

Minutes of the Salem City Council Meeting held on October 7, 2009 in the Salem City Council Chambers.

6:00 p.m.

Work Session: Kevin Fayles, with Envision Utah, gave a presentation about development patterns and future growth for Utah State.

Attorney Baker went over the history of traffic school and how the state has started to get their portion of the money from traffic school. It is making it harder for people to afford going to traffic school and they are paying their traffic violation instead. By paying the ticket, it is reported on their insurance, if they attend traffic school, then it is not reported to their insurance. They also get taught the basics about driving.

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 Todd R. Gordon

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Bruce Ward, City Engineer
Junior Baker, City Attorney

Excused:

David Johnson, Building Dept.
Chief Brad James, Police Chief

OTHERS PRESENT

Patricia Howell-Allen
Dayna Robbins
Hailey Nielson
Taylor Jones
Cameron Losser
Phillip Lundell
Reed Cornaby

Ralph Allen
Aubrie Grass
Raeg Ripple
Kyle Cannon
Ashley Smith
Angalyn Shepherd

Karen Robbins
Caitlynn Ostler
Devyn Wilson
Sarah Wilcox
Phillip Sorensen
Lindsay Wolsey

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Terry Ficklin 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.

Mayor Henderson stated that during the council work session we had a representative from Envision Utah come and talk to us about ideas for planning.

3. CONNECTOR'S AGREEMENT EXTENSIONS

Mayor Henderson explained what a connector's agreement is. How a developer can put some infrastructure in for their development, and if another developer hooks onto that infrastructure, then they would have to pay a portion of the cost to the developer who installed the infrastructure. In the past, the time period of the connector's agreement has been for seven years. With technology and with the quality of product for these infrastructures, we feel that it would be appropriate to extend these connectors agreement to 20 years. This resolution is extending current connectors agreements to 20 years. A list is attached of the current agreements.

MOTION BY: Councilperson Terry Ficklin to approve the resolution 100709A Extending the Life of Connector's Agreements from Seven Years to Twenty Years.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0) Councilperson Brent Hanks Abstained from voting.

Reed Cornaby stated that if the city extends it out 20 years, it will be a concern with record keeping, and feels that it will be difficult for the city in the process of it all.

4. SURPLUS PROPERTY – POLICE VEHICLE

Jeff Nielson explained that the police department has a 2004 Ford Crown Vic. When it was newer, it was involved in an accident, and it should have been totaled. The car was repaired, but it has not been the same. With the purchasing of a new police vehicle it allows the city to surplus this vehicle and sell.

MOTION BY: Councilperson Stanley to surplus the police vehicle.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

5. YOUTH COUNCIL REPORT

The youth council reported that they cleaned up around the pond in September, helped out with the Mount Loafer Elementary School Fall Festival, helped at the library for the birthday party for the library, will be doing the “Trick or Treat” at the park like last year, and they will also be helping out at the lighting of Pond Town Christmas.

Mayor Henderson thanked the youth council for all that they do. He also suggested another service project would be to help with the Crisp’s Grocery Store, and help clean up the weeds on the north side of their parking lot.

6. RESOLUTION AMENDING THE FEE FOR TRAFFIC SCHOOL

Mayor Henderson went over the background discussion that was provided by Chief Brad James. *The Salem Police Department teaches traffic school to citizens cited in the community for minor offenses at a current fee of \$60.00. The State of Utah has changed its fee requirements resulting in a disproportionate cost to citizens to attend traffic school vs. just paying the traffic fine. The end result is a large deduction in citizens choosing to attend traffic school. (The Court fee is now whatever the citation would cost) Example: A citizen cited for speeding 10 miles over the speed limit would pay the courts \$90.00 and then pay Salem City \$60.00 to attend traffic school at a total cost of \$150.00. By reducing the \$60.00 to \$20.00 the total cost would be \$90.00 to the courts and \$20.00 for traffic school for a total cost of \$110.00. The end result would allow citizens a more reasonable fee to attend traffic school.*

Mayor Henderson also mentioned that when a person takes traffic school, the ticket is not reported to their insurance. It also gives our police officers an opportunity to teach the basics about traffic laws again to the individual. Because the state is requesting more money, it has been recommended that we lower the cost of traffic school by forty dollars to make it worthwhile for an individual to attend.

