

Minutes of the Salem City Council Meeting held on June 2, 2004 in the Salem City Council Chambers.

Mayor Brailsford asked anyone if they would like to say a few words before we begin council meeting. Sam McVey stated he would like to say a few words.

**MEETING CONVENED AT: 7:30 PM**

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

**PLEDGE:** Attorney Junior Baker invited all who would like to participate to stand and say the pledge of allegiance.

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilperson Paul J. Hair  
Councilperson Dale Boman  
Councilperson Dale R. Wills  
Councilperson Lynn Durrant

**STAFF PRESENT:**

Jeff Nielson, City Recorder  
David Johnson, Public Works  
Junior Baker, City Attorney  
Chief Brad James, Police Chief

Councilperson Terry A. Ficklin was not present

**OTHERS PRESENT**

Randon Olsen  
Marshall Dunn  
Lew Christensen

Brady Olsen  
Sam Chiara  
Sam McVey

Michael Dunn  
Steve Wilson  
Connie McVey

**1. FLAG PRESENTATION TO SERVICE MEN**

Mayor Brailsford stated he is waiting for the other serviceman to arrive; he would like to go to item #5.

**EXTENSION FOR RECORDING WISNOM PLAT**

Mayor Brailsford turned the time over to Dave Johnson. Dave stated that when a developer comes in they have 90 days from the time of final approval of DRC (Development Review Committee) to be bonded and have the plat recorded. This plat went over to be recorded but there were problems with some of the boundary line agreements. They have their bond in place; the only thing they are waiting on is to get the

plat recorded. They are asking for an extension so they do not have to go through the process again.

**MOTION BY:** Councilperson Lynn Durrant to approve the extension for the Wisnom Plat and allow them 90 more days.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (4-0).

## **FLAG PRESENTATION TO SERVICE MEN**

Mayor Brailsford stated we had two service men come home, and for one reason or another he was not able to present them with the flags that have been flying in front of the city office. At this time he presented a flag to Clyde McKean and Sam McVey and told them how much the city appreciated them.

## **2. SUPPORT FOR UTAH MILITARY APPRECIATION WEEK JUNE 12 – 19**

Mayor Brailsford stated the council received a letter from Governor Walker declaring the week of June 12 – 19 as Utah Military Appreciation Week. Mayor Brailsford then read the letter to the council and public.

Mayor Brailsford stated he would like show his support by declaring the week of June 12 – 19 as Utah Military Appreciation Week.

**MOTION BY:** Councilperson Paul Hair to show our support by declaring the week of June 12 – 19 as Utah Military Appreciation Week.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

## **3. PUBLIC HEARING**

**MOTION BY:** Councilperson Dale Boman to open the public hearing.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** all

### **a. Preliminary Budget for 2004 – 2005**

Mayor Brailsford stated the council worked on the budget during their work session. The total revenue this year is \$5,553,440, an increase of \$568,962. General Fund budget is \$2,064,287, Water budget is \$770,500, Sewer budget is \$558,600, Electrical budget is \$1,958,053, and Solid Waste budget is \$202,000. He stated some improvements this year that have been budgeted for are, engineering work to be done on phase one of a PI (pressurized irrigation) system,

money for a down payment on a reservoir for the PI, bathrooms at the cemetery, and improvements at the sewer plant and lines. Mayor Brailsford asked if there were any questions on the budget.

Lew Christensen stated he thought it would be a good idea to let people know what the city's debt is. Maybe it could be put in the newsletter. He would also like to see Center Street widened below the old burger barn. It was stated that the city is not sure who owns the property on the north side of the road, on the south side the road is wetlands and part of the pond, so to widen the road it would have to be on the north side. The master plan shows that road as a 66 foot road. Lew stated he would get the name and phone numbers of the owners, since he is leasing it from them.

Lew also mentioned that the new ball park is a great place, and it is neat that it is being used by so many people. But there is a problem; there is not enough parking at the ball park. It was stated that when the new elementary school is built, it will help with parking.

