

Minutes of a regular Santaquin City Council meeting held December 17, 1980 at City Hall at 7:02 p.m. Mayor Robert E. Steele presided and members of the Council present were: Fred Thompson, Walter Callaway, Sherman Jones and Tom McCloud. Councilman Floyd Nelson was absent. City Recorder Sam Sellers recorded the meeting. The invocation was offered by Councilman Jones and Mayor Steele led the pledge of allegiance. Members of the community present were: Inez Stock, LaRain Goodall, Zaloma Goodall, Leonard Ellis, Craig Wilkins, Wayne E. Smith, Gerald Fowkes, Nadine Alexander, Idonna Crook, Steve Hardle, Edith Jarvis, Keith Richards, Jim Peterson, Neil Craig, Robert L. Hales, Keith Broadhead and Robert Nielson.

The first agenda item dealt with the updated fiscal 1980-1981 budget. Mr. Sellers read through the budget item by item giving the revised figures. A concern was raised by a citizen that the weeds along main street made her embarrassed to drive there. Mr. Ellis indicated that he could not see the appropriate expenditures to cover the deficit from the last fiscal year (1979-1980). Mr. Sellers pointed out to him the areas where this was shown and indicated he tried to simplify it for the Council and public. Mrs. Crook asked Mr. Ellis if there was a state law (10-10-45) that says that any obligation contracted by an officer of the City shall become his obligation if its overspent. Mr. Ellis responded that if it is over the budget then, yes, there is. Mrs. Crook further asked that, as the Council overspent last year, then they are responsible and Mr. Ellis indicated that by statute they could be held responsible. Mrs. Crook asked if the people would have to take action to have the Council pay back the amount overspent. Mr. Ellis said that someone would have to initiate the action. Mrs. Goodall asked if something was being done about Mr. Steve Smith and Mayor Steele indicated that it has been turned over to the County Attorney's office and we have not recieved an update as to the present status of the case. Someone asked why another water and sewer study was being done when the City had just completed one not too long ago. Councilman Thompson stated that the study needed to be updated in order for the City to be given a grant for a sewer system in the future. Jim Peterson said he was worried because one of the fire trucks transmission needed fixing and there was not going to be enough money in the budget to fix it. Councilman McCloud indicated he felt that each department needed to tighten up and the department could take care of fires with the equipment they have left. Mr. Sellers recommended revising the budget figures to show the Revenue Sharing monies from 1979-1980 as a source for this year and also an expenditure this year. Councilman Thompson moved that the revised budget be accepted with the recommended change and Councilman Jones seconded. The motion carried unanimously.

The next agenda item was Mr. B. Hans Jacobson. Councilman Jones indicated that the two things Mr. Jacobson was concerned with last time was that Mr. Jacobson had been billed double before he put in the other meter. Mr. Jacobson said that the City was notified of his house and rental unit being on one meter when the plumbing was inspected ~~and~~ in January, 1980, and is concerned why the City had waited for the tap fee to go up before notifying him that he needed another meter. Councilman Jones asked when the City notified Mr. Jacobson of the need to acquire another meter and Mr. Jacobson said it was in October. Mr. Sellers said

