

Minutes of the Salem City Council Meeting held on August 19, 2015 in the Salem City Council Chambers.

Worksession 6:15 p.m.

The Council reviewed some of the agenda items. Ray Walker zone change request was discussed. The question was asked if we want to do spot zoning or if we would want the general plan to be more specific, to narrow the density allowed. It was stated this is a different situation, as there is not a lot that can be done with the property, as it is in the older part of town. During Planning and Zoning meeting, Shelly Hendrickson, the Chair for Planning and Zoning, felt the city should not do spot zoning, and we may want to open the general plan back up and narrow the zoning.

There was a discussion on allowing CCR's in different subdivision, and how they require grass be planted in the planter strips. It is felt that this wastes water and wondering if we could encourage developers to not require grass, but allow other types of landscaping in the planter strips.

Derk Palfreyman showed his development. He stated the lots are larger lots than what the original subdivision was planned for. There was discussion of Derk's existing home being required to hook onto city utilities when the development is being done.

Aly Acres Phase 2, it was stated it meets all of the requirements. It will also be putting a water line along 400 North that will be a benefit to the city by creating a loop for the water lines in the area.

Brent Moser subdivision was discussed. The smaller home on the property will be demolished. It will bring curb, gutter and sidewalk to the area.

Dave Olsen amendment agreement was discussed. In the original agreement it discusses the water line in the cemetery needed to be finished by the 15th of August. Since that date has passed and the project is not moving as fast as it was anticipated. The agreement is not ready yet and will be placed on the agenda when it is ready.

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 Soren Christensen
Councilperson Sterling Rees
Councilperson Craig Warren

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Chief Brad James, Police Chief
Junior Baker, City Attorney
David Johnson, Building Dept.
Matt Marziale, Recreation

Excused:

Clark Crook, Power

OTHERS PRESENT

Ray Walker, Lori Walker, Colby Peterson, Scott Jeffryes, Kristi Jeffryes, Jenessa Pratt, Cristy Simons, Clark H. Caras, Dallan Koyle, Erman Stone, Derk Palfreyman, Jeremy Smith, Jason Broome

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Stake President Stephen Queesenberry stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Brailsford 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. PUBLIC HEARING

Open

MOTION BY: Councilperson Sterling Rees to open the public hearing.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

a. RAY WALKER – Zone Change on Property Located at 100 North Main Street from R-10 to R-8

It was explained where this is located. Ray would like to rezone the property to do a three lot subdivision. He feels that it would be a benefit to the area and would not

detract from what is there now. He would like to put medium size homes there, which would fit well into the area. The three lots would just be under the R-10 requirements. It was stated a concern in Planning and Zoning was allowing a spot zoning, but they did recommend approving it along with DRC.

Mayor Brailsford asked if there were any questions from the public.

There were no questions.

Close

MOTION BY: Councilperson Aaron Cloward to close the public hearing.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

a. RAY WALKER – Zone Change on Property Located at 100 North Main Street from R-10 to R-8

MOTION BY: Councilperson Craig Warren to approve the zone change on property located at 100 North Main Street from R-10 to R-8

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

4. JOSH THAYER - City Property North of 220 S. Main St.

Mayor Brailsford stated to Josh that after the city surveyor had done some research on the property, it appears that the property belongs to the neighbor. The research concluded that a wrong degree was inputted when the property was deeded over a long time ago with one of the prior property owners.

Josh stated he has hired a title company, a lawyer and a surveyor to also look into the property.

5. DAVE OLSEN - Orchard Farms Development Agreement Amendment

MOTION BY: Councilperson Aaron Cloward to table this item.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

6. DERK PALFREYMAN- Preliminary Plat for Ranch Meadows Plat C

This item was discussed in work session. Derk Palfreyman stated when this property first was proposed to the city, it was an 80 lot subdivision. He has now reduced it down to 13 lots. He stated they are bigger lots and could have animal rights. Mayor Brailsford stated because Derk's existing home would be located within the subdivision, and would be

required to hook onto the sewer. Derk stated he is aware of that, and understands he will need to hook onto the sewer.

MOTION BY: Councilperson Janie Christensen to approve the Preliminary Plat for Ranch Meadows Plat C.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

7. COLBY PETERSON – Preliminary Plat for Aly Acres Phase 2

This item was discussed in worksession. This is a continuation of the Aly Acres Subdivision from last year. It is a seven lot subdivision. The water line on 400 North will also be completed, which is needed for the subdivision, and will help with the city to have the water flow in the area. It has been recommended for approval in DRC and Planning and Zoning.

MOTION BY: Councilperson Aaron Cloward to approve the Preliminary Plat for Aly Acres Phase 2.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

8. BRENT MOSER – Preliminary Plat for Riding Estates Subdivision 453 E 100 N

This item was discussed in work session. It is a four lot subdivision. It is located at 453 East 100 North, the northwest corner of the block. It is owned by Jerry Riding. Mayor Brailsford stated the old trees in front would need to be taken down. It was stated the old home would also be torn down. It has been recommended for approval in DRC and Planning and Zoning.