**MOTION BY:** Councilperson Lynn Durrant to approve the preliminary budget for 2004-2005 year.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (4-0).

**b. Amend Budget for 2003 - 2004**

Mayor Brailsford stated that this item will be tabled until next council meeting.

**MOTION BY:** Councilperson Dale Boman to close the public hearing.

**SECONDED BY:** Councilperson Paul Hair.

**VOTE:** All Affirmative (4-0).

**4. CHAUNCY RIPPLE – WINTER WATER USAGE**

Mayor Brailsford asked if Chauncy was present, he was not, so the mayor stated we would come back to this item.

**5. EXTENSION FOR RECORDING WISNOM PLAT**

Mayor Brailsford had this item go first.

## **6. BUSINESS LICENSE**

### **a. Jesse Fisher – Internet Service**

Mayor Brailsford stated Jesse Fisher would like to do an internet service at his home, located at 604 East 600 South. There would be no retail done at the business. The business license has been approved by all of the appropriate people. Mayor Brailsford stated he would like to make sure that Jesse gets a copy of the ordinance for home occupation. He will need to make sure he complies with how many employees are allowed.

## **7. RESOLUTION ON EMERGENCY WATER RESTRICTIONS**

Mayor Brailsford stated that this is the same resolution the council passed last year. That one expired in October 2003, and this one will expire October 2004. The mayor then read the resolution to the public and council.

Councilperson Wills asked if the council should not implement water restriction now, rather than wait. As he goes around town he notices many people watering their lawns every day, and even when it is raining. He is wondering about implementing the same restrictions that were placed last year. Mayor Brailsford stated he feels we need to review our water situation first. He would like to put on a restriction of no watering between 7:00 AM and 7:00 PM. Attorney Baker stated that would only help the lawn, people will still use the same amount of water. Mayor Brailsford stated that the city, the schools, and the churches have all been put on a watering schedule. Last year we ran into the problem of our tanks getting close to empty because of the amount of water that was used by the heavy water users. We hope that by managing our water, we can make it through another year. He stated the PI system would really help out. We need to really look at it and see what we can do to get some of the new subdivisions hooked up.

**MOTION BY:** Councilperson Dale Boman to approve resolution 6204.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

## **8. EXECUTIVE DECISION BY MAYOR REGARDING HALTING FURTHER SUBDIVISION SUBMISSION**

Councilperson Dale will read the memorandum regarding an Executive Order to not approve any more subdivisions or subdivision waivers of more than three lots due to the water issues. Mayor Brailsford asked Dave Johnson about how many lots are available to build in Salem right now. Dave stated that there are just under 100, in subdivision, this is not including any individual lots in the city. There are also about 390 lots that have been through one or another of the approval process.

Councilperson Wills stated he is concerned about this. The past couple of years we have had some kind of restriction, are the courts going to say anything that the city is not doing anything to improve this problem. Mayor Brailsford stated that we have done some things; we are doing studies for a PI system, looking at grants, putting money in the budget for PI studies. Attorney Baker stated he is not concerned about it, that with the restrictions, we can show that we have plans; we don't have to show that we have made the changes yet.

Sam Chiara asked the council if the city has enough capacity if there was not a drought. Mayor stated that we are not really sure, we can not tell what the aquifers are doing, and we know it is about an 18 month cycle for the snow pack to get into the aquifers. This last year we were having problems with the tanks being drained because of management. When we started to manage the water better, it helped our tanks so they would not drain down as much. If we could get the springs to produce more water, then it would help on the cost of pumping water. Sam asked the question if this executive order was on until October. Mayor stated there is not a date set with this; the council can take it off anytime. He feels it would need to be reviewed again in about six months. He knows that people have the right to develop, but as a city we need to make sure the needs are met for the current residents. Steve Wilson asked the council where the line is drawn as far as having the development approved. Attorney Baker stated that when the fee's have been paid to come to a committee, that is considered the line.

