

Minutes of a regular Santaquin City Council meeting held January 6, 1982 at City Hall. The public was notified of the meeting as required by law. Mayor Sandra Armstrong presided at the meeting and the following Councilmen were present: Grant Pay, Dan Olson and Sherman Jones. City Recorder Sam Sellers recorded the minutes of the meeting.

The meeting was called to order by Mayor Armstrong at 7:10 P.M. and offered the invocation. Councilman Olson led the pledge of allegiance.

Prior minutes. The minutes of December 16, 1981 were reviewed. There were some corrections on punctuation and spellings. Councilman Jones wanted to correct the minutes to say that the Fish and Game are claiming to have a water use right. Councilman Jones moved that the minutes be approved as corrected and Councilman Olson seconded. The motion passed unanimously.

Terrell Wall - Trailer on lot. Mr. Terrell Wall was present for this discussion. Councilman Olson gave the Council some background on the issue and asked Mr. Wall to explain his side of the issue. Mr. Wall said that he would like to get permission to park the trailer where it is until the first of July. He said that if he could buy a home or Mr. Davis' Park has an opening first, he will move the trailer off.

Councilman Jones asked Mr. Wall if he could get a space in Mecham's Trailer Court. Mr. Wall said that he understood that no more trailers could be moved into Mecham's. He said that he had heard from an unknown source that the City Council would not allow any more trailers into Mecham's until they get some changes made. Councilman Jones said that there is no moratorium on moving trailers into Mecham's at the present.

Mr. Wall said that another reason he would like to leave the trailer where it is is that he could keep an eye on his parents' place.

Councilman Jones asked if Mr. Wall had talked with Mr. Davis and if there would be an opening in the near future and Mr. Wall said that his wife had been told there are no spaces available and they did not know when one would be available in the future.

Councilman Olson said that he had had a lengthy discussion with Mr. Wall and his father concerning the trailer being placed on the property as it is. He said they tried to find a way to work this out. He approached the building inspector directly following the discussion and asked if there was a provision allowing for temporary use. Mr. Verl Hovey, the building inspector, said that he had researched the City's ordinances and talked with Mr. Hyrum Bradley, the past inspector, and he could not find a provision for temporary use as Mr. Wall has requested.

Councilman Olson said that through this study he has found that there is no way that he as a Councilman or the full Council could allow this situation to continue in violation of the ordinances. Councilman Olson pointed out that the moratorium for new buildings in the area is still in effect and this will need to be corrected before Mr. Wall could secure a water hook-up.

Councilman Olson said that Mr. Wall will have to obtain a water hook-up and a building permit and comply with the rules involved in order

to remain. The septic system will also have to be approved by the County. Councilman Olson asked Mr. Wall if he would be willing to meet the requirements in order to live on the property in compliance with the City's ordinances.

Mr. Wall said that he does not want a big fight and that he would be willing to do everything according to the ordinances, but he felt it is ridiculous to have to pay \$600.00 for a water hook-up when he will only be there for six months. He said that there is no more water being used because his father is not home, so this does not hurt the moritorium as far as he could see.

He asked if it was correct that each family dwelling needs to have a seperate water hook-up and Councilman Olson said that that is correct and a trailer constitutes a family dwelling. He asked about some other multiple dwellings in town. Councilman Jones said that in the past multiple dwellings were allowed to have a single meter, but this ordinance has been changed so that any more multiple dwellings will have to have a seperate meter to each unit. Mr. Sellers pointed out that this ordinance was passed in May, 1980.

Councilman Olson said that the Council would like to work with Mr. Wall but they would be in violation of the ordinances if they did. Mr. Wall asked why the Council broke the law by letting another trailer stay in Santaquin for three months in violation. Councilman Olson said he could not answer for the past, but what happens now as he has only been a Councilman for a short time. Mayor Armstrong asked Mr. Wall which trailer he was referring to. Councilman Jones said that when this individual had first asked permission to place the trailer on the lot they had said that there would be no one living in it. When they found out that there was someone living there, the City moved them out. Councilman Jones said that anyone can park a trailer on private property, but these people were never given permission to live in this trailer. Mayor Armstrong asked Mr. Wall if he is now living in this trailer and he said he is. She asked if Mr. Wall was aware that he was breaking the law when he moved the trailer on the property and he said that he was not. He said that prior to leaving Santaquin six years previously he had voted in favor of an ordinance allowing trailers on property. Councilman Olson stated that he had also voted in favor of the laws regulating this which included obtaining a building permit prior to moving the trailer on the property.