that Mr. Jacobson had been notified of this by past City Manager Steve Smith prior to his leaving which was June 30, 1980. He was, in fact, notified of this just after he moved into his home in January, 1980, by Mr. Smith. Mr. Sellers said that he had sent Mr. Jacobson a letter asking him to comply and that Mr. Jacobson had responded that he was notified that he would not need a water hook-up at his home. Mr. Jacobson said that the building inspector told him at the time of construction that he would not need an additional hook-up and in January, 1980 he was issued a certificate of occupancy. Mr. Jacobson said that he talked with the City Recorder's office and also the Treasurer stating he would have to make double payments because of being on one meter. Councilman Jones indicated he had talked with Mr. Bradley and he was not aware that both units were on the same meter. He also said he had talked to Mr. Jake Kester and he was also unaware of it. Mr. Jacobson said that the City obviously knew because he was required to make double payments in January. Mr. Sellers pointed out that he was required to make double payments not because he came in to let the City know, but rather Mrs. Simmon's (who moved in) Bishop came in to tell the City he would be paying for her water and garbage. It was at this time that the City found out they were on the same meter. Mr. Sellers also pointed out that the City records show that from June, 1979 until January, 1980, or when Mrs. Simmon's moved in (approximately January 14, 1980), Mr. Jacobson did not make a payment on either dwelling. Mr. Jacobson asked why he was not notified of the problem earlier and Councilman Jones said that no one knew of it prior to January, 1980. Councilman Jones asked why Mr. Jacobson, as a builder, did not come into the City and notify them of this condition. Mayor Steele indicated that the Council has already made a decision on the solution to the water meter and that at the last meeting Mr. Jacobson complained that, because of the City crew, he had to pay for a backhoe all day. Mr. Jacobson said that the reason he came in was because he was still in objection to the higher tap fee. Councilman Callaway said that the problem Mr. Jacobson brought up last meeting was that the crew had the backhoe waiting for them. Mr. Sellers indicated the amount of money that Mr. Jacobson owes the City for past water (approximately \$80.00) and also that the crew allowed Mr. Jacobson two lengths of 3/4" pipe, without charge, to make the water connection with. Mr. Jacobson indicated that he was never trying to defraud the City at any time. When Mr. Sellers reiterated that Mr. Jacobson had not paid any money on the rental unit from June, 1979 to January, 1980, Mr. Jacobson indicated that he had a canceled check showing he had paid for December of 1979 and January of 1980. Councilman Jones asked if the City could have a copy of the check and Mr. Jacobson said yes. (The City never received a copy of the check.) Councilman McCloud suggested that Mr. Jacobson present to Councilman Jones the amount he feels should have been charged and vice versus and come to a conclusion on the matter. Councilman Jones said that when the City notified Mr. Jacobson in October of the problem he ignored the City and the decision was made to press charges. Mr. Sellers said that Mr. Jacobson told him he was going to ignore the City. Mayor Steele recommended that this matter not come before the Council again and that it be turned over to Councilman Jones, as head of the Water Department, to determine a solution with Mr. Jacobson. Mr. Jacobson indicated he felt he could not

work with Councilman Jones. Councilman Callaway said that if Mr. Jacobson would try to work with Councilman Jones that Councilman Jones would work with him.

Mr. Sellers stated that Mr. Ellis had asked to be notified of the meeting but, due to a breakdown of communication, was unaware that he wanted some time on the agenda. Mayor Steele indicated that Mr. Ellis could take a few minutes at this point in the meeting. Mr. Ellis was concerned about some things that had been published in the Payson Chronicle of the October 8, 1980 meeting. Mr. Ellis reviewed to the Council of the past record of his firm's auditing the City's books. He asked Craig Wilkins, a partner, to review the management letter presented the year 1978-1979. Mr. Wilkins stated that Mr. Earl Andrews' management letter was almost identical to the one he had written the prior year. Mr. Ellis stated that he had problems with Mr. Smith and Mayor Steele said that the Council well knew of his problems. Mayor Steele indicated that the main reason for selecting Roberts, Parker and Andrews was the cost factor according to the bids recieved. Mr. Ellis stated that there were four items in the paper he took issue with: 1) Santaquin sought a new firm because they wanted someone from the outside to take a look (Mayor Steele said that the statement was valid and that the Council would have considered Mr. Ellis' firm as being outside the City as well.); 2) The audit report came five to six months late. Mr. Ellis said that the audit had been given timely and there was a problem with the book-keeping. He also indicated that Mrs. Crook had just (during the meeting) handed him copies of the bank statements which they had to get from the bank to do the audit.; 3) The firm was blamed for not filing the audit with the state auditor and Mr. Ellis indicated that he felt this was the responsibility of the client. These were the only problems which Mr. Ellis had brought up. Mr. Ellis also said he felt like Mrs. Crook and Mrs. Alexander had taken a lot of harrassment and a lot of innuendo and he felt like they did not knowingly violate the law. Mr. Ellis was told by Mayor Steele that this audit was primarily pointed to the last fiscal year and all charges of the last audit report were against the Recorder of the last year. Mayor Steele assumed that Mr. Smith was being trained properly because he had sent him over to Mr. Ellis' office, but came to find out this was not being done.

