

Minutes of the Salem City Council Meeting held on November 4, 2009 in the Salem City Council Chambers.

Work session: Work session began at 6:30 p.m. Attorney Baker discussed the general plan and how, on December 9 council meeting, we will be meeting with Planning and Zoning to go over the general plan. Mayor Henderson stated that we need to look at the heavy industrial and see if we need a zone for that. Attorney Baker stated the general plan is an ongoing document and should be reviewed at least every 5 to 6 years.

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
Councilperson Todd R. Gordon

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Chief Brad James, Police Chief
Bruce Ward, City Engineer
Junior Baker, City Attorney

Excused:

Dave Johnson, Building Dept.

OTHERS PRESENT

Lana Creer Harris
David Hill
Jan Daley
Danielle Jameson
Tressa Goodman
Reed Cornaby

Sterling Rees
Sydnie Eppley
Mike Daley
Justin Henderson
Mark Baker
Lucy Cornaby

Larry Crump
Natalie McVey
Brent Moser
Morgan Fausett
Zac Baker
Lindsey Wolsey

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Lynn Durrant stated she 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. ORDINANCE AMENDING AND CLARIFYING THE PERMITTED USES ALLOWED IN THE C-1 & C-2 COMMERCIAL ZONES

Mayor Henderson stated that this item was tabled from the October 21 council meeting. Attorney Baker stated that the city code currently allows private clubs. It was determined that with some fitness centers coming into town, that the private club would be eliminated from the code and replaced with the fitness and health centers. At the same time we determined that we needed to add funeral homes into the code as a permitted use. Attorney Baker stated by allowing the fitness centers, there are a couple of businesses that are ready to open very soon.

Mayor Henderson asked if the council had any questions, there were no questions.

MOTION BY: Councilperson Lynn Durrant to approve Ordinance 102109 amending and clarifying the permitted uses allowed in the C-1 and C-2 commercial zones.

SECONDED BY: Councilperson Stan Green.

VOTE: All Affirmative (5-0)

4. FRANK LEANY – SALEM DAYS GRAN PRIX

Mayor Henderson asked if Frank Leany was present. It was stated that he was not, but Taton McConahay was representing the Salem Days Gran Prix. He stated that they have 156 signatures of residents who would like to see the Gran Prix a part of Salem Days again. He stated that this event has been a lot of fun for his family and other families. He read a statement to the council explaining about the Gran Prix.

Russ McConahay stated that they realize that in the past it was unsafe, and they would like to propose to the council of how they can make it safer. He stated that they would have an age limit, would require better breaks. He also handed out to the council a list explaining what they would do.

1. Safer Course
 - a. Fully line both lanes with hay bales
2. Safer Construction
 - a. Require better brakes (tire contact), and brake test.
 - b. Require better steering (limit travel, ratio, and type), and steering test.
 - c. Lower center of mass.
3. More Driver Skill
 - a. Increase minimum age.

4. Slower Speeds
 - a. Start lower down the hill for younger class.

Mayor Henderson stated that there was an accident the last year we had it. That was very scary and could have had some serious injuries. Russ stated that they would line both sides of the race track with straw to make it better. Also, for younger drivers, we would start the race further down the hill so they would not get as much speed.

Chief James stated that our insurance has recommended not having this event because of how unsafe it has been. Another concern would be the cleanup of the straw and also the expense of the event. It has not done very well in the past. Russ stated that they would clean up after themselves and they are also looking at making sure they make enough money to cover the expenses. One thing they will do is have the participants purchase their own wheels.

Mayor Henderson stated that he appreciates the work they have done to try to make sure the event would be safer. He felt that if the guidelines were met to make it safer and they work with Chief James, that the event could be a part of Salem Days again.

MOTION BY: Councilperson Lynn Durrant to approve the Gran Prix event to be a part of Salem Days events, as long as they enforce the safety recommendation they have proposed and to work with Chief James.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

5. MIKE & JAN DALEY – SEPTIC TANK ORDINANCE

Jan Daley stated that they went to Planning and Zoning like the council asked them to do. Planning and Zoning stated that back in 2005 they went over the recommended ordinance and made their recommendation to it, and then was given back to council and nothing was done. Planning and Zoning told the Daley's that they did not want to do anything more with it, because they have given their recommendations and told them to take those recommendations back to the council. Mike Daley stated that they have now brought the information back to the council.

Mayor Henderson stated that this has gone back and forth a lot, and back in 2005 it went back and forth. He stated that with all fairness to the Daley's a decision should be made. He stated that if we allow septic tanks, even with the smaller subdivision of five lots and less is the city ready to open it up for a lot of other developments.

Councilperson Green stated that, by allowing the septic tank ordinance, it would be allowing building to happen without hooking onto city sewer.