Mayor Armstrong asked Mr. Wall if he could see the City's situation and he said he could. She said that the ordinance had stipulated that trailers would be allowed on lots, but they are assumed to be permanent structures. If the Council says that here is a kid born and raised in Santaquin and he comes back home to live for a while and they all want to do what they can to help him for a temporary situation, tomorrow there will be another person wanting the same privileges. Mr. Wall said that the City should write an ordinance concerning temporary trailers.

Mayor Armstrong pointed out that the trailer parks are for temporary dwellings and the lots are for permanent dwellings. This was the intent of the ordinance as she understood it.

Councilman Olson asked Mr. Wall what he felt the Council should do about the situation. Mr. Wall said that just because it is written on paper that they should do something, different circumstances should

determine the action.

Councilman Olson said that when things are written on paper as laws, they have to be followed. He said that the only thing the Council could do is ask Mr. Wall to move to a trailer court for temporary residency. Mr. Wall said that he had talked with a lawyer and the lawyer said he could back him.

Mayor Armstrong said that the Council could not allow Mr. Wall to live on the lot just as they cannot allow someone to drive 50 MPH through the town when the speed limit is 30 MPH. Councilman Olson said that Mr. Wall has said that someone else has done this before. If they allow Mr. Wall to do this now, they will always have this brought up to them.

Councilman Olson asked Mr. Wall if he is willing to comply or move his trailer. Mr. Wall said that if an opening comes up in Mr. Davis' Park he would move, but that he would not move into Mecham's Park.

Mayor Armstrong pointed out that the Council will have to follow the law.

Mr. Sellers pointed out that the ordinance governing water says that if a person obtains water illegally, which Mr. Wall did, they shall be charged double the rates and fees set forth in the ordinance.

Mr. Wall said that he had been told by the building inspector, Mr. Floyd Martin, that all he had to do was move the trailer back from the road. Mr. Wall also alleged that Mr. Martin had asked if the trailer was permanent or temporary and was told it was temporary. The inspector was then reported to have said that there was nothing wrong with it as long as it has been moved back. Mr. Wall said that he called a Councilman who reportedly also said that if the trailer is temporary there would be no problem. Mr. Wall then said that he called the former Mayor who also reportedly said there would be no problem with a temporary trailer. Mr. Wall said that he had then called former Councilman Floyd Nelson to ask how far back the trailer should set and no one could tell him.

Councilman Olson said that the City cannot grant a waiver in this situation and Mr. Wall will have to move his trailer into a Park for a temporary situation. If Mr. Wall wants the trailer to remain, he needs to apply for a water hook-up and building permit as everyone else would have to.

Mr. Wall said that he would call his attorney and have him take care of this situation.

Mr. Sellers said that to be fair with Mr. Wall, the Council ought to give him a certain length of time to move or abandon his trailer before the City takes legal action. Councilman Olson said that the Council has already given Mr. Wall an extension of the time Mr. Hovey had given him so he could meet with the Council. This was extended to tonight.

Councilman Olson said that as far as he can tell, Mr. Wall is either going to move or fight the situation.

Mayor Armstrong asked if the Council wanted to talk about a length of time for Mr. Wall to comply. Councilman Olson said that this needs to be taken care of right away. Mr. Sellers pointed out that there are spaces available in Mecham's and the Council cannot say that this is an emergency type situation.

Councilman Olson said that if Mr. Wall is not willing to come into compliance by tomorrow (January 7, 1982) night, the City would have to

take further action. Mr. Wall told the Council to take further action.

