

Minutes of the Salem City Council Meeting held on February 6, 2002 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:35 PM.

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Dale Boman.

PLEDGE: Phil Porter.

COUNCIL PRESENT:

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

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Junior Baker, City Attorney
Dave Johnson, Public Works

Councilman Terry A. Ficklin was absent from council meeting.

OTHERS PRESENT

Ernie Thornton
Mike Christianson
Phil Porter
Reed Cornaby
John Montgomery

Scott Barlow
Cecil Clawson
Keith Zobell
Jeff Montgomery

1. Public Hearing

Motion By: Councilwoman Vicki Peterson to open public hearing.

Second By: Councilman Reid Nelson.

Vote: All Affirmative (4-0).

A. John Montgomery – Conditional Use Permit & Subdivision Waiver for Twin Home at 660 S. 100 E.

Mayor Brailsford asked John to come up and present to the council what he would like to do. John presented to the council the lot in question on 100 East and Canal Road (660 S). John handed out some pictures of the lot that they would be building on for the council to review. John mentioned some of the issues that they have been working on that DRC and Planning and Zoning had. First; Safety, the slope of the driveway, is on a downward slope and the concern was, backing out of the driveway onto the traffic. Second; is the telephone pole and the guy wire from the pole. John

stated for the slope of the driveway, they will be bringing in fill (about 3' of fill) that will be bringing the grade up so there will not be much of slope. The lot is also by the four-way stop, this will help to control vehicles to slow down. With the guy wire, they will have to move the home a little bit.

Some of the other concerns are; to the west of the lot, Mr. Terry has a home and is concerned about the retaining of water by his property. Mr. Terry also has had problems in the past with the irrigation stop gate. John mentioned that he will handle these concerns by bringing up the grade and creating a bowl to retain the water, he will also put an 18" berm by the stop gate and maintaining the slope so it slopes away from the Mr. Terry's home and away from the twin home. On the north and west slope he would need to construct a 4' wall that would taper its way down, John was thinking about using the decorative stone. John has had an engineer come to look at the property and what would be the best solution for the water problem. The engineer wrote a letter explaining to John his recommendations (which were what John presented). The engineer also did a 10 and 20 year study; the study indicated the water would not make that much of a difference.

It was mentioned that Salem Canal Company has a pipe that continues through the properties and runs into the pond. We do have a 10' easement for the pipe line. This would help to get rid of some of the water problems in the area.

Will all of the concerns of DRC and Planning and Zoning be met? Chief Brad James wrote a letter with his concerns (mostly the slope of the driveway). We need to let Chief James know of the changes that John will make to correct his concerns.

Councilman Wills was wondering if a single home could be placed on the lot, it looks like some of the neighbors are concerned about the height of the twin home. John mentioned that he is aware of those concerns, and that a twin home would be the same height as a single home.

Dave Johnson, felt that by having the berm behind the home by Mr. Terry's home it would take care of the water problem.

It was also mentioned that the canal has a pipe in it at that location, we need to make sure that curb and gutter and sidewalk are installed, and they need to meet all of the requirements for the Salem Canal Company. They will need to contact Bartel Mortenson with the Salem Canal Company.

MOTION BY: Councilman Reid Nelson to close the public hearing.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (4-0).

MOTION BY: Councilwoman Vicki Peterson to accept the subdivision wavier and accept the Conditional Use Permit for the John Montgomery twin home at 660 South 100 East with the conditions that a berm be placed on the west side and a retention area

remain sod so drainage will not become a problem; driveway raised to the level of canal road; driveway also meets Salem Canal Company requirements; any safety issues be taken care of; terrace on north side.

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (4-0).

2. Frank Johnson – North Slope Annexation

Frank Johnson was unable to attend, he is a volunteer for the Olympic Games, but Keith Zobell is here to take his place. Mayor Brailsford asked why they wanted to be annexed into Salem. They would like some water up there, last fall (fall 2001); Butlers well ran out of water, they were looking at drilling a new well up there. The neighbors thought that instead of spending the money on the well, they could spend money on the annexation fees. By having water up there, this would help with the fire safety by being able to put fire hydrants. Mayor Brailsford stated that this does not affect Spanish Fork's master plan. The Hare Krishna and the Car Junk Yard do not want to be part of the annexation. The Mayor did talk to the Hare Krishna about coming in, but they wanted to wait. Across the road it is county property, so we will not be leaving an island in the city.

