

Minutes of the Salem City Council Meeting held on June 7, 2006 in the Salem City Council Chambers.

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 Jeff D. Higginson

STAFF PRESENT:

Jeffrey Nielson, City Recorder
David Johnson, Public Works
Junior Baker, City Attorney
Bruce Ward, City Engineer

Excused from Council Meeting:

Councilperson Stanley W. Green

Chief Brad James, Police Chief

OTHERS PRESENT

Michael Rawson
Linda West
Lorae Ropert
Chad Kimber
Konrad Ketler
Emily Hall
Heath Thurston
Gerolyn Carter
Jeana Haderlie
Christy Hardman
Luis Ortiz
Lucy Cornaby
Tamara Hemer
Gordon Jones
Allison Dillman

Rebecca Christensen
Gary Wride
Kyle Gardner
Russell Gines
Charles Wixom
Angie Witt
Malrogni Thurston
Erik Busath
Jon Haderlie
Kimmy Holman
Karen Wilde
J. Reed Cornaby
Mark Zaritsky
Chloe Laurila

Brett Christensen
Kay Wride
Tresa Fisher
Tracy Padgett
Chris Dunn
Phillip Witt
Mattle Anaya
Sandy Anaya
Dave Grant
Karin Marie Ortiz
Erman Stone
Mark Hemer
Lynn Zaritsky
Becky Tasker

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Mike Rawson 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. Public Hearing

MOTION BY: Councilperson Terry Ficklin to open public hearing.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

a. Preliminary Budget for 2006 - 2007

Mayor Henderson stated that the council has reviewed the budget. The total budget next year is \$6,370,976 and increase of \$400,718 from this year. He then read the amounts for each fund. Jeffrey Nielson explained that from the General Fund, \$150 is donated towards the Boys State, and Girls State, and then \$500 is being donated towards Jr. Miss Program. He also explained that \$5,500 is being transferred from the Water, Electric and Sewer Enterprise Funds and \$5,000 from Solid Waste Enterprise Fund, to the General Fund to help pay for the new fire truck. The money previously came from the Sewer Enterprise Funds, but the amount needed to be divided this year because the Sewer Fund does not have the funds to cover it. Mayor Henderson asked if there were any questions. Mike Rawson asked about the sewer bond, and with it paid off, what has that done for the Sewer Fund. Mayor Henderson stated that we would be using extra funds to buy out Elk Ridge's portion of the sewer. Also, with Elk Ridge going to Payson City for sewer, we will be losing their revenue for the O&M of the sewer plant.

b. Amend Budget for 2005 – 2006

Mayor Henderson stated that this item has been recommended by Jeff Nielson, to wait until next council meeting to have this item discussed. This will give Jeff more time to close out the May budget, and have figures for the capital improvement funds. This item will be continued to next council meeting. Not ready for this, continue public hearing on this item and go to next meeting.

c. Transfer/Donation of Property

Mayor Henderson stated that he has been working with Andrea Anaya, CEO of Career Step. They would like to bring their corporate office to Salem City. They do medical transcription for doctors, and also provide schooling for transcription. Their office has been in Springville for the last five years. They want to move to Salem, and bring their corporate office, and a new recreation building, to Salem. Andrea explained the recreation building would be a health center, with

swimming, rock climbing, racquetball, training, and in the future an ice sheet. She showed a layout of the two buildings

Mayor Henderson explained that the property where they would want to put these buildings would be on the property that was donated to the city a few years ago. When he, and former Mayor Brailsford, approached the Henderson's about this property they said that they would donate the property for economic growth in Salem. Mayor Henderson recently approached Joyce Henderson about the property and explained to her about Career Step and what they would want to do. She was okay with the project.

