

Minutes of the Salem City Council Meeting held on October 4, 2006 in the Salem City Council Chambers.

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 Jeff D. Higginson

STAFF PRESENT:

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

Excused from Council Meeting:

Councilperson Stanley W. Green

OTHERS PRESENT

Lucy T. Cornaby
David Askelson
Chelsey George
Natalie Stewart
Burke Tervort
Steve Haskell

J. Reed Cornaby
David Lunt
Tori Farr
Lisa Walters
Cory Holley
Shirl Hanks

Erman Stone
Warren Peterson
Nachelle Stewart
Paul Tervort
Greg Raulston

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson 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 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. MEL HANKS & SONS – OFF PREMISE SIGN

Dave Johnson stated that Mel Hanks has a sign on SR 198 and Main Street. It is an off premises sign, and does not meet the current off premises sign ordinance. They have to come to council to see if the ordinance could be changed. They used to have an off

premises sign at one time, that was grandfathered in, but it was torn down when the state worked on SR 198. When a grandfathered sign is torn down, they can not put another sign up.

Greg Raulston stated that they have had three signs along the highway at different times. With the development going on, all three signs have been torn down. The new sign that was just put up is an important sign, since it is a directional sign, to help show people how to get to their store. When they lost the sign on the highway, they began working with the city. He was on Planning and Zoning at the time, and they came up with a draft for an ordinance. Somehow, the draft did not find its way to the council. He had to leave Planning and Zoning at the time, and lost track of the ordinance. He stated as you drive down the highway, there are a lot of other signs that do not fit the ordinance. Shirl Hanks stated that they had a sign out by the Blackburn home for a long time, but, when the developer starting the development they tore down the sign without even letting them know. They had the same thing happen with the sign by the Sinclair gas station. Greg stated they just want a sign for direction, showing people driving along the highway how to get to their store.

Councilperson Higginson asked about the sign that used to be by the Blackburn's. Shirl stated that it was taken down by the developer, and they were hoping a new sign could be put up under the grandfather clause. They feel they are an asset to Salem City and have been here for a long time. They appreciated having Dave Johnson coming in and talking to them about the new sign, he suggested that they come to council and speak with you.

Steve Haskell stated that they received permission from the owner of where the new sign is located. He feels that the sign will help out the business.

Greg stated the off premises sign ordinance that was suggested by Planning and Zoning, a few years ago, was only for C2 or I1 Zones, so it did not open it up to a lot of businesses.

Councilperson Ficklin thanked them all for coming to council; he stated that this has been in the works for a long time. He thinks that we need to look at this again, and see what we can come up with. He is not sure why the recommendation did not get to council. He would like to get this resolved.

MOTION BY: Councilperson Terry Ficklin to table this request, and to have the off premise sign ordinance go back to Planning and Zoning for review, along with the banner signs, and have planning and zoning give their recommendations, and would like to have this on the agenda for the first meeting in January 2007.

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

Greg stated he would be happy to go back to Planning and Zoning and take the recommendations that were discussed before, and to work with them on the signs for off premises and banners. Mayor Henderson asked Councilperson Ficklin if he would make sure that the Planning and Zoning gets the information.

4. WARREN PETERSON – ANNEXATION OF PROPERTY AT 11200 S. 200 W.

Warren Peterson stated that they have applied for an annexation petition to be annexed into Salem City. He showed where the property is located, and that they have signatures from all of the property owners. They are all in favor on being annexed into Salem City. Mayor Henderson explained to Warren that we are going to have to refund their money for the annexation petition. At this time we can not accept the application, because they are currently located within another city. He suggested that, before they get too far in the process, he would recommend coming and talking to the staff at the city, to see what exactly would be involved. Councilperson Hanks is wondering if Woodland Hills would fight this annexation. Warren stated that Woodland Hills would fight it. He stated that this has been a discussion for a long time.

Attorney Baker stated that we do not have any control over this until they are out of Woodland Hills. He stated that the Davis Ranch de-annexation took about three years to get to a court hearing. One of the property owners asked if they had to de-annex out of Woodland Hills and then into the county, or can they just come into Salem. Attorney Baker stated they could do a boundary line adjustment, if Woodland Hills agrees, and makes an agreement with Salem, otherwise it would need to go to court.

Mayor Henderson stated that our hands are tied, until they can get out of Woodland Hills. He did suggest that they look at all of the cost that would be involved, and again recommend them coming in and speaking with the staff.

5. BUS BENCHES

Dave Askelson stated that he came in and spoke with Jeff Nielson in the city office to see about the bus benches located within Salem. He stated that there are four benches currently, and some of them are damaged. He stated that there are eight bus stop locations total, and would like to put benches at all of them. He would fix up the existing benches, and the install new ones. He would be responsible for them, to make sure they are kept up. Attorney Baker stated that we had a contract with the prior company, but they have gone out of business. Dave stated he would be willing to pay the city \$50 a bench per year.

