

- 1: Minutes of a special Santaquin City Council meeting held on Wednesday, April 3, 1985, at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Dan Olson, Art Adcock, Marilyn Clayson, Grant Pay and Clara Goudy. City Recorder/Clerk Sam Sellers recorded the meeting.
- 2: Mayor Peterson called the meeting to order at 8:05 p.m. Councilman Adcock offered the invocation and led the pledge of allegiance.
- 3: Prior minutes. The minutes of March 5, 1985, were reviewed by the Council. Councilman Olson moved that these minutes be approved as corrected and Councilman Goudy seconded. The motion passed unanimously.
- 4: Allen Gardner - Protest of reconnect fee for water shut offs in rental units. Mayor Peterson stated that, under the circumstances of this being a rental unit, the Gardners' complaint should be with Floyd Martin, the landlord, and not Santaquin City. Councilman Olson said that he felt the same way and that the city should continue to follow its ordinances.
- 5: Robert Hales - Subdivision plat map. Mark Hales, who accompanied his father, explained that there are some major problems with the mylar map on this subdivision. He said that the lot on the west end of the subdivision was shorted about nine feet and that the directions were wrong. He also said that one lot was drawn improperly.
- 6: Councilman Goudy asked why the mylar map needed to be drawn if the Hales already had a survey map of the area. Robert Hales said that the mylar map might have been calculated by the descriptions of the property.
- 7: Councilman Goudy asked why the Hales' survey map could not have been used as the mylar map. Mark Hales said that Mr. Sellers told them they would have to supply the city with a mylar map in order to file the subdivision with the County. He said that he talked with the County about this and they told him they did not want a map and would not accept a map because all the property owners would have to sign it and they couldn't be made to do so. He also said that the person at the County told him they would only stick the map into a drawer.
- 8: Marks Hales said that the Subdivision Ordinance this came under stated that a subdivision with 10 lots or less did not require a mylar map. He said that they were told that if a road is deeded to the city, this made them a major subdivider and then they would have to provide a mylar map. Mark Hales said that the city was trying to say they deeded a road to the city. He then said that the land they purchased actually did take in part of the road, which they then deeded to the city.
- 9: Mayor Peterson said that it was her understanding that, to make the subdivision right, the mylar map had to be provided to the city. Mark Hales said that this is what they talked to the City Attorney about, when they showed him the agreements and everything connected at the time. He said that the attorney told him the Hales' had no further obligation, but if the city needed a map the Hales' could either ask for additional concessions and pay for the map or ask the city to pay for the map. He said that the letter, which he had just read, did not say this.
- 10: Mayor Peterson said that she thought the only problem in this was that a mylar

map had to be drawn up and signed and recorded. She said that she had the impression that the Hales' were going to take care of this, either make one or have one made. Councilman Goudy said that she remembers the same thing. Mark Hales said that they checked with the company who drew their first map, who indicated that they could do so. He said that the city then told them that they would not discuss this with the Hales' anymore, but to contact the city's attorney. He said that they then did this.

- 11: Mayor Peterson said that this has been going on for about five years and there have been other things which have come up from past Councils which her administration has had to correct. She said that the governing body signed the map figuring the problems had been solved, but now finds there are additional problems with it. She said that she would to see this taken care of before she leaves office.
- 12: Mayor Peterson asked if there would be any objections to signing the map if it was right. Mark Hales said that they would sign the map if it were right, but did not know about the other people who now own property in the subdivision. He said that they could not be responsible if they did not sign the map.
- 13: Robert Hales asked if the lots to the north part of the subdivision, which would then be recorded lots of record, could then be built on. The Council said that they could be.
- 14: Councilman Clayson asked the Mayor why another map was needed. Mayor Peterson stated that whenever property is divided into a subdivision and will be referred to as such by the city, a mylar map must be provided the County for the subdivided area. Mark Hales said that the ordinance requires a mylar map on subdivision of ten lots or more, while this one contains nine lots. He asked who had the idea that this needed a mylar map, as it was done five years ago. He said that, last year, someone decided they needed a mylar map and denied them a water connection.
- 15: Mr. Sellers said that the subdivision should have been filed with the County and never was. Mark Hales asked who decided this. Mr. Sellers said that state law requires subdivision to be filed with the County in which the are divided.
- 16: Councilman Goudy asked why another survey had to be made when the Hales' already had a survey map of the area. Mayor Peterson said that the Hales did not have a mylar map. Councilman Goudy asked if a mylar map could not have been made from the survey map and Mayor Peterson said that it could have. Councilman Clayson asked why the mylar map was not drawn from the survey map. Mark Hales said that it should have been, but that the County said they did not want a map and would not take it if they got it. Councilman Goudy asked what the city would now do with the mylar map. Councilman Clayson asked if the city told them they needed a mylar map and the County told them they did not need a mylar map. Mark Hales said that this was right and that the city requires a mylar map to be filed with a subdivision.
- 17: Mr. Sellers said that state law requires that subdivision be filed with the County and the County requires these maps to be of mylar material. (10-9-26 UCA states, "Whoever being the owner or agent of the owner of any land located in a subdivision within any area for which a major street plan has been adopted by the planning commission and the legislative body, except for land located in arecorded subdivision, transfers or sells such land without first preparing a subdivision plat and having such plat approved by said planning commission and