They are only asking if it would be ok to proceed with the annexations. The law does not require them to do this step, but they thought that it would be a good idea to let the council and mayor know that they would like to be annexed into the city.

Some questions were asked about the power and water. Would we have to buy out Strawberry for the power, and would they be responsible to pay to get the water up to the homes. They will need to get with Dave Johnson and work out all of the different issues that would need to be taken care of.

They would be coming in as an A-1 zone; if they want it different they can come and talk to the council.

Mayor Brailsford stated to Keith Zobell to go ahead and proceed with the getting everything ready for the annexation.

3. Award Bid for SR – 198 Sewer Project

Two bids were presented to the council in work session, the first bid was for the base bid for \$188,680 by Clawson Construction and the second bid was for an alternate bid by Val Carter for \$119,925. Councilman Nelson has some concerns about the base bid and would they be able to accomplish the work for the price they bid? This is also an opportunity for Salem to test out the alternative way of putting the liner in the existing sewer line. If the alternate bid works we could really save the city some money by doing other problem areas.

Mayor Brailsford felt it could work, he was worried about the lining idea, but then after seeing the product tonight he felt a little more comfortable with it. But he is still concerned about the water and where will the water go. We were going to use the old sewer line as a drain for the water that is flowing under ground. We will not be able to do that with the lining and he is concerned about that.

Councilman Wills was wondering about monitoring the ground water, if the water does come up, would we have to do a band aid fixing job. Mike from LEI felt that the water table will not be affected that much, he stated that the old sewer line would be used as a storm drain if we do not go with the lining. Mike felt that the old line would help a little bit, but there is not that much water that was coming in. By installing the liner, it should not affect the water table. Councilman Wills was also wondering about putting the drain pipe under the road in a couple of places that are bad, for future drain pipes. It was mentioned that we will still put the pipe in for future use.

LEI stated that they are fine with both decision, they are both good ideas and felt they would both work. They feel that the ground water would not be an issue. They also felt they could put a pipe in to measure the water. LEI stated that it is financial decision for the council to decide. Mike from LEI also stated that we can drain a lot of the water by being able to daylight it out. It might cost about \$3,000 to be able to daylight the water out.

Clawson Construction stated that if we go with their bid, would UDOT budge on the dead line date, they do not feel that would be able to meet the dead line that UDOT has given for the 28th of February.

MOTIONED BY: Councilman Reid Nelson to award the bid on SR-198 Sewer line to the alternative bid to Val Carter for the amount of \$119,925.

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (4-0).

It was asked about other places we might be able to use Val Carter and placing the lining in the sewer line. Val stated that if we order more, that he could get the material cheaper. We could continue past U-Check up 4th East or maybe look at 3rd South area. We may want to get another bid for more areas. We also need to make sure that when they camera they need to do it in the night, and also to look in the man holes in the night, this would give a good idea of how much water is being infiltration into the sewer line.

4. Technical Services Contract with Sunrise Engineering

Attorney Junior Baker had a concern about Article 32 and the Hazardous Waste. They stated that they would not be responsible for hazardous waste; we need them to reword that section. After they reword Article 32, have them give it to Attorney Baker.

MOTIONED BY: Councilman Dale Wills to accept the contract, subject to Article 32 being changed that Sunrise would take care of any problems with hazardous waste and to work with Attorney Junior Baker for the new contract.

SECONDED BY: Councilman Reid Nelson

VOTE: All Affirmative (4-0).

5. Resolution Adjusting & Adding Various Fees of the City

Attorney Junior Baker stated that we provide a lot of services within the city. Some of the fees need to be increased to help pay for the cost of these services. Attorney Baker feels that we are still on the low side, but by increasing we could help the city out. Inspection fees would be increased from 2 ½ % to 5%. The electrical fee would be to help cover overhead costs for subdivisions. Subdivisions already pay for the supply, but for the overhead we need to charge. The charge will be a 7% that will be added to the invoice that the electrical department gives to the subdivisions. Most contractors charge about 15% for overhead, so again Attorney Baker feels we are on the low end.

