



CITY COUNCIL REGULAR MEETING

Tuesday, April 20, 2021, at 7:00 PM
Court Room/Council Chambers (2nd Floor) and Online

Minutes

ROLL CALL

PRESENT

Mayor Kirk Hunsaker
Council Member Nick Miller
Council Member Betsy Montoya
Council Member Lynn Mecham
Council Member David Hathaway
Council Member Jennifer Bowman

INVOCATION / INSPIRATIONAL THOUGHT

Offered by Benjamin Reeves.

PLEDGE OF ALLEGIANCE

Led by Lynn Mecham.

DECLARATION OF ANY CONFLICT OF INTEREST

CONSENT AGENDA (MINUTES, BILLS, ITEMS)

Minutes

1. 03-30-2021 Special Council Meeting Minutes
2. 04-06-2021 Council Work Session Minutes
3. 04-06-2021 Council Meeting Minutes

Bills

4. Invoice Register - 04-20-2021 - \$536,615.05

Items

5. Resolution 04-09-2021, "A Resolution Ratifying the Acquisition of Real Property at 259 S. 100 E. in Support of the Operations of the Santaquin City Cemetery"
6. Resolution 04-10-2021, "A Resolution Approving the Purchase of Replacement Tables and Chairs for the Public Safety Training Room"

Motion made by Council Member Miller to approve the consent agenda.

Seconded by Council Member Hathaway.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

PUBLIC FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS

Public Forum

Name: Bryan Messick

Comment: Sirs, I don't know what you are thinking when it comes to the ways the citizens have to pay for services, but it looks like you don't care about how much it is going to cost. If you put another burdensome fee on the citizens like the one you are proposing I think it will result in a lot of illegal dumping all over on public and private lands. Please Ben and the rest, think about the citizens for once.

Name: Linda Kenison

Comment: Please DO NOT lose our privilege of using the Payson Dump as citizens.

Name: Jody Reid

Comment: Dear Mayor and City Council,

First, I would like to thank Councilmember Montoya for initiating discussion of purchase (and apparently installation) of dog waste bag dispensers in the city parks. Thanks to all those involved in bringing this improvement to our community!

Another positive point from the last council meeting was the discussion regarding the proposed changes to a new mural. It is refreshing to see a thoughtful response after feedback from citizens is received.

My other two points involve the Imagine Santaquin survey.

As far as I can tell, any mention of the Imagine Santaquin process, and links to the survey, have disappeared from Santaquin.org. This is baffling. How can we expect to receive an appropriate level of response if we make it difficult/impossible for citizens to even find the survey itself? This makes the fact that the city was unwilling to pay for a statistically significant survey even more problematic. This does not lend an air of openness to the process.

Additionally, a number of residents report problems completing the survey after they found it. This is unacceptable. We paid \$107,000 for help with our plan update. What good is that expenditure if it does not deliver comprehensive and accurate data? And it isn't even like we as citizens can go online and leave negative feedback for People + Place, because they have no public internet presence. Have they had these same problems in other communities? Who knows, because there is no place for the citizens who were involved in their projects to leave public feedback. Another case of bad optics.

I hope that these problems can quickly be remedied, and citizens can have confidence in the plan update process.

Thank you for all your hard work for the city.

Name: Nikki Ewell

Comment: To Whom It May Concern

I am a resident of Santaquin and I have been here for over 16 years. I live on Center street right by the new developments on north center street. Before the developments by the canal there were orchards and fields that we walked through a lot. We saw people dumping lawn clippings, tree branches, rocks, cement, carpet, tires, furniture and everything else you could imagine. This is when the dump fees are only \$3.00 to drive a little further to dump garbage.

I go for a lot of walks, hikes and mountain bike rides around here and I see piles of garbage dumped in the orchards, on the canal, by the mouth of the canyon, up the canyon and where ever they won't get caught dumping all kinds of things. I feel that if the fees go up to \$10 a time to take garbage, yard clean up, etc. to the dump Santaquin is going to turn into a huge garbage

dump itself. Please consider this or take the time to go look at these things yourself. I know you had an issue with people leaving everything they shot up at the mouth of the canyon. I'm not sure if you also noticed the piles of garbage that were also dumped along the trails there.

