

Minutes of the Salem City Council Meeting held on February 5, 2003 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:30 pm.

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

**PRAYER:** Councilwoman Vicki Peterson.

**PLEDGE:** Mayor Randy A. Brailsford.

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilman Reid W. Nelson  
Councilman Dale Boman  
Councilwoman Vicki H. Peterson

**STAFF PRESENT:**

Jeff Nielson, City Recorder  
David Johnson, Public Works  
Junior Baker, City Attorney

Excused from Council Meeting:

Councilman Dale R. Wills  
Councilman Terry A. Ficklin  
Chief Brad James, Police Chief

**OTHERS PRESENT**

Stephanie Poulsen  
Burke Tervort  
Lacy Cornaby  
Justin Reynolds  
Jeff Garner  
Tanner Roeller

Sarah Ogden  
Lonn Buckley  
Nate Jones  
Wade Reynolds  
Rick Wing  
Tyler Roeller

Phil Porter  
Reed Cornaby  
Jared Maughan  
Troy Garner  
Dave Wood  
Todd Roeller

Mayor Brailsford welcomed everyone tonight.

**1. JEFF GARNER – ANNEXATION**

Mayor turned the time over to Jeff Garner. Jeff used the map on the board in the council room to show the council the land they want to annex into the city. Jeff asked most of the people involved how they felt, most of them were for it. The people on the north side of 9800 South he did not contact, nor did he contact the people who lived in the area that he was not sure if the city would require him to annex in. Attorney Baker told him he would need to include that area he was not sure of. The law does not allow a peninsula to be left, he would have to annex in that portion also. Attorney Baker stated that as soon as the city would turn it over to the county, the county would turn it down because of the peninsula. It was stated that last time this area tried to annex Monte Davis and Doug

Henry area did not want to come in, but most everyone else wanted to. Those lot owners that did not want to come in last time were not contacted this time. Attorney Baker stated that they would need to contact those owners also because of the peninsula. The council made the comment that it looks like they have a couple of options: either include the peninsula area for annexation, and if the land owners do not want to be annexed in, then they could be forced in with the annexation, or withdraw from the petition until later on. Councilman Nelson mentioned that when the property is annexed in, because Strawberry Power is out there, they would have to purchase the Strawberry power facilities from Strawberry. Mayor stated that last year there was a group of people who wanted to be annexed into the city. One of property owners just spent a lot of money to upgrade their power lines, and they felt that they could not afford to pay their portion of the Strawberry purchase. The other land owners stated that they would look at splitting the cost of the land owner who did not want to pay, between them. This might be something they would want to look at. The question was asked how much would it cost. Mayor told them that they would have to work it out with Strawberry to see what the costs would be. The question was asked about NEBO School District, would they have to come into a city to build a new school. Attorney Baker stated that they do not have to be part of a city, but they usually do not work that way. Jeff stated that most everyone said they would come in, but a big concern with some of the others were losing their greenbelt. It was commented that they would not lose their greenbelt. The mayor told them, that they will need to work with Strawberry Electric, show them what they want to do, and let them know they want to work with them on figuring out a price. Then they will want to contact the group being annexed in and find out what their feelings are and what they would like to do. Before the council can approve it, they will need to find out what Strawberry's buyout would cost would be, and what the land owners want to do. Before the annexation will be reordered, they will have to pay for the Strawberry power facilities. If there is a portion of the group that does not want to pay, they will have to work something out, because it will have to be paid off before the annexation will be recorded. Mayor asked Attorney Baker if they would be able to do a connectors agreement with the power. Attorney Baker stated that with the power they could not, but might be able to do something with a water connector's agreement.

## **2. APPROVE WORK RELEASE FOR RECREATION & WATER IMPACT FEES**

Mayor Brailsford asked the council if they had any questions with the work releases. Councilman Nelson stated that if we can make the changes ourselves in the future that would be one big benefit.

**MOTION BY:** Councilwoman Peterson to approve work release # 2003-1 for the work on the water impact fees.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (3- 0).

