

Minutes of the Salem City Council Meeting held on August 20, 2014 in the Salem City Council Chambers.

Worksession 6:30 p.m.

Attorney Junior Baker trained the Mayor and City Council on the Open and Public Meeting laws. He had a presentation for the training.

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.
Rebecca Andrus, Engineer
Clark Crook, Power Dept.
Matt Marziale, Recreation

OTHERS PRESENT

Bret Reynolds, Mark Schwarz, Reece DeMille, Charlotte McIntier, Lee Evans, Linda Evans, Nick Patterson, Bruce Ward.

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Councilperson Soren Christensen invited those who wanted to participate to 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 Aaron Cloward to open the public hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

A. Abandonment of Sewer Line Easement through Property Located at Approximately 400 West Center St.

Attorney Baker stated Nebo School District is wanting to purchase some property to the west of the High School. When the title company started looking into the property they found an old utility easement that was done back in the 1960's. It was for an old sewer line that is not needed. The school district is asking that it be abandoned.

Councilperson Rees asked if there is a sewer line. It was stated that there is an old abandon sewer line that has not been used for many years. We will not have to remove the line. Dave Johnson stated he is aware of one manhole and the line is an eight inch line.

Mayor Brailsford asked if there were any comments from the public or council.

Close

MOTION BY: Councilperson Craig Warren to close the public hearing.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

A. Abandonment of Sewer Line Easement through Property Located at Approximately 400 West Center St.

MOTION BY: Councilperson Aaron Cloward to approve the abandonment of sewer line easement through property located at approximately 400 West Center St.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

4. APPEAL OF GRAMA REQUEST DENIAL HEARING

Mark Schwarz stated he was hired by Cortney Zwart, who was a passenger in a vehicle that was pulled over by a Utah State Trooper who called Salem Police Officer Austin Cobbley and the K-9 to assist in the call. Mr. Schwarz had submitted a GRAMA request of the video recording from the Salem Police Department from Officer Cobbley dash camera. The GRAMA request was denied, by Attorney Junior Baker, as it could be classified as private and protected. Mr. Schwarz stated it should not be protected, he gave a couple of examples of other instances where similar request were made public. He is here tonight to ask the council for an appeal to the GRAMA request denial.

Mayor Brailsford stated to the council that Mr. Schwarz is asking for the city to release the video that he requested with a GRAMA request.

MOTION BY: Councilperson Soren Christensen to approve the appeal of the GRAMA request and allow the records requested to be released to Mr. Schwarz.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

5. APPROVE UDOT AGREEMENT

Mayor Brailsford stated this agreement is with UDOT and is an update to the prior agreement. This is for the Highway SR 198 and if we have our utilities in the road, we need to follow their rules if we do any repairs.

MOTION BY: Councilperson Janie Christensen to approve the UDOT agreement.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

6. APPROVE REPUBLIC SERVICE ADDENDUM CONTRACT AGREEMENT

Reece DeMille from Republic Service stated they are asking for an extension on their contract for solid waste pick up. Along with the extension they are putting in the agreement that if the city decides to do recycling that Republic Service would be there to provide the service. Also if the city approves the extension they will waive the CPI increase this year. The extension will go from June 2016 to June 2019.

Councilperson Soren Christensen asked Reece to make sure the trucks don't leak hydraulic oil. There have been some issues with some of the trucks, and you can really notice it around street corners where the trucks have turned the corner and leaked the oil. Reece stated he would have it looked into.

MOTION BY: Councilperson Craig Warren to approve the Republic Service Addendum Contract Agreement.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

7. APPROVE IPSA MUTUAL AID AGREEMENT

It was reported this is the mutual aid agreement with members of the IPSA (Intermountain Power Superintendent Association). This allows members to provide aid to other members when the need arises, stating that salaries and material will be reimbursed, but will provide equipment needed in the aid. This agreement was very beneficial a few years ago when the wind storm hit Davis County and the member city of Bountiful needed aid. Salem City was able to provide aid along with other power entities.

MOTION BY: Councilperson Sterling Rees to approve the IPSA Mutual Aid Agreement.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

8. APPROVE MINUTES OF AUGUST 6, 2014

Mayor Brailsford reported changes were requested by him on the minutes and were sent out to the council. The council reported they received the changes. He asked if there was a motion to approve the minutes.

MOTION BY: Councilperson Soren Christensen to approve the minutes of August 6, 2014 with the changes submitted by the mayor.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

9. APPROVE BILLS FOR PAYMENT

Mayor Brailsford stated the amount of the bills for approval tonight is \$676,827.50. He then asked for approval on the bills.