BUILDING PERMIT & BUSINESS LICENSE REPORT

7. Building Permit & Business License Report - 04/16/2021

NEW BUSINESS

Resolutions

8. **Resolution 04-12-2021, "A Resolution Approving Changes to the Consolidated Fee Schedule"**

City Manager Reeves explained that this is an implementation to the updates to both the Culinary Water and Pressurized Irrigation Master Plans, Impact Fee Analyses, and Impact Fee Facilities Plans back in January so that new development pays it's fair share of infrastructure.

Motion made by Council Member Montoya to approve Resolution 04-12-2021, "A Resolution Approving Changes to the Consolidated Fee Schedule"

Seconded by Council Member Hathaway.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

9. **Resolution 04-11-2021, "A Resolution of Intent Regarding South Utah Valley Municipal Water Association (SUVWMA) Allotment of Central Utah Project, Utah Lake System (ULS), Water to Member Cities and Towns"**

City Manager Reeves explained this Resolution was twofold:

- 1) Acknowledge formally Santaquin City's intent to fully utilize and exercise its allotment of ULS Water allocated under the SUVWMA/CUWCD Contract; and
- 2) To formally express interest in any ULS Water previously allocated to, but unwanted by, other municipalities.

Council Member Montoya asked for clarification on the second point and City Manager Reeves explained that on the 40-year horizon build out plan, it's anticipated that more water rights will need to be acquired and this reserves Santaquin's seat at the table for the possibility of future water acquisition.

Motion made by Council Member Mecham to approve Resolution 04-11-2021, "A Resolution of Intent Regarding South Utah Valley Municipal Water Association (SUVWMA) Allotment of Central Utah Project, Utah Lake System (ULS), Water to Member Cities and Towns".

Seconded by Council Member Hathaway.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

Discussion & Possible Action

10. **Discussion and Possible Action Regarding Santaquin City Solid Waste Options:**

City Manager Reeves presented the following.

Actions-To-Date:

On March 30, 2021, the Santaquin City Council held a special meeting to discuss a proposal by Republic Services which would save the city an estimated \$28,000 annually, or \$140,000 over the five-year term of the proposed agreement (See Memo dated March 30, 2020 regarding the initial offer).

However, a few minutes before the meeting, the Payson City Manager graciously submitted an informal offer to match the Republic Services offer while submitting an offer to waive its deadline for providing a cancellation notification so that Santaquin City would have additional time to compare the merits of each proposal.

As a result of this new information, the Santaquin City Council elected to table the proposal from Republic Services while approving a Notice of Termination with Payson (to meet contractual obligations), while prefacing the notification to state that it would be rescinded if Santaquin City elected to accept the Payson City proposal and modify its agreement accordingly. Update: On April 7, 2021, the Payson City Council met and discussed the terms offered. Ultimately, the Payson City Council decided it was in their best interest to retract the offer made by City Manager Tuckett.

Note: It was unfortunate, but City Manager Tuckett was not in attendance at the Payson City Council Meeting wherein inaccurate information was shared with their governing body. Those inaccuracies included the estimation that Santaquin residents made 13,000 trips to the Payson Landfill over the past year and that 60% of the waste deposited in their facilities came from Santaquin Residents. For historical purposes, it is important to note that on March 25th I asked Mr. Tuckett if Payson City kept track of the number of loads coming from Santaquin residents in an effort to understand and mitigate negative impacts, and he indicated that he did not believe this type of information was tracked.

During a follow-up meeting with Mr. Tuckett on March 31st, Mr. Tuckett affirmed this statement after discussing this matter with his Landfill Director. He clearly stated that this information was not collected nor available. Nevertheless, assertions were made by Payson Council Member Provstgaard which were inaccurate according to the information provided by Mr. Tuckett. When I asked Mr. Tuckett on April 15th where the 13,000-number stated by Payson Council Member Provstgaard, came from, Mr. Tuckett indicated that he had no idea and that he would contact both Mr. Provstgaard and Mayor Wright regarding its origin. Again Mr. Tuckett affirmed that he believed this information was inaccurate. Mathematically speaking, Santaquin City residents would have had to make 41-42 trips per day every day of the entire year in order to generate 13,000 loads. Or, in other words, every home in the city, all 4000, would have had to have taken more than 3 loads per year to the landfill over the past year. Furthermore, the population of Santaquin is significantly smaller than the population of Payson. As such, the 60% estimation makes no logical sense. However, in an effort to confirm the accuracy or inaccuracy of the numbers shared publicly by Payson City, Santaquin City has formally issued a GRAMA request to determine where and how this number was generated. That GRAMA Request has not yet been fulfilled, though an expedited processing was requested. Irrespective of the accuracy of the numbers, Mr. Tuckett apologized for any confusion or delay that may have been caused, yet indicated that the Payson City Council decision stands. Santaquin City respects the position of the Payson City Council.

