

- 1: Minutes of a regular Santaquin City Council Meeting held on Tuesday, May 7, 1985, at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Marilyn Clayson, Art Adcock and Dan Olson. Councilmen Grant Pay and Clara Goudy were excused from the meeting. City Recorder/Clerk Sam Sellers recorded the meeting.
- 2: Mayor Peterson called the meeting to order at 7:37 p.m. and offered the invocation and led the pledge of allegiance.
- 3: Susan Richards - Congressman Nielson's office. Most of the discussion was carried on before Councilman Olson arrived, but was made a note of minutes entry.
- 4: Ms. Richards indicated that their office is available to assist the city. She indicated that the Federal Administration is looking to cut the Federal Revenue Sharing and the CDBG (Community Development Block Grants) and asked the city how they felt concerning this. Mayor Peterson said that she was all in favor of this if it would also cut the amount of taxes the taxpayers are paying. Ms. Richards said that she didn't think this would happen.
- 5: Ms. Richards said that she wanted the city to be aware of the changes with the BLM and Forest Service land exchange. She said that this would close the Pleasant Grove and Spanish Fork Forest Service offices.
- 6: Mayor Peterson mentioned that the city's old school, which the city owns, has been declared a National Historical Place. She asked if there were any grants available for this. Ms. Richards stated that she would check on this for the city.
- 7: Prior minutes. The Council reviewed the minutes of April 17, 1985; April 3, 1985; and, March 19, 1985. Mr. Sellers mentioned that there were some corrections which Councilman Goudy had pointed out and a note was made of them. Councilman Olson moved that the minutes of March 19, 1985 be approved as corrected and Councilman Adcock seconded. The motion passed unanimously. Councilman Adcock moved that the minutes of April 3, 1985 be approved as corrected and Councilman Clayson seconded. The motion passed unanimously. Councilman Clayson moved that the minutes of April 17, 1985 be approved as corrected and Councilman Adcock seconded. The motion passed unanimously.
- 8: Mayor Peterson asked about the changes proposed for the water ordinance. She asked that these changes and the ones for the private materials ordinance should be placed on the next agenda for review.
- 9: COUNCIL BUSINESS:
- 10: 1. Robert and Mark Hales - Robert Hales asked if the map were completed. Mr. Sellers said that it was and the map was shown. The Hales' stated that the map appeared alright with them. Mr. Sellers asked them to come in when Mrs. Rosenlund was in the office, as she needed to notarize their signatures.
- 11: Robert Hales asked about the interest on the money which the city has held since the subdivision's inception. He said that he would like to have the balance of the money and the interest apply to the fees for the lot which they are now in the process of developing. Councilman Olson moved that the city should accept the map and ask the owners to sign the same and pay the Hales' five and one-half percent (5 1/2%) interest on the \$1,500.00 since the city has

had possession of it. Councilman Adcock seconded the motion and it passed unanimously.

