

1 Minutes of the Salem City Council Meeting held on March 16, 2011 in the Salem City  
2 Council Chambers.

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4 **WORK SESSION:** 6:30 p.m. – Gordon Raymond from Allied Waste discussed  
5 recycling with the council. He presented options for recycling and stated that there are  
6 three ways to approach it. The first option; make it mandatory, everyone has to recycle.  
7 This option is very effective, but not the most popular. The second option is called an  
8 “opt in”, which means; anyone wanting to do recycling, would have to call the city office  
9 and sign up. This option works, but is not as effective. The third option is called an  
10 “opt out”, which means; if a citizen did not want to do recycling, they would need to call  
11 the city office and tell them they wanted out. This option is quite effective, because you  
12 gain those customers who don’t really care one way or another; however, because the  
13 recycling can is there and they are paying for it, they will participate. The council felt  
14 they would like to get some rates from Allied, and then hold a meeting to inform the  
15 public about the program. Attorney Baker recommended that the city get some other  
16 bids on the service.

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19 **MEETING CONVENED AT:** 7:00 p.m.

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21 **CONDUCTING:** Mayor Jonathan F. Cope

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24 **COUNCIL PRESENT:**

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26 Mayor Jonathan F. Cope  
27 Councilperson Lynn Durrant  
28 Councilperson Terry A. Ficklin  
29 Councilperson Todd R. Gordon  
30 Councilperson Sid Jorgensen  
31 Councilperson Sterling Rees

24 **STAFF PRESENT:**

25  
26 Jeffrey Nielson, Finance/Recorder  
27 Chief Brad James, Police Chief  
28 Junior Baker, City Attorney  
29 David Johnson, Building Dept.  
30 Bruce Ward, Public Works/Engineer

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33  
34 **OTHERS PRESENT**

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36 E. Kelly Adams, Brent Warren, Cary Hanks, Stacey Memmett, Haley Hardy, Mike  
37 Robison, Kathy Rawson, Tannon Bradley, Chence Bholing, Jared Warren, Riley  
38 Davidson, Tim DeGraw, Vince Hunt, Kyle Larsen, Michael Merrill, Karry Merrill,  
39 Nathan Debrine, Kyle Golding, Landon Loss, Tim Fleming, Jordan Ostler, Gerald  
40 Hoagland, Emily Christensen, Bethany Green, Mckell Flick, Jessica Nielson, Sydnie  
41 Eppley, Alex Minson, Charlie Flint, Andrea Christensen, Jileen Meservy, Chelsea  
42 Connelly, Maryn Turley, Matthew Strong.

43  
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45  
46

47 **1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

48

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

52

53

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

55

56 Mayor Cope invited those who wish to participate, to stand and say the pledge of  
57 allegiance with him. He then led the pledge of allegiance for those who wanted to  
58 participate.

59

60

61 **3. YOUTH COUNCIL REPORT**

62

63 Mayor Cope stated that he had the opportunity to attend Youth Council Leadership  
64 Training in Logan with our youth council for one day. He was very impressed with our  
65 youth council. Mayor Cope turned the time over to Mayor Chelsea Connelly, of the  
66 youth council. Mayor Connelly talked about the conference, and some of the activities  
67 they participated in. She stated that the youth council received 3<sup>rd</sup> place in the Award of  
68 Excellence for the year 2010, she then presented the award to the Mayor and City  
69 Council. They were also awarded 3<sup>rd</sup> place in the “Challenge”, where they competed  
70 against all of the other youth councils in attendance.

71

72 Jileen Meservy thanked Mayor Cope for attending the training and for the support from  
73 the mayor and council.

74

75

76 **4. PUBLIC HEARING**

77

78 **Open**

79 **MOTION BY:** Councilperson Lynn Durrant to open the public hearing.

80 **SECONDED BY:** Councilperson Sterling Rees.

