

Minutes of the Salem City Council Meeting held on May 19, 2010 in the Salem City Council Chambers.

Work Session: 5:00 p.m.

Jeffrey Nielson went over the tentative budget for fiscal year 2010/2011. Some major points in the budget were: UMPA is raising their rates which will result in a power rate increase, and SUVSWD and Allied Waste are raising their rates which will result in a garbage rate increase. Jeff told the council that he has worked with the supervisors and department heads on the budget. If the council has any questions, please let him know. The next council meeting will be the public hearing for the budget.

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

**CONDUCTING:** Councilperson Lynn Durrant (Mayor Pro-Tem)

**COUNCIL PRESENT:**

Councilperson Lynn Durrant  
Councilperson Sid Jorgensen  
Councilperson Todd R. Gordon  
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:

Councilperson Terry A. Ficklin

**OTHERS PRESENT**

No role sheet was passed around.

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Councilperson Durrant asked if anyone would like to give a motivational or inspirational message. Stanley Green stated he would like to offer a motivational message in the form of a prayer.

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

Councilperson Durrant invited those who would wish to participate to stand and say the pledge of allegiance with her. She then led the pledge of allegiance for those who wanted to participate.

Attorney Junior Baker explained that Mayor Stanley Green has resigned as mayor, as of May 14, 2010. Councilperson Lynn Durrant is Mayor Pro-Tem, and will be acting as mayor until the position is filled. She will still have the voting rights as a councilmember.

Councilperson Lynn Durrant wished former Mayor Green the best of luck, and she presented him a gift from the city for the years of service as a councilmember and as a mayor.

### **3. OPEN DISCUSSION**

Councilperson Lynn Durrant asked if anyone had anything for open discussion. There were no discussions.

### **4. APPROVE AUDIT FIRM**

Jeffrey Nielson explained that there were 10 CPA firms that sent in proposals to be the city's auditor. After reviewing them with Councilperson Ficklin, it was determined to interview a couple of them. After Jeffrey Nielson, Jane Topham, and Councilperson Ficklin interviewed them they determined the best company would be Allred and Jackson.

**MOTION BY:** Councilperson Todd Gordon to approve Allred Jackson for the city auditor.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (4-0).

### **5. APPROVE TENTATIVE BUDGET**

Jeffrey Nielson explained to the council, that the tentative budget was gone over during work session. This has been looked at by the supervisors and the department heads. He stated that this year we are about \$100,000 less that we were last year. The budget is very tight this year.

Councilperson Durrant thanked Jeff for the work that he has done on the budget.

**MOTION BY:** Councilperson Sid Jorgensen to approve the tentative budget for 2010/2011 as it was presented during the work session.

**SECONDED BY:** Councilperson Todd Gordon

**VOTE:** All Affirmative (4-0).

## **6. DISCUSSION ON GRAVEL PIT RECLAMATION ORDINANCE**

Bruce Ward stated that, during the Davis Annexation, there were three gravel pits that were annexed in. Over the years we have had several companies come in and try to do something with the pits. They found out that the reclamation is very hard.

Recently the city was approached by a company who wants to start using the gravel pit, and they had a plan for the reclamation that looked like it would be a great plan. The only problem is they would like to have a crusher, and according to our ordinance, the pit cannot have a crusher once a crusher has been removed. The company needs to have a crusher in order to make the money to be able to do the reclamation. We are wondering if the council would be willing to look at the ordinance to allow a crusher with conditions that it would help in the reclamation. A zoning ordinance would need to be done with planning and zoning, and then it would need to come back to the council in a public hearing.

Some discussion was looking at allowing it for a three year period, or if that is long enough. Is the council interested in having the pits reclaimed. Another issue is the water protection area for our well; we need to make sure that area is protected. The bonding cost would need to be looked at also.

Bruce Ward stated that Mr. Wood, who is the owner of the pit, and Whitaker Construction, is the company who wants to work in the pit and who presented to DRC the reclamation concept.

Bruce Ward stated that last night a meeting was held with Whitaker construction, who had gone to each of the neighbors by the pit and invited them to the meeting. They also talked to each of them about their plans. The majority of the residents wanted the pit to be reclaimed, and were okay with what Whitaker has proposed, but they also wanted to make sure that Whitaker has all of the permits needed. The reclamation that we inherited with the pits were not very strict, a new reclamation plan would need to be done for Whitaker.

Councilperson Rees asked about the reclamation, and what Whitaker is presenting. Bruce stated that the plan for reclamation would be suitable for homes to be built eventually. They would have a good vegetation plan.

Councilperson Gordon asked if they could start the work now. Bruce stated that they could but they would not be able to use a crusher, unless we change the ordinance. There are also some requirements that they would need to do, before they could start working in the pit.

Councilperson Rees asked if there would be stipulations and time lines with the new plan. Bruce stated that with the current ordinance there is a time line. There is also an option to make conditions with the new ordinance.

Councilperson Jorgensen asked about the reclamation plan and what about digging deeper. Bruce stated that a new reclamation plan would be submitted and about going deeper, there is a possibility, but we need to be very cautious with it, because of our water protection.

Councilperson Gordon asked about the possibility of expanding the pit. It was stated that if they went south, the zone would need to be changed, but to the west is Valley Asphalt pit, and we would like to see that reclaimed also. To the northeast is the Davis pit and they already have a good reclamation plan.

Bruce stated that the options would be to do nothing at this time, and wait to see if land becomes so valuable that it would be profitable for a company to do a good reclamation. The other option would be to look at changing the ordinance, and allow Whitaker to do something with the pit, and to do the reclamation now.

