

Minutes of the Salem City Council Meeting held on April 7, 2004 in the Salem City Council Chambers.

**INVOCATION:** Councilperson Dale Wills

**PLEDGE:** Mayor Randy A. Brailsford

**MEETING CONVENED AT:** 7:30 PM

**CONDUCTING:** Mayor Randy A. Brailsford.

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilperson Terry A. Ficklin  
Councilperson Dale Boman  
Councilperson Dale R. Wills  
Councilperson Lynn Durrant  
Councilperson Paul J. Hair

**STAFF PRESENT:**

Jeff Nielson, City Recorder  
David Johnson, Public Works  
Junior Baker, City Attorney  
Chief Brad James, Police Chief

**OTHERS PRESENT**

Josh Mathews  
Baylis Earls  
Christy Hardman  
Abbie Higginson  
Kevin Fisher  
Jesse Fisher  
Anthony Bowden  
Leslie Jermain  
Kathy James  
Scott Walters  
Bronson Nemelka  
Reed Cornaby  
Roger Killpack  
Lonn Buckley  
Jeff Higginson  
Phil Porter

Brandon Taylor  
Jacob Jamson  
Tyler Nicosia  
Birgil Telford  
Payton Jermain  
John Fisher  
DeVan Lord  
Kadee Hall  
Roen Griffiths  
Lawson Bendall  
Todd Nemelka  
Shela Hales  
Bill Young  
Jason Hales  
Doris Hawkins

Bryan Mathews  
Jason Hurst  
Sam Nicosia  
Bruce Farnsworth  
Celeste Fisher  
Diane Adams  
Mitchell Howell  
Heather Forbush  
Robyn Wilson  
Zane Hales  
Lynn Snyder  
Allan Hales  
Sandra Johnson  
Bob Allen  
Sencer Hawkins

Mayor Brailsford stated that because there are so many people here for the public hearing, the public will be allowed to speak, but a three minute time limit will be enforced, and only one person speaks at a time.

**1. SESD PRESENTATION FOR DONATION TO OUTDOOR WETLANDS CLASSROOM.**

Mayor Brailsford turned the time over to Dan Ellsworth from SESD (Strawberry Electric Service District). Dan stated that because a lot of their customers are part of the Nebo School District, and the school district will be using the new outdoor classroom at Salem Pond, SESD would like to donate \$500, and the use of their equipment with labor. They feel this is a great project and many will benefit from it. Mayor Brailsford wanted to thank Dan and also Ray Loveless who is on the SESD board.

**2. PUBLIC HEARING**

**MOTION BY:** Councilperson Terry Ficklin to open the public hearing.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

**a. ORDINANCE PROHIBITING METAL BUILDINGS IN COMMERCIAL ZONES.**

Mayor Brailsford turned the time over to Attorney Junior Baker to explain this item. Attorney Baker stated that Planning and Zoning's recommendation would be to not allow metal buildings in a C1 Zone. Mayor Brailsford asked if there were any comments from the public. Bruce Farnsworth stated that the metal building, that is being built right now, would not be allowed with this ordinance. It was stated that if the ordinance was passed before it was approved then he was correct. Bruce felt that if the building is up to code, and it is safe, then he does not see the problem with it. Mayor Brailsford stated that the ordinance was not written because of safety issues. This is something that the council and Planning and Zoning felt. They did not want any more metal buildings in the C1 Zone. The city has an industrial zone where these metal buildings are acceptable, but in a commercial zone the metal buildings would not be appropriate.

**b. ORDINANCE AMENDING THE HOME OCCUPATION REQUIREMENTS.**

Mayor Brailsford stated that he was not sure if the council had the correct copy. The council made a change that was not on the copy they had. Councilperson Wills stated the change is in section 14-4-020 Standards, Part B. The council decided to change that from "family members" to, "allow two employees who do not reside at the home". The council felt they did not want to try enforcing this, and have to prove whether someone is related or not.

Mayor Brailsford opened the discussion to the public.