MOTION BY: Councilperson Craig Warren to approve Preliminary Plat for Riding Estates Subdivision at 453 E. 100 N.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

9. APPROVE PURCHASE OF FORKLIFT FOR POWER DEPT.

Councilperson Sterling Rees presented this item. He stated Clark Crook is in Oregon reviewing a nuclear power plant with UMPA. The fork lift was a budgeted item in the power fund. There was \$10,000 in the budget. The fork lift is \$11,950 that the power department is requesting. The difference in the budgeted amount and the cost of the fork lift, they would be using money from the back hoe leases, as we were able to save a lot of money when the state bid for the back hoes were changed. It would give us enough money to cover the difference. The fork lift is needed to help unload trucks when they deliver to the power shop. The three bids are Material Handling Equipment, Hyster model \$11,950, and Yale Forklift from United Lift Repair \$13,992, and then Utah Used Forklift Sales,

\$11,500. The power department has reviewed all three, and recommendation is the Material Handling Equipment because of the lifting capacity, price, delivery, and service.

MOTION BY: Councilperson Sterling Rees to approve the purchase of the forklift for \$11,950, from Material Handling Equipment.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

10. POWER REGULATORS PURCHASE OF POWER REGULATORS FOR ARROWHEAD SUBSTATION

Councilperson Sterling Rees presented we are ready to purchase three regulators for the Arrow Head Substation. We are building and paying for the substation as we go. Each year we budget for different items for the substation. It will be paid 20% from our budget and then 80% from Electrical Impact Fees. We were able to get two bids on the regulators. The first one is from Cooper Power Systems, for \$129,644, and the other bid is from Howard Industrials for \$81,519, which includes a five year extended warranty. The regulators are used to make sure the correct voltage gets to the residents. This was something we had budgeted for this year.

MOTION BY: Councilperson Sterling Rees to approve the Howard Industrials regulators for \$81,519.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

11. APPROVE PEHP AGREEMENT FY 2015/2016

It was explained this is the agreement for Health Insurance for the city employees. It was approved in the budget this year. This is for fiscal year 2015/2016.

MOTION BY: Councilperson Craig Warren to approve the PEHP Agreement for fiscal year 2015/2106.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

12. APPROVE CARTER LEASE AGREEMENT

It was explained that Cullin Carter was recently hired as a new police officer. He is currently living in Millard County. He would like to find a place close to Salem. Until he can, he would like to rent the home that is owned by the city, across the street from the city office. This is the lease agreement for the rental. The rent is \$850 a month.

MOTION BY: Councilperson Aaron Cloward to approve the Carter Lease Agreement.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

13. APPROVE MINUTES OF JULY 15, 2015

Councilperson Janie Christensen handed out changes to the council that she felt needed to be changed, after she listened to the minutes. Most of the changes were in regards to the work session on the sewer treatment. There was some discussion on the line that stated “Mike is beyond excellent and to notify” and to change it to read “Mike has done an excellent job in notifying”. All the other changes the council was okay with.

MOTION BY: Councilperson Soren Christensen to approve the minutes of July 15, 2015 with said changes.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

APPROVE MINUTES OF AUGUST 5, 2015

MOTION BY: Councilperson Soren Christensen to approve the minutes of August 5, 2015 as written.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

14. APPROVE BILLS FOR PAYMENT

Mayor Brailsford stated the bills totaled \$701,271.18 tonight.

MOTION BY: Councilperson Janie Christensen to approve the bills for payment.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

COUNCIL REPORTS

15. MAYOR RANDY BRAILSFORD

Mayor Brailsford thanked those who participated in Salem Days, especially chairs over each event, and Steve and Lana Parker for being the chair over Salem Days, they did a great job. He would also like to thank the pageant committee members, especially Betty Hunt.

Mayor Brailsford discussed, back in 1988 the city was concerned about the pond quality. A committee was put together to discuss it, it was then dredged in 1991. The pond has been good for a while, but it is getting to the point again that we need to look at options. The pond is a main part of Salem. He has asked some volunteers to be on a committee to look at options for the pond. The committee consists of Don Cole, Jim Callison, Ray Loveless, Jason Garrett, a member of the DWR, Salem Pond Company, and Health Department. Councilperson Janie Christensen was concerned that there was not money budgeted for this in the budget. Mayor Brailsford stated they are going to volunteer their time so there will not be any cost at this time. He talked about how the pond is safe and people can go back

and fish, but encouraged to stay away from dead animals if they see them and also cook the fish thoroughly before eating them.

He also reported the springs for culinary water are really down, he has not seen them this low before. Today we are at 78 gpm, it has been as high at 1100 gpm in years past. When the mud slide occurred in Woodland Hills the other day, Chris Averett did a great job to come over and make sure the Maple Canyon well was okay. We still need to keep reminding people not to water on Tuesdays and Fridays. If you see your neighbors watering, let them know they cannot do it.