Andrea introduced the architect for the building. She explained that he is a tri athlete and has been to many fitness centers. He showed where the property is located on a map. He explained that they are looking at relocating the head quarters for Career Step and building a new recreation center to go with it. He showed the concept of the projects layout. There are five acres of property, looking at placing the office in the back of the property with the fitness center in the front. Utah County is growing, and this will give Salem something to set a standard with for their commercial business. They would like to work with the development around the area. They would have walking paths, and hopefully be able to link with other walking paths in the future. There would be some open space. He showed some pictures of other recreation centers, and said that the look of the building is still open for discussion.

A question was asked of when they plan on opening. Andrea stated it depends on the time line, and if we can get the property. Reed Cornaby asked how commercial is this, and how will it bring a commercial tax for the city. He was under the impression the property would be used for a grocery store. Mayor Henderson explained that he has met with a lot of grocery stores, and this property would not be ideal for a grocery store right now. We feel this company would be a better place for it. Andrea explained that the corporate office does produce some sales tax, and the recreation center will also produce some tax base. The other thing is when people start to come to use the facility; they will start using other conveniences in Salem.

Mayor Henderson stated that the office building and the recreation center are only part of what they want to do. If the property can be sold at a reduced price, they are willing to build a new city office building at the down town ball park. The new building will have the city office on one wing, and the library on the other wing of the building. We would then make the current city office building the public safety. They would also do the improvements around the new city office building, for parking, sidewalk, curb and gutter. Councilperson Durrant stated that the library is becoming too small. We have over 500 kids who have signed up for the summer reading program. We had to move outside the other day for story time. Mayor Henderson invited LaDean Thorne who helped get the city the current library. LaDean thought it would be great to have a new library built.

Dave Grant asked what the time frame is. Andrea stated that they are ready to start now. Mike Rawson stated he likes the concept, and feels it would be great. He is wondering if any figures have been mentioned. They stated that anywhere from \$500,000 to \$1,000,000 for the new city office. Andrea mentioned that she has talked to builders about doing a 7,000 to 8,000 square foot building. Also, for the property, the company is willing to pay us \$60,000 for the land for their new office and recreation facility. The question was asked if there are any legally binding contracts yet. It was stated that right now there are not, but there will need to be one written up before any of this can happen. Mayor Henderson stated he has been working with Andrea for about a year on this. Mike Rawson stated he is concerned about giving up the property for \$60,000, and wanted to make sure that the city was getting a fair trade. Mayor Henderson stated that Andrea came to him, wanting to donate something big to the city. If they are not willing to build us a new city office, then the city would have to bond for a new office. The question was asked about the fair market value of the property on the highway. Mayor Henderson stated that there are no improvements out there, and he thinks it could be sold for around \$100,000 an acre. The question was asked if the city has looked at just selling the property, and then using that money to build a new city office. Mayor Henderson stated that he has looked into that, but feels this deal we will get a great return from it. Dave Grant asked if the improvements were going to be done by the city or the company. Andrea stated that they would bring the improvements to them. She feels that the recreation center will be a great asset to Salem and this part of the valley. It was mentioned one of the big benefits will be the ice sheet. The only other one is in Provo, and the Spanish Fork hockey team has to practice at 10:00 p.m. because it is so busy. Someone mentioned that with the high school coming in, that it too will benefit from the center. It will give the swim team a place to practice, along with other sports. Mark Emmich asked besides the city's six million dollar budget, this would not be part of it, correct. It was stated that it is not part of the city's budget. Mike Rawson stated that most privately owned recreation centers do not make it, unless they have the mix of a corporation owned, a city, and school supported. This one would have the right mix to succeed. Andrea stated that when she first thought about a recreation center, she was just going to have it small for her 300 plus employee's. But then she felt she could make it bigger and available for others. The community will be able to offer different classes there, i.e. swimming lessons. This will not be like Gold's Gym; it will be more available for the public to use. A lady from Mapleton City mentioned that her city just built a new city office, and it is amazing building. She said that her friends in the area are tired of going to Provo for a facility like this. She feels that it would get a lot of support from people in the south end of the valley. Mayor Henderson feels it will be a family friendly facility. Councilperson Hanks stated that he is all for it, but this is the first time that he has heard any figures. He feels he needs to have some time to think about it, and discuss the figures. He would like to talk about it more before making a decision.