Attorney Baker stated that before the mayor signs the work releases, LEI needs to change the name of the city, from Elk Ridge to Salem City.

**MOTION BY:** Councilwoman Peterson to approve work release # 2003-2 for the work on recreation Impact Fee's.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (3- 0).

### **3. BUSINESS LICENSE**

#### **a BRENT TISCHNER – Handyman Service**

Mayor stated that Brent Tischner, located at 220 West Mountain View Drive, would like to have a business license to do handyman work. No one would be coming to the home; it would only be used for the office. The license has been signed off by all of the appropriate people. The council did not have a problem with the license.

#### **b DONALD VAN TASSELL – Roofing Contractor**

Mayor stated that Donald Van Tassell, located at 1302 South 550 West would like to have a business license for construction, roofing. Getting a license so he can do inspections on roofing jobs on homes. There would be no activity at the home, just his office. The license has been signed off by all of the appropriate people. The council did not have a problem with the license.

#### **c CHAD HUFF – Vehicle Appraisal**

Mayor stated that Chad Huff, located at 325 East 100 South, would like to have a business license to do vehicle appraisal. His home would only be used for office work and phones. The license has been signed off by all of the appropriate people. The council did not have a problem with the license.

#### **4. SUVPS JOINT USE AGREEMENT**

Mayor turned the time over to Councilman Reid Nelson. Councilman Nelson reported that Salem City belongs to SUVPS (Southern Utah Valley Power Systems). Strawberry Water Users Association (SWUA) has their own power lines throughout different cities. They are allowing members of the SUVPS to do an agreement that is allowing the cities to attach onto their lines at no costs, under the approval of the board and as long as the city is a member of the SUVPS. Right now we are attaching onto their power poles by the new substation.

**MOTION BY:** Councilman Reid Nelson to have the mayor sign the joint use contract between Salem City and Strawberry Water Users Association.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (3- 0).

#### **5. AWARD BID FOR INFLUENT PUMP AT SEWER PLANT**

Mayor turned the time over to Dave Johnson. Dave stated that Jerry Blackett contacted four different companies for the influent pump. Only two returned bids to the city. The first company was ITT Flygt, they were saying that we needed to have two pumps for a price of \$4,367.00. The second bid was from Sabol and Rice Inc. They stated that we only need one pump and it would match up with the existing pumps. The bid was for \$3,367.00. Jerry's recommendation was for the Sabol bid. Councilman Nelson stated that it looks like the first bid only included the parts. Dave stated to the public that the sewer treatment plant has three pumps that pump the waste into the lagoons. The three pumps work on a float system, meaning that one pump is working, then when the waste gets to a certain level, the next pump kicks on, and same with the third pump. We are replacing one of those pumps now. Councilman Nelson stated that we will try and do this on a rotational basis.

**MOTION BY:** Councilman Reid Nelson to accept the Sabol and Rice bid for the influent pump at \$3,367.00.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (3- 0).

Mayor Brailsford stated that it will come out of the Sewer Treatment budget.

#### **6. APPROVE MINUTES OF JANUARY 15, 2003.**

**MOTION BY:** Councilman Dale Boman to approve the minutes of January 13, 2003 as they are written.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (3- 0).

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

Mayor had not had the opportunity to review Councilman Ficklin's bills. Will need to return to the bills.

## **8. DECLARATION FOR MARRIAGE WEEK USA FEBRUARY 7 – 14, 2003.**

Mayor read the declaration from Governor Michael Leavitt declaring February 7 – 14, 2003 as “Marriage Week USA”.

**MOTION BY:** Councilwoman Vicki Peterson to accept February 7 – 14, 2003 as “Marriage Week USA”.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (3- 0).

## **9. PUBLIC SAFETY**

Mayor stated that Chief James was down South for some classes. The mayor wanted to thank the chief though. The other night the police department had 13 arrests associated with drugs. The police department has also done a great job arresting people because of the internet, and then Officer Bird is back to work after his knee injury.

