

Minutes of the Salem City Council Meeting held on February 15, 2012 in the Salem City Council Chambers.

Worksession: 6:00 p.m.

Mayor Brailsford reminded the council of the work session with Planning and Zoning on Saturday the 25th starting at 10:00 a.m.

Mayor Brailsford discussed 400 North from Main Street going east to the highway. He met with Steve Carter from Nebo School District and discussed how there are a lot of other cities besides Salem that will be using the Junior High and High School. 400 North is very narrow and there is no sidewalk from 100 East to Main Street. In talking about safety for the students, the school district is going to see about the possibility of doing the improvements for a sidewalk along 400 North on the north side of the road. The city will look at doing the improvements on the southeast side at the intersection of 400 North and Main. Attorney Baker stated that the city would have required a developer to do the improvements on 400 North, but because it is a school district they are not required to do improvements outside of their property, unless it can be determined as a safety issue.

Mayor also met with a representative from Utah County and talked to them about the Elk Ridge Drive road extension. It looks like the extension will be going straight north and connecting to Arrow Head Trail road. He talked to them about extending 400 North so it would connect to the new Elk Ridge Drive extension. This would help give an access to our businesses. He also talked to them about doing improvements on the 400 North going east of SR 198 and connecting to Woodland Hills Drive.

Mayor Brailsford talked about the tax rate increase that was done by the last administration for the current budget year. The money has been used to offset the power rate increase and also for road improvements. Mayor talked about meetings with UMPA and how they are talking about more rate increases due to the EPA regulations for the coal powered power plants causing UMPA to do upgrades to meet the EPA regulations.

Mayor Brailsford reviewed some options with the tax rate; we can do stages for increases taxes, but each time would need to do a truth in taxation, we can repeal it, or we can leave it alone. It was stated that anything we do now will have to be done in the next budget year.

Mayor Brailsford talked about how he has contacted a financial advisor at Lewis & Young to look at our bonds and see if we can reduce some of our interest rates to help lower the bond payments.

Mayor Brailsford asked if there were any other questions about the agenda tonight.

Councilperson Warren went over the process for the new web page and we are hoping to have it up and going in a couple of months.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Janie Christensen
Councilperson Aaron Cloward
Councilperson Sid Jorgensen
Councilperson Sterling Rees
Councilperson Craig Warren

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

Shelly Hendrickson, Cary Hanks, Milan Malkovich, Roger Knell, Larry Christensen, Greg Gurney, Colby Davis, Erika Davis, Alec Beardall, Tim Beardall, Cameron Johnson, Tyrell Shively, Nathan Lee, Monica Villar, Barbara Palfreyman, Robert Palfreyman, Lynn Durrant, Mark Cope, Gary Noll, Tami Lytle, Matthew Strong, McKenna Meservy, Stanley Green, Wayne Riding, Karen Taylor,

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Brailsford invited those who 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. OFFICER GREG GURNEY RECOGNITION

Chief James read a letter which recognized Officer Greg Gurney as Resource Officer of the year for the State of Utah. He stated that on January 26, 2012 the award was presented to Officer Gurney at the Utah Council for Crime Prevention Annual Power of Prevention Conference. Mayor Brailsford also presented to Officer Gurney a certificate of merit for his work he has done at the High School as the Resource Officer.

PUBLIC HEARING

Open

MOTION BY: Councilperson Aaron Cloward to open the public hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

a. AN ORDINANCE ALLOWING SMALLER PARCELS IN THE A-1 ZONE FOR CHURCHES AND GOVERNMENTAL USES AND OTHER CHANGES

Attorney Baker discussed how this text amendment came about. He stated that when the Junior High Seminary came for approval it was noticed that in the A-1 Zone they would need to have five acres in order to build. It was looked at and was recommended that there be a text amendment to the A-1 zone to allow an exception for Churches, Public Office Buildings, and Veterinary Hospitals to be built in an A-1 zone if they meet the requirements set forth in the code. The other portion of the text amendment is to clean up an item. A few years ago the state changed the law so that a member of the planning and zoning could not be on the city council, and vice versa. The other portion of the text amendment fixes it so it will coincide with the state law.

He stated that Planning and Zoning recommended both text amendments.

Mayor Brailsford asked if there were any public comment on the text amendment. There were no comments.