legislative body and recorded in the office of the county recorder shall be guilty of a violation of this act for each lot so transferred or sold and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such violation, except that in subdivisions of less than ten lots, land may be sold by metes and bounds, without necessity of recording a plat if all of the following conditions are met: (a) The subdivision layout shall have been first approved in writing by the planning commission, (b) The subdivision is not traversed by the mapped lines of a proposed street as shown on the official map or maps of the municipality, and does not require the dedication of any land for street or other public purposes, [Both of these conditions were required of this subdivision.] (c) If the subdivision is located in a zoned area, each lot in the subdivision meets the frontage, width and area requirements of the zoning ordinance or has been granted a variance from such requirements by the board of adjustment. [Emphasis is the City Recorder's.]

- 18: Mr. Sellers said that the County also needs this information so that when building permits are issued in the name of the subdivision they know where they are. Mark Hales said that the County told him they do not want a map. Mr. Sellers said that this is required of every other community in the County and he can't see why Santaquin would be exempt.
- 19: Councilman Clayson asked if it is the city's responsibility to see that a correct map is drawn of the subdivision. Mark Hales said that the city's attorney told them that the Hales' could ask for additional concessions if they filed a subdivision map.
- 20: Mark Hales said that the attorney also read the agreement made between the Hales' and the city at the time the subdivision was applied for. Mr. Sellers said that the attorney answered this in his letter when he said that the agreement was voided because it violated a then standing ordinance. Mark Hales said that the attorney did not tell them this and Mr. Sellers said that the attorney was not advising the Hales' but was advising the city.
- 21: Mayor Peterson said that her recommendation is to get the map corrected and then see if all the owners would sign the map. Mark Hales said that he thinks the owners will sign the map.
- 22: Mr. Sellers said that the attorney's recommendation was to refund the money taken for the agreement, but to pay for the mylar map from this amount first and refund the balance. He said that the cost of the map was \$298.00.
- 23: Mark Hales said that the city's attorney told them that the city should take care of the map or else the Hales' could ask for additional concessions and do the map. He said that the letter is quite a bit different from what they were told.
- 24: Mark Hales asked what their responsibility is now that the agreement is voided. Mr. Sellers said that the Council has agreed that they would have no responsibility beyond providing the city the map.
- 25: Mr. Sellers was asked to contact the Hales' when the mylar map is completed.
- 26: Fred Hamilton - Annexation request for property containing home. Mr. Hamilton stated that he is interested in annexing his property into the city so that the city would get his property taxes rather than the County getting them.

