

Minutes of the Salem City Council Meeting held on June 6, 2007 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:00 p.m.

**CONDUCTING:** Mayor J. Lane Henderson

**COUNCIL PRESENT:**

Mayor J. Lane Henderson  
Councilperson Jeff D. Higginson  
Councilperson Brent V. Hanks  
Councilperson Terry A. Ficklin  
Councilperson Stanley W. Green

**STAFF PRESENT:**

Jeffrey Nielson, City Recorder  
Chief Brad James, Police Chief  
David Johnson, Public Works  
Junior Baker, City Attorney  
Bruce Ward, City Engineer

**Excused:**

Councilperson Lynn Durrant

#### **OTHERS PRESENT**

Erman Stone  
Michael Haskell  
Jaimee Steed  
J. Reed Cornaby

Lana Creer Harris  
David Simpson  
Gary Warner  
Lucy T. Cornaby

Kevin King  
Barry Steed  
Kody Kay  
J. Brad Morgan

#### **1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Bruce Ward stated he would like to offer a motivational message in the form of a prayer.

#### **2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Mayor Henderson invited those who would wish to participate, to stand and say the pledge of allegiance with him. He then led the pledge of allegiance for those who wanted to participate.

#### **3. PUBLIC HEARING**

**Open**

**MOTION BY:** Councilperson Terry Ficklin to Open the Public Hearing.

**SECONDED BY:** Councilperson Brent Hanks.

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

**a. Approve Preliminary Budget for Fiscal Year 2007-2008**

Mayor Henderson stated this is the preliminary budget for fiscal year 2007/2008. Mayor Henderson read some information regarding the budget. The overall budget is \$8,114,091, an increase of \$1,743,115 from last year. Some of the reasons for the large increase are the new P.I. Enterprise Fund; population growth is allowing an increase in taxes, building permits, and various charges for services. There was a decrease in miscellaneous revenue. He stated that the General Fund will be donating \$500 to the Jr. Miss Pageant, \$300 to Boys and Girls State, and \$500 for miscellaneous. Each of the five enterprise fund will be transferring \$4,240 to the General Fund for the payment of the fire truck.

Mayor Henderson talked about the sewer fund and how for the last few years the expenses have been exceeding the revenue. It has been losing money since 2002. This is due to the increase in expenses, operations and maintenance, upgrading the sewer treatment plant. The council has recommending increasing the sewer rate by \$2.50 for each hook up. This would increase the base rate from \$21.50 to \$24.00.

Mayor Henderson asked if there were any questions from the public. Gary Warner asked a question on the sewer increase. He thought that when the sewer bond was paid off, that the residents would get a break in the sewer rate. Mayor Henderson stated that there has not been a sewer rate increase since 1987. With the operations and maintenance to the sewer plant, and to bring it into compliance, costs have gone up. We also anticipate losing revenue from Elk Ridge, because they will be transferring to Payson City Sewer. Bruce Ward stated that the sewer lagoon system that the city is currently using is a lot cheaper than the mechanical plants, but as we grow, we will need to look into the mechanical plant. Also, with the increase in costs, with the upgrades to the sewer plant and the collection system, we need the revenue to maintain the sewer system.

**b. Amend Budget for Fiscal Year 2006-2007**

Jeff Nielson recommended to the council that this item be continued to the next council meeting and keep the public hearing open for this item. This will give him time to close out the month of May.

**MOTION BY:** Councilperson Stanley Green to Close the Public Hearing for Item A, but to continue the Public Hearing for Item B (Amend Budget for Fiscal Year 2006-2007) until next Council Meeting on June 20, 2007.

**SECONDED BY:** Councilperson Jeff Higginson.

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

**a. Approve Preliminary Budget for Fiscal Year 2007/2008**

**MOTION BY:** Councilperson Stanley Green to Approve the Preliminary Budget for 2007/2008.

**SECONDED BY:** Councilperson Brent Hanks.

**VOTE:**

Mayor Henderson wanted to thank the council for the work on the budget.

