

Minutes of the Salem City Council Meeting held on May 3, 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
Chief Brad James, Police Chief
David Johnson, Public Works
Christine Johnson, City Attorney
Bruce Ward, City Engineer

Excused

Councilperson Stanley W. Green

Attorney Junior Baker

OTHERS PRESENT

Erman Stone
Kaislee Ferris
Jonathan Ence
Brooke DeNaughel
Allison Cope

Burke Tervort
Jeremy B.
Micah Love
Sarah DeNanghel
Chloe Laurila

Melanie Larsen
Michelle Pientka
Jeremy James
Kellie Preece

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Hanks 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. STEVE CARPENTER, URPA – PRESENTATION TO GARY WARNER, RECREATION DIRECTOR.

Mayor Henderson stated that Steve Carpenter was not here yet, and that we would come back to this item.

4. COLTON SIMONS – EAGLE PROJECT

Mayor Henderson stated that Colton Simons was not able to make it tonight.

5. STORM DRAIN

Mayor Henderson stated that the storm drain issue has been discussed a few times, and we have an ordinance that has been created to begin charging residents two dollars each month for a storm drain fund. He is wondering if the council feels we should have more discussion on this with the residents. He also has a handout to educate the residents on a storm drain system, which he would like to have put with the news letter. The city currently does not have a storm drain system in place. It is going to become an issue in the future. Right now, while we are doing the PI system, it would be a good time to get this going also. He asked the council if they had any questions. Councilperson Durrant asked Bruce Ward what needs to be done. Bruce asked the council if any of them saw the canal pipe, where it was recently put in, rise up the other day after the storm. Because of the storm water not having any place to go, and because we used to use the canal before it was piped, the storm water raised the pipe up. Fortunately it did not cause major damage, but if it did, the city would have been responsible. There is a lot of damage to the roads because we do not have a way to move the water off the roads. The city needs to look at doing some studies for a storm drain system. We need to look at pretreatment places, and where the water is going to go. The other problem is that there is no money for this fund. We need to start looking at doing something now. Bruce agrees with the mayor, and right now with the PI system, we will be evaluating the ditches, and seeing which ones will be abandoned, which means we would lose where some of our storm water goes. Because we are still small, we can stay under the radar of the government, but it will not be long before we are obligated to do something about our storm water. The comment was made that the two dollar charge would only be a beginning to get the fund going. Dave Johnson stated that about five years ago the city had a master plan for storm water done; he feels we need to reevaluate it. Councilperson Ficklin asked about some of the subdivisions, and if they have anything in place. Bruce stated that they do, and some of them have holding ponds, but they are not designed to hold a large storm. If we can get a plan in place, it would also allow us to implement an impact fee. Councilperson Hanks feels that, we are going to start collecting the money for the PI system soon. He feels that there some older residents who are on a fixed income, and the two dollars might be a lot of money to them. He feels we need to educate the residents more on this, he knows we need to have it, but he feels we should not have the PI and the storm drain at the same time. Councilperson Higginson asked what happens when the city grows and we are not a small city anymore. Bruce stated that we would have to start pre-treating the water before it goes into a state water system. Councilperson Higginson was wondering if the two dollars is going to be enough. Mayor Henderson stated that right now we do not have anything in place, so any amount would help out. He also state that most of the problems we are having in the pond are because of storm water run off. He told the council they do not have to pass the ordinance tonight; he feels we need to

educate the residents more. He has received some letters about the storm drain, some of them are good and some are bad. He asked the council what they would like to do.

MOTION BY: Councilperson Terry Ficklin to table the Storm Water Ordinance and to begin educating the residents more about the storm water, so they are aware of it.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

Item #3: STEVE CARPENTER, URPA – PRESENTATION TO GARY WARNER, RECREATION DIRECTOR.

