

Minutes of the Salem City Council Meeting held on April 21, 2010 in the Salem City Council Chambers.

**WORK SESSION: 6:30 p.m.**

Attorney Junior Baker reviewed the Council Memo Variance

Bruce Ward stated that he had a citizen call him regarding the green waste cleanup that didn't think it was well advertised and that the wording was ambiguous. We still have residents piling limbs and branches by the side of the road.

Councilperson Jorgensen brought up the fact that in the newsletter it stated that all items should be curbside by 8:00 am on Monday, April 12<sup>th</sup>.

Bruce Ward stated that a lot of people have taken their limbs and branches to the Green Waste dump themselves. If the Council wants the city workers to go around one more time they will.

The council decided it would be beneficial for the citizens if they made one more trip around town.

**MEETING CONVENED AT: 7:00 p.m.**

**CONDUCTING:** Mayor Stanley W. Green

**COUNCIL PRESENT:**

Mayor Stanley W. Green  
Councilperson Todd R. Gordon  
Councilperson Sid Jorgensen  
Councilperson Sterling Rees

**STAFF PRESENT:**

Heather Brindley, filling in for Recorder  
Chief Brad James, Police Chief  
Junior Baker, City Attorney  
David Johnson, Building Dept.  
Bruce Ward, Public Works/Engineer

Excused: Councilperson Lynn Durrant  
Councilperson Terry A. Ficklin  
Jeffrey Nielson, Finance/Recorder

**OTHERS PRESENT**

Lana C. Harris  
Lori Warren  
Ralph Allen  
Celeste Lee  
Kassidy Jolley  
Jasmine Archuleta  
Rodney Unsworth

Andrea Christensen  
Neicca Warren  
Pat Howell-Allen  
Lexi Brown  
Travis Wilkins  
Magan Davis

Craig Christensen  
Jen Watson  
Colton Simons  
Ben Cowley  
Sidney Spencer  
Taylor Standifird

### **1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Green asked if anyone would like to give a motivational or inspirational message. Craig Christensen stated he would like to offer a motivational message in the form of a prayer.

### **2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Mayor Green 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. OPEN DISCUSSION**

Zack Beck & Cassidy Jolley, representing the Salem Hills High School FFA came to extend an invitation to the Mayor and City Council to attend the FFA Awards Ceremony.

### **4. VARIANCE REQUEST HEARING-RALPH ALLEN VARIANCE REQUEST FOR PROPERTY AT 1023 SOUTH 550 WEST.**

Attorney Junior Baker discussed the Council Memo Variance.

Dave Johnson stated that Mr. Allen had purchased the metal structure through a local dealer. If a building is over 120 sq. feet you must have a building permit. A permit was issued, Dave called with questions and the structure was already installed. This structure did not meet the standards. Mr. Allen is here tonight to request a variance.

Mr. Allen stated that the company called him ready to install his structure. He assumed that if a permit was needed that the company would have already taken care of that. He cannot afford to take it down and cannot take it down himself. He was not aware that a permit was needed. There are other structures around that are on the property lines. Beehive Homes put a building up right next to his fence. He has called the dealer and he stated that it was not his responsibility, he has called Coast to Coast and talked to Customer Service, he stated that they didn't care and basically told him to get lost.

Dave Johnson has contacted DOPL and Coast to Coast does have a Utah business license. He has sent letters to the dealer and to Coast to Coast.

Councilperson Todd Gordon questioned if it is free standing is there anywhere else on the property that it could be placed. The answer was no.

Rod Unsworth, Mr Allen's next door neighbor stated that the structure is between his house and Mr. Allen's and he would like the structure left in place. It would look a lot better than a trailer with a tarp over it.

Councilperson Gordon asked if Mr. Unsworth would give him 5 ft. to make it legal.

Mayor Green discussed the 5 criteria that the property must meet to grant the variance. All five must be met. Only legal solution would be to change setbacks.

Mr. Allen does not feel that a free standing structure should be the same as a building on footings.

Attorney Baker stated it is to protect the neighboring properties.

Dave Johnson stated that 10 years ago the setbacks were within 10 feet of the property line with no height requirements. Someone came to council because they thought the 10 ft. was wasted space. The council researched and approved the 5 feet with a height limit.

Councilperson Rees stated that the Council really didn't have a choice but to deny the request for variance because we can't go against the State Law.

**MOTION BY:** Councilperson Sid Jorgensen, to deny the request for variance.

**SECONDED BY:** Councilperson Sterling Rees

**VOTE:** All Affirmative (3-0)

Councilperson Jorgensen stated that the Planning Commission is already looking at changing the Permanent Structure setbacks for Rod Christensen, could have Planning and Zoning readdress this and look at wording for this type of a building.

