

Minutes of the Salem City Council Meeting held on November 20, 2007 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 6:00 p.m.

**CONDUCTING:** Mayor J. Lane Henderson

**COUNCIL PRESENT:**

Mayor J. Lane Henderson  
Councilperson Lynn Durrant  
Councilperson Jeff D. Higginson  
Councilperson Terry A. Ficklin  
Councilperson Stanley W. Green

**STAFF PRESENT:**

Jeffrey Nielson, City Recorder  
Chief Brad James, Police Chief  
David Johnson, Public Works  
Junior Baker, City Attorney

Excused:

Councilperson Brent V. Hanks

Bruce Ward, City Engineer

**OTHERS PRESENT**

Mallory Byrnes

Eric Bershy

Erman Stone

Michael Carpenter

Lani Emmich

Judy Combs

Steven Clark

Jack Jackson

Christopher Emmich

Katie Combs

Lauri Clark

Charlene Jackson

Coby Wright

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Terry Ficklin 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. CANVASS ELECTION RESULTS**

Jeffrey Nielson, Salem City Recorder, read the election results for the November 6, 2007 election. Lynn Durrant, 999 votes; Terry A. Ficklin, 923 votes; Todd Gordon, 763 votes;

R. Lee Richan, 200 votes; Burke Tervort, 479 votes; Write in Candidates, Jon Cope, 603 votes; Jen Watson, 78 votes, and other write in votes totaled 40.

**MOTION BY:** Councilperson Stanley Green to approve the November 6, 2007 election results as presented.

**SECONDED BY:** Councilperson Jeff Higginson.

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

#### **4. KEVIN KING – PRELIMINARY APPROVAL FOR AUTUMN VIEW HEIGHTS SUBDIVISION.**

Kevin King showed the council the plat map for Autumn View Heights Subdivision. It is a 19 lot subdivision. He stated that both Planning & Zoning and DRC (Development Review Committee) have reviewed the preliminary plat and have approved it. He stated that with his subdivision, the road between Country View Estates and his will be completed. This subdivision fits within the master plan of the city, and will help finish off the area. Councilperson Green asked about the one larger lot in the subdivision. Kevin stated that it is just less than two acres, and it is where his home is currently located. Most of the lots are over 15,000 square feet and that there are five lots that are larger. Councilperson Ficklin asked if lot #12 has been adjusted according to Planning & Zoning and DRC request (*subject to getting the building line designated on lot #12; working with the power department on the line on 1280 South; paying all connector's agreements that apply; and meeting all of the subdivision and construction standards*). Mayor Henderson stated that he spoke with Bruce Ward and Bruce mentioned that the changes have been completed. Councilperson Durrant asked about the SESD power line. Kevin stated that he will work with it, and do what needs to be done to make sure everything is okay with the power line. Kevin also stated he is aware of the connector's agreement with the Davis Family and Harvest Ridge.

**MOTION BY:** Councilperson Terry Ficklin to approve Kevin King Preliminary Plat Subdivision for Autumn View Heights with DRC and PZ recommendations: *subject to getting the building line designated on lot #12; working with the power department on the line on 1280 South; paying all connector's agreements that apply; and meeting all of the subdivision and construction standards.*

**SECONDED BY:** Councilperson Lynn Durrant.

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

#### **5. CHARLENE JACKSON – ROOF PITCH FOR NEW HOME AT 148 S. MAIN.**

Mayor Henderson told Charlene that he and the council have reviewed the ordinance. Charlene stated that when the home burnt down, she was hoping to be able to replace it with the same type of home. If they were to go with the steeper roof, then it would cost \$9,000 more. If she goes with the home that has the same roof pitch as the home that burnt down, they would include the furniture in the model home at a discount rate.

Councilperson Durrant asked if it is the same square footage as the home that burnt down. Charlene stated that it is a little bit bigger. The old home was 24 feet by 60 feet, and that is without the carport of the porch on the back.

Mayor Henderson stated that the way the council and he interpreted the ordinance, as long as the footprint of the new home is the same, then it would be okay. Mayor Henderson asked if the carport or the porch was included in the square footage. Charlene stated that it was not. Attorney Christine Johnson stated that if the footprint is larger it may not be done. Councilperson Ficklin read the code *(14-5-040. Reconstruction - When Allowed. Whenever a non-complying structure or nonconforming use is destroyed or damaged by fire, flood, natural disaster, or other calamity, it may be reconstructed if it was actively used as a non-complying structure or nonconforming use immediately prior to the fire, flood, natural disaster or other calamity and if the building permit for the reconstruction is obtained within one year of the fire, flood, natural disaster or other calamity. A non-complying structure which is reconstructed may not be expanded, intensified, enlarged, extended, altered, or substituted.)*

Mike Carpenter stated that the old home was 24 feet x 60 feet, and this is not including the porches. The new one is 26.8 feet by 60 feet. Attorney Johnson felt that if the porches were attached, that they would be included in the footprint. Mike stated that if that is the case, then the new home would be smaller than the old home. Mayor Henderson stated that as long as the new home is the same or smaller square footage, that it would be okay.

**MOTION BY:** Councilperson Stanley Green to approve Charlene Jackson Roof Pitch for New Home at 148 S. Main as long as it meets code 14-5-040, and that the footprint is either the same size or smaller than the home that was burnt down.

**SECONDED BY:** Councilperson Lynn Durrant.

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

## 6. ALLIED WASTE CONTRACT REVISION

Eric Bershy, who is the division manager for Allied Waste, stated that they are requesting a \$0.50 per can increase. Mayor Henderson stated that this was on the agenda last council meeting. Councilperson Durrant asked about the 6% increase in July that was asked for last council meeting. It was stated that it was taken off of this revision, but that Allied Waste will be back in around June asking for another increase.

