

Minutes of a regular Santaquin City Council meeting held on Wednesday, October 20, 1982, beginning at 7:00 P.M. The meeting was held at City Hall and Mayor Sandra Armstrong presided. Councilmen present were: Sherman Jones, Dan Olson and Lamar Openshaw. Councilman Grant Pay was excused as he attended a viewing.

Members of the community, who showed up at 8:00 P.M., were Mr. and Mrs. Allen Olsen and Jim Olsen. Officer John Cluff was present at the beginning of the meeting.

City Recorder Sam Sellers recorded the meeting.

Prior minutes. The following minutes had been reviewed by the Council: September 15, 1982, September 22, 1982, and October 6, 1982. The Mayor and Council recommended some corrections which are recorded on the original minutes. Councilman Jones moved that these minutes be accepted and Councilman Openshaw seconded. The motion passed unanimously.

Impact Fee Ordinance. Mr. Sellers stated that this meeting has been posted as the open hearing on this Ordinance. The proposed Impact Fee Ordinance was reviewed and discussed. The Council felt that the penalty should spell out that this will be a Class "B" Misdemeanor, so this was added to the Ordinance. Mr. Sellers stated that both Ordinances have been approved by the City Attorney.

Councilman Olson asked about the fees going into the Capital Projects Fund and if this would earmark the funds. Mr. Sellers stated that this fund is earmarked to offset impacts caused by the construction.

Councilman Jones pointed out that each building permit will now have to be reviewed by the Council to have the fees set. Councilman Olson stated that this will slow people down and may cause too much of a delay. Councilman Jones asked how else they could set a fair fee. Councilman Olson stated that the Building Inspector should be able to set these fees. Councilman Jones said that each department may want to look at the impact which will be caused against them and the fees be set accordingly. He also said that special meetings could be held, if a determination is made that this is necessary.

Councilman Olson moved that Ordinance #1982-4, entitled "AN ORDINANCE CREATING AN IMPACT FEE PRIOR TO ISSUANCE OF A BUILDING PERMIT", be accepted by the Council. Councilman Openshaw seconded the motion and it passed unanimously.

Beer license ordinance. The proposed beer license ordinance was reviewed and discussed by the Council. Some recommended changes were add the misdemeanor charge as a Class "B", add body to governing in section 10 and to add a phrase to section 10 stating that this dance permit is good for one dance only.

Officer Cluff stated that he would not like to see dancing come into the bars in town as they seem to create problems. Mayor Armstrong said that she didn't think there would be any problems. She said that she could remember going to dances in the past and could not remember any problems.

* Officer Cluff also stated that they were having problems with the bartenders getting drunk. The Council stated that this ought^{not} be covered under the State Liquor Control Act. If he found out that this is not the case, he should let the Council know and they will take care of this as they felt the bartenders should not be getting drunk.

Councilman Openshaw moved that Ordinance #1982-5, entitled "AN ORDINANCE ESTABLISHING TWO DIFFERENT CLASSES OF BEER LICENSES AND SETTING THE MINIMUM AGE LIMITS OF PEOPLE WHO CAN BE EMPLOYED AND BE PRESENT WHERE BEER IS SOLD OR CONSUMED", be accepted by the Council. Councilman Olson seconded the motion and it passed unanimously.

Resolution #1982-11. The Council looked at the resolution in conjunction with Ordinance #1982-5. This resolution was drawn up to set the fees covered in Ordinance #1982-5.

After some discussion as to the coverage required by the bars as opposed to that required by the stores, the Council set the price for bars at \$300 per year and left the stores at \$240 per year. Those who have already paid the license fee for the fourth quarter of 1982 will not have to pay the increased fee.

The Council set the fee for dancing by permit at \$15.00 per dance.

Councilman Openshaw moved that Resolution #1982-11, with the above stated fees, be accepted by the Council. Councilman Olson seconded the motion and it passed unanimously.

Walt's bar. Mayor Armstrong stated that Walt's bar has requested a dance permit for Saturday, November 6, 1982. Mr. Sellers said that they could approve this, but that the fee ought to be paid prior to the dance. Councilman Olson moved that the permit be approved and Councilman Openshaw seconded. The motion passed unanimously.

Board of Adjustment appointment. Councilman Olson recommended Kay Higginson to the Council as a proposed appointment to the Board of Adjustments. After some discussion, Councilman Olson moved that Mrs. Higginson be appointed to the Board of Adjustments and Councilman Openshaw seconded. The motion passed unanimously.

