received some bids for sod and that the money is in the ~~city~~ <sup>budget</sup>. The lowest bid was from a turf farm in Nephi and was for 11 1/2 cents per square foot. Councilman

Rowley moved that the bid be accepted and Councilman Jones seconded. The motion passed unanimously.

Mr. Sellers. Mr. Sellers said that the city helped in covering the costs of the City Celebration Queens' dresses for the last year and asked if this were going to be done again. The Council said that they would look at this when the time comes.

Mr. Sellers and Acting-Chief Doug Schmidt explained that it has come to the city's attention, through Acting-Chief Schmidt, that the Animal Control Officer needs to be certified as a category two officer in order to write citations. Acting-Chief Schmidt said that she needed 120 hours of training and this would cost about \$350.00. Councilman Goudy moved that Mrs. Davis be sent for the training and Councilman Rowley seconded. The motion passed unanimously.

Mr. Sellers stressed the need to spend some time in April on the budget so the time table can be maintained. He said that the city could lose its State funding if the budgets aren't on time.

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

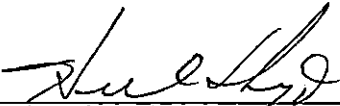
Bradshaw Auto Parts.....	\$ 60.48
Utah County Auditor.....	3,675.76
The Council asked Mr. Sellers to hold this, as the County might strike a compromise to only require 75% of the past bills.	
The Daily Herald.....	40.70
M & R Equipment.....	624.58
Mendenhall's Market.....	22.93
Mountain Bell.....	166.05
Mountain Fuel.....	761.11
Mountainlands.....	1,133.38
Macey's Sack and Save.....	96.48
Utah Power & Light.....	1,525.41
Richard Johnson.....	173.20
Newspaper Agency Corp.....	108.36
Jones Office & Book.....	8.00
Smith's.....	142.11
Jones Paint & Glass.....	122.95
J-Mart Publishing.....	25.00
BISCO.....	60.96
Pexton Wholesale.....	.75
Wheeler Machinery Co.....	98.57
Utah Division of Personnel Management.....	50.00
UTC @ Provo.....	29.90
The Petal Pantry.....	59.50
Maxam Wholesale.....	30.00
Lyn Distributing.....	244.50
Builders Wholesale Co.....	64.63
Totals.....	\$9,325.31

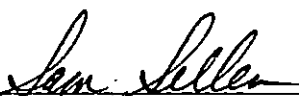
Councilman Rowley moved that the bills be approved as indicated and Councilman Openshaw seconded. The motion passed unanimously.

Councilman Goudy moved that the meeting stand adjourned and Councilman Rowley seconded. The motion passed unanimously at 10:00 o'clock p.m.



Approved this 1<sup>ST</sup> day of April, 19 86.

  
\_\_\_\_\_  
Herb Lloyd  
Mayor

ATTEST:   
\_\_\_\_\_  
Sam Sellers  
City Recorder/Clerk