

Minutes of a regular Santaquin City Council meeting held on Tuesday, September 6, 1983, at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Sherman Jones, Lamar Openshaw, Dan Olson and Grant Pay. Councilman Walter Callaway was excused for work.

Mayor Peterson called the meeting to order at 8:05 p.m. and Councilman Pay offered the invocation and led the pledge of allegiance.

Prior minutes. The Councilmen had previously reviewed the following minutes: 7/20/83, 7/27/83, 8/3/83, 8/17/83, 8/24/83 and 8/31/83. Councilman Pay moved that the minutes be approved and Councilman Openshaw seconded. The motion passed unanimously.

Don Kay. Don Kay and Clint Ercanbrack, both representing Summitt Creek Irrigation & Canal Co., were presnt. Mr. Kay stated that Summitt Creek would like to have an easement or a right-of-way on 400 North from 300 West to 400 East. He said that they would like to have a 12 to 15 inch PVC pipe placed in with two to three feet of cover. He also said that this would take some of the high water and irrigation water around town, rather than through it.

* Councilman Jones stated that he would be in favor of this if there would be a stipulation that there would be no more hook-ups to this pipe than those already using the water from this ditch at present.

Councilman Openshaw asked what this would cost and Mr. Kay said that the estimate is between \$60,000 and \$100,000.

Mr. Kay said that this would be fixed to take the well water if needed. Mr. Kay stated that this pipe would end at 400 North and 400 East. Mr. Ercanbrack said that the farmers who have water stock, and usually take the water out of this ditch, will be able to hook into this pipe.

Mr. Kay said that they would also like to discuss with the Council the possibility of finishing the piping of the flood control canal to the South of town. He stated that he felt the pipe ought to be continued from where the last project ended to the freeway.

Councilman Olson asked if the other pipe had held 100 second feet of water during the flood, as this is what it was designed for. Mr. Kay said that the canal would not even hold 100 second feet, so this could not be tested. The Council said that they could not commit until a figure could be presented. Councilman Jones said that the Flood Committee ought to get together and figure on some way to get a cost for the whole flood project, including the debris basin, flood canal and anything else which would be needed.

* He is now. Mr. Kay stated that something will have to be done as soon as possible on the debris basin. He said that he is afraid that this winter season is going to be wet again and there will be no place to put the water as it is now. He said that he has received an estimate of about \$1.50 per yard to move the material out of the basin. He suggested that the city borrow the money to get this done and then assess Summitt Creek and

Genola their share.

Councilman Jones said that he felt it would be cheaper to push the debris out of the basin and up the sides, therefore making this reservoir larger with more holding capacity. He said that in this way there would not be a need to send the water to the South. Mr. Kay questioned whether the toe of the existing dam would be sufficient to hold higher walls.

Mr. Ercanbrack said that there is also a power line to the East of the debris basin which would probably have to be moved. Councilman Jones said that this would also help out Utah Power & Light and they should be able to move their own lines.

Councilman Olson said that something should also be done on the curtain which releases the water to the South of the debris basin.

* Mr. Kay stated that, since the City is working through FEMA, the City ought to borrow the money for the repairs, then assess the other parties their share. Councilman Jones said that the City needs to have some kind of estimate of the total costs in order to get a loan.

Albert Oldham. Mr. Oldham presented his annexation and subdivision maps to the Council. Councilman Jones stated that he had discussed the possibility of annexing this property of Mr. Oldham's without water requirement with the City Attorney. The City Attorney stated that the Council should not break the ordinance, but change this requirement before they allow this property into the City. Councilman Jones said that this would protect the Council from lawsuits. Mr. Sellers said that the City Attorney is presently considering the proposed annexation ordinance for Council approval.

Mayor Peterson asked what the Council had decided concerning the subdivision. Councilman Jones said that one requirement is that there has to be a special improvement district declared for the road and water line first. Mayor Peterson assigned Councilmen Openshaw, Jones and Olson to a Board of Equalization for this district. They decided to meet on Thursday, September 8, 1983, to find out what their responsibility is and the semantics of an improvement district.