Mayor Henderson turned the time over to Steve Carpenter. Steve stated he is a representative from URPA (Utah Recreation Parks Association). He stated that there are around 600 members belonging to the group. Each year they have a conference where they provide training and education. During the conference they give out awards to individuals and departments, based upon their classification. The outstanding achievement award is based on what the cities have, how much funding they get, and what they are doing, weighing the resources the city has, and what they accomplish over the year. This year the award went to Salem City. He presented the award to Gary Warner and Angie Mattinson of the recreation department. Mayor Henderson stated that the city is very proud of what Gary and Angie have accomplished; they are doing a great job. Councilperson Higginson stated they are doing a great job for the city and for the kids who participate.

6. APPOINT FINANCIAL ADVISOR FOR SECONDARY WATER SYSTEM

Mayor Henderson stated that this item was discussed during last council meeting, but it needed to be on the agenda. We had two proposals, one from Lewis Young Robertson & Burningham and the other one from Zions Bank. Last council meeting the council felt good about going with Zions Bank. He stated he has the contract for the project, but would recommend having Attorney Baker review it before it is signed.

MOTION BY: Councilperson Jeff Higginson to approve Zions Bank as the Financial Advisor for the Secondary Water System.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (3-0) (Councilperson Ficklin left the council chambers)

7. PEHP INSURANCE

Mayor Henderson stated that this is for the insurance for the employee's. It has gone up 12% this year. He took a poll with the employees, and all of them are happy with the current insurance. This is a great benefit for the employees. He turned the time over to Jeff Nielson. Jeff explained that we are with PEHP (Public Employee Health Plan), and

for the past few years, the insurance has been going up around 11%. This is a great plan for the employees, and it helps us as employees to know that our families are taken care of with the insurance. Mayor Henderson asked if there were any questions. There were no questions.

MOTION BY: Councilperson Brent Hanks to approve the PEHP insurance for 2006/2007 year.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (3-0)

8. UTAH RETIREMENT

Mayor Henderson stated that the employees are part of the Utah State Retirement System. The proposed increase for this year by the retirement system is 0.50% for employees and for police officers a 3.04% increase.

MOTION BY: Councilperson Jeff Higginson to approve the Utah State Retirement System.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (3-0)

9. BRENT HANKS CONNECTORS AGREEMENT

Mayor Henderson stated that we will come back to this agenda item after Councilperson Ficklin returns.

10. ELECTRIC IMPACT FEE SCOPE CHANGE

Mayor Henderson turned the time over to Bruce Ward. Bruce stated that Doug Smith, Councilperson Durrant, and himself met with ComLink to go over the impact fee study they were approved to do. We were very pleased with what they presented to us, and feel they will do a good job. They also proposed to do cost of rate study. We thought it was in the contract, but it was not. Hyrum City just did a rate cost study and it cost them \$18,000. For ComLink to do the impact fee study and the cost of rate study, it should cost about \$36,000. After some discussion, ComLink stated they would do both for \$20,000. Mayor Henderson stated the scope change on the impact fee study will go from \$18,000, which was already approved, to \$20,000. This will be an increase of \$2,000.

MOTION BY: Councilperson Brent Hanks to approve the Electric Impact Fee Scope Change from \$18,000 to \$20,000.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (3-0)

11. RESOLUTION FOR LAW ENFORCEMENT WEEK

Mayor Henderson turned the time over to Chief James. Chief James stated that next week is Law Enforcement week. The state will be introducing six more law enforcement officers who have given up the ultimate sacrifice, into the state memorial. This resolution is for next week. Mayor Henderson stated that we have great law enforcement.

MOTION BY: Councilperson Lynn Durrant to approve Resolution 50306 for Law Enforcement Week.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (3-0)

12. UTILITY BUILDING AT NEW BALL PARK

Mayor Henderson turned the time over to Councilperson Jeff Higginson. Councilperson Higginson explained that the city is in need of a small building to store equipment at the new ball park. We have received a couple of bids on the building. It will have a concrete pad, with the water and power stubbed into it. The size of the building is going to be 30 feet by 20 feet. He is wondering if that will be big enough. Right now it should be, but in the future he is not sure.

