

Minutes of the Salem City Council Meeting held on March 19, 2014 in the Salem City Council Chambers.

Worksession 6:00 p.m.

Mayor Brailsford excused Councilperson Craig Warren, he is at a Solid Waste Meeting, but will be here for council meeting.

Mayor and Council had a discussion regarding the Red Rock Development, and how it was tabled in DRC and Planning & Zoning continued the public hearing. We will also need to also continue our public hearing on it. The council wanted to do an onsite work session at the cemetery, where this development is proposing to build next to, on April 2 Council Meeting.

There was discussion on the George Town Development and why they are requesting a zone change. It was approved by Planning and Zoning.

There was a discussion on the water transfer ordinance, and how the city should not accept dry water rights, which is water rights that are not in our area. This requires developers to give the water rights from our area, instead of other water rights outside of our area or money in lieu of, and then expecting the city to go find the water in the future.

There was discussion on the new ordinance for amending the penalty provisions for the PI system. The council went over the penalties, there was a small discussion on larger lots, but because of time, would need to address this on another meeting. Felt it was important to get the restrictions out to the residents so they can beware of it.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Janie Christensen
Councilperson Craig Warren
Councilperson Soren Christensen
Councilperson Sterling Rees
Councilperson Aaron Cloward

STAFF PRESENT:

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

Excused:

Bruce Ward, Public Works/Engineer

OTHERS PRESENT

Cary Hanks, Charlotte McIntier, Keith Lyman, Maddie Wilson, Josh Heath, Kayla Krause, Aly Unsworth, Swasey Bliss, Seth Berrett, Jason Bingham, Bryce Bingham, Adam Boden, Marcie McKee, McKelle Halladay, Hayden Eyre, Sierra Draper, Summer Lytle, Derek Warren, Spencer Jack, Marte McKee, Josh McKee, Kyle Alldredge, Jake McKee, Sid Cardon, Candice Baches.

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

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 Aaron Cloward to Open the Public Hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

A. Georgetown Development – Zone Change Request on Property located at approximately 640 N. 200 E. from R-5 & C-1 to Mixed Use

John Dester from Georgetown Development gave the council some handouts showing the proposed development. Last month they came to council and requested a text amendment to the mix use zone, which was approved. Tonight they are here asking for a zone change for the property at approximately 640 North 200 East. This property is north of the existing town homes. They are requesting a mixed use zone for their development and then at the same time include the existing town home subdivision, because it is out of compliance in an R-5 zone. The area by Life House dance studio will be commercial. When they come in for the development approval, they will have about 72 units, along with the commercial units.

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

Attorney Baker asked about the property on the north side that is owned by Nebo School District. John stated they will be contacting them to see if they can work with them or purchase it from them, so it does not become a weed patch.

B. Red Rock Capital – Zone Change Request on the Sabin Orchard Property Located at 830 S. 130 E. from A-1 to R-10

Mayor Brailsford stated Red Rock Capital request went to Planning and Zoning, where they continued the Public Hearing until April 9th meeting. Because they continued their public hearing, the council will need to do the same and continue to April 16, 2014 after Planning and Zoning has their public hearing. This item was also talked about in work session, and it was determined to have next council meeting work session to be on site where this development is being proposed.

MOTION BY: Councilperson Janie Christensen to continue the Public Hearing for item B, Red Rock Capital zone change request to April 16, 2014 council meeting.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

C. Approve an Ordinance Amending the Water Transfer Requirements of the Salem City Municipal Code

Mayor Brailsford talked about the water we require for a development. Right now a developer can give the city any water rights that have been approved by the state engineer. This water could come from other areas that are not located in our area, which is giving us dry water rights (meaning the water is not given to our area for our use, it is just the right to use water). Currently we have enough culinary water for about 8,000 homes, but we are short on the secondary water rights. We need to have water for the secondary water (P.I.) and we want the developer to get the water rights required for their development and to make sure it is water in our area so we can use actual water. We also will not accept the developer to give the city money in lieu of water rights, we need to require the developer to find the water, so we don't have to worry about it in the future.

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

Keith Lyman asked about the water rights he has, which are for springs located on his farm in the area, would they be transferable. It was stated those water rights would be accepted, because they are within Salem City limits or close by.

