

Minutes of the Salem City Council Meeting held on May 18, 2011 in the Salem City Council Chambers.

**Work session: 6:00 p.m.:** Jeff Nielson went over the budget with the mayor and council. Jeff recommended continuing the budget discussion after council meeting. Bruce Ward also went over the new zoning ordinance.

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

**CONDUCTING:** Mayor Jonathan F. Cope

**COUNCIL PRESENT:**

Mayor Jonathan F. Cope  
Councilperson Lynn Durrant  
Councilperson Terry A. Ficklin  
Councilperson Todd R. Gordon  
Councilperson Sid Jorgensen  
Councilperson Sterling Rees

**STAFF PRESENT:**

Jeffrey Nielson, Finance/Recorder  
Chief Brad James, Police Chief  
Junior Baker, City Attorney  
David Johnson, Building Dept.  
Bruce Ward, Public Works/Engineer

Excused:

**OTHERS PRESENT**

Cary Hanks, Lucey Cornaby, J. Reed Cornaby, Collin Steadman, Alexis Parker, Riley Davidson, Jolynn Julian, Mikalyn Orton, Noelle Pray, Courtland Cook

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Cope asked if anyone would like to give a motivational or inspirational message. Reed Cornaby stated he would like to offer a motivational message in the form of a prayer.

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

Mayor Cope invited those who 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. KEVIN PRITCHETT – Report on Fishing Day**

Kevin Pritchett stated that for the past 22 years he has hosted a fishing day for special needs children, and for the past 15 years it has been here in Salem. This year they had over 1100 kids from the state that participated. Kevin wanted to thank Salem City for

helping sponsor the event, and the help from some of the city employees and help from the police department. Each year it gets better and better. This year we had the CEO of Associated Foods come and help with the food. The manager of the Utah Home Depot stores also came and helped out. Sportsman Warehouse made a generous contribution to the event. He thanked all of them for their help.

Reed Cornaby wanted to thank the city, Kevin, and all those that help out with the fishing day. It is an amazing experience for those involved.

#### **4. PUBLIC HEARING**

##### **Open**

**MOTION BY:** Councilperson Lynn Durrant to open the public hearing.

**SECONDED BY:** Councilperson Sid Jorgensen.

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

##### **A. Ordinance Creating Zoning Districts and Standards to Match the New Comprehensive General Plan**

Attorney Baker stated that now since the city has adopted a comprehensive general plan, the zoning codes need to be created to fit the general plan. This ordinance is the first step in that process.

Attorney Baker then went over the ordinance for the residential zone.

Bruce Ward had a question about the 150 feet of frontage described in the R-10 for twin homes and in the R-8 zone it states that twin homes need to have two homes between them. It needs to have the R-8 changed so it matches the R-10.

The roof pitch was also discussed. In the code it is written that roof pitches have to have a 6:12, was discussed to have a minimum 5:12 roof pitch.

Councilperson Rees asked about the fences dividing residential and churches. Currently a fence just needs to be a vision barrier, it is recommended to have the fence be a six foot masonry fence. Councilperson Rees was wondering if six feet is too high and would a masonry fence be too much. It was stated that the masonry fence provides more privacy, than a chain link fence with slats.

Dave Johnson had a question about animal rights. It was stated that the proposed conditional use has changed from two animal units per 20,000 square feet to one.

Councilperson Gordon had a question regarding the requirement of 40 acres to build a subdivision with R-30. It was stated that Planning and Zoning spent a lot of time debating this issue. The purpose of the 40 acres is to create a more rural

feel in the neighborhood. Bruce Ward also explained the rural street standards, and how it would not require curb and gutter.

Mayor Cope had a question about the wireless towers, and how they should be required to have a specified distance from the base of the pole to any residential property. That distance should be ~~is~~ at least one and one-half (1 ½) times the height of the pole.

Attorney Baker stated that there is no property zoned R-8 or R-12 on the general plan map. Planning and Zoning felt that if someone wants those zones they can come to Planning & Zoning and City Council to apply for those zones.

Councilperson Rees raised a question regarding minimum lot sizes in the R-8 or R-12 zone. If someone wanted to create an R-8 or R-12 zone, will there be a minimum lot size. Attorney Baker stated that if someone came in with such a request for a spot zone that it should be denied and that we should discourage such requests. If they have more than 2 – 3 lots, then we could take a look at it, but he would not recommend approving anything any smaller.

Mayor Cope asked if there were any questions from the public. There were no questions.

**B. Ordinance Amending the Requirements for Connectors agreements and requiring masonry walls between residential and commercial developments**

Attorney Baker went over this ordinance. He explained the connector's agreement the need to put a time limit on the length of time a developer has to request such an agreement after the project is completed. The ordinance is written with a 30 days limit after completion.

