

Minutes of a regular Santaquin City Council meeting held on Wednesday, February 16, 1983, at City Hall. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Dan Olson, Walter Callaway, Lamar Openshaw, Grant Pay and Sherman Jones. City Recorder/Clerk Sam Sellers recorded the meeting. Mayor Armstrong called the meeting to order at 7:00 P.M. and the pledge of allegiance and prayer was offered.

Prior minutes. The Council reviewed the minutes of January 19, 1983, and February 2, 1983.

Councilman Jones indicated that the general feeling of his and Councilman Olson's meeting with Summitt Creek was that the two entities would cooperate together in the piping of the high water ditch. He said that the consensus of the Council at the last meeting was that the City could not be binded to a contract. Councilman Olson said that this was true and that Summitt Creek wanted the City to enter into a contract which would go on forever. Councilman Jones said that they had explained that the City could only go on a year to year basis. Councilman Olson said that the County could only be obligated on a year to year basis as well.

Councilman Jones stated that he felt the minutes should reflect that Genola's feelings are that they will not cooperate with Santaquin on the 100 gallons per minute. Mayor Armstrong said that she did not get this impression from the work session with them. Councilman Callaway said that he thought they said that they would work on certain things. Mayor Armstrong said that she was under the impression that they wanted to go back to square one and start from there. Councilman Jones said that they have rejected every billing of their share of the costs which he has given them and he thought that Santaquin has been fair in these things. He asked where the City can go from that point. He said that he has not one things further to offer because everything has been turned down, yet they say they want to negotiate. Mayor Armstrong said that they had offered Santaquin \$600.00 per year, but that the City had not acted on this. Councilman Jones said that he would not have agreed to this any way. Mayor Armstrong said that she did not get the impression that Genola is closing the door on \$30.00 and that is it. Councilman Jones said that the City has two years' worth of bills still outstanding that they have refused to pay. Councilman Jones said that he was excited when the meeting first began because he thought they were going to get things worked out, yet he feels the City is in the same position as it always has been. Councilman Callaway said that their attorney's advice to them was to only pay the \$30.00 per year. Councilman Jones said that their attorney also advised them to help pay for the chlorinating costs, yet the Genola decided not to do this.

Councilman Olson moved that the minutes of February 2, 1983, be approved as corrected and Councilman Callaway seconded. The motion passed unanimously.

Councilman Olson moved that the minutes of January 19, 1983, be approved and Councilman Callaway seconded. The motion passed unanimously.

Mrs. Myrtle Rowley. Mrs. Rowley stated that she is interested in assisting the City in removing the possibility of having a Regional Prison near Santaquin. She would like to help in writing letters, etc. She said that she is very much opposed to having this here and felt the meeting in Payson was stacked in favor of it being near Santaquin. She said that everything the officials said at the meeting of how this would benefit Santaquin did not make sense to her as they contradicted themselves. She said that she felt this would hurt the economy of Santaquin rather than helping it. She said that if the Council is for the prison, that her services would not be available.

Mrs. Rowley gave the Council a list of the State Senators and Congressmen and also the name of the Vice Chairman of the Board of Corrections (A. D. Rev. Francis E. Davis, 532 East 700 South, Salt Lake City, Utah 84102, 355-1025).

Mrs. Rowley said that she doesn't go along with the idea of getting the prisoners closer to home as a reason to have this facility located near Santaquin. Councilman Jones said that he feels that most of the prisoners are from out of State and are transients.

Mayor Armstrong said that money has not been appropriated for the land and they have not decided on a site. She said that the whole thing is whether this is built in Utah or Weber County first. She said that a high percentage of prisoners are from Weber County. She also showed the Council a Master Plan of Regional Prison sites and there is one planned for the Santaquin area. She said that she had talked with Paul Rogers, the State Representative from Orem, who said that the House will not allocate any money for this if there is as much opposition as there seems to be.

A resident questioned if Santaquin was letting its voice be heard as much as Payson. Mayor Armstrong said that Santaquin has been involved in as many meetings as Payson and that she has been personally lobbying the legislature.

Councilman Jones said that the Council ought to go on record as being against the proposal of the Regional Prison concept. Councilman Olson said that this needs to be worded this way because if Juab County gets the prison, it will be built just across the County line which is still close to Santaquin. Councilman Callaway said that Juab County is all for the prison as long as it is located in North Juab County. Mr. Sellers said that the Mayor of Provo is all for the prison as long as it is located in South Utah County, which makes Santaquin the loser all around.

