

Minutes of the Salem City Council Meeting held on February 18, 2015 in the Salem City Council Chambers.

Worksession 6:00 p.m.

Mayor and Council discussed Storm Water Ordinance. Some of the area in the ordinance is from the EPA and the state so we follow their guidelines.

There was discussion with Cliff and Brad Hales on their subdivision. They came to council on November 19, 2014 and was asked to look at some items. Cliff stated they have put in a couple more sumps for drainage, and doing a combination curb and sidewalk. On the east side they want to do turn-around that would eventually be a cul-de-sac. In order to do this, they would need to have a city right-a-way abandoned. A map was shown of the area. The right-a-way was going to be used tie future 200 South onto canal road. Attorney Baker stated there are a couple of options, the council could allow the cul-de-sac and if they do that they would need to abandon the right-a-way for the road. The other option is to keep the right-a-way. The Johnsons, who own the property that would be affected by the cul-de-sac are okay with it. The other item to consider is the Warren property would keep the right-a-way to be able to connect a road onto Canal Road when they develop in the future. Rebecca Andrus stated if we abandon the right-a-way we will need to have a public hearing. Chief James expressed options regarding public safety, if the right-a-way stays, it would be easier access to the subdivision on the other side of the canal. The option with Warren property would have access to canal in the future. The other issue, if Cliff moves forward with keeping the right-a-way, it would not be connected until the Johnsons developed in the future, if they ever do.

There was discussion on the urban deer and the SCIP subdivision.

Rebecca Andrus explained that Aly Acres has been issued the final approval on the subdivision and their one year warranty has begun on February 6, 2015. We are addressing some of the issues with the erosion on their subdivision, and was included in the letter stating they need to fix the problems.

**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

**Excused:**

Craig Warren

**STAFF PRESENT:**

Jeffrey Nielson, Finance/Recorder  
Chief Brad James, Police Chief  
Junior Baker, City Attorney  
Matt Marziale, Recreation  
Rebecca Andrus, Engineer  
Clark Crook, Power

David Johnson, Building Dept.

## **OTHERS PRESENT**

Brigham Nielson, Jeffrey Hernandez, Trancy Summer, Tanner Rudd, Jeff Downard, Steve Olson, Coulson Boggess, Robert Palfreyman, Dixie Beth Walsh, Reid Nelson, Keith Teeples, LaVar Robinson, Jon Ward, Bruce Ward, Marilyn Bigney, Ann Nielsen

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

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

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

Mayor Brailsford asked one of the scouts in attendance if they wanted to lead the pledge of allegiance. Brigham Nielson stated he would, then 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. MARILYN BIGNEY & ANN NIELSEN – Citizen Request**

Marilyn Bigney and Ann Nielsen addressed the city council with the issue of urban deer in their neighborhood area. Marilyn stated when she lived in Woodland Hills, where it was the deer's natural habitat, it was very common to have the deer in their yards. Now living in Salem, it is not the natural habitat and lack of natural predators are not there to help control the herd. There are about 35 deer right now, and talking with the DWR they feel the herd could grow to 50 in the next year. There have been a couple of incidents with children and a vehicle. Highland City and Bountiful City has also had this problem and have allowed urban hunting or live trapping of the deer to help thin the herd out.

Mayor Brailsford reported this was addressed in the South County Mayors meeting recently, so it is being discussed. Police Chief Brad James reported right now Highland and Bountiful cities are doing a pilot program with the DWR. If the state determines it is successful they will allow other cities to participate, but as of now they are not allowing other cities. The cost DWR would charge for the live trapping is \$200 per deer. For the urban hunting, it would be the cost to butcher the deer and then the meat would be given to homeless shelters.

Mayor Brailsford stated he is concerned if we allow hunters to be shooting arrows in resident's yard, or if they hit a deer and have the deer running around with an arrow in it.

Marilyn would like the city to consider it if the state does allow it. The deer are causing problems in their yards by eating their vegetables, fruits, and vegetation.

### **4. SOUTH COUNTY INVESTMENT PROPERTIES – Preliminary Plat Approval For 2 Lot Subdivision at 555 W. 2000 N**

Rebecca Andrus reported this item was discussed in work session. South County Investment Properties (SCIP) would like to subdivide their property into two lots. Lot one

will have the medical clinic building on it, then lot two will be developed at a later time. If they develop lot one they will need improvements on it, but lot two will not need improvements until they develop it.