For Excavation permit fees, we received some ideas from Provo City. If someone does some excavation on the roads, they will be charged a fee. The fee would be more expensive in the winter or if the road is a newer road. Dave Johnson would determine the fees. The mayor stated that we need to create a fund down at the bank to place this money, use it like impact fees. Can only be used to help the roads out.

MOTIONED BY: Councilman Dale Boman to accept the resolution adjusting & adding various fees of the city.

SECONDED BY: Councilwoman Vicki Peterson

VOTE: All Affirmative (4-0).

6. Approve Members

A. Mayor & Council Advisory Board

Mayor Brailsford announced the following names to be in the Mayor & Council Advisory Board:

Rodney McKee
Paul Lundell
Ken VanAusdal
Jeanette Johnson
Phil Porter
Robert Colbert
Jill Swenson

MOTIONED BY: Councilman Reid Nelson to accept the mayor and council advisory board.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (4-0).

B. Termination & Appeals Board

Dave Johnson was voted by the city employees to be on the termination & appeals board. The mayor nominated Councilmen Reid Nelson and Dale Wills as the council members to be on the board.

MOTIONED BY: Councilwoman Vicki Peterson to accept Councilmen Dale Wills and Reid Nelson as the council members for the Termination & Appeals Board.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (4-0).

7. Business License

A. Tori Goudy – Cleaning Service

Tori Goudy has a cleaning service business, there will be no parking at the home. She cleans homes. The cleaning chemicals would be no different than what is used for by a regular home owner.

B. Orson Dietz – Appraisal Service

Orson Dietz, will be doing commercial appraising, no cars at the business.

C. Chad Bray – Siding Contractor

Chad Bray will be a siding contractor, has a storage unit where he stores the supplies. His home will be for office only, no storage at the home. We will need to place that on the business license.

D. Trent Carter - Contractor

Trent Carter lives on Apple Blossom Drive, he will not be doing building there, will only be an office.

Mayor mentioned that all of the business licenses were approved by the Fire Department and Police Department. If the council had no concerns, then these business licenses will be approved.

8. Approve Minutes of January 16, 2002

On line 263 we need to change the word singed to signed, and change ADA to AED, line 353 change CU to CEU, and line 434 take out the words “to let them”.

MOTIONED BY: Councilman Reid Nelson to approve the minutes with said changes.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (3-0) Councilwoman Vicki Peterson voted abstained (was excused from prior council meeting).

9. Approve Bills for Payment

We need to come back to approving the bills; we need someone to review Councilman Ficklin’s bills.

9a

Councilman Wills was wondering about the electric bill for the water tanks. Mostly in the winter it is used for heating the shed so pipes don’t freeze. Have we thought about using propane for heat, we may want to look into that?

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

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (4-0).

10. Open Discussion

Reed Cornaby was wondering if all of the street lights were on sensors, if so there is a light on 650 West and Canal Road that is on during the day. We will do a work order to get it fixed.

COUNCIL REPORTS

11. Councilwoman Vicki H. Peterson

Salem Youth Council will be holding a blood drive on February 28th at the Mount Loafer Elementary from 6-9, they will be going around and doing sign up’s for it.

Miss Salem Pageant will be on May 18, we have a new director; Abbie Higginson, and a new secretary; Leslie Gordon. Application deadline will be February 27th.

City office has their new computers, they have been working to get them networked and working.

Planning and Zoning, when will the general plan be opened. Mayor Brailsford stated that he will be talking in planning and zoning this up-coming meeting. Councilwoman Peterson has given the mayor a list of people who are interested and wanted to be on the list of names to help with general plan.

12. COUNCILMAN Reid W. Nelson

Councilman Nelson talked about the new Dry Creek Substation and how it is getting completed. Mentioned that the over all cost is 6 million, but will only be costing Salem about 300 thousand.

Mayor Brailsford left council chambers at 9:00, had a phone call he had to make.

Councilman Nelson mentioned that we also purchased a dump truck that will really help to plow the roads in the winter.

