

Minutes of the Salem City Council Meeting held on March 20, 2002 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:33 PM

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Dale Boman.

PLEDGE: Mayor Randy A. Brailsford.

COUNCIL PRESENT:

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

STAFF PRESENT:

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

OTHERS PRESENT

Wendell Miller	Vicki Matafeo	Randy Olsen
Paul Olsen	Tammy Compton	Jeff Compton
Jill Swenson	Zachary Swenson	William Rees
Darin Warren	Douglass	Jase Stewart
Colton Stewart	Gary Stewart	Angie Stewart
David Crown	Parker Davis	Phil Porter
Heather Ogden	Robert Ogden	Brian Nelson
Reed Cornaby	Gabe Lee	Tyler Warren
Austin Andrus	Bruce Warren	Daniel Arce
Kevin Cope	Michele Ogden	Tonya Olsen

1. RESOLUTION FOR MUNICIPAL WASTEWATER PROGRAM

Mayor Brailsford asked if any of the council had any questions regarding the resolution. The council replied that they had not seen the copy of the resolution. The mayor read the resolution and explained that it is an annual report that we have to do on our sewer plant. Jerry Blackett has gotten the report ready, and we need to have the approval of the council to have the mayor sign the resolution.

MOTION BY: Councilman Terry Ficklin to approve resolution 32002 and to have the mayor sign it.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (5-0).

2. PROCLAMATION ON SEXUAL ASSAULT AWARENESS MONTH

The Center for Women and Children in Crisis has requested that the cities of Utah County proclaim the month of April as Sexual Assault Awareness Month. They want citizens to be aware that we do have a problem in our communities. The Salem Police Department is going to participate in activities at UVSC on March 30th, to help citizens become aware. Mayor Brailsford read the proclamation to the council and citizens that were present.

MOTION BY: Councilwoman Vicki Peterson to accept the Proclamation on Sexual Assault Awareness Month.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

3. LARRY STONE – ZONE CHANGE

Councilwoman Vicki Peterson stated that the zone change for Larry Stone was voted on in a public hearing back on November 28, 2001. It was motioned that the zone could be changed if the property was purchased. Larry Stone has now purchased the property and would like the zone to be changed.

Councilman Wills explained that the property in question is by Larry Stone's auto repair shop behind 25 East 100 North

MOTION BY: Councilwoman Vicki Peterson to allow the zone change.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5-0).

4. BUSINESS LICENSES

Mayor Brailsford asked if either one of the two residents requesting the business licenses were present. Neither one of them were present.

- a.** John Linford would like to do retail – mail order supplies, for educators and therapists, at 929 South 350 West. Police Chief James stated that there would be no customers at the home, and UPS would probably deliver once a month. Most of his work would be over the phone and internet. The Police and Fire Chiefs did not see any hazards with the business.

Councilwoman Peterson was wondering how often does the city re-evaluate business, do we do it once a year? It was stated that if we get a lot of complaints about a particular

business then we have Dave Johnson go out to re-evaluate the business, or if Chief James sees a problem, or has a concern he will investigate that place of business. We have one business now that has been on hold since last July because of problems. The concern we have is a lot of residents have their business in their home. We may want to look at re-evaluating businesses more often.

b. Ryan Smith – Engineering Consulting

Ryan Smith wants to do an Engineering Consulting business at his home on 510 West 90 South. He would not have customers at his home. The Police and Fire Chiefs do not see any problem with it.

The mayor asked if the council had any concerns about either of the businesses, the council had no concerns. Both businesses were approved.

5. APPROVE MINUTES OF MARCH 6, 2002

MOTION BY: Councilman Terry Ficklin to approve the minutes of March 6, 2002 with no said changes.

SECONDED BY: Councilwoman Vicki Peterson

VOTE: All Affirmative (5-0).

6. APPROVE BILLS FOR PAYMENT

Mayor asked if there were any concerns with the bills.

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

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

7. PUBLIC SAFETY

Chief James stated that he has sent the Racial Profiling Policy to the council for review.