- 27: Mr. Hamilton did not have a description of the property nor any other requirements filled prior to meeting with the Council. The Council indicated that they are favorable to annexing this property and zoning it T-5, as soon as Mr. Hamilton can comply with the annexation requirements.
- 28: Robert Hales asked the City Council if they had further discussed dropping the requirement for water shares on annexation. Mr. Sellers stated that the T-5 Zone was created in order to allow people to annex five acres and build a home on this acreage and not create too harsh of an impact on the city's water requirements in the future. Mark Hales asked if the city were just hoarding the water or what they were using it for. Mayor Peterson said that the water is being used as a back up for future needs. Councilman Olson said that this is a sore spot with him and Councilman Goudy said it was for her as well.
- 29: Councilman Clayson said that if the city ever did get a sewer system, they would need some of this water. Mayor Peterson said that the city might even be able to transfer this water to another source for culinary water.
- 30: Robert Hales said that the majority of the land around Santaquin cannot be annexed because the owners do not have two shares per acre for annexation. Councilman Goudy said that she has had people tell her that they would like to annex, but they do not want to put up the water shares. Robert Hales said that there are twenty acres by him which could be annexed and built on, creating an additional tax revenue base.
- 31: Mayor Peterson said that the people around the city have been contacted about annexing and the reasons for not annexing given were not because of water. She understands that there may be some who object to the water, but this is not the primary reason given.
- 32: Mr. Sellers said that the city is limited to the water supply source they have at present, which is only adequate to supply the land now within the city's boundary. If the city brought in the twenty acres discussed, this would create approximately an additional 60 homes and would severely tax the water available in the future. He stated that the whole idea behind governmental planning is to plan for the future.
- 33: Insurance bids. Mr. Sellers said that the only bid the city has is from Monson & Co. Mayor Peterson said that they will not extend this forever. Mr. Sellers said that they have extended the city until April 5, 1985. Councilman Goudy said that the city does not dare do without insurance. Mr. Sellers was asked to see if they could pay for six months. Councilman Goudy said that the city would have a year to look for other coverage if they won't let the city go for six months.
- 34: COUNCIL BUSINESS:
- 35: 1. Current business licenses. The Council reviewed the following licenses:
- 36: Merlin Phillips "Walt's Bar" Annual 50.00  
2nd Qtr 1985 beer sales 100.00  
2nd Qtr 1985 2 amusement devices 25.00
- 37: Mayor Peterson mentioned that the County Board of Health still needs to inspect and approve the premises prior to their opening and asked if the Council wanted

to approve the licenses pending their approval. Councilman Goudy stated that she would rather have the inspections performed first. The other Councilmen were in agreement with this. Mayor Peterson said that she didn't think there would be any problem with approving this, but that the inspection needs to be done first.

- 38: 2. City dump hours - Mr. Sellers asked if the landfill hours ought to be extended to 6:00 p.m. now. The Council felt that this would be appropriate.
- 39: 3. 84-85 budgets - Mr. Sellers said that he needed the 84-85 fiscal budgets by April 23, 1985, in order to get the process going for the coming year.
- 40: 4. Grasshopper mower 4,800.00 - Councilman Clayson said that she knew nothing about this.
- 41: 5. Gas sprayer 1,100.00 - Councilman Clayson said that she knew nothing about this.
- 42: 6. 4 dug outs approx. 400.00 each - Councilman Clayson said that she was not contacted about this either.
- 43: 7. East egg hunt - The Mayor and Council organized themselves to go to the businesses and get donations for the egg hunt, as well as organizing the event.
- 44: Current bills: The following bills were reviewed by the Council:

45:	Don Eyre, Sr. Oil.....	\$ 1,348.50
	Doug's Auto.....	223.52
	Johnson Tractor & Implement.....	10.00
	Kim-Ko.....	255.80
	M&R Equipment.....	52.40
	Mountainlands.....	268.32
	Pro-Arms, Inc.....	41.98
	Tischner Ford.....	226.47
	Macey's Sack & Save.....	67.08
	Utah Power & Light.....	14.62
	UVIDA.....	117.00
	Utah State Agency for Surplus Property.....	19.65
	Bankers' Leasing Corporation.....	419.10
	State Library Commission.....	13.06
	Newspaper Agency Corporation.....	71.19
	City/Soft Company.....	68.87
	Don Knox.....	50.15
	Smith's.....	155.21
	Jone's Paint & Glass.....	17.26
	Stringham's Hardware.....	308.74
	Utah Minicipal Treasurers' Association.....	100.00
	Wycoff.....	6.16
	Four-Phase Systems.....	985.29
	Patti Foster.....	191.30
	Utah State Treasurer.....	3,063.00
	L&J Waste.....	2,993.50
	Tel America, Inc.....	45.03
	Savers EMT Course.....	1,170.00
	World Book Encyclopedia.....	18.95
	Christensen's Department Store.....	16.20



