

Minutes of the Salem City Council Meeting held on August 3, 2005 at Salem City Knoll Park (151 West 300 South) in the upper pavilion.

**MEETING CONVENED AT:** 7:30 p.m.

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

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilperson Lynn Durrant  
Councilperson Dale Boman  
Councilperson Terry A. Ficklin  
Councilperson Stanley W. Green  
Councilperson Dale R. Wills

**STAFF PRESENT:**

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

**OTHERS PRESENT**

Duncan Tharp  
Jared Jensen  
Clyde Bradford  
Allen Davis  
Carla Stutz

Jerry Jensen  
Shandy Jensen  
Kent Burton  
Adam Davis

Dorothy Jensen  
Eva Bradford  
Michael Burton  
Bob Stutz

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Bob Stutz stated he would like to offer a motivational message in the form of a prayer.

**2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Mayor Brailsford asked if anyone would like to invite those who would wish to participate to stand and say the pledge of allegiance. Councilperson Dale Boman stated that he would like to. He then led the pledge of allegiance for those who wanted to participate.

**3. ADOPTING ORDINANCE – CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS**

Mayor Brailsford turned the time over to Attorney Junior Baker. Attorney Baker stated that the Utah State Legislation had changed the state law regarding campaign financial

disclosure. As a city we can either be more strict, or the same as the state law. The state law states that if a candidate spends more than \$500 or receives more than \$500 they have to disclose that information. Our ordinance right now states \$750. We are changing it to \$500 so that we are the same as the state. The other change is that the city's ordinance states when a candidate must disclose this information, one of the times is before the primary election. The state law does not require the disclosure before the primary, and with the new ordinance it would eliminate that also. But the candidate would still need to disclose 30 days after the primary election if they are eliminated, and seven days before the general election and again 30 days after the general election.

**MOTION BY:** Councilperson Lynn Durrant to adopt ordinance 80305 regarding campaign finance disclosure requirements.

**SECONDED BY:** Councilperson Stanley Green.

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

#### **4. INTERLOCAL COOPERATION AGREEMENT WITH UTAH COUNTY – SUBSTANCE ABUSE**

Mayor Brailsford turned the time over to Attorney Junior Baker. Attorney Baker explained that this agreement is with Utah County and goes along with the E.A.S.Y. (Eliminate Alcohol Sales to Youth) program. The county requires that anyone who sells alcohol has to be trained. The county will provide the training for them. Also, the agreement will allow the county to do stings at the different stores that sell alcohol to make sure these businesses and employees are in compliance. The county will provide the funds and the employees for these stings.

Councilperson Wills asked if the county was able to get all of the cities support on this. Attorney Baker stated that Santaquin and American Fork did not do the EASY program, but all of the other cities have been in support of it.

**MOTION BY:** Councilperson Terry Ficklin to approve the Interlocal Cooperation Agreement with Utah County.

**SECONDED BY:** Councilperson Dale Wills.

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

#### **5. INTERLOCAL AGREEMENT WITH SUVMWA – FULL-TIME ENGINEER**

Mayor Brailsford turned the time over to Attorney Junior Baker. Attorney Baker stated that there are two parts to the interlocal agreement. The first part is the agreement with SUVMWA (South Utah Valley Municipal Water Association) which is made up of the 10 cities in Southern Utah County. With Salem City's growth, and projected growth, the city is in need of a full time engineer. We do not have the funds, however, to support one yet. SUVMWA is also in the same situation. The interlocal agreement is allowing both entities to share an engineer, with the cost break out for salary and benefits, Salem City

would be responsible for 60% and SUVMWA at 40%. The agreement still needs to be approved by the other cities. Councilperson Wills, who is the Chair over SUVMWA, does not feel we need to approve this tonight; he would like to wait until it has been approved by SUVMWA and other cities.

Attorney Baker stated the second part to the agenda item is a contract between Bruce Ward and Salem City. Before Bruce comes to work with the city, he wanted a contract written. The contract spells out the salary of \$75,000, a car allowance of \$500, and other benefits. The key item to the contract is the severance pay. This is a way of protecting Bruce; it gives him a little security. Mayor Brailsford stated that it was negotiated between Bruce and the city when he was accepting the job offer. He has been working with the city for a long time through different engineering companies. He has done a great job for city. Mayor Brailsford stated that we will need to terminate the contract between Salem and Aqua Engineering after Bruce is hired. He also mentioned that if SUVMWA does not do the agreement with Salem, then Mapleton City and Strawberry Highline Canal Company both have stated they would have use for an engineer. So there is a back up to the agreement. He also feels it will not be long before Salem and SUVMWA both needs a full time engineer themselves. Mayor Brailsford recommends that we approve the contract with Bruce Ward.

