

Minutes of the Salem City Council Meeting held on October 5, 2005 in the Salem City Council Chambers.

MEETING CONVENED 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
Councilperson Dale R. Wills

STAFF PRESENT:

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

Excused from Council Meeting
Dave Johnson, Public Works

OTHERS PRESENT

Jeff Higginson
Jason Black
Clark Brenchley
Lane Henderson

Darren Jensen
Zac Swenson
Jan Klingman

Nathaniel Sackett
Eunice Brenchley
Richard Klingman

Mayor Brailsford stated that items 3 and 4 are not ready tonight and will be put on the agenda for the following council meeting.

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Jeff Higginson 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. Darren Jensen stated that he would like to. He then led the pledge of allegiance for those who wanted to participate.

3. ROBERT NELSON – POSSIBLE LAND TRADE IN PLAT D OF MOUNT LOAFER VIEW SUBDIVISION.

4. ROBERT NELSON/BILL YOUNG – DISCUSSION ON 500 EAST SIDEWALK

5. THOMAS TAYLOR – DELINQUENT CHARGE ON UTILITY BILL

Mayor Brailsford turned the time over to Thomas Taylor. Thomas stated that he had an excessive water bill; he came down and talked to the city office. The city office sent someone down to check the water meter. They found out that there was not a problem with the water meter, but the stop and waste valve had not been shut off completely. During the time of the excessive water bill Mr. Taylor had had an emergency trip to the hospital. With all of that going on, his utility bill did not get paid, and with the excessive bill, the late charge for the utility bill was high. He is here tonight to ask the council to have the late fee waved from his utility bill.

Mayor Brailsford asked about the renters in the basement and if they use excessive water or electricity. Thomas stated they do not. Mayor Brailsford then told him that renters are not allowed there, that the city does not allow basement apartments. He then went on that Todd Gordon (public works superintendent) went to the house; he found that the waste valve had not been shut off properly. Todd then showed Thomas how to turn it off properly. The mayor also read the letter from LaVera James (city treasurer) who is over utility billing.

“Mr. Taylor called on 8-22-05 and requested we check his water meter for a possible leak. W.O. # 24252 was given to Todd to check. There was a leak on the owners side. (The problem was with the stop & waste valve was not turned off correctly.) Todd showed Mr. Taylor how to turn off correctly.

Mr. Taylor called the office after receiving his new bill on Sept. 1st. He questioned the electric usage only. He wasn't concerned about the water because he had a leak that had been fixed. I told him the usage period for this bill was for the month of July (7-1 thru 8-2). I reminded him about the hot temperatures during that time and did tell him that many of the utility bills for this period were quite high. I let him know that our meter readers were out reading meters for the month of August usage and I would check his reading when they brought them back to me to see if he had been misread.

On Sept. 8th I checked the meter books for the Taylors and called to let them know the reading had progressed and the usage for August was 361 hours less than July.

To my knowledge Mr. Taylor did not call back a second time to request a meter check. He came in on 9-28-05 with the new bill and ask for an adjustment of \$72.20 because he had filed the bill in the wrong place and it did not get paid.

I gave him a request form to fill out to appear at the next City Council meeting to ask for an adjustment. He took the papers home and brought them back the next

day. I told him to come to the Council meeting on Wednesday Oct. 5th at 7:30 P.M. “

Mayor Brailsford stated that the utility bills are due on the 15 of the month, but we allow them to be paid until the 25 before they are considered late. The city does have a larger late fee, but that is because we pay our power bill on time for the whole city and we need to make sure we have the money to cover that bill. He feels the city gives people ample time to get the utility bill paid before it is considered late. The city tries to accommodate for people, the utility bills are sent before the first of the month in most cases. Mayor Brailsford asked the council what they think, Thomas is asking for the late fee to be waived from his utility bill.