16. COUNCILPERSON STERLING REES

Councilperson Sterling Rees asked about food vendors at the community center during the pageant, last year they had some and this year they did not. He was wondering how it is determined. Matt Marziale stated we usually have vendors up there, last year we had a vendor who was selling food during the BBQ dinner, which is a fund raiser for the ambulance. We asked them not to vend during the BBQ dinner, and they said no. So we told them they could not do it this year. There was also some confusion, with some of the High School clubs. Next year we will make sure things are worked out.

17. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Janie Christensen turned the time over to Miss Salem Jenessa Pratt. Jenessa presented to the Mayor and Council, a trophy they won at the Freedom Festival in Provo for the city's float. Councilperson Janie Christensen thanked Jenessa and her attendants for their commitment to participate and represent Salem at the different city celebrations.

Councilperson Janie Christensen also reported the library did very well in the auction, they were able to raise \$10,313. The sewer also continues to have foaming and Mike continues to document and notify the state.

18. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward reported the parks crew has asphalted around Knoll Park walking path and still working at the cemetery. They are getting ready to work on the shore line at the pond by Garth Hill's home, where the shore line is eroding because of the rodents. Recreation is getting ready for tackle and flag football, along with cheerleading.

Councilperson Aaron Cloward turned the time over to Clark Caras from the Chamber. Clark congratulated the city on their great city celebration. He complemented all those involved. He also congratulated Revere Health for the ground breaking on their facility. The chamber has 221 members between Spanish Fork and Salem businesses. This is the highest they have ever had. He invited the council to the yearend party on September 10th at the Salem City Community Center. Also on September 12 will be the "Play Unplugged"

yearend party for those who participated. Farmers Market in Spanish Fork is going very well. It is held on Saturday's at the Spanish Fork City office area. He asked the city to get with the chamber next year to help out with Salem Days.

19. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen reported the wells continue to perform, but the Maple Canyon well is dropping about a foot a week. He too is very concerned about the springs and how low they are. He stated the BYU well is producing about 1840 gpm for the PI system. He state we are still using between 5 to 13 acre feet of water a day. On Friday we used 9 acre feet and on Tuesday we used 5 acre feet. These are times that it should be zero. We really need to watch our water usage.

Jeremy Smith had a question about the PI. He stated he and his family are looking at building here in Salem, and wondering if the PI is metered. It was stated that right now the PI is not metered, but for new homes a meter will be installed, but you will not be charged for usage yet.

20. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren reported the roads crew have been very busy with the road overlays. They are doing repairs on the sidewalks now.

Mayor Brailsford stated the city is purchasing four solar speed signs, which will be placed on 100 East and 300 West. It will display how fast people are traveling and hopefully slow people down.

Councilperson Craig Warren stated the Solid Waste District has sent out RFP's to look at privatization of the district.

There was a question from the public, about item #6, they were wondering about when the first concept was presented to the city several years ago, there was a park to be built, now there is not one. Bruce Ward, from Forsgren Engineering, stated the original concept was for 80 homes, it was a PUD (planned unit development) and part of the city allowing the density the developer would be required to do a park. Now, the city does not allow PUD's, the developer is not asking for the density, so the city can't require the park.

21. PUBLIC SAFETY – CHIEF BRAD JAMES

Police Chief Brad James reported there have been a lot of cat fish dying recently in the pond. The DWR feels it is from the transplanting of the fish. This usually happens, because they have been transported across the country and placed in our pond. Our pond is ideal for the catfish, and that is why the DRW puts them here.

22. DAVE JOHNSON, BUILDING DEPARTMENT

Dave Johnson did not have anything to report tonight.

23. ATTORNEY S. JUNIOR BAKER.

Attorney Junior Baker did not have anything to report tonight.

24. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER

Jeff Nielson reported the auditors will be here the following week.

25. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale also commented on the cat fish. The DWR are not concerned about it, as they anticipate so many will not make it, because of the shock of transported them from Arkansas in the back of a truck. We have one of the largest urban fisheries in Utah County, the pond gets stocked with fish a lot.

Matt reported the Salem Days follow up meeting will be next week. Most of the events did better than anticipated. The crews all did a great job.

He also reported on the 100 East project, it will be wrapping up; we are just finishing the landscaping on different yards now. The county is going to redo the county section on Canal Road, where the flooding keeps happening. They plan on building the road up to prevent the flooding from the irrigation.

It was discussed how Walker Engineering is working with UDOT and doing a new freeway exit for Payson, between the existing Payson Main Street exit and the Benjamin exit. It would be about 2100 West and will connect to Payson. We need to look at it and how this would affect our plans for the future, especially with a boulevard along the freeway.

26. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook was excused.

27. WAYDE REYNOLDS, SAFETY/STORM WATER

Wade Reynolds was excused.

28. CLOSED SESSION, Discuss Potential Litigation

MOTION BY: Councilperson Craig Warren to move into a closed session for the discussion of potential litigation.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

8:20 p.m.

City Council Meeting was opened back up after the closed session.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Soren Christensen to Adjourn City Council Meeting.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

Adjourned 9:15 p.m.

Jeffrey Nielson, City Recorder