

Minutes of regular Santaquin City Council meeting held Wednesday, June 16, 1982, at City Hall. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Dan Olson, Sherman Jones and Grant Pay. Recorder Sam Sellers recorded the meeting.

Mayor Armstrong called the meeting to order at 8:15 P.M. Councilman Olson offered the invocation and led the pledge of allegiance.

Minutes of prior meeting. The minutes of June 2, 1982, were reviewed by the Council. Changes and corrections were recommended as can be found on the original minutes. Councilman Olson moved that the minutes be approved as corrected and Councilman Pay seconded. The motion passed unanimously.

The agenda item of selection of the new City Councilman was not handled at this meeting. Mr. Sellers recommended handling this just prior to the public hearing on the 30th of June in a special Council Meeting.

#### COUNCIL BUSINESS:

1. Roads to Park. Mr. Sellers said that Mr. Cornwell had indicated that the heavy trucks hauling the gravel for the new school were tearing up the road down by the City Park. Councilman Jones said that the trucks were finished hauling gravel. Mr. Cornwell said that there would be extra fixing up for the City on the road to the East of the Park which runs North and South.

Mayor Armstrong asked what the City is doing on 400 North and Councilman Jones and Mr. Cornwell said that the City is going to gravel this road. They said that the chuckholes could not be filled economically with asphalt, as there are too many.

Councilman Jones wanted to publicly thank Chick Greenhalgh who had volunteered to run the grader and level the gravel over the asphalt on 400 North, and other work for the City, free of charge.

2. Olson Annexation. Councilman Jones said that the annexation for Jack Olson's greenhouses South of town has never been completed and this should be taken care of as soon as possible. Councilman Olson said that he had talked with them and they had gotten too busy during the Spring work. Mr. Sellers mentioned that this had not been taken care of with the State, so the City is not getting tax revenues from this annexation. Councilman Jones explained that they have not submitted a proper mylar map to the City yet. Mr. Sellers said that the City ought ~~to~~ reannex them into the City when they bring a proper mylar map to a council meeting. Mayor Armstrong asked Councilman Olson if he would pursue this with the Olsons.

3. State Surplus Equipment. Councilman Jones said that there is a lot of equipment the City could use in the State Surplus. He said that the City could tag what they want and take delivery after July 1, so they would be billed during the next fiscal year. Councilman Olson said that he would notify Jim Peterson about this for brush trucks. Mr. Cornwell said that until June 30, anything the City buys they'll get 50% off. Mayor Armstrong asked if they need the money right away



to get the discount and Mr. Cornwell said they did not.

4. UDOT. Mr. Sellers brought out that the City had received \$3,500 three years ago for engineering work on the rest of the sidewalk to the West City limits on Main Street. Mr. Sellers said that he did not know the money was set aside for this until UDOT contacted him concerning it. This means that the City will have to set aside \$3,500 of next fiscal year's Capital Projects Fund for this engineering work to be done. Mr. Sellers said that this \$3,500 is a matching grant, which at the time the local match was \$500. Mr. Sellers said that the City could possibly get this done for \$3,500 as there are many engineers out of work at this time.

5. Richard Bettis. Mr. Sellers said that the variance request for Mr. Richard Bettis had been denied. Mr. Bettis was present and approached the Council.

Mr. Bettis said that Mrs. Rosenlund had failed to give him the criteria for a variance request prior to the meeting and he was, therefore, unprepared. He said that his garage, which he wants to build is 120 feet larger than the zoning ordinance allows. The Board of Adjustments asked him if he could show them that abiding by the ordinance would cause a hardship, which is one of the criteria. Mr. Bettis said that he could not, but another criteria is being deprived of the same privileges others in the same zone enjoy. Mr. Bettis had a list of four properties where garages had been built, not attached to homes, and did not conform to the ordinance. One of which has an approved building permit, the others obviously not. One building is in process at this time.

