

Minutes of the Salem City Council Meeting held on August 7, 2002 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:35 PM.

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

**PRAYER:** Councilman Terry Ficklin.

**PLEDGE:** Kyle Minson.

**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**

R. James Potthast  
Keri Minson  
Jason Carrick  
Ryan Provstgaard  
Roger Hardy

Stewart Wright  
Kyle Minson  
Debbie Carrick  
Jason Willden

**1. ROSS CRITCHFIELD – APPROVE TO PROCEED WITH SUBDIVISION**

Ross Critchfield was unable to attend city council meeting, but Jason Willden (a son-in-law) came in Ross' place. Jason mentioned that they would like to get approval of a subdivision that the preliminary had been approved over a year ago. Dave Johnson mentioned that the preliminary was approved on January 17, 2001. The preliminary approval is only valid for one year. After the one year time period, the property owner has to start the process over again. Jason mentioned that he is getting ready to build a home in the subdivision and was under the impression that everything had been approved. It was stated that the preliminary was approved, but Ross hadn't come in to get the final approved. This is also the second time this piece of property has gone through the process, but has never been to the final approval stage. Dave Johnson asked Jason which lot he would like to build on in the subdivision. Jason stated he would like to build on lot #3; it is towards the back of the property. Councilman Wills stated that since September of 2001 the city has placed a restriction on any new subdivisions because of the lack of water. Mayor Brailsford explained the problems we are having with water. The city's wells are not flowing by artesian any more, we have to pump the

water, and also our springs are not producing as much water as they have in the past. Right now our obligation is to make sure our current residents have enough water for indoor use. A suggestion was made to Jason, that if he could find out if the land is already subdivided (having two deeds), then he might be able to build. When the subdivision restriction is lifted, they then could subdivide the land. Jason stated that he would look into it.

## **2. EAGLE PROJECTS**

### **a. RYAN PROVSTGAARD**

Ryan stated that he would like to put up a flag pole at the new ball park. The flag pole he is looking at is about \$800.00. Ryan stated that he is going to have a garage sale, and also ask for donations to help raise \$400. He asked if he could come up with half would the city be able to donate the other half. Mayor asked Ryan about the cost of the cement, and other installation cost associated with it. He also asked about the location of the pole. Ryan stated he was not sure. He did not have the specific plans for the project yet. Mayor asked Ryan if he could get all of the information (i.e. cost, location, pictures, etc.); He also stated that Gary Warner could help with the some of the information and to get with Gary. The mayor felt that the council could come up with half of the money, but he would like Ryan could get all of the information ready, then bring it to council again.

### **b. STEWART WRIGHT**

Stewart stated that he would like to put in new reservation signs at Knoll Park, and also stain the fence at Heritage Park. The mayor and council felt it would be a good project to be done. Mayor asked if Stewart had plans about what he would like to do. Stewart stated that he did not have any specific plans. Mayor asked Stewart if he could come back to council with some plans, cost, pictures, etc. to show the council what he would like to do. Stewart stated that he could.

### **c. KYLE MINSON**

Mayor left council chambers at 7:59.

Kyle stated that up at Dream View Park, in the playground area, he would like to dig out the sand (about a foot) and bring in some soft-foam bark made for playgrounds. Kyle stated that he would have to take out most of the sand, along with some of the old tires. The cost to bring in the wood chips would be about \$407. He also stated that he will be having other scouts helping him out. The council felt that this would be a good project. Councilman Boman stated that he would like Kyle to get with Todd Gordon to see if the city could get a better price on the bark. Councilman Boman also felt that the city could help with cost.

Mayor returned to council chambers at 8:05 PM.

**d. JASON CARRICK**

Jason would like to plant some trees at the new ball park. Jason brought in some pictures of some of the different trees along with the costs. Jason has been working with Olson Nursery to purchase the trees, and estimates the cost to be \$700 - \$800. To raise the money he is going to go to different church wards and ask for donations. A concern was raised about asking church wards for donations. It was mentioned that he will need to verify with the Board of Review if he can ask for the donations from the wards. Mayor said to make sure the trees are not so small that kids will break them; also to see about trees with smaller leaves. Jason mentioned he has talked to Gary Warner and has the locations of where the trees could be planted. The council thought this would be a good project, and councilman Boman signed off on the Eagle Project.

**3. JAMES POTTHAST – BUSINESS LICENSE (SOFTWARE CO)**

James came before the council and stated that he would like to have a home business license for a software company. James stated that the Police Chief had a concern regarding other employees working at the home. James stated that he has two full time contractors that would be working at the home, 8 hours a day. The business is not retail and it would not have customers, parking, or deliveries.

Mayor left council chambers at 8:13 PM.

It was stated by the council that the whole term of home occupation is for home workers. By having other employees the business does not adhere to the code. The council stated that they do not feel they can change the code at this time. So the business license will not be approved.

Mayor returned to council chambers at 8:20 PM.

The council did state that maybe James could work something out with the contractors and have them work at their home, and not at James' home. If they would be willing to do that, then James could re-apply for a new business license. Right now he does not have a license to be running a business.

