

Minutes of a meeting of the Santaquin Planning Commisison held at City Hall, 68 East Main Street, on Tuesday September 9, 1986, at 7:00 P. M.

Present were Chairman Lynnette Neff and Commission members Wade Garner, Ione Anderson and David Smith. Also present was City Councilman Sherman Jones, with minutes recorded by Ramona Rosenlund.

Mrs. Neff called the meeting to order at 7:10 P. M. and prayer was by Mrs. Anderson. Minutes of the meeting held August 26, 1986, were approved.

Although it was not on the agenda, while waiting for Mr. Jones to arrive, there was a short discussion of the ordinance covering Home Occupations and Home Industries. It has been suggested by the city recorder that perhaps the ordinance should be changed to require all applicants for a business license for these two types of business to come before the Planning Commission prior to the Council issuing a business license. This would be to make sure they met all the requirements as outlined in the zoning ordinance. If they did not, they could be referred to the Board of Adjustment to request a variance.

Mr. Smith and Mr. Garner said they did not feel there should be a charge for this to the applicant, if it were done and Mrs. Neff said there would be quite a few on a single agenda and maybe it would take too long as all licenses have to be renewed in January of each year.

DISCUSSION OF STAHLI/FORD/OLSON ANNEXATION: Mr. Jones said when these annexatons were submitted to the county they were rejected because this creates an island which they do not want. Mr. Garner asked how the county can keep the annexation from going through and what the property owners who want to be annexed feel about it. Mr. Jones said the city does not like what the county is doing. He explained the city can force this island to be annexed if two-thirds of the property is wanted in by the owners. The people who are forced in have one year to file a complaint, he thought. Since no one was entirely sure of the law regarding islands, Mrs. Rosenlund was asked to find it in the State Code for the next meeting.

Mr. Jones said the people involved in the annexations will be notified of the county action by letter as soon as the city receives a written rejection and explanation from the county. The city wants the people to know it is the county dragging its feet, not the city.

ANNEXATION ORDINANCE QUALIFICATIONS: Mrs. Neff asked the question that came up last meeting: if a building is started in the county, can the property be annexed and the building finished after it is in the city? The present zoning ordinance does not address this issue. Mr. Jones and Mr. Smith both said they felt the building should be finished first. Mr. Garner said if they have a county building permit and are annexed, they could finish the building and the county could still pursue the permit until the completion of the building. Some buildings take a long time, such as cold storage buildings, packing sheds, etc. and this would delay possible annexation. Mr. Smith suggested they be annexed and then build under a city building permit. Mr. Garner said too much water is needed to annex. Mrs. Rosenlund was asked to contact the county building permit people and find out if they would allow the city to finish up on a permit they had issued.

Mr. Jones said some members of the city council don't like the water shares requirement for annexation. They felt that if the city runs out of water they

could condemn for water. The law allows condemnation of water by cities but they also have to condemn the land along with the water. If this were done, everybody in the city would have to pay for the condemnation to get water for people who were annexed without bringing water in with them. Some members of the council wanted money instead of water for annexations as water stock is hard to come by. Mr. Garner said if they did this the money could be put in the capitol improvements fund for future water to be purchased.

Mrs. Neff said she understands that the city has enough water to supply the entire city if all the empty lots were developed, and that it is only if people are annexed that the city needs additional water.

Mr. Jones said that two or three weeks ago a man representing a corporation which owns a large part of Pole Canyon came to the city and wanted them to buy water from them. The city council said they would like to do so. The corporation would develop the top of the canyon and pipe the water to generate electricity. They say they have five second feet of water all year round. Mrs. Neff asked where they got the water. Mr. Jones said many years ago a Mr. Kester was the second person in Utah to file for water and a judge awarded all in Pole Canyon to him. The corporation wants to start by selling the city two second feet for \$500,000.00. The city is checking to find out what water is going for and see if this is fair. Dennis Barnes has talked with a number of other cities and feels \$100,000.00 per second foot is closer. They are real anxious to sell two second feet. The people said they could not wait the 30 days the council asked for but they did not get the information in to the council when they said they would. He told Sam Sellers last week they had run into a snag and are waiting on their attorneys to clear it up. If the city is able to buy this water, they can require money for annexation and use it to pay for the water. Mr. Jones said the present citizens of the city should not have to make payment for this water, but those who are annexed. Mr. Jones said they would deliver the water to the bottom of the canyon where it could go into our system.