Mayor Brailsford asked the council what they would like to do. Do they want to support the order or veto it.

**MOTION BY:** Councilperson Paul Hair to support the executive order.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** 3 – 1, Councilpersons Boman, Durrant and Hair Aye, Councilperson Wills Nay.

## **9. FIRE SERVICE CONTRACT WITH WOODLAND HILLS**

Mayor asked the council if they had any questions on it. He stated it is set up about the same as what the county has. One of the changes in it is that anytime we feel any of our department is in trouble, that we have the right to pull out or not enter the situation.

**MOTION BY:** Councilperson Dale Wills to approve the fire service contract with Woodland Hills.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

## **10. APPROVE MINUTES OF MAY 19, 2004**

Councilperson Lynn Durrant stated on line 62, Lance Kunhi spells his last name Kuhni.

**MOTION BY:** Councilperson Dale Wills to approve the minutes of May 19, 2004 with said changes.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

## **CHAUNCY RIPPLE – WINTER WATER USAGE**

Mayor Brailsford stated the time is 8:25 PM and asked if Chauncy Ripple was present. He was still not there. The mayor asked the council if they wanted to change their minds from the last time he was on the agenda. The council stated they did not want to change their minds, the request would still be denied.

Mayor Brailsford turned the time over to Brady Olsen for his Eagle Scout Project. Brady stated he has done a little more work from the last time he came before the council. He stated he wants to install a picnic table at the retention basin on Canal Road, he showed pictures to the council where he was going to place them. He also had a cost break down. The cement is being donated, and will be using the trax wood for the benches. He is going around asking for donations. He also has a drawing of what the table would look like. The bench and table would be bolted down to the cement. Councilperson Boman stated he felt the city could match his donations. Brady stated that he had to cut his project down to one table because of cost issues. He also stated he would be spending at least 40 hours on the project. Mayor Brailsford asked him if he thought it was worth coming back to council. Brady stated that it was, he is more prepared now. The council felt that it would be a good project.

## **11. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Lynn Durrant to approve the bills for payment.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (4-0).

## **12. PUBLIC SAFETY**

Police Chief James explained to the council about the incident that happened the night before. It was a high speed chase that came through and was stopped in Salem. Our police department had to handle the report, because it was in our jurisdiction. The police department is being remodeled and it is looking nice. Officer Bell's car is coming along, hoping to get it back soon.

### **13. OPEN DISCUSSION**

Mayor Brailsford asked if anyone had anything for open discussion. Mr. Lee stated he had a question about annexation. His parents own some property on the east side of Woodland Hills Drive. Dave Johnson explained it used to be Glen Hanks old farm. Mr. Lee was wondering what the plans were for the city to annex that property in. Mayor Brailsford explained to him, that the city can not approach people to be annexed in; they have to approach the city. Dave Johnson stated that on the master plan, it would be zoned as an A1 or R3.

### **COUNCIL REPORTS**

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

Mayor Brailsford discussed what happened in the Planning and Zoning meeting that was held the prior week. He stated that Greg from LEI came and discussed PUD's with them. He stated he would like the council to hear what Greg has to say. He told the council that next work session would be held at 6:00 and asked Dave to see if Greg could come to the meeting.

#### **15. COUNCILPERSON DALE BOMAN**

Councilperson Boman stated that the Memorial Day service went well. The web page is coming along; you need to access it by going to [www.pondtown.org](http://www.pondtown.org). He stated that Russ Ricks approached him about doing an art show during Salem Days. Mayor Brailsford was wondering if it could be by the quilt show. Councilperson Boman will look into that. He also stated that Rita Tichsner is looking at doing the cemetery walk during Salem Days. She would have a carriage ride that takes you through the cemetery. He feels that it would be a great idea, but feels another day besides during Salem Days would work out better, since that week is so busy. Mayor Brailsford was wondering about doing a Heritage Day, and get some old pictures of Salem that could be displayed. Councilperson Boman thought that would be a good idea and will look into it.

