

Minutes of the Salem City Council Meeting held on April 4, 2007 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor J. Lane Henderson

COUNCIL PRESENT:

Mayor J. Lane Henderson
Councilperson Lynn Durrant
Councilperson Brent V. Hanks
Councilperson Terry A. Ficklin
Councilperson Stanley W. Green
Councilperson Jeff D. Higginson

STAFF PRESENT:

Jane Topham, Deputy Recorder
Chief Brad James, Police Chief
David Johnson, Public Works
Junior Baker, City Attorney
Bruce Ward, City Engineer

Excused:

Jeffrey Nielson, City Recorder

OTHERS PRESENT

Mary Jenean Sabin
Paul B. Sabin
P. Boyd Sabin
Sandra Sabin
Shelly Sabin
Lance Sabin
Dennis Harward
Andrea Taylor

Kyle Johnson
Spencer Keele
Troy Crossman
Kyle Clyde
Lani Emmich
Mark C. Emmich
Amy Lehman
Sharyn Anderson
Natalie Graff

Austin Evans
Richard Stewart
Leo Wheeler
Lana Creer-Harris
Kevin Bardsley
Garrett Johnson
Neil Warr
Morris Crisp
Gayle Evans

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Brent Hanks stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Henderson invited those who would 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. PRESENTATION TO MIKE RAWSON

Mayor Henderson said we are excited for Mike Rawson but sad that he is leaving. He has been called to preside over the Detroit Mission for the LDS Church. Therefore, he is resigning as Chairman of the Planning & Zoning Commission. He has served eight years on the City Council and six on Planning and Zoning.

Mike said public service is a marvelous opportunity, especially at this level. There is a variety of ways to serve. He told those in attendance to let the Mayor or Council know if they want to serve.

Mayor Henderson said on behalf of the city council and himself and all the citizens, he wanted to thank Mike for his service. He then presented him with a nice attaché case.

Mayor Henderson said Aaron Cloward has been appointed as Chairman of the Planning and Zoning Commission. Also, Steven Greenwood, who has been serving the commission, has been called to serve at the MTC for the LDS Church. He has asked Duane Keck to serve in Steven's stead.

4. PUBLIC HEARING

Mayor Henderson asked if anyone wanted to make a motion to open the public hearing.

MOTION BY: Councilperson Stanley Green to open the public hearing.

SECONDED BY: Councilperson Jeff Higginson.

VOTE All affirmative (5-0).

a. Gayle Evans – South Hills Annexation

Gayle had not arrived for the public hearing. Mayor Henderson asked Bruce Ward if he would explain the annexation request. Bruce explained the boundaries on a map.

Mayor Henderson said when the South Hills Annexation was presented, the Council told them to contact the Sabins about their property.

Mayor Henderson asked if the Sabins had any other comments. Jenean said all their questions and concerns had been answered through Attorney Baker's response back to them.

Boyd Sabin asked about the irrigation ditch that goes on the west side of the cemetery property. It runs a couple of hundred feet. Dave said the property east of the cemetery is planned for a soccer field and there is also a plan to have the ditch on the west side piped.

Gayle Evans arrived at Council Meeting. She asked about the zoning and whether the area is going to be the 15,000 square foot lots. Mayor Henderson asked if that was what she was requesting. She said an R-2 Zone. Sabin's orchard would remain A-1 and the rest would be R-2.

Mayor Henderson said they have talked with the Sabins and they will allow the annexation without protest, but some of the conditions need to be met.

Councilperson Durrant said the Sabins are requesting the developers provide a water and sewer hook up for the Sabins home and the business office (barn). Mayor Henderson said we would like to honor that condition.

Dave said when they came in before for the proposal, the boundary was just shy of the 11200 South road. Have the other land owners along there been contacted and are aware they are part of the annexation?

Kevin Bardsley said he has some of the information. Mayor Henderson reported that he had received a response back from the Selmans, who are in favor of the annexation, and a response from the Sabins. He then asked if there were any further comments, if not we would close the public hearing.

MOTION BY: Councilperson Jeff Higginson to close the public hearing.

