

Minutes of the Salem City Council Meeting held on March 19, 2003 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:30 p.m.

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

**PRAYER:** Councilman Dale Boman.

**PLEDGE:** Tucker Chapman.

**COUNCIL PRESENT:**

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

**STAFF PRESENT:**

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

**OTHERS PRESENT**

Phil Porter  
Nathanael Sackett  
Paul Jamsa  
John Davis  
Eric Ross  
Rhiley Jarrett  
Seth Spainhower  
Glen Nelson  
Bill Rasband  
Zac Swenson  
Kevin Nelson  
Linda Fifita  
Wendy Chandler

Scott Christian  
Brandon Smith  
James Jairl  
Rick Jarrett  
Skyler Nemelka  
Lynn Sorensen  
Travis Tasker  
Tucker Chapman  
Jamie Carrick  
Joel Manwaring  
Phillip Palmer  
Joshua Fifita  
JulieAnn Curtis

Burke Tervort  
Luck Beuston  
Michael Jairl  
Brady Archuleta  
Trenton Johnson  
Robert Lamb  
Austin Audrus  
Donna Chapman  
John Weaver  
Brisson Carrick  
J. Reed Cornaby  
Brady Christensen

**1. PUBLIC HEARING – CONDITIONAL USE PERMITS**

Mayor Brailsford asked for a motion to open the public hearing.

**MOTION BY:** Councilwoman Vicki Peterson to open the public hearing.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (5 - 0).

**a Rachel Smith – Communication Tower**

Wendy Chandler came in the place of Rachel Smith. Wendy explained to the council that when they first started the process they felt their tower would be ok, but now they feel they will have to upgrade their tower. She is wondering if they will have to start the process over again. They are not at the point of upgrading to the 2<sup>nd</sup> generations yet, but in six months they feel they will. The 2<sup>nd</sup> generation will not change the height of the tower or the circumference; it will only change the profile. Attorney Baker stated that this was a public hearing and the council could put conditions on the use. Councilman Nelson asked what Planning and Zoning's recommendations were. Councilwoman Peterson and Dave Johnson both thought only the height and the circumference were the concern, not the attachments to the tower. Councilwomen Peterson also asked if it would still be in compliance with the FCC guidelines. Wendy stated that it would be in compliance. With the upgrade to the 2<sup>nd</sup> regeneration they would be able to monitor how much band width customers would be using and also control the band width.

Mayor Brailsford asked the public if there were any concerns or questions. No questions or concerns from the public.

**b Lester VanNosdol – Addition to LDS Church at 60 S. Main**

Lester came to the council to get a conditional use permit to do an addition to the LDS Church at 60 South Main. He stated the addition would be on the west side of the church, and would only be 240 square foot addition. They would maintain the same style as the existing building and also matching the outside brick color. They would move some of the mechanical equipment further south towards the back of the building.

Mayor Brailsford asked the public if there were any concerns or questions. Reed Cornaby asked how many square feet would be added on. Lester explained only 240 square feet.

**c Roger Knell – New LDS Church at approx. 140 S. 460 W.**

Roger Knell came to council meeting to get permission for a conditional use permit to build a new LDS Church at approximately 140 South 460 West. Roger stated that the new church would be 16,500 square feet, similar to the Mount Loafer church that was built a few years ago. Mayor stated that earlier in work session the council discussed a little bit about the property swap for an access road that will be on council agenda next time. Roger was wondering if Robert Nelson has contacted the council about the corner piece of property owned by the city. Mayor stated that is the property that would be swapped for the road way.

Mayor Brailsford asked the public if there were any concerns or questions. Reed Cornaby asked if there would be an access road from the highway. The mayor told him there would be access from the highway; it is the property that the city is looking at swapping next council.

Mayor Brailsford asked for a motion to close public hearing.

**MOTION BY:** Councilwoman Vicki Peterson to close public hearing.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (5 - 0).

Mayor Brailsford asked for a motion for Rachel Smith's communication tower.

**MOTION BY:** Councilwoman Peterson to approve the conditional use permit with the following conditions; The tower is not to exceed a total of 41 feet with the pole itself not to exceed 19 feet; the diameter of the pole cannot exceed 1 inch; with the recommendation that the pole is securely anchored to the house so as not to create a hazard to their house or the neighbors in the event of a wind storm or other natural disaster; maintain the landscaping around their house; have the appropriate attachments for internet signals and not to co-locate with any other type of communication signal; and in accordance with the ordinance, no lighting is to be allowed on the tower.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (5 - 0).

