

Minutes of a regular Santaquin City Council meeting held December 16, 1981. Mayor Robert E. Steele presided and the following Councilmen were present: Tom McCloud, Dan Olson, Walt Callaway, Floyd Nelson and Sherman Jones. The governing body and news media were notified in writing prior to the meeting and the public was notified as required by law. Recorder Sam Sellers recorded the minutes. The meeting was called to order by Mayor Steele at 7:15 P.M.

The invocation was offered by Mayor Steele who also led the pledge of allegiance.

Prior minutes. The minutes of November 18, 1981, which was the first part of the meeting, were reviewed. The dates for the sacking of the candy and the Santa Night were wrong and were corrected. Councilman Callaway moved that the minutes be approved as corrected and Councilman McCloud seconded. The motion passed unanimously. The minutes of December 2, 1981, were reviewed next. Mayor Steele recommended adding that the prior minutes stated should be the second part of the 11/18/81 minutes. Councilman Jones asked that the "Update on the Alexander ditch" phrase be changed to the "Update on the flood control ditch". Councilman Callaway clarified his statement about the firemen, they would fight the fires, but reluctantly. Councilman McCloud moved that the minutes be approved as corrected and Councilman Olson seconded. The motion passed unanimously.

Cable TV Franchise. Councilman Olson indicated that he had met with Dan Metcalfe and Val Ogden and felt it would be more advantageous to strike the old ordinance and to put another in its place. Mr. Metcalfe said that a phrase has also been added to delete the old ordinance and replace it with this one. Councilman Olson recommended adopting this ordinance. Councilman Jones said that the ordinance still does not require them to submit a set of plans for buried cable prior to their being buried. After some discussion it was decided to add the following phrase to Article II Section 2.: "Plans for laying underground cable will be submitted to City for approval prior to placement of cable." Councilman Olson moved that the ordinance (No. 168) be approved with the addition as described above and Councilman Nelson seconded. The motion passed unanimously with Councilmen Olson, Nelson, Callaway, McCloud and Jones voting in favor.

George Finch. Councilman Nelson explained to Mr. Finch that some of the neighbors had requested that Mr. Finch be called into a Council meeting. Councilman Nelson said that he felt the problems could be handled fairly easily as they are brought to Mr. Finch's attention. Some people are complaining about the cars being moved further onto City property, but that Mr. Finch had already agreed to move them back through the coming winter. Councilman Nelson brought up another complaint that Mr. Finch uses the whole road to unload his vehicles and no one could get past. Mr. Finch denies blocking the road in such a manner as no one would be able to get through. Mr. Finch explained that he does strip the vehicles and does it on the side of the road rather than to take it back into the mud and snow. Councilman Callaway brought out some photographs which he had taken, with Officer Guynn, that show the neighbors' cars are sticking out onto the road as

much or more than Mr. Finch's. Councilman Nelson recommended that he be allowed to go down and work with Mr. Finch and correct the problems as they occur.

Mr. Finch asked if the City could give him the permission to place the insides of water heaters in the ditch to form a pipe. The Council explained that this is between himself, the irrigation company and the individuals who use the water through the ditch. The City cannot control water which runs through an established right-of-way.

Councilman Olson asked to be excused at 7:45 P.M.

Cemetery Rate Resolution. Councilman Callaway introduced the Resolution by explaining that he would like to provide more money for those who take care of opening and closing graves on Saturday and Holidays. Mr. Sellers explained that Santaquin's rates for grave plots is comparable with other communities in the area, so the only change is in those rates for the opening and closing on Saturdays and Holidays. Councilman Callaway moved that the Resolution be approved and Councilman McCloud seconded. The motion passed with Councilmen Callaway, McCloud, Jones and Nelson voting in favor.