Councilman Jones said that he felt that the residents should have their money for the district up front so that the City would not have to borrow it and possibly lose on the district.

Bart Olson. Bart and Don Olson approached the Council concerning their proposed annexation of property at about 450 West and 400 South.

Councilman Openshaw stated that his only concern would be if the road is not 56 feet wide. Bart Olson said that there is one house already put in and this could not be changed.

Bart Olson stated that when he moved to the Salt Lake area, he was under the impression that this annexation had already taken place. He said that he was notified later that it was not annexed. He said that

he guessed the problem was because the annexation map was not properly filed with the City.

Councilman Jones mentioned that the Olsons would have to pay equal costs for the water line which runs down 400 South. This costs would be equal to one-half the cost per foot for the property they annex. Councilman Jones stated that he would get these costs together and it would be based on when the line was put in.

Councilman Olson said that they would need to have a mylar map, water shares and this money for the water line paid before they could be annexed.

Councilman Jones said that he felt the Olsons should assist in the improvements which the City made in piping the flood control canal. Councilman Olson said that he thought this was over with. Councilman Jones stated that the City put some money up front for this and it ought to be compensated by those who would have had to do this if they had been in the City.

Don Olson asked how the City could make him pay for something Ben Alexander owned. Bart Olson stated that this would have nothing to do with them. Councilman Jones said that it would if they wanted to be annexed into the City. He also said that he would look up the discussions concerning this and see what was decided.

Councilman Olson said that he doesn't think the City can go back later and tag this cost on. Councilman Jones said that, according to the City Attorney, the Council can place any price tag it wants to on annexations.

Mayor Peterson stated that she felt that the Council ought to take time to get these things straightened out so that they won't make any mistakes.

Bart Olson asked why this annexation was kicked out before. Mr. Sellers stated that the proper annexation map was not brought into the City Council, even after the Olsons had been notified of it. Bart Olson asked why the map he had at this meeting was accepted. Mr. Sellers said that the map had never been accepted. Don Olson said that he could remember that the map had been accepted and that they were told they had nothing more to do. Mayor Peterson stated that they would have to prove this. Don Olson said that they could not. Mayor Peterson said that they could because it would have been in the minutes. Bart Olson said that the minutes weren't accurate. Councilman Jones said that when the minutes are accepted by the Council, they reflect what went on in the meeting. Don Olson said that the map was signed, but the original, which he had with him, was not signed.

Mayor Peterson told the Olsons that the improvements which the Council are looking at now are: one-half of the water line costs; one-half of the flood control canal costs; a mylar map; and, two water shares.

Councilman Jones was asked to look up the minutes on the water line and Councilman Olson was asked to look up the minutes on the flood canal.

Robbin's Check. Mr. Sellers stated for the Council that the City and Darwin Robbins had settled on \$14,500.00 for the disputed piece of property. This was an out-of-court settlement. Councilman Jones moved that this out-of-court settlement be accepted and paid by the City. Councilman Pay seconded the motion and it passed unanimously.

Parks Grant Application - scope. Mr. Ed Neff stated that he needed to know what the City Council wanted him to apply for on the Parks and Recreation Grant. After discussion, it was decided that the application would include moneys for the concession stand and some more bleachers. Mr. Neff was asked if he could determine some concession stand plans which could be built more cheaply.

Wages Approval. Mr. Sellers stated that the Auditors wanted the Council to approve the wages for this year. They are as follows:

Roads-Water-Landfill Supervisor.....	\$14,000.00
Laborers.....	4.50/hour
#3 Officer.....	12,000.00
#2 Officer.....	13,790.00
Recorder.....	16,800.00
Treasurer.....	14,040.00
Landfill Attendant.....	4.00/hour
Chief of Police.....	17,992.00
Parks-Cemetery Supervisor.....	14,000.00
Justice of the Peace.....	2,760.00

Councilman Olson moved that these wages be approved and Councilman Pay seconded. The motion passed unanimously.

COUNCIL BUSINESS.

