

Minutes of a regular Santaquin City Council meeting held on Tuesday, February 21, 1984 at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Dan Olson, Frank Okelberry, Art Adcock, Clara Goudy and Grant Pay. City Recorder/Clerk Sam Sellers recorded the meeting.

Mayor Peterson called the meeting to order at 7:03 p.m. Councilman Frank Okelberry offered the invocation and led the pledge of allegiance.

Prior minutes. The minutes of February 7, 1984, were reviewed by the Council. Councilman Adcock moved that the minutes be approved as corrected and Councilman Goudy seconded. The motion passed unanimously.

Santaquin Ball Club. Renee Reid acted as the spokesperson for the Ball Club. She asked the Council where the city stood on the concession stand for the ball park.

Mayor Peterson asked if the ball club knew that Councilman Okelberry is now over the Parks & Recreation. She also explained that the city has about \$15,000 appropriated for this and the Council held off last year because they had applied for a \$15,000 matching grant. She stated that the city has been notified that they were not awarded the grant. Mayor Peterson said that the grant would have made the situation so that the concession stand could have been built as it was designed.

Councilman Okelberry said that he thought the city could make do with the \$15,000. Mayor Peterson agreed with Councilman Okelberry, that a building could be built without the furnishings and these could be added as they go.

Mrs. Reid asked if the Ball Club was going to have to rent the building from the city. Mayor Peterson asked when the club ever had to rent anything from the city. Mr. Sellers clarified that the possibility had been raised in the past that, if the city built and totally furnished the building, then those using the building would pay a users fee to pay off the city's share of this. Councilman Pay said that this had been brought up in a past Council meeting. Mr. Sellers said that if the club assisted in labor in putting the building up, then there shouldn't be any user charge.

Mrs. Reid said that the club has two refridgerators, grills and snow cone machines, but that they didn't want anyone else using these. \* Mayor Peterson said that this ~~would~~ building would be for any organization in the city to use and if the Ball Club did not want them to use their things, then they should be taken out after each use.

Mayor Peterson emphasized that if the building is built on Park property, then it should be used by any organization in town.

Mrs. Reid stated that the Ball Club feels as if they had been pushed aside the last couple of years because of the loss of their concession stand and Pony League Field. Mayor Peterson asked who pushed them

aside. Mr. Lonnie Martinez said that it was basically the situation with the school coming in the area. Mayor Peterson said that this was their situation as well as the city's. The Mayor also pointed out that the city pushed as hard as they could over the past year to get a solution on this and could not.

Mayor Peterson said that this program has always been important to her and she would like to see it go.

Councilman Olson said that the city let out bids on the building and it came to \$30,000. Mrs. Reid said that she doesn't think they need a \$30,000 building for this.

Mr. Sellers said that the city personnel, at present, does not have the expertise to determine what they could have built for the \$15,000. He asked the club if they would have anybody available to come up with some kind of a design. Mr. Martinez said that they thought they did.

Mrs. Reid asked if the city was going to get a Pony League Field from the district. Mayor Peterson stated that they contracted to do this. Councilman Okelberry was asked to call and find out about this.

Jennie Davis - Purchase of Old School for movie production studio.  
Mrs. Davis did not show up.

Councilman Olson asked if city had ruled out the possibility of selling the old school. He said that he was under the impression that the city accepted the building in trade with the understanding that it would be sold.

Mayor Peterson said that this was one alternative and another was to turn it into a City Hall.

Zoning Ordinance. Councilman Goudy asked if there had been any changes made in the ordinance and Mr. Sellers said that there had not.

Mayor Peterson asked the Council if there were any reasons why this ordinance could not be passed.

Councilman Olson stated that he has had a lot of people question him on the five foot space between an accessory building and a fence. He said that, to him, this created a fire hazard by allowing rye grass to grow in this space.

Councilman Adcock said that another reason, other than fire hazard, is to keep two sheds being built against each other and both burning down.

Councilman Olson said that, when a fire is raging, a person cannot get within 40 feet of the building. He stated that this five feet is not necessary.