Mayor Brailsford asked for a motion for Lester VanNosdol addition to LDS church at 60 S. Main

**MOTION BY:** Councilman Dale Boman to approve the conditional use permit with the following condition, that the outside brick matches existing brick.

**SECONDED BY:** Councilman Terry Ficklin.

**VOTE:** All Affirmative (5 - 0).

Mayor Brailsford asked for a motion for Roger Knell for the new LDS Church at approx. 140 S. 460 W.

**MOTION BY:** Councilman Terry Ficklin approve the conditional use permit with the following conditions: that the property can be exchanged with Lyle Poulsen and the city presents that property for the use of the LDS Church that they would do the improvements on the property to meet Salem City and State standards.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (5 - 0).

## **2. Glen Nelson - Annexation**

Glen Nelson explained to the council that he is a land owner by 1600 West and 8000 South (down by Olson Nursery). Dave showed a map to the public and also the council approximately where the property is located.

Glen stated that he has approached some of the land owners but he will be approaching all of them. He stated that Dave Johnson has been helping him out and letting him know the process he needs to go through for an annexation. Right now they do not have any plans for the property. Mayor stated that this property is within our contract with the three cities (Payson, Spanish Fork, and Salem). If the property is annexed, the zone will still be agriculture until it is changed. Glen just wanted to come to council and let them know what he is trying to do.

## **3. BUSINESS LICENSE**

### **a Robert Stevens – Computer Software**

Robert wants a business license to develop computer software, do online sales, mail orders, and phone sales. The business would be at the home, no customers coming to the home. All necessary signatures have been obtained. The council had no problem with the business license.

### **b Rick Blackburn – Lawn Care**

Rick wants a business license to do a lawn care service. The council stated that he would have to park his equipment on the commercial portion of his property. With that condition, the council had no problem with the business license.

## **4. APPROVE SAMPLER FOR SEWER PLANT**

Councilman Ficklin reported that during council meeting on January 8, 2003 the Sampler for the sewer plant was on the agenda along with the aerators for approval. For some reason he only made a motion on the aerators. He stated that Bruce Ward talked to the council about the sampler during the work session. The price of \$5,500 was agreed upon. Bruce later was able to get the price down to \$5,300. He would like to approve the sampler at this time.

**MOTION BY:** Councilman Terry Ficklin to accept the bid of the Composite Sampler from Waterford System in the amount of \$5,300.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (5 - 0).

## **5. SPRING CLEAN UP**

Mayor Brailsford stated that the city usually has the spring clean up after spring break. He asked the council when they would like to have the spring clean up. Spring Break this year on the 10<sup>th</sup> and 11<sup>th</sup> of April. The council agreed to have the following Monday after spring break for spring clean up. That would April 14<sup>th</sup> through the 18<sup>th</sup>.

## **6. APPROVE MINUTES OF MARCH 5, 2003**

**MOTION BY:** Councilman Reid Nelson to approve the minutes as they are written.

**SECONDED BY:** Councilman Terry Ficklin.

**VOTE:** All Affirmative (5 - 0).

## **7. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilman Terry Ficklin to approve the bills for payment.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (5 - 0).

## **8. PUBLIC SAFETY**

Mayor stated that Chief James had to leave for a moment.

## **9. OPEN DISCUSSION**

JulieAnn Curtis stated that she has met with Dave Johnson and Chief James. They both felt that everything looked good for what she wants to do with her business. She wanted to make sure that the council would be ok with it. Attorney Baker stated that before the council gave their okay on it, she would have to go through the process of obtaining a business license. Mayor Brailsford stated that since he can not vote, he felt that if both Dave and Chief James thought it would be ok, that it should be alright.

Tucker Chapmen explained to the council and mayor that he is wanting to do an Eagle Scout project by taking down a couple of picnic tables by the pond. The one table is about to fall into the pond and the other is in real poor shape. He would take them down and the put a cement slab down for one new table and a bench. The cement for the slabs has been donated, so there would be no cost to the city. His troop would be helping him take the tables down and pour the cement. Councilman Nelson was wondering what type of table would be put in. Councilman Boman stated that when the budget looks better we will be putting in an aluminum table, like the ones by the heritage cabin.

Mayor Brailsford stated that he is concerned with the safety of the scouts and how close the tables are to the pond. He would feel a lot better if the scout troop was able to take the wood off of the tables and then have the city crew come in with the back hoe to take out the cement slabs. When they are taken out, Councilman Boman and Todd Gordon can show Tucker where to put the cement slabs for the new table and bench.