**MOTION BY:** Councilperson Dale Wills to approve the contract between Salem City and Bruce Ward and to hold off on the interlocal agreement until the other cities belonging to SUVMWA have had a chance to review it.

**SECONDED BY:** Councilperson Lynn Durrant.

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

## **6. JARED JENSEN – ORDINANCE CHANGE ON SUBDIVISION REQUIREMENTS TO ALLOW SEPTIC TANK (APPROX 668 EAST 1100 NORTH (8800 SOUTH))**

Mayor Brailsford turned the time over to Jared Jensen. Jared handed the council a map showing the area and his property. He stated he would like to move back to Salem. He has about 1 1/3 acre lot that would be divided, giving one lot 100 foot frontage and the other lot 140 foot frontage. He showed the council on the map where it would be divided. He would like to put a septic tank on the lots. The closest sewer line is down by Chevron gas station. He is open to doing a lien in lieu if needed. David Johnson stated that our current ordinance reads that when the property is subdivided, any homes built would need to connect to the sewer line. Jared stated that when Larry Lewis annexed into the city, he did not subdivide the property like he should have, he was unaware of the city ordinances. It was stated that other times the council has approved septic tanks is on lots that have not been subdivided, this split would be considered a subdivide in the property. Mayor Brailsford mentioned about looking at doing exceptions to the ordinance, but there would have to be conditions also. Councilperson Ficklin stated that there should be an agreement that when the sewer is so close they would have to hook on. It was stated that a current ordinance states that when the sewer

line is within a 1,000 feet they are required to hook on. Attorney Baker stated he is concerned about the bond, and we need to make sure it is taken care of. It was stated that it could be in a certain area of the city, or look at it as a case by case situation. Mayor Brailsford feels this is not a hardship case, but the sewer is so far away that it would not be cost effective for Jared to bring the sewer line to the property. David Johnson stated that if the ordinance is changed that the council would need to decide how many lots could be split, otherwise a developer could split a few lots and have septic tanks on all of them. He feels only one split making two lots. Mayor Brailsford stated that Jared is here tonight to see what he needs to do. He feels that Planning and Zoning, DRC and Councilperson Green should review the ordinance and see what they can come up with. He asked the council if anybody was against Jared having a septic tank if the current ordinance could be worked around it. The council all felt they were okay with it and felt that it could be worked out and would like Planning and Zoning, DRC and Councilperson Green to review it and come up with some ideas.

## **7. CLYDE BRADFORD – POND TOWN CHRISTMAS CARRIAGE RIDE**

Mayor Brailsford turned the time over to Clyde Bradford. Clyde stated he would like to ask the mayor and council if he could do the same kind of contract as he did last year; with the city to allow him to do the carriage ride around the pond during Pond Town Christmas. Mayor Brailsford stated he did not have any complaints and was very pleased with how clean Clyde kept everything. Councilperson Durrant was wondering about advertising sooner, so that more people would know about it. Clyde stated that he is planning on doing a little more advertising; he is also going to be in the parade to advertise it. He stated the last two weeks he was very busy with reservations, and he had a lot of positive reports on the ride. He would do reservations again this year, but would also allow walk-ins if he is does not already have a reservation. Councilperson Durrant was wondering about bigger groups, and does he have a wagon that would allow that. Clyde stated that he does have a bigger wagon that he could do groups with. Mayor Brailsford stated he feels that it would be okay to go with the same contract as last year, and to also allow Clyde to do a bigger wagon for groups. Clyde asked if it would be okay to do flyers around the parade. The mayor stated that flyers were not allowed along the parade route. Clyde was also wondering if the council heard any comments on the price, if he was charging too much. The mayor and council stated they did not hear anything about the cost and felt that he was reasonable.

**MOTION BY:** Councilperson Stan Green to allow Clyde Bradford to renew his contract to do carriage rides around the pond during Pond Town Christmas, and to allow him to use a wagon for larger groups.

**SECONDED BY:** Councilperson Dale Boman.

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

## **8. BID FOR POLICE DEPARTMENT VEHICLES AND EQUIPMENT**

Mayor Brailsford turned the time over to Councilperson Green. Councilperson Green stated that Police Chief James talked about the vehicles during work session. The proposal is to purchase two new police cars this year. The first one is a 2006 Ford Police Interceptor for \$22,164, with equipment it will end up costing \$26,061. The other is a 2006 Chevrolet Trail Blazer 4 door, four wheel drive for \$21,031, with equipment it will end up costing \$31,807.