Mr. Bettis said that his only option now is to go before Judge Peterson to get the variance. Mayor Armstrong asked why he had been denied the variance and Mr. Bettis said it was because he could not show a hardship.

Councilman Olson said that a major problem the City has is that they do not have a full-time building inspector that could drive around town and look for infractions. Many times people have been caught after they have built.

Mr. Bettis said that one of the four had obtained a blank building permit, but had never finished the process prior to building the garage. Mr. Sellers said that the same people had closed in a carport for additional living space and had been told they could not build without the permit. They did obtain the permit and built onto this in the proper manner.

\* Councilman Olson asked Mr. Sellers to explain how a person obtains a building permit. Mr. Sellers says that the individual requests a permit from the office. They then fill it out and submit it with a plot plan of their property showing what they want to do. The Office Staff gives this to the Building Inspector who determines the fees from a schedule he has. The Inspector also determines if the work meets the proper codes and ordinances. This is then given back to the Office Staff who submit it to Councilman Olson for approval. After the permit has been approved, the Staff then contacts the individual to notify him that the permit is ready. The person can then proceed with the building. The person is also responsible to call for inspections.

Councilman Olson said that the neighbors to Mr. Bettis had written letters indicating that they were not opposed to his having this large of a garage.

Mayor Armstrong asked what the City Council could do about this as he has been denied a variance by the Board of Adjustments. Mr. Sellers said that the Council could do nothing about this. Councilman Olson said that he thought the Council could file a grievance to the Board of Adjustments. Mr. Sellers said that Board of Adjustments has denied Mr. Bettis a variance and the ordinance indicates that this decision could only be appealed to a court of competent jurisdiction.

Mr. Sellers said that the Board of Adjustments' position is that they cannot vary the ordinance for a convenience. If the person could show a hardship, they would grant a variance, or, in Mr. Bettis' case, if they can show that others have the same privileges in the same zone, they would grant a variance. This Mr. Bettis did not know until after the Board met.

Mr. Bettis asked if the City Council could recommend to the Judge that the variance be granted. The Council said they could not recommend this, that the decision is up to the Judge.

The meeting recessed at 9:08 P.M. Mayor Armstrong called the meeting to order at 9:12 P.M.

6. Don Ewell. Mr. Ewell approached the Council concerning his building permit. Mr. Ewell said that Mr. Hovey told him the permit would cost approximately \$20. He then found out that he was being charged about \$50. Councilman Olson said that if Mr. Hovey could pull the right amount off the top of his head, then he would be doing pretty good. There is an elaborate table he has to go by to set the charges and he is not experienced enough to ~~do so~~ *pull the figure out of the air.*

Mayor Armstrong explained to the Ewells that there is nothing the Council could do about it. Mr. Ewell said that he knew he was fairly ignorant on the telephone to the office staff, but said he did not think the City could tell him he could not put a roof on his trailer when it is leaking. Mayor Armstrong asked if the City tried to tell him he could not build on his roof and Mr. Ewell said they had not.

Mayor Armstrong left the meeting at 9:15 P.M. and Councilman Jones took charge of the meeting.

Mr. Ewell said that he did not think he would need a permit for this roof. Councilman Olson stated that this is one of the most misunderstood things in Santaquin. The purpose of a permit is to insure the safety and rights of all people involved. Councilman Olson said that he understood one of the complaints Mr. Ewell had was that it was not inspected. He said that this was primarily because the permit was not obtained in the first place. Councilman Olson said that the Inspector could tag on a double charge when he finds someone building without a permit.

