

Minutes of the Salem City Council Meeting held on November 4, 2015 in the Salem City Council Chambers.

Worksession: 6:30 p.m.

Clark Crook introduced Adam Clements to the council. Adam is a new hire in the power department, he used to work for us a few years ago. We are glad to have him back working for us.

Attorney Baker discussed the chicken ordinance and how our current ordinance states fowl, it is considered chickens. If the judge determines fowl is not chicken, then we would have to go change our city code.

Mayor Brailsford reported that Planning and Zoning had a special work session with the U of U regarding the study of the LDS Church property and then doing the study of the city. Planning and Zoning recommended having the study completed and to review the overall area of the city for development. The cities portion is \$12,000, which is about 25% of the cost. The remaining would be paid by the LDS Church for the study on their property. Attorney Junior Baker stated if we have the study completed, he would recommend having the general plan opened back up and reviewed. The study might have ideas that we can insert into the general plan.

Attorney Junior Baker reviewed the GRAMA resolution with the council.

Mayor Brailsford turned time over to Terry Ficklin from the South Utah Valley Solid Waste District. Terry then talked about Bayview and showed a video of Bayview and options for it. Bayview is on the west side of Utah Lake, and it is where all of our trash is transported and disposed of.

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

STAFF PRESENT:

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

Excused:

Councilperson Aaron Cloward

OTHERS PRESENT

Terry Ficklin, Sarah Deeb, Jennifer Thayer, Wyatt Thayer, Joshua Thayer, Steven Haderlie, Bill Rust, Michael Pope, Robert Palfreyman, Barbara Lewis Palfreyman, Trevor Lamb, Hinckley Morley, Christopher Marble, Cayd Prior, Tyler Swenson, Eric Swenson, Val Cope, Abraham Hansen, Cristy Simons, Ben Ewell, Parker McEwan, Jodi Mantilla, Kirt Harris, Rebecca Andrus.

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Councilperson Sterling Rees 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 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.

Mayor Brailsford congratulated Craig Warren, Aaron Cloward and Cristy Simons for winning the election.

3. SWEARING IN NEW POLICE OFFICERS

Chief James stated Officer Blair Kerby has retired and Officer Austin Cobbley left Salem to go work at Payson City Police Department. With the two vacancies they have hired two new officers. Officer Phil Christensen to replace Blair Kerby and Officer Bill Swartzwelder to replace Austin Cobbley. Phil has 10 years' experience and Bill has 13 years of experience. He then introduced them.

Jeff Nielson, City Recorder then swore them into office.

4. CITIZEN REQUEST – Steve Haderlie (Urban Deer)

Mayor Brailsford turned the time over to Steve Haderlie.

Steve stated he has had deer in his driveway, around his home damaging property and eating his shrubs and garden. He has even had one that was aggressive. He has called the DNR in Salt Lake City to see what they have to say about urban deer. He said that it was up to the city and city's responsibility of what to do with them. He is wondering if the city has a policy or if they have any plans on what to do. Steve feels it is not a small problem and the herd is getting bigger.

Mayor Brailsford stated we had this request a few months ago. At that time the DNR was in a testing process with a couple of cities in the state, and we could not do anything until the DNR determined options from the test.

Chief James reported the DNR has approved different options for the urban deer. If we decide to do something it is a process and would require a public hearing. They have found out the capture process does not work very well but the archery program worked better. From the other cities that have done it and gone through the public hearing, they have had

some opposition from it. DNR feels that Salem City is not a hot spot for the program. If we do it, the cost of the processing the deer would fall upon the city. Over the last couple of years we had two accidents in 2014 and two in 2013. We have had five calls on deer problems this year. In 2014 we had a citizen request to put a deer crossing sign on 100 East. We have also had people who enjoy having the deer around.

Councilperson Craig Warren asked how the program works. It was stated that Alpine City approved to have DNR approved archers. They could only harvest fawns and does. The city would then pay for the butchering of the deer. Steve Haderlie feels the archers could set up in open areas, like parks or fields. Councilperson Warren asked if the archers could go onto resident's property. Chief James stated they would have to have the property owner's permission.

A concern was mentioned, if the deer is shot and does not die, it could go onto someone's property and die there. Also need permission to go onto private property.

Steve Haderlie said he could build a fence around his property, but then the city has regulations on the fencing. He stated there are about 12 – 15 deer in the herd around his home. They are concerned about the aggressive deer and if it would hurt a child.

A citizen who lives on 100 East reported there have been a lot of near misses with traffic. There is a six point buck that lives by him. The deer are causing a lot of damage to the property. They love the deer, but they are also causing damage.

Council recommended to Chief James to move forward with the permit with the DNR and see what the next step is in the process.

5. CITIZEN REQUEST – Joshua Thayer (Poultry Ordinance)

Mayor turned the time over to Joshua Thayer. Joshua stated he received a ticket for having poultry. His options are to get rid of the chickens or have the city change the ordinance to allow poultry. He stated the city does not have a poultry ordinance, just an ordinance regulating fowl. He mentioned Spanish Fork City has an ordinance regulating poultry. Attorney Baker stated Spanish Fork does, but it has regulations of 5000 square feet lot, they have to be penned, and no rosters are allowed, and have to have a fence.

Councilperson Soren Christensen asked what our ordinance states. Attorney Baker stated you have to have a minim of 20,000 square foot lot and you can have 10 fowl (chicken).

