

Minutes of a special Santaquin City Council meeting held on Wednesday, June 29, 1983, at City Hall. Mayor Sandra Peterson presided at the meeting and the following Councilmen were present: Walter Callaway, Grant Pay, Sherman Jones, Lamar Openshaw and Dan Olson.

Mayor Peterson called the meeting to order at 8:10 P.M. and offered the invocation and led the pledge of allegiance.

Budget Hearing. Mayor Peterson asked Mr. Sellers to read through the proposed 1983-1984 fiscal year budget, which he did line by line as outlined in Resolution No. 83-9.

Tom Augustus presented a petition, which was signed by 365 ^{people} citizens. The petition stated, "WE THE UNDERSIGNED, CONCERNED INDIVIDUALS OF LEGAL AGE, EXPRESS OUR INTEREST IN THE LOCAL ESTABLISHMENT OF AN EMERGENCY MEDICAL SERVICES GROUP. WE ALSO ENCOURAGE THE SUPPORT OF THIS CONCEPT BY OUR ELECTED OFFICIALS WHO HAVE THE AUTHORITY TO PROVIDE FUNDING FOR SUCH A GROUP. WE CERTIFY THAT OUR SIGNATURES HAVE BEEN ENTERED ONLY ONCE IN CONNECTION WITH THE SUBJECT OF THIS PETITION."

Mr. Augustus pointed out that the Fire Department began the last fiscal year with \$21,058 and was raised during the year to \$26,376, which also included \$5,300 for the purchase of a new fire truck. He asked Councilman Olson if there was another piece of equipment planned for the next fiscal year, as this \$5,300 was obviously being budgeted in again. Councilman Olson stated that he had not planned on any capital purchases during the next fiscal year. Mr. Augustus asked if this \$5,300 could not be turned back into the General Fund and then used by the First Responders through the Civil Defense budget. Councilman Olson stated that the money had been placed into the Fire Department for the purpose of preventing cost overruns and felt that his budget needed to include this \$5,300 for the next fiscal year.

* and Floyd Nelson asked to address the Council. He stated that he felt the First Responder organization was more important than ball teams or anything. The organization saved his life, ~~as~~ he would not have been sitting in the room if it were not for this organization. He asked that the Council fund this organization to the extent that they may continue to function and save lives.

* ^{Kare} Margarite (~~couldn't get her name as could not understand the tape~~) mentioned that some of the equipment which was being asked to have a budget for was not only non-essentials, but the people would not be allowed to use them. She said that ambulance crews are not allowed to use some of this equipment unless they are in direct contact with doctors at the hospital.

Mrs. Debbie Jones mentioned that she felt that the Council really ought to look hard at putting the First Responder organization at the top of the priority list. She also mentioned that people have contacted her concerning renting rooms at the old school and asked if this had been approached as a source of revenue. Mr. Sellers said that he had some people contact him as well. Mayor Peterson said that she had talked with some bankers who did not feel the City could rent this out.

Mr. Ed Wilkinson stated that his daughter's life was saved by this organization and he would not like to see it fizzle out because of a lack of funds. Mr. Wilkinson said that he didn't think the City ought to move to the old school as he felt the present office was adequate. Mr. Sellers offered to take him on a tour of the present facility.

Mr. Kay Tischner mentioned that he has seen EMT teams work before and found them to be very profficient and worthwhile. He also said that he has been on fire calls when he felt very uncomfortable because there was no one there who knew very much about first aid. He says that he feels much better now, as there are firemen trained.

Mr. Jack Stickney also spoke in favor of having the organization.

Mr. Robert LaRue stated that he felt the organization needs more support and should also have insurance coverage so they will not be sued for malpractice. He also said that he doesn't like the idea of being dependent upon Payson for services.

Chief Knox stated that the organization should be able to function, and purchase the necessary equipment for life sustaining support, with the budget they have been given. He also suggested having fund raising activities to get more money for the organization.

Mayor Peterson said that she really appreciated the people getting trained and the time they have put into the organization. She said that the City has priorities which the governing body feels are more important. She committed to make more money available to the Civil Defense as more can be found in the budget through the year.