Dave Wood, the owner of the pit, would like to see the opportunity for the pit to be cleaned up now.

The council felt that it would be a good idea to have Planning and Zoning look at changing the ordinance. Also to make sure that the water protection area is looked at make sure that it is not disturbed.

## **7. APPROVE MINUTES OF MAY 5, 2010**

**MOTION BY:** Councilperson Sterling Rees to approve minutes of May 5, 2010.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (4-0).

## **8. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Sid Jorgensen to approve bills for payment.

**SECONDED BY:** Councilperson Todd Gordon.

**VOTE:** All Affirmative (4-0).

## **9. PUBLIC SAFETY**

Chief James stated that the Special Olympics torch came through Salem the other day. 25 kids from Salem Hills High School were invited to run, and the principal of the high school allowed all of the students to come out and line the highway to give support to the runners. It was a very impressive sight.

Fishing Day was also held; we had over 1100 kids who participated in the fishing day. Councilperson Jorgensen stated that the Pritchett's do a lot of work for that, and appreciate them doing this in Salem.

## **COUNCIL REPORTS**

### **10. COUNCILPERSON LYNN DURRANT**

Councilperson Durrant stated that the library is short a board member, and Nicole Wilson has been contacted to be on the library board.

Miss Salem pageant will be held on this Saturday at 7:00 p.m.

### **11. COUNCILPERSON TERRY A. FICKLIN**

### **12. COUNCILPERSON STERLING REES**

Councilperson Rees stated that we have had a wet spring and lawns are looking good. We should not have to water for a few days, especially if the rains keep coming.

### **13. COUNCILPERSON SID JORGENSEN**

Councilperson Jorgensen wondered if any of the other council members got the email from the high school wondering about participating with them in a weather station. He explained a little bit about it and how it could help to inform people when to water their lawns. The high school is looking to see if the city is interested in helping with the funding for the project. It was stated that it may not be possible this next year with the budget as tight as it is.

Bruce Ward mentioned that when we installed the PI system to all of the city property, we installed a weather track system. The system controls the watering of our property, based on how much moisture we have received. It is a very high tech system. The company wrote up an article on Salem, and how we were able to decrease our water usage by about 60%.

### **14. COUNCILPERSON TODD R. GORDON**

Councilperson Gordon reported that he went to the dispatch meeting where they approved the tentative budget; it is not going up much, so we should be about the same.

The Memorial Day service is ready to go at 8:00 a.m. on Monday May 31.

Councilperson Gordon asked Bruce if, when the city crews get ready to crack seal, they could blow out the crack just before they crack seal, rather than doing it a few days in advance. They blew the cracks out around his neighborhood, and then it rained the next day, and they will need to blow the cracks out again. There is a lot of dust when they do that.

#### **15. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

#### **16. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR**

Bruce Ward asked the council if they got the letter he sent to them about the county and city's thoughts on Elk Ridge Drive. The council did and felt that we need to let the county know we are in favor of the Elk Ridge Drive road, and whichever road they decide to construct, we will support them. Bruce stated he would reword it and send it back out to the council.

A discussion about SUVPS and how a few years ago Comlink did some engineering for us at the Arrowhead Substation. SUVPS technical committee went down to the substation with Comlink, and it was discussed how it would benefit SUVPS' to engineer the substation to be able to take the 46kv line. Comlink did the work, billed Salem City, because Salem was having other work done down there too, and then Salem was going to bill SUVPS. SUVPS is now saying they did not approve that, and that they should not have to pay for that. It has been a discussion for the last couple of years. The amount is \$90,000 that is owed to Salem City. The issue is going to be addressed in the next meeting with SUVPS.

#### **17. ATTORNEY S. JUNIOR BAKER.**

Attorney Baker stated that next Thursday at 6:00 p.m. there will be a land-use training in Spanish Fork with David Church. The council is invited to attend.

Attorney Baker stated the process of appointing a new mayor. He stated that we will accept applications until June 15<sup>th</sup>, and then on June 16<sup>th</sup> during council meeting the council will decide. We had to have a two week notice period, and it has been put in the news letter that is going out the first of June. During the council meeting work session on the 16<sup>th</sup>, the council can review the candidates, and if they would like could meet in a closed session to discuss and then if you decide could possibly narrow the candidates down to two. During the council meeting the candidates could be interviewed, the council could do all of them or if you narrowed it down would interview them. The council would then go into a closed session to discuss. After the closed session the council would vote. We would have a ballot for you to vote on, but it would need to be

done in the public meeting. Jeff Nielson would then gather the votes and notify who the council has chosen for the new mayor. Then during the next municipal election, the mayor seat would be up for a two year term, this would get the mayor seat back into the correct rotation. This is based off of the Utah State Code.

It was asked what if there was a tie. Attorney Baker stated that then the deciding factor would be done by casting a lot (i.e. dice, cards, straws, etc).

Another question was asked if one of the council members decides to run, would they still get to vote. Attorney Baker stated that they would not. Example if three of the council decided to run, then it would be up to the two remaining council members to decide and vote.

Another question was asked about the process, and how some people feel that it should be the person who ran during the election, but was not elected. Attorney Baker stated that he has seen that exact issue. The one applicant said they should get the appointment since they had been the next highest vote getter at the last election. The other applicant said the voter had rejected the first applicant there for the second applicant should be appointed. Each position has its merits. . The state code dictates how the new mayor will be determined. The council needs to make sure that who they decide is a person who really wants to be mayor and who will do a good job for the residents of Salem.

## **ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Sid Jorgensen to adjourn city council meeting.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (4-0).

**MEETING ADJOURNED AT:** 8:20 p.m.

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Jeffrey Nielson, City Recorder