MOTION BY: Councilperson Lynn Durrant to close Public Hearing but continue item B (Amend 2005/2006 Budget) to June 21, 2006 Council meeting.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

a. Preliminary Budget for 2006 - 2007

MOTION BY: Councilperson Terry Ficklin to approve the 2006/2007 budget in the amount of \$6,370,976.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

b. Amend Budget for 2005 – 2006

Continued to next council meeting.

c. Transfer of Property

Mayor Henderson stated that we are here to see about the transfer of the property, and if it is something the council wants to move forward with. He asked Attorney Baker what our options are. Attorney Baker stated that the council can authorize the transfer of property, and move forward with a contract, or can table the item until another meeting, or vote against the transfer of property. Mayor Henderson pointed out that Andrea has been approached by four other cities, to have the facility in their city. She has offered to come to Salem and to build a new city office building with a library.

MOTION BY: Councilperson Lynn Durrant to proceed with the transfer of the property, with the negotiations of the property transfer to be in the contract for final approval.

SECONDED BY: Councilperson Jeff Higginson.

Councilperson Ficklin asked by proceeding, we are only going to the next level of the process, and before the property is transferred, we will have time to discuss the negotiations further in detail, with the numbers, to make sure it is a win-win situation for both of us. Councilperson Hanks asked if we proceed with the motion, we are only allowing us to prepare for the final negotiations. It was stated that is correct for both items.

VOTE: All Affirmative (4-0).

4. DAVE GRANT – FLAG LOT AT 353 WEST 300 SOUTH

Mayor Henderson thanked Dave for the improvements he has done on his subdivision. He then turned the time over to Dave. Dave stated that if he meets all of the criteria for the current ordinance, there should be no problem. Mayor Henderson stated that the concern is the vision barrier fence. This has been brought up many times, now and in

past meeting for this flag lot. Dave feels that it should be the people who build the home on the flag lot; they should determine what type of vision barrier fence. What happens if he puts something up, and the homeowners do not like it? He does not feel the homeowners who will build back there, will not put up a nice fence. Some of the neighbors may want a different fence also, and may want to work with the home owners on a fence.

Councilperson Durrant read the motion of Planning and Zoning from the May 10th meeting. Motion: “recommend approval of the flag lot at 353 W 300 S with the condition of the 6-foot privacy fence around the entire lot unless the neighbors don’t want it along their property.” It was stated that this flag lot has been before DRC (Development Review Committee) and Planning and Zoning before, with the same conditions. It did not make it to city council meeting for approval though. Dave Grant stated that he was not told this by the previous owner. Attorney Baker stated that the council has the ability to put conditions on flag lots. One of the neighbors stated that she has spoken with all of the other neighbors, and they all would like to have fences around the lot, especially if there is going to be a home in their back yard.

Councilperson Ficklin was wondering if the council puts a condition, will the condition be tied to the lot or the building. And, can the city issue a conditional use permit, but making sure the home owner knows that a privacy fence has to be installed. This way it would give the home owner the choice of privacy fence they would like to have. Attorney Baker had a concern with that, in the fact that the office staff would have to track it. Councilperson Ficklin would recommend waiting to have the privacy fence built until after the home is built, so the home owner can determine what type of fence. A statement was said that usually when one property owner installs a fence, the adjacent home owner will help with the cost. Could we require the surrounding homeowners to help with the cost of the fence? Dave Grant stated that their home value would increase by having a fence in the back yard. Mike Rawson stated that in the Planning and Zoning meeting these same questions came up, and the commission felt they could not bind those homeowners to paying money. Dave Grant stated that the homeowner of the flag lot should be notified that they would have to have a fence around the lot before they build the home. A question was asked about a time frame for the fence, and when does it need to be installed. Some discussion on requiring a cash bond, and the fence would go up when doing the landscaping. Councilperson Hanks asked what Dave Grant wanted to do with the property. Dave stated he wants to sell it the flag lot, but do the improvements for the lot. The question was asked about the irrigation to 375 W 300 S. Councilperson Hanks felt that the irrigation would have to be piped over to the home, so they could receive the irrigation.