COUNCIL BUSINESS:

Officer John Cluff offered a bid of \$50 for the City's old Chrysler automobile. Councilman Jones said that this bid is higher than the ones the City has previously received and moved that the City sell this car to Officer Cluff for \$50. Councilman Openshaw seconded the motion and it passed unanimously.

1. City holiday. Mr. Sellers said that the personnel handbook shows the last Monday in October is a holiday. He said that the crew has asked for Friday October 22, off instead in order to prepare for the deer hunt. Councilman Jones stated that he could see no reason why they couldn't change days. Each Councilman felt this would be OK.

2. Mrs. Allan Olsen. Mrs. Olsen and her son Jim approached the Council. Mrs. Olsen asked how long they were going to have to wait to be annexed. She read from some minutes which she said indicated that she could be annexed. Mr. Sellers stated that these minutes were of a Planning & Zoning Committee meeting.

Mayor Armstrong said that she still feels that the City should annex larger chunks of land. Councilman Jones said that he doesn't think the City will annex the Olsens until the problem with the Petersons is solved. Mrs. Olsen asked what problem they had with Petersons, as she still maintains that she has a right to enter onto the property. Councilman Jones said that she does, but the City would not be able to give them a building permit until the problem with the roadway is taken care of. He also said he doesn't like to annex small parcels of ground either. Councilman Jones said that the City could not give her a building permit as the property does not abut onto a dedicated City street.

Mayor Armstrong asked the Olsens if they have attempted to get an agreement with the Petersons. Jim Olsen stated that the Petersons have stonewalled the Olsens at each attempt. Mayor Armstrong said that this is the same thing that the Petersons have told the Council. When Jim Olsen asked the Mayor what the Petersons have done, she said that she does not know what the Petersons have done just as she does not know what the Olsens have done.

Mayor Armstrong stated that the City, under the advice of their attorney, is not going to void the Petersons annexation. Mrs. Olsen said that if the City is not going to deannex the Petersons then it has to annex her ground. Mayor Armstrong said that the City does not have to annex anything.

Councilman Olson stated that the new Impact Fee Ordinance which the Council just passed may give the Council the answer. The costs for the City condemning and/or purchasing the roadway could be passed onto the property owners who desire to build in the area. Councilman Olson was asked to get the costs for this fee together possibly by the next meeting.

The Olsens agreed to have a look at this option as, short of approaching the Petersons and solving their problems, this seemed to be the easier way. Councilman Olson mentioned that these costs would be over and above all the other costs of annexation.

Councilman Jones stated that approximately 10% of the water hookups are outside the City limits and he felt that it would be to the City's advantage to have these properties in, rather than out. He said that it would be better for the City to have these properties in and the taxes coming into the City.

* 3. Quigley Quarry. Mr. Sellers said that the quarry needs to have the gravel the City wants paid for before the crew can get it. The Council said to forget this as they already have something worked out.

4. Dorrine's Beauty Shop. Mr. Sellers said that he had read an article in the Payson Chronicle that Carla Wall was planning on working in Dorrine's Beauty Shop, which is contrary to the Zoning Ordinance.

Councilman Olson said that Carla had only worked at the Beauty Shop when Dorrine had to go to the hospital. Councilman Jones said that she is now advertising that she is working there.

Mr. Sellers read from the Zoning Ordinance concerning Home Occupations as follows: "The use of a room in a dwelling as an office, studio, or work room for occupation at home by one or more persons residing in the dwelling unit." Councilman Olson stated that Dorrine doesn't even live in the house and he felt this was a business and this should not apply. Mr. Sellers said that she had the business prior to the Ordinance, so it is a non-conforming use. Councilman Olson said that it is still a business. Mr. Sellers said that this is in a residential zone and the ordinance spells out what is OK in a residential zone as he just read it.

Mr. Sellers said that if Carla was working in the home before the ordinance was put into effect there would be no problem, but she is now beginning. He also mentioned that the Ordinance is now in effect and the Council must abide by it or change it.

Mayor Armstrong asked what the criteria would be as to whether it is a home occupation or a business. Mr. Sellers stated that it is in a residential zone and this is the deciding factor. The case of George Finch was brought up and Councilman Openshaw asked whether he could hire someone. Mr. Sellers said he could not, unless the person resided on the property. Councilman Jones said that Mr. Finch knew about this.

Councilman Openshaw stated that Dorrine could continue to operate and not get a license and the City would be without the annual license fee. Mr. Sellers stated that she could not do business without a license. Mr. Sellers said that if she was caught doing business without a license, she could be prosecuted.

Councilman Olson asked if she could get a variance on this. Mr. Sellers said she could. Mayor Armstrong said that she had ought to apply.