Bruce Ward stated that Planning and Zoning recommended between 60 – 90 days instead of 30. Bruce recommends allowing 90 days after the completion of the project.

The second part of the ordinance describes the type of fence that would be required between a commercial and residential zone. The fence type required in the ordinance is a masonry fence.

Mayor Cope asked if there were any questions. There were no questions.

**Close**

**MOTION BY:** Councilperson Terry Ficklin to close the public hearing.

**SECONDED BY:** Councilperson Todd Gordon.

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

**A. Ordinance Creating Zoning Districts and Standards to Match the New Comprehensive General Plan**

Attorney Baker went over the changes that were discussed regarding the zoning ordinance; the roof pitch change from 6:12 to 5:12, the height of the cell phone tower requiring a distance from the base of the pole to any residential property be at least one and one-half (1 ½) times the height of the pole, and the discussion of the masonry fence.

There was a question about the fence. There was a discussion about allowing a vinyl fence that looks like a masonry fence. It was recommended to have the ordinance still state masonry wall, unless the council approves the fence to be different or equivalent in product, but the standard would still be six feet.

**MOTION BY:** Councilperson Lynn Durrant to approve Ordinance 51811A creating zoning districts and standards to match the new comprehensive general plan with the changes of the cell phone tower requirements to have a distance from the base of the pole to any residential property is at least one and one-half (1 ½) times the height of the pole, the roof pitch changed from 6:12 to 5:12 and the masonry wall to allow the exception if approved by the city council (See what the ordinance states).

**SECONDED BY:** Councilperson Todd Gordon.

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

**B. Ordinance Amending the Requirements for Connectors agreements and requiring masonry walls between residential and commercial developments**

**MOTION BY:** Councilperson Todd Gordon to approve Ordinance 51811B amending the requirements for connector's agreements and requiring masonry walls between residential and commercial developments with the change from 30 days to 90 days for the connector's agreement and the wall between residential and commercial properties to be masonry or similar material to be presented to the city council for approval.

**SECONDED BY:** Councilperson Sterling Rees.

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

**5. APPROVE MINUTES OF MAY 4, 2011**

**MOTION BY:** Councilperson Sterling Rees to approve the minutes of May 4, 2011 as written.

**SECONDED BY:** Councilperson Sid Jorgensen.

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

## **6. APPROVE BILLS FOR PAYMENT**

Councilperson Gordon recommended that when the city has an opportunity to purchase items from business within the city, to try and purchase those items.

**MOTION BY:** Councilperson Sterling Rees to approve the bills for payment.

**SECONDED BY:** Councilperson Todd Gordon.

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

## **7. PUBLIC SAFETY**

Chief James stated that during the Emergency Management meeting that Dr. Ludlow came and talked about his experience in Japan during the recent earthquake. He had a lot of good information for the Emergency Management group.

## **COUNCIL REPORTS**

### **8. MAYOR JONATHAN F. COPE**

Mayor Cope stated that the Miss Salem Pageant is on May 28<sup>th</sup> at 7:00 p.m.

### **9. COUNCILPERSON LYNN DURRANT**

Councilperson Durrant mentioned that the library has been here for 10 years now, and they are planning on a celebration for it.

### **10. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Ficklin thanked Cary Hanks from the chamber for what they are doing. Cary Hanks talked about the Nebo Summit coming up, on June 14, 2011 from 8:00 a.m. to 2:00 p.m. It will be held at the Diamond Fork Junior High. She would like to invite the council to it. She also stated that the chamber is working on advertisement for Spanish Forks Fiesta Days and for the Utah Valley Magazine. They are also working on Salem Days.

### **11. COUNCILPERSON STERLING REES**

### **12. COUNCILPERSON SID JORGENSEN**

### **13. COUNCILPERSON TODD R. GORDON**

Councilperson Gordon talked about a cleanup that took place at the pond. There were a lot of people involved, and they also had the UVU Scuba Diving Team come and clean out items on the bottom of the pond.

**14. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

**15. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR**

**16. ATTORNEY S. JUNIOR BAKER.**

**17. CLOSED SESSION**

**MOTION BY:** Councilperson Terry Ficklin to close city council meeting and enter into a closed session for discussion of potential litigation.

**SECONDED BY:** Councilperson Todd Gordon.

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

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Terry Ficklin to adjourn city council meeting.

**SECONDED BY:** Councilperson Todd Gordon.

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

**MEETING ADJOURNED AT:** 8:15 p.m.

Council then went back to a work session and discussed the budget for fiscal year 2012. Next Council meeting will be the public hearing for the budget. We will have a work session starting at 5:00 p.m. to go over the budget for June 1 council meeting.

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Jeffrey Nielson, City Recorder