

Town Council Regular Meeting

September 21, 2022

Elected Officials Present: Mayor Marty Larson, Councilmembers Neil Brown, Grant Lundberg, Stan Judd, Hale Robison

Staff Present: Deputy Clerk Nicole Preston, Town Attorney Josh Nielsen, Fire Chief William McMullin, Santaquin Police Chief Rod Hurst, Planning Commission Chairman John Rosenberger

Public Present: Eric Hazelet

1. Call to Order - Mayor Larson called the meeting to order at 7:02pm

- a. Councilman Stan Judd gave the opening prayer
- b. Councilman Mayor Marty Larson led the Pledge of Allegiance

2. Approval of Minutes for August 17, 2022

- a. Councilman Neil Brown made a **Motion** to approve the minutes for July 17, 2022. Councilman Hale Robison **Second** and the motion **Passed** all in favor
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – Yes
 - v. Councilman Hale Robison - Yes

3. Approval of Expenditures

- a. Mayor Larson clarified that a large part of these expenditures was for the new tank and well project.
- b. Councilman Stan Judd made a **Motion** to approve the expenditures in the amount of two hundred thirty-two thousand, four hundred seventy-two dollars and thirty-nine cents. Councilman Neil Brown **Second** and the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – Yes
 - v. Councilman Hale Robison - Yes

4. Approval of Work Orders

- a. 3 APX900 Portable Radios in the amount of \$5,951.61
 - i. Chief McMullin explained that they were hoping that they would be able to reprogram their current radios to meet the new standards but that can't happen. So, he is hoping to purchase a couple this year and a few more next year.
 - ii. Councilman Neil Brown made a **Motion** to approve the purchase of three APX900 Portable Radios in the amount of Five thousand nine hundred fifty-one dollars and sixty-one cents. Councilman Hale Robison **Second** and the motion **Passed** all in favor.
 - 1. Mayor Marty Larson - Yes
 - 2. Councilman Neil Brown – Yes
 - 3. Councilman Grant Lundberg – Yes
 - 4. Councilman Stan Judd – Yes
 - 5. Councilman Hale Robison - Yes

5. Commission and Staff Reports

- a. **Police Report – Police Chief Rod Hurst** – There were 34 case reports for the month of August which included 2 accidents, DCFS report for child abuse, 2 welfare checks, animal complaint,

chest pain. Mayor Larson clarified that there is a meeting about the shooting range to be located at West Mountain for October 6th that he is planning on attending.

- b. **Fire Chief Report- Chief William McMullin** – 10 calls including; 4 medical, 2 accidents on highway 6, one brush fire for the BLM which they will get paid for, and a search down at Utah Lake. There will be 2 fires that the county will be billed for. They will be holding their open house on the October 10th, which he has invited the Town Preparedness committee to be apart of as well.
- c. **Planning Commission Chairman – Chairman John Rosenberger** – The Chairman reported on the action items and public hearings that happened during the previous planning commission meeting.

PUBLIC FORUM – There was no one signed up for the public forum.

6. Discussion and possible action regarding an amendment to the accessory apartment Ordinance.

- a. City Attorney Josh Nielsen clarified that the reason that this came up was because the state legislature passed a whole new section of code stating what you can and can not regulate. Mr. Nielsen then reviewed our current ordinance and found that there were a few places where the Town could strengthen their restrictions.
 - i. Mayor questioned why our ordinance requires there be an internal connection between the two apartments and questioned why this would have a need to be required. He felt like this is overly regulated and shouldn't be a requirement. Many of the councilmembers agreed and felt that this should be taken out, since we already regulate that it needs to be under the same footprint.
 - ii. Mayor continued and asked a question why we have regulations where an accessory apartment has their entrance.
 - iii. Mayor brought up what is the definition of a full-time residence as listed in the Occupancy section. It was clarified that a better wording might be primary residence. The point was to make sure that the owner of the property lives in one of the residences if there is an accessory apartment. Other councilmembers agreed with this as well.
 - iv. Exceptions to owner occupancy – Mayor felt that the exception for three years for some categories should be the same for all categories.
 - v. There was a lot of discussion about why an accessory apartment would be allowed to be a short-term Rentals (i.e. AirBNB, VRBO, etc.) the issues considered were parking, loud parties, etc. Mayor thought that this might be something that would be creating a problem that the Town would have a hard time enforcing them. It was suggested that a possibility would be to permit the option for short term rentals. Deputy Clerk Nicole Preston spoke up and mentioned that she often gets asked if short term rentals are allowed in Genola, and even though most often it is for a whole home a possible 2nd home etc. she felt that it was important that the council know that this is a common question. Police Chief Hurst spoke up and wanted to let the council know what problems they see in Santaquin often with these Short-Term Rentals and accessory apartments. He mentioned parking, lack of inspections and isn't built up to code. He would recommend that if they allow it that at least require building inspections. Santaquin has the same requirement of owner occupied, but it is hard to find out that the owner moved out and you don't find out until the cops are called on a different issue. The council debated on whether they should just take the sentence out or send it back to planning commission for more discussion. The Council decided to send it back to the planning commission for more discussion before it comes back.