MOTION BY: Councilperson Jeff Higginson to accept Dave Askelson proposal for the bus benches, and accept the \$50 a bench per year.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

6. CONTRACT FOR CLEANING CIVIC CENTER

Councilperson Hanks handed out the contract to the council. He stated that it has changed from the prior contract that was discussed a few council meetings ago. He stated

that the price has changed to \$500 a month. He stated that we need someone who is interested in taking care of the building. He stated that the contract still states Deanne Gordon, but she was not interested in doing it, so Tim and Tracy Fratto have stated they would be interested in doing it. So the names will change on the contract. He would like to see how the contract works out until the first of the year, and then see if it needs to be changed.

MOTION BY: Councilperson Brent Hanks to approve the Contract for Cleaning the Civic Center with Tim and Tracy Fratto, and to have the contract good until December 31, 2006 where it will be looked at to see if any changes need to be made.

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

Councilperson Hanks reported that the kitchen cabinets will be here on October 11.

7. BIDS FOR CITY SHOP

Councilperson Hanks stated there were no bids for the city shops this week.

8. BIDS FOR CIVIC CENTER CONSTRUCTION

Councilperson Hanks stated there were no bids for the civic center this week.

9. APPROVE MINUTES OF SEPTEMBER 20, 2006

Minutes were not ready for approval.

10. APPROVE BILLS FOR PAYMENT

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

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (4-0).

11. PUBLIC SAFETY

Chief James stated that the neighborhood watch programs are going well; they have about five of them set up in the next couple of weeks. He also stated we are still waiting for the sidewalk to be completed on 500 East, for the safety sidewalk.

12. OPEN DISCUSSION

Reed Cornaby asked about the company that is doing the work, on Canal Road, for the new charter school. They have dumped some debris in front of his home, and it is blocking his mail box, so he has not received mail for a while. He also stated that they have cut the phone lines up there numerous times. Bruce Ward stated that he would take care of it tomorrow. Reed also asked if they city has considered property for the holding ponds for the PI system. He stated that he knows of some property that is for sell, which might work out, and will let Bruce or the Mayor know about the property.

Corry Hollie asked about the septic tank ordinance that was looked at, and tabled, a few months ago. Mayor Henderson stated that it was tabled, and was sent back to Planning and Zoning for more review. Corry stated that his home is on a two acre lot with another home, he is wondering about selling the home and subdividing. Attorney Baker stated that it would be worse to do that. Councilperson Ficklin stated that he would make sure it would get back to Planning and Zoning, and if Corry does not hear from him with in a month, to get an update on it, that Corry could give him a call.

Councilperson Lynn Durrant stated she was contacted by Rhonda Hansen, Miss Salem Director, regarding a new program that the Miss America is starting up; it is an Outstanding Youth program. Rhonda explained to the council that it is for younger teens, and gives them an opportunity to prepare a platform, help with community service, and to get familiar with the scholarship program. Because this is a new program, they are appointing girls at this time, until they can get enough girls to hold a pageant. She stated that the program, this year, will not be any expense to the city, and the person who is appointed will be representing Salem City. She has a sponsorship for any expenses that she will incur. It will also fall under the Miss American Franchise, which the city belongs to. She has appointed Brooklyn Hansen to be this year's representative. Rhonda wanted to introduce her to the council tonight.

The question was asked about the pressure the city is getting for growth, and how the city can pay for the infrastructure to support the growth. The person stated that he is aware of the building restriction right now, but how can the city support the continued growth, and does the city have a master plan for all of this growth? Is there a way to tell the developers we do not have the infrastructure to support them? Mayor Henderson stated that we have had a restriction in place that is not allowing any new subdivision, but, when it was put on there were about 600 lots that were already approved and could be built on. We can not have the restriction on forever; we have to prove that we are coming up with ways to support future growth. One factor that will help, so the city can pay for the new infrastructure, is impact fees. These fees are paid by new homes and go to pay for the impact they have on a city. Attorney Baker stated that the impact fees are meant to pay for the growth, but, it seems that with them you are always trying to catch up. Mayor Henderson stated that we do have a master plan, and a PUD Ordinance, that will help the city to get green space when these developments come in. The question was asked about the agriculture land, and if it is going to disappear. Mayor Henderson stated that when the development happens, the agriculture land will disappear. Reed Cornaby also stated

that if the city does not get the secondary water, then water will be the next infrastructure problem the city will run into.

