

Minutes of the Salem City Council Meeting held on May 2, 2012 in the Salem City Council Chambers.

Worksession 5:45 p.m.

Jeff Nielson handed out a preliminary draft of the budget. He told them to look it over and if they have any questions to let him know. He also set up a time for each of the council members to meet with the mayor, the department head and supervisor over the fund, and himself. During the meeting they will go over each of the funds budget for next year that they are over. He also asked them that they meet with each of the supervisors to go over the budget before they meet.

The Miss Salem Contestants came to the work session and introduced themselves to the council, they also talked about their platform and the talent they will be doing for the pageant.

Attorney Junior Baker went over the impact fee studies and the ordinance that is on the agenda tonight. He explained how the impact fee law is and how the studies and the fees are calculated. Brent from Horrocks Engineering discussed the public safety impact fee study, and how the level of service is determined for the public safety.

Mayor Brailsford talked about the Smart Yard program and how Mt. Loafer Elementary School is on it, and there have been complaints that the grass is like a swamp in areas. Bruce Ward mentioned that it is not the Weather Track system; it is how the sprinklers are set up. He explained how the system works.

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

**CONDUCTING:** Mayor Randy A. Brailsford

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilperson Janie Christensen  
Councilperson Aaron Cloward  
Councilperson Sid Jorgensen  
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 Craig Warren

## **OTHERS PRESENT**

Yolanda Moser, Brent Moser, Kevin Pritchett, Dennis Wilinon, Brian Miller, Sydnie Eppley, Ericka Davis, Colby Davis, Zac Browning, Brent Warren, Josh DeNaughel, Hunter Riding, Gordon Sanderson, Brad Cloward, Paul Young, Jared Brady, Chase Crook, Ricky Cooper, Jennie Houtz, Myley Moffitt, Bryan Vigesau, Randon Hanson, Mathias Boggs, Daylen Westwood, Michael Haskell, Cole Jensen, Derck Huisorenson, Luke Morgan, Ryan Gull, Amaya Bingham, Christa Eidem, Crista Unsworth.

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

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Alan Hales stated he would like to offer a motivational message in the form of a prayer.

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

Councilperson Aaron Cloward invited those who 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. YOUTH COUNCIL REPORT**

Mayor Brailsford asked if anyone from the youth council was present to report to the council tonight. There was no youth council there to report.

### **4. PUBLIC HEARING**

#### **Open**

**MOTION BY:** Councilperson Aaron Cloward to open the public hearing.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (4-0).

- a. Approve Ordinance Creating Master Planned & Mixed Use Zoning Districts and Standards to Match the New Comprehensive General Plan.**

Mayor Brailsford wanted to thank the members of Planning and Zoning and past council members for working on this ordinance. Attorney Baker stated that Planning and Zoning had a public hearing on their prior meeting. They spent a lot of time on this ordinance, and how in the master planned development and how it gives the council control for zoning. He then went over the key elements

of the ordinance that Planning and Zoning felt were important. Some of those elements are how a management team would need to be put together by the developer. When a proposal is submitted, it will be specific on amenities; the increase of density will be based on the amenities or a portion of them. Planning and Zoning also looked at a lot of cities and what those cities have. They determined that a minimum of 120 acres would be needed. The city council can do a reduction of 10% with conditions. Open space would be required of 15%. The minimum size of lots would be 6,000 square feet. They also felt that the height of a building could be 6 stories high. Also, phasing planning would be allowed. There is also mixed use zoning allowed, with commercial and residential, a min of 5 acres. 30% would be commercial and 70% would be residential. Bruce Ward talked about the flexibility that the council would have, and how they could turn it down if the development did not meet the requirements. He also showed on the map where some of the mixed use could be located.

Mayor Brailsford asked if anyone from the public had any comments.

Alan Hales asked how a group of residents would go about stopping a zone change. Attorney Baker explained that the zone change would need to have a public hearing and that would be the opportunity to protest. Alan talked about AREA 51, and how the government is controlling resident's property. He is concerned that someone may not like the way their property is zoned.

Mayor Brailsford asked if anyone else had anything. There were no other comments.

**b. Adopt an Impact Fee Facility Plan and Approve an Ordinance Enacting Impact Fees.**

Attorney Baker thanked the engineering firms for their work on the studies. He explained how the impact fee study works and how the fees are determined. As we have reviewed the studies, it is showing a reduction to residential home of about \$3,000. The reasoning behind this is because some of the projects that we in the last studies have been pushed out long and also the cost of projects have been reduced. Attorney Baker then went over the new impact fees and compared with the current fees. He talked about the recommendation from staff on lowering the Parks and Recreation impact fees to \$3,000 until December 2013 when they will be reviewed again. He also mentioned how Public Safety there is the recommendation from staff to change the square footage used for commercial and industrial to 10,000 square feet for ERU (Equivalent Residential Use). Also the proposal of business that will produce property tax or sales tax would get a 10% discount on all of the impact fees. Also when the impact fees are passed, there is a 90 day waiting period, this is per state law. A recommendation is that until August 1, 2012 impact fees would not be required until certificate of occupancy is

issued. So after August 1, 2012 the new impact fees would be in effect and those homes that submit a building permit now will fall under the new impact fee ordinance.