Garbage Rate Resolution. Councilman Nelson said that this Resolution is to clarify who is charged at the City Landfill and what these charges will be. Councilman Jones asked if a section could be added to this resolution that would give the Council the option of waiving these rates at various times during the year for clean-up week, Christmas or some other purpose. Mayor Steele asked that a phrase be included that the Landfill Attendent be given the authority to charge a suitable rate according to his own discretion for any other vehicle not included on the schedule. The rate charged should be comparable with those on the schedule. Councilman Nelson also explained that he has found someone who would like to open the Landfill for three days for the salvage value. This person will need to be bondable and dependable. Councilman Nelson moved that this resolution be approved and Councilman Callaway seconded. The motion passed with Councilmen Nelson, Callaway, McCloud and Jones voting in favor.

#### Council Business:

Perpetual Care Interest. Mr. Sellers explained that, according to what he <sup>Deen</sup> could find, prior to his coming this interest had automatically placed ~~this~~ into the General Fund. This cannot be done \* without Council approval and this is what he is asking. Councilman Callaway moved that this interest be moved to the General Fund to assist in paying for the upkeep of the Cemetery. Councilman Nelson seconded the motion and it passed unanimously.

Rowley's Cherry Hill Orchard's grave plots. Councilman Callaway said that the Rowley's were sold a plot which was short two graves of what the deed called for. They had asked for two adjoining graves to replace these. Councilman Callaway moved that the Rowleys have the option of two adjoining graves and Councilman McCloud seconded. The motion passed unanimously.

Registration Agents. Mr. Sellers explained that it is the City's responsibility to pay the registration agents the money they receive for registering individuals for municipal elections. He said that this will work out to be about \$120.00. Councilman Nelson moved that these agents be paid and Councilman Callaway seconded. The motion passed unanimously.

Business Licenses. The following business licenses were reviewed:

"The Ski Service" owned by Merrill J. Melton - Councilman Callaway moved that this license be granted and Councilman McCloud seconded. The motion passed unanimously.

"Video Memories" owned by Robert E. Steele - Councilman Callaway moved that this license be granted and Councilman Nelson seconded. The motion passed unanimously.

"Santaquin TV Sales" owned by Dan Metcalfe - Councilman Callaway moved that this license be granted and Councilman McCloud seconded. The motion passed unanimously.

Mr. Sellers asked Mr. Mike Olson if he would place a notice in the paper for renewal of business licenses as the staff would not have time to send each one a notice this year.

Trailers on roadways. Councilman Callaway asked about the trailer sticking out onto Center. He showed some photographs of this trailer and Councilman Nelson said that there is another across the street from the L.D.S. Church which also sticks out onto the road. Chief McGiven was asked if the City could legally impound these trailers and he said that it could. He also said a citation could ~~also~~ be issued. \* Councilman Nelson said that he has been told by neighbors that there has been a family living in the trailer parked across the road from the L.D.S. Church.

Chief McGiven told the Council the cumbersomness of citing and going through the court.

Mayor Steele recommended notifying the individuals involved to move the trailers by the 30th of December, 1981, or having them impounded and towed by Tischner's. Councilman Jones moved that the individuals be notified and given until the 30th day of December, 1981, or the trailers will be impounded and towed away at the owners' expense. Councilman McCloud seconded the motion. Mr. Sellers asked who the individuals were so he would send the notices to the right people. It was determined that they appeared to be Virgil Coombs and B. Hans Jacobsen. The motion passed unanimously.

Councilman Jones asked if he and Councilman Olson could be given the approval to look into the feasibility of ~~microfilming~~ the Cemetery map as a fire could destroy this map and the City would be lost as to who is buried where.

Current Bills. Mr. Sellers went through the bills with the Council. Councilman McCloud asked that a bill from Mountain Bell for the Fire Department be held until it could be checked on.

Councilman Olson returned during the review of the bills.

Mr. Sellers pointed out to the Council that he and the Treasurer are <sup>ea</sup> mandated by the Fiscal Procedures Act to pay the bills in the order in <sup>mandated</sup> \*  
mandated \*

which they are received. If the Council wants the Firemen paid first, they have to direct the Recorder and Treasurer to pay these out of sequence and take the responsibility for this. Otherwise this bill will be paid as it came into the City. He also said that if the City did not have a cash flow problem, they would not have to worry. The City is looking at approving over \$25,000 worth of bills and there is not \$25,000 in the bank, therefore, the bills will be paid as money comes in with the order as above described. Councilman Nelson moved that the Firemen's bill be paid prior to the other bills being paid. Councilman McCloud seconded the motion and it passed unanimously. Councilman McCloud moved that the bills be approved for payment and Councilman Jones seconded. The motion passed unanimously.