Councilman Olson asked how the City found out about this. Mr. Sellers said that he had read an advertisement in the Payson Chronicle. Mayor Armstrong and Councilman Openshaw felt that this was a nit-picking sort of thing. Mr. Sellers said that if the Council lets this go, soon there would be 10 or 15 and then they might as well throw their ordinance out and the rest, as they will not be able to enforce any of them.

Mr. Sellers pointed out that it is Dorrine who has to apply for the variance and not Carla. Mayor Armstrong said that she would contact Dorrine about getting the variance.

Mr. Sellers asked the Council if the office staff should let them know of any violations of the ordinances when they see them. He said that

he and Ramona felt an obligation to report any violations to the Council, but wouldn't if they objected. Councilman Jones said that he felt the Council should know these things.

Councilman Openshaw said that one beauty shop was denied a license because of inadequate parking. No one on the Council could remember this particular incident. Mr. Sellers said that the Ordinance requires a certain amount of parking for these home occupations and, if this shop could not or would not comply, it would rightly be turned down. The answer, however, is not to break the ordinance, but to change it if it doesn't work out.

Councilman Jones. Councilman Jones mentioned that the City has the opportunity to buy copies of the "Guide to Duties and Powers of Utah Municipal Officials." He felt that this would be good, especially for the new members of the Council. Mayor Armstrong said that she has a copy and also felt this would be good for the new members. Councilman Jones moved that the City order six copies and Councilman Olson seconded. The motion passed unanimously.

Mayor Armstrong. Mayor Armstrong said that Summit Creek's wash is again looking bad. Councilman Jones asked who is dumping in this wash, as he felt they should be pushing it. Councilman Openshaw said that various people dump here. Even the State on a time or two. He said that Mr. Cornwell, the City's Maintenance Supervisor, has told others they can dump there. Councilman Jones said that it costs \$150 to \$200 each time the City pushes this and that this is for the benefit of Summitt Creek. Mayor Armstrong said that there are citizens complaining.

Councilman Openshaw said that if Summitt Creek doesn't want any dumping there that they should place no dumping signs. Mayor Armstrong said that if Summitt Creek didn't want any dumping there, they would have said something long before now. She said that it appears that they do not want the responsibility of pushing this.

Jim Guynn. Mr. Sellers said that Jim Guynn was trying to get unemployment. He had written a letter, under the direction of the Mayor, explaining why Mr. Guynn had officially resigned. His request stated that he resigned because of long uncompensated hours and political problems resulting from an arrest of a City Councilman. Mr. Sellers said that he told the people at Job Service that the hours had never come up prior to his quitting and that he had never formally arrested a City Councilman.

Councilman Openshaw. Councilman Openshaw stated that he had received some complaints about the City's officers running radar on I-15. Mr. Sellers said that Chief Knox had been asked by Juab County to stop a suspicious vehicle which had left Nephi going North. He waited at the South exit on ramp. Mr. Sellers said that this may have been construed to have been running radar, but it was not. He said that Chief Knox knows the Interstate is out of the City's jurisdiction.

Industrial Site. Councilman Jones said that Councilman Olson received

some phone numbers to call concerning an Industrial Site. Councilman Olson said that they will come in and develop the site and sell it to industries and the City only has to provide the water. These numbers were obtained from UVIDA. Councilman Jones said that they ought to get a committee or something together to see about doing this for the City.

Councilman Openshaw. Councilman Openshaw stated that there appears to be a problem with the street lights on Main Street. He said that a person from the State Road Department had approached him and told him that the lights on Main which aren't burning would be taken out. He felt very uncomfortable about paying for the light out by the LDS Church when he might have to have lights downtown or in front of homes pulled. The Council told him that this is his department and he should have the lights on which he feels should be on.

Current Bills. The following bills were reviewed:

Don Cole.....	\$ 391.00
The Council asked Mr. Sellers to hold this bill as Mr. Cole has not completed the survey according to the specifications asked for.	
Davis' Home Center.....	238.91
Central Bank.....	253.48
Don Eyre, Sr.....	2,065.35
Mr. Sellers stated that a drum of anti-freeze was stolen. The Council asked that a police report be filled out on this.	
Flasher Barricades.....	68.30
Ideal Machine.....	35.00
Mr. Sellers was instructed to hold this bill again.	
Mountain Bell.....	317.13
Mountain Fuel.....	70.48
Mountainlands.....	760.98
Redex, Inc.....	6.21
Utah County.....	24.00
Utah Power & Light.....	1,359.61
UVIDA.....	15.00
Valley Asphalt.....	347.90
Julie Wall.....	375.00
Whitmore Oxygen.....	33.39
Earl Martin.....	62.35
L. N. Curtis.....	817.30
Pearson Tire.....	9.00
PDM.....	18.09
Holland Equipment.....	192.20
Councilman Jones moved that the meeting be extended 20 minutes and Councilman Olson seconded. The motion passed unanimously.	
A & H Equipment.....	2.20
Utah Correctional Industry.....	16.39
Utah Water Publishing Co.....	52.00
CMI, Inc.....	64.74
Totals.....	\$7,596.01