Mayor Brailsford talked about the impact fee laws and how we are required to have the studies done. He talked about how the fees are paying on existing bond payments, for projects that were done in the past for impacts to the city. He stated that we also have about 284 empty building lots right now; he is hoping that the reduction in impact fees will help with new homes to be built. But at the same time we need to make sure that we can cover the existing debt service on the infrastructures. We also want to help promote new businesses in Salem.

Alan Hales asked if the city has a projection of new building. Dave Johnson stated that last year we had 32 homes built, and so for this year we have 29 homes. Alan asked about why parks and recreation is so out of proportion to the other fees. Mayor talked about the level of service we want for the city. He also talked what makes up a community and how it is a variety of people, some like recreation while others like the library. We need to look at all aspects of the community.

Kevin Pritchett stated that he feels this is a great move for the city. He feels it will help with new building and also commercial. By bringing in new commercial it is helping out other commercial businesses. He talked about how Stokes has helped out Jiffy Lube. He also feels the importance of recreation to a community.

**Close**

**MOTION BY:** Councilperson Sid Jorgensen to close the public hearing.

**SECONDED BY:** Councilperson Janie Christensen.

**VOTE:** All Affirmative (4-0).

Mayor asked if anyone from the youth council were present. They still were not present. He then asked if Jordan Mellen was present. Jordan approached the mayor and council and thanked the city and Geneva Rock for their donation and help with his Eagle Scout project, which was putting the decorative rock and cementing them in at the Eagle Nest Park. The mayor and council thanked Jordan and stated that it looks good.

Mayor talked about the special needs fishing day that will be held on Tuesday, May 8, 2012 at Knoll Park.

**a. Approve Ordinance Creating Master Planned & Mixed Use Zoning Districts and Standards to Match the New Comprehensive General Plan.**

Mayor Brailsford stated that the City Council had a special work session with Planning and Zoning members back in February, where this ordinance was discussed.

**MOTION BY:** Councilperson Sterling Rees to approve ordinance 50212 creating a Master Planned & Mixed Use Zoning Districts and Standards to Match the New Comprehensive General Plan.

**SECONDED BY:** Councilperson Aaron Cloward.

**VOTE:** All Affirmative (4-0).

**b. Adopt an Impact Fee Facility Plan and Approve an Ordinance Enacting Impact Fees.**

**MOTION BY:** Councilperson Aaron Cloward to approve Resolution 50212 Adopting an Impact Fee Facility Plan and Approve Ordinance 50212B Enacting Impact Fees.

**SECONDED BY:** Councilperson Sid Jorgensen.

**VOTE:** All Affirmative (4-0).

Mayor Brailsford turned the time over to the Chamber. They talked about the Rotary Scholarship golf tournament tomorrow. Also talked about the ribbon cutting that will be for the new doctor's office coming soon. Bugs and Bears Day Care will be doing a ribbon cutting on Saturday from 1:00 p.m. to 2:00 p.m. at 668 East 1100 North. They also talked about the new app for smart phones. Utah Valley Convention Center will be having a grand opening on Saturday May 12; there will be a representative from the chamber there to represent Salem and Spanish Fork area.

**5. APPROVE JOINT AGREEMENT WITH UTA FOR UTAH COUNTY REPRESENTATIVE FOR BOARD OF TRUSTEES.**

Mayor explained that the mayors of Utah County voted on Chris Bleak to be the representative for the cities to be on the UTA Board. This item is showing our support in the decisions.

**MOTION BY:** Councilperson Janie Christensen to approve the joint agreement.

**SECONDED BY:** Councilperson Sid Jorgensen.

**VOTE:** All Affirmative (4-0).

## **6. APPROVE 2012/2013 COURT AGREEMENT**

Attorney Baker reported that Salem City is part of the Fourth District Court; we can take care of small traffic violations here at the office. This agreement is a standard agreement each year, stating that the state will reimburse the city \$3,908.15 for court costs.

**MOTION BY:** Councilperson Sterling Rees to approve the court agreement for fiscal year 2012/2013.

**SECONDED BY:** Councilperson Aaron Cloward.

**VOTE:** All Affirmative (4-0).

## **7. APPROVE BID TO TEAR DOWN OLD CITY SHOPS**

Mayor Brailsford talked about the city shops that were damaged from the fire. We have put a RFP (Request for Proposal) out for the demolition of the city shop. We received two bids for the tear down. In the RFP we were concerned that the tear down would only take the metal down and not do a clean up, so it was spelled out in the RFP that they would need to clean up the area. Bruce Ward stated that by accepting the bid, the contractor accepts to all of the responsibility of the RFP. The two bids are as follows:

N.R. Hiatt Construction Inc. stated they would do it for nothing, but if we wanted the cement removed it would be \$1200. The other bid was from REO Care in the amount of \$9,800.