Mr. Augustus asked the Council if they would place the First Responders higher on the list. The organization also committed to keep trying with the budget as outlined.

Councilman Olson moved that the Council approve Resolution No. 83-9, which deals with the 1983-1984 fiscal budget. Councilman Jones asked that an ammendment be added that if Genola does not renew their contract with Santaquin City that the Police Department budget be opened for review. Councilman Olson stated that he would accept this ammendment if it stated that the whole budget would be opened for review and not just one budget item. Councilman Jones accepted the ammendment change and Councilman Olson accepted the ammendment. Councilman Jones seconded the motion and it passed unanimously.

Mark Hales. Mark Hales said that he has been approached concerning a mylar map on a proposed subdivision. Mark Hales asked the Council if the City Recorder was the one who told the Council that a map is needed. Mr. Sellers said that he brought it up in a Council meeting. Mark Hales said that he was not present when the original proposal was made to the City Council, but he did review the minutes.

Mark Hales said that the Ordinance, which applied when this was proposed, proposed two types of subdivision. The first one required a

mylar map and the second does not. The second is contained in Section 3 of the Ordinance (#120).

Mark Hales said that Lynn Crook's motion in the Planning & Zoning Meeting stated that this property be allowed to be sold by metes and bounds without any further approval. Mr. Sellers said that a motion by the Planning & Zoning Committee is just a recommendation to the City Council, who makes the final decision concerning the type of subdivision it is.

Mark Hales quoted from the Ordinance (#120), Section 3. This section also states that a subdivision does not apply if a road is required to be deeded to the City. Councilman Jones asked if a road was not indeed required to have been deeded to the City. Mark Hales said that a quit claim deed was given to the City on a street which was already in. Robert Hales said that the street was already part of the Westover Subdivision.

Robert Hales said that the surveys were wrong and the street is questionable. He said that the City could not propose the street as a change in Section 3, as it already existed.

Councilman Jones said that the City Ordinances require a lot to front on a dedicated City street prior to a building permit being issued. Robert Hales asked if those streets are owned by the City. Councilman Jones said that the Hales' owned the street at the time the subdivision was proposed and that this did require the dedication of land for a street. Robert Hales asked if Councilman Jones felt that this did not meet the requirements of Section 3, because the street was deeded over to the City. Councilman Jones said that this was one of them.

Robert Hales said that they were not required to put in any roads, yet Councilman Jones pointed out that the property owners had to sign an agreement not to protest an improvement district if the road was put in. He said that this normally would have been taken care of by the subdivider.

Councilman Jones said that the ordinance says that they would apply under Section 3 if they did not have to deed any streets. He said that Mark Hales said that they did not have to do so, yet Robert Hales said that they did.

Mark Hales said that the road was already there and that it went in with the Westover Subdivision. He said that their survey showed they owned out into the roadway, so they quit claimed this to the City.

Mark Hales said that, if for some reason the Council says that this does not go under Section 3, then the City Recorder is in trouble. He says that the Ordinance stated that the final plat and other various things needed to be turned over to the City before a building permit is issued. If not, there is a fine involved. Mr. Sellers reminded Mark Hales that he is not worried as he was not working for the City at the time. Mark Hales said that Ramona Rosenlund issued him a building permit (the City Treasurer does not issue building permits) on his lot.

Mr. Sellers and Councilman Jones said that he has not had his occupancy permit, which is the final stage of a building permit, so no one is in trouble yet. Mr. Sellers said that it was because they could not find a mylar map filed with the City that progress was stopped and they were called into a Council meeting to have the issue resolved.

Robert Hales said that Mark had paid for the water hook-up, yet is being denied a water hook-up, which he feels is unhanded. Robert Hales said that the City still has an occupancy permit to control. He said that there has been no attempt to defraud the City.

Councilman Olson said that he agrees with both sides. He said that the issue of this being built in a Commercial Zone has not been addressed. Mrs. Rosenlund said that the Commercial Zone requires the same requirements as the adjoining Residential Zone, and this would apply to a subdivision as well.

