

Minutes of a regular Santaquin City Council meeting held Wednesday, July 1, 1981, at City Hall, 68 East Main, Santaquin, Utah. The members of the City Council and news media were notified in writing as to the agenda of items to be discussed. The public was notified at least 24 hours prior to the meeting by public posting in three places. Councilman Floyd Nelson, acting as Mayor Pro-Tem, called the meeting to order at 8:00 P.M. Other members of the City Council present were Councilmen Fred Thompson, Walter Callaway, Tom McCloud and Sherman Jones. Councilman Thompson offered the invocation and Councilman Callaway led the pledge of allegiance.

Councilman Nelson asked that Mayor Robert Steele be excused and announced that he had been asked lead the meeting. Others present included: Elva Jean Olsen, Allan B. Olsen, Rex Lynn Olsen, Ernest Johnson, Bert Rosenlund, Ramona Rosenlund, Edith Jarvis, Robert L. Hales, Stephen A. Hales, H. E. Bradley, Steve Hardle and Fred Tasker.

The minutes of June 17, 1981 were reviewed first. Councilman Callaway moved that the minutes be approved as read. Councilman McCloud seconded and the motion passed unanimously with Councilman Jones not having arrived as yet.

Justice of the Peace Jay O. Peterson approached the Council about a proposal he had received to purchase a completed three volume update of the Utah Code Annotated. This code will be kept completely up to date each year and it will not be necessary to look through any outdated code books for a recent change. The complete updated code costs \$100.00 per set. Judge Peterson indicated that the City spends that much each year just to update the current code books. The City currently has one set available in the library. Councilman McCloud moved that the City purchase two sets of the code, the Judge to have a set and the City will have a set. Councilman Thompson seconded the motion and it passed unanimously.

Mr. Omar Hansen was next on the agenda. He reviewed a decision made by some citizens in Santaquin concerning the Santaquin School in the future. He indicated that the architect had told the School Board that it would not be feasible to renovate the present school. The recommendation from this group was that the School Board use the moneys allocated from the last bond issue for Santaquin, about \$2.9 million, towards purchasing additional properties and building a new school complex (K-7 grades).

Mr. Lee Stone was next on the agenda. He asked the Council if he could be permitted to begin construction on a home near the Utah Power & Light building. This area has a moritorium currently as there is only a two inch water line there and there are too many homes on the line at present. Mr. Stone said that it would take at least 6 to 8 months to finish his home. Mr. H.E. Bradley pointed out that Mr. Stone's trailer is still non-conforming and that he had explained to Mr. Stone that he needed to anchor his trailer down and as yet, he has failed to do this. Councilman Jones moved that this request be tabled until Mr. Stone clears up the problem of the anchoring of the trailer to Mr. Bradley's satisfaction. Councilman Callaway seconded the motion and it carried unanimously.

Mr. Robert Mecham was next on the agenda concerning the trailer court which he purchased from his father. He was present with his court manager and his attorney. Mr. Mecham stated that he had received a copy of some minutes of a meeting held in March where his father had been told the court would be closed the end of July if it was not brought up to standard. He indicated his surprise in reading of the minutes as to the apparent hostility. He pointed out that he had been told upon purchase of the park that it would cost \$40 to 50 thousand to bring it up to par. However, after receiving itemized bids, the costs now appear to be closer \$120 and 200 thousand. He said that the court grosses about \$3,000 per month with \$1,500 going into overhead. Mr. Mecham indicated that, after reading the zoning (sic) ordinance, that there is no way to bring the court up to the ordinance without bankrupting them. He asked the Council what the priorities were that he begin working on and if an amicable agreement could be worked out or if they should proceed to close the business. He was quoted interest at 18% for loans from one local banker and that it would be a monumental task for them to comply completely with the ordinance. Councilman McCloud said that maybe the court should be shut down. Mr. Mecham said that that was serious and if the City would take responsibility, they would shut it down. Councilman McCloud indicated that other cities have beautiful trailer parks. He further stated that the Mr. Mecham's father has made promise upon promise and none of them have been fulfilled. Mr. Mecham asked what the promises were. Councilman McCloud pointed out that one concern has been the seperation of the trailers for fire protection purposes. Councilman McCloud further pointed at there have been high voltage wires laying on the ground. Mr. Mecham asked if the wires were electrified at the time and Councilman McCloud said that they were connected to the trailers and they were wrapped in tape. Councilman Nelson pointed out that there has been raw sewage found in the court, on top of the ground, quite a few times. Councilman McCloud said that the City has pictures of this raw sewage on file. Councilman Nelson said that the former owner of the court had told someone to clean the sewage up themselves. Mr. Sellers said that the County Health Department has been here this year on a complaint of raw sewage. Mr. Gardner said that he felt it was an individual who filed the complaint who has lost his home and filed bankruptcy. Councilman Nelson said that he knows the person personally and that it was not the same person.