**4. DALACO – WAIVER ON PREPAID INMPACT FEE**

A representative from Dalaco stated that when they started their subdivision they were under the old standards that allowed the electrical and recreation impact fee to be paid with the building permits, and not paid up front by the developer. They are asking, that since they are so close to the final stage of the subdivision, that they be allowed to have the impact fees paid with the building permits and not up front. Attorney Baker stated that they are in the final stage, and they did not have a lot of time from when the new ordinance was adopted. They have 71 lots and started the process 14 months ago. The only way they would be allowed to have the impact fees paid by the building permits would be by the council approval.

**MOTION BY:** Councilperson Brent Hank to Approve Dalaco from being Required to Pay the Impact Fee's up front, but the Impact Fee's will still be required to pay with the Building Permits.

**SECONDED BY:** Councilperson Jeff Higginson.

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

**5. SUNRISE ENGINEERING – PI UPDATE AND COMPLAINT RESOLUTION**

Robert, from Sunrise Engineering, stated the P.I. system construction is coming along. They have laid about 10,000 feet of the 120,000 feet of pipe. Sunrise has inspectors who are working with the construction company to make sure everything is done correctly.

Robert wanted to report to the council about a complaint log that has been established at the city office. If someone has a complaint, they can come down to the city office and fill out the complaint log. The inspectors will check the log book each week and make sure the complaint is addressed. So far we have not had any complaints that have been logged in the book. Robert feels that Johansen Construction is doing a great job with the project.

Bruce Ward stated that another part of what the inspectors are doing is that they are logging in the exact location of the pipe, the valves, the laterals, etc. with GPS. It will give us the exact location of the PI system, both horizontal and vertical.

Mayor Henderson stated that we need to have patience while the project is going on.

Robert told the mayor and council if they have anyone that has a complaint, to let them know of the procedure to follow.

## **6. AWARD RFP FOR CITY OFFICE ADDITION**

Mayor Henderson stated that we had three architects turn in an RFP (Request for Proposal) for the expansion of the city office. He has spoken with some of the city staff, and the recommendations are to go with Kevin Madsen. Mayor Henderson stated that he feels very confident with what Kevin has done on other projects, and feels he will do a good job for the city. Councilperson Higginson stated he also spoke with the city staff about it, and agrees with the mayor.

Dave Johnson stated that Kevin has done the architect work for three local elementary schools, and he feels very confident with Kevin's work. He stated that the proposal was based around a million dollar project. All of the bids estimated the project would take a couple of years. Kevin's proposal was for \$63,000, and if the project goes past \$900,000 then his bid would be based on an hourly rate.

Mayor Henderson stated that the office space is very limited, and we do need the expansion.

**MOTION BY:** Councilperson Jeff Higginson to Accept the Proposal from KMA.

**SECONDED BY:** Councilperson Stanley Green.

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

## **7. SELL SUVMWA WATER RIGHTS**

Councilperson Green stated that Elk Ridge is in need of purchasing water from SUVMWA (South Utah Valley Municipal Water Association). SUVMWA was created by the cities in the south end of the valley, and one of the purposes it was created was to buy and sell water for the cities. Attorney Baker stated that by state law, cities may not sell water rights, and by creating SUVMWA it has allowed the sell of water rights. Councilperson Green stated the portion of water shares that Salem City has is 19 shares. Elk Ridge will pay \$3,000 for each share of water. He feels that this is the reason we are a part of SUVMWA and also feels we need to help out our neighboring cities when we can.

**MOTION BY:** Councilperson Stanley Green to allow the sell of SUVMWA Water Rights to Elk Ridge.

**SECONDED BY:** Councilperson Brent Hanks.

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

## **8. BUSINESS LICENSES**

### **a. Gary Proctor – Asphalt Stamping**

Mayor Henderson stated that Gary Proctor, at 878 S. 320 E., wants a business license for asphalt imprinting. The home would only be allowed to be an office. No construction equipment, dump trucks, large trailers or material/products will be allowed at the residential home.

