

Minutes of the Salem City Council Meeting held on August 6, 2003 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:30 P.M.

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Dale Boman

PLEDGE: Matthew Walker

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilman Reid W. Nelson
Councilman Dale Boman
Councilman Terry A. Ficklin
Councilwoman Vicki H. Peterson
Councilman Dale R. Wills

STAFF PRESENT:

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

OTHERS PRESENT

Brad Bishop
Matthew Walker
Brady Christensen
Sherry Cope
Greg Gurney

Phil Porter
Ellen Walker
Donald Long
Abbie Higginson

Reed Cornaby
Paul Christensen
Karen Long
Tami Dietz

1. SWEAR IN NEW POLICE OFFICER GREG GURNEY

Mayor Brailsford introduced Officer Greg Gurney to the council and public, and then turned the time over to Chief James. Chief James stated that Officer Gurney took the place of Officer Ron Jackson. The police department is excited to have Greg on the team; he brings a lot of talent and skills with him. The Chief is also glad to have him.

City Recorder, Jeffrey Nielson then swore in Officer Greg Gurney.

Mayor Brailsford and Chief James left the council chambers, and turned the council meeting over to Mayor Pro-Tem, Councilman Reid Nelson. (7:35 PM)

2. DONALD LONG – 2 HOMES ON A LOT AT 50 S. 200 E.

Donald and Karen Long told the council they own two homes at 50 South and 200 East. They purchased the two homes about 10 years ago. One home they are renting out, but the other one had major water damage from the prior owner, and they have put off remodeling it. They have applied for a building permit to remodel the damaged home. When the permit was reviewed, it was discovered that the two homes were on the same property. Attorney Baker stated that the current ordinance does not allow two homes to be on the same property. Another issue that came up is that the existing lot does not meet the current lot size for a home. When Dave Johnson went to the homes to look at them, he could not issue the permit with the current ordinance, because the home has not been lived in for a year or longer since the ordinance was passed. The only way to allow the permit to be issued would be for the council to amend the ordinance.

The comment was made to the Long's regarding some of their options; they could leave the home as it is and tear the other one down, work on having the ordinance re-written to allow two homes on a lot, (but it would have to be in certain areas with certain conditions) or to enact an ordinance to allow the board of adjustments to allow some variance in the ordinance. To have the ordinance changed, it would fall under Planning and Zoning and would take a couple of months. Councilwoman Peterson stated that working with Planning and Zoning, she does not feel they would want to change the ordinance, but they still have the right to petition. Councilman Nelson was wondering if the reason the house was not in compliance was because it has not been lived in since the ordinance was passed? Attorney Baker stated that was correct. It is a nonconforming lot; it has not been lived in since the two houses were purchased back in 1988. A question was asked about the two water meters, and why the city allowed two. Dave Johnson stated that when the road was redone, where there were existing water laterals. New lines were put in to connect to the meters. The question was asked about the home to the north, and why they would want to remodel their home when that home is in such poor shape, even though it is not theirs. The Long's stated they would hope to purchase that home in the future, but for right now, they have spent about \$1,000 to have an engineer review the plan and the home. Their plans are to have it look like a log cabin. Dave Johnson stated that the existing foundation is ok; according to their engineer. Councilman Ficklin stated that as a council they are bound by what the ordinance states. The Long's were wondering if the council would be willing to change the ordinance. Councilman Nelson was wondering why the board of adjustments could not change it now. Attorney Baker stated that with the current state laws they do allow it, but they would allow the council to put guidelines on the ordinance for the board of adjustments to follow. The question was asked how twin homes do it. It was stated that twin homes are on separate lots. This lot is not big enough now for one home, and could not be split for two lots.

Councilman Nelson does not feel inclined to change the ordinance now, but was wondering if Planning and Zoning would be willing to come up with some ideas or be willing to change it. Councilman Wills stated that if it were to happen, they would be responsible for putting in curb, gutter, and sidewalk. The Long's stated they only want to

improve the situation; they have also looked at doing parking in the back of the lot, and have a driveway in the middle of the two homes that goes back. Councilman Nelson stated that with the flag lot ordinance, it was made so flag lots could be allowed with certain circumstances and conditions. If it would benefit the community, then it would be more meaningful. Dave Johnson was asked the question if he was aware of any other situations like this. Dave stated he was not; this is a very unusual circumstances. The council told the Long's that they could start the process of changing the ordinance, and would need to get a hold of the city office to get the process going if they want to go that way. Councilwoman Peterson stated she would bring it up during Planning and Zonings next meeting, the following week, to get their feelings on it.

