

Minutes of the Salem City Council Meeting held on March 20, 2013 in the Salem City Council Chambers.

Worksession 6:00 p.m.

Attorney Baker discussed with the council what an Agricultural Protection Zone is, the advantages, and disadvantages of the protection zone. He mentioned that the Balzly family has requested that the public hearing be moved to April 17th, because their attorney could not make it tonight.

Mayor Brailsford reported on the Youth Council and how Councilperson Jorgensen and he were able to attend the banquet dinner for the youth council conference in Logan. He reported that Salem City Youth Council received two first place awards, one in excellence for 2012 and the second for the youth council challenge that is done at the conference. We have a great group of youth in our youth council.

Mayor Brailsford went over the BYU lease agreement and how it is allowing Salem City to lease water from the BYU farm and to have that water transferred to the canal where we can then have it available for our pressurized irrigation. He stated that this has been in the works for a while now and appreciates all that were involved.

Mayor Brailsford went over the SESD agreement. He stated that SESD and Salem share the two substations. He stated that this agreement allows us to transfer power with each other, so that we can have power transferred to our Maple Canyon Well, which is serviced by SESD. By doing this we will get a better rate for power at the well, which will save us money. SESD will be able to use the power where they need it. It will be very beneficial to both entities.

Mayor Brailsford handed out a graph showing the snow pack for the Colorado Basin and Utah Lake Drainage area. We are below average and need to watch our water usage again this year.

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
Councilperson Craig Warren

STAFF PRESENT:

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

OTHERS PRESENT

Jessica Nielson, Barbara Lewis Palfreyman, Robert Palfreyman, Kerry Burnham, Karen Taylor, Meghan Taylor, Drew Meservy, Jileen Meservy, Spencer Berrett, Turner Barzee, Carla Zufelt, Calen Hall, Leif Wilde, Kaden Peterson, Skyler Flint, Rachael Martin, Joseph Martin, Cliff Hales, Brad Hales

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 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 Aaron Cloward.

VOTE: All Affirmative (5-0).

- a. BALZLY FARMS – Request to Create an Agricultural Protection Area consisting of 97.26 Acres of Property Located in the Northwest Part of the Salem City Limits.**

Mayor Brailsford stated that the Balzly's had requested that the Public Hearing be continued until April 17, 2012 council meeting. Their attorney was not available tonight.

MOTION BY: Councilperson Aaron Cloward to continue the public hearing for the Balzly request until the April 17, 2013 council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

4. CLIFF HALES – Preliminary Plat Approval for Plat C of Meadows at Mount Loafer Subdivision.

Bruce Ward stated that the city recently passed an ordinance allowing a subdivision that had previously been approved but had expired because they had not started construction. If the subdivision was resubmitted for approval and did not have any changes, they would qualify for a discounted rate on the subdivision fees. Bruce stated that Cliff Hales previously had approval of this subdivision, but it had expired, so Cliff is bringing it back. There are no changes on the subdivision. Bruce stated that the main lines have been installed, leaving only the laterals to be installed for each lot.

The subdivision map was shown on the screen for the council and public.

Mayor Brailsford asked if there were any questions. There were no questions.

MOTION BY: Councilperson Janie Christensen to approve the preliminary plat for Plat C of Meadows at Mount Loafer Subdivision.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

5. GORDY JONES – Request to Run City Water Line to County Subdivision Located at 435 East 10000 South.

Gordy Jones stated that he has a six lot subdivision consisting of five acre lots and located in the county. He is looking at some of the possibilities for the subdivision; one of those possibilities is to be able to hook onto a Salem City water line on Woodland Hills Drive. Salem City code does not allow county water hook ups. He came to the council to talk to them to see if it would be possible to allow him to hook the lots up to the water.

Attorney Baker stated that if the council wants to allow the hook ups, the code would need to be changed, since right now we do not allow nonresidents to hook onto water. It was stated that there is a current home close to the subdivision that is hooked onto a city water line, but was installed a long time before the ordinance prohibiting non-residents from hooking onto the water was created. Attorney Baker explained why the ordinance was created. Mayor Brailsford talked about how the city does not allow septic tanks on the east and south sides of the Highline Canal. Attorney Baker stated that the subdivision is north of the canal so it would not fall within the protective zone, and would be allowed to have septic tanks if approved by the county. He also explained that if the subdivision was in the city he would be required to have sewer lines. Attorney Baker also stated that the council would need to decide if they would allow Gordy to hook onto the water or if we would require them to annex into the city. Another item to take into consideration is if we allow them to hook onto water, how many hook-ups we will allow for this request and any others that may come about.

Councilperson Rees stated that it is a concern if we approve this request what about others that would come along. We need to do limits on how many we would want, whether it is per subdivision or a city wide limit. Attorney Baker mentioned that it would also impact the ground water if they have wells. Another concern is if subdivisions start developing and they are all on septic tanks. With the sewer, if someone builds and they are within 500 feet, or if the sewer comes within 500 feet, the property owner is required to hook onto the sewer.