On Monday the police department removed some of the ducks and geese from Salem pond. It was very successful. A net was borrowed from the Wild Life Resource Department which worked out great. The birds were transported to the UMPA power plant in Cove Fort. None of them were injured, and should be a lot happier down there. A problem we have is that Easter is coming. That usually means we will get some more ducks. Again, if we get too many ducks, we will have a health issue around the pond.

8. OPEN DISCUSSION

Vicki Matafeo from the copy shack has done a directory of most of the businesses in Salem. She brought a copy of the directory for the council to review. Vicki also had a concern about getting the sign ordinance changed. As of now you can not have a sign on highway 198, if your business is not located along the highway. The current location of the Copy Shack is really hard for people to find, because it is not on a main road. Having a sign would help make the business easier to find. The problem we have as a city is that a lot of signs are not taken care of, and they need to be repaired. Home businesses would not be allowed to have the signs still, but for other business it would be nice. Mayor did not see a problem with allowing the Copy Shack to put their sign back up. It was mentioned that if we allow the Copy Shack, then we would have to allow the other business in town to put their signage back up.

Is what needs to happen is the ordinance needs to be brought up in a work session for Planning and Zoning for approval, then brought to council for amending of the ordinance. Vicki asked if they could put up any kind of sign without the having the city come and approve it. It was stated that the city needs to monitor the signs to make sure they are in compliance. The businesses would also have to have Dave Johnson issue a permit for off premise's signs. When the ordinance is redone, the specifics of who will be monitoring the signs, needs to be resolved. Changing the ordinance quickly would help the business in Salem. Until the ordinance is amended we can not allow any signs to go up.

Mayor Brailsford asked if anyone had anything else in open discussion. Paul Olsen had a question; he lives on Woodland Hills drive and has a five acre property that he would like to have his son build a home on. The property is zoned as an A5 right now, and next to the property it is A1. There may be problem with a spot zoning, and the city does not allow spot zoning. The property is broken into two parcels; one is 3.6 acre's and the other is 1 acre. Paul is interested in building on the 3.6 acre property. These properties were brought in with the Davis Annexation. Another problem would be with the county not allowing any direct access onto Woodland Hills Drive. Paul stated that there is a road on the other side of property that he would have access to, so he would not have to go onto Woodland Hills Drive. Another problem would be the sewer. The mayor told Paul he would need to call Becky at the city office to get an appointment to meet with DRC (Development Review Committee).

Dave Crown and his wife were wondering if there should be a fence between Texaco and their home. They are concerned about the garbage that comes into their property, and also with the propane tank by their home. The problem is that between Dave Crown's home and the Texaco there is a buffer property that is an empty lot. The ordinance states that a vision barrier fence needs to be between a business and residential home. The question was asked of Dave Johnson if the propane tank at the gas station has the concrete poles around it. Dave said that it does. Dave Crown was also wondering if they could have someone come down and let them know where a sidewalk would be placed in the future. They have about 10' of property that does not have a sidewalk. They are getting ready to do some landscaping there and would like to know where the future

sidewalk would be. It was stated that we would have Todd Gordon come down and let them know.

Other citizens had a concern about Sumsion pit reopening and a pond being placed up there. The mayor stated that this is a false rumor that is going around in that area.

The mayor asked if there were any other questions. No other questions. The mayor also thanked all of the scouts for coming to city council.

COUNCIL REPORTS

9. COUNCILWOMAN VICKI H. PETERSON

Councilwoman Peterson mentioned that the clean up is coming up next month, the 22nd – 24th of April. She also mentioned that she has received some calls about different nuisance problems in the city; one is how many cars do we allow a citizens to have parked at their home? Chief James stated that as long as they are operable, and are not parked for more than 48 hours, they are ok. Citizens have also called and complained about weeds on neighboring properties. The state law is pretty strict about the nuisance ordinances; it gives the private property owner a few rights. What might be a nuisance to someone may not be to the land owner. If there is a nuisance problem, call Chief James and let him know.