Councilperson Hanks stated that in the future the only way to have a cement truck get back there would be to go over a sidewalk, which would break it up. He recommends at least making the cement pad bigger for future growth on it. Dave Johnson was wondering what type of equipment will be stored. It was stated that lawnmower and a four-wheeler would be stored there. The current bid that is recommended is for \$3,970, and that is for a 600 square foot building. Councilperson Higginson does not think it will be big enough, and recommends that we table it. Mayor Henderson asked if the recreation board was involved, it was stated that they were not. Councilperson Hanks stated that we need to get moving on it, the new elementary school needs to have it done before school starts. He feels we need to get the cement poured. Dave Johnson stated that by policy, if a project is over \$5,000 it needs to be approved by the council, if it is under \$5,000 then it can be approved by the councilperson over that department. He feels we could get the building bigger and it would be under \$5,000.

MOTION BY: Councilperson Jeff Higginson to approve the building to be built at the size of 900 square feet, and not to exceed \$5,000.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0) (Councilperson Ficklin returned to the council chambers).

Item # 9: BRENT HANKS CONNECTORS AGREEMENT

Mayor Henderson stated that Brent Hanks installed an eight inch culinary water line 405 feet in 1000 North Street, going east, for his building on the highway. The cost of the

water line was \$2,922.50, and was installed October 8, 2002. The agreement is for seven years of the time installed. Attorney Baker has reviewed this. Mayor Henderson asked if there were any questions.

MOTION BY: Councilperson Terry Ficklin to approve the Brent Hanks Connector's Agreement.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (3-0) (Councilperson Hanks abstained from voting).

13. APPROVE MINUTES OF APRIL 19, 2006

MOTION BY: Councilperson Lynn Durrant to approve the minutes of April 19, 2006 as written.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

14. APPROVE BILLS FOR PAYMENT

Councilperson Durrant had a question on a bill that was paid for the Miss Salem Pageant MC; she will discuss this with Rhonda Hansen, the pageant director.

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

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

15. PUBLIC SAFETY

Chief James reported to the council what has been going on this last month. The police department has been busy. We are a part of county task force for sex offenders, and have been going after predators on the internet. Fire Department has hired another member to help cover during the day. They have also been helping Spanish Fork City in the canyon. They are seeing a lot more calls. The ambulance is also doing great. He appreciates what Erman Stone is doing for the Ambulance, and Todd Gordon for the Fire Department. On the 27th of April, there was an unannounced training for the fire and ambulance. We had a great turnout, there was only one person that should have been there that was not, and they could have been out of town. The response was great, and we checked on how well the communication and their skills were. We have great volunteer departments.

He read a thank you letter that SEMA (Salem Emergency Medical Association) received. It was a great letter. Saturday there will be a wellness fair; a lot of people are involved. It will be from 1:00 p.m. – 5:00 p.m. and the Salem West Stake Center. On Sunday, May 7, there will be a 911 check, where residents can call on their landlines and make sure the

proper address is being shown. On the 27th of May, the triathlon will be held. There are 600 people registered, the race will start at 9:00 a.m. He encouraged the council to go and see it; it is a neat race to watch.

Councilperson Hanks was wondering if we have had any complaints regarding the dust from the construction going on. Chief James stated that so far we have not had any complaints.

16. OPEN DISCUSSION

Mark Emmich stated he is excited about the new high school, but he is wondering about a noise ordinance. The construction at the high school is starting around 6:30 a.m. each day. Mayor Henderson stated that there has been an understanding that they can not start before 7:00 a.m. He has been trying to contact them to let them know. He thanked Mark, and also thanked him for being the city's CERT person.

COUNCIL REPORTS

17. MAYOR J. LANE HENDERSON

Mayor Henderson stated he would report later.

18. COUNCILPERSON LYNN DURRANT

Councilperson Durrant reported that Barbara Rolfe has requested to be released from the library board. Her husband is working at the MTC and the nights the board meets she goes with him. Councilperson Durrant has some names that she would like to go over with the mayor and select someone to replace her.