Mr. Sellers said that a zoning change would have to be sent back to the Planning & Zoning Committee for their recommendation, then the Council could act on this. Mayor Peterson recommended that this be sent back

to have this reviewed.

Councilman Adcock stated that the city would be allowing encroachment problems with the shed being set next to a fenceline. Mr. Neff said that the city is already experiencing problems with this now.

Councilman Olson said that this is the only problem he has with this ordinance.

Annexation Ordinance. Councilman Goudy asked Councilman Olson what he had found out about the water share requirement and if he had attended the Summitt Creek meeting. Councilman Olson said that his only problem with the water is the city's jacking up the price of the shares.

Councilman Goudy said that she feels two shares is more than the city should be receiving. Councilman Adcock stated that this is also his feeling. Mayor Peterson said that she does not feel this is too much.

Mr. Sellers asked Councilman Goudy what she based this on. Councilman Goudy said that it was the value of the water and that people would want to annex and have no water shares available. Mayor Peterson said that this has never happened yet. Councilman Goudy said that she has the feeling that there are people in the County who would like to part of the city, but are unable to because of the shares of water requirement.

Mr. Sellers asked Councilman Goudy is she was taking into account the water supply available to the city and the potential growth with new properties. He said that these are the criteria which the decision should be based. Councilman Goudy said that she realizes this.

Councilman Olson asked if this could be enacted where the city still has not passed the T-5 Zone. Mr. Sellers said that they could and then that part of the ordinance would become effective when the T-5 Zone was passed.

Councilman Goudy stated that she has received feed-back from people who felt that the value of the water requires a lot of money for annexation to the city. Mayor Peterson asked Councilman Goudy what she would to see the city do for annexation. Councilman Goudy said that she would like to see the city cut the requirement to one share per acre.

Mayor Peterson asked Councilman Adcock his feelings on this and he said that he felt one share is adequate.

Councilman Goudy said that she was not in on the original studies, but felt this from a practical stand point.

Mayor Peterson asked Councilman Olson what he thought about this. Councilman Olson asked former Councilman Sherman Jones to give the Council some insight on the studies which were made.

Mr. Jones stated that there have been several studies made and that they recommended two shares of water per acre for annexation.

Councilman Olson asked if they were based on a certain amount of water required to cover an acre of ground at the time. Mr. Jones said that the study showed that if the city annexes an acre of ground, it is taking in four families. He said that the four families would require a certain amount of water, plus additional storage is required for fire protection, schools, parks, etc., and this came out to two shares of water. Councilman Olson asked how difficult it is to change this water over to culinary water. Mr. Jones said that Robert Fillerup, the city's former water attorney, said that this could be changed at any time the city wanted it.

Councilman Goudy asked how this is done. Mr. Jones stated that this is a change in water rights.

Mr. Jones said that there is no more water right available from the canyon, unless some large amount of water is discovered. He said that the control of this is with the State and they tell the city how much they can use. Mr. Jones explained that the city has had an application in with the State Engineer for two years now and this still hasn't been sent through. He stated that the only recourse the city has is to accumulate water shares.

Mr. Jones said that the basis of requirement was the amount of water Summitt Creek was supplying for their shares two years ago.

Councilman Olson said that the city has 46 1/2 shares and this only comes to about 75 gallons per minute. He said that he doesn't see how this will save the city in the long run. He said that it seems to him that well water would be the answer to this problem. Mr. Jones said that each share is equivalent to 3 acre feet and the city can expect 3 acre feet for each share it has control of. He said that he doesn't know what this would be in gallons per minute.

Mr. Jones said that these water shares could be converted to spring water and then piped into the headhouse.

Councilman Goudy asked if it would not be a long time before every acre in town were filled with homes. Mr. Jones said that this is true, but asked what the city would do when they are all filled and the city is out of water. He said that when the city is annexing property, they are, in effect, promising building permits for homes and water to go along with the property.

Councilman Goudy asked about annexing 1/2 acre and if the city could just require one share. Mayor Peterson pointed out that the ordinance required two shares for each acre or part thereof. Mr. Jones said that this could be changed if the Council wanted to.