CLOSE PUBLIC HEARING

MOTION BY: Councilperson Soren Christensen to close the public hearing.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

A. Georgetown Development - Zone Change Request on Property located at approximately 640 N. 200 E. from R-5 & C-1 to Mixed Use

MOTION BY: Councilperson Aaron Cloward to approve the Zone Change Request on Property located at approximately 640 N. 200 E. from R-5 & C-1 to Mixed Use Zone.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

C. Approve an Ordinance Amending the Water Transfer Requirements of the Salem City Municipal Code

MOTION BY: Councilperson Soren Christensen to approve Ordinance 31914 amending the Water Transfer Requirements of the Salem City Municipal Code.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

4. ROBERT FRANDBEN – Present the Utah Honor Flight Mission

Robert Frandsen presented to the Mayor and Council the Utah Honor Flight program and showed a couple of videos. They also explained to the council how they can help identify the World War II veterans in the city, so Honor Flight can help them get back to Washington DC to see the WWII Memorial. They are also looking for volunteers to help out in anyway.

5. VERIZON LAND LEASE AGREEMENT

Attorney Baker stated we have been working with Verizon on the Land Lease Agreement so they can put a cell phone tower at our city shop property. This is a five year term with auto increase and starting out at \$14,000 a year.

MOTION BY: Councilperson Sterling Rees to approve the Verizon Land Lease Agreement.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

6. N.R. HIATT EXCAVATION CHANGE ORDER

Matt Marziale reported a few months ago we approved to have N.R. Hiatt do some ground work for us at the cemetery/soccer field. The approval was not to have the work exceed \$38,075. As N.R. Hiatt was doing the work, they found a lot of topsoil that had been buried by the National Guard when they did the first initial ground work for us a few years ago. It will be enough topsoil to give us about three inches deep of topsoil on the project when we are ready to have grass. This will save us a lot of money in transporting topsoil to

the area, we had estimated over \$10,000 for it. We feel good about what N.R. Hiatt was able to do for us. Their invoice went over \$1,565, and need to approve that amount.

MOTION BY: Councilperson Craig Warren to approve the N.R. Hiatt Excavation Change Order.

SECONDED BY: Councilperson Soren Christensen

VOTE: All Affirmative (5-0).

7. RESOLUTION IMPLEMENTING WATERING RESTRICTIONS

This item has been discussed in the past in worksession. There is no outdoor watering permitted on Tuesdays in order to give the irrigation reservoirs time to refill. Exceptions for newly planted lawns are granted for a two week period after planting. It also gives the Mayor and City Engineer the ability to impose greater limitations if needed to conserve water resources.

MOTION BY: Councilperson Soren Christensen to approve Resolution 31914 Implementing Watering Restrictions.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

8. ORDINANCE AMENDING THE PENALTY PROVISIONS OF THE PRESSURIZED IRRIGATION WATER SERVICE ORDINANCE

This item was discussed during worksession and prior worksessions. The penalties will be as follows: 1st violation will be a warning, the 2nd violation will be \$100 fine, 3rd violation will be \$750 fine and will be metered, and 4th violation will be shut off.

Councilperson Soren Christensen discussed the need to conserve water. We have felt some people have abused the system, and feel we need to conserve our water usage.

MOTION BY: Councilperson Soren Christensen to approve Ordinance 31914B Amending the Penalty Provisions of the Pressurized Irrigation Water Service Ordinance and possibility of addressing larger lot sizes in the future.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

Mayor Brailsford turned the time over to the Youth Council.

Adam Boden reported the youth council went to the Leadership Training at USU campus. They were able to receive the Team Work award and a new award this year was the Leadership Award, which they also received. The leadership award no one knew about it and was given by those who were over the training and after evaluating each cities youth council, they gave the award to Salem.

Councilperson Warren thanked Marcie McKee for her work and efforts as the leader for the Youth Council. They all did a great job. The mayor and council thanked the youth council for all they do.

9. SALEM CITY ARBOR DAY

Mayor Brailsford stated Salem City will observe the 4th Friday of the Month of April as Salem Arbor Day. The Fourth Friday of April is the date that is also observed as nationwide Arbor Day. As part of our community observance the City of Salem will hold tree plantings on this day. In addition information about tree planning and tree care will be published on the Parks & Recreation website for the month of April.

MOTION BY: Councilperson Aaron Cloward to approve the 4th Friday of the Month of April as Salem Arbor Day.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

10. SALEM CITY TREE COMMISSION BOARD

Mayor Brailsford also stated we will organize a Salem City Tree Commission. Members of this Commission will be Matt Marziale (Parks & Recreation Director), Steve Cox (Parks), Clark Crook (Salem Electrical Director) and sitting council member assigned to Parks. The commission will oversee tree health, recommended tree types for varying city properties and called for tree removal.

The tree commission will advise residents who are looking for types of trees that are ideal for our climate and elevation. Suggestions will also be made as to tree waste and clean up.