3. BUSINESS LICENSE

a John Wiscombe – Auto Glass Repair

Councilman Nelson stated John Wiscombe wants to do an auto glass repair, to repair rock chips. No work will be done at the home; he will be doing repairs on site so he will not have any cars parked at the home. He will only be doing billing and paper work from the home. The license has been approved by the appropriate people, and the council did not have a problem with it.

b Jason Record – Real Estate Investments

Councilman Nelson stated Jason Record wants to do a real estate investment company. The name of the company would be Sky Look Marketing. He would be doing the work from home, but would only be one on one with customers. He would not hold seminars at the home. The license has been approved by the appropriate people, and the council did not have a problem with it, but Jason needs to know he can not have group seminars there, and that should be stated on the license.

c Joan C. Hahn – Travel Agency

Councilman Nelson stated Joan Hahn is doing a travel agency over the phone. Customers do not come to the home. She is only setting up tours for people. She has had a national license, but this one company she is working with would not allow her to be paid until she received a business license from the city she is working in. The license has been approved by the appropriate people, except for the fire chief. The council did not have a problem with it, but would be under the condition that the fire chief approves the license.

4. AWARD BID FOR CURB & GUTTER ON CENTER STREET BY SCHOOL

Councilman Wills stated that Nebo School District has agreed to pay for ½ of the work done. There were three bids on the project. Low bid was for Noel Hiatt at \$17,494.99 the next bid was from H.E. Davis for \$24,700.00 and the final bid was from Wilson and Woodhouse for \$30,000.00. The work has already begun on the School Districts side; they needed to start soon to make sure it is completed before school starts. They are going to make this section the new drop off point for kids. If the project were to have waited until the council approved it, it would not have been done. Dave Johnson stated there is a section of sidewalk, about 50 feet by the Simons Pool, that was extra and needs to be put in. Noel will honor his price for cement for that extra part of the sidewalk.

MOTION BY: Councilman Wills to approve the bid with Noel Hiatt for \$17,494.99 and to proceed with the work immediately.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5-0).

5. AWARD BID FOR RECONSTRUCTION OF 100 SOUTH FROM MAIN ST. TO 200 WEST.

Councilman Wills stated that this project has been discussed before, about wanting to do the road in front of the city office, 100 South, to the corner of the school. Then an overlay where the James' live. Where the current asphalt ends on the side of the road, we would extend the new asphalt about a foot. Then when a sidewalk can be put in, we will saw cut that section to have a clean cut. This bid was a unit price bid. The approximation of square feet for the project was 44,880 at \$0.75 a square foot by Staker Paving. This is an estimated amount, but Councilman Wills feels it would probably be a little bit more. We are also having the crown raised on the road, the road base for that is a unit price at \$8.00 a ton. We are looking at about \$5,000 for the road base. He is estimating the cost of the project to be about \$40,000. He is concerned about an invoice from Staker Paving that the city just received, and is not sure if there will be enough money now in the budget for this project. There was only one other company that bid on this project, it was Geneva Rock, there unit price was \$0.91 a square foot. Staker has done a great job for us in the past. The money is in the budget, but subject to this invoice he has for \$15,000 from Staker. He would like to talk to Todd Gordon about it; we may or may not have the funds to fund this project.

MOTION BY: Councilman Wills subject to the budget permitting proposes to proceed with the work to begin immediately by Staker, as to be done before school starts.

Mayor Brailsford and Chief James returned to council chambers. (8:15 P.M.)

A concern was raised about the existing road base, and if it would be good enough. Dave Johnson stated that we have not done tests to see if the road base is good enough. Mayor told Dave that we need to have those tests completed so we can make sure we have

enough road base down. We are putting a lot of money into it; we need to make sure it is done right.

MOTION BY: Councilman Wills to amend the prior motion to include that we make sure we have enough road base to meet the city's standards.

Dave Johnson stated about the timing on the job. Staker did say that they could do it by the time school starts. Mayor asked to have three tests done to see if we need to have road base. If we need it then let Staker know, they could drop road base off then haul off the old dirt. Dave stated that Todd had been talking to Ron Knight (with Valley Asphalt); Todd stated that the city had about 4 days of preparation work that needed to be done. He has a meter that needs to be moved and some storm drain pipe that needed to be installed. The mayor asked Dave if he would make sure Todd got on the job first thing Monday.

MOTION BY: Councilman Wills to amend the motion again so that the Mayor would have the ability to sign a change order to make sure enough road base is brought in to meet city standards and make sure it fits within the budget.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5-0).

6. APPROVE PAYMENT OF ROAD WORK DONE THE WEEK OF JULY 14TH.

Mayor Brailsford stated that we need to make a motion to approve the road work that was completed by Staker Paving during the week of July 14th.

MOTION BY: Councilman Wills to approve line items 2, 3, 4, and 5 and to withhold items 6, 7, and 8 on the invoice for more clarifications. The amount to be withheld is \$15,151.15 and the total invoice was for \$48,988.36.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

7. APPROVE MINUTES OF JULY 16, 2003

MOTION BY: Councilman Reid Nelson to approve the minutes of July 16, 2003 as written

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5-0).

8. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilman Reid Nelson to approve the bills for payment.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (5-0).

9. PUBLIC SAFETY

Police Chief James stated during the previous night was the National Night Out. He spent about 3 hours going around to different neighborhoods. Some of the neighborhood parties had about 100 people at them. Officer Kerby spent a lot of time also. He thought it went very well. Mayor Brailsford would like to hold it again, but maybe look at holding it in May next year.