**4. ORDINANCE ALLOWING EMERGENCY WATER CONNECTIONS TO NON-RESIDENTS**

Attorney Baker stated that we have a situation where there are a few people throughout the county whose wells are drying up. Our ordinance now states that we will not allow non-residents to hook onto the city's water. Dave Johnson stated that there are some

exceptions, but it is rare. This new ordinance will allow the same exceptions, along with an exception for hard case situations (i.e. a well drying up). Attorney Baker read the ordinance to the council. He stated that the exceptions will have to be a case by case situation and will have to be approved by the council. The non residents will have to pay for all expenses and fee's associated with hooking onto the city's water. Dave Johnson mentioned that they will also have to comply with all of our standards, especially the water. If the city ever gets in a hard ship situation, the non residents would be the first one's to be shut off.

Councilman Nielson was wondering about the water only being used for indoor use. Attorney Baker stated it would be determined when the non-resident comes before the council. It was also mentioned that the council can require them to begin the process to be annexed into the city at the time they come for approval.

**MOTION BY:** Councilman Reid Nelson to approve Ordinance 8702 allowing emergency water connections to non-residents.

**SECONDED BY:** Councilwoman Vicki Peterson.

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

## **5. O & M AGREEMENT WITH WOODLAND HILLS FOR WELL**

Mayor Brailsford stated that Woodland Hills has had this agreement since April of 2002. They have not done anything with it, so the Mayor would like to have Salem City approve this agreement. It is for the O&M on the Maple Canyon Well that is shared with Salem and Woodland Hills.

**MOTION BY:** Councilman Dale Wills to accept Resolution 8702B regarding O&M Agreement with Woodland Hills for the Maple Canyon Well.

**SECONDED BY:** Councilman Terry Ficklin.

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

## **6. APPROVE MINUTES OF JULY 17, 2002**

Councilman Nelson stated that the comment with Councilman Wills regarding the Church of Jesus Christ of Latter-day Saints water rights needs to be reworded. It could state that when the church needs to use water rights to build, would give them to the South Valley Water Board instead of the cities.

**MOTION BY:** Councilman Dale Wills to approve the minutes of July 17, 2002 with the small corrections.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (3-0) Councilwoman Peterson & Councilman Ficklin abstained from voting.

## **7. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilwoman Vicki Peterson to approve the bills for payment.

**SECONDED BY:** Councilman Dale Wills.

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

## **8. PUBLIC SAFETY**

### **a. PURCHASE OF NEW COMPUTERS & GUNS FOR POLICE**

Mayor Brailsford stated that Police Chief James was taking care of an emergency and was not available to discuss the new computers & guns. He would like to put it on the next council agenda.

## **9. OPEN DISCUSSION**

### **COUNCIL REPORTS**

#### **10. MAYOR RANDY A. BRAILSFORD**

Had nothing to report tonight.

#### **11. COUNCILMAN DALE BOMAN**

Councilman Boman discussed what events the council should be at for Salem Days, the time, and what they should be doing.

#### **12. COUNCILWOMAN VICKI H. PETERSON**

Had nothing to report tonight.

#### **13. COUNCILMAN DALE R. WILLS**

Councilman Wills had a question from last council meeting. He stated that Rod Davis mentioned that the city received a \$50,000 matching grant for sidewalk along SR 198, and that the council stated that they had not heard anything about it. He was wondering if anyone found anything out about it. Dave Johnson stated that at the time we did not have the funds available to do anything with the sidewalk. Dave also mentioned that there were other issues involved.

Councilman Wills said that in the minutes from department head meeting, it stated that the painting for the bike path along canal road has not been completed. The minutes stated that Council Wills was doing something about it. He was unaware that he was supposed to do something. He stated he will get a hold of Todd Gordon to find out what needs to be done and follow-up to make sure it is completed. He has also mentioned to Todd about purchasing our own stencils for painting on the road, rather than hiring it out.

Mayor Brailsford asked to be excused from council meeting. Their has been an accident with the fire department. He asked Councilman Nelson (Mayor Pro-Tem) to take charge of the remaining council meeting.

#### **14. COUNCILMAN TERRY A. FICKLIN**

Councilman Ficklin gave an update on the sewer treatment plant. He stated that Bruce Ward (engineer helping with the treatment plant) told us we do not have to upgrade the chlorination at this time, but that our BOD and TSS are still up. He is going to do some more work to see how we can keep the BOD and TSS levels where they need to be. Bruce stated that there is newer technology for sewer treatment plants. He mentioned that there is a SCADA system that would monitor the plant for us.

#### **15. COUNCILMAN REID W. NELSON**

Councilman Nelson stated that the Utah Municipal Power Agency BBQ will be on August 16, at Knoll Park. If you have not RSVP yet you can still call Tina at UMPA. Also, UMPA was under budget this last year with their rates.

Still looking at what we need to do to buy out the UP&L line.

#### **CLOSE CITY COUNCIL MEETING**

**MOTION BY:** Councilman Terry Ficklin.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (4-0) (Councilman Nelson abstained, since he was in charge).

**MEETING ADJOURNED AT:** 9:02 PM.

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Jeffrey Nielson, City Recorder