

Minutes of the Salem City Council Meeting held on April 18, 2007 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor J. Lane Henderson

COUNCIL PRESENT:

Mayor J. Lane Henderson
Councilperson Lynn Durrant
Councilperson Brent V. Hanks
Councilperson Jeff D. Higginson
Councilperson Stanley W. Green

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Chief Brad James, Police Chief
David Johnson, Public Works
Junior Baker, City Attorney
Bruce Ward, City Engineer

Excused:

Councilperson Terry A. Ficklin

OTHERS PRESENT

Jarrold Hales
Craig Callister
Lana Harris
Lucy Cornaby
Karen Palfreyman

Brad Hales
Paul Tervort
Boyd Sabin
Garrett Seely
Mark Emmich

Becky Poulter
Connie McVey
Reed Cornaby
Derk Palfreyman
Erman Stone

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Jeff Higginson stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Henderson invited those who would wish to participate, to stand and say the pledge of allegiance with him. He then led the pledge of allegiance for those who wanted to participate.

3. PUBLIC HEARING

Open

MOTION BY: Councilperson Stanley Green to Open the Public Hearing.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All affirmative (4-0).

a. Matt Greene – Zone Change on property at 944 North SR-198 from C-1 to R-2, and R-2 to C-1

Mayor Henderson turned the time over to Matt Greene. Matt stated that he has attended DRC (Development Review Committee) and Planning & Zoning. Both have approved the change. He stated that he has purchased Allen Stubbs' property. He stated that the commercial zone is next to the highway, and behind it is residential. He wants to straighten the zoning up so it is not jagged, he is not increasing either of the zones, and he is just swapping them so the zones would be straight and utilized better.

Councilperson Durrant was wondering about the motion in DRC. Attorney Baker stated that the general plan had the commercial zone running along the highway, and it ran parallel to it. By changing this, the commercial zone would run more north and south, straighten it up that way. Matt feels that it would be used better if it ran like that.

Mayor Henderson asked if there were any questions from the public or council. There were no more questions.

b. Craig Calister – Amend Plat B of Harvest Ridge Subdivision by Dividing Lot 43 into 2 Lots.

Mayor Henderson turned the time over to Craig Calister. Craig explained that he purchased one lot in Harvest Ridge, and would like to split the lot to make two lots. He stated that he has been to DRC and Planning & Zoning, and both have recommended approval. Bruce Ward stated that when the subdivision was built, the one lot was big enough for two lots, and the connections were installed for two lots. Councilperson Higginson asked how big the two lots are. Craig explained that the one lot is about 19,000 and the other is 16,000 square feet.

Mayor Henderson asked if there were any questions from the public or council. There were no more questions.

c. Amending the PUD Ordinance to Clarify the Open Space Requirements.

Mayor Henderson stated that Planning & Zoning's recommendations are to require the upgrading of the playground equipment to commercial playground equipment along with the irrigation system. Attorney Baker stated that we also wanted to allow

the developer to give money in-lieu-of to allow the city to purchase land else where for parks. It would also allow the city purchase larger amounts of property so there are not a bunch of small parks around, but could have larger ones.

Mayor Henderson asked if there were any questions from the public or council. There were no more questions.

Close

MOTION BY: Councilperson Lynn Durrant to Close the Public Hearing.

SECONDED BY: Councilperson Jeff D. Higginson

VOTE: All affirmative (4-0).

a. Matt Greene – Zone Change on property at 944 North SR-198 from C-1 to R-2 and R-2 to C-1

MOTION BY: Councilperson Lynn Durrant to approve Matt Greene – Zone Change on Property at 944 North SR-198 from C-1 to R-2 and R-2 to C-1.

SECONDED BY: Brent

VOTE: All affirmative (4-0).

b. Craig Calister – Amend Plat B of Harvest Ridge Subdivision by Dividing Lot 43 into 2 Lots.

MOTION BY: Councilperson Jeff Higginson to approve Craig Calister Amendment to Plat B of Harvest Ridge Subdivision by Dividing Lot 43 into 2 lots.

SECONDED BY: Stan

VOTE: All affirmative (4-0).

c. Amending the PUD Ordinance to Clarify the Open Space Requirements.

MOTION BY: Councilperson Brent Hanks to approve the PUD Ordinance to Clarify the Open Space Requirements with Planning & Zoning Recommendations.

SECONDED BY: Councilperson Jeff D. Higginson.

VOTE: All affirmative (4-0).

4. MATT GREEN – DISCUSSION ON R5 ZONE

Matt Green stated that the property he purchased is zoned as R2. As he started looking around Salem, he saw there is a need for affordable housing. He also had this discussion with DRC. With the current ordinance he is not sure if his property would qualify for R5 Zone, where there is already R5 Zone to the south of his property on the highway. He would like to do some upscale town homes, and feels it would be a great place for them, right behind the commercial zone. He is wondering how the council would feel about changing to the R5 Zone. Matt showed on the map where his property is located (Alan Stubbs property, approx 944 North SR 198) and where the other R5 Zone is currently

located to the South on the other side of the highway. Matt stated his property is about seven acres. Bruce Ward stated that Planning & Zoning discussed this, and recommended leaving the area zoned R-2.

