

Minutes of the Salem City Council Meeting held on November 16, 2005 in the Salem City Council Chambers.

MEETING CONVENEED AT: 7:30 p.m.

CONDUCTING: Mayor Randy A. Brailsford.

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Lynn Durrant
Councilperson Dale Boman
Councilperson Terry A. Ficklin
Councilperson Stanley W. Green

STAFF PRESENT:

Jeffrey Nielson, City Recorder
Bruce Ward, City Engineer
David Johnson, Public Works
Junior Baker, City Attorney

Excused from Council:
Councilperson Dale R. Wills

Chief Brad James, Police Chief

OTHERS PRESENT

Justin Henderson
Brent Hanks
Jerry Riding
Kolby Preston
Lyndsey Walters

Paul Tervort
Vicki Anderson
Leroy Warren
Burke Tervort
Jennifer Harward

Erin Ross
Brent Moser
Linda Warren
Lane Hendersen
Nathanael Sackett

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford 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 Brailsford asked if anyone would like to invite those who would wish to participate, to stand and say the pledge of allegiance. Councilperson Dale Boman stated that he would like to. He then led the pledge of allegiance for those who wanted to participate.

3. PHYLLIS PETERSON – PRESENTATION

Mayor Brailsford asked Phyllis Peterson if she would come to the front. Mayor Brailsford stated that Phyllis has been a part of the Salem Youth Council for about 11 years. She has done a great job for the youth and the city. He wanted to thank her, along

with the council and citizens of Salem, for her work and time she has dedicated towards the youth council. He then presented her with a plaque and a pen set.

4. PUBLIC HEARING

OPEN

MOTION BY: Councilperson Stanley Green to open the public hearing.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

a. JNB Homes – property at 551 N. SR 198

1. General Plan Amendment & Zone Change from R-2 to R-5

Mayor Brailsford turned the time over to Brent Moser from JNB Homes. Brent explained to the council and the public their proposal of why they needed the zone change. He put a layout of a proposed subdivision for town homes on the chalk board for everyone to see, and showed where it would be located. He explained that on the property that is zoned commercial, next to the highway, they would have commercial business. The town homes would be located behind the commercial business. He then explained a little bit about the subdivision of town homes. He stated there would be a park that would be given to the city; the park is located next to some other property that the city owns. The town homes are very nice; they will all have garages on them. The units will be grouped from 3 to 6. They will have 3 bedrooms and two baths, and the square footages ranges from 1300 to 2000. Because the water table is so high in the area, their will not be any basements. He feels that the town homes will be very nice, and stated that they are an upscale town home. Mayor Brailsford asked Brent about the commercial. Brent stated that there is about 57,000 square feet of commercial business, with about 21 individual spaces, but one of the spaces would be for a larger business or a main store. He stated that some of the type of business that have committed are a restaurant, a salon, and a pharmacy. Some of the other companies who have shown interest are a lending company, an attorney office, a title company, and some others. He stated that they are trying to market to businesses that are different than what Salem already has, to bring in newer business.

Mayor Brailsford stated that both items for public hearing were discussed and asked if the public had any comments for either General Plan Amendment & Zone Change from R-2 to R-5 or the Preliminary Approval for Town Home Development.

Lane Henderson asked if the sewer issues on 400 North have been addressed. Bruce Ward (City Engineer) stated that it is in the process of

being reviewed. He stated that the town homes may not be a problem, but he will know for sure after the flow test. He stated that the other subdivision that JNB Homes would like to do, by 400 north and Woodland Hills Drive, might also be a problem with the sewer. Lane asked the size of the sewer line. Bruce stated from about 150 East (about Neways) to 460 West on 400 North the sewer line is an 8 inch line. He stated that we need to find out where we are at with the sewer flow.