MOTION BY: Councilperson Hanks to approve the conditional use of the flag lot located at 353 West 300 South, with the conditions that a six foot privacy fence is built around the lot, and to be completed no later than 60 days after occupancy certificate has been issued, or that a cash bond would be accepted for the privacy fence if the weather does not permit the fence to be completed at that time. Before occupancy certificate is issued, the irrigation ditch is to be piped, that goes through this to service property on at 375 West 300 South. Also, to include DRC recommendations to Planning and Zoning:

“approve the flat lot at 353 West 300 South with the conditions that the improvements are installed in front of the existing house as well as the “pole” portion of the lot; 20 feet of the “pole” needs to be a hard surface with the other 5 feet being landscaped; work with the eclectic department on getting power to the house; and the Planning & Zoning Commission’s previous recommendation of a 6-foot privacy fence being installed around the entire lot unless the neighbors don’t want it.”

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

5. MARK WRIGHT – ANNEXATION OF PROPERTY NORTHWEST OF CITY BOUNDARY.

Brian from LEI stated that they recently got involved with helping Mark Wright. Dave Johnson showed on a map where the location was (West of Olson’s Green House). Brian thought that the annexation might include some of the property to the west by the freeway, but he was not sure. The question was asked what property is included. There was discussion of some of the property owners who want to come in, and some who are not as excited. Attorney Baker told the council that right now the council only needs to give them approval to proceed with the annexation process.

MOTION BY: Councilperson Terry Ficklin to allow Mark Wright annexation to proceed.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

6. GARY WRIDE – ANNEXATION OF PROPERTY AT 10109 SOUTH 1300 WEST.

Gary stated he presented this to the council back in October, and the council told him to proceed back then, but because of some circumstances was unable. He came to the city office wanting to proceed with the annexation, and Becky Warner suggested having him come to council again, since there was a new mayor and council. The county has told him he does not have a legal lot for his home. He wants to build a lean-to but the county will not allow him. He showed the council what property he would like to annex into the city. He stated that the Chet Reynolds property and the Hansen’s did not want to be annexed in. Attorney Baker stated that he would need to bring in the Chet Reynolds and Hansen’s property with the annexation, to square up the property and not to create any island or peninsula.

MOTION BY: Councilperson Terry Ficklin to allow Gary Wride to proceed with the annexation process, for the property at 10109 South 1300 West.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

7. DEVELOPMENT AGREEMENT WITH SALEM HILLS LLC

Tracy Padgett stated that they have purchased the property from JBK, and have closed on the land. They would like the development agreement in their names. Mayor Henderson asked if the council has reviewed it, and if they have any questions. Attorney Baker stated that in order for this development to be built, there are a couple of major infrastructures that need to be built. The sewer line, from 100 East to 460 West on 400 North, will need to be upgraded, and then a water line brought down Woodland Hills Drive for them to get the water flow they need. This agreement states those conditions, and the standards that they will need to meet. With the infrastructure improvements, they will be reimbursed by impact fees, but because we are currently in the process of updating the impact fee analysis, the percentage of impact fee to reimburse them is not set. Also with this development being a PUD (Planned Unit Development) the agreement spells out what they will be getting for their conditions. Something else the council should be aware of, the improvements on the sewer line are to be completed with the second phase.

MOTION BY: Councilperson Jeff Higginson to approve the development agreement with Salem Hills LLC.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

It was stated that their total development will have 118 homes, and Rocky Mountain Development has 16 homes, they are both part of the whole subdivision which has been approved. The question was asked about a trail system, the developer thought it could be part of their development.

