

Minutes of the Salem City Council Meeting held on May 16, 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 Lynn Durrant
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
Bruce Ward, City Engineer

Excused from Council Meeting:
Councilperson Jeff D. Higginson

Attorney Junior Baker

OTHERS PRESENT

Jeremy Duda
Brad Morgan
Keaton Anderson
Andrea Taylor
Del Jorgensen
Elizabeth Tervort
Richard Stewart
William Hereth

Lana Creer-Harris
Cliff Corless
Madison Mitchell
Rium Wilcox
Jennifer Jones
Tyler Roberts
Kevin Kuhni
Vance Barrett

Kody Kay
Cosette Corless
Jenalee Sainsbury
George Rasband
Burke Tervort
Becky Poulter
Camilla Simonsen

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Stanley Green 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 Lynn Durrant to Open the Public Hearing.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

a. Val Cope – General Plan Amendment and Zone Change on the Property at 155 West SR-198 From R-2 to C-1

Mayor Henderson stated that it is the old train station along S.R. 198. Bruce Ward showed on the map where it is located. It does fit in with the master plan as commercial. Mayor Henderson asked if there were any comments from the public.

b. Andrew Moleff & Wendy Dustson – General Plan Amendment and Zone Change on Property at 564 East 600 South From R-2 to R-1

Mayor Henderson asked if Andrew, Wendy, or anyone representing them were present. No one was present. Mayor explained where the property is located, and Bruce Ward showed on the map. Mayor Henderson stated that DRC and Planning & Zoning both recommended not approving the change. Mayor Henderson asked if there were any comments from the public.

c. Parks & Recreation Impact Fee

Mayor Henderson stated that this item was continued from the prior council meeting. There was a question with some of the figures; Helen from Utah Home Builders Association had the questions last council meeting. Mayor Henderson stated that Helen was at work session tonight, and we were able to discuss the figures with her. The problem was the amortization schedule was over an 11 year period, rather than a 10 year period. The change has been made. The fee was recommended at \$4,610 before, now it is recommended being at \$4,470. Also written in the ordinance, it is allowing the city to collect the recreation and electrical impact fee up front by the developer, rather than the home owner when the home is built. Mayor Henderson asked if there were any comments from the public.

Close

MOTION BY: Councilperson Stanley Green to Close the Public Hearing.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

a. Val Cope – General Plan Amendment and Zone Change on the Property at 155 West SR-198 From R-2 to C-1

MOTION BY: Councilperson Lynn Durrant to approve Val Cope General Plan Amendment and Zone Change on the Property at 155 West SR-198 from R-2 to C-1.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

b. Andrew Moleff & Wendy Dustson – General Plan Amendment and Zone Change on Property at 564 East 600 South From R-2 to R-1

MOTION BY: Councilperson Lynn Durrant to Deny the request from Andrew Moleff & Wendy Dustson for a General Plan Amendment and Zone Change on Property at 564 East 600 South From R-2 to R-1.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

c. Parks & Recreation Impact Fee

MOTION BY: Councilperson Brent Hanks to approve the Parks & Recreation Impact Fee study with the recommendation of charging \$4,470 for Recreation Impact Fee, and to allow the Recreation Impact Fee and Electrical Impact fee be paid up front when the subdivision is approved.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

4. ZINA HANKS WAIVE UTILITY LATE FEE

Combined the two requests.

5. THAD QUIST – WAIVE UTILITY LATE FEE

Mayor Henderson stated that we have two requests for the utility late fee to be waived, item #4 and item #5. Mayor Henderson asked if Zina or Thad were present, they were not. Councilperson Durrant stated that it is a hardship to pay the late fees. She stated that if the office were to find that utility bill, and determine that it was not late; the city office would make the adjustments.

MOTION BY: Councilperson Lynn Durrant to deny the two requests to have the utility late fee waived.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

Mayor Henderson stated that there was an anonymous donor that did come in and pay for Zina Hank's late fee.

6. VANCE BARRETT – SUBDIVISION WAIVER FOR 5 LOTS AT 50 NORTH 500 EAST.

Bruce Ward stated that this is a subdivision waiver and would be part of Hanks Estates. That Hanks Estate Plat A and B both have been approved a while ago. With plat B, the city required that 50 North be completed. When it was designed it would have created a curve in the road. When the road was straightened out, Vance was able to create 5 new lots. Because 50 North is already being improved, Vance is asking for a subdivision waiver. One of the lots will be a twin home lot.