Mayor Brailsford asked the council what they would like to do. The council felt that they are happy with the way the city ordinance is written and how it addresses fowl and do not want to change it.

6. UNIVERSITY OF UTAH DEVELOPMENT STUDY

Mayor Brailsford stated last council meeting we had a representative from the LDS church to present a study the U of U is going to do for the church's property on North Main Street and how they would like to include the whole city in the study. He stated Planning and Zoning met with the U of U and reviewed what the study would consist of. They felt that it would be worth hiring them to do the study for the city. Mayor Brailsford stated the city's portion of the cost would be 25%, which is \$12,000. He asked Jeff Nielson where that money would come from, Jeff stated it would come from the unreserved fund balance in the general fund.

MOTION BY: Councilperson Craig Warren to approve the U of U development study.

SECONDED BY: Councilperson Soren Christensen

VOTE: All Affirmative (4-0).

7. RESOLUTION AMENDING FEES FOR PROVIDING RECORDS

Attorney Junior Baker stated this resolution address the GRAMA laws for public records. He stated currently we charge \$17 per hour for providing records when requested. This resolution allows us to charge what the state code allows, which is the lowest wage and benefit of the person who can do the research. He also stated we do not charge for the first 15 minutes of work and most of the information requested by residents can be found on our web page.

MOTION BY: Councilperson Soren Christensen to approve Resolution 110415 Amending Fees for Providing Records.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (4-0).

Councilperson Janie Christensen stated this will not decrease the transparency of the city.

8. APPROVE MINUTES OF OCTOBER 21, 2015

Jeff Nielson explained the minutes were not ready and would be ready next council meeting.

9. APPROVE BILLS FOR PAYMENT

Mayor Brailsford reported the amount of the bills tonight is \$436,537.72

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

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (4-0).

Mayor Brailsford asked if anyone from the public had any comments.

An SHHS student body representative wanted the council to be aware of the Make a Wish candidate this year. There is a 12 year old girl who lives in Salem. Next week SHHS will be doing activities all week to help raise money for this girls wish. This is something they have done each year and it is great to be a part of.

COUNCIL REPORTS

10. MAYOR RANDY BRAILSFORD

Mayor Brailsford reported the city crews have completed the curb and cutter at the Community Center by the pond.

11. COUNCILPERSON STERLING REES

Councilperson Sterling Rees reported UMPA has completed their yearend audit for FY 2015. The audit showed they are doing well. They are continuing to look for other resources for power. Clark Crook stated he did go to Washington City, Utah with UMPA and look at the gas power plant there.

12. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Janie Christensen reported the program for Pond Town Christmas lighting is getting lined up. She has contacted the high school's choir to come and sing again, she is waiting for a reply back from them. They may ask for an \$80 donation if they do come and sing. Mayor Brailsford asked her to get candy canes for Santa Clause to hand out.

Councilperson Janie Christensen also reported the library is looking for five new board members. Miss Salem was also present at the Halloween Trunk or Treat handing out candy.

Councilperson Janie Christensen asked if we have had any update from the state about our sewer. Bruce Ward stated we have not.

13. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward was excused tonight.

14. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen reported we are waiting on the year end water usage reported for the PI. He would like to see how we compare to prior years. He also

reported the Highline Canal is doing work on the canal and seeing where reinforcement needs to be done.

Mayor Brailsford stated he had a call about the Highline Canal Company taking out all of the trees along the canal. He was concerned in some areas, because the roots can help support the canal. He also talked about when the city installed the PI system, we received a grant from the Central Utah Water Conservation district for five million dollars. Part of the requirement was we were to come up with a 25% water conservation. He reported the district did their report and it showed that the South Utah County cities from Spanish Fork and south area have already managed to conserve 35%. So we are doing very well, but we can always do better.

15. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren reported the roads department is getting ready for snow. He also recognized Terry Ficklin, who is the district manager of the South Utah Valley Solid Waste District. He stated Terry has done a great job with the district. Because we are part of the district, he appreciates all Terry does.

16. PUBLIC SAFETY – CHIEF BRAD JAMES

Chief Brad James did not have anything else to report tonight.

17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

Dave Johnson did not have anything to report tonight.

18. ATTORNEY S. JUNIOR BAKER.

Attorney Junior Baker reported on a follow up item from last council meeting. He stated he and Bruce Ward were asked to review the water that Kevin Kuhni had for his subdivision and see if it would be okay for him to proceed with the subdivision. Attorney Baker stated he and Bruce did review and felt it was okay for Kevin to proceed with his subdivision.

19. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER

Jeff Nielson reported there will be a special council meeting on November 17th to canvass the election and then to approve the audit for FY 2015. He also reported that Clyde Bradford called and he will not be doing the carriage rides around the pond for Pond Town Christmas.

20. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported the recreation office is receiving bagged leaves from residents, because the green waste is closed. We thought we would give a place for residents to drop off their bagged leaves. He also reported on a couple of Eagle Scout projects that are just about complete. Reta Tischner is also putting together a choir for kids, this might be something for the Pond Town Christmas lighting.

21. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook did not have anything to report tonight.

22. WADE REYNOLDS – SAFETY/STORM DRAIN

Wade Reynolds was excused tonight.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Sterling Rees to adjourn city council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:20 p.m.

Jeffrey Nielson, City Recorder