- 2: The Council indicated to the Hales' that there would be no further requirements on this subdivision as long as it stayed the same and was not further divided.
- 13: 2. Nine Childs - Mayor Peterson said that she felt that this dancing class was an asset to the community. She said that she felt badly that the present Business License Ordinance was going to require her to pay \$50.00 for an annual license. She asked if an ammendment could be added to the ordinance making provisions for educational types of enterprises and if this could be referred to the Planning & Zoning Committee for review. She asked that Mrs. Childs pay the \$15.00 now and the \$35.00 would be placed on hold until a decision is made. Mayor Peterson explained that Mrs. Childs told her that she only pays \$15.00 in Payson.
- 14: 3. El Fawn Wall's water bill - Mayor Peterson said that Mr. Wall had contacted her about this bill. She said that he felt it was too high. Mr. Sellers said that the meter had been checked twice, at least once with the Walls there, and that there was no leak detected. Councilman Olson said that, if there was no leak, there was nothing the city could do and Mr. Wall would have to pay this.
- 15: Cy Bylund - water connection complaint. Mr. Bylund said that he had received a letter from the city requesting an additional \$150.00 for cutting his water service across the road in front of his insurance office. He said that he thought he was saving the city money by allowing them to cut across the road rather than coming down from the corner of 300 East 100 South, which would have had to cut through Holladay's asphalt.
- 16: Mr. Bylund said that the water line should have been on the west side of the street in the first place. He said that he doesn't feel like he should have to pay the crossing of the road.
- 17: Councilman Clayson told Mr. Bylund that she was surprised he would build his insurance office next to the property line like he did.
- 18: Mayor Peterson asked what the usual situation is on this matter. Councilman Olson said that Mr. Bylund is right in that the water line is usually on the west side of the road. Mr. Eddie Neff stated that this is not always the case, but they try to have the lines on the west side of the road. Mr. Neff said that, more time than not the water lines are on the west side of the road, but that this is not always the case. Mayor Peterson said that there obviously is a line on the east side of the road in front of the insurance office or he would not have been connected to it. Councilman Olson said that the original standard was north and west sides of the street for water lines.
- 19: Councilman Olson said that, the way he sees it, the city would have had to run a line down from Holladays, which is a three-quarter inch (3/4") line, which would have required an increase in the size of the line. He said that, where the city had a two inch (2") line on the opposite side of the road, it makes this a unique situation. He said that, in the long run, the city saved money by bringing the water line across the road and the city had an obligation to connect Mr. Bylund's office.
- 20: Councilman Olson said that this is due to circumstances which have built up over the years and he felt the \$150.00 fee should be waived due to the

situation at hand. Councilman Olson moved that the fee be waived. Councilman Adcock asked if the Council had the authority to do this. Councilman Olson asked what good the Council is if they don't.

- 21: Mayor Peterson asked what the \$150.00 is for. Councilman Olson stated that whenever the city has to go through a road with a water connection, there is an additional \$150.00 fee on top of the \$400.00 fee if they do not.
- 22: Mr. Bylund asked how far the meter should be from the property line and Councilman Olson said that it is usually seven feet (7'). Mr. Bylund said that this one is a little over twelve feet (12'). Councilman Olson said that this is not always the case, but they try to stick with this.
- 23: Councilman Adcock stated that the fees are set by resolution and asked if the Council can go against their own resolution. Councilman Olson stated that, if the Council cannot make some kind of adjustment on this, they should not even show up. Mayor Peterson and Councilman Clayson said that Councilman Adcock was bringing out a good point and the Council ought to make sure it is something they can do. Mayor Peterson, Councilman Adcock and Councilman Clayson stated that they are not objecting to waiving the fee, but felt they should check and see if it was something they could do first. Councilman Olson said that there should be enough leeway in the ordinance for the Council to do this.
- 24: Councilman Olson asked if the water ordinance could have a part added that the Council may, under extenuating circumstances, waive parts of the ordinance. Mayor Peterson said that, if this were true, the Council would not have to have an addition to the business license ordinance for arts and humanities for Mrs. Child. Councilman Adcock asked if a phrase could be added giving the Council authority to waive an ordinance if the waiver is in the best interest of the community and people involved. Mr. Sellers said that he had asked the City Attorney this before and his response was to have the circumstances defined so there would be no abuses.
- 25: Mrs. Lynnette Neff stated that the Council, in essence, is saying, "Here is the law, but we can change it." Mayor Peterson stated that there was no way the Council could set a law which would fit each circumstance. Mrs. Neff stated that she understands this, but when the Council passes a law and then states that this can be waived under certain circumstances, they are giving future Councils too much power. She asked if there were a Board of Adjustments the people could go to and Mayor Peterson said that the governing body is trying to make itself a Board of Adjustments.
- 26: Mayor Peterson said that the Council just finished with the Hales' Subdivision, which has been hanging for seven (7) years. Mr. Sellers said that the people at that time this was put in the way it was might have thought it was in the best interest of the city and people involved to waive the ordinance.
- 27: Councilman Olson said that the governing body has given the Supervisors of the crews the responsibilities to make decisions and they make the decisions based on the laws the city has and the governing body must uphold the decisions of the Supervisors. Councilman Olson said that they put their trust in the decisions of the Supervisors. Mrs. Neff explained that the Supervisors do not make major decisions and that Councilman Olson knows this. Mayor Peterson said that they could make them. Councilman Olson said that, as far as he is concerned, the Supervisors do make major decisions. He said that he backs Dennis Barnes' decisions 100%, and, if he was over Mr. Neff, he would do the