Councilman Pay proposed that the Council ought to write a letter to the Governor stating their views on this issue. He said that the City might ought to start a petition drive in Santaquin as being against the Regional Prison concept. Mayor Armstrong said that she felt this prison would have a negative impact on Santaquin. Mr. Sellers mentioned that they might object to having the facility in an area with very little law enforcement. Santaquin only has three officers avail-

able, where the Provo-Orem area would have maybe fifty to sixty on hand in emergency cases.

Mayor Armstrong said that Congressman Rogers is on the appropriations committee for this and she related the City's fears about the impact this would have on the City; water, sewer, police, the fact that we are a residential community. She said that he was very sympathetic with the problems.

Mrs. Rowley said that instead of building more prisons, the Judicial system ought to be looked at as the prisons have not been working.

Brush Truck. The meeting recessed for 10 minutes while the Mayor and Council inspected the truck.

Councilman Olson stated that, instead of borrowing the money from a lending institution and paying in excess of 18% in interest, the money for the truck ought to be borrowed from within the City and then only 7-9% interest would have to be paid, but it would stay within the City.

Mr. Sellers said that some possible sources would be the Swimming Pool Fund money or money from the Capital Projects Fund. He said that Councilman Olson had told him that the Fire Department could pay this back within the next fiscal year. The amount is \$5,300.00. Mr. Sellers said that the City Council could set the stated interest and that the interest would be put into the source as the loan is paid off. He said that the Swimming Pool money would have the option of growth in this way, whereas now the interest goes into the General Fund. Mr. Sellers said that this money isn't going to be used for a while and this might be a way for the Council to have this grow. This could be replenished with the interest and reused again for a similar type project.

Mr. Sellers said that there isn't sufficient money in the Perpetual Care Fund for this as yet.

Councilman Callaway said that he wished some of the Swimming Pool people were present, so they could understand this. Councilman Jones said that the Council is not taking this money away from them. Mayor Armstrong said that the \$10,000.00 belongs to the City.

Councilman Callaway moved that the Council use \$5,300.00 to finance the new Brush Truck out of the Swimming Pool money and that the interest of this finance agreement be placed back into the Swimming Pool Fund. Councilman Callaway added that the interest be 10%. Councilman Jones seconded the motion and it passed unanimously. Mr. Sellers said that \$5,830.00 would then be repaid into the Swimming Pool Fund.

Irrigation shares. Councilman Jones explained that he had asked the staff to hold onto these in case the City could use them to water the Parks and/or Cemetery. He said that it appears there isn't sufficient money to do this at this time. Councilman Jones said that they should go ahead and rent the shares.

Punchboards. Mr. Sellers said that Mr. Johnson is being pressed by Larry Chappel's attorney concerning a decision on punchboards. He would like to know the Council's feelings so he can let them know whether they can have them.

Mayor Armstrong asked the Council if they had reviewed the letter which Mr. Sellers had placed in their boxes.

Councilman Callaway said that punchboards used to be found in quite a few places in town.

Councilman Olson said that he could not see the difference between punchboards and slot machines. Mayor Armstrong said that she thought there was a lot of difference.

Councilman Callaway asked about the Bingo game which Safeway is currently running and said that not allowing punchboards would be like punishing Santaquin's citizens.

Councilman Openshaw wondered if this would open the door to other types of gambling. Councilman Jones said that every place will want to have punchboards.

The Council wondered how they could approve something of this sort if gambling is against the law. Mayor Armstrong said that, according to Mr. Johnson's letter, there may be some areas where this could be legalized. Mr. Sellers was asked to write Mr. Johnson and ask how the City Council could legalize this and what the parameters are.

Impact Fee. Mayor Armstrong mentioned that she thought the Council had come to a figure for this during a Work Session. Councilman Jones said that they were in a Work Session that night and could not make any decisions. Mayor Armstrong said that she thought they had tentatively agreed on a figure. Councilman Jones said that this was true, but when the Council reviewed this at the last meeting they thought it was too high and would not pass it.

Mr. Sellers introduced two possible resolutions. Councilman Jones asked if Mr. Sellers had received the Impact Fees from other cities. Mr. Sellers said that the other cities do not charge an impact fee, but charge an arbitrary figure and could be in trouble if someone tries to challenge them in court. Mr. Sellers said that the only way Santaquin could justify lowering its figure is to increase the possibility of getting more moneys from government grants. By using a 70% grant the impact fee figure would be reduced to \$1,055.87. By using a 75% grant, the fee would be about \$972.00. Mr. Sellers said that this figure would be based upon the possibility of getting a grant. If the City is unable to, the fee will have to be raised.