Lane asked how many units would be in the subdivision. It was stated that there are 143 units. Lane asked if each unit would be charged impact fees. Mayor Brailsford stated that impact fees would be based on each unit. Lane asked if there is any other place in Salem that is zoned for the town homes. Mayor Brailsford stated that right now there is not, this is the first place. Dave Johnson stated that this subdivision is 20 acres, plus a park. There will be a public road in the middle of the subdivision that is 44 feet, and then the other roads will be owned by the home owners association. The size of those roads will be 30 feet. Bruce stated that it meets the standards of our ordinances. Brent stated that 70% of the homes will have two car garages, and the other 30% will have single garages. The theme of the homes will be tied in with the commercial; there will be stucco and rock. He stated that the park will be named after John Warren; it was his property a long time ago. Jerry Riding had a comment on the name of the park. He stated that John Riley Warren was born 17 years after Brigham Young came to the valley. In 1906 he bought the property. He feels it is very appropriate that the name of the park be named after John Warren. He thanked JNB Homes for allowing that.

2. Preliminary Approval for Town Home Development

This item was discussed during the discussion of item a1 of the public hearing.

b. Donating Ambulance

Mayor Brailsford stated this year SEMA (Salem Emergency Medical Association) was able to purchase a used ambulance from Provo City for \$500. It is a 1996 Ford Diesel, and it will also be certified so it can be used on ambulance runs. Back in 1988 Salem City purchased our first ambulance for \$800. It got to the point that it was not working properly and we needed to retire it. There was discussion about keeping it around, but determined we would be better off to get rid of it. The opportunity came about where we could donate it to a group to be used in Mexico. Mayor Brailsford turned the time over Vicki Anderson who is part of SEMA. Vicki stated that the group who the ambulance is being donated to is Tiny Tim Foundation. They have been around since 1996. The group has been working with a town in Mexico, where they have helped build a

small hospital, which has two rooms in it. The town is looking for an ambulance, so we felt that this would be a great place for us to donate the ambulance. Vicki also sent around some pictures of the town where it is going. Mayor Brailsford stated that the proposal is to donate the ambulance to the Tiny Tim Foundation so they can take it to Mexico to be used by this town. He asked if there were any comments or questions on the donation. There were none.

CLOSE

MOTION BY: Councilperson Lynn Durrant to close the public hearing.

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

a. JNB Homes – property at 551 N. SR 198

1. General Plan Amendment & Zone Change from R-2 to R-5

Councilperson Terry Ficklin asked if it should be approved with the conditions that DRC (Development Review Committee) placed. Mayor Brailsford stated that DRC did not put any conditions on the General Plan Amendment and Zone Change.

MOTION BY: Councilperson Terry Ficklin to approve the General Plan Amendment and Zone Change from R2 to R5.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

2. Preliminary Approval for Town Home Development

MOTION BY: Councilperson Terry Ficklin to table the Preliminary Approval for Town Home Development until the recommendations from DRC and Planning and Zoning are met. (DRC: that the plat can be revised to show the changes noted by the City Engineer and JNB has submitted their plans to UDOT. Planning and Zoning tabled the approval until the following Planning and Zoning meeting).

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

b. Donating Ambulance

MOTION BY: Councilperson Stanley Green to approve the donation of the old ambulance to the Tiny Tim Foundation.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

5. BRENT HANKS – AGREEMENT FOR POWER TO STORAGE BUILDING

It was stated that the agreement was not ready. Mayor Brailsford stated that this agreement was discussed in a work session in a prior council meeting. He would recommend the council to pass the agreement with the contingency that Attorney Junior Baker and he have approved the agreement.

MOTION BY: Councilperson Terry Ficklin to approve the agreement with Brent Hanks for power to the storage building, upon the approval of Attorney Junior Baker and Mayor Brailsford.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

6. INTERLOCAL AGREEMENT WITH ULGT

Councilperson Lynn Durrant stated that UMPA (Utah Municipal Power Association) just passed this agreement. She stated that Attorney Baker told her it would not affect anything with our insurance. Mayor Brailsford read the resolution associated with the agreement.

MOTION BY: Councilperson Stanley Green to approve Resolution 111605 associated with the interlocal agreement with ULGT (Utah Local Government Trust).

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

7. APPROVE CITY COUNCIL CALENDAR FOR 2006

MOTION BY: Councilperson Lynn Durrant to approve the city council agenda for the calendar year 2006.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (4-0).