Allan Hales stated he pretty much agrees with the ordinance, he does have a disagreement with Section B under the standards regarding employees. He does not see why it needs to be limited to two employees. If the employees are inside the home, what does it really matter, especially if his home is big enough to accommodate them. He feels it is discriminatory against him and his ability to have a business. He feels that he should be allowed to have unlimited employees as long as he has room for them to park. When most people have weddings or other activities at their homes, there is not enough parking for them. He also offered the council the opportunity to come to his business, but no one came or called, and he felt bad about that. He also stated that one of his neighbors brought in a letter and wanted to make sure the council had seen it.

Jesse Fisher stated that he understands the role of the government is to protect the rights of the citizens. He feels that citizens have the right to enjoying the residential zone, but he feels there should be the same rights for home occupations. He feels there should be a balance between the two. He would like to recommend to the council a good neighbor agreement; this would be signed by the neighbors surrounding the business. If they feel it is okay, then the business should be allowed. The neighbors are the ones that are affected by the business.

John Fisher stated that he has a business license for a home occupation. He had this business before he was annexed into the city. The business is in a building that is located on his property; he has been using it for about 6 years now. His property is on a one acre piece of land. The neighbors on both sides are running a business out of their home also. There are very few neighbors where he lives. Right now he has five employees working for him. By providing a business, those five employees, their families and the home owner of the business all benefit from it. He would like to know where the two employees came from, how was that determined. He would like to see that number changed.

Susan stated that she has a business in Salem. There are a lot of people who have business licenses who have employees. She was wondering if there is anyway that the businesses that are already established could be grandfathered in. If you limit the number employees you will be forcing a lot of people out of business. She also feels that it is not fair that daycares, dancing, or preschool businesses are allowed to have their businesses when they have more than two kids there. She feels they should not be allowed to have their businesses either.

Kathy James stated if the business is not a nuisance to the neighborhood, then it should not be a problem. A business helps provide money for the family.

Robert Stevens stated he has had a business selling computer software out of his home for 10 years. He is just now becoming profitable. It is hard for a small business to become profitable when you have the overhead expenses. He was wondering if the council has heard about Mountainlands doing research on home occupations. In Utah there are a lot of home occupations, and most of them are

struggling. Mountainlands is looking at ways to help out these small businesses, mostly in outlying areas of a city.

Vicki Peterson stated she has been part of Planning and Zoning Commission for a few years. She knows why the city has the zones and the reason they are set up the way they are. The city has commercial zones, this is where business should be set up, and there are also residential zones so people can enjoy the residential feeling. We have heard that some neighbors do not mind the business, but what happens when those neighbors move and the new neighbors do not like the business. She was happy with the old ordinance. One concern she has about the new ordinance is the accessory building. To her, a home occupation is something that can be done out of the home without changing the home. When the business gets to big that adjustments have to be made to the home, then business is too big and needs to be moved to the proper zone.

Roger Killpack stated he runs a martial arts studio; he too would like to know how the council came up with the two employees. He feels that the home occupation should be looked at as a circumstantial. He also stated that the furniture store on Main Street, when delivery trucks make a drop off, that it is usually during the time the kids are either going to or coming home from school. He feels that is a safety issue. He mentioned at one time he was looking at doing a home occupation, but moved to the county. His business is still in Salem, and his students come from Nephi and Orem which can benefit the city.

Allan Hales wanted the council also to realize that it should not matter how much money a home business makes, it should not be a gauge to determine if the business should be moved out of the home.

Diane Adams stated she agrees with Vicki Peterson. She stated she has had a home that was ruined because of a business. What happens in the future when the business gets too big and it becomes a problem? You need to look at the traffic it would bring in. She feels the home occupation needs to be moved out of the home when it becomes too big for a home.

Mayor Brailsford asked if there were any other comments for the home occupation. There were no other comments.

**c. ORDINANCE MAKING ACCESSORY APARTMENTS  
CONDITIONAL USES IN ALL RESIDENTIAL ZONES.**

Mayor Brailsford turned the time over to Attorney Baker to address this item. Attorney Baker stated that Planning and Zoning has been working on this for a while. Currently the city does not allow apartments, but this ordinance would make it possible as a conditional use. Some of the standards are; The primary dwelling must be owner occupied, no more than one (1) accessory apartment is