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

82

83 **A. Brent Warren – Zone Change on property located at approximately**  
84 **130 North Main, from R-1 to C-2.**

85

86 Bruce Ward showed the map of the location, which is approximately 130 North  
87 Main Street. He stated that during the public hearing of Planning and Zoning,  
88 there was some discussion with the neighbors about their concerns. He  
89 mentioned that many of those concerns would be addressed during the site plan  
90 approval phase. One concern that was discussed was making sure the city  
91 follows through with what the builder says they will do and what will be required.

92 Bruce stated, in Planning and Zoning that the zone change had passed; four votes  
93 for aye and one vote for nay. In DRC, some of the same issues that Planning and  
94 Zoning had were discussed. It was approved unanimously in the DRC meeting.  
95 Bruce stated that the commercial zone falls within the new general plan. He  
96 stated Brent Warren is requesting a zone change from R-1 to C-2.

97  
98 Brent Warren approached the council. He introduced Kelly Adams who will be  
99 the contractor for the building. Brent stated that it will be a full retail pharmacy  
100 and in conjunction with the pharmacy, there will be a doctor's office in the  
101 building. He stated that he understands the concerns of the residents in the area,  
102 and he has tried to be aware of them as he prepared his site plan. He brought a  
103 site plan of the building and stated that many of the neighbors concerns have been  
104 addressed and hopefully resolved. He handed a copy of the site plan to the  
105 council.

106  
107 Councilperson Rees asked why Brent wanted to build there, since it is not located  
108 on SR 198. Brent stated that he understands that question and concern. He stated  
109 that with the layout of the building, the store front will be facing SR 198. He also  
110 feels it will be easier to access the building with it being just off of the highway.  
111 He stated the drive up for the pharmacy will be on the east side. Patrons can enter  
112 from Main Street or 100 North to access the drive-up.

113  
114 Mayor Cope asked if there were any comments from the audience.

115  
116 Kathy Rawson stated that as neighbors, they have a couple of concerns. One  
117 concern is the large power pole on the property. What will happen with the power  
118 pole? Is the power going to be underground or will the pole be moved over to  
119 their side of the street by their home? She would recommend that it goes  
120 underground. Bruce Ward stated the power for the new building will be  
121 underground. The existing power pole will be moved, but we are looking at a  
122 couple of options for the overhead power for the existing homes with overhead  
123 power. One option would be to move the power pole to the east property line of  
124 the future pharmacy and then go underground to the pole behind the Rawson's  
125 home. This would require the property to be dug up where the conduit will be  
126 placed, but it would eliminate the over head power going over to the Rawson  
127 home. The other option would be to still move the power pole to the east and then  
128 add a pole on the Rawson property, which would still leave the power overhead.

129  
130 Kathy stated that another concern they have is they would like to see the funding  
131 for the project in place before the zone is changed. They are concerned that if the  
132 zone is changed and Brent is unable to fund his building, it leaves that property  
133 open to have another business come in. They are concerned about another metal  
134 building being built.

135  
136 Attorney Baker stated that tonight the council is discussing the zone change and  
137 the funding will be up to Brent. Brent stated that the funding is pending on the

138 zone change. If the zone is changed then he would proceed with the funding, if  
139 not then he would not.

140  
141 Mike Robison is concerned about the added traffic on the road. There are a lot of  
142 kids who use 100 North to get to school. If we increase traffic, he feels that the  
143 side walk should also be installed on 100 North. That street is very narrow and  
144 he feels that adding a sidewalk would widen the road and make it safer for the  
145 kids.

146  
147 Mayor Cope stated that we need to be aware of the kids who walk on the road, but  
148 he also feels that it is not feasible to require the developer to install sidewalk on  
149 100 north (from Main Street to 100 East). The developer will be required to  
150 install sidewalk in front of his property.

