

Minutes of the Salem City Council Meeting held on July 2, 2003 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:40 PM

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Terry Ficklin.

PLEDGE: Mayor Randy A. Brailsford.

COUNCIL PRESENT:

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

STAFF PRESENT:

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

EXCUSED FROM CITY COUNCIL MEETING

Councilwoman Vicki H. Peterson
Councilman Dale Boman

Chief Brad James, Police Chief

OTHERS PRESENT

Paul Hair

Prior to City Council Meeting, Mayor Randy Brailsford presented Jeffrey Wallentine with a yellow ribbon. Ribbons have been tied around the flags at the marquee sign, representing each person from Salem who has been activated due to the war in Iraq. Jeffrey just returned home. Mayor and council wanted to thank Jeffrey and let him know how much they appreciated his willingness to serve our country.

1. PAUL HAIR

a SEPTIC TANK APPROVAL AT APPROXIMATELY 550 N. 480 W.

Mayor Brailsford stated that he did not have a problem allowing the septic tank, as long as the county health department approves it. The council did not have a problem with it either.

b PURCHASE OF PROPERTY

Mayor Brailsford asked Paul what he would like to propose. Paul stated that he has about ½ acre of land next to the city shop (480 West), the land could qualify for a home to be built there. He wants to build a new home next to that property, but there are some impact and connectors fees that have to be paid. He feels the estimated cost for the fees will be about \$10,000. Councilman Nelson stated the fees are about \$8,153. He wants to make sure he can get at least that much or more from the land he is selling. He is thinking about getting the land appraised, but until then he is thinking about \$20,000 - \$25,000. The extra money, after the fees have been paid, would go towards the improvements that need to be completed. Attorney Baker stated that the road would have to be asphalted, and Paul's portion would be about 150 feet of improvements. The city might be able to help finish asphaltting their portion of the road. Paul also stated that a street light and a fire hydrant would need to be installed.

Paul stated that he is in the process of getting the perc test completed by the county. If the test does not pass, then he would not be interested in building down there. There are three tests taken over a year's time. If the tests work, he wants to work with the city to help put the improvements in. Both the Carter's and the Christensen's passed their perc test (they live down in that area). Councilman Nelson stated there is no hurry on the sale of the property then. His concern is, the purchase of property was not budgeted in this year. Attorney Baker stated that if Paul is willing to wait a year, then maybe the city could look at putting a budget amount for next year. Mayor told Paul to precede with the perc tests, and then inform the city on the results.

2. BUSINESS LICENSE

a DOUG ELDER – HANDYMAN

Mayor Brailsford stated that Doug Elder wants to do a handyman business. The business has been signed off by the appropriate people. The address is 450 East 200 North. Doug has listed a couple of references on the application. He is aware that he can not have equipment or vehicles parked around the home. Mostly using the home for office purposes. The mayor or the council could not see a problem with it.

3. APPROVE FOURTH DISTRICT COURT STATE CONTRACT

Mayor stated that each year the city has the Fourth District Court State Contract that needs to be signed. He asked the council for a motion on the approval of the contract.

MOTION BY: Councilman Reid Nelson to approve the mayor to sign the contract.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (3-0).

4. AGREEMENT WITH UTAH STATE TAX COMMISSION

Mayor Brailsford asked Attorney Baker to explain what this agreement was for. Attorney Baker stated with the new energy and use tax that was just implemented. If the State Tax Commission collects the money from the providers, they will distribute the money to Salem City, but will also take out a percentage for their administrative services. They do it the same way with sales tax. The percentage is around 1%.

MOTION BY: Councilman Reid Nelson to approve the mayor to sign the agreement with Utah State Tax Commission.

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (3-0).

5. AGREEMENT WITH UMPA FOR SCADA SYSTEM

Mayor Brailsford turned the time over to Attorney Baker. Attorney Baker stated that the agreement was done a few weeks ago, but it was done as an interlocal agreement. UMPA (Utah Municipal Power Association), found a case that went to the Utah Supreme Court where this type of an agreement did not have to be an interlocal agreement. They preferred not to have it as a interlocal agreement.