same and anyone else would also do so. He stated that the governing body must have the trust in their Supervisors to let them do their jobs, as they are on the job daily and know what is going on.

- 28: Mr. Sellers stated that, if the city personnel had known that the line coming to Fred Holladay's was a three-quarter inch (3/4") line and that there was a two inch (2") across the road from the new insurance office, Mr. Bylund would have been charged the \$150.00 at first. He said that they did not know there was a line across the road. Mayor Peterson said that what Mr. Sellers was suggesting is that it would have been ridiculous to bring this off a three-quarter inch (3/4") line in the first place and Mr. Sellers said yes. Mr. Sellers said that the city would not connect two people to a three-quarter inch (3/4") line. He also said that, if they knew at the time the connection was paid what was known at this time, there would not have been a choice.
- 29: Inasmuch as there was no second to the motion, it died. Mr. Sellers was asked to check with the city's attorney and see if this could be waived legally.
- 30: Mr. Bylund asked if the Impact Fee was kept in a fund separate from the General Fund. Mayor Peterson said that it was. Mr. Bylund asked if the fee was the same for large or small buildings. He said that he could have placed this building on any lot from Santaquin to Springville cheaper than he did in Santaquin because of the Impact Fee. He said that he thought the city was discouraging people from building in Santaquin.
- 31: Mr. Bylund said that he is not aware of the reasons for having an impact fee. He said that the city gets its money from the taxes on the building. Mr. Sellers explained that the impact fee is charged on a per lot bases because of a State Supreme Court decision which required the fee to be charged equally and even setting the formula for its calculation. He stated that cities have used various methods of calculating this in the past, but each had to conform to the Court's decision. Mayor Peterson asked Mr. Bylund if this answered his question. Mr. Bylund said that cities aren't all the same, because some cities do not charge an impact fee. Mr. Sellers said that the Court did not require a fee to be charged, but if one was then they set the criteria for it.
- 32: Mr. Stan Peterson said that the fee originally was set to cover the cost of running utilities within the city, which were required because of the new residence. He said that the cost of the building did not require more or less money in running a water line, for instance. Mr. Peterson explained that many cities do not charge an impact fee, as such, but a new building would have a water, sewer and power hook-up fee which would probably exceed what Santaquin charges in an impact fee.
- 33: Santaquin Baseball Association - dug outs, Pony League field, etc. Mr. Kim West stated that the School District's only response to the letter sent from the last meeting was to let the city know that the District had put out \$7,000 for sprinklers, bushes and grass on the city's property, which they said they would not bill the city for. He said that the District has indicated that the pony league field is the city problem.
- 34: Mr. West asked if the city would assist the ball club with some financing to place the field in to standards. He said that the field will need some red clay.
- 35: Mayor Peterson said that she doesn't think anyone agreed to the landscaping

being done and that it was more to the advantage of the District than the city.