On April 9, 2021, I confirmed with Mr. Reece DeMille from Republic Services that their organization's offer remained valid and that his organization would be willing to hold that offer until the Santaquin City Council's next regularly scheduled meeting on April 20, 2021 (rather than hold a special meeting on April 13th as discussed during the March 30th Santaquin City Council Meeting).

Analysis:

Republic Services Offer:

- A reduced tipping fee of \$33.00/ton vs. \$36.21/ton, an estimated annual savings of \$16,000+
- Waiver of the 3% annual price increase for 2021, an estimated annual savings of \$11,700 Combined, this would generate an estimated \$28,000 savings per year or \$140,000 savings over the life of their five-year service agreement. However, the numbers do not account for the increase in solid waste tonnage generated by the new homes and residents that will come to Santaquin over the next five years. As such, the savings are likely to be significantly higher due to the growth wave that has reached the Santaquin City limits.
- In addition to the savings, Santaquin City's solid waste and biosolid waste would go to an environmentally sound lined landfill. While the long-term environmental and financial impacts and liabilities of contributing to an unlined landfill are unknown, there are potential risks of future federal regulations that may be implemented by the EPA. Benefits: In short, the benefits to Santaquin City are both financial (\$140,000+) and through the reduction of potential liability. Drawbacks: The drawback to Santaquin City is the increased cost per load for Santaquin City residents who used the Payson City facility at the resident rate of \$3/load to the non-resident rate of \$10/load.

Mitigation Efforts, if approved:

- Fall Week Cleanup – Similar to Santaquin City's Spring Cleanup Week, Santaquin City is planning to hold a Fall Cleanup Week which will conveniently bring in dumpsters directly into the community wherein Santaquin City personnel is on-hand to assist our patrons.
- Reimbursement Program – If approved, Santaquin City residents who utilize the Payson City Landfill could bring their receipt to Santaquin City for a \$7.00 reimbursement credit on their utility billing account. (Exact parameters of the program should be considered and discussed by the Santaquin City Council e.g. number of loads allowed per year per residence, number of total reimbursements per fiscal year, etc.)

Recommendations:

From a financial and liability mitigation perspective, moving forward with the Republic Services proposal would be the recommended course of action. However, other factors, such as convenient use of the Payson Landfill should be considered. Relationships and political considerations should also be evaluated. Closing Thoughts... When an offer of financial saving and a reduction of potential liability is made to the Santaquin City Staff, I believe it is our duty to bring as much information as possible regarding the matter before the elected leaders for their consideration. I believe I would have been derelict in my duties had I not taken these steps. However, in my opinion, I believe that Santaquin City acted professionally, respectfully and as a good neighbor throughout this evaluation as evidenced by the following:

- Santaquin City reached out to Payson City in advance of taking any formal action or placing the matter on a public agenda.
- Santaquin City did not actively work to use the offer of one provider as leverage towards another yet remained open and willing to discuss the matter with Payson in an open and transparent manner.
- When a matching offer was made by Payson City, Santaquin City immediately tabled the matter to respectfully consider the offer.
- Santaquin City actively negotiated with Payson City in good faith.
- Santaquin City has not put forth any inaccurate or misleading information.
- When the matching offer was rescinded by Payson City, Santaquin City respected the wishes of the Payson Council.

- Throughout every step of this analysis, Santaquin City has been the initiating party of every communication effort in a respectful and transparent manner with Payson City.

City Manager Reeves added that statements were made in the last Payson City Council meeting that included 60% of residential tonnage comes from Santaquin and there were 13,000 trips made by Santaquin residents to the Payson dump in the last 12 months. *These statements have been unverified and denied by the City Manager of Payson who stated on multiple occasions that there their landfill does no keep track of that kind of data.* A Governmental Access and Records Management (GRAMA) Request was put into Payson City for the comments made in that meeting and after two days, and with their staff and Council knowing that today was the day for the decision, no information was provided. **If that information were ready for the Council Member of Payson City and the director who confirmed and added to those statistics two weeks ago, there is no reason as to why Payson would not share that data unless it were for the reason to 1) put political pressure on Santaquin City staff and Council and 2) the data wasn't accurate.** An update from the GRAMA request as of May 5th, 2021 the request was filled and the data provided did not provide ANY information on who was and wasn't from Santaquin further invalidating the claims made by Payson City Council members and staff in an open and public meeting.