13. COUNCILMAN Dale R. Wills

Councilman Wills gave the council a letter stating that he is an owner of Radio Shack and Specialty Wiring in Spanish Fork. The letter is in compliance with the state law, since the city does some business with Radio Shack.

Councilman Wills asked the question, that with the solid waste board, does he go if Councilman Ficklin is unable to attend? Councilman Wills was told by Richard Henry that Salem was not represented in January. The Mayor told Councilman Wills he should be there when Councilman Ficklin can not attend.

Councilman Wills was also wondering about a recycling program, since the mayor put him in charge of one, he was not sure what the mayor wanted, and was hopping for one to already be in place. Councilman Wills has been looking at other cities and what they do. In the summer time, Provo has two waste cans, one for solid waste, and the other for grass clippings. They take the grass clippings, make it into compost, then resale it. They charge an extra \$5 to have the grass clippings picked up. Councilman Wills was going to see how much tonnage we take over to the solid waste, to see if there is a big difference in the summer vs. the winter. Spanish Fork would also be interested in doing this with us. We would not be able to have BFI do it; it would not be worth it. The mayor stated that the South Valley Mayors have talked about buying our own garbage trucks and picking up our own solid waste. We would have to see if their would be a cost savings.

Looking at getting the 30" pipe to be placed in SR-198 for future use by 1st West, the master plan calls for the 30" crossing pipe, we need to put the pipe in now when UDOT is doing the construction on the road. Would only be for use in the future. We will be getting the pipe from Robert Ellis for about \$22 a foot. Also by Far West Bank, we

always get pool of water there. Dave is checking with UDOT to see what we can do to clean up that spot.

14. COUNCILMAN Dale Boman

Councilman Boman has called everyone on the list for Salem Days that the mayor recommend. Some of the feedback that he has received is to have the mud volleyball on Tuesday night rather than on Monday. Also thought it might be a good idea to have a chili cook off.

Was also wondering if we do thank you notes for the scout troop that cleaned up the cemetery. The mayor stated that it would be a good idea. Councilman Boman also approved an Eagle Scout project to paint house numbers on the curb. It was mentioned that in the past that we used to have the scout come to council meeting and present to the council what they did for their eagle project. We should have the scout come in and present to the council. Councilman Boman was also wondering about paint, do we provide the paint. The mayor mentioned that we may still have some paint, and yes we do provide the paint, they need to come and talk to Dave Johnson.

15. Mayor Randy A. Brailsford

Mayor Brailsford mentioned that we are not getting a lot of snow fall this year, we started to get a lot, but it has tapered off. We will not see the impact until July.

The mayor is also very impressed with Congressman Cannon and what is trying to do for us and the water. Congressman Cannon's aide has contacted the mayor a few times. The Mayor has also tried to get a hold of Don Christians over at CUP, but he has not returned the mayors call. CUP is trying to break up the South Valley Mayor's group. The mayor was able to get a hold of 1948 map showing what CUP's intents were back then, they wanted to make the desert into a green area. The plans have really changed now. Strawberry Water is on board with us and the other cities; they want to be able to work with us. We really need to look at the future for our citizens.

Mayor was also concerned with House Bill 230 that passed the House Committee. It stated that a police chief could retire in 20 years, but if they wanted to go back to work they could not go work for the same municipality that they retired from. They felt that they would be double dipping into the retirement funds. The mayor could not see how they would be double dipping. And if a city has a good chief, how could they keep that chief.

The mayor would like to meet with Planning and Zoning to look at the master plan. Get some ideas of when to open it and when to start working on it. We have a committee going that wants to work on it, but it seems that the people are in one area of city, we need to get people from all areas of the city to be involved.

We are looking at a high speed internet company, Wasatch Wireless; they met with the mayor a few times. Would like to have a special work session next week with them to see what they have to offer us. If the city puts up the initial investment, we could see a return from this.

Mayor Brailsford asked if Councilman Ficklin's Bills have been approved. Went back to approving bills (9A).

Close Council Meeting to go into Executive Session.

MOTION BY: Councilman Dale Boman to Close Council Meeting and go into Executive Session.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (4-0).

Came back from Executive Session

Close Council Meeting.

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

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 10:21 PM

Jeffrey Nielson, City Recorder