SECONDED BY: Councilperson Lynn Durrant.

VOTE All affirmative (5-0).

a. Gayle Evans – South Hills Annexation

Councilperson Brent Hanks said the Evans need to get with the Sabins and work things out. Mayor Henderson said they also need to look at the boundary line on 11200 South and contact those property owners about annexing.

MOTION BY: Councilperson Brent Hanks to continue this to next council.

SECONDED BY: Councilperson Stanley Green.

MOTION BY: Councilperson Brent Hanks to amend his motion that we table this until Mrs. Evans meets with the Sabins and works out their agreement. That she contacts the property owners on 11200 South to see if they want to be part of the annexation, and the SESD buy-out is taken care of on the power. This will be tabled until next council on April 18th.

SECONDED BY: Councilperson Stanley Green.

Councilperson Terry Ficklin asked for more specific directions on the Sabins. Are they requesting a single water hookup to the barn; a new hookup for the barn so it can be metered?

Councilperson Brent Hanks told the Sabins and Mrs. Evans that they need to get together and then come back to us with what they want to do.

VOTE: 4 "Aye"; Councilperson Terry Ficklin, Opposed.

Mayor Henderson asked if Mrs. Evans understands what they asked her to do. She is to get with Sabins on their concerns and clarify with the landowners on 11200 South that they will be included in the annexation.

Kevin Bardsley asked if the property owners on 11200 South say no, then what happens. The mayor said then we would have to evaluate it and decide what is in the best interest of the City.

5. VEATCH – LATE FEE WAIVER FOR UTILITY BILL

Mrs. Veatch was not in attendance. Councilperson Lynn Durrant said we haven't waived any late fees on any other utility bills that have been requested, so she didn't see why we should do it for Mrs. Veatch.

MOTION BY: Councilperson Lynn Durrant to deny the request from Mrs. Veatch to waive the late fees on her utility bill.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

6. APPROVE PURCHASE OF LAWNMOWER

Mayor Henderson went over the bids for a lawnmower with a bagging system for the cemetery. They were:

Birdies Sales & Service, Toro brand:	\$9,278.00
United Sales & Service, Dixie Chopper brand:	\$8,300.00
IFA Country Store, Cub Cadet brand:	\$5,899.00

He asked if Dave had a recommendation. Dave said both Steve Cox and Erman Stone went over to IFA and drove the Cub Cadet and checked out the deck on it to make sure it was durable enough. The engines are pretty much the same. They recommended the Cadet from IFA.

MOTION BY: Councilperson Stanley Green to accept the bid from IFA County Store for a Cub Cadet lawn mower in the amount of \$5,899.00.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (5-0).

7. BUSINESS LICENSES

a. Sandra Charry – Internet Sales

Chief James said Sandra does internet sales. It is a support-type system to use after plastic surgery. She picks up the items from the post office. There would not be any customers at her home.

b. Ashley & Emily Christensen – Sales & Advertising

This involves building Web sites and internet sales at their home. No traffic at their home.

MOTION BY: Councilperson Lynn Durrant to approve both business licenses.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (5-0).

8. (No. 8 missed numbering on Agenda)

9. APPROVE CITY SHOP PURCHASES

Councilperson Brent Hanks reported that we have to wait until the new budget to make these purchases. The current budget has pretty much been spent.

10. APPROVE MINUTES OF MARCH 21, 2007

Mayor Henderson asked if there were any corrections. No one had any.

MOTION BY: Councilperson Lynn Durrant to approve the minutes of March 21, 2007 as written.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

11. APPROVE BILLS FOR PAYMENT

Councilperson Stanley Green said that maintenance on trucks is a big issue.

MOTION BY: Councilperson Brent Hanks to approve the bills for payment.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

12. PUBLIC SAFETY

Mayor Henderson said Chief James is doing better and getting around better after breaking his leg while off-duty.

Chief James said on April 4, 1990, he took the job of Police Chief here at Salem, 17 years ago today. He felt the awesome responsibility of the job he had taken. Before being sworn in he got a call about a shop lifter. He took care of that, and then he got a call on an injury traffic accident. He arrested the drunk driver and took him to jail. He was on

duty only a few hours and had made two arrests, all before being sworn in. He promised the council at that time he would stay at least 3 years. He has stayed the 3 plus a few more.

