

1 Minutes of the Salem City Council Meeting held on May 7, 2008 in the Salem City
2 Council Chambers.

3
4 **Work session 6:00 p.m.**

5
6 Councilperson Terry Ficklin mentioned that Allied Waste sent a letter wanting to increase
7 their rates by \$0.75. We sent a letter back to them stating that we would accept a 6%
8 increase, but not a \$0.75. We are waiting to hear from them.

9
10 Mayor Henderson discussed the work week for city employees. Allowing them to work
11 9 hours four days a week, and then on Friday work until noon. The council felt that it
12 would be a good idea, and they would like to do a pilot program to see how it goes.

13
14 Mayor Henderson also talked about the new flow chart for city employees. He stated that
15 he has put Bruce Ward as the Public Works Director, and put Steve Cox and crew under
16 Bruce. He also put Dave Johnson as Assistant Public Works Director, and kept Gary
17 Warner under Dave Johnson.

18
19 Mayor Henderson stated that he has been looking at a city planner, and found one who
20 will help us develop the interchange area. He is also looking at keeping Albert on during
21 the summer and helping the city planner.

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23
24 **MEETING CONVENED AT: 7:00 p.m.**

25
26 **CONDUCTING:** Mayor J. Lane Henderson

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28 **COUNCIL PRESENT:**

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30 Mayor J. Lane Henderson
31 Councilperson Lynn Durrant
32 Councilperson Brent V. Hanks
33 Councilperson Terry A. Ficklin
34 Councilperson Stanley W. Green
35 Councilperson Todd R. Gordon

28 **STAFF PRESENT:**

30 Jeffrey Nielson, City Recorder
31 Chief Brad James, Police Chief
32 David Johnson, Public Works
33 Bruce Ward, City Engineer

36
37 Excused:

Junior Baker, City Attorney

38
39
40 **OTHERS PRESENT**

41
42 Lana Creer Harris
43 Erman Stone
44 Lani McCann
45 Reed Cornaby

Ed Christianson
Mallory Byrnes
Tyson Robertson
John Davis

Reid Nelson
Hayden Christianson
Trinity Lawrence

46

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

48

49 Mayor Henderson asked if anyone would like to give a motivational or inspirational
50 message. Reid Nelson stated he would like to offer a motivational message in the form
51 of a prayer.

52

53

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

55

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

59

60

61 **3. APPROVAL OF SESD/BALLARD AGREEMENT**

62

63 Mayor Henderson stated that Ballards, who just had an annexation approved on the
64 south/west side of town, would like to get a SESD agreement. Bruce Ward showed on
65 the map where the annexation is located. He stated that when property is annexed into
66 the city, if the property has certain infrastructure on it, that infrastructure needs to be
67 bought out. Ballard's have paid for the SESD infrastructure and would like to get
68 reimbursed, when portions of the property that was annexed is developed. This will help
69 them get reimbursed for some of the cost. This is like the H.E. Davis agreement that was
70 made a few years ago, and it is very common.

71

72 **MOTION BY:** Councilperson Terry Ficklin to approve the Ballard/SESD Agreement.

73 **SECONDED BY:** Councilperson Todd Gordon.

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

75

76

77 **4. JOHN DAVIS – CURB & GUTTER @ 210 N. 400 E.**

78

79 Mayor Henderson explained that John Davis wants a variance on curb & gutter for the
80 home his son wants to build at 210 North 400 East. John Davis explained that he is
81 aware of what the city has gone through with the curb and gutter issues. He gave the
82 council a hand out explaining the scenario that would need to take place. In order to
83 maintain the crown of the road the irrigation culverts would need to be looked at. He also
84 reported that he shot some grades, and found that a couple of irrigation ditches would be
85 a problem. He is asking the council for a variance on curb & gutter because he feels it
86 would not fit in this area, and would not be able to line up. He stated that in the future, if
87 the city decides to do a SID (Special Improvement District) that would be the best time to
88 do the curb and gutter. He also stated that the ditches right now are acting as storm
89 drains, and can not be abandoned.