Councilperson Rees stated that the property owners who would live along the new line would also want to hook onto the new line. This would have to be taken into account when considering how many hook ups we allow.

Mayor Brailsford mentioned another item we need to take into consideration, when a new subdivision comes into the city; we require so much water right's from the subdivision. This is something else we will need to look at.

Councilperson Rees asked if and when a sewer line is installed to this subdivision, would it be installed on the separate side of the water line. It was stated that generally the sewer is installed on the separate side of the road than the water line.

Gordy Jones stated the cost to have the water line installed verses doing wells for each home is about the same. The advantage is if they hook onto water they would be able to have fire hydrants in the area.

Bruce Ward questions how this will affect the future, if we put a limit on it, what would be the number. Also, by allowing this, it is a way to keep density low in the area.

Councilperson Rees brought up the point of how the septic tanks would affect the wells. It was stated that generally the wells are far enough away from the septic tanks and a lot deeper so they should not be affected.

Councilperson Warren asked if we don't allow the water line, but then in the future the property is annexed into the city, would the city then have to provide them with water. Attorney Baker stated that the property owners would have to pay for the water line when they wanted water.

It was recommended that we have city staff look into the possibilities, taking into account the issues that have been discussed, and then bring the recommendations back to council.

MOTION BY: Councilperson Sterling Rees to have city staff look into the possibilities and then to bring back to the city council some recommendations.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

6. APPROVE WATER LEASE AGREEMENT WITH BYU (LDS CHURCH)

Mayor Brailsford stated that this lease agreement has been in the works for a few months, we are close to the beginning of the water season and need to act upon this. He stated that both Salem City and BYU have a copy of the agreement, which is allowing Salem City to lease water from the BYU Farm. Salem City will then use the water to put into the canal so we can use it for our Pressurized Irrigation. BYU's attorney is out of town and has not reviewed the final agreement. Mayor Brailsford recommended that with the timing of everything, that the council approves the mayor to sign the final lease agreement after Attorney Baker, Councilperson Jorgensen, and himself have reviewed the final agreement and feel that if any changes were made, if they were not significant that he signs it, otherwise it would need to come before council again.

MOTION BY: Councilperson Sid Jorgensen to approve the Mayor to sign the final agreement after it has been reviewed by Attorney Junior Baker, Mayor Brailsford, and himself and if any changes are made, if they are significant then it comes back to council.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

7. APPROVE CONTRACT AGREEMENT WITH SESD

Mayor Brailsford stated that this is another agreement that has been in the works for a while. This agreement is working with SESD, who provides power to our Maple Canyon Well. This is allowing Salem City and SESD to transfer power at the substations, which will allow Salem City to receive a better power rate at the Maple Canyon Well. This will help the city to save money for power purchased at the well. Salem City and SESD both have a copy of the agreement. We are still waiting for SESD's Attorney to approve the agreement before it is signed by them. Mayor Brailsford recommended that the council approves the mayor to sign the final agreement after Attorney Baker, Councilperson Rees, and himself have reviewed the final agreement and feel that if any changes were made, if they were not significant that he signs it, otherwise it would need to come before council again.

MOTION BY: Councilperson Sterling Rees to approve the Mayor to sign the final contract after it has been reviewed by Attorney Junior Baker, Mayor Brailsford, and himself and if any changes are made, if they are significant then it comes back to council.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

8. PUBLIC COMMENT

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

Robert Palfreyman stated that if the council has any say in the six lot subdivision that is in the county. If the developer can design the development for the future, which would allow the lots to be possibly subdivided into smaller lots. It was stated that it had been discussed with Gordy Jones already and he is going to design it that way.

9. APPROVE MINUTES OF MARCH 6, 2013

Councilperson Janie Christensen asked that on line 120 the following sentence be added “Councilperson Christensen stated that she would be willing to donate funds for it”.

MOTION BY: Councilperson Aaron Cloward to approve minutes of March 6, 2013 with said changes.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

10. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

COUNCIL REPORTS

11. MAYOR RANDY BRAILSFORD

Mayor Brailsford asked that the Council review their budgets and should have already started working on their budgets for next year.

Mayor Brailsford discussed the “Salem Dragon” (a piece of old farm equipment that has been there for many years and has been painted to look like a dragon). Mayor received a call from the person who has been taking care of the dragon for many years and they feel that they cannot do it anymore. Mayor would like to have the youth council take it over and start caring for it.

12. COUNCILPERSON STERLING REES

Councilperson Rees reported that he went to Washington DC with UMPA. He stated some of the big concerns back in Washington is the talk about tax exempt bonds, and if the Federal Government is looking at taxing them. This would have a big impact on government agencies for bonding. Cyber security is a concern; Washington is trying to help power agencies from being attacked through cyber and shutting down power grids. Coal power plants is another big discussion, he feels that it will always be a discussion and concern.

UMPA is having their annual meeting this week in St. George; the council is invited to attend.

Attorney Baker talked about renewable power and how it is a big discussion now, but the problem is it is not predictable, so it is hard to plan for power.