Councilman Olson said that the argument Summitt Creek has is that a person cannot plant an orchard based on the assumption that they could rent water from the city. He said that he thought this a valid argument. Mayor Peterson asked what they based this on and Councilman Olson said they thought the city was asking too much water for annexation. Councilman Olson stated that Santaquin is a farming

community.

Mr. Jones said that he would be willing to sit down with the Council and explain to them the criteria and studies which were performed earlier.

Mr. Jones said that, years ago, there was not much difference between Summitt Creek and Santaquin City. He said that the Council must recognize that, at that time, many of the acres inside the city limits were farmed. Over the years, he explained, the people have started to build on these acres and more families have moved into town and this has created a greater demand on the water. Mr. Jones also said that many of the water shares owned by people inside the city, were then sold to people outside the city and the city did not derive any benefit from them, even though the city was required to pick up the demand in water. He said that this is why the city needs to watch this situation and make sure the city does not run short.

Mr. Jones said that he has asked Claude Rowley what the city is supposed to do for more water and Mr. Rowley said that the city should file for more water. Mr. Jones said that the city has filed on more water, but nothing has been done yet.

Councilman Goudy said that it seems to her that the people who are being annexed are paying the price for water which the rest of the citizens will use. She said that this seems unfair because those inside the city limits did not have to give up water shares. Mr. Jones said that the seven second feet available to the city represents the water rights of the residents of the city. He said that when someone is annexed, the city either has to give them some water already owned by the residents, or have them provide their own water. Mr. Jones said that, in the past, the city has in effect said, "If you will give us a certain water right, then we can promise you water."

Mr. Sellers stated that another person has contacted the city about an offer for water shares and she wanted to check to see if it was legitimate. He said they were offered \$800 per share for the water. Mr. Sellers said that he disagrees with the statement that the city is jacking up the water price. Mr. Jones said that he had checked with the person discussed during the last Council meeting and that he had sold the shares for \$800 per share.

Mayor Peterson said that she doesn't think the city is the one setting this price.

Councilman Goudy said that if there wasn't any other way around this, the city will have to ask for the two shares of water. Councilman Olson said that the thing which concerns him is that the city has only received about two shares in the last two to three years and this isn't going to mean a lot to the city. Mayor Peterson said that if the city cut the requirement down, this would mean even less. Councilman Olson said that he feels the city should buy a large volume of water and let it go at this.

Councilman Goudy said that this is like asking people for \$1,600 to be annexed into the city. Mr. Sellers said that the city has required two shares of water plus \$1,000 for annexations in the past. He said that the city can set its own price tag for annexations.

Mr. Jones brought out a study which shows that Santaquin people use 25% more water than the rest of the County because of the gravel under the ground. Councilman Goudy said that the fixing of the leaks would also make more water available and the shares requirement may be studied again.

Councilman Pay said that he would hate to see this requirement dropped and the city run out of water. Councilman Olson said that, at another point of view, this would strengthen the farmers position because more of their farmland will not be taken for houses.

Councilman Adcock moved that this ordinance on annexation, Ordinance No. 84-1, be approved and Councilman Pay seconded. The motion passed unanimously.

#### COUNCIL BUSINESS:

1. Current business licenses - The following licenses were reviewed by the Council:

Nan Smith (one dance permit for the following week-end) \$20.00  
Dale & Jeri Bascom (DJ Electronics) \$15.00  
Kurt & Kathie Stringham (Stringham's Hardware) \$30.00

Chief Knox said that there have been no problems with dances in the city.

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

2. UMCA mid-winter workshop - Mr. Sellers said that his workshop will be held from March 14 through March 16, 1984. The cost for the conference will be \$75 and the cost for the Motel for himself would be \$111.00, with a refundable Motel fee of \$35.00. Councilman Goudy asked if this would be a repeat from last years' information. Mr. Sellers said that the only way he could justify going is if the information was new and needed, and it is. Mr. Sellers asked if there would be a mileage reimbursement. The Council stated that the refund on the Motel room would be the mileage reimbursement.

Mayor Peterson recommended the city send Mr. Sellers to the conference. Councilman Olson moved that he be sent and Councilman Adcock seconded. The motion passed unanimously.