Councilman Jones moved that all the bills except the two be paid and Councilman Openshaw seconded. The motion passed unanimously.

Mr. Sellers stated that the Council should take the list of bills given them and update their budgetary expenses each Council meeting. The expenses of each department are included with the bills on a total basis so the Council does not have to go through the bills one by one. Mr. Sellers stated that he has been hassled in the past about not having the budgetary figures to date when he has not been able to get the time to do this, so he instituted this total figure each Council meeting so the Council can keep on top of their departments. He said that if the Councilmen do not understand this system, they could come in and he would explain it to them.

Councilman Jones. Councilman Jones said that Councilman Openshaw ought to approach Don Coles and get the description of 300 West, from fence to fence, and the three owners of this road from Main to 100 North. This could then be sent to the attorney for a quiet title procedure. He also said that if it would not be too much trouble or expense, they ought to continue on North to 200 North. Councilman Openshaw agreed that this ought to be completed.

Everett Kester's survey. Councilman Olson stated that Everett Kester has completed the survey of his property and it shows that there is a definite problem with the City's plat map. He asked Mr. Sellers to contact Utah County concerning this.

Councilman Jones moved that the meeting be extended 10 minutes and Councilman Olson seconded. The motion passed unanimously.

Councilman Openshaw. Councilman Openshaw stated that the roads down by the new school are sure in rough shape. He said that the heavy trucks running down to the school have caused the problem and asked if any arrangement has been made with the school district on this. Mayor Armstrong said that nothing was arranged for this. Councilman Jones said that the City ought to tell them that they ruined the road and see what they say.

Councilman Openshaw asked about the cul-de-sac on the South of the school building. Councilman Jones said that the school will oil this. Councilman Openshaw said that the road will still be the City's as it is on City property and asked how snow is going to be pushed off it. He said that there is a rise on the West end. He asked if this was planned or just left for someone to figure out in the future. Councilman Olson said that there is a sump planned for this cul-de-sac. Councilman Jones stated that there has been some poor planning involved and something needs to be done about it. Councilman Openshaw said that this is City property and the school will expect the City to take care of any problems in this area. Mayor Armstrong asked what could be done about this and Councilman Openshaw said he was wondering what had been done. Mayor Armstrong said that nothing has been done. Councilman Openshaw asked if the City wanted to eventually go further West and then North on the proposed 500 West with this road. Councilman Jones said yes, but the cul-de-sac is so low that it will create a problem and the school district ought to be approached on this. Councilman Openshaw said that he thought it would be low as well and wondered what was the plan. Councilman Jones said there was none. He

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said that they came in and showed the maps, but they were unaware of what it would look like on site until it is put in.

Councilman Openshaw said that he thought the Church ought to cover the ditch going to their property as well as pay the Impact Fee. He said if they want the water, they should get it there and give the City room to do their road. Councilman Jones asked if the City ought to quiet title this. Councilman Openshaw indicated that he felt this ought to be done to 400 North. Councilman Openshaw brought out the petition which was circulated in the area and said that it was based on untruths even though there were some truths in it. He said that this has to have been circulated by an educated person. Mayor Armstrong said that some of the residents have apologized to her as they let a rabble rouser influence them. Councilman Jones and Mayor Armstrong said that they felt that the parking would have to be limited or stopped on this block, from Main to 100 North, as the traffic increased.

Councilman Olson. Councilman Olson brought up a bill from the Fire Department. The bill was for Mr. Shane Bott's dues, etc. and for a mistake on the 1981 bill. The bill was for \$33.50. Councilman Olson moved that this bill be paid and Councilman Jones seconded. The motion passed unanimously.

Councilman Jones moved that the meeting be adjourned and Councilman Olson seconded. The motion passed unanimously at 10:18 P.M.

Approved this 3 day of November, 1982.

Sandra Armstrong
Mayor Sandra Armstrong

ATTEST: Sam Sellers
Sam Sellers
City Recorder