Next item, UMPA has a rate stabilization fund that is used to help stabilize rates. In 2001 the fund was used when California had the power problems and it caused problems with us also. We had to come up with \$8,000,000. The fund came into place at that time. Right now there is \$11,000,000 in the fund, and UMPA wants to know what the member's of the city council would want to do with the fund. The recommendation from UMPA is that the Hunter Power Plant is going down for upgrades; it will cost about \$4,000,000. UMPA is doing a great job, they are selling extra power to Eagle Mountain, and it is bringing in money to help out this fund. Councilperson Ficklin thought the money in that fund was to go towards capital improvements. Councilperson Durrant felt that we could look at having Leon, from UMPA, come to a work session and go over it with the council. The council felt that was a good idea.

She also had a meeting with the transportation. In the meeting they talked about some of the new improvements that will be affecting Salem City. Some of those include the Nebo belt route and the east lake highway.

19. COUNCILPERSON STANLEY W. GREEN

Mayor Henderson excused Councilperson Green, he is in Italy.

20. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks reported that he has a map of the wetlands and where we can put the new city shop. We are hoping to have about 14 acres that we can use, that will not be considered wetlands. We are still working with the Corps of Engineers. The building that has been donated to us was hit by the construction going on at the new high school. Mayor Henderson reported that it was minimal damage, and he still prefers not moving the building until we have a place to put it. Dave Johnson was wondering when we had to have it moved by. Mayor stated it had to be moved by January 2007. Bruce Ward was thinking that we might get a letter from the Corps of Engineers next week, or at least get approval for the upper portion of the area. Councilperson Hanks mentioned another concern would be that we are getting into the busy time of season with the employees. We are going to have to have someone oversee the project of getting it moved, and was wondering about hiring someone. He mentioned he knows someone who has moved some large buildings like this before. It was stated that it could be looked into it. Dave Johnson reported that we should be getting the report from IGES regarding the soil testing done at the current shop location.

Councilperson Hanks stated that he has gotten the bids from Todd Gordon regarding the slurry seal for different areas. We have two bids, one from Morgan Pavement and the other from M&M. Mayor Henderson stated that we need to get a priority list on what roads to be done, and then go from there.

Councilperson Hanks also reported that the right to use the Christmas story that we were going to use around the knoll park for Pond Town Christmas been turned down. He is looking into another story approved for use.

21. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin reported that the spring clean up is completed. We need to find out if Woodland Hills has brought anything down to be chipped. After we get all of their stuff, the district will bring over the chipper for us to use. They have also stated they will bring over some compost for the city to use in different places.

Update on Salem Days, Councilperson Ficklin is looking at some themes, and will be getting them to the council. He has also started to contact some of the prior people who have helped with different events in the past.

22. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Higginson reported that in the newsletter, we have a contest to name the new ball park. Then on June 2nd, we will have an open house at the new ball park to announce the name. It will start at 6:30 p.m.; there will be hot dogs and other food items, and hoping to show a movie that night. He has invited some special guest to also come. He thinks it will be a fun night, and it will be good to give the park a name.

On May 29, at 8:00 a.m. will be the Memorial Day Service at the cemetery. He is wondering about suggestions for a speaker. A suggestion was to have Chief James and the police department speak. The suggestion was also made to move the bleachers so people are not facing the sun.

Councilperson Higginson also asked Mayor Henderson to show the proposal for a new recreation center. Mayor Henderson showed the council and the public the new layout for a proposed recreation center and new city office. They will be located on the down town ball park. He stated that the recreation board is very excited about the ice sheet, which will be using a synthetic ice. He stated that this will be happening, and the nice thing is, there will not be any expense to the city. With the new city office, the library will be on one wing and on the other side will be city office. This will be a great thing for the city.

Item #17: MAYOR J. LANE HENDERSON

Mayor Henderson asked to take a five minute break at 8:35 p.m.