3. City's cash situation - Mr. Sellers explained to the Council that the city is in a tight cash situation. He said that the cause for this is that the FEMA projects had to paid up front and that the city is reimbursed after the projects are completed and audited. The situation would exist until the city is reimbursed. He did not know when this

would be, but said that he had a meeting with FEMA the next day and would ask.

4. Moore Sheet Metal estimate - Mr. Sellers said that Dick Moore has estimated a cost of forced air heat as follows, Gym 300,000 BTU; kitchen area 150,000 BTU with 5 tons cooling; Office, Library, etc. 150,000 BTU with 5 tons cooling: \$17,000 which would include gas lines, etc. A 2.3 million BTU boiler: \$12,000 with no installation costs. A 750,000 BTU boiler for just the new wing: \$4,000 with no installation. Mr. Sellers said that the city received a bid of about \$25,000 with the assumption that the old part of the building would be cut off from the system.

John Anderson - MCC phone system. Mr. John Anderson explained to the city some of the systems available and the costs involved. He also showed the Council examples of the phones which he discussed. Mayor Peterson asked the Council to review the information received and this would be discussed during the next meeting.

El Fawn Wall - Roadway in front of home. Mr. Wall stated that he is approaching the city concerning the property in front of his home, which he owns, which also contains the road of 300 West Street. He mentioned that the city turned some property over to another person on the other side of the road and he would like to exchange this roadway property for property elsewhere.

Councilman Olson asked Mr. Wall why this was such a long time in coming. Mr. Wall stated that he works out of town and this is the first chance he has had to pursue this.

Mr. Sellers said that the city is in court now on a quiet title action and that others on this same street own the roadway in front of their property. He said that anything the Council did for Mr. Wall would also have to be done for others.

Councilman Olson said that he felt that, rather than turning roadway over to the other party, the city quit using this roadway and it reverted back to the owners.

Mayor Peterson told Mr. Wall that he would have to have his property surveyed by a certified surveyor before the city could do anything on this.

Richard Bradford - UVIDA annual update. Mr. Bradford discussed the 1983 UVIDA activities: attracted 5 new industries; projected employment of 1,500 people; delivered 200 proposals to clients; marketing nine sites currently in Santaquin. The School District from the new Stoufer's plant in Springville will receive almost \$1 million per year.

When a client requests sites, all those suited for their purposes are sent. Mr. Bradford explained that it is then up to the city to pursue them. He suggested that Mr. Sellers attend the UVIDA meetings as an alternative, so the city always have someone there.

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Mr. Bradford said that the city is currently and actively working with four clients which are as big as or bigger than Stouffer's. He said that UVIDA is now in contact with about 1,000 clients and 50 are actively seeking plant sites in the West.

Mr. Bradford said that UVIDA will be hosting a group of land developers in the area to look at sites. He said that UVIDA will also be training Mr. Sellers as an Economic Developer for the city.

Mr. Bradford stated that the main goal for 1984 is to secure new industries in order to produce 3,500 jobs. He said that these are those needed each year to maintain jobs for normal growth.

Councilman Okelberry asked about the industry which looked into Santaquin just recently. Mr. Bradford said that they had talked with the consultant, who felt they could find an already developed site, but that the representative of the industry has not yet been in the State. He feels that Santaquin could still be in the running. Mr. Bradford stressed, however, that this shows that the clients do not need us.

Councilman Goudy asked how many of the clients need sewer. Mr. Bradford stated that usually if the client has a commitment that the sewer can go there, they accept this. He said that the fact that Santaquin does not have a sewer does not eliminate them, as about half of the projects do not require sewer. Mayor Peterson said that the cities from Mapleton to Santaquin are discussing a regional sewer plant possibility.

Mr. Bradford said that the important things to have are a firm price commitment; at least an annexation declaration; and some commitment from the Council on zoning.

Mr. Sellers asked if UVIDA has had anyone look at the old school since it has been listed. Mr. Bradford said that they haven't had anyone looking at large buildings in Utah County, but mostly for building sites.

Chief Knox - Certificates to officers. Mayor Peterson indicated that Chief Knox was not going to do this at this time.