Mr. Sellers said that Resolution is not ready to be approved this night and this is just a work session to get a figure. He said that the City will also have to return some money to the Church. Councilman Jones asked why this could not be passed this night and Mr. Sellers said that the whole Resolution was not prepared.

Mr. Sellers said that he wants an amount approved this night, because he didn't want to be placed in an embarrassing situation of telling someone a fee and then have it changed in the next Council meeting. Mayor Armstrong asked the Council which figure they would feel more comfortable with. Councilman Olson said that he feels good about the \$1,055.87 figure and said that this would make people feel psychologically good about the fee. Mr. Sellers said that, on a thirty year mortgage, \$230 would not make much difference.

Mayor Armstrong asked if a motion should be made on this. Mr. Sellers said that he would like to have a motion so he is not surprised at the next meeting. Councilman Olson moved that the \$1,055.87 figure be agreed upon to be used as the Impact Fee. Councilman Pay seconded the motion and it passed unanimously.

Councilman Jones suggested that the Water Ordinance be reviewed and adjusted accordingly. Mr. Sellers asked if everyone had had a chance to review this as he had sent a copy to everyone about three months ago. No one seemed to know, so Councilman Jones asked that this be sent out again.

#### COUNCIL BUSINESS:

1. Letter on utility rates - Mr. Sellers pointed out the letter which Councilman Openshaw would like sent out concerning the street lights, etc. Councilman Openshaw mentioned that he would like citizen involvement on this problem. Mr. Sellers said that Councilman Jones recommended adding that the City raised the franchise tax on such and such a date with the idea of removing this when the City caught up, however, because of the raises in the utility rates, the City has been unable to remove this extra tax. In fact, the City will have to raise more revenue in order to cover these costs. Councilman Jones also suggested explaining the choices.

Councilman Olson said that the part about the equipment being in bad shape bothered him and would like this removed or toned down. Councilman Jones agreed with this. Mr. Sellers said that the information he had received is that the equipment is in horrible shape, but that the Police Department has been trying to purchase a car and this might explain this. Mr. Sellers said he had been told that the City's grader is inoperable. Mr. Cornwell said that this has been put back together and works well. Mr. Sellers said he would strike the sentence and the Council asked him to tone it down, as they felt he was laying it on too heavy.

Mayor Armstrong asked Councilman Olson and Councilman Jones to get together with Mr. Sellers to reword this. Mr. Sellers asked them a letter and he would send it out.

Councilman Callaway mentioned the idea of buying Utah Power & Light out and trying to get cheaper rates. He said that the people would have to bond to do so, but might if they could get cheaper rates. Councilman Callaway suggested having Dennis Lewis come into a meeting and explain

this and how Payson does it. Councilman Callaway was asked to research this and report back to the Council.

2. Business Licenses - the following licenses were reviewed:

Mendenhall's Market     \$75.00 (Business)  
Mendenhall's Market     \$60.00 (1st Qtr. '83 Beer Sales)  
Robert E. Steel, Video Memories     \$15.00 (Business)  
Blaine Smith, Body Shop     \$15.00 (Business)  
Lynn Crook, Insurance Office     \$25.00 (Business)  
Greg Fowkes, Distinctive Decorating     \$15.00 (Business)  
Don Crenshaw, Distributing     \$15.00 (Business)  
Brent Stevenson, High Country Trading     \$45.00 (Business)  
Jill Snell, Body Wrap II     \$15.00 (Business)  
Betty Quinn and Holly Broadhead, Santa Queen Inn     \$45.00 (Business)

Councilman Callaway moved that the licenses be approved and Councilman Openshaw seconded. The motion passed unanimously.

3. Recorder/Clerks' meeting - meeting in Saint George. The cost to the City would be \$180.00 for the meeting and Mr. Sellers will pay his wife's way. Councilman Jones moved that this be approved and Councilman Olson seconded on the grounds that Mr. Sellers go to at least one meeting. The motion passed unanimously.

4. Westovers - Mr. Sellers said that the Westovers had deeded two lots over to the City for a bond and that they want them back now. He said that a former Councilman was to have checked on this, but had failed to do so. Someone needs to check this out and make sure that all agreements have been fulfilled and to bring this back to the City for these to be turned back. Mayor Armstrong asked Councilman Olson to check this out and report back.