7. Discussion and possible action to the developmental standards with an amendment to the water standards.

- a. Mayor Larson had several questions and concerns about the ordinance.

- i. Easement clarification and use is needed. He would like to have all the meters and valve within a certain distance from the front of the property so that utility companies don't have to go into somebody's back yard to fix a break. Mayor and Public Works Director Chris Steele would like to have it say instead to be within 5 feet of the property line and the road easement.
- ii. In the Fasteners and Fittings section he would like to have the change made to 80" black corrugated plastic.
- iii. They had questions on whether the town needed to require the risers or if they should just have to follow their irrigation companies' requirements.
- iv. They then discussed the water issue and how to allow subdivisions with no access to secondary water and the need to protect the culinary water system. Eric Hazelet was given an opportunity to speak. He recommended that instead there be a limit on how many gallons of culinary water could then be used for irrigation purposes, he understands the issue and the need to protect the town but also doesn't want to see the resident punished because they never had secondary water to begin with. Mayor and other councilmembers had concerns that residents who live in town and have water rights but because of development on land that was never irrigated before and those future residents who are now taxing the culinary system, could limit somebody else from developing their ground because there isn't enough culinary water. It was also questioned if you limit how much water someone can use, how do you regulate that? Mayor Larson mentioned that he knows that this proposal isn't perfect, but they would rather have something now to protect the Town and then later on continue to work and make it right with some more time.
- v. Deputy Clerk Preston told the council that right now we don't ask how much water a subdivision has. Mayor Larson stated that we can ask for Strawberry Highline to send the town how much water is available, Councilman Brown mentioned that it would be prudent for the town to make sure they review those letters and get that information before a subdivision is approved.
- vi. This item had no action taken on it.

8. Discussion and possible action on an interlocal agreement with Utah County for Fire Services

- a. The county still hasn't sent over the updated agreement and the council asked for this to be pushed to next month's meeting.

9. Discussion and possible action on an amendment to the interlocal agreement with MAG 2016-261 relating to the community development block grant program.

- a. Mr. Nielsen explained that the basics of this the agreement is that you're not allowed to pull out in the middle of the project, all projects will have to be completed.
- b. Councilman Neil Brown made a **motion** to approve the interlocal agreement 2016-261 relating to the community development block grant program. Councilman Hale Robison **Second** and the motion **Passed** all in favor.
 - i. Mayor Marty Larson - Yes
 - ii. Councilman Neil Brown – Yes
 - iii. Councilman Grant Lundberg – Yes
 - iv. Councilman Stan Judd – Yes
 - v. Councilman Hale Robison - Yes

10. Council Comments

- a. **Mayor Marty Larson** – He read the latest report on the progress of the tank and well. Which is going well and is starting to move along. Mayor would love to have any recommendations for new planning commission members or even to have names in mind in the situation that a planning commissioner has to resign due to health concerns.
- b. **Councilmember Hale Robison** – Reported that the well has dropped down another 11 ½ feet, and if the town hadn't spent the money to lower the pump, we would have had a huge problem. They ordered the new snowplow truck that they ordered with another city's order to help with pricing and speed up the delivery process. We are expected to get the new snowplow in the

167 spring. Councilman Brown asked if Chris or Paul would be filling up potholes before winter. He
168 mentioned that there are some large ones by the quarry.

169 c. **Councilmember Grant Lundberg** – Reported that Kathy Banfield has accepted the position as
170 the new Recreation Director and is now shadowing Lacey to learn the ropes.

171 d. **Councilmember Stan Judd** – He reported that he will be going to the Rodeo Committee Dinner.

172 e. **Councilmember Neil Brown** – He learned earlier that Utopia is putting in a Fiber Optics line from
173 Santaquin to Goshen and is going to try to get in contact with them to see what it would take for
174 them to bring that line into Genola, as CentraCom doesn't seem to be in any hurry to bring fiber to
175 Genola.

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177 **Motion to Adjourn**

178 f. Councilman Hale Robison made a **Motion** to adjourn the meeting. Councilman Neil Brown
179 **Second** and the motion **Passed** all in Favor.

180 i. Mayor Marty Larson - Yes

181 ii. Councilman Neil Brown – Yes

182 iii. Councilman Grant Lundberg – Yes

183 iv. Councilman Stan Judd – Yes

184 v. Councilman Hale Robison - Yes

185 g. The meeting was then adjourned at 8:47 pm.

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188 Minutes prepared by Deputy Clerk Nicole Preston

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190 Minutes Approved on: October 19, 2022

To view Signed copy please visit the Town Office
Lucinda Thomas City Recorder

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