→ Councilman McCloud pointed out some problems around the mobile home part as follows: trash around and under the trailers, wrecked cars out on the street where the fire engine could not get into the park and no skirting. Mr. Mecham indicated that it appeared that the major concern was for health and safety. Councilman McCloud indicated that that was correct. Councilman McCloud pointed out that the previous owner had been notified that no additional trailers were to be moved in until a proper pad had been poured and inspected by the building inspector and the City Council was notified of it being moved in. He said that the former owner had not complied as promised. Mr. Gardner said that they were under the impression that did not have to notify the City Council. Councilman Thompson asked if they were putting the power underground to the pad. Mr. Gardner pointed out that the people moving in were putting the power and sewer connections in by

themselves. The Council pointed out that the owners of the court should have the power run to the middle of the pad with the electrical box at that place as is not being done at present. Councilman Callaway said that what bothers him is that the Council is trying to tell Mr. Mecham how to run his trailer court and they shouldn't have to. The decisions should be made by the owners. All the Council cares for is that the complaints be eliminated. Councilman Callaway asked Mr. Mecham what he is going to do. Mr. Mecham indicated that the problems of health and safety shouldn't be too hard to solve. Councilman Callaway asked if Mr. Mecham could give the City a definite time commitment as to where and when the ordinance could be complied with. Mr. Mecham indicated that they could tell how much money they will spend, but how far the money will go is another question. Councilman Jones said that when Mr. Mecham started he had indicated that there were parts of the ordinance which bothered him and asked what they were. Mr. Mecham said that there are trailers in town not in a park, which is in violation of the ordinance. Councilman Callaway said that the zoning ordinance allowed trailers in town. The closure for boats and recreational vehicles was not originally planned in the court and there is no space for it. There is an additional concern over paving. They could do it, but it would be all they could do for four or five years. Councilman Nelson pointed out that the good people in the court are concerned with the conditions of the roads, particularly in the winter time. Some additional parts of the ordinance which Mr. Mecham said bothers him are: there are only two entrances allowed onto a street, no road can come into the court which is closer than 45 feet of an intersection, the lighting requirement. He said that he had visited the other park in town and found it in no better condition than theirs. Councilman Jones pointed out that the other court was in before the ordinance. Councilman Jones indicated that when the former owner had come to the City and asked for the expansion, they said that he would have to come up to the Trailer Court Ordinance and he indicated he would. When it came time to sign the agreement he would not do it and already had the trailers in. Mr. Mecham pointed out that if the ordinance is going to be enforced, it had to be enforced uniformly. All trailers in town would have to be removed and placed in a mobile home park. The Council again indicated that the zoning ordinance allows trailers on private lots. Councilman Jones said that once a trailer court is in existence and an ordinance is passed, they could not be forced to comply unless they expand. Mr. Mecham said that this applies to the expansion then. Councilman Jones said that the former owner had agreed to bring the entire court up to the ordinance if the expansion were allowed. Mr. Mecham asked the Council what they would do if they were asked to come up with \$150,000 for their business and Councilman Jones said he would either do it or go out of business, especially if it was the law of the land. Councilman Nelson asked Mr. Mecham to send a letter of intent to the Council stated his intention of bringing the court up to standard as far as fire, safety, electrical codes and sanitation. He also asked for a tentative time schedule. He recommended tabling until August 5, 1981, when the Council will meet. They will also meet on the license for the trailer court at this time.