Councilman Olson said that the City had given them the time to pay the permit as it was and they had been told at the last meeting that the Ewells had made no attempt to take care of the problem. Mrs. Ewell said that they were expecting to receive a bill from the City explaining the charges. Councilman Olson said that he understood that

the Ewells had been called about the permit when it was completed. Mr. Sellers explained that Mrs. Rosenlund had called the Ewells. Mrs. Ewell said she was waiting for a letter of explanation as to why the charges were so high. Councilman Olson said that the Ewells should have come into City Hall and checked on the charges rather than their neighbors. \*

Mr. Sellers said that Mrs. Rosenlund had told him that she had <sup>with</sup> called the Ewells a couple of times and asked them to come down and pay this but she was told they were not going to pay it. Mrs. Ewell said that she had not told Mrs. Rosenlund this and Mr. Ewell said he had never talked with Mrs. Rosenlund.

Mr. Sellers said that the only thing the Council could do is to waive the double charge for the Ewells. Councilman Olson moved that the double charge be waived inasmuch as the Ewells did not understand the process and they pay the regular fee. Councilman Pay seconded the motion and it passed unanimously.

Councilman Olson moved that the meeting be extended 15 minutes and Councilman Pay seconded. The motion passed unanimously.

7. Central Store. Mr. Sellers said that there <sup>is</sup> a Central Store at the State Capital which is available to cities. He said that the office supplies are very reasonably priced. Mr. Sellers said that he and Mrs. Rosenlund needed authorization to purchase supplies from this source. Councilman Olson moved that Mr. Sellers and Mrs. Rosenlund be given authorization to purchase supplies from the Central Store. Councilman Pay seconded the motion and it passed unanimously.

8. FmHA loan for Park purchases. Mr. Sellers said that Councilman Callaway had instructed him to apply for a \$20,000 loan from Farmers Home Administration to go towards Park improvements. The application was completed and the Council needed to authorize the Mayor to sign this request. Councilman Pay moved that the Mayor be authorized to <sup>\*</sup>sign the request to Farmers Home Administration for a \$20,000 ~~loan~~ for Park improvements. Councilman Olson seconded the motion and it passed unanimously.

9. Business license requests. Mr. Sellers said that there was only one license request. It was from William Bettis, Bill's Salvage. Councilman Olson moved that the license be approved and Councilman Pay seconded. The motion passed unanimously.

Budget. Mr. Sellers presented the Council with a printout of where the City stood as of 7:00 P.M. on the 15th of June, 1982. He said that he could possibly have the year end budget done by the 30th of June, 1982, but, as the printout showed, the City is going to be tight to meet its objectives. He said that the General Fund would probably not reach its objectives as they viewed them a month ago.

Councilman Olson. Councilman Olson said that he had been down to talk with Mr. George Finch concerning the cars and things on his lot. Councilman Olson said that all the vehicles had a current license and were registered to Mr. Finch. Mr. Sellers asked why Mr. Finch was required to move the stuff off the County property. Councilman Olson

said that some of the stuff is on County property at this time. Councilman Olson said that stuff was inspected and licensed to Mr. Finch and, therefore, completely legal.

Mr. Cornwell. Mr. Cornwell publicly thanked Councilman Olson for his help the night the headhouse ran dry.

Mr. Sellers brought out that the sign moritorium does not have to be posted to be legal. He said that the agenda stated that a moritorium on signs would be considered that evening and if anyone objected to this they should have been present in that meeting. Mr. Sellers said that Mr. Mendenhall had ordered the sign six months prior to the moritorium, but had not gone before the Planning & Zoning Committee to have it approved before he ordered the sign. Councilman Olson said that he has told Mr. Mendenhall he may have to take the sign down anyway as it is on City property. Mr. Sellers said that the Planning & Zoning Committee has said they will not have a sign ordinance to the Council prior to the moritorium expiration, but they recommended the ordinance in effect be followed and the sign requests be put before them.

Councilman Olson moved that the meeting be adjourned. Councilman Pay seconded the motion and it passed unanimously at 9:42 P.M.

Approved this 7<sup>th</sup> day of July, 1982.

Sandra Armstrong  
Mayor Sandra Armstrong

ATTEST: Sam Sellers  
Sam Sellers  
City Recorder