Close

MOTION BY: Councilperson Sterling Rees to close the public hearing.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

a. AN ORDINANCE ALLOWING SMALLER PARCELS IN THE A-1 ZONE FOR CHURCHES AND GOVERNMENTAL USES AND OTHER CHANGES

MOTION BY: Councilperson Aaron Cloward to approve Ordinance 21512 Allowing Smaller Parcels in the A-1 Zone for Churches and Governmental Uses and Other Changes text amendment.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

4. ROGER KNELL – Preliminary Plat Approval for a 1 lot Subdivision for New LDS Church Building to be constructed at Approximately 625 North Main Street

Mayor Brailsford turned the time over to Roger Knell. Roger first wanted to complement the city staff and how great they are to work with. He stated that the LDS Church is asking for approval for a future church site that would be west of the new Junior High School. Bruce stated that they have approval from DRC and Planning and Zoning for a Preliminary Plat Approval for a 1 lot Subdivision, with the condition of the approval of the text amendment that was approved tonight.

MOTION BY: Councilperson Sterling Rees to approve the preliminary site plan for the LDS church.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

5. HOWARD CHUNTZ COUNCIL REQUEST

Mayor Brailsford turned the time over to Howard Chuntz. Howard stated last November each of the newly elected councilmember's and mayor stated that they would have looked at the budget and ways to cut before they would have raised taxes. He also stated that he was disappointed in the way that his item was posted on the agenda and how it was listed as a council request rather than a discussion about property tax.

Mayor Brailsford stated that right now we are starting to look at the budget and the budget process for the next fiscal year. The city's budget is a fiscal year, from July to June. We will be noticing in the newsletter and on the web page when the budget meetings will be.

Mayor Brailsford went over a power point presentation showing how the tax rate increase this last year gave the city an extra \$160,720 towards the budget. Of that amount \$114,000 was put towards a power rate increase from UMPA and the remaining amount \$46,720 was put towards roads.

He stated UMPA provides power to six cities, which Salem is one of the member cities. The federal government (EPA) is putting regulations on coal power plants. UMPA has told us because of these regulations there will be more power rate increases in the near future. The regulations are causing power companies to do upgrades to their coal power plants.

Mayor Brailsford also talked about ways the city is looking at saving. We have a financial firm who is looking at our current bonds to see about refinancing any of them to reduce the interest rate. An economic board has been created to help look at ways of promoting our business in Salem. We need business to help keep our tax rates down. The economic board had a representative from the State Economic Development come

and do training for them. We also have a Mayor and Council Advisory Board who is helping with ideas.

Mayor brought up that on 400 North, from Main Street to SR 198, we have a safety issue with the new Junior High being built that needs to be addressed. We are working with Nebo School District about helping with the situation. Along the new Elk Ridge Drive extension, working with the county about the option of having 400 North connect to the new Elk Ridge Road. This will give access for those who travel to hopefully go to our businesses.

Mayor stated that in past 6 ½ weeks we have done a lot of work in the city. He recommend to Howard and anyone else that if they have constructive ideas that he would like to hear from them as we start to work on the budget.

Councilperson Christensen stated that if the public sees a need she would like to hear from them. She is going to keep her promises she made while campaigning and that she would check and double check on the spending of the city.

Councilperson Cloward stated that he would like to have suggestions on addressing problems the city has and how the best way to spend the money to address these issues. He stated in his campaigning he spoke of being fiscal responsible. Fiscal responsible also means providing the services that the city provides to its residents with the budget we have. As a city we need to look at what the city provides to the residents and how we can accomplish those services with the funds the city has available.

Howard stated that from what he is hearing the council has had a chance to look at the budget and not sure if they are wanting to lower the taxes back to the way they were prior to the tax rate increase.

Mark Cope stated it appears that the council after being in the council for a little bit and looking at the budget, they can see that the need for the tax rate increase might have been a reality. Maybe the past administration was not that wrong in raising the taxes.

6. APPROVE PURCHASE OF SEWER HEAD WORKS GRINDER

Bruce Ward stated that last council meeting it was mentioned that one of the grinders at the sewer plant went out and we need to replace it. The cost to get the grinder fixed is \$11,358.

Mayor stated that the grinders do wear out, and there are reserves in the sewer fund to help pay for the repair. The possibility is high that the other grinder will fail soon, since

they were installed the same time. When we replace the broken one, we will look at the one that is still good and see what condition it is in.