**MOTION BY:** Councilperson Sterling Rees to approve the bid from N.R. Hiatt Construction Inc, in the amount of \$0.00 the demolition of the city shop and if the concrete needs to be removed for the amount of \$1,200.

**SECONDED BY:** Councilperson Janie Christensen.

**VOTE:** All Affirmative (4-0).

## **8. PUBLIC COMMENT**

Mayor Brailsford asked if anyone had anything for open comment. There were no comments from the public.

## **9. APPROVE MINUTES OF APRIL 17, 2012**

Jeff Nielson explained that the minutes should be ready for next council meeting.

## **10. APPROVE BILLS FOR PAYMENT**

Mayor Brailsford stated that the amount of the bills being approved tonight is \$240,359.

**MOTION BY:** Councilperson Sid Jorgensen to approve the bills for payment.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (4-0).

## **COUNCIL REPORTS**

### **11. MAYOR RANDY BRAILSFORD**

Mayor Brailsford mentioned to the council as they go through this year's budget and as we are going through the process for next year's budget, make sure each of your funds are in compliance and that you have a balanced budget.

### **12. COUNCILPERSON STERLING REES**

### **13. COUNCILPERSON JANIE CHRISTENSEN**

Councilperson Janie Christensen reported from the Library board meeting, stating that the Library is getting ready for the summer reading program and would invite the public to participate in the program. She also discussed the Miss Salem Pageant, which will be held on May 26th, and they are looking for donations for the scholarship.

### **14. COUNCILPERSON AARON CLOWARD**

Councilperson Aaron Cloward stated the fishing day for the special needs will be on Tuesday, May 8. He would invite the council and the public to come and participate in the event. There have been some great improvements at the park to enhance the pond for fishing, and would like to thank all those who have participated and donated to the project. We also have many great employees who went up and beyond what they are asked to do, that helped with the project. Mayor Brailsford asked Kevin Pritchett how long he has been doing the fishing day for special needs. Kevin stated that he has been doing it for 22 years now. Kevin talked about how he is involved in the program. He stated that they are expecting about 1,100 special needs kids to participate this year. The DWR has put about 1000 fish in the pond, but we also make sure that each participant catches a fish.

Councilperson Cloward also reported that the parks department is getting the cemetery ready for Memorial Day. In recreation spring sport programs are on their way. He stated that he travels around a lot for baseball and he sees a lot of baseball parks. There is

not one that can compare to Salem City's Mt. Loafer Recreation Complex. It is a very nice park and our employees do a great job keeping it looking nice.

#### **15. COUNCILPERSON SID JORGENSEN**

Councilperson Sid Jorgensen reported that last Thursday SUVMWA (South Utah Valley Municipal Water Association) was finally able to meet. Looking at the budget for the ground water recharge study. This is a big deal for SUVMWA. The group is also looking at the possibility of refinancing the bond the group has. He also reported that the Pressurized Irrigation system is up and going, he really recommends to the residents in getting a smart yard system, we still have a few left where residents can get them for free.

Mayor Brailsford stated that SUVMWA's grant application was approved by the Central Utah Water Conservation District for the recharge study. He also reported that the area from Springville South has received over 37 million dollars in grant money towards water projects. This area also has very low water rates.

#### **16. COUNCILPERSON CRAIG WARREN**

Mayor Brailsford stated that Councilperson Warren is excused.

#### **17. PUBLIC SAFETY – CHIEF BRAD JAMES**

Chief Brad James reported that the fraud presentation that was presented to the citizens went very well. We really appreciate Phillip Redden for doing the presentation. There is a lot of fraud that happens, even here in Salem.

#### **18. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

#### **19. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR**

Bruce Ward reported that in the news letter it was discussed about the watering violations and the ordinance regulating the outdoor water policy. We have a lot of residents who are watering during the restriction hours of 10:00 a.m. to 6:00 p.m. The restrictions were imposed by the state; this was one of the conditions for the loan we received.

Councilperson Rees reported that the national weather has mentioned that we are heading into a server drought this year. We may end up with not having enough water this year.

Bruce stated that he is hooked up to the smart yard program, and in comparing his use with the smart yard and the water use of the prior owner, he uses 50% less water.

Dan Higginson stated that he lives up in Harvest Ridge where they don't have PI, but use culinary water for outdoor water use and are billed for their usage. He stated that he has the smart yard program, and it has saved him a lot of money.

Bruce also reported that the roads department is doing crack sealing; they have gone through a lot of material.

Crack sealing has gone through a lot of crack sealing.

**20. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

Mayor Brailsford stated that he feels the city really needs a sign again. He is looking at donations for a new city sign.

**MOTION BY:** Councilperson Janie Christensen to adjourn city council meeting.

**SECONDED BY:** Councilperson Sid Jorgensen.

**VOTE:** All Affirmative (4-0).

**MEETING ADJOURNED AT:** 8:15 p.m.

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Jeffrey Nielson, City Recorder