

Minutes of the Salem City Council Meeting held on September 1, 2004 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 8:35 P.M.

**CONDUCTING:** Mayor Randy A. Brailsford.

**OPENING REMARKS:** Mayor Brailsford asked if anyone would like to give an opening remark. Councilperson Dale Wills offered an invocation for the opening thought.

**PLEDGE:** Councilperson Dale Boman invited all who would like to participate to stand and say the pledge of allegiance.

**COUNCIL PRESENT:**

Mayor Randy A. Brailsford  
Councilperson Lynn Durrant  
Councilperson Dale Boman  
Councilperson Terry A. Ficklin  
Councilperson Paul J. Hair  
Councilperson Dale R. Wills

**STAFF PRESENT:**

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

**OTHERS PRESENT**

David Gardner  
Paul Bliss  
Eva Bradford

Bill Young  
Stacy Bliss

Trevor Fredrickson  
Clyde Bradford

**1. PUBLIC HEARING**

**MOTION BY:** Councilperson Wills to open the public hearing.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

- a. Broadlands LLC – North Meadows Annexation.

Mayor Brailsford turned the time over to David Gardner who was representing the North Meadows Annexation. David stated that they had plans to develop on the property, but understand that there is not an ordinance for what they would like to do. He has been working with Greg from LEI, to try and determine what he is going to recommend to the city. David stated he is not sure what to do, if he should wait until the ordinance is completed or proceed. He showed the council

where the property is located (by Olson Nursery) and stated that there is about 105 acres. Dave Johnson stated that the General Plan shows that area coming in as a R1 or R2 zone. Attorney Junior Baker stated that when the property is annexed in, it would need to be zoned as either a R1 or R2, because this is what has been recommended on the General Plan. He also told David that what Greg is working on is a PUD, and it does not matter if the property is zoned R1 or R2, there will still need to be change to the zone for the PUD. Mayor Brailsford asked if there were any other questions or questions from the public.

**MOTION BY:** Councilperson Terry Ficklin to close the public hearing.

**SECONDED BY:** Councilperson Dale Wills.

**VOTE:** All Affirmative (5-0).

- a. Broadlands LLC – North Meadows Annexation.

**MOTION BY:** Councilperson Dale Wills to approve the North Meadows Annexation and to have the property zoned as a R2.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

## **2. ORDINANCE AUTHORIZING THE EXECUTION & DELIVERY OF PETITION TO THE CUWCD FOR THE ALLOTMENT OF WATER FOR MUNICIPAL & INDUSTRIAL USE.**

Mayor Brailsford stated this item was discussed a little bit in work session. He turned the time over to Attorney Baker. Attorney Baker stated that the ordinance is authorizing the execution and delivery of a petition to the Central Utah Water Conservancy District for allotment of water for municipal and industrial use. The petition is a contract to purchase water. He gave the council the latest revised copy of the contract. There are still some small changes that need to be worked out. One of them is what irrigation is defined as. Overall, he was very pleased with the contract. What he would recommend to the council is to pass the ordinance upon the approval of the final contract by Mayor Brailsford and himself. We have been given this opportunity to get this water if we act upon this agreement right now, but if we don't then we may not have this opportunity again. There have been a lot of negotiations done between everyone involved. The water district would like this signed by the middle of September, this is why we need to have the ordinance approved tonight.

**MOTION BY:** Councilperson Dale Wills to approve Ordinance 9104 authorizing the execution & delivery of petition to the CUWCD for the allotment of water for municipal & industrial use, with the condition that the petition is approved by both Mayor Brailsford and Attorney Junior Baker.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

### **3. EAGLE SCOUTS**

#### **a. Jake Wilson**

Jake's mother had called earlier and stated he was looking at doing a different project and would not be at council meeting.

#### **b. Trevor Fredrickson**

Mayor Brailsford turned the time over to Trevor. Trevor stated he would like to re-roof the new pavilion at the park. He would be supervised by his scout leader, Steve Cox who is also a city employee, along with a professional roofer who is a neighbor. His scout troop would also be helping out. He figures it would cost about \$500 for new shingles. He will not be taking off the old shingles, just putting the new shingles over the old ones. Steve Cox stated he thinks the project will take about 10 hours to complete, he also feels with the roof being pretty flat, that there is not a big safety issue, but they will still need to be careful. Mayor Brailsford explained to Trevor that he would be responsible for paying for the shingles, and then when it is completed, he can get reimbursed by the city.

#### **c. Conrad Nybo**

Was not present during council meeting.

#### **d. Tanner Roeller**

Was not present during council meeting.

### **4. PAUL BLISS – WAGON RIDES AROUND THE POND AT CHRISTMAS TIME**

Mayor Brailsford turned the time over to Paul Bliss. Paul stated that he has been doing wagon rides around the pond for different groups during Pond Town Christmas. He talked to Police Chief James and asked him if he would need to have a business license. Chief James told him he would, and would need to come to city council meeting. Paul stated that he had built a small old western town when the Olympics were here, and he would like to use some of the buildings for Pond Town Christmas. He would like to set it up where the pageant is performed during Salem Days. He handed out pictures of the town to the council. Along with giving rides on his horse drawn wagon, he would like to sell popcorn, hot cocoa, apple cider, etc. He would be willing to give 5% back to the city to help with Pond Town Christmas expenses. Mayor Brailsford stated that Clyde Bradford (who was also present at council meeting) came to a prior council meeting and presented a similar proposal. Mayor asked Clyde to approach the council also. Mayor asked them if they could work something out together. Paul stated he would like to provide rides on Fridays, Saturdays, Mondays, and maybe Sundays. He also stated that