MOTION BY: Councilperson Brent Hanks to approve resolution 100709B amending the fee for traffic school.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

7. ADJOURN TO RDA MEETING

MOTION BY: Councilperson Stanley Green to adjourn city council meeting and enter into the RDA Meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

8. RESUME REGULAR COUNCIL MEETING

9. APPROVE MINUTES OF SEPTEMBER 2, 16, AND 21, 2009.

MOTION BY: Councilperson Lynn Durrant to approve the minutes of September 2, 16, and 21 as written.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

10. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

11. PUBLIC SAFETY

12. OPEN DISCUSSION

Mayor Henderson asked if anyone had anything for open discussion.

Ralph Allen stated that he had purchased an RV Cover (accessory building) from Inlow here in town. When he bought the cover, Inlow told him to sign the paper work regarding the building permit, and he would take care of the building permit. A few days later he got a call from the company who comes and installs the cover. Ralph was under the impression the building permit had been taken care of, since the building was going to be installed. The building is now installed (showed council photos of the building), and Dave Johnson, Salem City building official, called Ralph asking about the permit for the building, and that he just received the application. Ralph told him that the building had already been installed. Ralph originally did not think that the building needed a permit, because the building was movable. Then he also thought that Inlow was going to take care of the permit, but finding out now, neither of them are correct. He has called the company who installed it, and they do not care. Now he has a building that does not meet code, and was told he needed to come to council meeting and ask for a variance.

Attorney Baker stated that Ralph can ask for a variance for the accessory building, but he would have to meet the Utah State Code for variances. Because it is an accessory building, it would need to meet Salem City Code. Attorney Baker stated that Ralph would need to talk with Inlow's; it would be their responsibility since they are the ones who sold the building to Ralph.

Mayor Henderson stated that tonight because the item is not on the agenda, the council cannot make a decision. He would recommend to Ralph to talk to Dave Johnson and see what he would need to do to get a variance.

Attorney Baker stated that in the past we have had similar situations, and we have told them to take the buildings down. This type of building is also considered an accessory building, and would need to follow the accessory building codes.

Ralph was wondering if the city could send a letter to Inlow's and also Coast to Coast, the company who installed the building, to let them know of the process for the building permits.

Reed Cornaby was wondering about the public hearing for next council meeting about the C1/C2 zone change. Attorney Baker stated that it is a text amendment to allow health clubs, gyms, and funeral homes in the C1/C2 zones.

COUNCIL REPORTS

13. MAYOR J. LANE HENDERSON

14. COUNCILPERSON LYNN DURRANT

Councilperson Lynn Durrant reported that the library birthday party went well. This was celebrating one year of being open from the remodeling of the library.

15. COUNCILPERSON TERRY A. FICKLIN

Councilperson Terry Ficklin stated that the recycling bins, located at the Crisp's grocery store, are being emptied about twice a week. He reported that we are recycling more than any other city in the district who is using the recycling bins. Right now we are recycling card board, plastic and news paper.

16. COUNCILPERSON STANLEY W. GREEN

17. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks reported that the Eagle Scouts, who are working at the park by the boat ramp, are just about done. They are looking at putting grass in soon. Also, the Eagle Scout who put grass on the south side of the parking lot at the Civic Center had just planted the grass, and we had someone drive their vehicle up the hill ruining a portion of the newly planted grass. He stated that the scout came back and fixed it, but if everyone could help keep an eye on it and report when they see something suspicious going on.

18. COUNCILPERSON TODD R. GORDON

Councilperson Gordon would like to encourage local business to get involved with the chamber. He would like to go out and personally talk to each business and encourage them to join.

He also asked about the drainage by his home on Canal Road about 350 West. When it rains, the drainage is really bad.

19. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

20. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward reported that the Pressured Irrigation system is still on, and we are looking about the end of next week to shut it down if the weather warms up, we can keep it on longer.

21. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Stanley Green to adjourn city council meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 7:45 p.m.

Jeffrey Nielson, City Recorder