allowed per lot. A minimum of three (3) parking spaces are provided, none of which may be in the front yard setback, or side yard setback adjacent to a street. All parking is to be with hard surface material approved by the city. A single water and sewer connection shall serve both the primary residence and accessory apartment. The primary residence shall be billed the base rate for water and sewer for both the primary residence and accessory apartment, which billings shall remain as long as the conditional use is in place. All charges above the base rate shall be billed to the primary residence. A minimum of two (2) garbage receptacles are required. An accessory apartment must contain a minimum of 400 square feet and must contain an additional 200 square feet per person over two persons. The primary residence shall meet any minimum size required in the zone, excluding them from the square footage of the accessory apartment. Impact fees for a single family residence shall be assessed each accessory apartment. An annual inspection shall take place to determine compliance with the conditions of the conditional use permit and the applicant shall pay an annual fee to cover the cost of the inspection. Building code requirements are to be met for accessory apartments. Residences with existing accessory apartments shall have six months from the date passed to obtain a conditional use permit. If they come in during that six month time frame, then the conditions maybe waived except for paragraphs 1, 2, and 4. Mayor Brailsford stated that during Planning and Zoning felt that charging double for impact fees was too high. Attorney Baker stated that the apartment does do an impact to the city, and a study might have to be done to determine what the cost should be.

Mayor Brailsford opened the discussion to the public.

Bruce Farnsworth stated that from what he understood, the water and sewer would need to be one hook up. He also stated that a lot of people who have kids now, or who had kids, have the extra space when the kids move out, and they may want to rent out.

**d. BILL YOUNG – ZONE CHANGE ON PROPERTY AT  
APPROXIMATELY 1200 SOUTH 550 EAST FROM A-1 TO R-2.**

Mayor Brailsford turned the time over to Bill Young to explain what he is asking for. Bill stated that right now he is asking for a zone change, so they can look at doing a development. The lots will be a little less dense than the R-2 zone if the city approves it. He has been working on this plan for about three years now. He showed the public where it would be located on the map. There is 58 acres of land that he wants to develop.

Mayor Brailsford opened the discussion to the public.

John Fisher asked Bill if he is asking for an R-2 zone change so he can build a subdivision. Bill stated he would like to do a 100 lot development with open space; he is waiting on the city to do an overlay zone. Mayor Brailsford stated that Bill is only here in council meeting tonight to approve a zone change to R-2, nothing else. Dave Johnson stated that right now the master plan calls for that area to be either an R-2 or R-3 zone.

**MOTION BY:** Councilperson Lynn Durrant to close the public hearing.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

Mayor Brailsford wanted to thank the public for their input, and turned the time over to the council to address some of the questions that have been asked.

**a. ORDINANCE PROHIBITING METAL BUILDINGS IN COMMERCIAL ZONES.**

Councilperson Wills stated that the metal buildings are allowed in our industrial zone and feels they would fit better there. He feels they do not belong in the commercial zone.

**MOTION BY:** Councilperson Dale Wills to approve Ordinance 4704 prohibiting metal buildings in commercial zones.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

**b. ORDINANCE AMENDING THE HOME OCCUPATION REQUIREMENTS.**

Councilperson Wills stated there has been a lot of thoughts and good points brought up tonight. The new ordinance, as it is written, is a lot more liberal than the current ordinance. The current ordinance does not allow employees. Salem City has one of the more liberal ordinances in the county. Many times as businesses grow they become unaware of what the ordinance states. He would also like to state that this is not a man hunt after one business. He also apologizes to Allan for not going to his business, but he has done business with him in the past and has seen his business and how it operates. To address how we came up with the number of employees, most of the homes in Salem have a 100 foot frontage. When you have your cars parked, there is not enough room for that many cars. The employees are in addition to family members who live and work at the home and business. The good neighbor idea was talked about, and the council felt that if you are a friend to your neighbor, they are not going to want to tell you no. So the council did not feel this would work. He feels that we need to

keep the integrity of the residential zone, but then we also need to allow residents to do what they would like with their property. Not sure how to find that happy medium.

Councilperson Hair stated he was not sure how the number of employees became two. No one was sure what the correct number would be, if the number was changed to satisfy all home occupations then no one would know the number. We need to come up with a number that both the city and home owner would be satisfied with.