Computer decision. Councilman Adcock asked how much the city has budgeted at present for this. Mr. Sellers said that it would be about \$24,000 to \$25,000 this fiscal year.

Mr. Sellers stated that the city could arbitrage its money by placing the same amount of money in a TCD which the borrow for the computer and possibly make more money if the the interest on the TCD is more than the interest on the note.

Mr. Sellers said that he would talk with Bruce Hymus and tell him that the city would have to wait to get the equipment until the city gets its money from FEMA.

Councilman Goudy said that it appears from the last independent audit



that the city is in a strong enough financial position to make the purchase.

Councilman Pay said that it sounded like the city is buying a piece of junk when it has to be repaired so often.

Councilman Olson wondered if the city ought to get another opinion. He also said that his Fire Dept. budget is almost gone.

Councilman Goudy asked what the pay out per month will be. Mr. Sellers said that the monthly on the borrowing would be about \$615 for five years, on the lease buy out about \$389 for about 3 years and the maintenance is about \$380 for as long as the city has the equipment.

Mr. Sellers said that the computer would be purchased 1/3 out of the General Fund and 2/3 out of the Water Fund, as this is the percentage of usage at present.

\* Councilman Goudy asked if this was inevitable. Mr. Sellers said it was either this or hire more people. Mayor Peterson said that it was.

Councilman Goudy moved that the city enter into the purchase agreement with City/Soft and purchase a Phase Four computer with software provided by City/Soft. Councilman Adcock seconded the motion. Councilmen Goudy, Adcock and Okelberry moved that the motion be approved. Councilmen Pay and Olson voted against. The motion passed.

Councilman Goudy. Councilman Goudy asked Chief Knox who was in charge of the dogs in the pound. She said that she has received two complaints on the pound from someone who has been watching this from last summer. Chief Knox said that he has been in charge. Councilman Goudy asked who he answered to for the feeding and cleaning of the pound. Mayor Peterson stated that this would be her.

Mayor Peterson said that she has had similar complaints and has discussed these with Chief Knox who assured her that the problems have been alleviated.

\* Councilman Goudy said that she was called Saturday and the dogs were not fed, the dog runs were dirty and that there was no water for the dogs during the summer time. She said that biggest complaint was that pups were being put in with large dogs and chewed to death. She said that the complainant was a person friend of someone in the Humane Society and they would have them here on Thursday if this weren't taken care of. Mayor Peterson said that there is not one dog in the pound right now.

Councilman Goudy said that there was a complaint about a dog being in the pound since last October.

Chief Knox said that the police are not going to pick a dog up, unless its absolutely necessary, until the problem is solved. He said that the pound, right now, is a layer of mud-manure, snow-manure, snow-manure, etc. Councilman Goudy said that she is sure this why the

complaint was issued. Chief Knox said that this type of kennel cannot be cleaned in the winter time.

Chief Knox said that the city has lost two pups because they froze to death. He said that they have built a gas chamber for dog disposal. He said that they felt not to renew the contract with the County because they didn't feel they were getting the services that were necessary.

Chief Knox said that he hasn't had a dog starve to death in the pound.

Chief Knox said that the majority of the shop employees have requested that the pound be moved. He said that he will request, come Spring, that the city move the pound to the Southwest area of the shop compound.

Mr. Sellers said that he had received a call just prior to the Council meeting about the puppies which died. He asked how long they were in the pound after they died before they were disposed of. Chief Knox said that it would not have been more than 72 hours. Councilman Goudy asked why they weren't taken care of sooner than this. Chief Knox said that he could give no reason for this.

Mayor Peterson said that this problem has been taken care of.

Councilman Adcock. Councilman Adcock asked how he should handle the Building Inspector situation. He said that he would have a recommendation by the next meeting.

Councilman Okelberry. Councilman Okelberry said that the bank will be donating \$200 for the Queen contest.

Councilman Olson moved that the meeting be adjourned and Councilman Adcock seconded. The motion passed unanimously at 10:12 p.m.

Approved this 16<sup>th</sup> day of March, 1984.

Sandra Peterson  
Mayor Sandra Peterson

ATTEST:

Sam Sellers  
Sam Sellers  
City Recorder/Clerk