

Minutes of a regular Santaquin City Council meeting held on Wednesday, April 7, 1982, at City Hall. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Walter Callaway, Newell Checketts, Dan Olson, Sherman Jones and Grant Pay. Recorder Sam Sellers recorded the meeting. The press and public were notified of the meeting according to law.

Mayor Armstrong called the meeting to order at 7:05 P.M. Councilman Checketts offered the invocation and led the pledge of allegiance.

Minutes of March 17, 1982. After a review of the minutes, Councilman Olson moved that they be accepted as read. Councilman Pay seconded the motion and it passed unanimously.

* Minutes of March 29, 1982. After a review of the minutes, Councilman Callaway moved that they be accepted as read. Councilman Checketts seconded the motion and it passed unanimously.

* Mecham's Trailer Park. Mr. Robert Gardner, representing the Park, was present. The first item he brought up was the roadway which runs to the West towards the middle of the Park. He indicated that there were numerous complaints concerning this road being blocked off, yet admitted the ordinance only allows two exits onto one street. He said that the tenants were wanting additional information as to why this will not be a street, and Mr. Mecham wants a logical reason on same. Mayor Armstrong asked if Mr. Mecham thought the ordinance illogical as stating this. Mr. Gardner said that Mr. Mecham wanted this a matter of public record. Councilman Olson indicated that he felt the whole problem was poor planning on the part of the past owner as the trailers were put in haphazardly. Mr. Gardner admitted that there was poor planning in the past, yet the current owner is now trying to plan more for the future. Some tenants from the Park were present and stated that they did not want this road open because of the added traffic which would occur. Mr. Gardner stated that obviously those who want this open were not interested enough to attend the meeting and it would remain closed and va fire lane. would be

The next item Mr. Gardner brought up was an alleged agreement for a playground on the roadway West of the Park. He indicated that they were prepared to sod this, put a fence in and place playground equipment in. Mayor Armstrong asked where the fence would be and Mr. Gardner stated that this is a question which needs to be resolved. Councilman Jones asked if Mr. Gardner knew where the boundary line now lies and Mr. Gardner said they knew approximately. He said that the past Council indicated that the Park area would be a joint venture between the Trailer Park and the City. Councilman Checketts asked what Mr. Gardner meant by a joint venture and Mr. Gardner said that the City would take care of watering and maintenance and the Trailer Park would take care of the fence and playground equipment plus put in the sod.

Councilmen Callaway and Jones asked if Mr. Gardner had a copy of this agreement. Councilman Callaway said that the City had agreed to fill this area, as it used to be a wash. Mr. Sellers said that this had been discussed in a past Council Meeting and was a recommendation of Former Mayor Steele, but the Council had never agreed by a vote to

allow this to take place.

Mr. Gardner stated that Former Mayor Steele's reasons for this were: (1) the people in the Park are residents of Santaquin, just as much as anyone else (Councilman Callaway stated that ^{the} Council has never denied this); and (2) people outside the Park will be coming to use the play area as part of a City Park.

Councilman Callaway stated that the City has already spent a lot of money in filling the wash. Councilman Jones stated that it has not been the policy of the City to provide water to roadway property along the side of private property and if they did for the Trailer Park they would have to do it for everyone else.

Mr. Gardner said that the only other alternative he could see was for the City to deed the property over to the Trailer Park. Councilman Checketts stated that there has been a lot of loose talk in the past which does not bind the City and the City has not participated in this type of thing in the past.

Mr. Sellers asked if this playground idea was presented to alleviate their responsibility of having a play area inside the Park as the ordinance requires this. Mr. Gardner said that this was also a suggestion of Former Mayor Steele as there is not adequate room inside the Park and would alleviate this responsibility. Mayor Armstrong asked if they have a definite plan and Mr. Gardner said there was but he did not have it with him. Mayor Armstrong stated that the Council would like to see these plans.