Councilman Jones said that this piece of property was addressed as a subdivision when it was first proposed.

Councilman Jones said that the mylar map would interfere with greenbelt area and tax structures.

Mark Hales said that he feels this subdivision is under Section 3. He said that the only question is as to whether the street has been dedicated. He said that they did not dedicate a street, as it already existed and this is only a strip of the street. Mr. Sellers pointed out to Mark Hales that if they had not dedicated this portion of the street, there would have been no home built along it, so, therefore, it would have been a requirement.

Robert Hales asked about the homes on the other side of the street and Mr. Sellers said that the Westovers had dedicated their part, so they did front on a dedicated street. Robert Hales said that the homes across the road were not built on a dedicated street, yet permits were issued. He said that there was no intention to open another street which the City would have to maintain.

Mark Hales said that Section 3 was written specifically for small subdivisions. He said that they sold their property by metes and bounds (direction and distance) rather than by lot. He said that the Planning & Zoning Committee approved this to be sold by metes and bounds.

Robert Hales said that he brought in a tracing, which is a requirement of the Ordinance, and felt that he had met all the requirements. He said that he objects to a mylar map if it has to have an engineer's seal. Robert Hales said that the County stated that they would not use the map.

Mr. Sellers said that Section 3 pertains to subdivisions of less than 10 lots, yet this one, as first proposed, had 11 lots in it. Robert Hales said that they were to two different people, and could not be declared as one, as two people are prohibited from combining

properties.

Mark Hales said that he felt nothing has been done wrong and that the Council approved this subdivision under Section 3 of the Ordinance. Mr. Sellers said that the minutes of the meeting where the Council met to hear this recommendation are inconclusive as the City Recorder at the time did not record them into writing. Councilman Jones said that this is still a subdivision. Mark Hales said that it is a subdivision. He said that both of them are small subdivision.

Robert Hales said that he sold the properties were sold to Mark IV Development.

Councilman Jones said that when the map was presented to the Council, it was broken into lots. He said that the Council required \$1,500 to be paid towards the water line, as this was a subdivision and a requirement of the subdivider. Councilman Jones said that he objected to this at the time as it is a requirement of a subdivider.

Mark Hales said that the only argument is whether this needs a plat, and he felt under the Ordinance it does not. He said that if the Council felt it qualified under the other part of the Ordinance, there have been a lot of conditions which have not been met. He said that the Recorders would be liable in this situation. He said that this would not have been their mistake.

Mayor Peterson asked if the Hales' were asking the City to back off and let them go ahead. Mark Hales said that this their purpose. Mayor Peterson asked if this was something the Council could decide right now. The Council said that they need additional time to study the issue, yet did not want to hold him up. The Council decided to allow the water hook-up to be made, but hold the Occupancy Permit until the issue is resolved.

Councilman Olson said that he felt the biggest problem existed between the lot Mark Hales is building on now and the rest of the subdivision. Councilman Jones said that all of the lots were proposed as part of the subdivision and this includes the lot on which Mark Hales is building his home. Councilman Olson said that he still feels that the lot which is being built on is separate from the subdivision. Councilman Jones said that the law requires it to be all treated the same, either a subdivision or not. He said that he felt the whole thing was handled poorly, yet the City Attorney told them they were responsible to rectify mistakes when they are found. Councilman Olson said that he knows they cannot break the law, but that in good faith the Council has to take a man's word and even handshake agreements in the past and hope they turn out for the best. Councilman Jones said that if the Council was going to take this as a subdivision, they need the map. Mark Hales said the City needs a map if it does not fall under Section 3, which he maintained in does.

Councilman Olson said that the deed selling the property is by metes and bounds and not lot by lot. He said that a subdivision would be sold lot by lot. Councilman Jones said that the piece of property was

presented by lot. Councilman Olson asked what good a mylar map would do if it is submitted at this point. Mr. Sellers said that the building permit is sent to the County stating that the house is being built on a certain lot in the Hales Subdivision and they need a mylar map to find out where this is.