He had nothing else from Public Safety.

13. OPEN DISCUSSION

Mayor Henderson asked if anyone had a comment or concern for the council. There were a few high school students in attendance. They asked about a recreation facility for the county. Councilperson Stanley Green said we just had Utah County Commissioner Gary Anderson here and we talked about a recreation center.

Mayor Henderson said we are working on a Resolution for a rental policy for the Community Center. It will be ready for next agenda.

COUNCIL REPORTS

14. MAYOR J. LANE HENDERSON

(later in meeting)

15. COUNCILPERSON LYNN DURRANT

She reported that the Library is putting their auction together for Salem Days if anyone would like to donate.

16. COUNCILPERSON TERRY A. FICKLIN

He gave an update on the spring clean up scheduled for April 23rd. He said the South Valley Transfer Station compost yard would like as much green waste as possible. They use it to make mulch and decorative bard. The city recently got a truck load of it and it was nice material.

As a South Valley Solid Waste District they are looking at possibly asphaltting another 5-10 acres of land to put more wind rows for compost. He explained the process. They can use all the green waste they can get. They have two choppers; a medium one and a monster one.

Dave asked as a city can we order the compost and have it dumped here to sell to citizens. Councilperson Ficklin said we are not set up as a city to do that. Provo City and Spanish Fork City are set up to sell to the public. The compost is fairly inexpensive and good quality.

Councilperson Ficklin said the next meeting for of the Utah Lake Commission is April 19th. He will be out of town and asked if any of the council would be able to cover for him at the meeting. It is held at 7:30 in the morning at the Utah Lake State Park Building at the boat dock. Mayor Henderson said we would check on it.

Mayor Henderson asked if he had a report for the Easter Egg Hunt. He said the Fire Department has usually done it. Councilperson Higginson reported that Kirt Christensen with Salem Chevron is ready to donate and no one has contacted him.

17. COUNCILPERSON STANLEY W. GREEN

Councilperson Green reported that we will be doing a loan closing on the P.I. Bonding on April 17th in Salt Lake City. Bruce said it would probably be late morning.

18. COUNCILPERSON BRENT V. HANKS

He reported that Jeff Nielson ordered some dinner plates, salad plates, bowls, glasses and utensils for the Community Center.

The developers put the P.I. System in last fall in the development that is going in on 400 West between 200 and 300 South. We are going to overlay the road next week, on 400 West between 200 and 300 South and 200 South from 300 West to SR-198.

19. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Higginson asked Dave Johnson to talk about some things tonight. He said we also have Garrett Johnson and his brother-in-law, Neil Warr, from Project Control to help us out. They have offered their engineering services to help us out at no charge. Ryan Johnson, who is on our Recreation Board, and Garrett were asked to come up with an estimate for the ball field.

Dave showed the proposed map of the recreation field by the cemetery. It would involve taking the excess cemetery property and utilizing it for soccer fields. Garrett has done some estimates on what it would take. Dave would like some input on the impact fees. Councilperson Lynn Durrant asked about the ditch in the area. Dave said it is on the west side of the cemetery and services Sabins Orchards with water from the canal. Councilperson Jeff Higginson said the whole thing will be piped with this project. Dave said this project is included in the parks and recreation impact study. It will be just over one million dollars.

Garrett said when they looked at it, the total project costs, some numbers they got from Sunroc for excavation, export and fill, and they feel pretty good with their numbers. As you look at the detail hopefully they have anticipated everything. The ditch has not been

added but it would only be about a couple of thousand dollars. Light poles were not included in the estimate.

Dave said lighting would not be lighting the fields but maybe 4 subdivision standard type lights in the parking lot. Councilperson Higginson said we don't have a need for lights at night on the fields right now. He asked Garrett to talk about the cost and importance of timing. Garrett said the most important is the escalation. Right now it is about 10%, last year it was 13%. It is a real issue. If construction starts in the fall of 2007, escalation is about \$10,000-\$12,000 per month. Normal rate would be about 3%.