8. NORM SMITH – RSVP

Asked to be on the next council agenda.

9. BIDS FOR SHOP BUILDING

Bruce Ward stated that we received one bid for the new shop, it was advertised in the paper, and we also made some calls. We did have a couple calls and ask if we wanted a variation to the specks we asked for. With the one bid we got, it was for \$43,500, for a 96 foot by 60 foot building. He then read the specs of the building.

MOTION BY: Councilperson Brent Hanks to approve the bid for a new building from Cleary, in the amount of \$43,500.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

Mayor Henderson stated that Councilperson Hanks has really been working hard on getting the new shop up and going.

10. BORE PERMIT FOR AUTUMN HILLS PLATS D & E

Gordy Jones is requesting a bore permit for Autumn Hills subdivision. Bruce Ward stated that Autumn Hills is set up for three phases. In order for the second and third phase to have the water pressure needed, they will need to bring a water line down from top end of Harvest Ridge, which would require them to bore under the Highline Canal. In order to bore under the canal, they need to get a permit from the Bureau of Reclamation. This permit is set up like a contract, which is being presented to the council. The water line would be an eight inch water line. The bore would be 200 feet, 100 feet on each side. Gordy Jones would also be required to pay for all of the fees.

MOTION BY: Councilperson Jeff Higginson to approve Bore Permit for Autumn Hills Plats D & E.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

Mayor Henderson stated he would like to go to open discussion at this time.

Gina Olson expressed she would like to see a Lil'-Buck-a-roo rodeo, and along with that to have a queen contest. She has some girls who are interested in trying out. When she mentioned this to the mayor a few days ago, he agreed, and would like to see something going again. Gina stated she is willing to help get the queen contest going. She teaches 4-H in Spanish Fork right now. Mayor Henderson stated that we have a facility in Salem that is great, but we do not have a riding club. Councilperson Ficklin stated that when we had the rodeo before, it did not do well. It was stated that a lot of little cities have a little rodeo for their celebrations. Gina stated that with the queens, there really are not a lot of expenses, but they will be able to represent your city in different parades. Mayor Henderson stated he would like to get something going again, and would like to put Councilperson Hanks over the rodeo. Gina stated that she would like to have the contest for the queen on June 30th. They will try out with horses, and how well they ride. They would have different age groups participating. She would like to announce it on the marquee if possible. Mayor Henderson asked Councilperson Higginson if he would work with Gina on the queen contest, and Councilperson Hanks to work on the rodeo. Mayor Henderson asked about 4-H in Salem, especially with the new high school. It was suggested to look at starting up the 4-H program next year in Salem. He would like to have the rodeo for Salem Days on the Friday night.

Reed Cornaby wanted to complement the city workers for the way the cemetery looked. They went to a lot of cemeteries in the valley, and ours was the best.

11. APPROVAL OF STATE COURT CONTRACT

Attorney Baker stated that Salem City Office is designated as part of the 4th district court. This contract states that the state will reimburse us for expenses associated with the court cost for the upcoming year.

MOTION BY: Councilperson Brent Hanks to approve the State Court Contract for 2006/2007.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

12. ORDINANCE AMENDING THE PERSONNEL POLICY

Mayor Henderson stated that there are a couple of issues in the personal policy that need to be addressed, regarding positions of employees. Attorney Baker read the definition and classification of certain employees. He also mentioned that there are certain employees that will be required to live in town. Those employees are the treasurer, recorder/finance director, and police chief. There was also a change to the emergency management committee, the name was changed.