5. Board of Adjustments - Councilman Olson recommended Howard Fuller to be the new member. Councilman Olson moved that he be accepted and Councilman Jones seconded. The motion passed unanimously.

6. Wheeler School - Clint Cornwell was asking to go to an asphalt school at Wheeler Machinery on the 23rd of February in the afternoon. There will be no cost to the City. Mr. Cornwell said the school will cover new asphalt techniques and will last four hours. There was no objection to Mr. Cornwell's going, so he was advised to go.

7. Halletts in Denver - Mr. Sellers said that the Halletts from Denver called (Elmo Hallett's brother) and said that they will not deed the roadway over to the City, but would consider selling it if the City wants to buy. Mr. Sellers informed the Council that there is a 100 foot strip of asphalt on 100 North goin West, which the City may have laid. This might give the City public access. He will try to research this out. Councilman Jones said Mr. Lynn Crook would know. Mr. Sellers said that this would then have to go through Court. Councilman Jones said that there is a water service line running West on 100 North right now which services the Hallet house and used to service the Johnson house. Councilman Jones moved that Mr. Johnson be authorized

to proceed with condemnation proceedings. Councilman Openshaw seconded the motion and it passed unanimously.

Mayor Armstrong asked for an update on 300 West and Mr. Sellers said that Mac Steele has deeded his property and that Rees Nelson has committed to do the same. He said that, according to Mrs. Holden, Mr. Holden is trying to get his deed straightened out and will do the same.

8. Crime Conference - Mayor Armstrong said that Chief Knox is in St. George to a Crime Conference at this time and that it cost \$75.00 for the trip. She needed approval for this. Mayor Armstrong also brought up dues for the Utah Chiefs of Police Association (25.00) and a registration for an executive management seminar on the 24th and 25th in Salt Lake (25.00).

Councilman Jones moved that these items be approved and Councilman Olson seconded. The motion passed unanimously.

Mayor Armstrong. Mayor Armstrong said that the City can purchase a 1980 Dodge Aspen from the California Highway Patrol which will have everything on it. They also want to buy kick screens for their autos. Someone would have to go to Sacramento to get the car. She said that the total cost would be \$2,790.00. She said that the police budget has this in it, but she would like to use the Motor Pool money to recoup part or all of this if she could. Councilman Jones moved that the City purchase the Aspen and Councilman Pay seconded. The motion passed unanimously.

Mayor Armstrong mentioned that the scouts still need some more hours and that they will be supervised. Councilman Callaway said that Squashhead Park needs to be cleaned and the gutters on Main Street need to be cleaned. Mr. Cornwell said that some graves in the Cemetery need some sand in them. There are also some tracks in the Cemetery that need to be filled.

Mayor Armstrong asked about the possibility of placing the Judge on the City's insurance. She said that he was willing to give the last raise which he received back to the City in order to help pay for the premiums. Councilman Olson asked if this had been brought up before. Mr. Sellers informed the Council that the Judge's wife was going to try and get him on her policy, but was unable to. Mr. Sellers said that the monthly premium would be \$80.63. Mr. Sellers said that the Judge also told him that he would give up any additional raise the next year to help in covering the extra amount. Mayor Armstrong said that she would like to help him out. Councilman Callaway moved that the Judge be placed on the City's insurance and Councilman Openshaw seconded. The motion passed unanimously.

Mayor Armstrong said that she had had a meeting on the celebration. She said that Wasatch Bank is going to sponsor the Queen contest again, which is scheduled for the 9th of April. She asked for suggestions of people who would head up the float preparation. She said that the Fire Department had donated \$50 towards the float. Mayor Armstrong said that their next meeting would be on the 9th of March.

Councilman Olson. Councilman Olson asked if the Cemetery map was ready to be drawn. Mr. Sellers said that this project was going to involve a lot of time and man hours as there have been many discrepancies surface. He said that this is going to involve a full-time person to get involved and solve the problems. Councilman Callaway said that the City needs a BYU engineering student to come down and do an internship and redraw the map properly. Mr. Sellers said that if a person follows the scale on the map the City has and measures from the North to the South side of the Cemetery, 16.5 feet are lost, which is one grave lot. Mr. Cornwell said that things are slow now and that Mr. Neff does not have a lot to do, so he could begin straightening this out. Councilman Callaway said that Mr. Neff's wages are coming out of the Cemetery now. Mr. Sellers said that his wages are now coming out of the Water Department. Mr. Sellers said that, at this point, Mr. Neff is the only person who knows anything about the Cemetery. Mr. Cornwell said that Mr. Neff can straighten out the problems, but could not do the survey. Councilman Jones said that he would like to have a report on the next meeting as to how he is doing.