8. CANVAS ELECTION RESULTS

Jeff Nielson apologized to the council for having the special council meeting on November 14 to canvas the election results, when by law they could not do it then. Jeff stated that the primary elections you have to canvass no sooner than 3 days but no later than 7 days after the primary elections. For the general election it no sooner than 7 days but no later than 14 days after the election. With that, the council needs to canvass the election results again. Mayor Brailsford read the election results. J. Lane Henderson received 857 votes for mayor. For the Council seat four year term, Allen Davis received 220 votes, Stanley W. Green received 785 votes, Brent V. Hanks received 451 votes, and

Darren Jensen received 287 votes. For the two year council seat, Jeff D. Higginson received 656 votes and Richard C. Nelson received 234 votes.

MOTION BY: Councilperson Stanley Green to approve the canvass election results as they were stated.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

9. APPROVE MINUTES OF NOVEMBER 2, 2005

Councilperson Lynn Durrant stated that on line 175 it should read “Lynn Durrant” and not “Dale Boman”.

MOTION BY: Councilperson Lynn Durrant to approve the minutes of November 2, 2005 with said changes.

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

10. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilperson Terry Ficklin to approve the bills for payment.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

11. PUBLIC SAFETY

Mayor Brailsford excused Police Chief Brad James. He stated that Chief James is in Las Vegas at training course to learn how to become an instructor.

12. OPEN DISCUSSION

Mayor Brailsford asked if anyone had anything for open discussion, there was nothing for open discussion.

COUNCIL REPORTS

13. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford stated that Central Utah Water District approved Salem City’s five million dollar grant for the secondary irrigation. The application will now go back to the United States Secretary of Interior for approval. This is 207 funding money. He stated it takes about 6 – 8 months for approval, after it is approved we have 60 days to sign the

contract. He feels that it might take around 6 months for approval. If we have until July or August, that would give us enough time to get the public involved and aware of what we are doing. He has been worried about the time line, but feels we should be able to get people educated on it.

He has been working with Strawberry Water along with some other local cities to negotiate the water for secondary irrigation. He felt that they had something worked out, but then Strawberry had some changes on it. So it is still in the working phases. He stated that maybe we might have to look at doing two contracts, one with Strawberry and the other with the district. He stated that Strawberry is concerned that we have looked at doing an agreement with district.

He reported that on Saturday November 26 at 4:45 p.m. will be the lighting for Pond Town Christmas. He would like to have everyone come and bring a can of food for the youth council.

14. COUNCILPERSON DALE BOMAN

Councilperson Dale Boman stated that he is excited for the lighting of Pond Town Christmas, he likes having it on Saturday, this way we will not have to hurry for the light parade.

He also had a question about the eagle projects, and if there is a list of projects. Mayor Brailsford stated he will get with Councilperson Boman to get him a list.

15. COUNCILPERSON LYNN DURRANT

Councilperson Lynn Durrant wanted to remind everyone about the candles at the cemetery for Christmas Eve.

16. COUNCILPERSON STANLEY W. GREEN

Councilperson Stanley Green stated that the spending on gas has gone down; the employees have been watching the spending on fuel.

Mayor Brailsford stated that the tests at the sewer treatment plant have been so good, that the State had to come down and take their own test and to make sure we were doing our test correctly.

17. COUNCILPERSON TERRY A. FICKLIN

Councilperson Terry Ficklin stated that agreement to allow Woodland Hills to join the South Utah Valley Solid Waste District has been approved by Provo City. He asked

Attorney Baker if we could get the agreement so Salem City could pass it also. The district has looked at the current value of the district and how much solid waste Woodland Hills would be bringing in. After that is all determined a fee will be established for Woodland Hills to join. Lane Henderson was wondering about the cost now, he stated that a few years ago when they wanted to join that the cost was too high for them. He is sure the cost has not gone down any.

18. COUNCILPERSON DALE R. WILLS

Councilperson Dale Wills was excused from Council meeting.

19. ATTORNEY S. JUNIOR BAKER.

Mayor Brailsford asked Attorney Baker if he has heard anymore about the power pole line agreement. He stated that he has spoken with Provo City's attorney about it. They are still working on theirs. Councilperson Durrant was wondering about using SUVPS's (South Utah Valley Power System) agreement.

CLOSE CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:30 p.m.

Jeffrey Nielson, City Recorder