Mr. Sellers was asked to contact the City Attorney to determine which way the City should go to enforce the ordinances.

Councilman Olson said that they could give Mr. Wall until 5:00 P.M. on the next day to come into City Hall and make some arrangements or this will be persued.

Santaquin-Genola Police Agreement. Councilman Jones said that since there are new Councilmen who have not had the opportunity to study the agreement, it ought to be tabled until the next Council meeting. Councilman Jones made this into a motion and Councilman Olson seconded the motion. The motion passed unanimously.

Garbage Truck. Mayor Armstrong asked Mr. Sellers to explain this. Mr. Sellers said that someone had placed ashes in the middle of some garbage and the crew could not see them. They saw the ashes after the dumped the garbage into the truck and hurried to the dump where they were able to get rid of them. This could have burned the truck down as the ashes were live. Mr. Sellers pointed out that this is one of the reasons the City will not pick up ashes and there are a lot of complaints by people whose garbage is not picked up because there are ashes in it.

Councilman Olson said that the City should cite the people who do this in the future in order to exercise more control.

Councilman Jones said that ashes will keep coals alive for three to four days as it is good insulation.

Mike Olson asked if the people were cited and the Council felt that it was too late to go back on it now as it had occured one week previously. Mr. Sellers said that if he had known who the guilty party was when it occured, he would have sent the police down to cite them.

This was not persued at this time, but in the future people would be cited.

Mr. Sellers said that the ashes will also get into the hydraulic rams and mess them up. The Council pointed out that the truck will not pick up clinkers, boards or animals either. Councilman Jones pointed out that this is a garbage service and the people have cards for these other things.

New Councilman. This was tabled until the next time the Council meets in a Council meeting.

Resolution on City owned dwelling units. The Council reviewed the resolution. Councilman Jones said that the reason this was drawn up was for the Council to have a policy on the city owned buildings. The Council was asked to review this and to make some recommendations at the next meeting.

COUNCIL BUSINESS:

Council Assignments. After some discussion, the Council was assigned as follows:

Mayor Armstrong - Personnel, Budget and Finance, General

Administration, Co-Chair all Council Assignments and Public Safety.
Councilman Callaway - Parks, Recreation, Senior Citizens, Swimming Pool, Library, New Businesses and Licenses and Cemetery.
Councilman Pay - City Lanfill, Beautification, Christmas Decorations, Civil Defense and Emergency Services and Trailer Courts.
New Councilman - Supervisor of City Crew, Inventory of fixed assets, Highways and Streets, Intergovernmental Liason, Mountainlands Association of Governments and UVIDA.
Councilman Olson - Zoning and Planning, Fire Department and Building Inspector.
Councilman Jones - Water Department, Finances, City owned building maintenance, Maintenance Shop, Equipment Purchase, Construction and Contracting.

Surplus Property. Mr. Sellers brought out the signature sheet which needs to be signed by all necessary parties. The Mayor and Council signed this.

Fire Protection agreement. This agreement with the County was discussed and Mr. Sellers pointed out that former Councilman Tom McCloud had suggested the City add a provision asking the County to pay the City for wear and tear on the vehicles, about 3 to 5 thousand dollars per year. Councilman Olson said that he would take the agreement and review it with Fire Chief Jim Peterson and then would bring it to the Council for a decision.

Area on Aging Contract. Mr. Sellers pointed out that if the City continues with the contract, it will have to bond the Senior Citizen representative who accepts the money for \$10,000.00. The contract will be turned over to Councilman Callaway for review and he will bring it to the Council.

Business Licenses. The following business licenses were reviewed: George Finch - Mayor Armstrong asked the Council about the fence which Mr. Finch has been asked in the past to erect. Councilman Jones moved that Mr. Finch be given a business license and Councilman Pay seconded. The motion passed unanimously.

Mayor Armstrong again asked about the fence. Councilman Olson said that Mr. Finch has agreed to move the cars off the fenceline. Councilman Jones said that he had agreed to put up a ten foot fence and Mr. Sellers said that he has also said that Councils in the past have waived this requirement, but he could not find this in the Council minutes. He could find where he was asked to to put up a fence.