Mayor Henderson reported that he has been working with NEBO School District on the wetlands by the pond. NEBO has been working on setting up tours for fourth graders to come and learn about the wetlands and the environment. Some of the biology teachers have been working on it as well. This is a great benefit for the city and the school district. He will also make sure that Chief James is in the loop of what is going on and the scheduling.

Mayor Henderson stated he received a letter from a citizen, who owns a business in town who was allowed to have a holding tank for sewer. He is being charged for sewer, even though he is not hooked onto the sewer, then he is also being charged to have the holding tank pumped. He feels he is being doubled billed, and feels it is unfair. It cost him more to have the sewer at his business, than it does at his home. With the sewer bond, it was thought that every resident needed to pay for sewer; whether they were hooked on or not. The problem is that we can not find a resolution or ordinance to back that up. There was

some discussion on why some people are paying that, while others are not charged. There are also people who have paid sewer hook up, who are not hooked onto the sewer and others who are close enough to the sewer line who are not hooked up and should be. With the commercial business, there are only three who have holding tanks and who are being pumped. The concern is that we need to be fair to everyone, that everyone should either pay for the sewer that are not hooked on, or not be charged. Bruce Ward commented that this will come up with the PI system. We will have people who are not on PI, and will need to come up with a rate for them. Most cities will have two water rates, for those who are on culinary and can not get PI, and those who are or should be on PI. This will have to be something to determine down the road.

Mayor Henderson stated that the sewer is a discussion that needs to be addressed. We need to be fair to everyone, and we should create an ordinance so we can enforce it. Councilperson Ficklin remembers the letters they received when the sewer bond was passed, and how mad residents were when we made them pay for sewer when they were not hooked onto the sewer. Mayor Henderson asked Councilperson Ficklin to get with Councilperson Green and Attorney Baker to see if they can come up with an ordinance for the sewer.

Mayor Henderson has received a lot of letters regarding a motor cross, and if the city would allow one. A proposal was to have a motor cross in the Staker Gravel Pit, just off of Woodland Hills Drive. This would be a great place to have it. There is a group who would build it and maintain it. He is wondering if this is something we want to pursue or not. Chief James pointed out that Genola has a motor cross, and right now they have two lawsuits against them. Dave Johnson mentioned that he heard of a new law that was just passed that would help cities in liability charges. Councilperson Higginson is concerned about the position of one, they can be very noisy. Mayor Henderson pointed out that the gravel pit is about 90 feet deep, and because of that it would help with the noise. As he mentioned before, there is a group willing to build one. He asked Councilperson Higginson if he would look into it, and also other cities who have motor crosses.

23. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

24. BRUCE WARD, CITY ENGINEER

Bruce Ward stated that he would like to meet with the councilmember's who have looked over the proposals for the impact fee studies. Some of the council mentioned that they liked one of the companies. Bruce brought up the point that some of the companies are more qualified in some of the studies, but might not be as qualified in others. Horrocks works with streets, so they would be a good company to go with for a streets impact fee. Lewis and Young might be able to do some of them, but feel they would not be able to do the water or PI. The two companies that he feels comfortable working with are Aqua Engineering and Horrocks. Councilperson Ficklin was wondering about splitting it up, so if the company is qualified more than the other; they can do the study for that area.

Bruce stated that in the RFP, it mentioned that the studies could be broken up. He feels that the water and PI should go together though. Aqua has a lot of experience with waste water, and we have worked with them before. He would like to know what the council's feelings are. Councilperson Ficklin liked what Horrocks and Aqua presented, and asked Bruce to have them break out each study. Councilperson Higginson felt the same. Bruce mentioned that he will talk with the two companies, and get pricing for next council meeting.

Mayor Henderson reported that on Monday, there is the public hearing with the county boundary line commission regarding the Woodland Hills annexation. Attorney Baker and he will be attending it.

The shingles for the civic center have been ordered; we are proceeding, but going a little slower than anticipated.

25. ATTORNEY CHRISTINE JOHNSON

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Jeff Higginson to adjourn council meeting.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 9:15 p.m.

Jeffrey Nielson, City Recorder