Mr. Sellers said that this whole playground would be on City property. Mayor Armstrong asked if they were prepared to provide the playground area as required by the ordinance in the Park, besides this proposed playground on City property. Mr. Gardner said that they were prepared to have a small playground, but the area inside the Park is too small for the required size. Mayor Armstrong said that the ordinance requires so much green area and asked what would happen if some trailers would have to be moved out to make room for this area. Mr. Gardner said that they have had a study done and that this Park has more area per trailer and less density of any trailer park in Utah County. Mayor Armstrong asked if the trailers are going to be straightened up so the Park looks nicer and Mr. Gardner said that as trailers move out, ~~they~~ ^{the spaces} will be straightened out. Mr. Gardner was asked to come to a future Council meeting with his plans and review them with the Council. Councilman Jones pointed out that, as far as he knows, it is against the law for the City to deed roadway area away, unless it is another public entity.

* George Finch - Business License. Mr. Finch was present and approached the Council. Mayor Armstrong asked if the Council had anything to say about this at this time. Councilman Callaway said that he had discussed the proposals with Mr. Finch and that he is agreeable to fence the West side. Mayor Armstrong stated that ^{now} is the time to let Mr. Finch know what is expected of him. She said that the question now is how long the Council will give Mr. Finch to fence his property and the type of fencing he should use. Mr. Finch stated that he would like to know how much they wanted him to fence. Mayor Armstrong said that she was under the impression they would ask him to fence the whole thing and Mr. Finch said that the South fence does not need to be fenced in his opinion as it is tight enough that ~~it could~~

*his business
could not be seen
through it.*

not be seen. Mayor Armstrong said that the fence would be to enclose the business and that is the reason for the South fence. The Council agreed that Mr. Finch should strip the cars on his property and all parts relating to his business should be stored behind his fence. After more discussion, Councilman Olson moved that the City require Mr. Finch to erect a fence, six feet high, of suitable material of his own choosing on the West and North side of the property from the shute to the East boundary with this to be completed by December 31, 1982. On these terms the current license will be issued. If this fence is not in place in the time stipulated, Mr. Finch's 1983 license will not be issued. Councilman Callaway seconded the motion and it passed unanimously.

* Councilman Olson moved that by December 31, 1982³, the East boundary of his property be fenced as the West and North boundaries and of the same material. If this is not done in the time allocated, Mr. Finch's 1984 license will not be issued. Councilman Callaway seconded the motion and it passed unanimously.

Councilman Jones moved that the City require Mr. Finch to continue the fence along the South boundary, of the same material, and this be completed by December 31, 1984. If this is not done in the time allocated, Mr. Finch's license will not be issued. Councilman Checketts seconded the motion. Those voting in favor were Councilmen Jones and Checketts. Those voting against were Councilmen Callaway, Pay and Olson. *Motion failed to pass.*

*He said he will
connect it with
put in pump
for pressure*
Larry Leifson. Mr. Larry Leifson approached the Council to request a county water hook-up. He is planning to build a home up Santaquin Canyon, just below the headhouse, and would like to have a City water hook-up for his culinary water. He also asked for a right-of-way across City property to enter onto his property. Councilman Callaway asked if Mr. Leifson was aware that he would need to deed over to the City two shares of Summitt Creek Irrigation water and if he knew the pressure was extremely low in this area. *City's* Mr. Leifson said that he was planning on placing a 48 inch pipe across the wash for a culvert. Councilman Olson asked Mr. Leifson how many acres were involved and he said everything East of Summitt Creek ditch and down to Campbells. Councilman Jones asked if Mr. Leifson owned this property and if it was in his name. Mr. Leifson said that the property is going to be in his name. Councilman Jones said that he was concerned that the City is being asked to give water to someone who doesn't even own the land. Councilman Jones said that the Council needs to see the deed proving that Mr. Leifson owns the land.

Mr. Leifson asked if the City would allow him access across its property. Councilman Jones said that if the City gives Mr. Leifson water that the access would be no problem.