Councilperson Durrant stated that we have had a few people come to council and request the late fee to be waived; it is hard to listen to the stories, but the city policy is that we can not waive the late fee. Thomas stated he did not know his bill was late until he got his new utility bill and noticed that the late fee had been added. Councilperson Durrant recommends to the council that we do not allow the late fee to be waived. The council agrees with Councilperson Durrant’s recommendation. Mayor Brailsford told Thomas that they understand, some of the council have had to pay the late fee a few times also. He stated that at this time, the council feels that the late fee not be waived. He also stated that he would like to have Police Chief James talk to Mr. Taylor about the renters in his basement.

6. BUSINESS LICENSE

a. John Watkin - Plumbing

Mayor Brailsford stated that John Watkin wants to have a business license to do plumbing and heating. The name of the business would be John Watkin Plumbing, located at 690 South 500 East. Mayor Brailsford stated that we need to be careful, and make sure that we check on these home occupations, and make sure they do not violate the ordinances. Chief James stated that John went through the process of a business license a few years ago, but did not fallow through with it. Mayor Brailsford stated that John will only be using the home as an office. He would like put on the back of the license that there can not be any plumbing debris or supply left in the yard, or he will lose his license, and then have him initial that he understands that. He also stated that the license has been approved by all of the appropriate people. The council did not have a problem with the business license.

b. Doug Robinson - Contractor

Mayor Brailsford stated that Doug Robinson wants to have a business license to do general contracting. The name of the business is Dream Builders Const. Inc., and is located at 415 North 360 East. The home will only be used as an office. It

has been approved by all of the appropriate people. The council did not have a problem with the business license.

7. APPROVE PURCHASE OF SWEEPER

Councilperson Dale Wills stated that the council discussed this in work session a couple of council meetings ago. He stated the road sweeper would be very beneficial for the city, especially right before we do crack sealing and after crack sealing a road. This will also help with the longevity of the road. The sweeper would be able to be towed behind a truck, but feels it would not be that necessary in our city because of the size. Todd Gordon has received three bids that he has turned in. The bid that has been recommended by Todd is for the better of the three sweepers, and it is also the lowest bid. Mayor Brailsford was wondering why we want to spend the money on a sweeper rather than use the interlocal agreement with the other cities that have sweepers and use theirs. Councilperson Wills stated that every time we have used Spanish Forks it has broken down on us. The mayor asked about Springville or Payson. Councilperson Wills stated that he had a conversation with Todd Gordon about this, and there was some reason why we could not use Payson's, but he can not recall the reason at this time. Mayor Brailsford explained the interlocal agreement with the surrounding cities and how it was started about 10 years ago. He stated that it allows the other cities to rent each others equipment so the cities do not have to go out and purchase equipment that they would not use very often. Councilperson Ficklin stated that this would be a brush sweeper. Councilperson Wills stated that we have been using Dave Grants, which is similar to the one we want to purchase. Mayor Brailsford was just wondering about the interlocal agreement with the other cities and sharing their equipment. He stated it has been a great agreement. He also mentioned he has he tried to get Spanish Fork, Provo, and Salem, who are all UMPA (Utah Municipal Power Agency) members to combine the power employees to make one power Department. This would benefit is so many ways, but every time it has been shut down by each of the cities power superintendent. Councilperson Wills stated again that he wishes he could remember the conversation with Todd Gordon about why the other cities sweeper would not work; he recalls that there is a reason. He stated that the money for the sweeper will come out of B&C road money. Councilperson Wills stated that of the three bids, Todd Gordon recommended the bid from Cate Equipment Company for \$21,608.00. The other two bids: one from AT Rental was \$22,579.00, and the other from C.E.G. Management for \$22,731.00.

MOTION BY: Councilperson Dale Wills to approve the purchase of a street sweeper from Cate Equipment Company in the amount of \$21,608.00

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

8. APPROVE MINUTES OF SEPTEMBER 21, 2005

MOTION BY: Councilperson Lynn Durrant to approve the minutes as written.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

9. APPROVE BILLS FOR PAYMENT

Mayor Brailsford stated he would like to come back to the approval of the bills; he had some bills that still needed to be reviewed.