MOTION BY: Councilperson Janie Christensen to approve the purchase of the sewer grinder for \$11,358.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

7. APPROVE MINUTES OF FEBRUARY 1, 2012

MOTION BY: Councilperson Aaron Cloward to approve the minutes of February 1, 2012 as written.

SECONDED BY: Councilperson Sid Jorgensen.

VOTE: All Affirmative (5-0).

8. APPROVE BILLS FOR PAYMENT

Mayor Brailsford stated that the total amount of bills being approved tonight is \$83,374.38.

MOTION BY: Councilperson Sid Jorgensen to approve the bills for payment.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

9. OPEN DISCUSSION

Mayor Brailsford asked if the public had anything for the council.

Cary Hanks from the Chamber thanked the council for all that they are doing. She stated that if the city has a public notice or other events they would like to post in the chamber newsletter, to let the chamber know. The news letter covers both Spanish Fork and Salem City.

Shelly Hendrickson stated that she appreciates the service from the council and the courage they have for running for council. We as citizens have an obligation to keep informed of what is going on with the city. The city agenda is posted at the city office, the library, on the web page and on a state web page. She stated that Planning and Zoning has been working on a master plan development ordinance, they have had public hearings and they have not had anyone show up to planning and zoning.

Mayor Brailsford talked about the tax rate, and the decision that the past administration did to raise taxes to help offset the power rate increase. He feels that if the city receives

a power rate increase from the supplier that the city should look at passing that cost on by rates rather than by taxes.

Mayor Brailsford asked if there were any other comments. There were no more comments.

COUNCIL REPORTS

10. MAYOR RANDY BRAILSFORD

Mayor Brailsford reported that on Tuesday and Wednesday he will be doing the “Flag of Honor” for the two soldiers who are activated. They will be at 4:00 p.m. He asked the council and audience if they know of anyone who might be activated to let him know so we can honor them.

11. COUNCILPERSON STERLING REES

Councilperson Rees stated that he is working with Eagle Scouts, if anyone has some projects that they need done in their departments, to let him know.

12. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Christensen reported that the Library Board will be meeting tomorrow.

13. COUNCILPERSON AARON CLOWARD

Councilperson Cloward reported that the parks department has been cleaning up around the park and trimming a lot of the trees. They are also getting ready to put the flags up along the highway for president’s day.

14. COUNCILPERSON SID JORGENSEN

Councilperson Jorgensen reported that the Youth Council had their dinner for the senior citizen. There was also a small earthquake on the 4th of February. Bruce Ward went and checked all of our wells and tanks to make sure they were okay. Since then, the city water crew has been inspecting them and making sure our water flow is still okay. So far we have not seen any problems.

15. COUNCILPERSON CRAIG WARREN

Councilperson Warren reported he met with Bruce Ward and Mike Pritchett today to discuss road improvements and Spring Clean up.

He also reported that he went to the Solid Waste District meeting today, and there are some federal laws that will be coming down for the solid waste that we need to be aware of.

16. PUBLIC SAFETY – CHIEF BRAD JAMES

Chief James reported that Fire Chief Ealey's mother passed away this last weekend. He also reported that the police have been looking for Grants. They were able to get a grant for \$4,500 to get one camera in a police car and two intoximeters. He stated that the majority of the equipment in each of the police vehicles has been purchased using grant money.

a. Police Vehicle

Chief James reported the city police department currently has a 2006 Ford Crown Victoria in its fleet that has over 123,000 miles on it. This vehicle easily has double engine idle time. The vehicles engine is in need of major repairs. The mechanics from two different businesses have advised that the motor needs to be pulled out and completely rebuilt. The vehicles exterior paint has also peeled in various areas exposing raw metal. This police vehicles current mechanical condition puts a city public servant in an unreliable vehicle that sometimes involves an urgent and life saving incident. Chief James stated that this car should have been replaced in this year's budget rotation, but because of budget issues in the past we are behind in the vehicle rotation and was not able to get this vehicle replaced this year. When he talked to the Mayor about it a few weeks ago, the mayor asked him to get some prices on a sedan and not on a truck or SUV, the mayor then stated he would think about it.

He stated that we were able to find a 2011 Ford Crown Vic for a cost of \$22,571.