**MOTION BY:** Councilperson Terry Ficklin to Approve the Business License.

**SECONDED BY:** Councilperson Stanley Green.

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

Councilperson Higginson stated that there is a Boy Scout that has an Eagle Project he would like to present to the council. Mayor Henderson turned to time over to Michael Haskell. Michael stated that he wanted to paint fire hydrants for his project, but after talking with Chief James, who told him to contact Councilperson Higginson, has changed his project. Councilperson Higginson asked him if he would paint home address on the curbs. Chief James stated that we have had a few other scout projects where this has been done, but he feels there are still a lot that need to be done. He drove around and noticed the Apple Blossom subdivision still has some that need to be done, and some could be updated. There are other places also, especially in some of the new subdivisions. Mayor Henderson stated that it is not part of our standards to have address painted on the curb. Dave Johnson stated that it is part of the building code to have the address on the home. Chief James stated that it is a lot easier for public safety to have the address on the curb, especially at night. Councilperson Hanks stated that it might help to put glass coat paint over the top. Chief James stated that the city does not have the stencils needed. He also stated that another part of the project could be to send letters to home owners stating the importance of the numbering.

## **9. APPROVE CITY SHOP PURCHASES**

Councilperson Hanks stated that he did not have any bids for the city shops.

## **10. APPROVE MINUTES OF MAY 16, 2007**

Councilperson Ficklin stated that on line 167 it should read Solid Waste Transfer Station, and not Solid Waste Treatment Plant.

**MOTION BY:** Councilperson Brent Hanks to Approve the Minutes of May 16, 2007 with said changes.

**SECONDED BY:** Councilperson Terry Ficklin.

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

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

**MOTION BY:** Councilperson Stanley Green to Approve the Bills for payment.

**SECONDED BY:** Councilperson Terry Ficklin.

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

## **12. PUBLIC SAFETY**

Chief James reported that the Salem Spring Triathlon was held on Saturday. They had to pull out about 30 people from the pond. He recommended that the organizer of the race donate money to the Search and Rescue, they are donating their time and money to help with the race. Mayor Henderson stated that we get people from all around the country doing the race. Chief James stated that one of the people they had to pull from the pond was from Florida.

Chief James also put in the news letter, coming out in July, information on fireworks, and which ones are illegal.

### **a. Approve MO with Ut. County Sex Crimes Task Force**

Chief James stated that on the agenda is a Memorandum of Understanding for Utah County Sex Crimes Task Force, Innocent Images Program, that he would request that the council approves it. He stated it is regarding the internet sex crimes, and being part of that task force. He stated that it is no cost to the city, and that we are reimbursed for any expenses.

**MOTION BY:** Councilperson Terry Ficklin to approve the Utah County Sex Crimes Task Force Innocent Images Program Memorandum of Understanding.

**SECONDED BY:** Councilperson Jeff Higginson.

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

Chief James thanked the council. He also handed out a draft copy of an ordinance for the parks and pond. He would like to get the councils input on it. He feels we need to update our rules.

## **13. OPEN DISCUSSION**

The council wanted to thank Erman Stone, for keeping the cemetery looking great. They stated it looked great for Memorial Day. Reed Cornaby also stated that it looked great, and he went to a lot of cemeteries for Memorial Day.

Erman Stone asked the council about the storage shed with bathrooms for the cemetery and wondering if it is something that is going to happen. It was stated that when the park is designed, they hope to have the shed and bathrooms part of it.