151  
152 Councilperson Gordon felt that it would be reasonable to require the developer of  
153 the commercial building to install the sidewalk on 100 North from Main Street to  
154 100 East. If we have a commercial business coming in, they need to make it safe.  
155 Mike Robison agrees with councilperson Gordon

156  
157 Mayor Cope stated that if we are trying to attract commercial businesses to Salem,  
158 we don't want to require them to install so much infrastructure that they can't  
159 afford to locate here. As a city we need to be reasonable for the businesses.  
160 Mayor Cope stated that he understands that the safety of the kids is still a major  
161 concern.

162  
163 Councilperson Rees felt there are other options to get a sidewalk on the road.  
164 The residents who live there would be the ones who benefit from having a  
165 sidewalk, maybe there could be a way to share the cost of the sidewalk.

166  
167 Mayor Cope asked if there were other comments.

168  
169 **Close**

170  
171 **MOTION BY:** Councilperson Sidney Jorgensen to close the public hearing.

172 **SECONDED BY:** Councilperson Terry Ficklin.

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

174  
175 **A. Brent Warren – Zone Change on property located at approximately**  
176 **130 North Main, from R-1 to C-2.**

177  
178 **MOTION BY:** Councilperson Lynn Durrant to approve the zone change for  
179 Brent Warren, on property located at approximately 130 North Main, from R-1 to  
180 C-2.

181 **SECONDED BY:** Councilperson Sterling Rees.

182

183 Councilperson Jorgensen had a question about the zone change. He is reluctant  
184 to make a zone change, unless he is 100% sure that the pharmacy will be built.  
185 He would hate to have the zone changed and then not have the building built.

186  
187 Councilperson Ficklin is also concerned, that if we make the zone change then we  
188 are bound. He is wondering if it is possible to do the zone change with the  
189 approval of the site plan.

190  
191 Brent Warren stated that as much as he promises to build it, it is not a sure thing  
192 until it is actually done. He does not want to purchase the property until the zone  
193 is changed however.

194  
195 Councilperson Rees asked if there is something that we could do, to help make  
196 sure that everything goes through.

197  
198 Attorney Baker stated that if Brent does not go through, then the city could do  
199 another public hearing and change the zone back, from C-2 to R-1.

200  
201 Councilperson Ficklin feels that would be the best solution, that if Brent is not  
202 able to build the building, then we can change the zone back.

203  
204 Mayor cope then asked for a roll call.

205  
206 **VOTE:** Councilperson Sterling Rees; Aye, Councilperson Lynn Durrant; Aye,  
207 Councilperson Sidney Jorgensen; Aye, Councilperson Terry Ficklin; Aye; and  
208 Councilperson Todd Gordon; Nay. (4 Aye, 1 Nay).

209  
210 Mayor Cope stated that the zone change is approved.

211  
212

## 213 **5. HAYLEY HARDY – Miss Salem Boundaries**

214

215 Hayley Hardy would like the city to reconsider the boundary lines for Miss Salem. She  
216 attends Salem Hills High School and participates in many activities within Salem City.  
217 She would like to continue to support Salem, by being able to run for Miss Salem. She  
218 currently lives in Payson, and the new boundaries do not let her run for Miss Salem.

219

220 Mayor Cope stated that the boundary lines were determined earlier this year. The  
221 boundary lines were Salem City boundary, including Woodland Hills and the annexation  
222 boundary.

223

224 Councilperson Ficklin thought that when the high school was built that the city council  
225 agreed to allow those who attended the high school to be eligible to run for Miss Salem.

226

227 Councilperson Gordon feels it does not make sense to not allow the girls who attend the  
228 high school to run for Miss Salem. He feels that if they attend Salem Hills High School  
229 they should be allowed to run for Miss Salem.

230

231 Mayor Cope is concerned about someone who lives in Payson, being willing to support  
232 Salem City activities and representing Salem City.

233

234 Hayley stated that she would be willing to support Salem City.

235

236 Councilperson Durrant stated that Rayleen Long, the Miss Salem Director, has already  
237 turned down three other girls because they did not live within the specified boundary.

238 Also, it is not the Miss Salem Hills pageant; it is the Miss Salem City pageant.

239

240 Councilperson Rees understood that last year the boundary was changed by the council to  
241 allow girls who attended Salem Hills High School to participate in the pageant.

