

Minutes of the Salem City Council Meeting held on May 2, 2007 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 Stanley W. Green
Councilperson Jeff D. Higginson

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Chief Brad James, Police Chief
David Johnson, Public Works
Junior Baker, City Attorney
Bruce Ward, City Engineer

OTHERS PRESENT

Faline Coffelt
Tom Brighton
Lana Creer Harris
Spencer Keele
Ty Curtis
Troy C.
Jacob Provstgaard
Jonathan Goodman
Mark Emmich

Cyndi Hardman
Mark Hanks
Steve Raymond
Kyle Johnson
Gabriel Lee
Amy Bartholomew
Dennis Harward
Cody MacCabe
Lani Emmich

Robert Coffelt
Helen Anderson
Sarah Callison
Neldon Jensen
Jennifer Jones
Todd Provstgaard
Riley Hanks
Boyd Sabin

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Jeffrey Nielson 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

Open

MOTION BY: Councilperson Lynn Durrant to Open the Public Hearing.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

a. Public Safety Impact Fee

Mayor Henderson stated that this item is a new impact fee for public safety. The study that was done, recommended establishing the fee for \$2,510. He asked if there were any questions from the public. The question was asked what it would be used for. Attorney Baker stated that it will be used for building new facilities for the public safety, in order to meet the standards to provide the service necessary for the growth. It may not be used for new officers or equipment. Helen Anderson stated that she did not know about the impact fee until earlier today. She has not had an opportunity to go through both of the impact fee studies (public safety and parks & recreation). She would recommend to the council to table the two items another 60 days, to be able to get the word out to the members of the Home Builders Association. It was stated that the impact fee studies have been available for the public to review and was noticed properly. The question was asked what determined to start a new impact fee. Mayor Henderson stated that a study was done, and it showed that we are below the average of what our public safety needs to support the size of community. Attorney Baker stated that we are trying to meet a level of service that has been recommended for the Rocky Mountain Area.

b. Parks & Recreation Impact Fee

Mayor Henderson stated that this impact fee is for the Parks & Recreation, and is an increase from \$2,000 to \$4,610, which is recommended by the study. Attorney Baker discussed the level of service, and how we are 10 acres per 1,000 people, and how the study has recommended lowering it to 7 acres per 1,000 people. Mayor Henderson asked if there were any questions from the public. Helen Anderson stated that she had an opportunity to read through this one, and had some questions. She stated that many of the numbers do not match up. She stated that the study talks about ERC (Equivalent Residential Connection) and how they are not adding up when it talks about the increase of ERC and the amount that will be collected. It also talks about an event center at the rodeo area. She asked if it would be a new facility, because impact fees should not pay for a new facility, unless the facility already exists and it would be an expansion. Another question was the price for land, it talks about \$150,000 per acre, was a study done to get that number. There are some numbers that do not add up, one spot it talks about the expansion at the fair grounds to be six million, then another page it states cost to be four million. Helen stated she is concerned about some of these numbers, and if the council does not have the answers, she would recommend tabling this item, and allow Horrocks Engineering to figure

out some of the numbers that they did for the study. She would also recommend having Horricks come to the public hearing and to answer these questions.

Councilperson Higginson stated that since we have done this study, the cost of the cemetery park project has gone up, and stated that we may have to have Horrocks look at the study again, which could increase the impact fee more.

A question was asked where we stand with other cities and their impact fees. Dave Johnson stated that as we compare with other cities, we are just a little higher with impact fees. Councilperson Higginson stated that when you look at the price of land that needs to be purchased to accommodate the growth that is happening, we need to have the money so we can provide the level of service needed. With the new high school coming, it will add a lot to our recreation program, and will require more from the city's part. He stated that we have spent a lot of time and money on the study, and feels that if we were to have it looked at again, that we would be behind and have to raise it more. He explained that we need to make sure we can provide for our youth with parks and recreation.

Mark Emmich stated that the youth in the local wards (churches) can not have a youth softball teams because there is not enough room at the current ball parks.

Mayor Henderson stated that a lot of work has gone into the study, and the proper notice was given. Councilperson Ficklin stated that he is concerned about the numbers not adding up.

Attorney Baker explained to the council, they can either close the public hearing or continue the public hearing. He stated there has been a request to continue the public hearing.

MOTION BY: Councilperson Terry Ficklin to continue the Public Hearing for item 3b Parks & Recreation Impact Fee for Next Council Meeting (May 16), and to see about having Horrocks Engineering come to the meeting to answer any questions.

SECONDED BY: Jeff Higginson.

VOTE: All Affirmative (5-0).

Close

MOTION BY: Councilperson Jeff Higginson to close the public hearing for item 3a, Public Safety Impact Fee.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

b. Public Safety Impact Fee

MOTION BY: Councilperson Terry Ficklin to approve the impact fee study for Public Safety, in the amount of \$2,510 and to begin collecting it immediately.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

Councilperson Stanley Green asked to be excused from council meeting.