Councilperson Cloward asked what the life span of a police vehicle is. Chief James stated that we try to replace a vehicle after five years and keep them under 100,000 miles. This was started back in 1993 when we saw a need to replace the fleet by putting the vehicles into a rotation.

Councilperson Christensen stated that three weeks ago when she was told about the car and was told that we had two bids on the car that were about \$7,000 to \$9,000. She felt that it was high, so she went and talked with Larry Stone. Larry told her he did not recall giving a bid on the vehicle, and that he looked to see if he could find an engine for it. He was able to find a used engine from a wrecked police car for \$2,565, and was being held by the wreckage yard and would be good for another 1 – 3 years. She stated that Larry did tell her about four months ago the police car was brought in to have some work done

on it. When it was in his shop he was asked then how much an engine would cost to be put into the car, at that time he estimated the amount. She stated that today he gave an official bid for the repair of the vehicle. He asked if he could see the car, but she was told it was in Nephi. She was wondering why it was in Nephi. Chief James stated that the officer lives in Nephi, and pays a fee to the city to be allowed to take the vehicle home.

Chief James stated that he went to Larry's to clarify what vehicle was in need of repair. When Councilperson Christensen went down and explained to Larry about the knock in the engine, Larry was thinking of another police vehicle that he just done work on. Larry remembered talking to Sergeant Bishop a few months ago about putting a rebuild engine in along with a rebuild transmission. Larry estimated at that time the cost would be around \$7,000. Today Larry did give an official bid of \$4,633 to rebuild the engine and \$2,519 for the transmission rebuild. The chief stated that in the past when we have sold police vehicles we have only been able to get around \$2,000 for them. He does not see the value in spending the money to rebuild it when it is not worth that much. Councilperson Christensen stated that cost of \$2,565 was to install the engine, not the \$10,000 to get the car fixed as was stated by Councilperson Cloward. She also stated that Larry told her that the transmission was good for up to 200,000 miles. It was mentioned by both Councilperson Christensen and Chief James that Larry Stone would be available to come in and talk to the council if needed.

Councilperson Christensen also stated that in October 19th the city approved a new police truck for the police department. Chief James stated that was correct, but in the original budget he was requesting to get two new police vehicles to help get his fleet back into a rotation, since he is three years behind on his rotation. This is due to budget issues in the past years.

Councilperson Warren asked if it was in the budget. Jeff Nielson explained that it was not in the budget this year, but it would come out of the reserve fund. Mayor stated that it would be just like what was just approved with the sewer grinder, would need to use reserve funding.

Councilperson Christensen asked about the possibility of doubling up on police officers using the police car. Councilperson Cloward stated that when you do that you are also doubling up on the life of the police vehicle by causing wear and tear on it sooner. Mayor Brailsford stated that we have tried that in the past and found it did not work out. Chief James stated that other entities around are set up to have a car per man program. They too have found out it is not very effective to double up.

Mayor Brailsford pointed out on the mileage for police vehicle; if it has 100,000 you can estimate that it will have double that on the engine because of idling.

Councilperson Warren asked what would be the impact if we did not get this vehicle. Chief James stated that it would just put us behind on vehicles. Chief stated that next budget year, we would need to budget for a least one more vehicle if not two.

Councilperson Christensen pointed out that by getting more vehicles our insurance and other costs would increase. Councilperson Cloward stated that it would be replacing a vehicle, at this time it is not adding.

Mayor Brailsford asked Chief James if this vehicle is a need. Chief James stated that it is a need and that he would not be asking for it if it was not.

MOTION BY: Councilperson Sterling Rees to approve the purchase of police car for \$22,571.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: Councilperson Janie Christensen; Nay, Councilperson Sterling Rees; Aye, Councilperson Aaron Cloward; Aye, Councilperson Sidney Jorgensen; Aye, and Councilperson Craig Warren; Aye (4 Aye, 1 Nay).

17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

18. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward stated that we get emails from the Economic Development of Utah, and how they inform us of businesses wanting to come to Utah. Councilperson Cloward stated that this is a benefit to be a part of the group. We can give them information about Salem to help bring businesses to Salem.

Bruce also stated that tomorrow night is the SUVMWA meeting with the South Valley Mayors Group, council members are also invited to attend. The meeting is at 6:00p.m. at the Mapleton City office.

19. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Janie Christensen to adjourn city council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:15 p.m.

Jeffrey Nielson, City Recorder