Councilperson Ficklin stated that he appreciated the input from the public. He wanted Allan to know that this is not an attack on his business. He stated that from the sounds of it, most of the businesses now are in violation with the current ordinance. This ordinance has been looked at for a long time; we have tried to get a lot of input. As a city council we are trying to govern the city, we need to look at what is best for the city as a whole. He stated that he is not in favor of the good neighbor idea. We feel that the home occupation should be secondary to the purpose of a home. As the council, we have to determine what the balance is and the primary purpose of the residential zone. Like most new ordinances, it might not be perfect, but we feel we are heading in the right direction.

Mayor Brailsford stated that right now the city has sent six letters to businesses that are out of compliance. He also stated that the new ordinance was more lenient than the current one.

Allan Hales was wondering if the council could table their decision tonight and work on this a little bit more.

Councilperson Durrant stated that this ordinance has been addressed for a long time. She agrees with what Vicki Peterson stated, and that a home occupation is just that, a home occupation. When it grows too big it needs to be moved out of the home and into the correct zone. People move into a residential zone to get a way from the business zones.

Councilperson Boman stated that a home is a home. When the council decided on the number of people, there was a group there from Planning and Zoning, the Development Review Committee and City Council. This item was discussed for a while. He too stated that this ordinance is more liberal than the current ordinance. Part of the reason to change the ordinance is because of computers allowing you to do business all over the world. Computers only take up a small portion of your home, but when you start putting in machinery or selling items, that is when it takes away from the residential feeling.

Mayor asked the council what they would like to do.

The council asked about the Fisher business, if they had the business and the building before they were annexed in, are they grandfathered in. Attorney Baker stated that if they were legal in the county then they would be considered nonconforming, but they could not change the size of the building.

Councilperson Ficklin feels we need to re-look at some of the items and see about changing them.

**MOTION BY:** Councilperson Terry Ficklin to table this item until the council can have another work session to discuss some changes.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

**c. ORDINANCE MAKING ACCESSORY APARTMENTS  
CONDITIONAL USES IN ALL RESIDENTIAL ZONES.**

**MOTION BY:** Councilperson Terry Ficklin to approve the ordinance making accessory apartments conditional uses in all residential zones, with the change that the second impact fees are reduced by half.

Councilperson Wills had a question on the motion. He was wondering if the intent of Planning and Zoning was to reduce the impact fees by half. If he understands this, when he becomes a senior he could rent out his basement, but the problem he sees with it, is what is the difference between that or a twin home. For a twin home we require two hook-ups for water, sewer and electrical, we also require impact fees to be paid for both, so why not apartments.

**MOTION BY:** Councilperson Terry Ficklin to table this item and send it back to Planning and Zoning for more detail and to come up with a figure for impact fees.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

**d. BILL YOUNG – ZONE CHANGE ON PROPERTY AT  
APPROXIMATELY 1200 SOUTH 550 EAST FROM A-1 TO R-2.**

**MOTION BY:** Councilperson Dale Wills to approve the zone change from A-1 to R-2 at approximately 1200 South 550 East.

Mayor Brailsford wanted Bill Young to know that this is not an approval on the overlay zone; this is only changing the zone to an R-2 zone.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).



### **3. DAVID GARDNER – NORTH MEADOWS ANNEXATION**

Mayor Brailsford turned the time over to David Gardner. David was not present but George Bills was here to take his place. George stated he wants to have this property annexed into the city, so they can start the process of maybe developing it. The property is by Olson's Greenhouse. It was stated that this is not an approval of the annexation; it is only to have the council accept or reject them to proceed with the annexation process.

**MOTION BY:** Councilperson Paul Hair to accept David Gardner to proceed with the annexation process.

**SECONDED BY:** Councilperson Terry Ficklin.

**VOTE:** All Affirmative (5-0).

### **4. GEORGE RASBAND – ANNEXATION OF PROPERTY AT 186 W. 8800 S.**

Mayor Brailsford turned the time over to George, and asked him if any of the neighbors to the east wanted to annex in. George stated that the neighbors to the east would be east of Woodland Hills Drive. Councilperson Wills asked if this would create an island. George stated that it would not. Councilperson Wills also wanted them to be aware of the infrastructure cost. When Frank Johnson, who lives out that way, wanted to annex into the city, they found out the cost to buy out strawberry power and to bring the water out there would be too much. Mayor Brailsford stated he went over the cost and fees with George.