1. Returned check charge - Councilman Pay moved that the returned check charge for the City shall be \$9.00 and Councilman Jones seconded. The motion passed unanimously.

2. Old school - Mr. Sellers expressed concern that there have been many windows broken out in the Old School and that the water meter in the basement is leaking. He asked who would pay for these. Mayor Peterson said that she would contact Omar Hansen and see if the school could be boarded up.

3. Business Licenses - The following licenses were reviewed: Marilyn Anthony (Pre-School \$15.00); Walt's Bar (Dance permit for 9/10 and 9/17/83 \$30.00). Councilman Jones moved that the licenses be approved and Councilman Openshaw seconded. The motion passed unanimously.

4. Alden Robinson - Mr. Sellers recommended appointing Alden Robinson as the City's representative to FERC. Councilman Jones moved that Mr. Robinson be appointed and Councilman Olson seconded. The motion passed unanimously.

5. DEC - Councilman Jones moved that the Council give the Mayor the authority to sign the contract with the Division of Economic Development on the water line grant. Councilman Pay seconded the motion and it passed unanimously.

6. Dan Whitelock - Mr. Sellers stated that the office staff needs clarification on this issue. The Council told Mr. Whitelock when he was before them in the past that he would be unable to continue his salvage business in a residential zone. He was also told that he would need to obtain a business license. Mr. Sellers said that Councilman Callaway had told Mrs. Rosenlund that Mr. Whitelock was still doing his salvage and that he did not need a business license. Councilman Olson said that he thought that Mr. Whitelock was no longer doing business at his home. Councilman Jones stated that Councilman Callaway is over this and he should bring a recommendation into the Council as to what he wants to do.

7. Chief Knox's detective lunch - Mayor Peterson recommended that this be paid and Councilman Jones moved that this be paid. Councilman Pay seconded the motion and it passed unanimously.

8. George Finch - Mr. Sellers stated that the Council was to review this business license at the first of July. Councilman Openshaw said that he has done nothing on this fence since the first of January. Mayor Peterson stated that this should be placed on the next agenda for discussion.

9. Utah League of Cities & Towns Convention - Councilman Jones moved that the City should pay the fees and hotel expenses for the following people if they desire to go: Recorder, Treasurer, Justice of the Peace, Mayor, Council and Supervisors. Councilman Openshaw seconded the motion and it passed unanimously.

10. Computer follow-up - Mr. Sellers said that Bruce Hymus, of the City's auditing firm, would be present during the September 20, 1983, Council meeting to present some additional information concerning this subject.

11. Meeting change - Councilman Jones moved that the meetings be changed back to 7:00 p.m. in the evening instead of at 8:00 p.m. Councilman Pay seconded the motion and it passed unanimously.

12. Dance ordinance - Mr. Sellers asked the Mayor if she felt there should be another public hearing on this ordinance because of its major changes. She indicated that she felt this ordinance should be brought up during the next meeting and that another public hearing not be held.

Mayor Peterson. Mayor Peterson asked about the over time turned in from the police department. She stated that this time only reflected actual time worked and no on call time. She also said that this money could possibly come from the Motor Pool moneys returned to the General Fund.

Councilman Pay moved that this overtime be paid at straight time and not time and one half. Councilman Olson seconded the motion. Councilmen Pay and Olson voted in favor of the motion. Councilmen Openshaw and Jones voted against the motion. Mayor Peterson cast her tie breaking vote in favor of the motion, therefore, the motion passed.

Councilman Olson. Councilman Olson stated that he had been contacted by Guy Wall about a problem with a building permit. He said that Mr. Wall had told him that he had filled out a building permit last Fall for a garage. Mr. Wall decided to change the size of the building and when he came back in to pay for the permit last Friday, it had been voided.

Mr. Sellers said that the original permit was for a building which was too close to the sideyard and Mr. Wall would have had to obtain a variance. He said that Mr. Wall asked that the permit be voided as he did not want to do so.

Councilman Olson said that Mr. Wall told him that he had requested another permit because the concrete was on the way to the site. He said that Mrs. Rosenlund stated that she could not give him the building permit. Mr. Wall filled out the permit and left it.