A discussion was had between Council and staff.

11. Option 1: Resolution 03-11-2021, "A Resolution Approving Addendum #3 to Santaquin City's Solid Waste and Recycling Collection and Disposal Agreement with Republic Services"

Motion made by Council Member Montoya to approve Resolution 03-11-2021, "A Resolution Approving Addendum #3 to Santaquin City's Solid Waste and Recycling Collection and Disposal Agreement with Republic Services."

Seconded by Council Member Bowman.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

12. Option 2: Rescind Resolution 03-12-2021, "A Resolution Authorizing the Mayor to Provide Official Notice to Payson City of the Termination of its Interlocal Cooperation Agreement for Waste Disposal Services Dated November 17, 2010" as Approved on March 30, 2021.

Action not taken; Resolution not rescinded.

13. Discussion & Possible Action with Regard the the Purchase of Two Ford F-150 Pickup Trucks from Murdock Ford

City Manager Reeves explained that two years ago Santaquin City was exploring the direction of their fleet whether they should lease or purchase. The City was introduced to Horsepower LLC to experiment with leasing and has had two vehicles for the past year in our Public Works fleet. Last week, however, the City was contacted by the dealership who owns the vehicle and who Horsepower LLC was making payments to and it seems Horsepower is having financial difficulties and hasn't been making payments on the vehicle. Since the City already made the decision recently to go with purchasing with their fleet instead of leasing this is advantageous as we have the opportunity to purchase the vehicles for our Public Works fleet and support our local business of Murdock Ford.

Motion made by Council Member Montoya to approve the Purchase of Two Ford F-150 Pickup Trucks from Murdock Ford is an amount not to exceed \$87,624.

Seconded by Council Member Miller.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

City Manager Benjamin Reeves

1. The Utah League of Cities and Towns conference has been fantastic and lots of updates from the most recently completed legislative session. 60% of the high housing demand in Utah is from Utahans raised in state.
2. New City Hall scheduled to break ground in early June.
3. Water lines being moved in Centennial park in preparation for the new basketball court.

Assistant City Manager Norm Beagley

1. There is a pavement preservation project going on Main Street, with ADA ramps to meet federal standards, as well as tearing out 2" of asphalt and placing 2" of new asphalt in certain portions of Main Street.

REPORTS BY MAYOR AND COUNCIL MEMBERS

Mayor Hunsaker

Nothing to report.

Council Member Miller

Nothing to report.

Council Member Montoya

1. Thank you to Penn & Webb for addressing her concerns with the Imagine Santaquin link not appearing on the new city website and for addressing that.
2. Would like to know if there would be paper versions of the Imagine Santaquin survey to distribute to the seniors and City Manager Reeves responded that they were handed out last Wednesday at the weekly Senior Lunch and the responses will be collected tomorrow.
3. Chief Lind is looking into involving High School interns in the fire operations and she applauds his efforts.

Council Member Mecham

Nothing to report.

Council Member Hathaway

1. Historic Preservation Board Meeting was had last Wednesday and they would like to get the contact information for the new appointee Kirk Durbin.
2. Historic Preservation Board is interested in getting a response for a potential time capsule for the new City Hall.

Council Member Bowman

1. With the weather warming, trying to get the Beautification Board going and they're meeting next Wednesday April 28th, 2021 at 7:00 p.m.

EXECUTIVE SESSION (May be called to discuss the character, professional competence, or physical or mental health of an individual)

EXECUTIVE SESSION (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

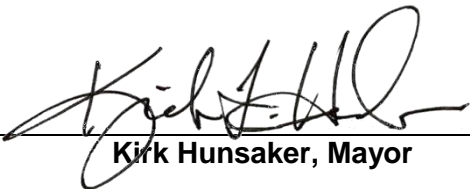
ADJOURNMENT

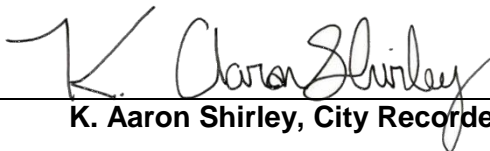
Motion made by Council Member Miller to adjourn at 8:55 PM.

Seconded by Council Member Bowman.

Voting Yea: Council Member Miller, Council Member Montoya, Council Member Mecham, Council Member Hathaway, Council Member Bowman

ATTEST:


Kirk Hunsaker, Mayor


K. Aaron Shirley, City Recorder