10. PUBLIC SAFETY

Mayor Brailsford mentioned that the public safety fair will be on Saturday October 15. It will be an open house, and he encourages residents to come and learn about the public safety and see about volunteering with the fire department and ambulance. He stated that the Salem West Stake had postponed their fair that was being held on October 15 also, to help support the public safety fair. The fair will be from 11:00 a.m. to 2:00 p.m., he would like to see the council there. There has been a lot of hard work go into the fair, and we have some great public safety departments.

He also reported that the emergency management team purchased five radios in case of a disaster. We were going to give one to each school, the stakes, and the other for the command center. But after hearing of reports in Louisiana when the hurricane hit New Orleans one of the biggest problems is the communication, nothing was working correctly. So we decided to give one radio to the command center, the police department, the fire department and SEMA (Salem Emergency Medical Association). The other idea that the team came up with is to see about purchasing a generator for the Hare Krishna's. Out by their temple they have the radio station. If there was a disaster, they could broadcast over the radio and give instructions and information to our residents. The mayor has spoken with the Hare Krishna's and they are very willing to work with us on it. They are also interested in purchasing some radios to keep in contact with the city. So the city needs to come up with a large generator. We are keeping our eyes open at the surplus stores.

Mayor Brailsford met with the Stake Presidents (Salem West Stake and Salem Stake) the other day. He stated he tries to meet with them on a monthly basis, to keep them informed with what is going on in the city. He expressed to them some of the ideas that the emergency management team came up with. One of the ideas is to tell residents to get a common family contact person who lives at least 400 miles away. This way if an emergency happens your family can check in with this one common person. This was another problem in Louisiana, nobody knew about their family members. He asked the stake presidents to get a list of people in their stake who have special needs. So if during a disaster the city can know about those individuals. He also asked them to get a list of

people who have equipment that would be beneficial during a disaster. The stake presidents told the mayor that they too would be interested in purchasing a radio, so they could be in contact with the city.

Darren Jensen asked if the city building is rated for earthquakes. Mayor Brailsford stated that it is not rated very high. He also stated that if the building was destroyed, that the command center would be moved to a different location. He has his trailer house already in case it had to be the new command center.

Jeff Higginson asked the mayor how often he had the meetings with the emergency management team. He stated that he has the meeting once a month.

Police Chief James told the council to circle November 10 on their calendars. There is a meeting where a representative from homeland security is coming to do some training. The meeting will be from 6:30 p.m. to 10:00 p.m. After the training there will be a quiz, and if we pass the quiz we will get a certificate. This will also help the city to get grant money. Mayor Brailsford stated that all department head members would be required to attend the class.

11. OPEN DISCUSSION

Mayor Brailsford asked if anyone had anything for open discussion. Jan Klingman stated that she, and her husband Richard, have made an offer to Mark Walker to purchase the rental home at 290 S. 300 E. At some time they would like to add on to the building, they would build up instead of building out. The property is just less than 10,000 square feet, and with the city ordinance they would not be allowed to remodel the home. They are wondering if there are any options for them. Attorney Baker stated that they might be able to do a non-conforming legal lot, if they are building up, they would have to maintain the same footprint of the building. If they build out, they would not qualify for that. Jan asked about building a garage. It was stated that they would have to meet the setback requirements. Jan asked about if they were to extend out just a bit. It was stated that they would have to meet the set back requirements, and it would still be considered a non-conforming legal lot.

Darren Jensen had a concern the other night after the rain storm, at about 350 West Canal Road; there was a lot of water from the rain at the corner. He was wondering if there was a drainage problem there at the corner. Mayor Brailsford asked if it was a combination of rain and irrigation water. Darren stated he did not think so because there are no irrigation ditches there. Mayor Brailsford stated that he would have it looked into.

COUNCIL REPORTS

12. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford stated that he has asked Jan Sanderson to be a Youth Council Advisor and to help Diana Pritchett. The Youth Council has 33 youth signed up this year. For drug awareness week they are going to be putting red ribbons around poles. They are going to try and have some type of a city project activity planned each month. They are going to start the year off by doing a social. Mayor Brailsford feels we got a lot of great youth this year and want to involve them. He feels the leaders will do a great job for them.

