

Minutes of the Salem City Council Meeting held on November 17, 2010 in the Salem City Council Chambers.

Work session started at 6:30 p.m. Council reviewed bills, and reviewed some of the agenda items.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Jonathan F. Cope

COUNCIL PRESENT:

Mayor Jonathan F. Cope
Councilperson Lynn Durrant
Councilperson Terry A. Ficklin
Councilperson Todd R. Gordon
Councilperson Sterling Rees

STAFF PRESENT:

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

Excused:
Councilperson Sid Jorgensen

OTHERS PRESENT

Richard Harris, Matt Mortensen, Russ Belliston, Aaron Belliston, Raquel Beacham, Alison Beacham, Chris Allen, Megan Allen, Dallas Anderson

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Cope asked if anyone would like to give a motivational or inspirational message. Councilperson Durrant stated she would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Cope 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. ROGER SNIDER – Appeal on Conditions of Site Plan Approval for Car Lot at 45 W. SR 198

Roger Snider stated when he went before Planning & Zoning they recommended that he put stucco on the building (it is the existing small building located on the Westring Oil property). When he looked into the stucco, it would be very expensive and would be difficult to use with the cinder block brick and trying to cover it up. He has already painted the brick and then he would like to install siding on the other two sides of the building. He would also compact the parking lot and cover with reclaimed asphalt. He has cleaned up the area, weeded around the one sign (Mel Hanks & Sons) on the property, and done some landscaping. The soffit and fascia would be out of aluminum and the siding would be vinyl. He has taken the existing window out and installed a new a larger window.

Mayor Cope stated that one of the stipulation from DRC was that he needed to have a restroom. Roger stated that he has done that. Mayor Cope also mentioned that in DRC Roger stated he would have no more than three cars at a time. Roger stated that is correct. Roger also has a grandson who works at Westring and would be there to help out with any customers. Roger stated that it would be very small business.

Mayor stated that tonight Roger is here to ask for an appeal to Planning & Zoning decision that was recommended to put stucco on the building. Roger would like to put up siding, and paint the cinder block.

MOTION BY: Councilperson Lynn Durrant to approve the appeal by Roger Snider and to not require stucco on the business building as Planning & Zoning requested, but to allow siding and painting on the outside of the building.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

4. AMENDED DOUG YATES CONNECTOR'S AGREEMENT

This amendment is taking the culinary water line on Woodland Hills Drive that Doug Yates installed out of the connector's agreement. The reason is because it was originally part of the development agreement which states that Doug Yates will be reimbursed with impact fees, rather than a connector's agreement. It also has in the agreement the other areas that are still part of the original connector's agreement.

MOTION BY: Councilperson Terry Ficklin to approve the amended Doug Yates connector's agreement.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

5. ADDENDUM TO THE DEVELOPMENT AGREEMENT BETWEEN SALEM HILLS LLC AND SALEM CITY CONCERNING THE SALEM HEIGHTS SUBDIVISION

Attorney Junior Baker talked about the two agreements the city had with Doug Yates. The first one was a development agreement to reimburse him with a percent of water impact fees collected for a water line that he installed along Woodland Hills Drive. The second agreement was a connector's agreement that was for the same water line, this was just amended in the prior item. He stated that Doug was reimbursed for a portion of the water line by a developer who paid on the connector's agreement. Because the development agreement was done first and is how Doug will be reimbursed, the developer will need to be reimbursed back for the portion they paid on the connector's agreement. Also Doug still owes the city money for power infrastructure that was installed in his subdivision. The amount that the city owes Doug from water impact fees collected since April 1, 2007 when the development agreement was created is \$38,366.30. Of that money owed to Doug, \$14,273.20 will be paid to the developer that needs to be reimbursed for the connector's agreement paid. The other remaining amount will go towards paying back the city for what Doug owes the city. When the amount that Doug owes the city is paid back then Doug will be reimbursed back for the water line (less what Doug owed the city). 10% of each water impact fee collected will be going towards the payback. The original amount owed to Doug is \$99,070 (\$99,070 less \$14,273.20 what he was already paid for the connectors agreement) and the amount Doug owes the city is \$39,937.08, the difference is what will be paid back to Doug.

Attorney Baker stated that with this change, an addendum will need to be done to the water impact fee study, to add the amount of the water line in the study.

MOTION BY: Councilperson Lynn Durrant to approve the addendum to the development agreement between Salem Hills LLC and Salem City concerning the Salem Heights Subdivision.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

6. APPROVAL OF LIGHT POLE BASES FOR VETERAN'S PARK

Matt Marziale stated that he is here to get approval for the bases for the light poles to go with the lights that we purchased last year. The price of the bases is \$9,650, and it also includes delivery. We budgeted on using rental fee money to pay for the bases. We hope to get them soon so the power crew could help install them over the winter. Then next year hoping to budget for the power transformers.

MOTION BY: Councilperson Sterling Rees to approve the light pole bases for Veteran's Park.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (4-0).

7. APPROVE COUNCIL CALENDAR FOR 2011

Jeffrey Nielson explained the calendar sets the days for next year's council meetings, and the holiday days the city office will be closed.

MOTION BY: Councilperson Lynn Durrant to approve the Council Calendar for 2011.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

8. APPROVE MINUTES OF NOVEMBER 3, 2010

MOTION BY: Councilperson Lynn Durrant to approve the minutes of November 3, 2010 as written.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (4-0).

9. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Lynn Durrant

VOTE: All Affirmative (4-0).

10. PUBLIC SAFETY

COUNCIL REPORTS

11. MAYOR JONATHAN F. COPE

12. COUNCILPERSON LYNN DURRANT

Councilperson Lynn Durrant reminded the council of the UMPA dinner/meeting on Friday November 19.

13. COUNCILPERSON TERRY A. FICKLIN

14. COUNCILPERSON STERLING REES

Councilperson Rees went over the program for the lighting of Pond Town Christmas on Friday, November 26. Will start at 6:00 p.m., Miss Salem royalty will sing a couple of songs, lead the group in some songs, and then Clyde Bradford will bring Santa Clause in on his carriage for the countdown of lighting the lights. The youth council will have hot coco and donuts.

15. COUNCILPERSON SID JORGENSEN

16. COUNCILPERSON TODD R. GORDON

17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

18. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

19. ATTORNEY S. JUNIOR BAKER.

Mayor Cope asked the public if they had anything for the council. No one had any items for the council.

ADJOURN CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 7:25 p.m.

Jeffrey Nielson, City Recorder