- 36: Mr. West asked what the city is going to do to make the District comply with the agreement they have. Mayor Peterson said that she doesn't see anything about a home run fence in the agreement. She said that the District has agreed to finish everything in the agreement.
- 37: Mr. West stated that the sprinkler system on the pony league field runs right down the base paths. Mr. Sellers said that Mr. Argyle has agreed to move the sprinklers if the club will map the base paths and make recommendations as to where they should be moved.
- 38: Mr. Neff explained that the two (2) dugouts on the old little league field have to be pulled down, as they were a danger to the players. He said that the new field needed some dugouts. Mr. Sellers explained that the city still has a little under \$3,000.00 left in the Capital Fund specifically for the ball fields. Mr. Neff said that he has a bid for block dugouts to be built for about \$2.00 per block and it would take about 1,000 blocks for four dugouts. Councilman Clayson asked about volunteer labor building this. Mr. Neff explained that the season is so close that he didn't think volunteer labor could finish them in time. Councilman Clayson moved that the Council approve the building of the dugouts for the two little league fields at the cheapest bid available. Councilman Olson seconded the motion and it passed unanimously.
- 39: Council Business:
- 40: 4. Glade Robbins - fence between property and city - Mr. Robbins explained that the fence is not going to work. He stated that the material and construction are inadequate and would be a bad fence if its not built properly. Councilman Olson stated that, if the Roping Club would put in braces on the end and center and then stretch the fence properly, this would be a start. Mr. Robbins asked the city about the agreement in which the city was going to put up a chain link fence. Mr. Sellers said that the agreement was that if Mr. Darwin Robbins sold to the city the property, the city would put in a chain link fence. He said that the city had to condemn and take the property and so the agreement was nullified.
- 41: 5. Jack Olson's business license - Mr. Sellers explained that Mr. Olson is actually a commercial enterprise in a residential zone. He said that the ordinance does not allow for non-conforming businesses, but this is actually what this is. He said that he has charged Mr. Olson a commercial license. The Council said that this should be treated as a non-conforming commercial business in a residential zone.
- 42: 6. Old School: National Historical Place - Mr. Sellers stated that the newer part of the old school has been declared a National Historical Place. He said that the state has indicated that they have no funds available at present, but he has contacted Congressman Howard Nielson's office about other funds. The Council decided to tour the building on the 14th of May at 6:00 p.m.
- 43: 7. City celebration and float - Mayor Peterson explained that the planning for the celebration was well under way. She asked if one of the Councilmen would like to be in charge of getting the float ready for the parades. As no one volunteers, she said she would do what she could.
- 44: 8. Budgets - Mr. Sellers stated that he was lacking the budgets for the

following departments: Council, Court, Police, Fire, Animal Control, Civil Defense, Streets, Waste Disposal, Parks, Recreation, Cemetery, Senior Citizens and Water. Mayor Peterson encouraged the Councilmen over these departments to get these done so the process can continue. Councilman Olson said that he would like the Fire Department's budget to be the same as the current fiscal year.

45: 9. Business licenses - The following licenses were reviewed by the Council:

46: Pat Openshaw "Patricia's Coifurres" 15.00  
C. Blaine Smith "Blaine's Body Shop" 15.00  
Roy Jack Olson "Olson's Greenhouse Gardens" 50.00  
Joe & Judith Cahppell "Chappell Oil Co." 50.00  
Guy & Julie Wall "Save A Dollar" 50.00  
Guy & Julie Wall "Julie's Western Wear" 50.00  
Mac Steele "Steele Bros. Construction" 15.00  
Robert L. Hales "This Is The Place Real Estate" 15.00  
James White "White Painting Constrution" 10.00 transient fee for May, 1985  
Roger Porter "Porter Small Engine and Repair" 15.00  
Roger Torres "Rainbow Bar" 100.00 (2nd qtr '85 beer sales)  
Rex Mendenhall "Mendenhall's Market" 50.00  
Kim Coombs "Media Techniques" 10.00 transient fee to 6/7/85

47: Councilman Olson moved that the licenses be approved and Councilman Clayson seconded. The motion passed unanimously.