90

91 Johnny stated that to the north of this property are Mont and LaVera James. A few years
92 ago curb and gutter was put in front of their home to help with traffic and to line up the

93 road. He stated that when that happened it created problems for Mont and LaVera. Their
94 drive way is so steep that in the winter time they have a hard time getting into it. He feels
95 that the whole road would need to be done, and some of the problems fixed. Right now,
96 with his son building a home and doing a small portion of the curb and gutter, it is not
97 feasible, especially since it is a corner lot, and would need to do 400 East and 200 North.
98 He feels that it needs to be done right. There are many times that the city has required the
99 curb & gutter, and then the city has had to re-do the area.

100
101 Councilperson Todd Gordon mentioned that when the city put the curb in front of the
102 James' that there was a need for safety on that road. The road was taken down 4 feet to
103 help with the safety issue. If the road is raised back up, then it would cause the safety
104 issue again. The city looked at what would be best for the area, and at the time the
105 improvements that were done, is what the city felt would be best.

106
107 John feels that it would not be reasonable to have curb & gutter installed right now.
108 Councilperson Gordon stated that the culvert to Nelson property would need to be
109 replaced. He feels that he would like to see a report from the staff with their
110 recommendations before he makes any decision. Bruce Ward agrees with Councilperson
111 Gordon, and that this item should have gone before the city staff first, and then come
112 before council if needed.

113
114 Mayor Henderson suggested that John do a portion of the road, and maybe look at having
115 the city participate also. Councilperson Hanks is concerned that there is not any money
116 left in the roads department.

117
118 Councilperson Durrant stated that the city does not have a master plan in place yet, and
119 this is one of the areas that have been discussed for curb & gutter. Councilperson Green
120 stated that if it can not be done right now, then we should hold off of doing it and wait until it
121 can be done correctly. The council agreed that it needs to be done right the first time.

122
123 Councilperson Ficklin stated that he is not an expert on curb & gutters, and that he would
124 like to get a recommendation from the staff on the situation. He stated that the ordinance
125 is in place, and where it is feasible, we need to require the curb and gutter.
126 Councilperson Gordon would also like to have the city staff recommendation.

127
128 Mayor Henderson stated that he would like to see the curb & gutter improvements done
129 on 400 East, with the ditch put in. Bruce Ward suggested having Coles engineering get
130 the information of what would need to be done. John stated that the problem is that Coles
131 looks at the standards and they don't look at really what would need to be done to fix it.
132 Bruce stated that we would give Coles direction of what we would want, and how we
133 would want it to line up. Mayor Henderson asked about doing the improvements on 400
134 East, and then waiting on 200 North. John felt that would be something he could do.

135
136

137 Mayor Henderson suggested having Bruce and Dave meet with Coles and give them
138 permission for John to proceed, with the understanding that 400 east would be fixed
139 properly.

140
141 The council still would like to have a recommendation from the staff on the situation.

142
143 **MOTION BY:** Councilperson Todd Gordon to table the John Davis request on variance
144 for curb and gutter, until we can get a recommendation from the council.

145 **SECONDED BY:** Councilperson Terry Ficklin.

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

147

148

149 **5. APPROVE COURT BUDGET**

150

151 Jeffrey Nielson explained that since Salem City is part of the state court, the state will
152 pay Salem City for expenses related to the court. This is their budget stating how much
153 they will pay the city. This budget is approved each year.

154

155 **MOTION BY:** Councilperson Lynn Durrant to approve the Court Budget.

156 **SECONDED BY:** Councilperson Terry Ficklin.

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

158

159

160 Chief Brad James stated that the next four items have been reviewed by Attorney Junior
161 Baker and he is okay with them.

162

163 **6. RESOLUTION FOR LAW ENFORCEMENT WEEK**

164

165 Chief James gave a description and history of the resolution. The state has approved May
166 15th as a memorial day for police officers who have passed away in the line of duty. On
167 this day the governor has requested that the flags be flown at half mast. He stated that
168 their have been 115 Utah Law enforcement officers who have passed away in the line of
169 duty. He then read some of the statistics of the officers who have died.

170

171 **MOTION BY:** Councilperson Stanley Green to approve Resolution 50708 approving
172 May 15 as Law Enforcement Week.

173 **SECONDED BY:** Councilperson Lynn Durrant.