Councilperson Higginson said 14 years ago when we put the recreation complex in it was a \$650,000 project. It is doubled now. Garrett said what Ryan did, he took that cost back then and escalated it and it came out to be just over \$1 million. A lot of that equipment and labor were donated by the army.

Councilperson Higginson said Garret is telling us the numbers we are going to be looking out as we go out. Mayor Henderson said a lot of this could still be donated from the citizens. Councilperson Higginson said we are still working with the Army Corp as well as grant money and things. The average cost of the average person living here has raised our median of income and it makes it harder to get a grant. The impact fee is something we need to act on right away.

Mayor Henderson thanked them for attending.

Councilperson Higginson said he would like to further discuss this in sessions that follow.

Mayor Henderson said it is neat to see things happen when we take things to the committees and get people involved.

14. MAYOR J. LANE HENDERSON

Mayor Henderson said the Spanish Fork/Salem Chamber of Commerce made a proposal about joining at a higher rate. Councilperson Higginson was quite frank in asking what they would do for Salem. They responded with a list which Mayor Henderson read. Councilperson Lynn Durrant said the Chamber's next meeting is tomorrow and she will be attending.

Mayor Henderson reported that the annual Handicapped Awareness Fishing Day is May 8th this year. He asked Dave to reserve the park area and make sure there are adequate garbage cans, portable toilets, and that the tables, chairs, and other things are set up. Kevin Pritchett is over it. The first bus arrives at 9:00 a.m. Bruce said he would like to encourage the employees to help with it and not have to take a vacation day for it.

20. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave said he was hoping to discuss the Impact Fee Study that Horrocks Engineers did for Recreation and Public Safety that he handed out in work session.

Mayor Henderson said Dave could put it on the next work session to be addressed. Dave asked if they could get him their input then we could set down with Horrocks.

Councilperson Higginson asked how many permits we have issued. Dave said the first quarter we are over 30 permits. Councilperson Jeff Higginson said the study compares the cities and the amounts. Right now it is completely necessary. Dave said the total Impact Fees for the cities, a lot of the cities don't have Electrical and if you take that off, we are quit low compared to the other cities.

Councilperson Jeff Higginson says we will be loosing about \$60,000 in Impact Fees. Mayor Henderson said we need to get our comments back to Dave as soon as we can. He said to put this on for next work session and the public safety issue also.

Dave said we received the report back on the earth sample for the proposed addition to the city office building. It is feasible to do the office as we planned. We would only be about 5 feet down. It is feasible to extend this office out. The next step, if you feel confident, would be to get the architect started and then reimbursed through future impact fees.

Mayor Henderson said it is okay to get it started. Dave said he only had one estimate through Kevin Madson Associates. It was close to \$25,000 which includes architect, engineering and he would be on site to see it through from beginning to end.

Bruce asked if it was okay to put the request for proposals out. The mayor said we need to proceed as quickly as possible.

Dave said over the winter we have been cleaning out the shop area. There are some items we don't need any more. There is a farm auction in Spanish Fork this Saturday and we have put some of the items in it. The property has been declared surplus, and it is over to Spanish Fork. Dave said he is pleased with our employees at the shop. They are doing a terrific job.

Marvin Baker stated Monday at the green waste. He and Merrill Binks will be working 3 days a week. They will work Monday through Saturday, from 10 – 6. They will maintain the arena and police what comes into the area. Councilperson Ficklin said the South Valley Solid Waste District compost can take any size stumps the loader can lift. We need to screen out the plastic and concrete.

21. BRUCE WARD, CITY ENGINEER

He reminded the Council about the P.I. Bond closing on April 17th in Salt Lake City. Councilpersons Green and Higginson said they will be there. The mayor will try to make it also.

We have been working on revising our Subdivision Standards, all the processing, drawings, etc. We have been going over everything we do in the city so when developers come in we have our standards in place.

22. ATTORNEY S. JUNIOR BAKER.

He didn't have anything to report.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Stanley Green to adjourn City Council Meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:10 p.m.

Jeffrey Nielson, City Recorder