B. Dalton.....	17.94
Deseret Industries.....	30.00
Dan Egelston.....	45.00
Robert Hales.....	1,202.00
Totals.....	\$13,686.29

- 46: The Council instructed Mr. Sellers to delete \$14.37 from Don Knox's bill. These were for meals in St. George at the Chief's convention and the Council felt he should handle his own meals. Councilman Adcock asked Mr. Sellers how he handled his meals at his convention and Mr. Sellers said that he would need to eat anyway, so he pays for his own meals.
- 47: Councilman Clayson moved that the bills, as listed above, except for those deleted be paid. Councilman Goudy seconded the motion and it passed unanimously.
- 48: Councilman Olson - Councilman Olson said that he has heard that Shawn Taylor and a lady are the leading contenders for the ACO position. He said that he is in favor of Shawn Taylor.
- 49: Councilman Olson asked Mr. Sellers to write a letter to Walt Limb concerning the waterline project. Some of the issues he is to raise are: crossings under irrigation ditches and pipelines were damaged; fill sinking on the sides of the roads; replaced stop signs taken down; clean up debris left on the sides of the roads which their crews left; and, reasphalt cuts across the roads which sunk.
- 50: Councilman Olson explained that the County has placed a track hoe and a caterpillar in the creek bottom in the canyon and are beginning to stabilize this. He said that he is very grateful for this assistance.
- 51: Councilman Olson said that the water pump on the old GMC fire truck is going out and needs to be repaired. He said that he would send this to the shop and see what the crew could do on it.
- 52: Councilman Olson stated that he would like to run a pipe from 400 East to 400 North, about 300 feet, and place a fire hydrant in by Willard DeGraffenreid's home. He said he wasn't sure of the costs. Councilman Olson moved that the city put this line in and Councilman Adcock seconded. The motion passed unanimously.
- 53: Councilman Pay - Councilman Pay explained that the Road's Budget has about \$20,000 left for road repair. He said he would do what he could with this money. He stated that it will cost about \$4,500.00 per block to run new asphalt. He also said that the crew could use a compressor to make cleaner cuts in repairing the pot holes.
- 54: Councilman Goudy - Councilman Goudy explained that 332 books were checked out in March.
- 55: Councilman Goudy said that she would like to be notified of any volunteer labor in the office. The Council asked that they all be notified concerning this.
- 56: Councilman Goudy asked if there will be a possibility of getting money into the budget for a Beautification Committee and projects. Mayor Peterson stated that she should just submit some money. Councilman Goudy also asked what kind of authority will go with this. Mr. Sellers said that there are ordinances which

may back them up under certain circumstances.

- 57: Councilman Goudy asked if Cy Bylund's fence was going to be taken down. Councilman Olson said that Mr. Bylund had contacted him and explained that he had been sick, but would have the fence down by the 6th of April, 1985.
- 58: Councilman Clayson - Councilman Clayson asked if the letters were being placed on junk cars on the streets requesting their removal. Mayor Peterson said that it was her understanding that this was being taken care of.
- 59: Councilman Clayson mentioned that some by-laws had already been written for a Beautification Committee.
- 60: Councilman Adcock - Councilman Adcock said that he would like to have the clean up week advertised and that only those without the means to get their stuff to the landfill have their materials picked up.
- 61: Councilman Adcock said that he would to invite the County Sheriff in to a coming Council meeting to explore the possibility of saving money through a contract with the Sheriff's Department for police protection. He asked if anyone would object to his coming. Mayor Peterson said that she did not object to his coming but felt that any inquiry from the Sheriff's Department should have been channeled through her, since she is over police protection in the city.
- 62: Councilman Olson moved that the Council adjourn into an Executive Session to handle some personnel problems. Councilman Goudy seconded the motion and it passed unanimously at 10:30 p.m.
- 63: Approved this 7 day of May, 1985.
- 64: Sandra Peterson  
Mayor Sandra Peterson
- 65: ATTEST: Sam Sellers  
Sam Sellers  
City Recorder/Clerk