Councilperson Rees stated that Matt Marziale has a list of Eagle Scout projects, if scouts are interested.

13. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Christensen reported that the library board met, and a lot of good things are happening at the library. The library has also formed a Teen Library Board, which will meet once a month to help out in the library. The Miss Salem pageant is on April 27th, there are 15 girls who have signed up. This last week they helped at Stokes grocery store on Saturday. The girls helped bag groceries to help raise money for their portion towards the Children's Miracle Network Hospitals.

The Chamber is doing well, along with the new group Women in Business. The sewer plant is getting cleaned up and looking good. We are still having foaming issues at the sewer plant, and have been working on it.

Bruce Ward reported that the embankments for the sewer lagoon are slowly sluffing off. It is on the west side dike, and trying to contact a GEO Tech to see what is causing it and what we need to do.

Councilperson Rees asked about the new sewer camera truck. Bruce stated that the crew has been doing some camera work on the sewer lines.

Councilperson Christensen congratulated the youth council for their awards at their conference. She was proud to be able to write a letter to show her appreciation for all they have done. Mayor Brailsford thanked all of the council for the letter that each of them wrote to the youth council. Jileen Meservy, who is over the youth council, also thanked the council for their letters.

14. COUNCILPERSON AARON CLOWARD

Councilperson Cloward reported that the Parks Department is working on next year's budget, cleaning up the parks and expanding the cemetery.

Matt Marziale reported on recreation. We have Spring Soccer, Urban Fishing, Baseball, and Softball programs all either going or getting ready. We printed 200 copies of the community calendar books and have just about run out. The book is also online. The cement is going to be poured for the veteran memorial stone at Veteran Park, and the memorial should be completed this weekend. The Green Waste is going to open on the 1st. In order to keep Salem City's usage down, we are going to limit the green waste to residents only. We will have staff there to watch it. It will be open on Monday and Wednesday from 4:00 p.m. to 6:00 p.m. and then on Saturday from 10:00 a.m. to 4:00 p.m.

Councilperson Warren commented on the problem with the green waste at the Solid Waste District is that they are losing money with green waste. The district, who takes our green waste, is looking at a central site for the green waste. He feels that we need to be able to find a balance with the green waste. Another issue is with recycling and it will need to be looked at.

Mayor Brailsford stated that with the green waste, the district was looking at increasing our fees, which would have added up to a \$3 per home increase a month. We are trying to cut costs to prevent that increase. One of the ways of cutting costs is to stop non-residents from dumping their green waste and then having Salem residents pay for it to be processed.

Matt Marziale stated that he is having the information placed on the web page. We are also going to install security cameras at the green waste and at the RV sewer dump.

Mayor Brailsford also reported that Spring Clean up will be the week of April 1 – 7th, and the city will begin picking up debris on Monday April 8th. Residents need to make sure they have their debris out by Monday the 8th.

15. COUNCILPERSON SID JORGENSEN

Councilperson Jorgensen reported that the water department is working on getting the pressurized irrigation ready, they are cleaning out the ponds and checking valves. They are also working on their budgets. He also talked about the smart yard. There is information on the web page.

Councilperson Jorgensen congratulated the youth council on their awards at their conference; it was neat to be there with them. We have a great group of youth.

16. COUNCILPERSON CRAIG WARREN

Councilperson Warren reported that on the city web page, there is a place to report a pot hole. If a resident sees a pot hole, they can go to the web page and fill in the information and report it. A work order will then be written to have it fixed. He also talked about the Hazardous Waste drop off that will be held on April 13th.

17. PUBLIC SAFETY – CHIEF BRAD JAMES

Chief James did not have anything to report tonight.

18. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

Dave Johnson did not have anything to report tonight.

19. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward mentioned that on March 28th, there will be a combined economic development meeting with the council, planning and zoning, and the economic board. The meeting will start at 7:00 p.m. here in the council chambers.

Bruce also reported that Governor Herbert spoke at his water meetings. The Governor stressed that we need to look at ways to conserve water, maintenance on our existing infrastructure (looking at operation, maintenance, replacement, and putting money in savings) and planning for future water needs. He challenged each of us to change and to bring new ideas for water. He also wants us to look at our water rate structure and make sure we enforce those who abuse water.

20. ATTORNEY S. JUNIOR BAKER.

Attorney Baker did not have anything to report tonight.

21. JEFF NIELSON, CITY FINANCE DIRECTOR

Jeff Nielson reminded the council to look at the budgets and to work with the departments on the new budget.

22. MATT MARZIALE, RECREATION DIRECTOR

Matt Marziale reported under Councilperson Cloward.

Mayor Brailsford stated that we are going to interview for summer help the week of April 8th and asked any of the council if they wanted to help with the interviewing to let him know.

23. CLARK CROOK, ELECTRICAL DIRECTOR

Mayor Brailsford stated that Clark Crook's father had passed away yesterday. Our condolences go out to him and his family.

Adjourn Council Meeting

MOTION BY: Councilperson Sid Jorgensen to adjourn city council meeting.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:25 p.m.

Jeffrey Nielson, City Recorder