Chief James stated the police department received a grant to get two more video cameras for the cars. Now all of the police cars will have cameras in them. Also, the new police car has been ordered, the base price went down from last year, but they listed some items as extra, so they could get the money back. Ford company will be installing most of the items needed for the police car; the only thing they are not installing is the overhead lights. Over all it will save us about \$3,000 to have it done this way. We will be getting rid of the oldest car.

10. OPEN DISCUSSION

Mayor Brailsford asked if anyone had anything for open discussion. Brady Christiansen stated he wanted to make six more back boards for the CERT team for his Eagle Project. He has found out that if the boards are painted, it would seal the wood enough, but SEMA would still not be able to use them. The boards can be used by the CERT team for training purposes or in a large scale emergency. Brady stated that he has someone that has donated the cost, so it would not cost the city anything. Mayor Brailsford asked him if he felt this would be a worthy project, Brady stated he did.

Matt Walker is also doing the same project; he is making six back boards also. Brady and Matt have done a lot of the research together. Matt stated he talked to Captain Ealey of the ambulance. Captain Ealey stated that they could only use the boards if they were made of plastic, but would work great for the CERT team, especially if there were ever a disaster. Right now there are 4 organized CERT teams; there are enough people to create 8 more. With the 12 backboards, this would give each team one board. The mayor told them to proceed with their Eagle Scout Projects.

Sherry Cope, Salem City Queen, asked the council if they had any special needs the council would like her to help serve in the city. Her platform is doing Salem Heritage. She has been putting in the newsletter each month different stories of people from Salem. She would like to do a cemetery walk this spring, and at the lighting of the Christmas tree lights, to have people bring a gift to help do a sub for Santa. The council thought that she needs to put her stories in the library for the public to read them. They felt the history idea would be very valuable.

Reed Cornaby stated that on Canal Road, from 300 West to 600 West, the road was very rough. Also there is a man hole cover that needs to be fixed, and where a pipe was put across the road, it has started to sink and needs to be replaced.

Sherry Cope came back in with an idea of doing something like a museum for a week or so with some old pictures of Salem. She was wondering if the city had some old pictures. The mayor told her to talk the city office staff and they could help her find some. The council thought it would be a great idea. One of the stakes did it one time and had a great turn out. They had a lot of people bring in their old pictures.

COUNCIL REPORTS

11. MAYOR RANDY A. BRAILSFORD

Did not have anything to report tonight.

12. COUNCILMAN REID W. NELSON

Wanted to let the council know about the UMPA BBQ on August 15, 2003 up at Mayor Barney's cabin. If you are planning on going, need to RSVP soon.

13. COUNCILMAN DALE BOMAN

Councilman Boman reported that over at the pond, the city crew has put large rocks by the arch bridge to help keep the banks from erosion, and the scout has put down the cement pads for picnic tables.

The Library needs to have one more person on the board; Roxanna Johnson has shown interest in being on the board, they are thinking about calling her. The library is ready for the auction.

14. COUNCILWOMAN VICKI H. PETERSON

Councilwoman Peterson stated that there is a lot on the agenda for Planning and Zoning this coming meeting. The council will not be having the combined work session with them at this time. They will have to postpone that work session.

15. COUNCILMAN DALE R. WILLS

Councilman Wills told Councilman Boman that he was asked to get some Honey Locust trees for the cemetery to replace the ones that have died. Councilman Boman stated that there is one that needs to be replaced. He will get with him on it.

The next thing the Memorandum of Understanding with CUP water will be given to the council to review. The South County Mayors Group and SUVWA met to discuss the issues with CUP and to talk about the Memorandum. He would like this on the agenda for next council meeting.

16. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin reported that an energy management company did a load test on the generator at the sewer plant; it seems to be in good condition. The new aerators are in and all are working except one of them.

Jerry Blackett had an old motor at the plant from one of the mixers. We had the energy management company rebuild it, this way we can start to rotate those motors and have them serviced.

17. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson reported that at the sewer plant lagoons, where UDOT did the wet land, one of the pipes started to leak, and they called UDOT. When UDOT was fixing it they found more leaks. So they are working on it.

He also mentioned that he would like to have on the agenda next council, something stating that Salem City honors the water protection area, that anything East of Woodland Hills drive not allowing septic tanks. In the contract with Woodland Hills it states Woodland Hills restrictions, but Salem City should have something stating where the protection area is and how they will honor it.

There has been a complaint about the J. Angus Christensen Park, and having cows in there. Casey Peterson is leasing it from the city. In the contract it states that either party can terminate with a 30 day notice. Mayor stated that he gets too many cows in there, and they are busting the trees down. If that is going to be a future park, we need to preserve it. His cows are up in the canyons right now, so we need to let him know so he can plan for a place in the winter. Get a letter to him now. Have Jane draft the letter and have Attorney Baker review it.

Mayor Brailsford picked out the 12th of September for the employee summer social.

Chief James wanted to make sure that when the road in front of the city office is being done, that the public safety (Fire & SEMA), still have access to get out in case of an emergency.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilman Reid Nelson to close council meeting.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 9:25 P.M.

Jeffrey Nielson, City Recorder