

Minutes of the Salem City Council Meeting held on December 8, 2010 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Jonathan F. Cope

COUNCIL PRESENT:

Mayor Jonathan F. Cope
Councilperson Lynn Durrant
Councilperson Terry A. Ficklin
Councilperson Todd R. Gordon
Councilperson Sid Jorgensen
Councilperson Sterling Rees

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Chief Brad James, Police Chief
Junior Baker, City Attorney
David Johnson, Building Dept.
Bruce Ward, Public Works/Engineer

Excused:

OTHERS PRESENT

Karen Taylor, Meghan Taylor, Raquel Beacham, Jared Coffman, Reed Cornaby, Lucy Cornaby, Michael Christensen, Zaq Wilcox, Brandon Taylor

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Cope asked if anyone would like to give a motivational or inspirational message. Councilperson Sterling Rees stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Cope 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. YOUTH COUNCIL REPORT

Mike Christensen and Zaq Wilcox reported to the council on the activities this month and the previous month. They stated that on the 26th of November they helped with the lighting of Pond Town Christmas. They are doing the 12 days of Christmas to a needy family, each night they are doing something different. They are also doing sub for Santa for another needy family in Salem. They will be using money from donations to help

purchase presents. They will take the presents, wrap them, and then deliver them to the family.

On Christmas Eve, they will be helping with the luminaries at the cemetery. Mayor Cope suggested placing the luminaries on the North side of the entrance, as far to the north as possible. A few years ago people were driving over the bags because they were so close to the road.

4. APPOINT NEW PLANNING & ZONING MEMBER

Mayor Cope stated that the appointment had not been made yet.

Attorney Baker stated that the new person would be replacing Neldon Jensen.

5. APPROVE WATER DEDICATION AGREEMENT

Bruce Ward stated that there are two water dedication agreements that need to be approved. The first agreement is dealing with small tracks of lands, usually one parcel, and the second one deals with large undeveloped property and will be used when the property is going to be developed. These agreements have been in process for a long time and pertain to Strawberry Project Water. We are currently working on the smaller track of lands. We need to approve these agreements as a form, and then after each one is signed by the property owners, they will need to be signed by the mayor, Strawberry Water Users Association, the Strawberry High Line Canal Company, the Department of the Interior, and the Bureau of Reclamation.

MOTION BY: Councilperson Sterling Rees to approve the water dedication agreement forms.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

6. APPROVE SUNRISE WORK RELEASE #4 FOR P.I. WATER

Bruce Ward stated that this item deals with the water right agreements that were just approved. We have until the end of the year, or sometime in January, before the Board of Water Resources wants the remaining unused portion of the money from the PI bond returned back. The work release is to authorize Sunrise's employee, Justin Atkinson, come in and help us contact the people who have water rights and explain the agreement to them and inform them that the city is offering to purchase their shares for \$400 an acre foot at the time they sign the agreement. The money for the water rights and for Justin's work will be taken out of the PI bond.

Councilperson Rees asked about people who have water rights and do not sign the agreement before the due date. Bruce Ward stated that we don't have the money for them, but in the future we might have to budget some money for that purpose. He stated that right now Salem City is also offering to pay all delinquent fees, transfer fees, and the administration fees. With all of those fees included, it amounts to approximately \$1,200 per acre foot.

MOTION BY: Councilperson Lynn Durrant to approve Sunrise work release #4.

SECONDED BY: Councilperson Terry Ficklin

VOTE: All Affirmative (5-0).

7. ADJOURN TO RDA MEETING

MOTION BY: Councilperson Sidney Jorgensen to adjourn city council meeting and enter into RDA Meeting.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

8. RESUME REGULAR COUNCIL MEETING

9. ACCEPT ROAD DEDICATION

Attorney Baker stated that this item is for the city to accept the road dedication that the RDA just dedicated to the city. The Dedication is for a future road and is at about 250 East, just off of 750 North.

MOTION BY: Councilperson Todd Gordon to accept the road dedication from the RDA.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

10. APPROVE PEHP CONTRACT

Jeff Nielson explained that this agreement is for the employee health insurance that was approved during the budget process. This is the same agreement that is used each year, with some minor grammar changes to clarify items.

MOTION BY: Councilperson Terry Ficklin to approve the PEHP contract for fiscal year 2010/2011.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

11. APPROVE I.T. SUPPORT AGREEMENT

Jeffrey Nielson explained that the city was approached by Exutech to do a Co-op with some of the smaller cities and who could not afford a full time I.T. person. They would charge \$65 per hour up to 24 hours per quarter, after which it will be \$85 per hour. We are currently paying \$95 per hour, which and at that time was the cheapest rate found. They would start at the first of the calendar year.