**MOTION BY:** Councilperson Terry Ficklin to adopt the Allied Waste Contract amendment.

**SECONDED BY:** Councilperson Stanley Green.

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

## **7. CENTRAL TELCOM SERVICES – POLE ATTACHMENT AGREEMENT**

Steven Clark stated that this is a Pole Attachment Agreement for Central Telcom, a telephone company in Sanpete County, which provides fiber optic and cable television. He stated that they are bringing the fiber optic line to Santaquin City. They have also got the contract to service fiber optic to Nebo School District. By bring the lines to Santaquin, they will need to attach to some of Salem's power poles. This agreement allows them to attach to the poles, and spells out the cost of \$15 per pole per year. They have worked with Doug Smith, Salem City Power, and with Bruce Ward. They will be working with local utilities when they are ready to attach. He stated that they could also provide service to the city office building.

**MOTION BY:** Councilperson Lynn Durrant to approve the Central Telcom Services Pole Attachment Agreement.

**SECONDED BY:** Councilperson Jeff Higginson.

**VOTE:** all

## **8. APPROVE 2008 COUNCIL CALENDAR**

Mayor Henderson stated the council has received the new calendar and has had time to review it.

**MOTION BY:** Councilperson Lynn Durrant to approve the 2008 Council Calendar.

**SECONDED BY:** Councilperson Stanley Green.

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

## **9. APPROVE MINUTES OF NOVEMBER 7, 2007**

**MOTION BY:** Councilperson Lynn Durrant to approve the minutes of November 7, 2007 as written.

**SECONDED BY:** Councilperson Jeff Higginson.

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

## **10. APPROVE MINUTES OF APRIL 5, 2006**

**MOTION BY:** Councilperson Lynn Durrant to approve the minutes of April 5, 2006.

**SECONDED BY:** Councilperson Stanley Green.

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

## **11. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Stanley Green to approve the bills for payment.

**SECONDED BY:** Councilperson Terry Ficklin.

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

## **12. PUBLIC SAFETY**

Erman Stone (SEMA Captain) stated that Mountain View Hospital told him that Salem is not in compliance with the morphine guidelines. To be in compliance we need to have a special safe that will keep the morphine secure. He stated that they have found a company that makes the safes to lock the morphine so they are in compliance. Chief James has approved the purchase of them. He also stated that last Wednesday the Spanish Fork ambulance was broken into and the morphine was stolen from it.

## **13. OPEN DISCUSSION**

Mayor Henderson asked if there were any questions from the public. The question was asked about what is being built next to U-Check. It was stated that a credit union is going in, along with some other commercial buildings. Another question was asked about the new grocery store. It was stated that we should be ready to announce it during the 12 of December council meeting.

Erman Stone mentioned the need for restrooms at the cemetery.

## **COUNCIL REPORTS**

### **14. MAYOR J. LANE HENDERSON**

Mayor Henderson stated that he met with Nebo School board and they brought up a couple of items in the meeting. One of the items was the lights for the tennis courts at the high school, and will the lights be needed. Councilperson Ficklin feels that the lights would be used for the tennis courts. Councilperson Higginson, Green, and Durrant feel that we need to help out the district so we can have a joint use on their facilities. Mayor Henderson asked if Dave Johnson, and Councilperson Higginson, would get something worked out with the district for the lights at the tennis courts. Mayor Henderson stated the next item is that some of the other cities have provided portable bleachers for different events for the district. He feels that we should look at going in on permanent bleachers, so we would not have to move them. Dave Johnson stated that it would be about a year and a half before they are needed. The next item is the property along the SR 198 where Monty Griffiths had his apartments. He stated that this would be a good place for the new high school sign, and also a little park area. He feels that it could be a joint use property. He would like to get a committee together to look at the joint use of

the property and also other joint uses. Councilperson Durrant felt that Jen Watson would be a good person for the committee. Mayor Henderson asked Councilperson Higginson to come up with a committee and bring the names back to him.

**15. COUNCILPERSON LYNN DURRANT**

**16. COUNCILPERSON TERRY A. FICKLIN**

**17. COUNCILPERSON STANLEY W. GREEN**

Councilperson Green stated that SUVWMA is working towards a regional sewer plant. The future regulations, which the federal government will implement on sewer plants, will be affecting us. He also stated that the SUVWMA board met with the board of water resources for a loan on the property.

**18. COUNCILPERSON BRENT V. HANKS**

**19. COUNCILPERSON JEFF D. HIGGINSON**

Councilperson Higginson stated that he had a company come in and do a report on the trees in the parks. They came up with a plan for the city, and Councilperson Higginson would like to go over that report with the mayor.

**20. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

Dave Johnson stated he met with a representative from the LDS Church regarding the land to the north of the city office building. He feels that it should not be a problem to get that land so we can extend the city office building.

Dave Johnson and Councilperson Ficklin discussed the green waste, and removing the compost/chips from the green waste compound by the rodeo arena.

Mayor Henderson asked Councilperson Ficklin if he would make sure that the transfer station be kept up. The landscaping needs a little help. Even though it is a solid waste compound, it does not have to look like one.

**21. BRUCE WARD, CITY ENGINEER**

**22. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Stanley Green to adjourn city council meeting.

**SECONDED BY:** Councilperson Jeff Higginson.

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

**MEETING ADJOURNED AT:** 6:55 p.m.

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Jeffrey Nielson, City Recorder