**MOTION BY:** Councilperson Aaron Cloward to approve the South County Investment Properties preliminary plat approval for 2 lot subdivision at 555 West 2000 North.

**SECONDED BY:** Councilperson Janie Christensen.

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

## **5. CLIFF HALES PRELIMINARY PLAT APPROVAL FOR MEADOWS AT MT. LOAFER SUBDIVISION PLAT D**

Mayor Brailsford stated this subdivision was originally approved in 2007, but the section that was not completed has expired. Cliff would like to have preliminary approval for the remainder section of his subdivision. This item was discussed in work session. Cliff came to council on November 19, 2014 and asked for approval then. He was given some items that needed to be addressed with Rebecca Andrus. Those items have been take care of.

Another issue that was discussed in work session was the option to abandon the road right-a-way on the east side of the project. The right-a-way was meant in the future to be a road connecting to canal road.

Councilperson Rees stated with the right-a-way, in conjunction with what was said in work session, if the future plan for the Warren property when it develops to have the road also connect at the same place where the right-a-way that is in discussion is. He feels there would be a lot of congestion to have the roads all merge at the same place.

**MOTION BY:** Councilperson Aaron Cloward to approve the Meadows at Mt. Loafer Subdivision Plat D Preliminary Plat with the Condition of the abandonment of the road right-a-way during the public hearing next month.

**SECONDED BY:** Councilperson Soren Christensen.

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

## **6. APPROVE STORM WATER MANAGEMENT & DISCHARGE CONTROL ORDINANCE**

Mayor Brailsford stated this ordinance is in conjunction with our mandate from the state to control the storm water. The ordinance is for Storm Water Management and Discharge Control. It gives the city the ability to enforce the storm water management.

**MOTION BY:** Councilperson Soren Christensen to approve Ordinance 21815 Storm Water Management and Discharge Control.

**SECONDED BY:** Councilperson Janie Christensen.

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

## **7. APPROVE MINUTES OF FEBRUARY 4, 2015**

**MOTION BY:** Councilperson Aaron Cloward to approve the minutes of February 4, 2015 as written.

**SECONDED BY:** Councilperson Soren Christensen.

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

## **8. APPROVE BILLS FOR PAYMENT**

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

**SECONDED BY:** Councilperson Janie Christensen.

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

Mayor Brailsford reported the amount of the bills to be approved tonight is: \$292,474.

## **COUNCIL REPORTS**

### **9. MAYOR RANDY BRAILSFORD**

Mayor Brailsford reported the council has a hard copy and electronic copy of their budget. Please review them and work with your departments.

With the Maple Canyon water line improvement, we are still waiting on the PRV to be installed. Salem Days will be having the first meeting in a couple of weeks.

### **10. COUNCILPERSON STERLING REES**

Councilperson Rees reported he went with some of the UMPA board members to the state legislation to discuss public power, then in middle of March will be going back to Washington DC. We have about 18 Eagle Projects that are available.

### **11. COUNCILPERSON JANIE CHRISTENSEN**

Councilperson Janie Christensen reported the new Library board members will be sworn in by the Collen Egret from the State Library. Miss Salem will be held on June 5, 2015 and there is an Orchestra concert on Friday, February 20<sup>th</sup> at the Community Center, put on by the Nebo Philharmonic Orchestra.

The Sewer has had some foaming in the effluent, she has taken video on January 21, 2015 and it has continued about every day since. She asked Attorney Baker if he checked on the last N.O.V. (Notice of Violation) that was issued. She talked to the state and they had no record of a N.O.V. issued in prior years for the foaming. We have an ordinance in place to fine for these situation. Councilperson Soren Christensen was under the impression we

turned it over to the state and they were going to issue the N.O.V. It was stated that the state does have it and they have issued the N.O.V. Councilperson Janie Christensen said we as a city have an ordinance and that the council we can issue a N.O.V. and fines. Attorney Baker stated that we have not issued any because we did not want to interfere with the State and their N.O.V. Councilperson Janie Christensen stated because the state has issued the N.O.V. the finger has been pointed at the industrial user, now why can't we go after them too. Attorney Baker responded the industrial user has contested it, but he feels that we need to stay on top of the state and keep following up. Mayor Brailsford stated we are still testing and he is having Mike Pritchett keep a log of everything so we can be reimbursed when it is finalized. Mayor Brailsford suggested that Attorney Baker and Rebecca Andres have a conference call with the state. Attorney Baker stated we got a letter from the state authorizing them to handle the N.O.V. and to basically wait for them, which has protected us. Councilperson Rees asked when it is all done, we should be able to go back and get reimbursed for our expenses. Attorney Baker stated yes we should be able to.