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

175

176

177 **7. MAJOR CRIME SCENE TASK FORCE UNIT**

178

179 Chief James stated that Salem City has been a part of this for a long time. This helps to
180 fight against drug and major crimes. He stated that the budget impact for this is \$2,500
181 for this coming budget year. Most of the cities in the county belong to it. Chief James
182 stated Salem City has been a member of the “Utah County Major Crimes Task Force”

183 since its inception. This organization is vital in dealing with drug trafficking in Utah
184 County. As a participating member we can call on this organization at anytime we need
185 assistance with a drug investigation or a major criminal investigation. We can also place
186 an officer from our department into this specialized unit, as a city it would be beneficially
187 to our community.

188

189 **MOTION BY:** Councilperson Terry Ficklin to approve the Major Crime Scene Task
190 Force Unit Agreement.

191 **SECONDED BY:** Councilperson Lynn Durrant.

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

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195 **8. UTAH VALLEY SPECIAL VICTIMS TASK FORCE**

196

197 Chief James stated Salem City has been part of the Utah County Sex Crimes Task Force
198 since its inception. The name this year has been changed to the, “Utah Valley Special
199 Victims Task Force”. This task force has provided low cost sex crimes training to Salem
200 Police Officers. It has provided overtime funds for Salem Officers to identify and arrest
201 sexual predators on the Internet. He stated most cities in the county belong to this.

202

203 **MOTION BY:** Councilperson Terry Ficklin to approve Utah Valley Special victims
204 Task Force.

205 **SECONDED BY:** Councilperson Stanley Green.

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

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209 **9. PUBLIC SAFETY RETIREMENT RESOLUTION**

210

211 Chief James stated that in the Utah State Retirement System, all public employees, full
212 time fire fighters, and judges get up to a 4% COLA (Cost of Living Adjustment) each
213 year of retirement. The Public Safety employees are the only group of employees that
214 don't qualify for that adjustment. This year the state passed a bill allowing public safety
215 to receive this benefit, but this was only for state employees, it did allow cities and
216 counties to be apart of it but each of them had to adopt a resolution.

217

218 The question was asked why public safety was left out of it. Chief James stated he was
219 not sure, that it has been like this for a long time, and has been up for approval to change
220 each legislative year. For this coming budget year, the cost would be around \$5,000.
221 Chief James stated that if we don't adopt it, it may hinder when hiring new police officers
222 because they make look at our retirement, and want to go somewhere else.

223

224 **MOTION BY:** Councilperson Stanley Green to approve the Public Safety Retirement
225 Resolution 50708B.

226 **SECONDED BY:** Councilperson Todd Gordon.

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

228

229 **10. HIGHLAND HOMES CONNECTORS AGREEMENT**

230

231 Mayor Henderson stated that this item is not ready for council approval tonight.

232

233

234 **11. APPROVE MINUTES OF APRIL 16, 2008**

235

236 **MOTION BY:** Councilperson Lynn Durrant to approve Minutes of April 16, 2008 as
237 written.

238 **SECONDED BY:** Councilperson Brent Hanks.

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

240

241

242 **12. APPROVE BILLS FOR PAYMENT**

243

244 **MOTION BY:** Councilperson Brent Hanks to approve the bills for payment.

245 **SECONDED BY:** Councilperson Stanley Green.

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

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248

249 **13. PUBLIC SAFETY**

250

251 Chief James reported that the Emergency Management Team has been working on an
252 emergency calling system. When this issue was brought to council a few months ago, it
253 was tabled, because other options came available. Homeland Security has a grant for
254 systems like this. Utah County has looked into the grant and is going to qualify for it,
255 and they are getting a system called City Watch. Reid Nelson and Chief James attended
256 a meeting for this City Watch, and Salem City could join the county and get in with them.
257 If we do this, the only cost would be an O&M cost each year. The program would be
258 paid for by the grant. Currently there are three other counties and health departments are
259 using it. Reid Nelson stated that there are some benefits to having a system like this. The
260 Emergency Management Committee is in favor of this. Chief James stated that there
261 would be no cost to the city for two years, and then we would be responsible to pay for a
262 portion of the services, if we decide we want to continue.

263

264 Mayor and the council are all in favor of the program, and feel that it is needed. A
265 motion was made to use the City Watch program with the county.

266

267 **MOTION BY:** Councilperson Lynn Durrant to approve Salem City to be a part of the
268 City Watch program.