Judy Vincent. Mrs. Vincent brought a petition which she alledged represents 100% of the residents of the Westover Subdivision in which the people said that they would not oppose a beauty shop in her home. Councilman Callaway asked Mrs. Vincent how long she has been trying to get this shop and she said its been about one year. Councilman Callaway said that he felt it should be brought up that if anyone applies for a business license, the Treasurer or Recorder should put them on the agenda for approval. Mr. Sellers pointed out to

* Councilman Callaway that Mrs. Vincent has never made application for a business license and, until she does, she will not be placed on an agenda. * Councilman Callaway said that from now on if someone makes application for a business license, they should be put on the agenda. Mr. Sellers said that if someone makes application, this application is handled at the very next meeting and there has never been a misunderstanding on this point. Mrs. Vincent ~~admitted~~ ^{stated} that she has never made application for a license. *for a license.*

* Councilman Olson said that at the last Council meeting there was a question about the protective covenants concerning the use of the subdivision for residential purposes only. He said that he and Councilman Callaway had gone over the covenants and determined that the City has always allowed businesses in the home which is considered residential. Councilman Olson said that the covenants do not say the subdivision does not allow a residential business and, therefore, the City could not do anything to stop them or anyone else. Councilman Callaway said that he had contacted Mrs. Westover and she had explained that they did not want outside commercial businesses in the subdivision.

Mayor Armstrong said that the only question they had had was the wording in the covenants and whether this would be allowed. Councilman Callaway moved that the City allow Mrs. Vincent to have a beauty shop in her home. Mr. Sellers pointed out that she has not made application yet.

Mrs. Vincent asked if Mrs. Rosenlund knows that she can buy a license. Mrs. Rosenlund, who was sitting behind Mrs. Vincent, said that she was just following the interpretation of the covenants as the Council had in the past.

Dan Whitelock. Mr. Whitelock said that he wanted to discuss a business with the Council which he has been doing. He said that Councilman Callaway had told him that what he is doing is against the City's ordinance. He explained that he understood that he is in violation of the ordinance, but he bought the land prior to the ordinance and he is using the business to supplement his income. Mr. Whitelock said that his feeling is that if he wants to bring some parts in to salvage them down, that he should have the right to do so. He said that he had won a bid on some semi loads of materials, but usually does not get more than a ton truck load or so. He said he gets electronic scrap and salvages them. He said that he knows the ordinance says he cannot have a salvage business in Santaquin. He said that, in his opinion, he still has the best looking lot in the neighborhood. Mr. Sellers asked Mr. Whitelock where he does the actual scrapping. Mr. Whitelock said that he does it outside and in his house.

Mr. Whitelock said that they are in the process of buying a place in Payson, but it would take time to get the stuff moved. He said that the place in Payson was for the purpose of doing this business. Mr. Whitelock said that he would still like to bring some material in to work on during his free time, which he has been doing since he has lived in the house. Mayor Armstrong asked Mr. Whitelock how long it would be until he would be prepared to move his business to Payson. He said that he does not plan to move what he has now and that he has hired a person to assist him in working the scrap down.

Mrs. Rosenlund obtained a copy of the Zoning Ordinance from which Mr. Sellers read the following concerning a Home Industry: "An occupation conducted on the premises outside of a dwelling, by persons residing on the premises, which use is clearly incidental to the residence and is housed in an accessory building on the premises of not more than 900 square feet, and other conditions as set forth by the board of adjustment."

Mr. Whitelock asked when the ordinance went into effect. Councilman Jones said that this would have no bearing on the case. If the Council passed an ordinance this night, Mr. Whitelock would be living according to it. Mr. Sellers said that if Mr. Whitelock can fit the Home Industry part of the ordinance, that there would be no problem.

Mr. Whitelock said that he could probably have the current stuff worked down by the end of the summer.

Councilman Olson said that Mr. Whitelock could go before the Board of Adjustments in order to keep his business and have someone help him. Mr. Whitelock said that he would like to keep his most valuable stuff at his house, even when he starts in Payson. The Council said that if he had it in a shed, this would be alright.

Mr. Sellers pointed out that the Council cannot allow Mr. Whitelock to carry on his business as he has to appear before the Board of Adjustments for a variance. He also said that Mr. Whitelock should have a plan to present which would make his case stronger. Councilman Checketts asked Mr. Whitelock if he had a license and he said no. Mr. Sellers said that he would need to get his variance prior to getting his license. Councilman Callaway said that, since he does not ~~sale~~ *sell* the scrap to anyone in town nor does he have a State sales tax number, he does not need a license.