Councilperson Rees stated that he would like a metal carport but can't due to the ordinance so he understands where Mr. Allen is coming from.

Mr. Allen stated that it just doesn't make sense that you can cover an RV with an ugly tarp and it is fine but you can't put up a nice building.

Attorney Baker requested that Mr. Allan come to Planning and Zoning on May 12.

Councilperson Jorgensen advised Mr. Allan that he call and get on the agenda.

Dave asked for guidance on how to handle the red tag deadline. He was advised that he could give a 90 day extension until Planning and Zoning decides if changes will be made.

Councilperson Gordon commended Dave on doing such a great job.

## **5. YOUTH COUNCIL REPORT**

Andrea Christensen and Necia Warren reported that they had attended a Leadership Conference in Logan. They had a lot of fun and learned a lot. They entered for 3 awards- the display that is in the hall won 1st place. They put in a lot of hours and hard work on the display.

The next award they put in for was the Award of Excellence and they took 3<sup>rd</sup> place for this one. The final award they put in for the Council Challenge and they took 7<sup>th</sup> place for this. They are very grateful for the support of the Mayor and Council.

Lori Warren stated that Salem kids were supported well, they are very friendly. One of the ways they involved other groups was they took a jump rope and had everyone that walked by join in. They appreciated Mayor Green coming to the Banquet. They helped with the Easter Egg hunt, they stuffed all the eggs and helped hand out prizes. On April 30<sup>th</sup> they will be helping at the Salem Elementary with their carnival. Mayor Green thanked the Youth Council for all their hard work.

## **6. APPROVE MINUTES OF APRIL 7, 2010**

Councilperson Rees had a couple of changes that he had emailed to Jeff.

**MOTION BY:** Councilperson Rees with emailed changes.

**SECONDED BY:** Councilperson Gordon

**VOTE:** All Affirmative (3-0)

## **7. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Gordon to approve bills for payment

**SECONDED BY:** Councilperson Rees

**VOTE:** All Affirmative (3-0)

## **8. PUBLIC SAFETY**

Chief James reported that they had denied a request for a resident on Apple Blossom to have chickens. Resident wanted guidance from council.

Attorney Baker was requested to look into it.

Councilperson Jorgensen suggested leaving it as it is.

Chief James also stated that they had purchased a new slide in for the Fire dept. water truck with a 1200 gallon water tank and an electrical wheel for \$1,000.00.

Councilperson Gordon stated that they were called to a fire where a resident was burning tires and Officer Lowe did a great job of taking care of the upset resident.

Jen Watson questioned when the Chicken ordinance will be brought back up.

Mayor Green stated that they wanted to look at other ordinances first.

Chief James stated that at his Chiefs meeting they said to move cautiously because once the chicken ordinance was passed goats would be next.

Councilperson Jorgensen suggested that residents should ban together and rent a piece of property and have a co-op to raise animals and garden.

Mr. Unsworth questioned if the city owned a piece of property that they could lease for free.

Dave Johnson stated that BYU has property that they do this with.

## **COUNCIL REPORTS**

### **9. MAYOR STANLEY W. GREEN**

### **10. COUNCILPERSON LYNN DURRANT**

### **11. COUNCILPERSON TERRY A. FICKLIN**

### **12. COUNCILPERSON STERLING REES**

### **13. COUNCILPERSON SID JORGENSEN**

Was wondering about an “Adopt a Pot Hole”. This wouldn’t be for the men and women to do the work; they would just donate money and choose a pot hole.

Councilperson Gordon questioned what would be the cost on this.

Mayor Green asked Bruce to come up with a price for this.

Bruce talked to road crews about this and they are worried about the citizen’s expectations. Mayor Green suggested pot hole decals.

Sid suggested putting something in the newsletter about it.

### **14. COUNCILPERSON TODD R. GORDON**

### **15. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

Reported that the roping club uses the Benjamin Arena and the spring light poles need some work done on them. He was wondering about hiring a truck and 2 workers to fix them.

Mayor Green stated they would discuss this at the next meeting.

**16. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR**

PI system is filling. We have had a few leaks, less than anticipated. It should be available for use by Friday above the canal.

**17. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Rees to adjourn city council meeting.

**SECONDED BY:** Councilperson Jorgenson

**VOTE:** All Affirmative (3-0)

**MEETING ADJOURNED AT:** 8:10 p.m.

---

Jeffrey Nielson, City Recorder