Councilman Jones said that a City can hold up a license unit a business comes into compliance. Mr. Sellers recommended the City give Mr. Finch a license for a stipulated amount of time and have him put up a fence in order to have the license renewed.

The Council recommended that Councilman Callaway approach Mr. Finch on this in the near future.

Councilman Jones moved that the City recind the previous motion granting Mr. Finch a business license and Councilman Pay seconded. The motion passed unanimously.

Councilman Jones moved that the City issue Mr. Finch a business

license for six months and that he be approached about a fence. Councilman Olson asked the records to be searched about the fence. Mrs. Rosenlund said that the burden of proof should be on the individual as the office staff has spent hours in research and there just isn't that much time to put into this with all they have to do. Councilman Olson clarified his statement as saying that we should let Mr. Finch know that he needs to put up a fence because the Council on a certain date asked him to do so, unless he can show the record states otherwise. Councilman Jones withdrew his motion and moved that this license request be tabled until the next meeting. Councilman Pay seconded the motion and it passed unanimously.

Dezma Page - License renewal. Councilman Pay moved that the license be approved and Councilman Olson seconded. The motion passed unanimously.

William Van Ausdal - Renewal. Councilman Jones moved the license be granted and Councilman Pay seconded. The motion passed with Councilmen Jones and Pay voting in favor. Councilman Olson abstained.

Dick Greenhalgh - Councilman Jones moved that the license be granted and Councilman Olson seconded. The motion passed unanimously.

Karen Kester - Councilman Pay moved that license be approved and Councilman Jones seconded. The motion carried unanimously.

Dorine Wall - Councilman Olson moved that this license be approved and Councilman Pay seconded. The motion passed unanimously.

Linda Gee - Councilman Olson moved that this license be granted and Councilman Pay seconded. The motion passed unanimously.

Pizzeria amusement devices. One juke box and one gaming device for three months. Councilman Jones moved that this license be renewed and Councilman Pay seconded. The motion passed unanimously.

Cy Bylund. Mr. Cy Bylund met with the Council to talk about a water hook-up for his trailer. Mr. Bylund said that when he had moved his trailer home in, there was no water line on the street and so former Mayor Crook let him connect to his mother's home. This was never done in a Council meeting, as far as he could remember. Councilman Jones said that the City is now ready to put a line down the street and Mr. Bylund should make arrangements to get a water hook-up. Mr. Bylund asked what the cost is going to be, whether today's cost or the cost at the time he moved in. Councilman Jones said that former Mayor Crook has maintained that they had asked Mr. Bylund to apply for a building permit. Mr. Sellers said that the City currently has a resolution which states a certain hook-up price and this is what has to be charged. Mr. Bylund asked what the rate would be and it was determined that it would be \$600.00. Mr. Bylund agreed to apply for a new hook-up.

EMT Course. Officer Jim Guynn approached the City Council concerning and EMT class to be offered by Mountain View Hospital. There are two

officers who would like to go and one fireman. The money was included in the police budget. The cost would be \$180.00 per person or \$540.00. The City would definately benefit as this would make available in the City ambulance trained people and would cut down the amount of time trauma victims would be without this type of help. Councilman Olson moved that Officers Gynn and Ursulich along with fireman Tom Augustus be allowed to attend this class at City expense. Councilman Pay seconded the motion and it passed unanimously.

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

Current Bills. The Council reviewed the current bills. Councilman Jones moved that the bills be paid as outlined. Councilman Olson seconded the motion and it passed unanimously.

Franchise meeting. Councilman Jones recommended that the Council meet on Wednesday, January 13, 1982, in a work session to find some way of meeting the City's utilities expense. This was set up for this time.

Councilman Pay moved that the meeting be adjourned and Councilman Jones seconded. The motion passed unanimously at 9:50 P.M.

Approved this 20 day of January, 1982.

Sandra Armstrong
Mayor Sandra Armstrong

ATTEST: Sam Sellers
Sam Sellers
City Recorder