## **12. COUNCILPERSON AARON CLOWARD**

Councilperson Aaron Cloward reported the parks department is staying very busy at the cemetery.

Matt Marziale reported on recreation. He stated we are doing artificial turf for the pitching areas for the baseball fields. It is a new concept, so we will see how it goes. The T-Mobile cell tower, at Loafer View Recreation Complex, should be done by the first of March. We will be cleaning up the area where we have installed our light poles at the complex.

## **13. COUNCILPERSON SOREN CHRISTENSEN**

Councilperson Soren Christensen reported he has attended a lot of water meetings lately. We are not doing very well with our water sheds this year, we are going to be in trouble if we don't get some storms or we really look at conservation for water.

Mayor asked for residents to look at their neighbors to see if they can put a sprinkler system in for those who do not have one.

## **14. COUNCILPERSON CRAIG WARREN**

Councilperson Craig Warren was excused tonight from Council.

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

Chief Brad James reported Fire Chief Ealey has an old radio in the fire department that he would like to give to Chris Reed, who serves on the ambulance and also Search and Rescue for the county. Chief James told him to check with Matt Marziale first to see if the radio

could be used with public works, if not could he allow Chris to have it. The council stated they would be okay with it.

Chief James also reported the Police Department had two K-9 drug dogs. One of them belonged to Officer Cobbley. In talking with Officer Cobbley we determined his dog has a temperament that we felt is not be a good fit with our department, so we are not using him anymore. This will give us only one K-9.

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

Dave Johnson is down at a conference this week.

#### **17. ATTORNEY S. JUNIOR BAKER.**

Attorney Baker did not have anything else to report.

#### **18. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER**

Jeff Nielson did not have anything else to report.

#### **19. MATT MARZIALE, RECREATION DIRECTOR**

Matt Marziale did not have anything else to report.

#### **20. CLARK CROOK, ELECTRICAL DIRECTOR**

Clark Crook reported the power department was called out by Mike Pritchett to help with the lift station at 4:00 a.m., it was not working and lost power. They were able to get it running, but they had to modify it until the parts can get here, but it is working.

Councilperson Christensen also commented that Mike was able to order a part for the sampler and get it installed, which saved the city a lot of money.

Clark continued reporting on subdivision and the clinic they are working on with offsite power. They are also working on the Arrowhead Substation, hope to have the transformer installed within three years. We are spending about \$100,000 a year on the Arrowhead Substation project. They had a company come and look at the relays at the Loafer Substation. Finally they have been working with the recreation department in getting the light poles installed at Loafer View Complex. The city shop Cleary building is getting the doors installed on it.

## **21. REBECCA ANDRUS, CITY ENGINEER**

Rebecca Andrus reported we have a lot of developments going on and wanting to come in. On March 18 council meeting the Salem Park concept plan should be ready to present to the council. She also reported in work session that Aly Acres has fished their subdivision. She is working on the standards for subdivisions now and how to get them implemented.

Mayor Brailsford asked if anyone had anything for the council.

Councilperson Soren Christensen is concerned with the nice weather we have been having, a lot of people are illegally burning. It was stated that a notice will be placed in the city newsletter explaining the rules for open burn.

LaVar Robinson was looking at ways to cleaning the pond, and possible ways to aerate it. He stated there is a hydrologist in town and talking with him, could put a pipe at the springs to help with aeration. Mayor Brailsford asked LaVar if he would volunteer to look into this and see what would need to happen. LaVar stated he would.

## **ADJOURN CITY COUNCIL MEETING**

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

**SECONDED BY:** Councilperson Aaron Cloward.

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

**MEETING ADJOURNED AT:** 7:55 p.m.

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Jeffrey Nielson, City Recorder