Councilman Olson stated that, in the past, people have been able to pour flat work before they receive their permits. Mr. Sellers said that the ordinance passed by the Council states that there shall be no building prior to receiving the permit.

Councilman Olson said that, over the last weekend, Mr. Wall put up two hours of framing. Councilman Olson said that the Building Inspector did not red tag the building, but then charged him double the fee for beginning his construction before obtaining a permit. He said that the charge was about \$140.00.

Mr. Sellers said that when Mr. Wall came for his permit, that he told the office staff that the concrete had already been poured. Councilman Olson said that he was only going by what Mr. Wall said.

Mr. Sellers and Councilman Jones recommended that the Council follow the ordinance.

Councilman Pay. Councilman Pay mentioned that he felt the Council ought to review the salaries for the Supervisors and the Officer on probation, as promised.

Councilman Jones. Councilman Jones asked about the dam feasibility. Mr. Sellers said that the engineering firm is coming into the next meeting for this.

Councilman Jones asked Councilman Olson how the problem of the mylar map with Mark Hales is coming. He stated that Councilman Olson issued an occupancy permit to Mr. Hales against the Council's wishes and asked what the Council was going to do.

Mayor Peterson said that she was under the impression that they had completed everything they were supposed to do.

Councilman Jones said that if the Council is asking the Oldhams and others to file their maps, that they should do the same thing with the Hales'.

Councilman Olson said that the Hales never said that they would not submit a map. He ~~is~~ said that they are waiting for the City to say exactly what is wanted of them. Councilman Jones said that he and the Hales know what is needed, so Councilman Olson ought to let them know.

Councilman Olson said that he does not know what the City needs. Mayor Peterson asked if the mylar map is the only thing the City needs. Councilman Jones said that it was.

Councilman Jones said that the occupancy permit was the only thing the City had as a hold to get this in. Councilman Olson said that he could not see how, in good faith, the Council could hold this against Mr. Hales and keep him out of his home. He also said that this is a little town and that the Council has to deal with people, rather than hold ~~an~~ ~~up~~ ~~around~~ ~~their~~ ~~necks~~.
* rope

* and if Mayor Peterson asked Councilman Olson if they ~~told them what is needed~~ ^{Hales' knew what was needed} they would get it in. Councilman Olson said that this is why he issued the occupancy permit. Mayor Peterson asked him to let the Hales' know what is needed.

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

Doug's Auto.....	\$ 194.48
Robert Fillerup.....	100.00
IFA.....	57.66
M & R Equipment.....	832.80
Mendenhall's Market.....	43.51
Mountainlands.....	54.51
Pro-Arms, Inc.....	826.65
Pili Saluone.....	3,014.80
Tischner Ford.....	76.36
Utah Power & Light.....	2,028.47
Valley Asphalt.....	83.30
Whitmore Oxygen.....	20.27
Andersen's.....	131.50
Burdick Lumber.....	28.50
LAWCO.....	51.61
Ace Rents.....	40.95
Pearson Tire.....	12.89
Wallace Kay.....	1,347.00
Geneva Pipe.....	5,255.16
84 Lumber.....	43.80
Compute-A-Call.....	81.62
Coast to Coast.....	14.99
Scott Shepherd.....	10.00
Thunderbird.....	224.00

Child's Ranch.....	250.00
Lewis & Guyman.....	48.00
Peterson Tractor & Implement.....	65.84
Calibre Press.....	<u>120.00</u>
Totals.....	\$15,058.67

The Council instructed Mr. Sellers to hold the bill for Robert Fillerup. Councilman Olson moved that bills be approved except as noted above. Councilman Pay seconded the motion and it passed unanimously.

Councilman Olson moved that the meeting be adjourned and Councilman Pay seconded. The motion passed unanimously at 10:50 p.m.

Approved this 20 day of September, 1983.

Sandra Peterson
Mayor Sandra Peterson

ATTEST: Sam Sellers
Sam Sellers
City Recorder/Clerk