The next item of business was the proposed Resolution on amending the budget. Mr. Sellers pointed out that the figures used for the 1979-1980 preparation were those of the prior Recorder which were obviously in error. The corrected figures were obtained from the audit by Roberts, Parker and Andrews. In the preparation of the 1980-1981 closing budget, some material information was inadvertently overlooked. The Resolution is to correct these figures. The Resolution was reviewed item by item. Councilman Thompson moved that the Resolution be accepted and Councilman McCloud seconded. The motion carried unanimously.

Mr. Rex Olsen's proposed annexation was next on the agenda. He was accompanied by his attorney Bill Hansen. Mr. Hansen presented the history of Mr. Olsen's request to the Council and stated that they are in attendance again to request annexation. Mr. Hansen said that Mr. Olsen's mother lives in the present house and that Mr. Olsen would like to live next door. Mr. Hansen said that the County's Master Plan encourages people of five acres or less to be annexed into the cities. Mr. Hansen pointed out that Mr. Olsen cannot build on the property because he has less than five acres. If Mr. Olsen has to find somewhere else to build, he will have to buy another lot at approximately \$15,000 at today's interest rates. Mr. Hansen indicated that the City has already approved the annexation except for a few things: concern about the water (reportedly taken care of), obtaining of a right-of-way along the street. Mr. Hansen indicated that the County had declared the road a public road. Mr. Hansen indicated that the Petersons had asked the City to annex the property, which included the road, after the Petersons were notified that this was a public road. The City subsequently annexed the property. Mr. Hansen said that the City should recognize roadways in their master plans on all annexations and this had apparently not been done. He further stated that the City should upkeep the road. He pointed out that the Olsens had agreed to help in the road's improvement.

Councilman Thompson pointed out that the annexation went to Olsons' fenceline. Councilman Nelson asked if the street was wide enough to be a standard City street. Mr. Sellers said that it was not. Councilman McCloud asked if the City has a deed to the road. Again negative. Mr. Olsen indicated that they are willing to pay 1/2 the costs of putting the roadway in front of their property.

Mr. Sellers asked Mr. Hansen where Mr. Olsen's parents live. Mr. Hansen pointed to where the existing home is and Mr. Sellers indicated he was under the impression they lived in Salt Lake. The fact was pointed out that Mr. Rex Olsen actually lives in the existing home and that the parents in fact live in Fountain Green.

Mr. Hansen said the City would not have to condemn the road. Councilman Thompson asked if there was property between the roadway and the Olsen's fenceline that belongs to the Peterson's. Mr. Olsen said no, if the road is a standard 56 foot road. Councilman Thompson asked how much right-of-way the County has admitted. Mr. Hansen indicated that the easement has been established through use over ten years and was not sure if the County had ever defined a particular width. Mr. Sellers asked if the road was on the County's Master Plan and Mr. Hansen said that it has been. Mr. Sellers asked what the minimum width of roads were on the County's Master Plan and Mr. Hansen

indicated he was not familiar with that information, especially with this road. Councilman Jones pointed out that there were possible problems with the ditch and the power lines and felt the City Attorney should look into the problem so that the City doesn't obligate itself to more than it could handle.