MOTION BY: Councilman Reid Nelson to approve the agreement with UMPA for the SCADA System.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (3-0).

6. APPROVE MINUTES OF JUNE 18, 2003.

Councilman Nelson stated on line 201, it should read “barely” and not “barley”.

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

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (3-0).

7. APPROVE BILLS FOR PAYMENT

Mayor Brailsford had a concern with an invoice from McGee Stamp for a plaque for Officer Jackson.

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

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (3-0).

COUNCIL REPORTS

8. COUNCILMAN REID W. NELSON

Councilman Nelson reported that the contract between Salem and UP&L is still being worked on. Attorney Baker stated he it is getting close to completion. Councilman Nelson stated that Provo City Mayor Billings and Richard Judd, formerly of UMPA, both received a national recognition at the APPA Conference.

9. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford stated that the Police Department is in need of some lap top computers. They have three vehicles that currently do not have lap top computers in them. There is money left over in Traffic School and New Equipment budgets. The computers are DELL and the price for the three lap top computers is \$5,325.00.

MOTION BY: Councilman Terry Ficklin to approve the purchase of the three computers for the police department.

SECONDED BY: Councilman Dale Wills.

VOTE: All Affirmative (3-0).

Mayor stated that on the Thursday July 17th, he is thinking about having a Public Safety Appreciation and get acquainted night. He would like to have the Council Members, Police Department, Emergency Management, Fire Department, and SEMA attend. He wants just the members and not their spouses. He would also like to give a certificate to those who have served for over 10 years. He would like to have the council there at 6:30, then start serving food around 7:00 p.m. at the Lions Club Pavilion. Councilman Wills was thinking the mayor should also recognize those who have served for 5 years. They would not need a certificate, but he could read their names off.

10. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin reported that each year the city receives from BFI, the price index that Wells Fargo Bank publishes to show the increase in the cost of living. BFI uses this to calculate the increase in garbage pick up. The increase this year is 1.2%.

11. COUNCILMAN DALE R. WILLS

Councilman Wills stated that Dave Johnson has Cole Surveying looking at 100 South in front of the city office to redo that road. Councilman Wills would like it done right the first time rather than doing it now just to spend the B&C road money, and then in a few years have to redo it. With the money set aside from B&C road money from the prior year, especially for that road, it will make it a lot easier for us to complete it. Mayor stated that when he applies for the grant to get the sidewalk, curb and gutter done on 300 West, that he would like to include this road also.

12. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave reported that Coles Surveying is also doing the surveying on the Center Street curb, gutter, and sidewalk. This job costs will be split with NEBO School District.

13. ATTORNEY S. JUNIOR BAKER.

Attorney Baker wanted the council to realize some issues with Paul Hair. Paul will have to give some of the property up for a right away. When he asphalts the city would also have to help asphalt the city's portion of the road. To have the road widened and asphalted, some fill will have to be brought in along with a pipe in the road. This would be very costly on Paul's behalf. It will be up to the council to make the decision on rather or not the city requires him to put the improvements in. Dave Johnson stated that there are a lot of improvements that need to be done. DRC told him of all of these improvements that are required of him. It was stated that Paul might be hoping for the city to help him out. Councilman Nelson stated that eventually there might be a developer who would want to develop down there. If that were to happen then the improvements would need to be completed. It was also stated that this road could be a major road someday, especially if the county builds the road to Benjamin. Councilman Wills stated he hated to see Paul get too far and put a lot of money into it, and then not have it work out. Looking at the DRC minutes, it looks like Paul is hoping the city would work with him. Attorney Baker stated a lien-in-lieu on the property for the improvements could be done. It will be up to the council to make the decision. He wanted to make sure the council knew that.

CLOSE CITY COUNCIL MEETING

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

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (3-0).

MEETING ADJOURNED AT: 8:20 PM

Jeffrey Nielson, City Recorder