

Minutes of the Salem City Council Meeting held on August 6, 2008 in the Salem City Council Chambers.

MEETING CONVENED AT: 11:00 a.m.

CONDUCTING: Mayor J. Lane Henderson

COUNCIL PRESENT:

Mayor J. Lane Henderson
Councilperson Lynn Durrant
Councilperson Brent V. Hanks
Councilperson Terry A. Ficklin
Councilperson Stanley W. Green
Councilperson Todd R. Gordon

STAFF PRESENT:

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

OTHERS PRESENT

Mallory Byrnes
Lynda Davis
Ben Arce

Rick Hereth
Benjamin Davis

Reed Cornaby
Maris Arce

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Reed Cornaby 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. R-5 TEXT AMENDMENT

Attorney Junior Baker explained that since last council meeting (July 16, 2008,) when this item was discussed and tabled, the city was asked to look at a couple of changes. These changes were reviewed and some changes were made in agreement. Attorney Baker explained the changes that were made. On page 4 paragraph F, rear yard setbacks must be a minimum of 15 feet; this was changed from 20 feet. Single family and twin home residences which have rear yard setbacks less than 20 feet must have a vision barrier fence between rear yards. It shall be the developer's obligation to install the fence

prior to occupancy of either residence. In Paragraph G- Parking, a minimum of fifty percent (50%), this was changed from 60%; of the town homes must have a two car garage. The remaining town homes must have a one car garage and provide off street parking for an additional one and one-half car per unit.

MOTION BY: Councilperson Brent Hanks to approve Ordinance 80608 R-5 Text Amendment as presented to the council.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

4. WATER DEPT/P.I. TRUCK

Bruce Ward explained that the Water and P.I. Department are in need of a truck. The truck was budgeted in last years P.I. budget, but we were unable to get one. The money is still there for this year's budget. We need a 4x4 truck that can make it up to the Maple Canyon Well. Bruce explained that we received three bids from dealerships, where two are the state bids and another one is giving us a state bid price. Bruce read the bids; Chrysler Motors, Dodge Ram 3500, price \$37,580; 2008 SD F350 Ford, price \$33,937, 2008 Chevy Sierra 3500, price \$35,219. He also explained that we have another option. Councilperson Green has a 2006 Ford F350, with 46,800 miles, needs a windshield and tires, which he is willing to sell to the city for \$25,000, its retail value is \$34,000 and trade-in value is \$29,700.

All four trucks are crew cabs, and we hope to put a plow on the truck too. Councilperson Green's truck has a bed on it, the others we would need to get a bed. The problem with Councilperson Green's is that if we do purchase it, we do not want people to get the wrong idea about it. The council felt that if we do purchase it, that it would not be a problem.

MOTION BY: Councilperson Brent Hanks to approve the purchase of Councilperson Stanley Green's Ford truck in the amount of \$25,000 and to also purchase a snow plow for the truck for \$5,000.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0) – Councilperson Green abstained from voting.

5. AMENDMENT TO SIGN ORDINANCE

Attorney Baker stated that this request is from Nebo School District. In our sign ordinance we have a restriction on heights. After looking at the ordinance and what Nebo School District would like for the new high school, we feel it would be okay to allow schools to be exempt from the height requirement on the sign ordinance. This should allow the high school to put up the sign that they want.

Dave Johnson was wondering about the city, and allowing exemption for the city. Attorney Baker stated that this is just for schools, the change for the city and other businesses is still being worked on.

MOTION BY: Councilperson Terry Ficklin to approve Ordinance 80608B Amendment to Sign Ordinance.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

6. RESOLUTION CONSENTING TO THE INCLUSION OF SALEM CITY IN THE UTAH VALLEY DISPATCH SPECIAL SERVICE DISTRICT

Attorney Junior Baker explained that this resolution is from Utah County. The County Commission is looking at creating a special service district for a central dispatch center for public safety. This resolution is the beginning of the process, and stating that Salem City wants to be a part of the district.

Councilperson Gordon stated that Utah County is getting out of the dispatch service, and the cities need to create one together. The cost for us to do one on our own is prohibitive. Mayor Henderson stated that by creating the district we would have a say in the dispatch center. Attorney Baker stated that there would be a board of directors created, who would determine how the dispatch is run and how monies are spent. This board would be made up of individuals from each city.

Chief James stated that there have been a lot of different issues looked at and they are trying to come up with something that will work. The dog shelter was created a couple of years ago, and is set up much like the dispatch center would be. He stated that the dog shelter is working out very well. Dispatch centers are very expensive to run and set up, but it is something that is needed. If we do not participate in this, then we would be required to start our own and would not be able to afford it.

It was stated that the dispatch center for a special service district will be on the ballot this November.