Councilman McCloud moved that the meeting be extended for 20 minutes and Councilman Nelson seconded. The motion passed unanimously.

Proposed Rex Olson annexation. Mayor Steele gave some background on the proposal and Councilman Jones said that the two parties have not been able to come to some agreement. Councilman Jones also said that the City would have to purchase the road at the going residential rates if they decide to condemn it. He said that it would be better for the City to deannex the Petersons and then allow them to apply for reannexation and do it the right way this time. He also said that there were some illegalities involved with the Peterson annexation. Mayor Steele recommended placing this on a future agenda for a decision.

Mecham's Trailer Court. Another letter from Robert Gardner, manager, was read concerning the gate across the emergency roadway. Mr. Sellers said that he had talked with Mr. Gardner this day and the gate has been built and will be put up within a few days.

Hydro-Plant. Councilman Jones said that the Fish and Game Department have a water right from the canyon and, if they are insistent in *claim* having a certain amount of water *use right coming* ~~come~~ down the canyon, there will not be an adequate amount for generating power. \*

Mayor Steele announced that Officer Jim Guynn had graduated from the Police Academy and had represented the City very well.

Councilman McCloud publicly congratulated those who won at the last election and wished them well.

Don Kester home. Councilman Olson reported that the Board of Adjustments ~~has~~ granted Mr. Kester a variance on the lot where he is constructing a home. Councilman Olson said that the ordinance which governs impact fees ~~says~~ *requires* that ~~this needs~~ *these* to be paid prior to the permit being issued. He said that this whole situation has been badly handled from the beginning. Councilman Olson asked if the impact fee is still payable or if the City will have to work something else out. Mayor Steele stepped down as this is a conflict of interest for him and Councilman Nelson took over the meeting. Councilman Jones said that he feels that there will be a new family with a new water hook-up and an additional impact for the City so far \*

as Police and Fire protection. He admitted that the City probably erred on this and that is why there needs to be tighter control on the building permits.

Mr. Sellers explained that the Impact Fee Ordinance requires a fee on all new construction. When Mr. Kester applied for the permit, it was for a remodeling job and he and Mrs. Rosenlund didn't feel they needed to pay this. They did have it brought to the Council's attention for a decision and the Council decided to waive it. Mr. Sellers said that, since they had torn down the old walls and put up new walls, he felt as if this should be classified as a new building.\*

Councilman Olson said that maybe they should charge half an impact fee. Mr. Sellers said that the ordinance does not allow this.

Councilman Jones said that the City was under the impression that it would definately be a remodeling job.

The Council decided that the Ordinance needs to be followed as this is the law of the City.

Councilman Jones moved that the meeting be extended to 9:30 P.M. and Councilman McCloud seconded. The motion passed unanimously.

Councilman Nelson said that the Council does make mistakes from time to time, but that they also have the responsibility to go back and correct mistakes which have been made in the past.

Building Inspector. Councilman Olson said that the City is having problems with the inspector. Up until this time the City has had an inspector which has not been approved by the City Council. He also said that Mr. Floyd Martin has had problems because of his tight schedule and recommended using Verl Hovey as the Building Inspector for the time being. Councilman Olson made the motion that Verl Hovey be used as the City's Building Inspector. Councilman Jones seconded the motion and it passed unanimously.

Councilman Nelson expressed his appreciation for those with whom he has worked and wished the new administration well in their endeavors.

Councilman McCloud moved that the meeting be adjourned and Councilman Jones seconded. The motion passed unanimously at 9:30 P.M.

Approved this 6 day of January, 1982.

Sandra Armstrong  
Mayor Sandra Armstrong

ATTEST: Sam Sellers  
Sam Sellers  
City Recorder