

Minutes of the Salem City Council Meeting held on January 15, 2003 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:30 pm.

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Dale Boman.

PLEDGE: James Ealey.

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilman Reid W. Nelson
Councilman Dale Boman
Councilman Dale R. Wills

STAFF PRESENT:

Jeff Nielson, City Recorder
Junior Baker, City Attorney

Excused from Council Meeting:

Councilwoman Vicki H. Peterson
Councilman Terry A. Ficklin (arrived later)

David Johnson, Public Works
Chief Brad James, Police Chief

OTHERS PRESENT

Ryan Dunn
Lonn Buckley
Reed Cornaby
Craig Christensen

Mike Parker
Bill Young
Ezra McMullin
Matt Nelson

James Ealey
Jeff McComas
Robert McMullin
Phil Porter

1. SWEAR IN NEW OFFICERS

a James Ealey – SEMA Captain

James Ealey was sworn in as Salem Emergency Medical Association (SEMA) Captain, by City Recorder Jeffrey Nielson.

2. PUBLIC HEARING

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

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (3 - 0).

a. General Plan

Mayor Brailsford stated that the General Plan was scheduled to go to the Ad Hoc Committee meeting with the Planning Commission in February 2002. In April the Ad Hoc Committee gives their recommendations to the city for the public to view and give their suggestions. The public hearing would be in May for Planning Commission, and for final suggestions given to the city council. City Council Public Hearing would be held in June. He stated that this was the original schedule, but what really happened was different. Planning Commission and Ad Hoc Committee met in February. Ad Hoc Committee presented their recommendations to Planning Commission in May. Planning Commission had discussions in June, July, and August meetings. Public Hearing, with Planning Commission, was in September and recommendations from both groups were passed on to the City Council. City Council had a special work session on December 3, 2002. Reminders were put in the newsletters regarding public input, as well as on the marquee. The public has had plenty of time to make any comments on it. One of the reasons it was left open so long, was because there were not a lot of people that came in to make suggestions. Last time the general plan was updated was back in 1997, but there have not been a lot of changes made to that plan with this update. It is suggested to do an update to the general plan every five years.

Mayor asked the public if they had any comments or questions.

Jeff McComas stated that he made various recommendations, and has not seen the final draft. He has concerns because they have some property above the canal that he would like it to be zoned as R2. Planning Commission's recommendations were to zone that area as R2. Bill Young stated that the Ad Hoc committee wanted that property to be R3. Both of them were wondering what the council decided. The mayor let them look at a copy of the general plan to review. Mayor stated that a lot of the changes the council made were with recommendations from legal council. The maps can be changed usually without having to changing the general plan. Jeff and Bill stated that there are no maps in the General Plan where it states there should be maps. Attorney Baker stated that he did not have any of the maps available for him to review and insert into the general plan. Mayor stated that he would see if Dave Johnson could get the maps so they can be placed in the General Plan.

Mike Parker stated that he served on the Ad Hoc committee, he stated that planning commission wanted the property in question to be zoned as R2, but the Ad Hoc committee wanted it left as it is. They wanted the council to decide on what zone to make it. He stated that the Ad Hoc amended the current maps and gave them to the Planning Commission.

Craig Christensen was wondering if the city is still going to use the R1, R2, and R3 zoning. Mayor stated that zoning will be left as it is. Mayor also stated that the General Plan is structured so that ordinance can be changed or created, but it would not require the General Plan to be changed.

Councilman Nelson stated that he would like to see the maps inserted into the General Plan. Mayor stated that he would also like a full council present to vote on the general plan. He will also have Dave Johnson put the maps in the general plan so they can be reviewed.

CLOSE PUBLIC HEARING

MOTION BY: Councilman Dale Boman to close the public hearing.

Councilman Nelson asked Attorney Baker if changes could still be made on the general plan if needed. Attorney Baker stated that the council could make the changes, but the public would not be able to make any recommendations.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (3 - 0).

Councilman Terry Ficklin arrived at City Council Meeting at 7:52 pm.

MOTION BY: Councilman Reid Nelson to table the vote on the General Plan until February 5th council meeting.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (3 - 0).

3. DAVID HARDY – SUBDIVISION WAIVER ON PROPERTY ON NE CORNER OF 400 NORTH SR – 198 (Farnsworth Property)

Mayor asked David if would explain to the council what would like to do. David stated that he is purchasing the property on the corner of 400 North and SR 198 (Northeast corner). He does not want the home that is on the property, so it will have to be subdivided to allow the home to be split off from the property he wants to purchase. Mayor stated that the property will have to meet the subdivision standards for a subdivision waiver. Mayor told David the council would like to have a street light on the corner of 400 North. He also wanted him to know that the city has sent Bruce Farnsworth nuisance abatement for all of the vehicles and garbage on the property. David stated that he has told Bruce he has to get all of the stuff off of the property in 30 to 60 days. He is holding a portion of the payment until the property is cleaned off.