**MOTION BY:** Councilperson Dale Wills to accept George Rasband to proceed with the annexation process.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

### **5. KEVIN KING – SEPTIC TANK APPROVAL AT 1280 S. 8-00 E.**

Mayor Brailsford asked Cindy King if they were more than 1000 feet from a sewer line. Cindy stated that they are. Mayor also stated that they are not located in the protection zone, or in the protection zone that was placed on Woodland Hills. They would need to get approval from the county before they began.

**MOTION BY:** Councilperson Paul Hair to approve Kevin King's septic tank, with the approval from Utah County.

**SECONDED BY:** Councilperson Terry Ficklin.

**VOTE:** All Affirmative (5-0).

**6. DIANE ADAMS – CONCERNS ABOUT RESIDENTIAL AREAS THAT BORDER COMMERCIAL DEVELOPMENTS.**

Mayor Brailsford turned the time over to Diane Adams. Diane stated that when the used car lot opened they had lights that were too bright. The residents around the business had no legal right to have anything done with the lights. She would like to see if the council could do something regarding lights on a business. Mayor Brailsford stated that the city should have had an ordinance in place, but we did not. We are working on something now. Mayor Brailsford asked Diane if before she bought the home, did she come to the city office to see what zone she was moving next to. Diane stated that she did not. Mayor stated that all along the highway is commercial zone. This is Salem's area to have commercial business. He also mentioned that in Diane's request to come before the council she was concerned about fencing. We have given the owner of the used car lot until May 15, to have the fence in place, if he did not then we would use the bond money he put down to finish those improvements. Regarding the lights, he stated that he has talked to the owner; they are trying to put some shields on the lights to block some of the light. The lights also have not been off for a while now.

**7. ORDINANCE REQUIRING CANAL COMPANY SIGNATURES ON SUBDIVISION PLATS.**

Mayor Brailsford explained that this has been worked on for a while, trying to get all of the canal companies' approval on it. When a developer comes in, before the city will sign off on a plat, they will be required to have the signatures of the canal companies, to make sure they are okay with the plat and the blue prints of the development. This will save the city employees from chasing around trying to get everything approved. The developer will now have to get all of the correct signatures.

**MOTION BY:** Councilperson Dale Wills to approve ordinance 40704B requiring canal company signatures on subdivision plats.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

**8. RELEASE OF ACCESS & UTILITY EASEMENT FOR ROBERT NELSON**

Mayor Brailsford turned the time over to Attorney Baker. Attorney Baker explained that when Robert Nelson developed Nelson Landing by the new ball park; in order for the first phases to be finalized he had to have utility easements deeded over to Salem City. He now wants to finish the other phases, and in order to this the utility easements have to be released. The easements will become streets in the new phase so we will have access to the utilities. There is a paragraph in the release stating the purpose for this release is

that the property is incorporated into a development, which will be dedicated to Salem City as a street, thus allowing the utilities to remain in place.

**MOTION BY:** Councilperson Terry Ficklin to approve the release of access & utility easement for Robert Nelson.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

## **9. APPROVE WATER LINE AGREEMENT WITH NEBO SCHOOL DIST.**

Mayor Brailsford turned the time over to Attorney Baker. Attorney Baker explained this is an old issue. Back when Mount Loafer Elementary School was built; the school needed a water line. Salem City shared the cost with them because it would benefit the city also. The total cost was \$422,300, which was split in half between Salem City and Nebo School District. The school districts attorney at the time wrote up a connector's agreement. This would take a long time for the school and the city to be paid back for the improvements. This new agreement will allow the city and district to be reimbursed with water impact fees. LEI determined the water line was about 9% of the impact on the city. Also, because this has been so long ago and since the district has not been paid anything, they are wondering if the city could give them a credit to go against some of the water fees for the two new schools that will be built soon. Mayor Brailsford stated this needed to be done a long time ago, but has been put aside. Councilperson Durrant was wondering if the credit for the new schools would cover the \$211,150 that is owed to them. Attorney Baker stated that it would not, but that the remaining amount would be paid back on a quarterly basis from impact fees. The 9% would be split, so the city and district would be paid 4.5% of impact fees.