## **10. OPEN DISCUSSION**

Reed Cornaby would like to thank the Mayor and the City of Salem for the great honor he received the other night. Mayor stated that Reed received the Mayor’s Award.

JulieAnn Curtis is going to purchase the Terry Young home (42 East Center). She wants to have a home occupation in the barn behind the home. She has talked with Attorney Baker over the phone and he informed her that accessory buildings are not permitted, but Planning and Zoning and Council will be reviewing the home occupation ordinance soon. She would like to express her voice to the Council and Planning and Zoning. She would like to do a social recreation classes that are based around recreation, like different types of dancing. The classes would only have about 8 – 10 kids. Attorney Baker told her that if it is in the nature of a School, it should not be a problem, as long as the accessory building is okay with the Council. The parking would not be a problem; the parents would drop the kids off and then pick them up. She is here to voice her opinion on allowing accessory buildings to be used for home occupations.

Phil Porter stated that as a member of the Lions Club, he has been given permission to start a Lions Club in Salem again. He would like to have the support of the Mayor and

Council to get the club going. He is wondering if they know of some citizens who would be good candidates to join the club. They are also allowing women in the club now. He would like to start it as soon as possible. The new club would also be willing to help out with the new building, and then in return would like to use the building. There have been two other Lions Clubs in the past. The first one helped build the parks and the area around the Lions Club building. They also started the breakfast for Salem Days, and also help start the first Salem Days. Phil is going to a meeting this week, and would like to let them know that Salem City Mayor and Council would support a club. Mayor stated that they would support a new club in town.

Mayor asked if there was anything else from the public.

## **COUNCIL REPORTS**

### **11. COUNCILMAN REID W. NELSON**

Councilman Nelson reported that the power outage, this last week, was up in Spanish Fork Canyon. Mayor Brailsford stated that the city employees were in the training class when power went out. When we found out the extent of the outage, he and Chief James began planning for emergency situations. Mayor also wanted to complement on the training class, the instructor was very good and had a lot of good information.

### **12. COUNCILMAN DALE BOMAN**

Councilman Boman reported that he is planning on using the same float for Miss Salem this year. He will need to repair a couple pieces and do a little maintenance on it. But felt it was a good float.

Library is considering an addition, they are looking for another building (module) to add onto it. They are getting a lot of books coming in.

### **13. COUNCILWOMAN VICKI H. PETERSON**

Councilwoman Peterson reported that on April 5<sup>th</sup> at 8:30pm would be the Miss Salem Pageant. The contestants came to work session tonight; we have a great group of girls this year.

### **14. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford stated that the other night when the arrest took place, he was very disturbed with the Family Services. When the arrests were made some juveniles were left there alone. Chief James tried calling the Family Services but they would not

respond because it was after hours and on a weekend. They finally were able to get a hold of the father, who lives out of the county. The mayor is going to bring this up with the 22 cities in Utah County; he feels that this is why we have the Family Services. He is very disturbed about the whole thing.

Another thing, he and Jeff have looked over the budget. We are not getting in as much money, especially in the building and impact fees area. He feels we need to look at it now; he does not want Salem getting into problems. He handed the budget out that he and Jeff had worked on. Asked the council to let him know if they have any problems with it. We tried to save about \$166,000; since that is what we feel we may not get in from impact fees. We are not amending at this time; he just wants the council to look it over. We tried to take a little from everywhere. This is just a precaution.

Went back to the approval of bills.

## **15. APPROVE BILLS FOR PAYMENT**

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

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (3- 0).

## **16. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

Dave had a question on the annexation. The council did not give any approvals tonight, is that correct. The council stated yes.

Jeff Nielson had a question. The city has been getting a few calls from the last snow storm, wondering if the city will pick up branches. The mayor said to make up work orders for them.

## **CLOSE CITY COUNCIL MEETING**

**MOTION BY:** Councilman Reid Nelson to close city council meeting.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (3- 0).

**MEETING ADJOURNED AT:** 8:40 pm

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Jeffrey Nielson, City Recorder