9A. APPROVE BILLS FOR PAYMENT

Mayor Brailsford stated he would like to approve the bills at this time.

Councilperson Durrant had a question; she noticed that we were still getting invoices from Aqua Engineering. Mayor Brailsford stated that those were for projects they were doing before Bruce was hired.

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

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

13. COUNCILPERSON DALE BOMAN

Councilperson Boman stated that the city needs to come up with a new name for the highway. He is wondering if want to put in a news letter and give some options for a name, or if we want people to input names and then pick from there. Councilperson Wills was wondering why we are changing the name. Councilperson Boman stated that it is our main road, and we want to have it associated with Salem City. Councilperson Wills felt like it would be a nightmare for the public safety.

It was determined that the citizens would come up with the name and to have them give suggestions.

14. COUNCILPERSON LYNN DURRANT

Councilperson Lynn Durrant did not have anything to report tonight.

15. COUNCILPERSON TERRY A. FICKLIN

Mayor Brailsford asked Councilperson Ficklin if he were getting the minutes from planning and zoning. Councilperson Ficklin stated that he was not. Mayor Brailsford stated that he should be getting them, along with the rest of the council.

16. COUNCILPERSON STANLEY W. GREEN

Councilperson Green stated that Gary Warner (Recreation Director) is asking for approval to determine the policy to rent some of the recreation facilities and to determine the fees. This is for other organizations who want to use Salem City facilities. He then went over some of the fees and rules. To rent the baseball/softball fields would be \$60 for the field, this is only during the day, does not include lights. If the lights are used, it is \$30.00 per hour in addition to the rental fees. The soccer fields would be \$20.00 per field per hour. Football Fields would be \$30.00 per field per hour. Rodeo Grounds would be \$125.00 per day, the rental of the snack shack would require a \$100.00 deposit. The organization would need to require a \$1,000,000.00 liability insurance policy for each rental. The fields may not be altered from what has been set up.

Councilperson Green stated that Gary is looking for approval of this.

MOTION BY: Councilperson Stanley Green to approve the Field Rental Policy and Rental Facilities and Fees.

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (5-0).

Councilperson Ficklin was wondering about an update on the civic center. Mayor Brailsford stated that we are still waiting on the trusses; they should be here on Tuesday. He is hoping to have the framing crew on the 15 of October.

17. COUNCILPERSON DALE R. WILLS

Councilperson Dale Wills stated that he has one item. The Mayor and he have been discussing the agreement with the engineer and SUVMWA. He stated that there is becoming a great need for Bruce (city engineer) at the city and not so much at SUVMWA at this time. He stated that Bruce was going to work with SUVMWA on the water and sewer issues. With some of the challenges that SUVMWA has faced with some of the member cities, the sewer is not moving forward as we expected. So it has been talked about reducing the time in half that Bruce would spend with SUVMWA, giving them 20% and Salem City would take 80% of Bruce's time. Councilperson Wills was wondering if he needed to do a new agreement. Attorney Baker stated that a new agreement would have to be done.

Mayor Brailsford reported that Brook Christensen, power superintendent is leaving us. It was discussed that at this time they would not replace him. The power department is hiring a new lineman. He stated that Bruce Ward would be helping out with some of the meetings, like DRC.

18. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Mayor Brailsford excused Dave Johnson from council meeting tonight.

19. ATTORNEY S. JUNIOR BAKER.

Attorney Baker stated that he had a meeting the other day with the people who the city is allowing to have Chrisman drive after it was abandon. He stated that during the council meeting when the road was abandoned, it was determined that the new owners would have to have the improvements done by November. Attorney Baker was wondering if the council would give them until spring to complete the improvements, since it is so late in the year and they only have until next month to get them done. The council agreed to give them spring to have the improvements done.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilperson Lynn Durrant to close city council meeting.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:50 p.m.

Jeffrey Nielson, City Recorder