48: Councilman Clayson - Councilman Clayson indicated that she wanted to give Jesse Smith special recognition for paying half of the EMT's fees for the state test, \$35.00.

49: Councilman Clayson mentioned that she has received some complaints about garbage not being picked up, especially grass. Mr. Sellers explained that Mr. Kelley felt the people who have a means also have access to landfill cards for this purpose. Councilman Adcock asked if the ordinance on the garbage needs to be changed.

50: Councilman Clayson also pointed out the there have been some horses tied up on Main Street at about 100 West Main. Councilman Adcock explained that he would let the Building Inspector know about this.

51: Councilman Clayson asked if there were any room in the Fire Station for the EMT's ramcharger. Councilman Olson said that there really isn't enough room presently.

52: Councilman Adcock - Councilman Adcock stated that he has received some complaints about fires at the landfill.

53: Councilman Adcock asked if the Council meetings were going to change to 8:00 p.m. Mayor Peterson explained that she would like to continue with 7:00 p.m.

54: Councilman Clayson moved that the meeting be extended for five minutes and Councilman Adcock seconded. The motion passed unanimously.

55: 10. Library request \$9.94 to Santaquin PTA "Safety Kids" - Mayor Peterson also turned in some bills for the Easter stuff for \$33.75 and for Lake Shore Egg Farms for eggs for \$55.50. Councilman Adcock moved that these be approved

and Councilman Clayson seconded. The motion passed unanimously.

56: 11. County tax meeting - Mr. Sellers explained that he had been to a tax meeting this date and that the County is considering charging the taxing entities the full cost of collecting their taxes. He said that this is a result of House Bill 160. He said that the city's cost would increase from about \$1,600.00 per year to about \$3,200.00 per year.

57: 12. Fire calls - Mr. Sellers explained that when the firemen responded to fire calls, they tend to box in the cars which are parked in the parking lot. He asked if there was a solution to this. Councilman Olson said that they are usually in a hurry to get to a fire and are not usually gone for very long.

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

59:	Don Eyre, Sr. Oil Co.....	\$ 1,390.40	
	Doug's Auto Supply.....	267.29	
	Richard Greenhalgh.....	210.00	
	Johnson Tractor & Implement.....	1,070.00	
	Monson & Co.....	3,942.86	
	Mountain Bell.....	308.81	
	Mountainlands.....	1,297.08	
	Sam Sellers.....		47.15
	Tischner Ford.....	22.12	
	Macey's Sack 'n Save.....	72.54	
	Utah Office Supply.....	15.88	
	Utah Power & Light.....	152.52	
	US Steel.....	192.00	
	Banker's Leasing Corporation.....	419.10	
	City/Soft Company.....	10.40	
	A & H Equipment.....	3.95	
	Kaman Bearing.....	51.20	
	Compute-A-Call.....	13.47	
	Smith's.....	123.15	
	Stan Bonham.....	4,792.60	
	Stringham's Hardware.....	211.23	
	Pexton Wholesale.....	48.58	
	The Library Store.....	38.28	
	Four-Phase Systems.....	985.29	
	Patti Foster.....	43.09	
	Ronald Nielson, DVM.....	12.60	
	Camera Den.....	22.55	
	McNaughton Book.....	105.00	
	Tel America, Inc.....	45.18	
	J.E. Ekins.....	116.50	
	Water & Wastewater.....	28.00	
	Stat Medical.....	21.16	
	UTC at Provo.....	130.00	
	Quality Inn.....	27.07	
	Rusti Johnson.....	10.00	
	Totals.....	\$16,247.05	

60: Councilman Olson moved that the bills be approved and that the meeting be adjourned and Councilman Adcock seconded. The motion passed unanimously at 10:24 p.m.

61: Approved this 4<sup>th</sup> day of June, 1985.

62: Sandra Peterson  
Mayor Sandra Peterson

63: ATTEST: Sam Sellers  
Sam Sellers  
City Recorder/Clerk