4. RESOLUTION FOR LAW ENFORCEMENT WEEK

Chief James stated that the second week in May of each year it has been designated as Law Enforcement Week. Mayor Henderson thanked Chief James and the Public Safety for all they do.

MOTION BY: Councilperson Terry Ficklin to approve Resolution 50207 for Law Enforcement Week.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

5. ROBERT COFFELT – VARIANCE FOR LOCATION OF SIDEWALK AT 80 E. 100 N.

Robert Coffelt showed a map and pictures of the area, and what he would like to propose to the city council. He stated that he is building a new home on the lot, and is required to put sidewalk in. If he were to put the sidewalk where it is supposed to go he would have to take out the trees in front of his home. He would like to move the sidewalk four feet, so he would not be required to take out the trees. He stated the power lines are on the other side of the road. Right now it is required to have a 20 foot planter strip, he would move the sidewalk and then it would change the planter strip to 16 feet. He stated he would be the first sidewalk on this block. Tom Brighton stated that they live close by, and feel the trees are nice to have, and feels they would not affect the sidewalk. He would support keeping the trees and to move the sidewalk. Robert stated that he was unable to talk to the Rawson's, the next door neighbors. Robert stated he knows he would be required to keep the area between the trees clean.

Councilperson Hanks feels that we need to maintain our standards. Councilperson Ficklin stated that the area in the planter strip is changing. He feels that with the older part of town, the council can look at each situation and make a decision.

Bruce Ward stated that we have required others to take down bigger trees to meet what they wanted to do. He stated that this is a different situation, as it is the first sidewalk on the block, and we can keep the whole block in line.

Neldon Jensen stated that there are spots in the city, where the sidewalks have had to be moved because of power poles.

Robert stated that he purchased the property thinking that the trees would be able to stay there.

MOTION BY: Councilperson Jeff Higginson to allow Robert Coffelt to keep the trees and to allow the sidewalk to be moved, that they keep the right-a-way for the asphalt of the road the same, and that the sidewalk be kept in line for that block.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: 3 Aye 1 Nay (Councilperson Durrant, Aye; Councilperson Hanks, Nay; Councilperson Ficklin, Aye; and Councilperson Higginson, Aye) (3-1)

6. JACOB PROVSTGAARD – EAGLE PROJECT

Jacob Provstgaard stated that for his Eagle Project he wanted to repair the bleachers at the rodeo arena. Dave Johnson stated that there are some bleachers that need to be fixed to meet code. Mayor Henderson stated with the interlocal agreement with Payson, they may be able to help with the cost. Jacob stated he was looking for donations. Councilperson Higginson stated that there is about \$150 in the Eagle Scout Project fund that could be used for the project.

Riley Hanks is also present to have his Eagle project approved. Riley stated he wanted to paint the goal post, and the safety lines, at the new ball park (Mt. Loafer View). He stated that he would clean them and prime them. It was stated that the city could take down the goal post for him. Mayor Henderson stated we would also like to see the cost break out. He stated that he could do that, and then get with Councilperson Higginson when he is close to being ready.

7. BUSINESS LICENSES

a. Daniel Freeman – Contractor

Daniel Freeman, at 75 North 100 East, wants a home occupation business license for Quiet Creek Construction. It is a construction company that builds homes. His home will only be used as an office. No large trucks will be at the home. It has been approved by all of the appropriate people.

b. Billie Jo Hooks – Internet Sales

Billie Jo Hooks, at 277 East 750 South, wants a home occupation business license for Sweet Feets. She purchases the sandals and then sells them over the internet. UPS will be delivering and picking up about every two weeks. There will not be any customers at the home. It has been approved by all of the appropriate people.

c. Mark Emmich – Home Inspections

Mark Emmich, at 15 East Center, wants a home occupation business license for Ironwood Home Inspections. He will inspect a home for home buyers before they buy the home. His home will only be used as an office. It has been approved by all of the appropriate people.

MOTION BY: Councilperson Brent Hanks to approve the Business Licenses.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

8. PEHP INSURANCE

Mayor Henderson stated that he asked Jeff Nielson to get some bids on other insurances. A lot of work was done in order to get those bids. When they came back they were still higher than what we are currently paying for insurance. Mayor Henderson asked the employees if they were happy with the current insurance. They all stated that they were very happy. Chief James stated that we do appreciate the insurance the employees have. Dave Johnson explained how the insurance took care of Steve Cox's family when his child had to have life flight come and take him to the hospital. Jeff Nielson explained that it is nice to know that his family is taken care of in case of emergency situations.