Mayor Armstrong. Mayor Armstrong asked about liability insurance on the EMT's in town. Mr. Sellers said that he would check on liability and Errors and Omissions. Councilman Olson asked about their own cars and Mr. Ursulich said that City insurance would not cover the private vehicles, but only "on the scene" type of insurance.

Mayor Armstrong asked about approving the wiring for the Library. Councilman Jones asked about tabling this until the Council sees what they are going to do about the school.

Mr. Sellers. Mr. Sellers said that Santaquin has been approached about the possibility of creating a place for Provo to bring its garbage. He said that Provo has to out of their current dump in about one year. He said that former Councilman Floyd Nelson had studied some areas to the South of Santaquin as possible dump sites. Mr. Sellers said that if the Council is interested in looking into this as a source of revenue, he and Councilman Pay would like to study its feasibility. He said that this might be a way of reducing the tax burden on the citizens. Mayor Armstrong asked how this would work and Mr. Sellers said that Santaquin would sign a contract with Provo to provide them with a landfill site. He said that other landfill sites in the area are charging about \$4.00 per ton and that Provo hauls about 1,000 tons per day. Mr. Sellers said that this money would go into the General Fund to be used as the Council budgets. He said that the feasibility study would not cost the City anything. Mr. Sellers said that he and Councilman Pay would like to know that the Council might favor the idea before they put a lot of time into it.

Mr. Sellers pointed out a letter from the Church attorneys protesting the Impact Fee. He said that their opinion for feeling this is unconstitutional is that it is prohibiting freedom of religion and taxing religion. He said that this fee does not do either one of these things, but is merely a fee for building a building. Mr. Sellers said that one of the State Constitution articles which they quoted stated



that no money or property could be appropriated and applied to any religious worship. He said that if the Council did not charge the Church an Impact Fee, this might be construed as an appropriation as someone would have to pick up the tab on this.

Mecham's Trailer Court. Mr. Olaf Jones from the trailer court approached the Council concerning the fire lane on the East side of the Trailer Court. He said that this has been closed off. Mr. Sellers said that the last Council had decided that this would be a fire lane for fire fighting equipment only. Councilman Jones said that he could not remember this, but Mr. Sellers said that this was former Councilman McCloud's idea. The Council said that they would take a look at this in the near future.

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

Chris & Dick's.....	\$ 250.00
Earl Brown.....	20.00
Central Utah Recorders.....	10.00
Central Bank Leasing.....	253.48
Don Eyre, Sr.....	520.00
Doug's Auto Supply.....	235.23
National Association of Chiefs of Police.....	25.00
Stan Hadlock.....	40.32
Ideal Machine.....	35.00
Intermountain Farmers.....	.50
International Institute of Municipal Clerks.....	30.00
Med Assist.....	126.05
Mendenhall's.....	12.28
Mountain Bell.....	461.77
Mountain Fuel.....	733.09
MARDON.....	4.00
Utah Power & Light.....	1,625.44
Utah Heart Association.....	19.79
Barnett's Locksmith.....	15.00
Richard Johnson.....	121.27
Banker's Leasing.....	419.10
Earl Andrews.....	12.50
Utah State Department of Health.....	9.00
Water and Wastewater.....	88.40
Pearson Tire.....	144.65
Utah Municipal Clerk's Association.....	15.00
Acme Fence.....	1,056.59
Loren Martin.....	45.00
Bert Rosenlund.....	160.00
Save A Dollar.....	28.17
John Cluff.....	4.50
Totals.....	\$6,521.13

Councilman Jones moved that all the bills except Ideal Machine, Water and Wastewater, Save A Dollar and a line repair of \$79.11 for Mountain Bell be paid. Mr. Cornwell was asked to check these out. Councilman Openshaw seconded the motion and it passed unanimously. Mr. Cornwell said that Blue Stakes did not stake out the underground cable.

Councilman Olson moved that the meeting be adjourned and Councilman Pay seconded. The motion passed unanimously at 9:55 P.M.

Approved this 2 day of March, 1983.

Sandra Armstrong  
Mayor Sandra Armstrong

ATTEST: Sam Sellers  
Sam Sellers  
City Recorder/Clerk