Councilperson Hanks stated that he feels that it could really open up a lot of problems that the city is not ready for. Some of the issues are the roads and public safety.

Jan Daley feels that this could allow people to build a home, who might not be able to build one. Mike stated that with the one house per acre, that it could be controlled.

Councilperson Durrant stated that there are other issues too; the water, pressurized irrigation and power are other concerns.

Councilperson Gordon stated that it would probably fit in their situation, but the problem is that if we change it, we would open up for other land, that would not fit as well. And the building would be hard to plan around when the property around is ready to develop. He stated that he too feels it would cause problems in the future.

Jan stated that they have installed the small water line for the existing home.

Mike Daley stated that he can understand the concern for other developments, but they have tried to conform to what the city wants and feels that it would be very beneficial for their area.

MOTION BY: Councilperson Brent to deny any changes that would allow septic tanks in a subdivision.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: (3 Aye, 2 Nay) Councilperson Brent Hanks, Aye; Councilperson Lynn Durrant, Aye; Councilperson Stanley Green, Aye; Councilperson Terry Ficklin, Nay; Councilperson Todd Gordon, Nay.

6. YOUTH COUNCIL REPORT

Salem Youth Council representatives came and reported to the council what they have done for their activities. They stated that the trick or treat at the park went well, but they wished that more businesses would have supported. They have discussed some ideas to help it out next year, and hope to see more businesses. They are planning on helping out with the lighting of Pond Town Christmas, with handing out donuts and hot cocoa again. They have also been helping out at the library.

Mayor Henderson and council thanked them for all that they are doing.

7. AWARD CONTRACT TO UPDATE WATER SOURCE PROTECTION PLAN

Bruce Ward stated that according to State Drinking Water Rules we are required to review and update our water source protection plans for each of our water sources every 6 years. We have two sources (Maple Canyon Well, Lower Well) that are due for updates by the end of 2009. Water Canyon Springs is due in 2011. He stated that he recommends doing the report for all three sources at this time. We need to make sure that with the Woods Pit in operation that our water source protection is still okay.

He has received bids from three different engineering companies:

Epic Engineering	\$2,965.00 (Includes all 3 sources)
Advanced Environmental Eng.	\$5,400.00 (Includes all 3 sources)
Sunrise Engineering	\$2,500.00 (per source)

He stated that he recommends awarding the contract to Epic Engineering.

MOTION BY: Councilperson Terry Ficklin to approve the contract to EPIC Engineering to do an update of our water source protection plan for our three sources in the amount of \$2,965.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (5-0).

8. DETERMINE DATE TO CANVASS ELECTION RESULTS

Jeff Nielson explained that the council will need to hold a special meeting to canvass the general election results. It was determined to hold that meeting on Tuesday, November 10th at 5:30 a.m.

9. APPROVE MINUTES OF OCTOBER 21, 2009

MOTION BY: Councilperson Lynn Durrant to approve the minutes of October 21, 2009 as written.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

10. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

11. PUBLIC SAFETY

Chief James reported that the department's bullet proof vests have been expired and they have applied for a grant to get some new ones. He reported that the vests have been ordered and they will be getting them soon.

Chief James was asked a question about a safety fair and that the two LDS Stakes are wondering if the city would participate. They are willing to budget it for it, if the city

would spear head the project. Chief James stated that he would be willing to work with the stakes on it.

Councilperson Green reported that the swine flu is a concern; it has affected many different people ranging in different ages. The last three weeks 550 people have been reported to have the swine flu here in Utah. He stated that the best thing for prevention is for people to wash their hands.

12. OPEN DISCUSSION

Mayor Henderson asked if anyone has anything for open discussion. Reed Cornaby stated that he felt that the council could have done something to allow the septic tank, maybe look at having it as a variance. He also wanted to thank Mayor Henderson and also Councilman Hanks and really appreciates the hard work that Councilman Hanks has done.

COUNCIL REPORTS

13. MAYOR J. LANE HENDERSON

14. COUNCILPERSON LYNN DURRANT

Councilperson Durrant stated that the UMPA dinner will be on November 20th here in Salem.

15. COUNCILPERSON TERRY A. FICKLIN

16. COUNCILPERSON STANLEY W. GREEN

17. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks stated that Pond Town Christmas is getting ready. The lighting for the event will be the day after Thanksgiving. He also reported that the Red Hat society is going to be helping with the Light Parade on December 19th. This year the parade will be going from Knoll Park to the ball park. He would really like to get people involved.

The city roads department is repairing the roads right now while the weather is good.

18. COUNCILPERSON TODD R. GORDON

19. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

20. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward reported that the on the November 18th council meeting, we will have representatives from Utah County to talk about the extension of Elk Ridge Drive.

21. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:05 p.m.

Jeffrey Nielson, City Recorder