**MOTION BY:** Councilperson Lynn Durrant to approve the water line agreement with Nebo School District.

**SECONDED BY:** Councilperson Dale Wills.

**VOTE:** All Affirmative (5-0).

## **10. RFP FOR FINANCING OF FIRE TRUCK**

Mayor Brailsford turned the time over to Jeffrey Nielson. Jeffrey explained to the council that a RFP was sent out to four banks to finance/lease for the new fire truck. The four banks were Wells Fargo, Zions, Far West and Bank of American Fork. Each responded back with a proposal. Wells Fargo Bank had an interest rate of 4.35%, Zions Bank had a 3.04%, Far West Bank had a 4.4% and Bank of American Fork had a 5.0%. His recommendation would be to go with Zions Bank.

**MOTION BY:** Councilperson Paul Hair to work with Zions Bank for the financing of the new fire truck.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

## **11. BUSINESS LICENSES**

### **a. Shane Hall – Rock & Ice Climbing Classes**

Mayor Brailsford stated that Shane Hall, located at 125 South 500 East, would like to have a rock and ice climbing instructional business. The home would just be an office, classes will be held off site. The business license has been approved by all of the appropriate people. Chief James stated that it would be just an office and no employees. The council had no problems with the business.

### **b. Kevin Borkman – Gardening**

Mayor Brailsford stated that Kevin Borkman, located at 926 South 225 East, would like to have a gardening newsletter business. All of the work would be done over the internet; there would not be any traffic at the home. The business license has been approved by all of the appropriate people. The council had no problems with the business.

### **c. Brian Jensen – Drywall Contractor**

Mayor Brailsford stated that Brian Jensen, located at 366 West 90 South, would like to have a construction/drywall business. The home would just be his office. There would be no employees. The business license has been approved by all of the appropriate people. The council had no problems with the business.

### **d. Chad Huff – Mobile Drug Testing**

Mayor Brailsford stated that Chad Huff, located at 325 East 100 South, would like to have a mobile drug testing business. The home would just be an office, all drug testing would be done off site and no customers would be coming to the home. The business license has been approved by all of the appropriate people. The council had no problems with the business.

### **e. Amy Bowden – Sandblasting & Etching of Glass**

Mayor Brailsford stated that Amy Bowden, located at 490 East 200 North, would like to have a sandblasting and etching glass business. Mayor Brailsford was concerned about how big the sandblasting machine was. Chief James stated that it is in a small box, which is contained. It would be done in the home and would only be working on small items. The business license has been approved by all of the appropriate people. The council had no problems with the business.

### **f. Charles Knutson – Independent Book Publisher**

Mayor Brailsford stated that Charles Knutson, located at 269 North 600 East, would like to have a small independent book publisher business. The home would just be an

office; he would not have customers or employees. He would be doing the writing himself. The business license has been approved by all of the appropriate people.

## **12. APPROVE MINUTES OF MARCH 17, 2004.**

Councilperson Wills stated that on line 116 it should read “landscaping business” not “car wash”.

**MOTION BY:** Councilperson Dale Boman to approve the minutes with said changes.

**SECONDED BY:** Councilperson Paul Hair.

**VOTE:** All Affirmative (5-0).

## **13. APPROVE BILLS FOR PAYMENT**

Councilperson Hair had a question on the truck chassis that was purchased. It was stated that it is part of the fire truck that was approved during a prior council meeting.

**MOTION BY:** Councilperson Terry Ficklin to approve the bills for payment.

**SECONDED BY:** Councilperson Dale Wills.

**VOTE:** All Affirmative (5-0).

Mayor Brailsford stated he would like to take a 15 minute break at this time.

Council meeting adjourned for break at 9:15 PM

Council meeting resumed at 9:30 PM

## **14. PUBLIC SAFETY**

Police Chief James stated that the Fire Department Woman’s Auxiliary would like to hold a fund raiser washing cars on the 24<sup>th</sup> of April. The money would be used for the burn center, the memorial at the cemetery, and to help their fund out.

## **COUNCIL REPORTS**

### **15. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford stated that during spring clean up, residents will be allowed to put items out 10 days prior to pick up, and that the city crew would only be around once to pick up. He asked Dave Johnson if Todd Gordon had gotten a hold of someone from the state to clean up the highway, Dave was not sure. Baseball registration is up 30 kids from last year. He would like to have a meeting next Wednesday to talk about the new building.