**MOTION BY:** Councilperson Stanley Green to accept the bids for the two police vehicles.

**SECONDED BY:** Councilperson Terry Ficklin.

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

## **9. APPROVE MINUTES OF JULY 20, 2005**

Mayor Brailsford stated that Attorney Baker had some minor changes and asked Jeff Nielson to read those changes. Jeff stated on line 66 remove “At that point”; line 68 after agreement insert “rather than” and remove “and”; line 69 after “that” insert “disconnect”; line 73 remove “all this” and insert “notice”; line 76 and 77 remove the sentence “The purpose of tonight’s meeting is to take public comments on that.”; line 89 after “road” insert “when the Davis Ranch is developed”; line 98 after “sewer” insert “to develop”; line 110 and 111 remove “a phase there that says it should be compatible with what’s up” and insert “it is”; line 183 after “approve” insert “the design during”.

**MOTION BY:** Councilperson Stanley Green to approve the minutes of July 20, 2005 with said changes.

**SECONDED BY:** Councilperson Terry Ficklin

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

## **10. APPROVE BILLS FOR PAYMENT**

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

**SECONDED BY:** Councilperson Dale Boman.

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

## **11. PUBLIC SAFETY**

Mayor Brailsford stated that the other day there was a person at the park who was harassing some young girls. It scared the young girls so they ran for help. The mayor is wondering if the marquee could be used to put information up, that warns residents to be on the lookout for someone or a certain car. Use it kind of like the Amber Alert. This information would be put up immediately and in red letters. He asked the chief of police

what he felt. Chief James stated that he thought it was a good idea. He also would like to see residents calling the police when they see something strange, rather than waiting to be asked. He stated that the Nextel phones would really work well in notifying all of the employees. The mayor and council felt that it was a good idea to use the marquee to notify residents.

Mayor Brailsford had another concern. The other day during the power outage that affected a few other cities for about four hours because of the main power line up Spanish Fork Canyon. It happened during the hot time of the day, and he noticed that there were people out watering their lawns. The concern is that because the power outage affected Strawberry Power also, our wells would not work, and our tanks were beginning to be drained. What would happen if there was a fire and the water tanks were low, the fire trucks could collapse the water line when they are trying to pump water from the hydrants. He called the fire chief and told him he would need to look at pumping water from the canals or the pond. This is something that the marquee could also be used for. We would also need to look at a way to notify the residents. The question was asked about a generator at the wells. It was stated it would have to be a very big generator, and would not be cost effective.

## **12. OPEN DISCUSSION**

Mayor Brailsford asked if anyone had anything for open discussion, nobody had anything for the council for open discussion.

## **COUNCIL REPORTS**

### **13. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford stated that the framing on the civic center will be starting on Saturday. He asked everyone to keep their eyes open and help watch the material so it does not get stolen.

### **14. COUNCILPERSON DALE BOMAN**

Councilperson Dale Boman stated that Salem Days begins in two days. He then went over the agenda for Salem Days and is excited for all of the events this year.

### **15. COUNCILPERSON LYNN DURRANT**

Councilperson Durrant did not have anything to report tonight.

**16. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Terry Ficklin stated he attended the solid waste meeting, where the district went over the new budget and approved the budget.

**17. COUNCILPERSON STANLEY W. GREEN**

Councilperson Stanley Green stated that the Knoll Park is looking really good; the city crew is doing a great job. He really feels the asphalt around the tables at the park will help out a lot, and it looks a lot better.

Mayor Brailsford stated that there are some bugs in some of the trees around the park. He stated there is a person who lives in Spanish Fork who can come and look to see how bad the bugs are and see if it would be worth spraying them or not. He told Councilperson Green that he would get the name of that person to him.

Mayor Brailsford also reported that the sewer plant has been passing the tests. The D.O. Meters have really helped out a lot, and have also saved us a lot of money in power usage. He stated Mike Pritchett is doing a great job.

**18. COUNCILPERSON DALE R. WILLS**

Councilperson Dale Wills did not have anything to report tonight.

**19. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

Mayor Brailsford asked Dave Johnson about the new pump at the well and was wondering if the telemetry system is working. Dave stated that Bruce and Ryan have been working with Todd. From his understanding it is fixed, he is not sure of the details though. He stated that Todd had read a lot of the manual and was able to point out some of the problems to Ryan.

**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:** 8:55 p.m.

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Jeffrey Nielson, City Recorder