

Minutes of a regular Council meeting held on Tuesday, December 20, 1983, at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Dan Olson, Walter Callaway, Grant Pay and Sherman Jones. Councilman Lamar Openshaw was excused for work. City Recorder/Clerk Sam Sellers recorded the meeting.

Mayor Peterson called the meeting to order at 8:30 p.m. Councilman Callaway offered the invocation and led the pledge of allegiance.

Prior minutes. The Council reviewed the minutes of December 6, 1983. Councilman Olson moved that the minutes be approved as corrected and Councilman Callaway seconded. The motion passed unanimously.

Revised Budget. The Council reviewed the budget revision proposed for the city. Councilman Jones moved that the Council approve Resolution No. 83-14, which embodied the budget revision. Councilman Callaway seconded the motion and it passed unanimously.

Councilman Jones asked if the wage increase for Officer Doug Schmidt was included in this budget revision. Mr. Sellers explained that the budget revision had to have been made out before this meeting and the Council had not yet authorized a specific amount of increase in pay, so he had no idea how much to place in the revision. Mr. Sellers stated that the proposed wage increase for City Council and Mayor is contained in the budget revision.

Agreement with the LDS Church. Mr. Sellers explained that the City Attorney had not received the agreement as agreed upon. He had received the agreement five days later than he was supposed to have and had not had the opportunity to review it prior to this meeting. Mayor Peterson stated that the Council should wait until it could review this before making any decisions. The Council stated that a special meeting could be held to handle this when the agreement comes through from the Attorney.

Business License Ordinance and Resolution. Councilman Olson said that the major problem with this ordinance the last time was the definition. Councilman Jones said that he still has problems with this. Mr. Sellers said that the Council could pass the new resolution on the fees without passing the ordinance and that this would change the fees.

Councilman Jones said that he felt agricultural businesses ought to be exempt from this ordinance. Councilman Olson said that he felt this also. Councilman Jones said that they do not even pay a state sales tax. Mayor Peterson asked if a provision ought to be placed in the ordinance stating that they are exempt. Councilman Jones said that they should.

Councilman Olson said that a section ought to say that agricultural is exempt. Councilman Jones asked about people who raise tree, sell apples, etc. Mr. Sellers said that, according to the definition, people engaged in agricultural business are required to obtain a license. He said that, because these are seasonal businesses, they devised the seasonal license fee.

Councilman Pay said that the proposed ordinance would require the licensing of Avon ladies, piano teachers, etc. Clara Goudy stated that she figures income taxes and probably should have a seasonal license as well.

Mr. Sellers reminded the Council that anyone who lives outside the city limits is a transient merchant. He said that this would include County residents who sell fruit inside the city. Councilman Olson said that Joe Fowers selling his fruit in town does not bother him nor anyone else. He said this brings people into town. He said that he feels the ordinance is pinpointing him on one corner. Art Adcock said that the intention of the ordinance was to prohibit people from Spanish Fork, ect. from selling inside the city limits.

Mayor Peterson said that the wording of the transient merchants being people outside the city limits bothers her. She said that the people who live just outside the city limits are just as much citizens to her than people who live inside the limits. Mr. Sellers said that, by definition, a transient merchant is one who is not a resident of the city of Santaquin.

Councilman Olson said that the fruit sellers do not hurt the city, but are a benefit to it. He said that the city does not have the problem of someone five miles out of town coming in to sell fruit. Mayor Peterson said that this has been discussed before and asked how this was going to be settled. Clara Goudy suggested putting a five mile radius of Santaquin as a ceiling on this. Councilman Jones said that the city cannot regulate anything outside the city limits.

Councilman Jones said that he doesn't feel the business license ordinance was intended to regulate agricultural related businesses. He said that this ought to be spelled out. Mr. Sellers said that there is a feed store starting up in town which would be agricultural related and asked if the also would be exempt. Mayor Peterson said that this was not the same thing at all, because he is in a store. Councilman Jones asked if the Council could establish a commercial area within which people have to purchase a license, while outside of this people do not. Councilman Olson said that this would put Verl Wall, Joe Fowers, etc. into this. Councilman Jones said that this would be one way of defining the situation.

Councilman Olson asked if an execption of locally grown produce would suffice. Mr. Sellers asked what would be defined as local. Councilman Jones said that they would have to be careful when they define local because if they set it three miles out someone ten miles out could sue for discrimination. Councilman Olson said that he really doesn't have a problem with this because they won't be coming to sell their fruit.

Councilman Jones suggested exempting people who sell fruit and vegetables.

Mr. Sellers said that he had sent a copy of this ordinance to the City Attorney with some exclusion in it and was told that, if any exclusions

are contained in the ordinance, the city would be leaving itself open to discrimination. The only things which could be excluded are religious or charitable organizations.

Councilman Olson asked about waiving the fees. Councilman Jones said that the store owners would want the same treatment.

Mr. Sellers said that he tried to make this easy on the agricultural people in town by placing a five dollar fee for this. Councilman Callaway said that this fee wouldn't hurt anyone. He said that the license would actually cost more than the five dollars before it was issued. Mayor Peterson said that there is a principle involved as well, which the city has to uphold.