Mayor Brailsford stated that with Swenson's Scrap Metal closed, we may be seeing a lot more problems with nuisance around the city. We may want to re-look at the nuisance ordinance.

Councilwoman Peterson also wanted to know who is over the Easter egg hunt? Councilman Ficklin stated that he is, along with the fire department. Councilwoman Peterson stated that the Youth Council is concerned about the prizes for the Easter egg hunt. They spent the previous night putting candy in the plastic eggs. They were only putting one small piece of candy in each egg, and were wondering about other prizes. Councilman Ficklin explained that they will have some big prizes. The prizes will be awarded about the same as last year. Each egg will have a piece of candy in it, then after the egg hunt, the kids will come to a desk and get an envelope (this way each kid will get the same opportunity at winning a big prize, the prizes will not be awarded to who ever has the most eggs). In the envelope it will state what prize they will be awarded. They have purchased a lot of prizes and have had a lot of companies donate prizes. There will also be about 200 more prizes this year, than last. This year they will also thank all those who have donated prizes and money at the beginning of the Easter egg hunt. Mark Goudy, (fire chief), and the youth council have all worked hard on this. The Easter egg hunt will be on Saturday, March 30, at 9:00AM.

Councilwoman Peterson also announced that the Youth Council will be doing a safety fair at the Mount Loafer School along with working with the Dare program. Councilwoman Peterson was also wondering if Salem would be hosting a fishing day again this year. The mayor stated that we would on May 21st at the pond. It is a very special day for the handicapped kids and adults. The Wildlife Fish and Game always plants a bunch of fish in the pond for them. We will also need a lot of volunteers to help out on that day.

10. COUNCILMAN DALE R. WILLS

Councilman Wills met with Todd Gordon the other day, and it was a very good meeting. They discussed the cost of purchasing painting equipment and stencils to be able to paint our own strips and signs on the road. They also discussed a couple of roads that are in bad shape. One of the roads is by Duane Davis, and the other is by the Mount Loafer substation. We are looking at the different options right now for these roads. It was mentioned that the roads are not really used by our citizens, that they are used by the construction trucks and citizens of Elk Ridge. Councilman Wills is also trying to get some figures together on what it would cost to replace the road just south of the city office down to Salem Elementary School. Also looking at doing a chip sealing on Main Street, north of the city office to S.R. 198. Todd also attended the chip seal meeting, the day before, with the other cities involved.

Councilman Wills mentioned that since the last snow fall on Sunday, we are at 83% of our precipitation for the year. But we are at 63% of what we need to be, because of the draughts we have had in the past years, we are trying to catch up. The good thing is that we have the highest percent in the state right now, but we are still not in good shape. We will have to look at our options to help conserve water. Also, as per the Mayor's memo that will be going to the city employees, the city will be doing their part in conserving water this year.

Councilman Wills also has some questions about the budget, and would like to meet with Jeff Nielson to look at some of the concerns he has.

11. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin would like to have the Easter egg hunt information placed on the marquee. It was asked if the Fireman Auxiliary was still part of the Easter egg hunt. Councilman Ficklin stated that the Fire Chief Mark Goudy, along with the youth council have done a great job with it.

Councilman Ficklin also asked Jeff Nielson if he sent letters out to members of Salem/Elk Ridge sewer board regarding the meeting on April 2nd. Jeff stated that he had sent the letters out. Councilman Ficklin would also like to make sure the Mayor of Elk Ridge receives a letter.

Mayor Brailsford was wondering about the Solid Waste, and what is going on there. Have we looked at getting some new garbage truck's to be used by the cities in our area? We may want to look at that option. Other companies are going out of business; it may not be long before one company would have a monopoly. If we had our own trucks, with these other cities, it could really be beneficial. Also, BFI is very harsh on the cans when they are dropping them. You can drive down a street and not see one garbage can standing up right. We need to write a letter to Jeff from BFI stating our concern about the garbage cans.