269 **SECONDED BY:** Councilperson Stanley Green.

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

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275 **14. OPEN DISCUSSION**

276

277 Mayor Henderson asked if there were items for open discussion.

278

279 Hayden Christianson reported that he is working on his Eagle Scout, and would like to
280 get approval for an Eagle Scout project. He has been working with Erman Stone, who
281 works up at the cemetery. He wants to re-roof, paint, and put new doors on the storage
282 shed at the cemetery. Councilperson Gordon stated that this is a needed project and will
283 be good to have done. Hayden stated that he plans on having it done before Memorial
284 Day. The council all felt that it would be a good project.

285

286 A family came to talk to the Mayor and council about a couple of dog tickets they had.
287 The tickets were not taken care of when they needed, because they had a death in the
288 family. Mayor Henderson and Chief James both stated that this is not an issue that the
289 Council needs to discuss because the tickets have gone to court; the family needs to take
290 the issue to the Judge in Spanish Fork.

291

292 Lani McCann was wondering about recycling. Councilperson Ficklin stated that South
293 Utah Valley Solid Waste District is working on some items. He showed a picture of
294 some recycling bins that they want to put around at some of the member cities. He stated
295 that Spanish Fork City is looking into a recycling program, but are finding out that it is
296 very expensive to do a recycling program. He also mentioned that the district does do
297 some recycling at the transfer station, items they can get out, before it is transferred over.
298 The district is also looking at other ways to recycling. Lani asked about doing a regional
299 recycling program. Councilperson Ficklin stated that it is still very expensive to a
300 recycling program going. He feels that by putting up the bins in the different city will
301 help with some recycling.

302

303 Reid Cornaby asked about the water leak that left a big pot hole by canal road. It was
304 stated that it was from the Pressurized Irrigation line. The city knows about it and it is
305 being worked on.

306

307

308 **COUNCIL REPORTS**

309

310 **15. MAYOR J. LANE HENDERSON**

311

312 Mayor Henderson thanked those that participated in the grocery store ground breaking,
313 and felt that it went very well.

314

315 The annual kids fishing day is set for May 13th, and asked the council if they get a chance
316 to go check it out.

317

318 He asked Councilperson Gordon if he was ready for the Memorial Day ceremony.

319 Councilperson Gordon stated that he was working on it.

320

321 **16. COUNCILPERSON LYNN DURRANT**

322

323 Councilperson Durrant stated that she has been approached by residents to look into a
324 recreation facility for the area.

325

326 **17. COUNCILPERSON TERRY A. FICKLIN**

327

328 **18. COUNCILPERSON STANLEY W. GREEN**

329

330 Councilperson Stanley Green reported that the P.I. is going well. The company that is
331 doing the PI project is handling the complaints. Bruce Ward stated that right now we are
332 working on some of the older subdivisions that had PI pipe installed during development,
333 but have been dry lines until now. The contractor is helping out a lot with some of the
334 problems associated with those older lines. Bruce stated there are a few problems here
335 and there, but for the most part we are getting residents hooked up. The west pond is
336 filled and working. Bruce stated that we need to let residents know that they can not
337 water from 10:00 a.m. to 6:00 p.m.

338

339 Bruce Ward stated that we had a resident come in and complain about their PI hook up,
340 they had to take the PI down their drive way, which was a long way. They live on a flag
341 lot, so the drive is really long. The council stated that there have been others that we
342 have had to do the same, and we did not give them a break. It was stated that the
343 customers are responsible from the meter to their home.

344

345 **19. COUNCILPERSON BRENT V. HANKS**

346

347 **20. COUNCILPERSON TODD R. GORDON**

348

349 Councilperson Gordon stated that we need to budget money for a new pumper fire truck.
350 He stated that our ISO rating will go up unless we get a new fire truck. We need to think
351 about it.

352

353 **21. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

354

355 **22. BRUCE WARD, CITY ENGINEER**

356

357

358 **ADJOURN CITY COUNCIL MEETING**

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360 **MOTION BY:** Councilperson Brent Hanks to adjourn city council meeting.

361 **SECONDED BY:** Councilperson Lynn Durrant.

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

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364 **MEETING ADJOURNED AT:** 8:40 p.m.

365

366

Jeffrey Nielson, City Recorder