COUNCIL REPORTS

13. MAYOR J. LANE HENDERSON

14. COUNCILPERSON LYNN DURRANT

Mayor Henderson stated that a movie company was filming a movie and wanted to borrow a couple of our bleachers. The person who was in charge of getting the bleachers is from Salem. He stated that they would pay the city for letting them borrow the bleachers for a couple of days. Mayor Henderson stated that they brought a check in the other day for \$750, and the Mayor would like to give this to the Library. Councilperson Durrant thanked the mayor and stated that they are in need of a new building. She stated that an option for the new building is to see if Woodland Hills and Elk Ridge would want to bond for a new building with us. This option is being looked into, to see if it can be done.

15. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin did not have anything to report tonight.

16. COUNCILPERSON STANLEY W. GREEN

Was excused from council meeting.

17. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks did not have anything to report tonight.

18. COUNCILPERSON JEFF D. HIGGINSON

Councilperson Higginson reported that the new shed, at Loafer View Recreation Complex, is being built and they would like to have it done before winter comes. Dave Johnson stated that we are waiting on the block right now.

Councilperson Higginson expressed his concern with the recreation department. He stated that they have a director who is spending all of his time out of the office, and preparing fields and getting other programs ready. It is hard for him to run the recreation

and be out of the office so much. There is a need for another full time person in the recreation, to help prepare fields and other getting other programs ready. This would allow the director to do his job. He also reported that the recreation committee is getting ready to lose their baseball president. It is tough for the committee to know what way the city wants them to go, especially with the director not able to do his job. Gary (Recreation Director) is spending about 12 hours a day, and he is getting worn down. Councilperson Higginson would like to see someone hired, who could eventually take Gary's place when Gary is gone.

Mayor Henderson stated that on November 14, there will be a mandatory meeting for all city employees. We will be discussing the city policy and personnel policy. Lunch will be provided, and the meeting will go from 8 a.m. to noon. The council is invited to attend if they would like.

He also reported that we have hired an assistant for Dave Johnson, in the building department. He stated that they are sharing an office right now, and it is making it hard for them to work. Dave Johnson was wondering about a portable trailer to put an office in. Councilperson Hanks was wondering about holding council meetings at the civic center, and turn the current chambers into an office. Mayor Henderson asked Councilperson Higginson to get with Dave Johnson on this and see if we can come up with a solution. Chief James had a concern that there are a lot of other meetings that are held in the council chambers, like traffic school, Planning and Zoning, and DRC.

Mayor Henderson reminded the council of the dinner tomorrow night, for those who have donated to the construction of the civic center. It is a way for us to say thanks. Also during our next council meeting on the 18 of October, he would like to have work session at 5:00 to 6:45, and invite Planning and Zoning.

19. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

20. BRUCE WARD, CITY ENGINEER

Bruce Ward reported that Sunrise Engineering will be going around town and staking out the PI system, and where the hook ups will be located for each home. If residents don't like where the connection will be they can call a number so sunrise can meet with them and come up with a solution.

Councilperson Lynn Durrant stated that SESD got bids for a transformer. Bruce Ward stated that the bids ranged from \$800,000 to \$1,400,000, and delivery ranges from 25 weeks to 50 weeks. All of the bids are being evaluated, and hope to have the bids on the agenda next council meeting.

Mayor Henderson asked if Randy Brailsford had anything for the council. Randy stated that he wanted to give an update on the CUP, and see where the city is on their PI system. Bruce Ward stated that we have awarded the engineering bid, and hope to have the build bid awarded at the end of January. We will start to request money from CUP starting this month. Randy thanked Bruce for the update. He also reported that there have been a lot of negotiations with Strawberry Electric (now SESD), Strawberry Water, and the local cities. The cities have gotten along well with SESD, but have had a hard time with negotiations with Strawberry Water. There have also been issues with the Federal Government and Strawberry Water for many years. With CUP, the Federal Government is working with UDOT on the Spanish Fork canyon highway project. They are going to put 20 million dollars towards the project to try and get the CUP line down the canyon. They are hoping to have it done in the next five to six years. He stated that CUP would be helping to get water down the southern portion of Utah County. He stated that SUVMWA has also been working to try and get water available for the cities to use. Mayor Henderson stated that the South County Mayors Association put former mayors Randy Brailsford, Dale Barney, and Bernel Evens over the negotiations with Strawberry Water. Randy stated that they have been working together for a long time with Strawberry. Randy stated that when they first started negotiations, Strawberry wanted the cities to pay \$156 per acre foot of water. They have been able to get it down to \$1.80 for acre foot. He stated that this has been on going for many years. Randy cautioned the council to be careful what they charge residents for PI, and try to make sure they keep the rates down. Mayor Henderson thanked Randy for coming in, and wanted him to know that we appreciate what him, Dale and Bernel are doing for the cities.

21. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Jeff Higginson.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:55 p.m.

Jeffrey Nielson, City Recorder