MOTION BY: Councilperson Lynn Durrant to approve the PEHP Insurance for the 2007/2008 Fiscal Year.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

9. APPROVE CITY SHOP PURCHASES

Councilperson Hanks stated that we need to finish the new city shops. He stated that we still need doors put on the metal building, we need the heat, and the offices built. There is still some work that needs to be done on the ground. Dave Johnson stated he received some bids, to get the doors finished it would be about \$5,000; to install the heating would be about \$14,000. Councilperson Hanks feels that with the other work that needs to be done, that he would like to ask the council to approve \$35,000 to finish. He stated that

there is still some money in the capital improvements funds. We need to get it done while the weather is good.

MOTION BY: Councilperson Brent Hanks to approve the spending of \$35,000 to finish the city shops.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

10. APPROVE MINUTES OF APRIL 18, 2007

MOTION BY: Councilperson Lynn Durrant.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

11. APPROVE BILLS FOR PAYMENT

Councilperson Terry Ficklin was wondering about an invoice from Payson Landfill. Dave Johnson stated it was items that our landfill would not take.

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

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

12. PUBLIC SAFETY

Chief James stated that Tuesday May 8 will be the fishing day for the handicap kids throughout the state. They are expecting between 800 – 900 kids. Also on June 2nd, will be the triathlon.

The Emergency Management team has gotten an informational booklet together to be handed out to each resident.

The new high school got hit with graffiti over the weekend. We need to keep our eyes open and watch for suspicious people.

13. OPEN DISCUSSION

Lanni Emmich complemented the Mayor and City Councilmember's for taking care of the city employees with good health insurance. It is good to see that you care for the employees.

Mark Emmich suggested to the council to encourage scouts who are doing their Eagle projects to contact vendors in the city for donations for their projects.

Boyd Sabin stated that he has a ton of limbs at his orchard and was wondering about having the chipper from the solid waste district come and chip it. Councilperson Ficklin stated he would look into it.

COUNCIL REPORTS

14. MAYOR J. LANE HENDERSON

Mayor Henderson stated that we have been approached to participate in a feasibility study for a new grocery store. It would cost the city about \$3,000 but would also give us access to the study. They are usually good for about three years.

At the cemetery, the veteran memorial we have ran out of room for WWII veterans to have their names on the memorial. He stated we are looking into some ideas to have it fixed.

15. COUNCILPERSON LYNN DURRANT

Councilperson Durrant reported that JNB Home guys have mentioned that the current electrical impact fee starts at 200 amp homes. They are building the town homes and are going to be using 150 amps for their homes. They are wondering if the city was going to do a study for homes that would be lower than 200 amps. She stated that SESD has a graduated scale. Attorney Baker stated that Comlink is currently reviewing the impact fee study; we can have them look into the 150 amp homes.

Councilperson Durrant reminded the council that Saturday would be the Miss Salem Pageant at 8:00 p.m., and invited the council to come and support the participants.

Bartell Mortenson told the council that the Salem Canal and Irrigation Company just had a meeting discussing the lack of water this year. He stated that the irrigation company is only allotted a certain percentage of the Spanish Fork River. He stated that right now the river is running as low as it was back in October. The irrigation company is going to shut the water off for about a month, to help give some of the water back to the river. He stated the city needs to be concerned because people, who rely on the irrigation water, will start to use culinary water for watering. The city should be ready. Mayor Henderson stated that we need to be looking at ways to conserve our water. Bartell was also wondering about allowing the irrigation company to use the cities portion of Strawberry Water.

16. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin reported that the Solid Waste District is having a hard time keeping up with the demand of trash that is coming into the transfer station. The district is also waiting on bids for recycling bins to be placed in different cities.

With the Utah Lake Commission, he stated that Salem City is still not recognized as a member. We need to pass a resolution making us a member. Councilperson Ficklin will get with Attorney Baker on that and also on the fees for the civic center.

17. COUNCILPERSON STANLEY W. GREEN

18. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks stated that at the civic center, the cement porch has been damaged; there is a large crack in the cement. To patch it, one bid was \$700 and another one was \$1300, to repair it, it would be \$3,000 from one bid and \$3,750 from the other bid. He talked about installing heat tape on the roof to prevent future damage to the porch. He also talked about doing tile on the cement. The council asked to get a bid on doing tile for the porch.

19. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Higginson stated that we received some bids to put the roof on the storage building at the Loafer View ball park. He gave Dave Johnson the go ahead to get the roof installed.

20. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson reported that the single adult ward is coming Saturday to paint the pavilion at the civic center, the tables and the benches.

A RFP has been advertised for an architect for the city office. Hopefully by the end of the month will have someone picked out.

At the North end of the cemetery, we need to replace the asphalt. Will be getting bids for that project and have them ready for approval next council meeting.

21. BRUCE WARD, CITY ENGINEER

Bruce Ward stated that the P.I. project will begin on the 7th of May. The construction company will begin on the west end of town.

We had over 40 applicants apply for the two positions in the Water and Sewer Departments. We are also having Albert, an intern from BYU, help us do a pay scale and wage analysis for the city.

22. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Brent Hanks to Adjourn City Council Meeting.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 9:05 p.m.

Jeffrey Nielson, City Recorder