Phil Porter stated that the Lions Club is ready to get started, and would like the council to get him some names of people they feel might be interested. He would like the names by next council meeting. Councilman Nelson stated it might be better if he were to call them.

## **COUNCIL REPORTS**

### **10. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford stated that with the revenue for the General Fund not coming in like it should; he has frozen the Parks and Eagle Scout Project budget, but will still allow the city to do spring maintenance on the parks as needed.

Utah County Animal Shelter has asked that the city put someone on the board. Mayor has selected Officer Blair Kerby to be on the board.

Mayor Brailsford stated that he received an invitation to Olson Nursery. They are having their open house from March 25 – March 29 from 9a.m. – 1 p.m. There is a VIP on March 28<sup>th</sup> at 9:00 a.m. that the mayor would like the council to go to. Mayor also asked Vicki to invite the chamber to come to the open house

Baseball is down a little from last year.

The spring development work is done. Mayor Brailsford was pleased with the work that Lynn Sorensen has done on the development. This last week the mayor went around to the different council members to ask them about an emergency change order to fix the water line from the spring collection to the tank, but then Mike from LEI came up with different figures than what was originally stated. Mayor stated that he is not to happy with LEI, they did not measure how many feet of pipe would be needed for the project, until the other day, that is when Mike's figures had changed. Mayor felt that this should have been done at the beginning when the change order was written. So the change order has not been approved yet.

Police Chief James gave Mayor Brailsford a note stating that the war has begun in Iraq at 10:15 p.m. EST.

Lynn stated that he has purchased the pipe already. He would sell it to the city at his cost, if the city would want to install the pipe.

Lynn explained to Councilman Wills what the design would look like and what he would do if he were to finish the line.

Councilman Wills stated that during work session he was set on having the city crew do the work. After listening to what Lynn would do, he is not sure if it would be better just to have Lynn finish it. Lynn has the equipment already up there; the pipe has already been purchased. The cost savings to have the city do it is very minimal. Mayor Brailsford suggested having Lynn complete the work but not to let LEI do any of the engineering work or inspections. He asked Dave if he could do all of the inspections that were necessary.

**MOTION BY:** Councilman Dale Wills to accept the bid from Lynn Sorensen to install 220' of 8" pipe at 17.65 per foot totaling \$3,883 and 505' of 12" pipe at 19.65 per foot totaling \$9,923.25. A total of \$200 for clearing and approximately \$600 for fittings and connections plus a 10% charge for misc. items. These prices will include all work to complete the spring project and the replacement of piping for said springs. Dave Johnson is to do all inspections and Lynn Sorensen performed the design of project. LEI is not to perform any inspections or design work.

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (5 - 0).

#### **11. COUNCILMAN REID W. NELSON**

Councilman Nelson did not have anything to report tonight.

#### **12. COUNCILMAN DALE BOMAN**

Councilman Boman reported that the library has a couple of nominations for the board; he will talk to the mayor about the names later.

#### **13. COUNCILWOMAN VICKI H. PETERSON**

Councilwoman Peterson reminded the council that the Miss Salem pageant was on April 5, at 8:30 pm. The swimsuit will be allowed to be off stage this year. There is a new issue though, there are only five contestants, they were going to crown the queen and then crown the four attendants. The national Miss America organization will not allow that. They said that their bi-laws state the pageant may not crown more contestant than there are not being crowned. They are only going to have a Queen and a first attendant; the other three will be attendants, in random order.

#### **14. COUNCILMAN DALE R. WILLS**

Councilman Wills had nothing to report tonight.

**15. COUNCILMAN TERRY A. FICKLIN**

Councilman Ficklin stated that there is a board meeting the following day at 8:00 am for the South Valley Solid Waste.

Mayor Asked Chief James if he had anything to report before the council went into executive session. Chief James did not have anything to report.

**EXUCUTIVE SESSION**

Mayor Brailsford asked for a motion to move from council meeting to executive session.

**MOTION BY:** Councilman Terry Ficklin to move from council meeting to executive session.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (5 - 0).

**CLOSE CITY COUNCIL MEETING**

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

**SECONDED BY:** Councilman Terry Ficklin.

**VOTE:** All Affirmative (5 - 0).

**MEETING ADJOURNED AT:** 8:45 p.m.

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Jeffrey Nielson, City Recorder