242

243 Mayor Cope stated that the boundaries were changed, and three other girls have already  
244 been told that they cannot participate because they do not live within the boundaries.

245

246 Rayleen Long stated that we have local businesses who are concerned about supporting  
247 the Miss Salem program if the Miss Salem is not from Salem. She stated that she spoke

248 with other local pageant directors to find out their boundaries. She found out that

249 Payson includes Payson and Elk Ridge. So the girls who attend Salem Hills High and  
250 live in either Payson or Elk Ridge could participate in the Miss Payson pageant. She

251 stated that she met with Mayor Cope, Councilperson Durrant, and Jeff Nielson to talk  
252 about the Miss Salem pageant, and one of the items that came up was defining the

253 boundary lines for those who could participate. It was decided that those who reside  
254 within Salem, Woodland Hills or within the proposed annexation boundaries of Salem.

255

256 Councilperson Ficklin stated that he can see the reasoning behind the boundary, and  
257 understands why the new boundaries were made. The new boundaries made it so that no

258 girl is left outside of a pageant boundary that they would be eligible to participate in a  
259 one of the local cities pageant.

260

261 Jeff Nielson explained that last year when the city chose to get out of the Miss America  
262 Organization and we also decided to allow any girl who attended Salem Hills High

263 School to try out for Miss Salem. Because there were only five girls who tried out last  
264 year, it was determined that by allowing all of the girls who attended Salem Hills High

265 School to participate, that perhaps there would be more interest. This year however, we  
266 have a new director and we are back in the Miss America Organization. With those

267 changes, Councilperson Durrant, Mayor Cope, Rayleen Long and Jeff Nielson met to  
268 discuss this year's Miss Salem Pageant. One of the items discussed was the boundaries

269 for those who can participate. It was determined that only those who live within the  
270 84653 zip code could try out (Salem City and Woodland Hills), as well as those who

271 lived within the proposed Salem City Annexation boundaries. Jeff stated that those were  
272 the boundaries before last year, and that they have been the boundaries for a long time.

273 Councilperson Rees felt that what was decided this year is different than what was  
274 determined last year. He felt that if a girl is attending the high school and is willing to  
275 support Salem; they should be allowed to participate in the Miss Salem pageant.

276  
277 Councilperson Jorgensen stated that this is a difficult decision. He also felt that if the  
278 girls attend the high school they should be allowed to participate in the pageant.

279  
280 Rayleen stated that the applications were due before March 4, but is willing to do  
281 whatever the council decides.

282  
283 **MOTION BY:** Councilperson Terry Ficklin that we use the high school boundaries for  
284 the Miss Salem, and to extend the deadline to turn in the applications for another week.

285 **SECONDED BY:** Councilperson Todd Gordon.

286 **VOTE:** Councilperson Sterling Rees; Aye, Councilperson Lynn Durrant; Nay,  
287 Councilperson Sidney Jorgensen; Aye, Councilperson Terry Ficklin; Aye, and  
288 Councilperson Todd Gordon; Aye (4 Aye, 1 Nay).

289  
290

## 291 **6. APPROVE BID FOR SPRINKLERS FOR NEW SOCCER FIELD**

292

293 Matt Marziale stated that he has received three bids for the parts for the sprinkler system  
294 at the new soccer field by the cemetery. He stated that the bids are for the sprinkler parts  
295 only and that the installation will be done by the city crews. He also explained that the  
296 funding for the project will come from Recreation Impact Fees.

297

298 The three bids are as follows: Sprinkler Supply - \$9,987.86; Harward Irrigation -  
299 \$10,159.52; and Ewing - \$10,200.43.

300

301 Matt recommends approving the Sprinkler Supply bid for \$9,987.86

302

303 Bruce Ward stated that along with the sprinkler system parts, the council needs to  
304 approve the Weather Trac system. This is only available from one vendor which is  
305 Sprinkler Supply. The Weather Trac system has been installed on all of the other parks  
306 and city properties.