MOTION BY: Councilperson Craig Warren to approve the Salem City Tree Commission.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

11. APPROVE MINUTES OF MARCH 5, 2014

MOTION BY: Councilperson Craig Warren to approve the minutes of March 5, 2014 as written.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: Councilperson Janie Christensen; Nay, Councilperson Sterling Rees; Aye, Councilperson Aaron Cloward; Aye, Councilperson Soren Christensen; Aye, and Councilperson Craig Warren; Aye. (4 Aye, 1 Nay).

12. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

Mayor Brailsford reported the bill amounts totaled is \$416,105.

COUNCIL REPORTS

13. MAYOR RANDY BRAILSFORD

Mayor Brailsford did not have anything to report at this time.

14. COUNCILPERSON STERLING REES

Councilperson Rees reported on UMPA and how they went back to Washington DC and met with APPA to discuss issues with Public Power. UMPA member meeting will be next week in St. George. State Law SB 243 which was considering adding on a \$1 fee to all power utility accounts in the state to help with clean air, the bill did not pass.

Mayor Brailsford presented the power department with the ISPA Safety Award. Clark Crook stated the power department works with SUVPS for safety training and we have been very lucky.

Mayor Brailsford turned the time over to Cary Hanks from the Chamber. Cary reported they are excited about the Unplugged program this summer. There are about 20 business from Salem who are participating in the event.

Mayor Brailsford talked about options for farmers market, look at possibility of a trading market. Cary also thought of doing baskets of left over produce from the farmers market to be given to the elderly, and have the youth council take the baskets around. Councilperson Rees wanted to make sure that if we proceed with this, that we take into consideration Stokes Market and the produce department. They have done a lot for Salem City.

Cary Hanks also reported on the 20th will be the board meeting, the women in excellence meeting on the 26th, a member social dinner on the 27th, and they are looking for donations for the Easter Egg Hunt.

15. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Janie Christensen reported the applications for Miss Salem are being accepted until March 21. Sewer Department is working on the aerators, and there was a foaming incident in March that was reported to the state. The Library board is looking at ways to get people to donate to the library.

16. COUNCILPERSON AARON CLOWARD

Councilperson Cloward reported the parks department is working on the cemetery expansion, footings for the bathrooms, and working on getting the parks ready. The recreation department has the fish club starting next week and the Dream View Park playground equipment ribbon cutting will be on Saturday the 29th at 10:00 a.m.

Mayor Brailsford talked about Robert Nelson looking for a project for the youth in his stake, and recommended putting sod down at the new section of the cemetery. In looking at pricing, it would be about \$16,000 for sod. We also have some estimates for hydro seeding, one company was \$10,000 and another one was \$3,000. The company that gave the \$3,000 estimate also did the hydro seeding for the other soccer field. Matt Marziale stated they did a great job with the soccer field and would recommend them again. Mayor Brailsford stated with the cost difference, feels to proceed with the hydro seeding and let Robert Nelson know that we will not be doing sod.

17. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen talked about the motor pool and the maintenance schedule.

18. COUNCILPERSON CRAIG WARREN

Councilperson Warren reported the Solid Waste District was working on their budget, in the past they were not taking care of the equipment, and now they are feeling the effects and having to deal with the problems. He is glad we are looking at the maintenance of our vehicles to make sure they are maintained. The solid waste is also looking at options for the transfer station, it is peaking at 900 tons a day. Looking at a new building to be built, something that will last another 40 years. Looking at either moving it or building a new one. There is also a grant to burn off the methane gas at the landfill, which will allow a company to come and burn the methane gas so we are in compliance. He also reported that Mayor Brailsford and he met with Republic Service and discussed recycling.

19. PUBLIC SAFETY – CHIEF BRAD JAMES

Chief Brad James did not have anything to report tonight.

20. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

Dave Johnson did not have anything to report tonight.

21. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward was excused tonight.

22. ATTORNEY S. JUNIOR BAKER.

Attorney Baker did not have anything to report tonight.

23. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER

Jeff Nielson did not have anything to report tonight.

24. MATT MARZIALE, RECREATION DIRECTOR

Matt Marziale did not have anything to report tonight.

25. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook reported he is working on getting some drawings for the Cleary Building at the city shops to have additional doors installed.

Councilperson Warren wanted to also report, that James Thomas who is over roads, stated that when we are considering subdivision, we also need to look at roads. We need to try and figure out a way to help maintain them, we have a lot of roads in town and if we keep adding subdivisions, we need to consider the impact on our roads.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Aaron Cloward to adjourn city council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:20 p.m.

Jeffrey Nielson, City Recorder