MOTION BY: Councilperson Lynn Durrant to approve Resolution Consenting to the Inclusion of Salem City in the Utah Valley Dispatch Special Service

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

7. CURB & GUTTER ORDINANCE

Mayor Henderson stated that this was tabled from the prior meeting. Attorney Baker stated that from last council meeting some changes were requested to be made on the ordinance, the first change is requiring that asphalt is installed connecting the driveway to

the road. The asphalt only needs to be as wide as their driveway. The next change that was made to the ordinance is that if either side of the property has curb & gutter, then the property owner would be required to connect to it and extend the curb and gutter on their property. Attorney Baker told the council that they can adopt the ordinance with out the changes, leave as it is, adopt with the asphalt change, adopt both changes, or adopt the change of only one side of improvements.

Reed Cornaby had a question about requiring the home owner to put asphalt on city property (section between the property line and the road), and should a property owner be required to do that. Attorney Baker stated that we are putting the cost of improvements on the builder/developer rather than the tax payers.

MOTION BY: Councilperson Brent Hanks to Approve Ordinance 80608C with the change of adding asphalt to the driveway, but leaving both sides of the property must have curb & gutter before the property owner is required to curb & gutter.

SECONDED BY: Councilperson Stanley Green.

VOTE: 2 Aye, 3 Nay; Roll Call: Councilperson Todd Gordon; Nay, Councilperson Terry Ficklin; Nay, Councilperson Lynn Durrant; Nay, Councilperson Stanley Green; Aye, Brent Hanks; Aye.

Mayor Henderson stated that the motion did not pass. He stated we have been working on this item for a long time. We want to make sure we are doing the right thing and that it is done correctly.

Councilperson Brent Hanks stated that he is concerned about adding more curb and gutter without a storm drain system. If we are going to require the property owner to put in the curb gutter now, and then have to dig it up it would not be worth it. Bruce Ward stated that we have had some storm drain systems done, and the curb and gutter can act as a storm drain in many places. There was some discussion on storm drain systems.

MOTION BY: Councilperson Todd Gordon to Approve Ordinance 80608C as it is written with the changes as they were presented.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: 3 Aye, 2 Nay; Roll Call: Councilperson Todd Gordon; Aye, Councilperson Terry Ficklin; Aye, Councilperson Lynn Durrant; Aye, Councilperson Stanley Green; Nay, Brent Hanks; Nay.

Councilperson Ficklin stated that we need the improvements done, and feels that this will help the process. There was discussion about storm drain systems, and about the problem in Robert Nelson subdivision that was recently fixed. The city needs to make sure that it is done correctly. Bruce Ward suggested that he could get a RFP on a storm drain system, and have it ready for next budget year. The council felt that it was a good idea.

8. APPROVE MINUTES OF JULY 16, 2008

MOTION BY: Councilperson Lynn Durrant to approve the minutes of July 16, 2008 as written.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

9. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilperson Stanley Green to approve the bills for payment.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

10. PUBLIC SAFETY

Chief James stated that Salem Days is going well; he is concerned about the weather for Saturday night's fireworks.

11. OPEN DISCUSSION

COUNCIL REPORTS

12. MAYOR J. LANE HENDERSON

Mayor Henderson stated that Salem Days are going very well.

He discussed the issue about smoking in public places, especially in parks. The Utah County Health Department is looking into this, and what some options may be.

13. COUNCILPERSON LYNN DURRANT

Councilperson Durrant stated that the library is coming along very well.

14. COUNCILPERSON TERRY A. FICKLIN

Mayor Henderson thanked Councilperson Ficklin for the work that he does for Salem Days and making sure there is sound at each event.

15. COUNCILPERSON STANLEY W. GREEN

Attorney Baker discussed a letter of intent that is asking Salem City to get involved with the Strawberry Water users and the litigation between them and the Department of Interior. He stated that there will be some cost involved in the litigation.

Reed Cornaby asked about the PI ponds and is the amount of water going into the ponds being measured. It was stated that the water going in is not measured, but the water going out is measured. The city fills the ponds with city culinary water in the spring, until they are full, then the Highline Canal will keep it full, and any amount going out of the pond is how much is going into it.

16. COUNCILPERSON BRENT V. HANKS

17. COUNCILPERSON TODD R. GORDON

18. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson stated that, with the agreement that Salem City has with Nebo School District and the high school, one of the items is that Salem City will paint the striping for the high school football field. We are in need of a striping machine, and it looks like the cost will be under \$5,000. Mayor Henderson stated to have Councilperson Hanks and Durrant work with Dave on the purchase of the striper.

19. BRUCE WARD, CITY ENGINEER

20. ATTORNEY S. JUNIOR BAKER.

Attorney Baker encouraged the council to attend the League of Cities and Town meetings. He stated that if they can not make the whole conference, that they should attend the Thursday session.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Brent Hanks to Adjourn City Council Meeting.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 12:05 p.m.

Jeffrey Nielson, City Recorder