Mr. Hansen said that by not allowing the road that has existed, there was a condemnation of the two lots owned by the Olsens and someone would have to pay Rex Olsen \$15,000 to purchase a lot elsewhere. Councilman Jones pointed out that the Council was looking out for the other citizens of Santaquin and if a mistake is made it could cost the City more money. Councilman Thompson pointed out that the Olsens and Petersons were the only ones which use the road and it could be a more narrow road than otherwise. Mr. Olsen said that the other farmers in the used the road for farm equipment, semi trucks, etc.

Mr. Fred Tasker, Chairman of the Planning & Zoning Committee, was present and Councilman Nelson asked him if he would come forward and give their views on the subject. Mr. Tasker indicated that Mr. Ross Syphus had told the P&Z Committee that there was enough storage left in the headhouse for only 65 more homes and according to their study there were 499 lots still available in the City limits. He felt that the Olsens and Petersons needed to work together on getting the 56 foot roadway in. He pointed out that the Council had annexed the Peterson property in without the P&Z Committee's recommendation. He also said that the roadway has been annexed and the City is responsible for the roadway.

Mr. Hansen said the only problems which need to be worked are those with the City and not with the Petersons. Councilman Jones said that the City should get its attorney and work out the problems if there are any. Mr. Sellers asked Mr. Olsen how wide the road was and he said it was 22 feet. Mr. Sellers asked if the City was going to have to condemn the additional 34 feet in order to have a 56 foot road as the Master Plan indicates. Mr. Hansen said that if the roadway has taken on public thoroughfare status, no condemnation is necessary. Mr. Sellers asked if it was only the 22 feet which has taken on this status and Mr. Hansen said that that is still a question of fact. Mr. Tasker indicated that by taking the 34 feet the City would be depriving the Petersons of a building lot and this needs to be worked out. Mr. Tasker pointed out that the City annexed the property without getting a deed for the road.

Councilman Callaway left the meeting to go to work.

Mr. Hansen asked why the City doesn't grant the Olsens the annexation of the three lots this night and then the three parties could work out a solution as to where the road will go. Councilman Nelson said that the City should get a legal opinion prior to annexing the property. As soon as the road is taken care of the City could gravel the road and take care of it properly. Mr. Sellers pointed out that Councilman Jones had moved that the request be tabled until the legal problems could be worked out. Mr. Olsen asked the Council if they were aware of how many times it had been tabled and Councilman Jones said that as far as he could remember it was for the same reason. Mr. Olsen said that the problem was not between them and the Petersons but with the City. Councilman Jones asked who was going to pay for the road if the City was going to have to buy extra property to make it 56 feet. Mr. Hansen indicated that the additional right-of-way would cost \$40-50.

Councilman Jones asked if that included court costs and if the property was taken away from Petersons it would take away building lots and further increase the costs. Mr. Hansen said that if the property were condemned to the North that it would not affect the Petersons. Mr. Sellers pointed out that there were only 10 feet on the North side and there would still have to be 24 feet taken on the South side of the road and the City should have its attorney give an opinion on what needs to be done. Councilman Jones again stated his motion that this request be tabled until the City gets an opinion from its attorney on the legal ramifications. Councilman McCloud seconded the motion. Those voting in favor were: Councilman McCloud and Jones. Councilman Thompson abstained. Councilman McCloud indicated that a special meeting could be called if an opinion is given sooner. Mr. Olsen asked how many letters had been written to the City from his parents and his attorney and if they had been answered. Councilman Thompson said that he had not seen one letter. (They had all been passed out at previous Council meetings.) Mr. Sellers pointed out that, since the Olsens do have access from the West side of the property the Petersons may have grounds of stopping access across their 10 foot strip of property. Councilman Thompson moved that if the City gets an answer sooner, then a special meeting could be called to act on this request. Councilman McCloud seconded and it passed unanimously.

Councilman Jones moved the meeting be recessed for three minutes. Councilman Thompson seconded and the motion passed unanimously.

The meeting was called back to order at 10:15 P.M.