Councilman Olson said that they might need to draw this up in the resolution.

Councilman Jones moved that Resolution No. 83-15 be approved by the Council and Councilman Pay seconded. The motion passed unanimously.

Computer Trust Agreement. Mr. Sellers said that he had rewritten a part of the agreement with Bruce Hymus because he had not placed in a deadline for the software to have been developed. The date of April 1, 1984, was placed for the software to be developed and this should be in shape to run for the city to the city's satisfaction.

Councilman Olson said that he has discussed this with an Electrical Engineer whom he knows who also knows computers. He said that he friend said that this proposal is about right and would recommend this approach.

Mayor Peterson said that she trusts Bruce Hymus and Earl Andrews and feels good about being involved with them.

Councilman Callaway asked what the total costs would be. Mr. Sellers said that it would be anywhere from \$17,000 to \$32,000.

Councilman Olson moved that the city enter into an agreement with Bruce Hymus on software development. Councilman Jones seconded the motion and it passed unanimously.

Summitt Creek pipeline agreement. Councilman Jones moved that the city enter into an agreement with Summitt Creek Irrigation and Canal Company for placement of an underground irrigation pipeline within the street right-of-way of 400 North from about 300 West to 400 East. Councilman Callaway seconded the motion and it passed unanimously.

#### COUNCIL BUSINESS:

1. Drug and Alcohol Task Force poster contest. Mayor Peterson announced that the three winners selected for this contest were: Nicole Butler, Lori Kling and Nannette Vincent.

2. Senior Citizen papers. Mr. Sellers asked what was going to become

of the papers, as they are in the old shed back of City Hall getting wet. Mayor Peterson said that she didn't understand why the city has anything to do with them anyway. Councilman Callaway said that the Council told the Senior Citizens the city would haul and sell the papers for them. Mr. Sellers said that the city has now been told not to haul the papers because someone was supposed to come and pick them and they are getting to be a large pile. Councilman Callaway said that he would try and find out about this.

Mayor Peterson said that she didn't like the papers stacked against the back door of City Hall. Councilman Callaway asked how many city employees walk through the door every day. He stated that they know they can take the papers out and put them in the garage. Mr. Sellers said that many times the employees don't know until after hours that there are even any papers by the door. He also said that it is an intrusion on their time to run and place these in the garage when they are involved with the public.

3. Doug Schmidt. Mayor Peterson told the Council that Officer Doug Schmidt had graduated from POST and recommended that his wages be raised equal to Officer Tom Runyan. Councilman Callaway moved that Officer Schmidt's wages be raised to the same amount as Officer Runyan. Councilman Pay seconded the motion and it passed unanimously.

4. Narcotics Task Force. Mayor Peterson explained that the cities in the South end of Utah County are trying to create a task force to catch people selling drugs. She said that Chief Knox would like Santaquin to join this and was asking \$200 to be donated to assist. Since the Council wanted more information on this, they asked that it be held for further information.

5. City Christmas program. Mr. Sellers said that the school wants the city to take care of setting up and taking down chairs at the school for the City Christmas program. Mayor Peterson asked thos who could to be there to help.

Mayor Peterson. Mayor Peterson said that she promised the Church that she would ask the Council to consider reducing the impact fee charged to the Church for their new chapel. She asked the Council to think about this.

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

Don Eyre, Sr.....	\$ 1,647.16
Bob Fillerup.....	60.00
Mr. Sellers was asked to hold this bill.	
Ramona Rosenlund.....	99.99
National Chemsearch.....	185.68
Monson & Co.....	132.00
Sunrise Engineering.....	385.00
Mountain Bell.....	296.31
Mountain Fuel.....	659.24
Walt Limb.....	12,366.00
Mr. Sellers was asked to withhold the percentage to which the city is	

authorized.

Pearson Tire.....	20.00
Utah County.....	818.00
Utah Power & Light.....	1,398.71
PDM.....	473.20
Swenson's.....	5.85
Lomita Tag.....	47.16
Insul-rite.....	47.00
Smith's.....	22.36
Totals.....	\$18,663.66

Councilman Callaway moved that the bills be paid as indicated and Councilman Pay seconded. The motion passed unanimously.

Councilman Callaway. Councilman Callaway asked Frank Okelberry if he would take charge at the City Christmas party. Mr. Okelberry said that he would.

Councilman Olson. Councilman Olson explained Larry Rees' request for their money back on a cemetery lot. He said that they have a bill outstanding with a Special Improvement District and would rather see this money placed towards this. He would like to let them place this money, \$135, towards another cemetery lot or towards their Improvement District payment instead. The Council told them that they would agree with this and Mr. Sellers was instructed to write them a letter to this effect.

Councilman Olson said that he felt the city ought to try and purchase a caterpillar tractor through the surplus property. The Council all felt that this ought to be done.

Councilman Olson moved that the meeting be adjourned and Councilman Jones seconded. The motion passed unanimously at 9:45 p.m.

Approved this 17<sup>th</sup> day of January, 19    .

Sandra Peterson  
Mayor Sandra Peterson

ATTEST:

Sam Sellers  
Sam Sellers  
City Recorder/Clerk