307

308 **MOTION BY:** Councilperson Todd Gordon to approve the Sprinkler Supply bid for the  
309 parts for the sprinkler system at the new soccer field and to approve the purchase of the  
310 Weather Trac system for the sprinklers from Sprinkler Supply.

311 **SECONDED BY:** Councilperson Terry Ficklin.

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

313

314

## 315 **7. APPROVE IPSA MUTUAL AID AGREEMENT**

316

317 Jeff Nielson explained that this is a mutual aid agreement for all of the participating  
318 entities who belong to IPSA (Intermountain Power Superintendent Association). This

319 includes cities from St. George to Idaho. This will be very helpful in the event of a  
320 disaster, because we could call these other entities for help, and likewise they could call  
321 on us.

322  
323 Attorney Baker stated that this will also help determine the cost that these other entities  
324 can charge. A few years ago when Provo City had the wind storm that caused many  
325 trees to fall and knock out power in many areas, they called on many outside entities for  
326 mutual aid, but Provo was not sure what they were going to have to pay them. This  
327 agreement is setting those costs now, so that when an emergency happens the entities will  
328 know what the cost will be.

329  
330 **MOTION BY:** Councilperson Lynn Durrant to approve the Mutual Aid Agreement with  
331 ISPA.

332 **SECONDED BY:** Councilperson Sid Jorgensen.

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

334

335

336 **8. APPROVE MINUTES OF MARCH 2, 2011**

337

338 **MOTION BY:** Councilperson Sterling Rees to approve the minutes of March 2, 2011.

339 **SECONDED BY:** Councilperson Todd Gordon.

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

341

342

343 **9. APPROVE BILLS FOR PAYMENT**

344

345 **MOTION BY:** Councilperson Sterling Rees to approve the bills for payment.

346 **SECONDED BY:** Councilperson Todd Gordon.

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

348

349

350 **10. PUBLIC SAFETY**

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352

353 **COUNCIL REPORTS**

354

355 **11. MAYOR JONATHAN F. COPE**

356

357

358 **12. COUNCILPERSON LYNN DURRANT**

359

360 Councilperson Durrant reminded the council of the upcoming UMPA meetings in St.  
361 George.

362



363 She also reported that next council meeting, Clark Crook, our power superintendent, is  
364 coming to the work session to talk to the council about purchasing some electrical meters.  
365 These meters are radio read meters.

366

367 **13. COUNCILPERSON TERRY A. FICKLIN**

368

369 Councilperson Ficklin reported on a young man whose Eagle Scout project was painting  
370 the tables at the pavilion by the Civic Center.

371

372 **14. COUNCILPERSON STERLING REES**

373

374 **15. COUNCILPERSON SID JORGENSEN**

375

376 Councilperson Jorgensen reported that Salem City has applied for a community block  
377 grant to help get curb, gutter, and sidewalk on 300 West.

378

379 **16. COUNCILPERSON TODD R. GORDON**

380

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

382

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

384

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

386

387 Attorney Baker wanted to take a training moment and talk to the council about the zone  
388 change item on the agenda. When the mayor asks for a vote on a motion, all of our  
389 questions should have been answered. We need to make sure that we have all of our  
390 facts before the motion. If there are still questions, and a motion is made, make sure the  
391 question is asked before the voting.

392

393 Councilperson Ficklin asked about the property on the North side of the grocery store and  
394 whether or not it could be used for a strip mall. If so, should we be looking at that  
395 property to put the pharmacy or to see if someone else might be interested in building  
396 there. Attorney Baker stated that the full property is on the lease to the Crisp's, so we  
397 cannot do a lot with the empty property on the north side.

398

399 **ADJOURN CITY COUNCIL MEETING**

400

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

402 **SECONDED BY:** Councilperson Todd Gordon.

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

404

405 **MEETING ADJOURNED AT:** 8:35 p.m.

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Jeffrey Nielson, City Recorder