MOTION BY: Councilperson Terry Ficklin to approve Ordinance 60706.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

13. ORDINANCE IMPLEMENTING TEMPORARY LAND USE REGULATIONS CONCERNING FLAG LOTS

Attorney Baker stated that this came up after the discussion on flag lots in a prior council meeting. The council felt that we need to review the flag lot ordinance, and look at making some changes. This ordinance will prohibit flag lots for the next six months, or until a change is made in the ordinance. The flag lot recommendations will go through Planning and Zoning, and then to council. Mike Rawson felt the recommendation from council was to do away with flag lots, but to allow animal rights for less than ½ acre lot. Mayor Henderson recommended having Chief James, Dave Johnson, and Attorney Baker get some recommendations done.

MOTION BY: Councilperson Brent Hanks to approve Ordinance 60706A Implementing Temporary Land Use Regulations Concerning Flag Lots.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

14. SHAWN ELLIOTT, MOUNTAINLANDS – NEBO TRANSPORTATION

Will be postponed to next council meeting, during work session.

15. Business License

a. Deborah Steadman – Customer Service

Deborah Steadman at 964 S 350 W wants a business license to do customer service. Her home will only be an office. It has been approved by all of the appropriate people.

b. Andrew Johnston - Engineering

Andrew Johnston at 99 W. Salem Canal Road, wants a business license to do Engineering and Patent consulting. The home will only be used as an office. It has been approved by all of the appropriate people.

The council did not have a problem with either of the business license request.

16. APPROVE MINUTES OF MAY 17 AND May 19, 2006

Councilperson Durrant stated that on May 19, council meeting, on line 73 “miss communications” should be “miscommunication” and line 74 “happing” should be “happening”.

MOTION BY: Councilperson Lynn Durrant to approve the minutes of May 17 and May 19 with said changes.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

17. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

18. PUBLIC SAFETY

Chief excused

19. OPEN DISCUSSION

Councilperson Ficklin was wondering about what is being done with the road in front of his home, where Eric Smith has built a new home, and wondering if Cole’s have come by to survey it. He knows they are anxious to get their yard done. Bruce Ward stated that

the surveying needs to be done before anything else. Councilperson Hanks stated that to do this road properly, it would cost a lot of money. This road is a big problem, he would recommend going on the east side, taking some trees out, and then putting some fill in, then allow Eric to put in curb and gutter. Mayor Henderson stated that he has had a few calls on it, thinking that it is the new home owner's fault, when it really is our fault. The problem is, in order for it to be done properly, it will take a lot of money. Mayor Henderson stated that if they put a home in, then we should know where the curb and gutter should go. It was stated that the problem is the elevation. Councilperson Higginson was wondering about lining up with the other improvements along the road. It was stated some of the other problems with the area, is there is an irrigation ditch in the area, a neighbor when their driveway was installed, it was extended out into the city right-a-way, and the corner is a big concern. Dave Johnson recommendation would be he and Bruce go look at the area with the home owners and see what can be worked out. Bruce feels if we could allow them to put in a sidewalk, so they can finish their yard, and then put paving on the other side of the sidewalk, but knowing in the future this may change and their landscaping maybe torn up. Mayor Henderson stated that this is a no win situation, but he agrees with Dave, to allow Dave and Bruce talk to them.

Councilperson Ficklin was wondering if there is anything we can do in the future to help in this type of situation out. Attorney Baker stated that he is not sure. Councilperson Ficklin is wondering if it is possible to negotiate with the home owners to determine a location on the property where they can build their home. Dave Johnson stated that we have a 90 foot right-a-way for roads. Bruce Ward stated that another issue is that for subdivision waivers, when we allow it, there are a lot of items that are forgotten about because we do not require drawings on the subdivision. He would recommend that we begin requiring a drawing of the subdivision. Attorney Baker recommends in the future, with issues like this one that has been discussed, not to do waivers on them.

COUNCIL REPORTS

20. MAYOR J. LANE HENDERSON

21. COUNCILPERSON LYNN DURRANT

Councilperson Durrant stated that the Memorial Day services went very well.

22. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin reported on the Solid Waste District, and how they were approached by a company that wants to use the majority of the solid waste, burn it in an incinerator. By doing this, they figure they could use about 90% of the solid waste that comes in. This would extend the life of the land fill. The air would also be very clean that comes from the incinerator, along with the ability to produce a lot of power, which

we could sell. They talked about selling the power to UP&L. The discussion came up of why not sell it to UMPA, where the majority of the cities belonging to the district belong to UMPA; it seems it would only be right. Councilperson Ficklin stated that it is only in the preliminary stages so far.

Councilperson Ficklin was wondering if the council has made calls for Salem Days, and who is going to be over the events that they are in charge of. He mentioned that he is having a hard time getting someone for the pageant. He will be looking at ideas for it.

23. COUNCILPERSON STANLEY W. GREEN

Councilperson Green was excused from council meeting.

24. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks reported that he had an offer for someone to purchase the old shop property. Attorney Baker stated that the city would still be liable for any thing that is a problem with the EPA. Mayor Henderson talked about not selling the property. Councilperson Hanks feels we still need to sell it.

Councilperson Hanks stated that after some discussion on the community center, we feel we can finally move on with it, and doing it the way we want it done. The inside framing will be done along with the plumbing within the next few weeks. He has called to get bids from roofers, but everyone is so busy they do not want to do it. Attorney Baker stated that if we pay someone to do it, we should get bids. The question was asked if the price is under \$5,000 do we still need to bid it out. Attorney Baker stated that we would not. Mayor Henderson stated that former Mayor Brailsford and JNB Construction have done a lot of work on the civic center, and he appreciates all that they have up to this point.

Councilperson Hanks met with Robert Nelson to talk about what Reed Nelson wants on 500 East, so we can get an easement from Reed, so Robert can finish the sidewalk on 500 East. Reed wants to be able to put three homes at the back of his property, we told them they had to be towards the front of his property. Robert also understood that the city will be paying for the curb and gutter, along with the asphalt; he is only responsible for the sidewalk. When all was said and done, Reed Nelson agreed to give up the easements for the sidewalk, but we would need to pay him \$5,300. This is something that needs to be done, and we do not have a choice. There was some discussion about a pond on Reed's property. It was stated that he would be responsible for anything that happens with the pond.

25. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Jeff Higginson stated that the Memorial Day Services went very well. Also, named the new ball park Loafer View Recreation Complex. A person from Woodland Hills came up with the name. The night of naming the complex, Lew and Evelyn Christensen donated a check for \$10,000 to help with the new score boards. He wanted to thank Councilperson Ficklin for his help with sound. There was a lot of support from the community, and thought that it went well.

26. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson reported that we hired a part time person to help with building permits and inspections. He will be helping out in the summer, and he is hoping he can get his certifications.

27. BRUCE WARD, CITY ENGINEER

Bruce Ward stated that on Friday, June 16, there will be a meeting with the Board of Water Resources to discuss our \$6.2 million dollar bond. This is a big day: based on this meeting we will either be able to proceed with the bond, or not. They will also determine the interest rate, it could be anywhere between 2% - 4%. There is a potential that it would be closer to the 2% which would save us a lot of money in interest. Until the board decides we will not know.

Bruce stated a concern that the council needs to consider. Shane Johnson is going to ask the council for a subdivision waiver in his area by his home. The ordinance states that they have to do the sidewalk and road in front of the lots. He does not think it will be done, and there are others in town where this has happened in the past that have not been required. Attorney Baker thought that there was a resolution that amended that, it stated that after the 3rd split they would require the improvements to be done. Bruce feels that we need to be consistent. The statement was made that if the expenses get too high, then they will not do the subdivision, and would leave empty lots.

28. ATTORNEY S. JUNIOR BAKER.

Attorney Baker stated that a week from tonight (June 14) there will be the land use training at Spanish Fork City starting at 6:00 p.m.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Jeff Higginson to adjourn city council meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 10:30 p.m.

Jeffrey Nielson, City Recorder