Councilman Callaway said that the City could give him time to get the stuff he has worked down. Mayor Armstrong asked how long he would need. Councilman Jones said that the Council does not have the authority to allow him to keep operating. The Council said that if he would actively persue a variance, they would not take any action against him. Mr. Whitelock said he would. Councilman Jones told Mr. Whitelock not to construe from the meeting that he had permission to go ahead with his business.

Terrell Wall appeal. Mr. Sellers said that the latest information which he had was that Mr. Wall was going to appeal his conviction to the District Court. He asked if the Council wanted to persue its case against Mr. ElFawn Wall if Mr. Terrell Wall does appeal. Councilman Jones moved that the City persue its case against ElFawn Wall if Terrell Wall appeals his case. Councilman Olson seconded the motion and it passed unanimously.

Darwin Robbins Property. Councilman Jones said that Mr. Robbins had rejected the City's proposal for the three acres they want to purchase from him. Councilman Jones moved that the City void all offers made to him and authorize him (Councilman Jones) to have the property surveyed and start condemnation procedures. Councilman Callaway seconded the motion and it passed unanimously.

COUNCIL BUSINESS.

1. Easter egg hunt - Mr. Sellers indicated that the two checks

written for eggs for the hunt were written without prior approval of the Council. He said that this would not be done in the future as it puts he and Mrs. Rosenlund out on a limb. He further stated that the \$25 from the Fire Department was not a donation from the Fire Department, but one from the citizens of Santaquin as it came out of the General Fund. Therefore, this \$25 and the \$30 from the Recreation Department, for a total of \$55, was a donation by the citizens. Councilman Callaway moved that these checks be approved and Councilman Checketts seconded. The motion passed unanimously.

2. Cemetery deed changes - Mr. Sellers said that past administrations had charged for deed changes. He felt this is a good practice on all deeds other than those where the City is at fault. The Council directed Mr. Sellers to write a resolution to this effect.

3. City clean-up - Councilman Pay moved that the City have a clean-up day set for April 24, 1982. Councilman Olson seconded the motion and it passed unanimously.

4. Business Licenses - Councilman Callaway took the list of people who are apparently doing business without licenses and said that he would take care of these.

5. City agenda - Mr. Sellers asked if the Council is comfortable with its present agenda outline or if they would like to see it changed. They all were comfortable with it as it is.

6. Current bills - handled later.

7. Business licenses:

E & M Welding.....	15.00	
El Ray Davis Trailer Park.....	40.50	
Santa Queen.....	45.00	business
Santa Queen.....	125.00	gaming license
Sinclair Station.....	15.00	John Kennedy
Mendenhall's Market.....	75.00	
Pearson Tire.....	25.00	
Davis' Home Center.....	75.00	
Santaquin Pharmacy.....	45.00	
Best Cabinet - Joe Pust.....	15.00	
Save-A-Dollar (1st Qtr. Beer License).....	60.00	

Mrs. Rosenlund stated that the owner of the Sinclair Station has not signed his permission slip for the renter to have the water. Councilman Callaway moved that the licenses be granted as outlined, but the Sinclair be held up until the permission on the water is received. Councilman Pay seconded the motion and it passed unanimously.

Don Kay - Boundary line agreement. Mr. Kay approached the Council concerning a boundary line agreement on his property bordering the Park on the West. Councilman Jones moved that the City enter into a boundary line agreement as described on the agreement. Councilman Pay seconded the motion and it passed unanimously.

8. Rowleys and Olson Greenhouses dumping at the City Landfill. Mayor Armstrong indicated that she had never given the Rowleys permission to dump in the landfill for free. She did say that they owned property in the landfill. Councilman Jones pointed out that the land they own does not extend into the dumping area itself and is very miniscule. He also felt they should pay for their dumping privileges as everyone

else. Mayor Armstrong said she would take care of this problem.
9. Meeting with Bob Fillerup - Councilman Jones moved that the City hold an Executive Session on April 13, 1982, beginning at 7:00 P.M. to consult with their attorney. Councilman Callaway seconded the motion and it passed unanimously.