Mayor Henderson stated that there are a few areas that are zoned R5 right now, and would like to wait to see how they turn out. He feels it is too early to make a change to the R5 Zone. Matt was wondering how the ordinance determines the 2000 feet between R5 Zones. Dave Johnson feels the ordinance is determined as straight as the crow flies. He stated another option could be to change to R1 Zone instead of R2. Councilperson Stan Green stated that this is the first time the council has heard about it, and would like more time to think about it. Mayor Henderson stated that Planning & Zoning felt very strong to leave the area as R2 Zone.

5. MIKE GLEED – ANNEXATION AT APPROXIMATELY 8600 S. SR - 198

Mayor Henderson stated this item was asked to be removed from tonight's council meeting.

6. DOUBLE G DEVELOPMENT – SUBDIVISION WAIVER FOR 5 LOTS ON 300 NORTH AND 300 EAST.

Double G representative stated that this is the second part, which is another five homes. The first five lots were approved a few months ago. This is a separate five lots. There was some discussion on the drainage for the area; there is a lot of irrigation water that runs to that property. Bruce Ward stated that a geotech study will be done, and he also feels that the road will need to be built up in the area for the future phases. Someone asked about the improvements. It was stated that 300 East is a dedicated road, and will have improvements done on it in the future phases. These five lots all face existing roads, where the infrastructure is already in.

There was a question on the wet lands in the area, and wondering what conditions they have to meet for the wet lands. It was stated that they will meet all for the wetlands. Bruce Ward stated he has spoke with the Corp of Engineers about the wetland. He stated that the Corp determines the wetland. He said that if the Corp stops them, then the property would need to be put back the way it was. The city can not determine what is wet land; it would need to be the Corp.

DRC recommendations were approved subject to meeting the red lined conditions, re-routing the irrigation water and any previous conditions that were required with approval of the earlier lots

MOTION BY: Councilperson Lynn Durrant to approve Double G Development Subdivision Waiver for Five lots, on 300 North and 300 East with DRC recommendations.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All affirmative (4-0).

7. CLIFF HALES – SUBDIVISION WAIVER FOR 5 LOTS ON 80 SOUTH AT APPROXIMATELY 600 EAST

Cliff stated he has been to both DRC and Planning & Zoning, and both have recommended approval. He showed on the map where the five lots are located. Councilperson Green asked how wide the road will be. Bruce Ward stated the roads will be 66 feet of right of way.

Sam McVey asked the question about water pressure in the area; if more homes are going to be built, the water pressure will drop more than what it is, and they do not have a lot. He heard that it was a six inch water line. Another issue is the dust when the development is being built; he wants to make sure it is controlled.

Christen Johnson had some concerns also. He is wondering about the three intersections coming onto 80 South. He feels with the access to Woodland Hills Drive on 80 South, and then three more intersections, that 80 South is going to have high traffic. He is wondering if the access to Woodland Hills Drive will be cut off at 80 South. Also, one of the roads coming out of the new development heads right for Dick Hanks house, which would cause the headlights to shine right into his house. Christen and Sam are wondering if the roads could be configured a little different and, if needed, the council could allow a waiver to change the property.

Councilperson Higginson asked Police Chief James if he has looked at it, and if he has any concerns. Chief James stated that he has looked at it, and he feels that it would not be a hazard. When it came before DRC it was discussed also. Sam stated that the more intersections you have the more dangerous it is. Most accidents happen at intersections. With the 80 South already connecting to Woodland Hills Drive, it is already a hazard on it. He stated that he wants to work with Cliff on this, and does not want to post pone the project, but he would like some of their concerns to be looked at also.

Cliff stated that he has tried to change the road, and has tried different methods, but with the Questar gas building on the property, it is making it very difficult. He feels that they have done the best that they can. Councilperson Higginson told Cliff that he can be sited for not controlling the dust. Cliff stated that he is aware of that. Bruce Ward stated that with the water pressure, they can look at the PRV (Pressure Reducer Valves) in the area. He stated that the water line is a 10 inch main line. He also stated that when the PI system comes on line, that will help a lot of the water pressure issues. The question about the PRV came up that it has been recommended before, but they were told that if the PRV is adjusted it would cause the water pressure for the residents below to be too

high. Bruce stated it can be looked at again, but feels with the PI system next year, it should fix the problem. He also stated that with the intersections the city has also tried to work with Cliff and to keep the 200 feet distance between intersections, we feel that what Cliff has is the best solution. Bruce told the residents to notify the city when the dust becomes a problem.

There was some discussion on the dump trucks that come down 80 South very fast and how that is a concern. It is not part of the development, and Chief James is aware of it.

Councilperson Higginson stated that we understand the concerns and appreciate the neighbors, but feels Cliff has done everything the city has asked, and he meets the requirements.