MOTION BY: Councilperson Sterling Rees to approve the bills for payment.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

COUNCIL REPORTS

10. MAYOR RANDY BRAILSFORD

Mayor Brailsford reported the city will be going through an audit this next week. He also wanted to thank everyone for a successful Salem Days, and reported on the cemetery restrooms are just about finished.

11. COUNCILPERSON STERLING REES

Councilperson Rees reported the UMPA annual summer meeting will be on August 27th at Knoll Park, everyone should have received an invitation. Salem Days Golf Tournament was successful, we had a great turnout.

12. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Janie Christensen reported the Salem Days Library Auction did very well, she thanked the library board and those who donated. She also wanted to thank the Miss Salem Royalty for being at each of the events for Salem Days. The Sewer Plant Flyght Pump has been ordered.

13. COUNCILPERSON AARON CLOWARD

Councilperson Cloward reported on recreation programs currently going right now, we have 21 teams for coed softball, five teams for the women softball, and tackle football has seen an increased in participants, mostly from Spanish Fork area. The new fence at the Community Center drive was installed and the parks department will be doing the landscaping by it soon. The Chamber will be doing the Unplug year-end party on September 6th 2014 at the Spanish Fork North Park from 9:00 a.m. to 1:00 p.m.

14. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen reported last week we started off using 8-9 acre feet of water then we ended up using 14 -1 5 acre feet per day, this is for the pressurized irrigation. Last Tuesday we were down to 4.3 acre feet, it is still not zero, and we have been averaging 4 – 5 acre feet on Tuesday. The rain we have received in August has helped, and is hoping this week we will see a decrease in water usage because of the rain.

He also reported that SUVMWA met last week, we introduced Rebecca at the meeting. He had John Mendenhall there to talk about water rights, it was very informative.

Mayor Brailsford reported on the BYU well. We only have about 8 acre feet left to use this year, would like to hold off using it until the end of the water season. This was a good year to use all of the water that we are required to use during the contract period. Right now we are not using any water from BYU.

15. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren reported the Main Street Project is looking good. He also has some ideas on the Storm Drain system that he would like to go over with Rebecca.

Matt Marziale reported we are on hold with the parking lot at Loafer Recreation Complex, we are waiting on the contractor to put curb and gutter around. Once that is done we can do the asphalt for the parking lot. It will be done by the time our contract with the LDS Church states it needs to be done. We will also be landscaping on the east side, so it can tie into the curb and gutter. There will also be a six foot slated fence between our property and the church's property, this was requested by the church and placed in the agreement.

16. PUBLIC SAFETY – CHIEF BRAD JAMES

Chief James reported the Tracy Scott trial is going on, he is pleased with how our officers are handling it.

17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

Dave Johnson did not have anything to report tonight.

18. REBECCA ANDRUS, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Rebecca reported the Main Street project was supposed to be completed by August 15, but because of the change order for the Critchfield property, they were not able to get it completed. Still need to finish up the cement for sidewalk and around the manholes.

Rebecca also reported we have received 14 request for engineering services. Would like to have a committee to review them to see if we need to eliminate any of them. Mayor Brailsford stated Attorney Baker, Richard Heaps, Rebecca Andrus and himself will be on the section committee. He is asking for a councilperson to also be on the committee. Councilperson Rees stated he would be on the committee.

19. ATTORNEY S. JUNIOR BAKER.

Attorney Baker did not have anything to report tonight.

20. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER

Jeff Nielson reported we will be having our auditors here next week doing the city's audit.

21. MATT MARZIALE, RECREATION DIRECTOR

Matt Marziale reported the new soccer field by the cemetery is being prepped, would like to have it hydro seeded before fall. He also reported on 100 East project and working with Guy Farley on his property to see about a storm drain. Will need to get easements on his property, he is willing to work with us. This will be an important when we do the sidewalk on 100 east.

Mayor Brailsford asked about the parking on Center Street by the ball park. Is there something we can do to eliminate the barricades stating no parking. They keep getting blown down or moved. This is on the South side of the road. Asked for ideas that could help with the situation, this would be for safety.

22. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook did not have anything to report tonight.

Mayor Brailsford asked for a motion to enter into a closed session for discussion on property.

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

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Soren Christensen to adjourn city council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:30 p.m.

Jeffrey Nielson, City Recorder