MOTION BY: Councilperson Stanley Green to approve Vance Barrett Subdivision Waiver for 5 Lots at 50 North 500 East.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

7. MICHAEL GLEED ANNEXATION

Brad Morgan, who owns some of the property, presented to the council the signature of the property owners stating they are okay with the annexation. He also presented to the council a map of the annexation area. He stated that the last time this came before council the council asked that they get the signatures, the SESD buy out, and the easement for sewer. He stated that they have done all of it, except the sewer has changed. The new route for the sewer line will have it going down SR 198 to Hatfield property, go west by Pond Town Development, then by the LDS Church property. This will help the commercial along the highway, and also help Pond Town Development. They have done the entire request that the council has asked. Mayor Henderson stated that the sewer line is in accordance with the master plan for the sewer line. Brad stated that he worked with Bruce Ward on the sewer line, and this is when they came up with the alternate route. He stated that he has letters from the LDS Church, Doyle Hatfield, JNB (Pond Town Development) for the sewer line, and SESD for the power buy out.

Mayor Henderson asked some of the property owners who were present, if they were okay with it. Cliff Corless and George Rasband both stated they are in favor of the annexation. Mayor Henderson stated that there is still the concern that the development would be out there a ways. Councilperson Hanks stated he is still concerned with the empty space between the other developments and this one. Brad stated that they have not had any complaints from the home owners.

Mayor Henderson stated that this plan looks a lot better than what was brought before them a few months ago. Councilperson Green stated that the sewer line now fits within

our master plan. Councilperson Hanks is concerned with public safety and also snow plowing out in the area.

MOTION BY: Councilperson Terry Ficklin to approve the Michael Glead Annexation.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: 3 “Aye”; 1 “Nay” Councilperson Brent Hanks Opposed, (3–1)

8. RESOLUTION UTAH LAKE COMMISSION

Councilperson Ficklin would like to postpone this item, it is not ready yet.

9. COMMUNITY CENTER FEE STRUCTURE

Councilperson Ficklin would like to postpone this item, it is not ready yet.

10. UTAH STATE COURT CONTRACT

Jeff Nielson explained that we are part of the court system here in the office. Because of that Utah State will reimburse us for expenses that accrue due to court. This contract states the amount that the state will reimburse us.

MOTION BY: Councilperson Brent Hanks to approve the Utah State Court Contract.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

11. BIDS FOR ASPHALT FOR CEMETERY

Mayor Henderson stated he asked Dave Johnson to get some bids for this. He stated that we need to asphalt the parking lot on the North side of the cemetery. It is starting to come apart. He wants it done before Memorial Day. Dave stated that it is about 7500 square feet. He was able to get two bids. Staker Parsons was \$2.00 a square foot, and Geneva Rock was \$1.72 a square foot. The asphalt will be 3 inches deep. Both have said they could have it done by Memorial Day.

MOTION BY: Councilperson Lynn Durrant to approve the Geneva Rock bid for \$1.72 square foot for Asphalt for Cemetery Parking Lot.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

12. RESOLUTION AFFECTING SUBDIVISION

Mayor Henderson stated that this item has been waiting for a long time. Since the city has been working on meeting the power obligations we now feel we are at a point that we can lift the subdivision restrictions.

MOTION BY: Councilperson Brent Hanks to approve Resolution Affecting Subdivisions.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

13. WELDER FOR SERVICE TRUCK

Bruce Ward stated that the city has purchased a service truck for water and sewer. We would like to have a portable welder for the truck, so when we need to weld items we do not have to take them to the shop, and sometimes over to Spanish Fork. Mike Pritchett was able to get a couple of bids. The lowest bid is \$6,400. We feel it will be very beneficial to the city. We also have several guys who have welding skills. The council feels that it will be very beneficial to the city also.

MOTION BY: Councilperson Stanley Green to approve the portable welder for the service truck for \$6,400.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

14. APPROVE CITY SHOP PURCHASES

Councilperson Hanks stated he did not have any purchases for the shop.

15. APPROVE LOAFER SUBSTATION PURCHASES

Bruce Ward stated that Dan from SESD has brought in bids for the moving of the dirt for the Loafer Substation. He stated that we have already approved the concept of the new substation. He then read the bids to the council.

MOTION BY: Councilperson Lynn Durrant to approve the Western Utility Co in the amount of \$119,419.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

16. APPROVE MINUTES OF MAY 2, 2007

MOTION BY: Councilperson Lynn Durrant to approve the minutes of May 2, 2007 as written.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

17. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

18. PUBLIC SAFETY

Chief James explained that the Emergency Management Team will not be meeting over the summer months, but they are still on call if needed.

19. OPEN DISCUSSION

Mayor Henderson asked if anyone had anything for open discussion. A gentleman stated that he has some ideas for the right-of-ways for trails. He stated that Chief James and Bruce Ward were in a meeting with him when the idea was discussed. He showed layouts and pictures for the ideas. Bruce stated that the city needs to make conditions on where we would want this trail system. Mayor Henderson feels it is a great idea, and if we can incorporate it in a trail system it would be great. Bruce feels that we do not want it on our collector roads, and we would want to look at each situation. The person stated he would get with Attorney Baker on some ideas, and start working with him.