Mr. Smith said this sounded good. Mr. Jones said they need to do a study on usage of the water. Mrs. Neff asked if the city could buy the power they would generate. Mr. Jones said yes. Mrs. Anderson said since they need a use for the water after it is used for generating power so it looks like they need the city. Mr. Jones said that from the springs in Pole Canyon it drops 2,000 feet so they can generate more power then could be done in Santaquin Canyon as it only has a fall of 700 feet. The city needs a copy of the plans so the our engineer can check it out.

Mrs. Neff asked if this water would have to go through the headhouse and Mr. Jones said yes, but it will be delivered to the bottom of the canyon so it won't be that much of a problem. Mrs. Anderson asked if their power would be cheaper and Mr. Jones said yes it would. He said Kanab did this away from Utah Power and Light Company. Mr. Garner said it was good to see a city break away from UP & L.

Mrs. NEff said since it is almost impossible to get water shares, there is no way to annex and build so there are no annexations. Mr. Jones said they should know in a couple of weeks what is going to happen regarding the Pole Canyon water and so maybe they can change the annexation ordinance. Mrs. Neff asked if this would eliminate the impact fees. Mr. Jones said no. Mr. Garner said it is hard to buy water shares so why not let people pay money to be annexed and the city buy the water. We call our celebration Cherry Days and

there are hardly any cherry trees inside the city limits. There are millions of dollars worth of business just outside the city and we are keeping them out by requiring water and a buffer zone. Mrs. Neff said they could come in T-5 without water and still plant trees. Mr. Garner said we should ask what can the city do for them to get them annexed, not what can they do for the city. He then asked if they were annexed would the city be required to run water lines to them if they did any building. Mr. Jones said the city can make any requirements they want to for annexations and the property owner could have to pay for any water lines.

Mrs. Neff asked Mr. Jones what the City Council feels should be done about water shares for annexation. He said several of them felt none should be required. He also said the city had a request in to develop more springs. This has been in for several years and maybe it could be twenty years more before we hear from the State about it. Mrs. Anderson asked if they would rather get the Pole Canyon water than try to develop more springs. Mr. Jones said yes. As it is now we have to run the well in the summer although they had to pump it less this summer than any previous year. He feels this is because of the new updated lines that have been put in. When the high summer usage is over the records will be checked to see how much this is helping.

Mr. Jones said he felt the biggest concern right now was to get the people who are on the outside edge of the city and already hooked up to the water to be annexed into the city. He suggested that they allow any of these people to be annexed up to one and one-half acres without any water shares being given to the city. Mrs. Neff said they are not talking about very many people. Mr. Jones said the revenue on sales taxes brought in a little more revenue than property taxes did last year. He explained that sales tax revenue is based on population, and so if these people were annexed, it would bring in additional sales tax revenue as well as property tax.

Mrs. Neff suggested they discuss the proposed requirements to be added to the annexation ordinance. They are as follows:

1. Must be connected to the city culinary water.
2. Must be contiguous to the city limits.
3. Up to one and one-half acres may be annexed without giving water to the city.
4. If contiguous groups request annexation together, one map may be used for all. It must show division of property and owners names.

It was decided to leave the ordinance as it is now (requiring one share of water for each 1/2 acre annexed) with the addition of the above four points, until such time as the Pole Canyon water situation is resolved and it is known how much additional water the city will have, if any.

Mrs. Neff made a motion that the proposed new stipulations as listed above be added to the Annexation Ordinance and sent to the City Council for their approval. Mr. Smith seconded the motion which passed.

Mr. Jones said the people who own the property in Pole Canyon where the water is wanted to be annexed into the city but then changed their minds. He said two different Kesters owned property there as well and the city has forty acres in that canyon. He did not know exactly where the city property was but Jake Kester took him up there and showed him about where it is located.

Mrs. Anderson made a motion to adjourn this meeting. Mrs. Neff seconded the motion. Meeting adjourned at 8:45 P. M.

Wade E. Jones  
Chairman

Sept. 23 1986  
Date Approved

Ramona Rosenlund  
Secretary