#### **16. COUNCILPERSON LYNN DURRANT**

Mayor Brailsford told Councilperson Durrant that he thought the Miss Salem Pageant went well, and that Abby did a great job.

Councilperson Durrant stated that a bed and breakfast is donating a night for the library auction. But they would like to hand out flyers during the auction. She was wondering if that would be a problem. The mayor stated that it would not be a problem. She was also wondering if she has a vote since she is over the library. Mayor Brailsford told her she should have a vote, since she is on the board.

## 17. COUNCILPERSON PAUL J. HAIR

Councilperson Hair stated that at the sewer plant, when we did all of the improvements this year, Aqua Engineering drew up the plans. There was a problem with them; the wiring was not drawn up correctly. Because of this, we have had some problems with the aerators. Aqua has agreed to pull the wire and fix the problem.

At the parks, he has a bid for a vinyl fence along the parking lot. A bid was sent out, but only one company came back with a bid. It was Best Vinyl, and their bid was for \$5,256. This is to put a fence along the parking lot where the power poles are. The fence will match the other vinyl fence around the park. Part of the bid is also for a gate to go into the park.

**MOTION BY:** Councilperson Paul Hair to approve the Best Vinyl bid to install the fence at knoll park parking lot, in the amount of \$5,256.

**SECONDED BY:** Councilperson Dale Wills.

**VOTE:** All Affirmative (4-0).

Councilperson Hair reported that the 4<sup>th</sup> of July flag raising ceremony will be on Saturday, July 3<sup>rd</sup> at the city office. This is because the 4<sup>th</sup> of July is on a Sunday. It would start at 7:00 AM. He has talked to Judge Sam McVey and he will be speaking, Councilperson Ficklin will have the sound, and the Royalty will be there.

## 18. COUNCILPERSON DALE R. WILLS

Councilperson Wills stated that we have some bids on chain link fence up at the new ball park. Dave Johnson explained to the council that the bid is broken into two options. The entire option is for the fence on the south side, from the church to the east side of the ball park, the partial option is from the little league (still south side of the ball park), to the east side of the ball park, leaving the little league field open. The last bid is for the north end of the soccer field, and that would be a 6ft fence. Councilperson Wills stated with all of the kids up there, we do have problems with kids going into the fields, he would hate to see someone get hurt with the horses, or ditches. The council felt that the entire option would be the best. Councilperson Wills stated that the fence would be chain link, and the lowest bid was from Northwest Fencing.

**MOTION BY:** Councilperson Wills to approve the bid from Northwest Fencing to install the fence at the new ball park.

Mayor Brailsford stated that it would be paid for by using impact fees.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).



Councilperson Wills stated he has some concerns with the general plan, concerns that he did not have when the general plan was being looked at. He feels that the general plan needs to be addressed.

**MOTION BY:** Councilperson Wills to give Planning and Zoning the concerns of the General Plan.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

Councilperson Wills would like to have the Ad Hoc committee meet again and let them know the concerns that the council has. Mayor Brailsford asked him to get the comments and concerns into Becky so she can get them to Planning and Zoning and the Ad Hoc Committee.

Councilperson Wills had one more concern, about the work being done at the old ball park, it looks like they are getting ready to put in the new tennis courts, he thought that we were going to hold off and wait and let the new high school build their tennis courts.

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

Dave Johnson gave the council a copy showing what a D.O. meter is and the savings it could have on the sewer plant. He was also wondering about Chrisman Drive, and what the council would like to do with it. There was some discussion on it and they will look into the options.

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

**MOTION BY:** Councilperson Paul Hair to close city council meeting.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

**MEETING ADJOURNED AT:** 9:15 P.M.

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Jeffrey Nielson, City Recorder