MOTION BY: Councilperson Jeff Higginson to approve the Cliff Hales Subdivision Waiver for 5 Lots on 80 South at Approximately 600 East with the recommendation of DRC and Planning & Zoning: *(DRC Recommendations: approval subject to meeting the subdivision standards and the conditions laid out such as relocating the power lines, piping the ditch and having Salem Irrigation & Canal Company and Questar Gas sign off on the plat. Planning & Zoning Recommendations: approval subject to checking the size of the water and sewer lines; having Chief James addressing the safety concerns with the three intersections onto 80 South and checking for violations on the construction trucks; moving the power poles; and having Questar Gas and Salem Canal Company signing the plat).*

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All affirmative (4-0).

8. GAYLE EVANS – SOUTH HILLS ANNEXATION

Mayor Henderson stated this item was asked to be removed from tonight's council meeting.

9. BUSINESS LICENSE

a. Misty Thornock – Day Care

Mayor Henderson stated that Misty Thornock at, 520 North 360 East, wants a business license for a day care. He stated that it has been approved by all of the appropriate people. Chief James stated that somehow she was able to get the state license, which usually they do not issue until the person has the City license.

MOTION BY: Councilperson Lynn Durrant to approve the Business License

SECONDED BY: Councilperson Brent Hanks.

VOTE: All affirmative (4-0).

10. BIDS FOR CITY SHOP

Councilperson Hanks did not have any bids at this time.

11. APPROVE MINUTES OF APRIL 4, 2007

MOTION BY: Councilperson Lynn Durrant to approve the minutes of April 4, 2007 as written.

SECONDED BY: Councilperson Stanley Green.

VOTE: All affirmative (4-0).

12. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilperson Brent Hanks to approve the bills for payment.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All affirmative (4-0).

13. PUBLIC SAFETY

14. OPEN DISCUSSION

Mayor Henderson asked if anyone had anything for open discussion.

Mark Emmich stated he has a power line that is going through a tree and wondering if the city could come and look at it. Mayor Henderson stated we will have someone look at it.

Mr. Sabin was wondering about the annexation of his property and when will it be on the agenda again. Mayor Henderson stated he was not sure, but when it is on again, we will notify them of it.

COUNCIL REPORTS

15. MAYOR J. LANE HENDERSON

16. COUNCILPERSON LYNN DURRANT

17. COUNCILPERSON TERRY A. FICKLIN

18. COUNCILPERSON STANLEY W. GREEN

Councilperson Stan Green reported he had a closing of the PI bond this week. We have the money for the project. Councilperson Durrant was wondering where the construction will begin. Bruce Ward stated that we are not sure yet.

Councilperson Green also reported that we have hired a BYU intern to do a wage analysis for the city.

19. COUNCILPERSON BRENT V. HANKS

Councilperson Brent Hanks stated that the fence at the civic center, which was done for an Eagle Scout project, looks great. He also recommended putting the people who have donated to the civic center, have their names put on a wall.

We have spent the money plus some that was set aside in capital improvements for the new city shop. We still need to finish the project of getting the shops done. He wants to know what the council wants to do. There is a lot of work that needs to be done. Jeff Nielson explained that the money that was set aside for the two capital projects (new civic center and new city shops) is still under budget by \$50,000. The money for the city shops has gone over, but the civic center was able to stay under budget.

20. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Jeff Higginson reported that we are in need of some summer time help in the parks department. We are looking at hiring three new employees for the summer time. Two will work at the ball park and the other will work at the parks. Looking at paying them \$8.50 hour.

He is also wondering about the possibility of combining the bonding for the addition of the city office and adding money in the bond to do the improvements at the park by the cemetery. The staff explained that by the time we find out how much money we need for the city office to start the bond process, will be next fall. Jeff Nielson recommended to the council about having Zions Bank be our financial advisor for the bond process of the additions. Councilperson Hanks was wondering if there is an architect in town who could help with the drawings of the city office building. No one was aware of one.

We are also in the need to purchase another lawn mower; the cost would be about \$15,000.

21. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson reported that we had our surplus items taken to the auction, everything was sold. He is not sure what the grand total was that everything sold for.

The utility building at Loafer View Ballpark is coming along. The cinder block is done. Dave is getting bids for the roof. He has one bid that is \$1,980 for the shingling, but it does not include the soffet or vinyl ends.

22. BRUCE WARD, CITY ENGINEER

Bruce Ward stated that he has received eight applications for the engineering assistance job. He will be reviewing them soon. We have also put out notices for two positions in the sewer and water departments.

We still need to purchase Salem Canal Water Rights, so please let people know that we need to buy them.

Bruce reported that Chief James, Dave Johnson and himself went to look at some new subdivision in the county, and look at some that have the 24 foot road. Chief James stated that there was one that had 36 feet, and he feels we should not go smaller than 36 feet. Bruce stated that CDW subdivision they saw were nice, but feels we do not want the 24 foot. They all felt that CDW has a lot of great ideas for the subdivisions, but feel we do not want to go less than 36 feet on the roads. They would like some direction from the council. The council all felt that they do not want to go less than 36 feet either.

23. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Stanley Green to Adjourn City Council Meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All affirmative (4-0).

MEETING ADJOURNED AT: 8:25 p.m.

Jeffrey Nielson, City Recorder