

Minutes of the Salem City Council Meeting held on December 9, 2009 in the Salem City Council Chambers.

**Work Session: 5:00 p.m.**

Dave Anderson went over his presentation for the general plan.

**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 Terry A. Ficklin  
Councilperson Stanley W. Green  
Councilperson Todd R. Gordon

**STAFF PRESENT:**

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

Excused:

**OTHERS PRESENT**

Brent Moser  
Weston Skinner  
Dallin Ward  
Bryce Bingham  
Kyler Alldredge  
Marte McKee  
Ginelle Jack  
Colton Simons  
Hal Mickelsen  
Phil Lundell  
Jacob Ence  
Cameron Losser

Justin Henderson  
Tyler Skinner  
Zaccur Baker  
Rylan Christensen  
Jacob McKee  
Tyler Pearman  
Brandon Barlow  
Taylor Lamb  
Zack Beck  
Morgan Fausett  
Jen Watson  
Bethany Green

Randy Skinner  
Kyle Skinner  
Alex Chambers  
Jason Bingham  
Spencer Strong  
Jeron Wilkinson  
Lexi Brown  
Rebecca Jones  
James Jairl  
Becky Ence  
Nate Adams  
Lindsay Wolsey

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

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

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

Bryce Bingham 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 Terry Ficklin to open the public hearing.

**SECONDED BY:** Councilperson Stanley Green.

**VOTE:** All Affirmative (5-0)

### **A. Text Amendment to the C-1 Zone Allowing Zero Side Setbacks**

Attorney Baker explained to the council and public, that we have some commercial buildings located in Salem that the builders would like to set up as commercial condominiums. Currently, we do not allow condominiums in commercial zones. With the condominiums, there would be no need to have setbacks on the side, but the main building itself would need to meet the set back requirements.

It was discussed in DRC that right now, we would just look at doing it in the C-1 Zone, and then maybe in the future look at changing in the C-2 Zone.

### **Close**

**MOTION BY:** Councilperson Brent Hanks to close the public hearing.

**SECONDED BY:** Councilperson Stanley Green.

**VOTE:** All Affirmative (5-0)

### **A. Text Amendment to the C-1 Zone Allowing Zero Side Setbacks**

**MOTION BY:** Councilperson Terry Ficklin to approve Ordinance 120909 text amendment to the C-1 Zone allowing zero side setbacks.

**SECONDED BY:** Councilperson Brent Hanks.

**VOTE:** All Affirmative (5-0)

## **4. JNB HOMES – PRELIMINARY APPROVAL OF COMMERCIAL CONDOMINIUM PROJECT**

Brent Moser, a representative from JNB Homes, stated that they have the commercial buildings that they would like to approve for the commercial condominiums. The buildings are just about completed and are located on SR 198, behind the Capital

Community Bank. Attorney Baker stated that this is a preliminary plat approval; they have to wait to see if the text amendment to the C-1 Zone was approved.

**MOTION BY:** Councilperson Brent Hanks to approve the preliminary approval of commercial condominium project for JNB Homes.

**SECONDED BY:** Councilperson Stanley Green.

**VOTE:** All Affirmative (4-0); Councilperson Todd Gordon Abstained from voting.

## **5. YOUTH COUNCIL REPORT**

Youth Council reported that they helped out with the lighting of Pond Town Christmas by doing donuts and hot cocoa. For the month of December, they will be doing the sub for Santa and also helping out with the luminaries at the cemetery Christmas Eve.

## **6. APPROVE PEHP 2009/2010 AGREEMENT**

It was reported that this agreement is with PEHP, the health insurance for the city employees. The agreement has been reviewed by Attorney Baker who stated that the changes from the prior year were minimal. Mayor Henderson stated that this is for the current budget year and it was approved to use PEHP in the budget for this year.

**MOTION BY:** Councilperson Stanley Green to approve the PEHP 2009/2010 agreement.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0)

## **7. APPROVE MINUTES OF NOVEMBER 18, 2009**

**MOTION BY:** Councilperson Lynn Durrant to approve the minutes of November 18, 2009 as written.

**SECONDED BY:** Councilperson Brent Hanks.

**VOTE:** All Affirmative (5-0)

## **8. APPROVE BILLS FOR PAYMENT**

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

**SECONDED BY:** Councilperson Terry Ficklin.

**VOTE:** All Affirmative (5-0)

## **9. PUBLIC SAFETY**

Chief James talked about a flyer that he has for the residents of Salem about what they can do to help keep them safer. He mentioned that if people would lock doors and keep valuables out of their cars, it would really help.

## **10. OPEN DISCUSSION**

Jen Watson asked about snow removal. Councilperson Hanks went over the snow plow policy and how it is located on the web page. Jan asked about 240 East and how it is a hill that becomes very slick.

Bruce Ward stated that with the snow plows, there are some concerns that need to be addressed. When people pile the snow from their driveways, they pile it so it is out in the road. The concern is that the piles become a vision barrier for the snow plows and even other traffic. Also kids like to play on these piles, and again, it is very dangerous. He recommended piling the snow on your yards, rather than in the roads. He stated that there will be some information in the newsletter.

## **COUNCIL REPORTS**

### **11. MAYOR J. LANE HENDERSON**

Mayor Henderson thanked everyone and also thanked the council for working together and being a great council.

### **12. COUNCILPERSON LYNN DURRANT**

Councilperson Durrant thanked Mayor Henderson and Councilperson Hanks for all that they have done.

### **13. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Ficklin also thanked Mayor Henderson and Councilperson Hanks.

### **14. COUNCILPERSON STANLEY W. GREEN**

Councilperson Green also thanked Mayor Henderson and Councilperson Hanks.

**15. COUNCILPERSON BRENT V. HANKS**

Councilperson Hanks reported that Pond Town Christmas is up and going. Youth Council did a great job. The light parade is set for the 19<sup>th</sup> of December and there will be fireworks over the pond after the parade. He thanked the Red Hat Society for their work with the parade.

**16. COUNCILPERSON TODD R. GORDON**

Councilperson Gordon thanked Mayor Henderson and Councilperson Hanks.

**17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

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

**19. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Stanley to adjourn city council meeting and enter into an executive session for discussion of possible litigation.

**SECONDED BY:** Councilperson Terry Ficklin.

**VOTE:** All Affirmative (5-0)

**MEETING ADJOURNED AT: 8:10**

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Jeffrey Nielson, City Recorder