MOTION BY: Councilperson Lynn Durrant to approve the Exutech I.T. support agreement.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

12. APPROVE MOUNTAIN LAND COLLECTIONS AGREEMENT

Jeff Nielson explained that the city has not had a collection agency to help with collections on past due accounts. He recommended that the council approve Mountain Land Collection as that agency. Their fee will be 31% of the amount they collect.

MOTION BY: Councilperson Lynn Durrant to approve the agreement with Mountain Land Collections.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

13. RATIFY MAYOR'S SIGNATURE ON LETTER OF INTENT AGREEMENT WITH PAPA KELSEY'S PIZZA & SUBS

Attorney Baker stated that this is an agreement between Papa Kelsey's Pizza and the City to address their past due utility bill and payment plan for Papa Kelsey's. Mayor Cope has already signed the agreement and it is on the agenda to ratify the mayor's signature.

MOTION BY: Councilperson Sidney Jorgensen to approve the ratification of the Mayor's signature on the letter of intent with Papa Kelsey's Pizza & Subs.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

14. RATIFY MAYOR'S SIGNATURE ON O WELL FENCE CONTRACT

Bruce Ward stated that a few council meetings ago the council approved the call of a bond on a subdivision and use the bond to have the fence for the subdivision installed. He stated that he has contacted O'Well Fence Company to have the fence installed. O'Well required an agreement be signed for the fence to be installed, we had the mayor sign the agreement and now we are asking the council to ratify his signature. Bruce also

explained that the developer brought in a check for the fence, and by so doing he felt it would be alright to release the bond to the developer. He stated that the fence should be installed in a couple of weeks if the weather permits.

MOTION BY: Councilperson Lynn Durrant to approve the ratification of the Mayor's signature on the O'Well Fence contract.

SECONDED BY: Councilperson Sidney Jorgensen.

VOTE: All Affirmative (5-0).

15. APPROVE MINUTES OF NOVEMBER 17, 2010

MOTION BY: Councilperson Sterling Rees to approve the minutes of November 17, 2010 as written.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

16. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilperson Terry Ficklin to approve the bills for payment.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

Mayor Cope asked if anyone from the public had anything for the council. No one had anything for the council.

17. PUBLIC SAFETY

COUNCIL REPORTS

18. MAYOR JONATHAN F. COPE

Mayor Cope explained that the heated entries at the city office will be done soon. Bruce Ward stated that the city crew really appreciates the heated entries, and will save a lot of time in shoveling walks.

19. COUNCILPERSON LYNN DURRANT

Councilperson Durrant reported that the library has finished its annually report for 2009. The library had 67,659 circulations and 26,900 children books were checked out. The library has been very busy.

The Library Board met and was looking at ways to help senior citizens who cannot get out to the library. They are trying to see if there is a way to get books to them. The

board talked about the possibility of having the police department make those deliveries. This would give them an opportunity to check on the senior citizens. Attorney Baker suggested that maybe having the youth council help out rather than the police.

The Library Board was also approached about allowing a wedding reception to be held in the library. Councilperson Durrant felt that it would not be appropriate to use the library for that purpose, or to rent it out at all. Mayor Cope felt that we did not build the library for a reception center. There are just too many concerns with it. The council felt the same way, that the library should not be rented out.

20. COUNCILPERSON TERRY A. FICKLIN

21. COUNCILPERSON STERLING REES

Councilperson Sterling Rees wanted to thank the public safety, the youth council, and the city crew for their help at Pond Town Christmas lighting.

22. COUNCILPERSON SID JORGENSEN

23. COUNCILPERSON TODD R. GORDON

Councilperson Todd Gordon reported about the luminaries at the cemetery on Christmas Eve.

24. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

25. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward mentioned to Councilperson Lynn Durrant regarding the library needing help getting books to the Senior Citizens. He stated that there are other youth groups in the community that might be willing to help, for example some of the local church youth groups.

Bruce also reported that the Energy Efficiency Audit will begin soon; we got approval for the funding to be released.

The sidewalk on SR 198 in front of the Hatfield Building (south of 750 north) has been completed; Nebo School District will connect to it on 750 North.

Clint Pyne has been hired to replace Adam Clements in the Power Department. Clint will start on December 20th.

26. ATTORNEY S. JUNIOR BAKER.

Attorney Baker wanted to express his condolences to the Mayor and the Davis Family for the loss of Lorna Davis.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Terry Ficklin to adjourn city council meeting.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 7:50 p.m.

Jeffrey Nielson, City Recorder