Councilman Olson asked what the City would recover by all of this. Mayor Peterson said that, if this was done poorly, it is unfortunate, yet if the City has something to lose by letting this go, then they need to do something. Councilman Jones said that they might come in later and demand a six inch line on the frontage road and the City could tell them to put it in, as they were the subdividers and should have taken care of this at the time.

Councilman Jones also said that the agreement with Robert Hales referred to oiling a road, which a subdivider would have to have taken care of.

Robert Hales questioned the necessity of a map, as he said that the County does not need one. Mr. Sellers said that he contacted the plat room of the County and they said that if the City requires one, they require one of the City. He said that they typed into the permit the lot number Mark Hales was building on and found no map. They contacted the County to see if they had a copy and they did not. He said that he was told one would have to be submitted if this was referred to on the building permit. Mark Hales said that the lot number w is not on his copy of the permit. Mr. Sellers said that this is done just before being sent to the County and would not be on his copy.

Councilman Jones said that when this was presented to the Planning & Zoning, the lots were listed. He said that they are now saying this was not done. Mark Hales said that this is mentioned in the minutes. He said that someone penciled in lot numbers and he did not know who it was. Robert Hales said that he did this. Mark Hales said that Mrs. Rosenlund drew some of the lines in. Mrs. Rosenlund stated that all the lines which had been drawn in had been drawn in by Robert Hales.

The Council decided to put more time into studying this in the future.

Rodney Hudson. A letter was proposed by Mayor Peterson to congratulate Rodney Hudson as follows:

"Dear Mr. Hudson:

"The Santaquin City Council joins me in congratulating you in your recent honor of being selected as a State employee of the year.

"We very much appreciate the fact that one of our residents has the capability of acheiving such an honor as we feel that all of the people living in Santaquin are exceptional.

"Thank you for your efforts in bringing honor and recognition, not only to yourself, but Santaquin City as well.

"Sincerely

"Mayor Sandra Peterson"

Executive Session. Councilman Jones moved that the Council adjourn into an Executive Session to discuss a hydro-plant up Santaquin Canyon. Councilman Olson seconded the motion and it passed unanimously.

The Council resessed for ten minutes, from 9:40 until 9:50 P.M.

Councilman Olson moved that Lynette Neff be appointed to the Planning and Zoning Commission. Councilman Jones seconded the motion and it passed unanimously.

Mayor Peterson pointed out that there is adequate money left in the Office budget to pay Mr. Sellers his 261 hours of overtime and Mrs. Rosenlund her 64 hours of overtime. Mayor Peterson said that the intent is for them to take days off, but the City could not afford to give this much time off as there would be no one to tend the office. Mr. Sellers said that he would be willing to take his in time off, which would be 49 work days, if a Councilman would be willing to fill in for him. Mayor Peterson asked if they were proposing to be paid in straight time or time and a half. Mr. Sellers said that it was time and a half. Councilman Jones moved that Mrs. Rosenlund and Mr. Sellers be paid the overtime as presented and that they present their overtime to the Council on a monthly basis in a City Council meeting. Councilman Pay seconded the motion and it passed unanimously.

Mr. Sellers said that he feels that a multi-user computer would alleviate most of this overtime. Councilman Jones said that Councilman Callaway is not convinced that they need this computer.

Councilman Callaway said that he still has about \$1,500 left in the Parks budget and that Mr. Neff has found some bleachers. Councilman Callaway moved that this be approved as a purchase and Councilman Jones seconded. The motion passed unanimously.

Councilman Pay moved that Ed Neff, Dennis Barnes and Doug Schmidt's wages be reviewed for increase at the end of their six month probation period. Councilman Jones seconded the motion and it passed unanimously.

Councilman Olson moved that the open meeting be adjourned and that the Council convenes in the Executive Session. Councilman Jones seconded the motion and it passed unanimously at 9:55 P.M.

Approved this 3rd day of August, 19 83.

Sandra Peterson
Mayor Sandra Peterson

ATTEST:

Sam Sellers
Sam Sellers
City Recorder/Clerk