David is also under the understanding that UDOT is allowing him to keep the sidewalk on the state road as it is. He is wondering about 400 North and what would be required of him there. He has not received the subdivision wavier standards. Mayor told him to come to the city office to get a copy, and to also talk with Dave Johnson about a fire hydrant. The drain on the corner may also have to be moved, but the city might be able to help clean it out with the Jet Truck before it is moved.

MOTION BY: Councilman Reid Nelson to approve the subdivision wavier on NE Corner of 400 north and SR 198, with the recommendations that DRC stated, along with installing a street light on the corner.

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (4 - 0).

David was asked if he had any plans right now. David stated that he does not have any plans right now, but would like to get the land purchased and everything taken care of.

4. APPROVE MINUTES OF JANUARY 8, 2002

Councilman Nelson stated that on line 138 is a misspelled word, and then on line 214 it should read that the steel poles have not been around long enough, not the wood poles.

MOTION BY: Councilman Reid Nelson to accept the minutes of January 8th with said changes.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (4 - 0).

5. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilman Dale Boman to approve the bills for payment.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (4 - 0).

6. OPEN DISCUSSION

Reed Cornaby wanted to thank the city for the gravel on the side of the road along 300 West, it really looks good. Another issue, along the state road, where the old train station used to be, there is a lot of garbage on that property. It was mentioned that the person who lives there is moving the following day.

Mayor Brailsford stated that there has also been a lot of garbage along the highway; he is sending letters to see if one of the wards or a scout troop would like to adopt a highway to help keep it clean. He would also like to remind the council of the meeting the following night with Strawberry at the Spanish Fork Fair Grounds.

Bill Young commented on how great the pond looked with the lighted trees on it.

Ryan Dunn stated he would like to build back boards for the local emergency preparedness and ambulance department for his Eagle Scout project. He is looking at making at least a couple, but wanted to talk to Captain James Ealey to see how many he would like. He feels it would take about 40 hours to make them. He would be having

help from his troop. Mayor asked him if he felt it was a worthy project. Ryan stated he did feel it was a worthy project. The mayor and council felt like it would be a good project.

COUNCIL REPORTS

7. COUNCILMAN REID W. NELSON

Councilman Nelson stated he would like to talk to the mayor about the motor pool budget. An electrical rate is still in the process for Olson Nursery, along with the impact fee. It looks like a new rate will have to be implemented for industrial use.

8. COUNCILMAN DALE R. WILLS

Reminded everyone of the meeting tomorrow night at 6:30 with Strawberry Water.

9. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin would like to update the council on the company from Salt Lake that was going to look at the generator at the sewer treatment plant. They started the generator and had Jerry pull the record book showing when he turns it on. When they started it up, they found out that the machine that charges the batteries was not working properly. They are going to do more analysis on it, and then they will be getting us a quote to fix it. When the generator is working it is only at 20%. We are also looking at connecting a couple of the aerators on the generator. If a power outage occurs, we would only pump into the first pond. They were not able to do a load test, because with the two muffin and two pumps, the generator could barely get enough amps to show that any amps were being used. They took a look at the breakers, and will be looking at the schematics. They also found a problem with the relays. When they get the report completed, Councilman Ficklin would like to have them go over it with the mayor. Overall they stated that the generator was in good condition.

Councilman Ficklin was also wondering if anyone else has had complaints regarding BFI. Councilman Nelson stated that he has had a few complaints. Councilman Ficklin stated that he is concerned with the way their drivers are driving, and that they are not taking very good care of our trash cans. He is going to call BFI and let them know of the concerns. Mayor Brailsford stated that in the work session on the 25th he would like to look at an ordinance to have closed hoppers in town.

10. ATTORNEY S. JUNIOR BAKER.

Attorney Baker reported that the North Utah County Cities are adopting a county wide ATV ordinance. He stated that Lindon City has passed a code on trespassing, and that the group has sent out a copy of the code for a standard. Attorney Baker felt that Salem City does not need it. Salem has already adopted a trespass ordinance, and we fall under the Criminal Trespass code for the Utah Criminal Code. He feels what the city has will work; we will need to keep enforcing it. We have written a lot of tickets for trespassing and mischief.

MOTION BY: Councilman Terry Ficklin to deny the policy on trespassing.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (4 - 0).

Councilman Ficklin stated that he heard that the FCC has new regulations on allowing antennas. The person that told him about it has not sent him the reference for it. Attorney Baker has not heard anything about it. He stated that a city could not eliminate them, but they can zone them. Councilman Ficklin stated that as soon as he gets the information, he will forward it onto Attorney Baker.

Mayor Brailsford wanted to remind everyone of the work session meeting on January 25, at 8:30 am.

CLOSE CITY COUNCIL MEETING

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

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (4 - 0).

MEETING ADJOURNED AT: 8:20

Jeffrey Nielson, City Recorder