12. COUNCILMAN REID W. NELSON

Councilman Nelson mentioned that the work on the new substation, at Dry Creek, is still progressing. Also, the new power line on Beet Road has had a few problems when the wind blows. It has been causing some quick power failures when the lines hit each other. We are putting some spacers on the power lines between some of the poles to alleviate this problem.

Mayor Brailsford left the council chambers at 8:32 PM.

Councilman Nelson reported that UMPA is having some issues with the price of power with some of their power supply companies. Some negotiations have been going on, and will not be final until UMPA board meets. UMPA is still in a lawsuit with PacifiCore Power. The lawsuit is still progressing. UMPA has had a disagreement with the contract they had with PacifiCore, but everything is looking good.

13. COUNCILMAN DALE BOMAN

Councilman Boman mentioned that he read, in the notes of the department head meetings that the city is getting ready to fertilize and aerate the parks. We may want to look at doing all of that after the Easter Hunt is over. We do not want to have the fertilizer on the lawns when the kids are doing the Easter egg hunt. If they wanted to do the other parks that would be fine but to hold off on the Knoll Park, and over by the Lions Club.

Councilman Boman has also had some people complain about some sticker weeds by the old post office. When kids ride their bike by there they are getting the sticker weeds in their tires. Can we write a ticket and fine the owners for a nuisance's violation, then use the money from the ticket to pay for the weed control. It was mentioned that most of the money goes to the state, and not to the city. We should do something before they start to grow though.

Councilman Boman also mentioned that the theme for Salem Days has been chosen. It will be "Hurray for the Red, White, and Blue".

14. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson wanted to update the council on the SR 198 sewer line project. The bid was for \$119,000 to Val Carter. Val has jetted, and cleaned out the sewer lines in the city that have been designated as high infiltration areas. Val gave us a verbal quote of \$35,000 to fix all of the areas of concern. As far as SR 198, we have 3 spots that need to have point repairs done on them. We can do these point repairs in house. With the rest of the SR 198, Val can go in and do the grout work on the spots that are bad. It was asked if the grout work comes with a guarantee? Dave Johnson said that he would find out. Also, we have the permit from UDOT to get those three spots done, and would like to start on it next week.

The Mayor came back into the council chambers at 8:39 PM.

We will need to get the bid from Val Carter for these other areas on the agenda for council next time. Dave Johnson will need to get a bid from Val Carter to do the rest of the areas in the city. Councilman Nelson asked if this would help out our infiltration problem. Dave mentioned we do not have a gallon amount of how much infiltration is coming into the sewer lines, but these area's are the worst and it would be beneficial to have them repaired

Other items; we had our bid out for some cement flat work on the new ball park. It is a 10' service road from the snack shack, and also some curb & gutter. We had 11 bids ranging from \$33,000 to \$12,000. The lowest bidder was Gordon Brothers of Orem. Dave mentioned he would be checking on some references, and then put the bid information on the agenda for next council.

We are also looking at some of the final cost of the ball park. It will be about \$22,000 in concrete alone, with labor and road base it could be around \$40,000. We also have the fencing around the last field and back stop. The company that did the fencing before has guaranteed the same the price that they charged for the other fields up there. The Questar gas line will be coming through the ball park area around June, after that we can look at paving the parking lot.

15. MAYOR RANDY A. BRAILSFORD

Mayor mentioned he met with the four board members of CUP. The meeting went very well. The mayor would like to get with Councilman Wills, Reed Cornaby, and Dave Johnson to get a letter together regarding some water issues.

LEAVE COUNCIL MEETING TO GO INTO EXECUTIVE SESSION

MOTION BY: Councilwoman Vicki Peterson to leave council meeting to go into executive session.

SECONDED BY: Councilman Ried Nelson.
VOTE: All Affirmative (5-0).

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilman Ried Nelson.
SECONDED BY: Councilman Dale Boman.
VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 9:35 PM.

Jeffrey Nielson, City Recorder