There was a question on the affordable housing, and an issue that has been brought up. The home owner is trying to sell the affordable house, and they are selling it at a very low cost to meet the affordable housing ordinance. The problem is the buyer can not get a lender to finance the home, because the selling price is so low below the market price and with some of the restrictions of an affordable housing. Mayor Henderson discussed the affordable housing, and how it works. A developer allows a couple of affordable housing lots in the subdivision, by doing that the developer can get smaller and more lots within the subdivision. So the developer benefits from it. Also the affordable housing lots get benefits like not being required to pay impact fees.

Attorney Baker stated that the council can change the ordinance, especially with the town home ordinance. He feels the town homes could qualify for the affordable housing. By changing the ordinance, it would help in the future, but with the existing homes, there is still the issue. Dave Johnson stated there are about 15 – 20 affordable houses right now. Attorney Baker stated that there are some ideas, but we need to make it fair to the others in development and who have already benefited from having the affordable housing in the development. An idea might be to charge impact fees, but to charge double. He also mentioned that we have already had an affordable house sell, but not as an affordable house, because the title company did not catch it. Mayor Henderson stated that it is a concern, and we need to look at some options. He requested that we discuss this during work session, and to have Attorney Baker come up with some options for us.

## **COUNCIL REPORTS**

### **14. MAYOR J. LANE HENDERSON**

Mayor Henderson stated that the South Utah County Mayors were able to get Mayor Bills elected to the UTA Board. They feel this will really help represent the southern part of Utah County.

He reported that the 145 Battery National Guard was activated, and there will be a sending off on Monday over in Spanish Fork. He would like to invite the council to attend it.

Mayor Henderson wanted to thank Councilperson Higginson for the Memorial Day program. He also reminded Councilperson Ficklin of the July 4<sup>th</sup> program that he is in charge of. Councilperson Ficklin stated that he would not be able to do the program. Councilperson Green stated that he would be able to do it. He would like to have it at the civic center.

### **15. COUNCILPERSON LYNN DURRANT**

**16. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Ficklin reported that he is trying to get the chipper from the district so the city can use it with the compost pile. Also, for Sabin's to be able to chip their branches from their orchard. They may need help with it.

He also reported that he would not be present at the next council meeting.

**17. COUNCILPERSON STANLEY W. GREEN**

**18. COUNCILPERSON BRENT V. HANKS**

**19. COUNCILPERSON JEFF D. HIGGINSON**

Councilperson Higginson reported that the parks ground crew is doing a great job. Baseball is doing great. He is concerned with people parking at the down town parking lot, where it is posted "No Parking". Chief James stated that his officers are aware of it.

Councilperson Higginson also reported that the Salem West Stake will be doing a youth conference where one of the days they will be cleaning and doing work around the pond. They will be painting, removing some of the trees that the city will cut down, picking up trash, and doing some cleaning. He was wondering if the road around the pond could be closed while they are cleaning. It was stated that it could. He would also like to get drinks and treats for them.

The city had a float that was donated to the city. It is a self propelled float that will allow us to enter a lot more parades.

**20. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

**21. BRUCE WARD, CITY ENGINEER**

Bruce Ward stated that we have hired two new guys to help out with the water and sewer. He feels they will be a great asset to the city.

Mayor Henderson stated that last council meeting the question was brought up if we should allow a group of people to meet in the civic center twice a month. The group meets together to discuss emergency preparedness. Mary Ann Davis, who is the city's representative for emergency preparedness, attends the class. She is the person asking if the city would sponsor the class so it could be held in the civic center. Right now they



meet in Salt Lake area, and there are about 50 people who attend, and are mostly from South Utah Valley. They feel it would be very beneficial to meet. The council felt that even though it is a good cause, they feel they would not be able to sponsor it. They do appreciate Mary Ann and the classes that she puts on in the civic center for Salem City.

**22. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Brent Hanks to Adjourn City Council Meeting.

**SECONDED BY:** Councilperson Stanley Green.

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

**MEETING ADJOURNED AT:** 8:30 P.M.

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Jeffrey Nielson, City Recorder