Councilman Callaway left for work at 10:00 P.M.

School agreement. Mayor Armstrong read an updated agreement with the school district on the new Elementary School. Mr. Sellers said that this could not be passed at this time as it was not an agenda item. Mayor Armstrong called for a special meeting to be held prior to the Executive Session on April 13, 1982, in order to handle this new proposal.

Councilman Jones moved the meeting be extended to 10:30 P.M. and Councilman Olson seconded. The motion passed unanimously.

Current bills. The current bills as follows were reviewed:

Computer Resources.....	38.65
Chris Radio.....	37.50
Davis' Home Center.....	4.68
Central Bank.....	266.15
Doug's Auto.....	35.35
Robert Fillerup.....	553.96
Mountain Bell.....	288.24
Mountain Fuel.....	445.21
Safety-Kleen.....	37.75
Utah County.....	22.90
Utah Power & Light.....	301.76
Surplus Property.....	20.00
Utah League of Cities and Towns.....	37.20
Brown's Plumbing.....	8.00
Walt Limb Construction.....	42.35
Totals.....	2,139.70

Councilman Jones moved that the City pay these bills as outlined and Councilman Olson seconded. The motion passed unanimously.

Councilman Jones moved that the meeting be adjourned and Councilman Pay seconded. The motion passed unanimously at 10:30 P.M.

Approved this 21 day of April, 1982.

Sandra Armstrong
Mayor Sandra Armstrong

ATTEST: Sam Sellers
Sam Sellers
City Recorder

Minutes of a special Santaquin City Council meeting held Tuesday, April 13, 1982, at City Hall. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Sherman Jones, Walter Callaway and Dan Olson. Recorder Sam Sellers recorded the meeting. The press and public were notified of the meeting as required by law.

Mayor Armstrong called the meeting to order at 7:12 P.M. Councilman Jones offered the invocation and led the pledge of allegiance.

* Mayor Armstrong brought up the agreement on the school for which this meeting was called. Since there was no one there to voice opposition, Councilman Callaway moved that the agreement be accepted. Councilman Jones seconded. Councilman Olson said there is something he questions and it concerns the South boundary. He feels its too close to the ball fields. Mr. Sellers asked if the water line would run under the proposed asphalt roadway. It was determined that it would. Mr. Sellers said that the agreement states the City would be responsible for the water line from the City's street to the meter. Councilman Jones said that he did not think the agreement said this and Mr. Sellers read it to him. Mr. Sellers said that the City would be responsible for all leaks and replacement of asphalt in this section. Councilman Jones said that this would be a new water line and there would be no leaks in it. He also said that the district wants all lines in the Park removed and as far as he is concerned the district should move them. Mayor Armstrong called for a vote and the Council voted unanimously in favor of the motion.

Olson
Councilman Olson stated that he had conversed with Mr. B. Hans Jacobsen concerning his fence and found that it sticks onto City property approximately three feet. He said that he felt they should allow him this small amount, yet he must know that this does not establish a boundary line.

Councilman Olson said that he is almost finished with the Post Office drawings.

Councilman Jones moved that the meeting be adjourned and Councilman Olson seconded. The motion passed unanimously.

Approved this 21 day of April, 19 82.

Sandra Armstrong
Mayor Sandra Armstrong

ATTEST: Sam Sellers
Sam Sellers
City Recorder

An Executive Session of the Santaquin City Council was held on Tuesday, April 13, 1982, at City Hall. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Walter Callaway, Dan Olson and Sherman Jones. Recorder Sam Sellers recorded the meeting.

The meeting was called to consult with the City's Water Attorney concerning problems with ~~Genola~~ *the agreement*

(Robert Fillerup, Jr)
Approved this 21 day of April, 1982.

Sandra Armstrong
Mayor Sandra Armstrong

ATTEST: *Sam Sellers*
Sam Sellers
City Recorder

Santaquin
with Genola and paying ~~them~~ \$30 a year
for ~~distributing~~ conveying their water.