Councilman Nelson gave a report of the alledged accident at the cemetery regarding Joye Shell. The insurance company determined that the City was not negligent and therefore had no responsibility. They indicated they would make no payments on the claim. Councilman Nelson indicated that the City should follow the recommendations of the insurance company in the matter and if there are any further problems or questions they should be referred to the company and/or the attorney. The Council agreed unanimously.

Mr. Sellers brought up the fact that the City needs to get a safety deposit box and needed a recommendation as to who can sign for the box. Councilman Thompson moved that the Mayor, Treasurer and the Recorder be authorized to sign for access of this box. Councilman McCloud seconded the motion and it passed unanimously.

A proposed agreement with Community Consultants was brought up. They agree to read 690 meters at .80 per meter. Councilman Jones moved that the City accept this agreement for one year and Councilman Thompson seconded. The motion passed unanimously.

Save A Dollar requesting a beer license. There have been no problems with enforcement, etc. Councilman Jones moved that the license be granted and Councilman Thompson seconded. The motion passed unanimously.

The proposed Resolution number 46 was reviewed next. The Resolution covers the shares of Summitt Creek water which the City owns. There were some proposed changes and the Resolution will be looked at during the next meeting.

Carolyn's Country Corner's beer license renewal was brought up next. Councilman Thompson moved that the license be approved and Councilman Jones seconded. The motion passed unanimously.

The proposed salaries were reviewed next. There were as follows:

| | <u>WAGES</u> | <u>TOTAL</u> |
|----------------------------------|--------------|---------------|
| Police Chief..... | 16,250 | 21,398 |
| Officer..... | 13,800 | 17,303 |
| Crossing Guard..... | 1,173 | 1,251 |
| Part-Time Officer..... | 4,200 | 4,479 |
| Treasurer..... | 12,601 | 15,198 |
| Water Department Supervisor..... | 13,098 | 17,596 |
| Public Works Director..... | 15,600 | 20,613 20,913 |
| Recorder..... | 15,600 | 20,613 20,913 |
| Office Clerk..... | 3,557 | 3,794 |
| 4 Parks Workers..... | 2,670 | 2,848 |
| Waste Crew..... | 2,200 | 2,346 |
| Laborer..... | 10,920 | 13,829 |
| Laborer..... | 10,920 | 13,829 |
| Cemetery Caretaker..... | 3,310 | 3,531 |
| Judge..... | 2,700 | 3,257 |
| Animal Control Officer..... | 2,616 | 3,155 |

Councilman Jones moved that the salaries be accepted as outlined with the Police Chief, Officer, Public Works Director, Recorder and Treasurer being on salary and Councilman McCloud seconded. The motion carried unanimously. Councilman Jones commended the City workers for their dedication and the Councilman expressed publicly their appreciation.

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

A problem with George Finch and his business at his address was brought up next. His neighbors are complaining of having six cars on a vacant lot near his home, some cars sticking out into the road at his place of business and burning noxious materials. It was determined that Mr. Finch was indeed in violation. Councilman Nelson moved that Mr. Finch have five days to move his vehicles or be cited in violation and that he be notified that there will be no more burning within the City limits. Councilman McCloud seconded the motion and it passed unanimously.

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

The current bills were reviewed next. Councilman Jones moved that the City pays its bills except the following:

The Utah County bills related to jailings.
The interest on the Williamsen's account.
The balance on the Sewer & Water Study.
Councilman Thompson seconded the motion and it passed unanimously.

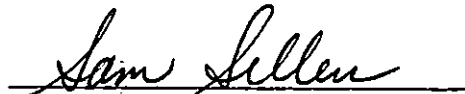
Mr. Bradley indicated that Mr. Stone may be refurbishing cars at his home without a business license. Councilman Thompson said that he would find out about the problem.

Councilman Jones moved that the meeting be adjourned and Councilman McCloud seconded. The motion carried unanimously at 11:05 P.M.

Approved this 19 day of August, 1981.



Mayor/Mayor Pro Tem



Sam Sellers
City Recorder