COUNCIL REPORTS

20. MAYOR J. LANE HENDERSON

Mayor Henderson reported that Reta Tischner is in charge of the parade. Other cities charge business if they want to be in the parade. Right now we do not charge. Mayor was wondering if we want to charge a fee, Spanish Fork charges \$100 entry fee. The council felt charging \$50 fee for out of city business who want to be in our parade. Councilperson Hanks was not in favor of charging business.

The city has had another request for the use of the civic center. There is an emergency preparedness class that is currently being taught in the Salt Lake City area. Most of the

people that attend are from around this area. MaryAnn Davis is over Salem City Emergency Preparedness, and she is the one requesting. They meet twice a month on Tuesdays. Mayor and the Council felt they would like more information on the class, and about how many participate in it.

Mayor also stated we have a group who would like to put a bench at the cemetery, by the Halladay family. The bench would not be permanent, and would not be stone. The mayor and council felt that it would be a nice gesture, but that it would need to meet certain requirements, and not to have the bench placed there at this time. Mayor mentioned that the same group has a Colorado Pine Tree they would also like to plant in remembrance of the Halladay family. It was suggested to get with Dave Johnson who is over parks to find a place for it.

There are some large trees on 400 East, and approx 200 South. The property owner wants to trim the trees, and would like the city to participate in the cost. The trees are half on city property and the property owner. Mayor Henderson asked Dave Johnson if he would go and evaluate the trees and come back with a recommendation.

Mayor Henderson received a letter from a resident who is concerned about the way the compacting of the P.I. construction trenches is going. He feels the construction company is not doing it properly, and we will have problems. Bruce Ward stated that we are requiring test being done on the compacting. We also are withholding the companies bond for a year after the construction is completed, to cover any cost after the construction.

Mayor Henderson is concerned about the water situation this year. The city does have a policy with the P.I. system going into place. We can only water between certain hours of the day. He is also concerned that the irrigation company is not getting the water they need from the Spanish Fork River. We need to look at conservation now. Chief James recommended that before, when we had water problems, we required a certain schedule for the heavy users (city, school, and churches); to make sure they watered on different nights so we would not drain our water tanks. The council agreed that we do need to start looking at conserving water.

21. COUNCILPERSON LYNN DURRANT

Councilperson Durrant reported that UMPA will be doing a tour on the Bonanza power plant, if any of the council is interested in going. It will be on May 30th.

22. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin has some metal chairs to donate to the city. He will work with Dave Johnson on getting them.

He also reported that the Solid Waste Transfer Station is going well. We are transforming a lot of waste, we used to transfer about 300,000 tons a day, now we are doing about 900,000 tons. We have had to add more equipment to be able to accommodate the higher usage.

23. COUNCILPERSON STANLEY W. GREEN

Councilperson Green did not have anything to report tonight.

24. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks reported that the city shops are going well. The heat is in, the framing for the offices and storage room is being done. The doors have been ordered. We are getting bids on asphalt. The water line is going in. It is slowly moving forward.

He also reported that they will be doing a lot of slurry sealing on roads that will not be dug up for the P.I. system.

25. COUNCILPERSON JEFF D. HIGGINSON

26. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson asked about the phone over at the civic center. It was stated that the conduit has been run. Qwest has been notified, and thought they were working with Clayton Jackson. Dave stated he would follow up on that.

On Tuesday, the RFP for the city office architect will be due. We will have that on the next council agenda for approval.

27. BRUCE WARD, CITY ENGINEER

Bruce Ward reported on the P.I. system, and right now how Johansen Construction Company is doing. He stated that they have a piece of equipment called a mole, and they try to use it to bore as many services as they can. If they can not, then they have to dig up the line. They are trying to clean up as they go. We ask people to please be patient when we are doing the work.

Bruce handed to the council information showing the number of homes, and how we are doing with are infrastructure and how many more homes we can accommodate.

He stated that SUVMWA owns some water rights, which is one of the purposes for the group. Elk Ridge is in need of some water rights, and stated that Salem City could sell their portion of the water rights with SUVMWA to Elk Ridge. He is going to put this on the next council agenda for approval. He would recommend selling the rights to Elk Ridge. We also need to have a meeting with Strawberry Highline and Salem Canal Company. We need to talk about water rights, and we may have to prove up on some water rights.

He is also concerned that we are now asking for the electrical impact fees to be paid up front. CDW development in a way has already paid those fees up front to pay for the substation. He does not feel right about asking them to pay up front again. He will get with Attorney Baker on this and see what options we have.

28. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Stanley Green to Adjourn City Council Meeting.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:50 p.m.

Jeffrey Nielson, City Recorder