He also reported that the county is looking at using some of the restaurant tax to build an equestrian building out by the Benjamin exit. This could also be used for the county fair and other activities.

In July CUP is looking at having a big kick off for the pipeline up Diamond Fork Canyon. When more information is available he will let the council know. Our water situation is not looking any better than prior years. Back in January some of the areas were above 100% snow pack, now they have dropped down to 50%. We need to look at conserving water, right now it will be on a volunteer basis, but if our water is not looking better we will have to create an ordinance. We did have a meeting with the schools and churches to get them on a water schedule. He asked Dave Johnson if he has heard anything from Bruce Ward regarding ponds for our secondary irrigation. He would like to meet with Councilperson Wills on this also.

#### **16. COUNCILPERSON DALE BOMAN**

Councilperson Boman stated that for the meeting regarding Salem Days, he had four people show up for the meeting. It was discussed about having a dance at the new ball park on the Friday night at the soccer field. It has been done in the past and would like to try it again.

#### **17. COUNCILPERSON LYNN DURRANT**

Councilperson Durrant asked Councilperson Ficklin if he needed any help with the Easter Egg Hunt. Councilperson Ficklin stated that Todd Gordon has it all worked out. Since we started using the new ball park, it has worked out a lot better.

Councilperson Durrant stated that she met with the new library board. The library is running out of room. Also during the month of March, we had over 68 books a day that were checked out. They are moving forward to becoming an accredited library. They have a three year plan that they would like to present to the mayor. Mayor Brailsford asked if they are still planning on doing the desert landscaping to help teach people about different plants that don't use a lot of water. Councilperson Durrant thought that idea was shot down. Right now they were looking at seeding the south lawn this year. Mayor Brailsford stated he would like to look at the desert landscaping idea again. He will get a hold of someone to come and give them some ideas. He would like to see that done before they decide to seed the lawn. Councilperson Durrant stated the library board needs one more person; she will get with the mayor regarding some names.

#### **18. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Ficklin did not have anything to report tonight.

## **19. COUNCILPERSON PAUL J. HAIR**

Councilperson Hair asked Dave Johnson if there was any word on the grinder for the sewer plant. Dave stated that Mike Pritchett reported that the new grinder is in, he pulled the old one out and the teeth were missing on about the bottom six inches. Dave stated that we were able to get two refurbished grinders for about \$2,000 more than a new one. The refurbished have the same warranty as a new one. They have also been taken over to Ideal Machinery to have some machine work done on them, this would have had to been done with a new one also.

Councilperson Hair stated that Jeff Nielson, at the Post Office, is wondering if anything has been done about the sign ordinance. It was stated that Planning and Zoning has been working on it. The question was asked about what the difference is between the Post Office and another business. Do we want to amend the ordinance with everyone that comes in and wants the sign ordinance changed? Mayor Brailsford stated that we will have it on the agenda for next council meeting.

He asked if there was any news on the wet land park. Dave Johnson stated that CUP came and looked at it. They were impressed with the idea. He told them that we put clay on the dam and it is holding the water back. Dave asked them if the sheeting would still need to be placed on the dam. They took a sample and found out that the clay is silt. They said that they would pay for the sheeting but we would have to remove the clay.

Mayor Brailsford asked Attorney Baker if there is an old county cement road in the city, and a person is stating they own half of the road, when is it deemed to be a public road. Attorney Baker stated that if the road has been used for 10 years as a public road, then it is deemed a public road. Mayor stated he would like to talk to Councilperson Wills about this.

## **20. COUNCILPERSON DALE R. WILLS**

Councilperson Wills reported to the council that the Spanish Fork Chamber is changing their name to Spanish Fork Salem Chamber. They have been really good to work with, and to help support the business in Salem.

He also has a list of roads that he will be looking at for repair this year. He was also wondering if he could have his company bid to get concrete because he could save money on his price. It was stated that he could have them bid.

**CLOSE CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Terry Ficklin to close city council meeting.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

**MEETING ADJOURNED AT:** 10:20 PM

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Jeffrey Nielson, City Recorder