Mr. Arden Throckmorton, representing the Santaquin Cattle Association, was the next agenda item. He expressed their concern of bringing down cattle out of the canyon with all the traffic and asked if some arrangements could be made for the use of the City property just out of the Forest property north of the canyon road. The Council recommended that this be taken under advisement and that Councilman Jones be the negotiator.

The Summitt Creek Irrigation Company was the next agenda item. Mr. Don Kay represented them and said that their Board of Directors voted that the ditch on the Northwest section of town be closed. Mr. Kay recommended that this be postponed until the next meeting when he could bring the minutes of the meeting. This was approved by Council.

The proposed Cemetery Fee Resolution was brought up next. Mayor Steele indicated that this had been available for the public for the last two weeks. Councilman Callaway reviewed the reasons for the resolution, ie, increased prices and the cemetery filling up more rapidly. Councilman Callaway stated that there was one addition and this was an interest of 7% per annum. Councilman Callaway moved that the Cemetery Fee Resolution be accepted with "for a period of time" struck out and Councilman Thompson seconded the motion. The motion passed unanimously.

The current bills were looked at next. Councilman Thompson, after a review, moved that all bills be paid with the following exceptions: Engineering and Associates, Universal Hydraulics, Utah Power and Light at the Bowery, and Mibar Inc. Councilman McCloud seconded and the motion carried unanimously.

The problem of ashes being left on the City streets by those individuals who wanted the garbage truck to pick them up was discussed. Mayor Steele asked that these be brought to his attention.


Business License requests were handled next. Mr. Wayne Smith asking to open the former Golden Pheasant. No beer license application and some question as to its being close to the kid's center. A recommendation was made to have the police investigate whether it is too close to kid's center. Councilman Jones moved that it be tabled until the 7th of January, 1981 and Councilman Thompson seconded. The motion carried unanimously. Earnest Farnsworth's application for Farnsworth Enterprises was brought up next. It appeared unclear as to Mr. Farnsworth's intent. Councilman Callaway indicated that he thought it was for a welding shop. As Mr. Farnsworth was not present, Councilman Jones moved that this be referred to the Planning and Zoning Committee to determine if it meets the zoning ordinance. Councilman Thompson seconded and the motion carried unanimously. Mr. Robert Hales' application for a real estate office in his home was brought up. It was pointed out that, as Mr. Hales lives in a commercial zone, he could have others than his immediate family work for him. Councilman Thompson moved that Mr. Hales be granted a license and Councilman McCloud seconded. The motion carried unanimously.

The proposed annexation was discussed next. Mr. Hales indicated that there would be a large amount of benefit to the City on the annexation. The City would receive approximately 25 shares of Summitt creek water. There was a potential of 91 homes being built, which would justify a junior high being built in Santaquin. It would generate more money and solve some of the money problems the City is facing. Mr. Don Kay said that there would be problems created if 91 homes were brought in and the ditch were left uncovered. "Summitt Creek Water Company opposes the annexation." When asked if he spoke for all the members of the board, Mr. Kay indicated he did. Mr. Grant Nielson said that he would also be concerned as a developer if a ditch were left uncovered. He said if the City wants the ditch piped, then he would be willing to pipe it across his property. Mr. Nielson said he has always piped ditches on his properties and would continue to do so if it was the wish of the City.

Councilman Jones indicated that before he would be agreeable to the annexation, all the paperwork would have to be in. By this he meant all agreements on roads, pipelines, ditches and improvements have to be spelled out as to when they will be done and by whom so as to protect the City from having to go in later and do these things. He indicated that the owners should bear this cost as part of the annexation. Councilman Callaway said that he was hesitant about the six homes going in the Industrial Zone. Council recommended that the annexation be looked at on January 21, 1980 for action and that all agreements be in the office prior to this time. They also recommended that the Planning and Zoning Committee look at the annexation in totality and make a recommendation to Council.

Councilman Jones ^{moved} that the meeting stand adjourned at 10:05 p.m. and Councilman Thompson seconded. The motion carried unanimously with Councilman Callaway absent, as he left for work at 9:55 p.m.

Approved this 7 day of January, 1981.


Mayor Robert E. Steele

BY: Sam Sellers
Sam Sellers - City Recorder