he is looking at a pretty big expense with insurance, for only the six week period. The question was asked how much the rides would cost. Clyde was not sure how much he would charge. Paul stated that he is thinking about charging \$2 for kids and \$3 for adults. He can put about 20 people on his wagon at a time. Clyde stated he had a person that approached him to help load and unload people, and at the same time take their pictures, and then print them off right there in his camper. Mayor Brailsford stated his biggest concern is public safety. Clyde stated that he has looked into rubber spikes for the horse shoes. Councilperson Ficklin is concerned about having a lot of people wanting to do the same thing. Councilperson Wills stated that he feels Paul and Clyde can compliment each other, that different people would want the wagon ride and some the carriage ride. Paul mentioned again, he is concerned about insurance. His premium would be about \$800, and would not change because of the amount needed to be covered. Mayor Brailsford stated he feels they both will do better than what they think. He would like Paul to come in and talk to Jeff Nielson about the insurance, to see if there is anything the city can do. He would also like to see the two of them (Paul and Clyde) work something out and see if they can work together. If they can then bring their idea back to council and have the council agree upon it. Clyde was also wondering about a contract that would not allow any other vendors trying to do the same thing. It was stated that will be looked into.

#### **5. APPROVE MINUTES OF AUGUST 18, 2004**

**MOTION BY:** Councilperson Paul Hair to approve the minutes of August 18, 2004 as they are written.

**SECONDED BY:** Councilperson Dale Boman.

**VOTE:** All Affirmative (5-0).

#### **6. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Dale Wills to approve the minutes for payment.

**SECONDED BY:** Councilperson Terry Ficklin.

**VOTE:** All Affirmative (5-0).

#### **7. PUBLIC SAFETY**

Police Chief Brad James gave the council an update on Officer Bird. Officer Bird's surgeon wants to do surgery on his back; he could be out for about 6 weeks to 3 months. He slipped another disk in his back. So right now the police department is down another person. He also wanted to update the council on the new police truck which should be here around the 16 or 17 of September.

Councilperson Hair was wondering about a cross walk across the highway for the new church. Chief James stated that it would be up to UDOT to put a cross walk. They are over the highway.

## **8. OPEN DISCUSSION**

### **COUNCIL REPORTS**

#### **9. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford did not have anything to report tonight.

#### **10. COUNCILPERSON DALE BOMAN**

Councilperson Dale Boman reported that the web page will be having a link to the Emergency Preparedness information, which will be hosted on another site. He is also wondering if there is anything that can be done about the motorized scooters. Councilperson Wills state there is a problem with them up at the new ball park. Mayor Brailsford stated he has signs that were made for the wetland park, and may have to get some for the new ball park as well. Chief James stated that there is a bill right now that they are trying to get passed regarding motorized scooters.

#### **11. COUNCILPERSON LYNN DURRANT**

Councilperson Lynn Durrant stated that she feels we might be making Pond Town Christmas into something we may not want it turned into. She likes how it is very peaceful when you go to look at the lights. The council agreed with her, and did not want to take away from Pond Town Christmas. If Paul and Clyde can work something out, they would like them to come back to council with a plan of what they want to do. Mayor Brailsford stated that we could look at doing an ordinance that would not allow other vendors coming in, that we could restrict it to certain number of vendors, and what nights they could do it. A contract could also be written up with the vendor(s) who would be doing the rides. The council liked the idea of not allowing the rides on Sunday, and look at a couple of other days along with it. There was also talk about contracting out the rides. The city could pay the person so much, but then the revenue would be brought back to the city.

Mayor Brailsford left council chambers at 9:00 PM, and Councilperson Terry Ficklin (mayor pro-tem) conducted council meeting.

## **12. COUNCILPERSON TERRY A. FICKLIN**

Councilperson Terry Ficklin would like thank Councilperson Boman and everyone else involved in Salem Days. He thought it turned out great.

## **13. COUNCILPERSON PAUL J. HAIR**

Councilperson Paul Hair did not have anything to report tonight.

## **14. COUNCILPERSON DALE R. WILLS**

Councilperson Lynn Durrant was wondering what was going on with 240 East. Councilperson Wills stated that we wanted to get the sidewalk, curb and gutter replaced in spots where they were really bad. When that is done, we will begin the process of repaving the road.

Councilperson Dale Wills reported that Gary Warner is doing a great job with the recreation. Soccer is going great, and a lot of kids are signed up in the program. Tackle football we have about 53 kids signed up. Coed softball is going very well; we have 10 teams signed up and flag football is coming up soon.

With the work on the well to do a pump test, we are figuring it will cost about \$20,000 - \$30,000. Bids are being advertised and hopefully the awarding of the bid can be on the next council agenda. The test will see if the pump can get more water out of the well. If we can get more water, then we will need to hurry and get the work approved. We would like to have the work done around January, so if we have any problems we can do something before summer when the water is needed.

## **15. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

Dave Johnson reported that the D.O. meters came for the sewer plant, and hopes to have them installed soon. He feels we can save a lot of money on power cost with the meters.

## **16. ATTORNEY S. JUNIOR BAKER.**

Bill Young asked Councilperson Ficklin if he could say something tonight. Councilperson Ficklin agreed. Bill stated that he is the owner of some land that he has been trying to develop (Harvest Ridge Development) for about 3 years. He has gone through two groups of councilmember's, different studies on planned development, and subdivisions restrictions during the three years. He is now getting into a crisis, and would like to know what the council would like him do to. Does the council want to have the PUD ordinance. He is getting to the point that a lot of money has been put out,

but can not do anything with the development. He has to put a bridge across the canal, and can only do it during certain times of the year when there is no water in the canal. He would like to get going on the project, but has been waiting on the council to work on the PUD. He has been told the PUD ordinance would be done a few times, but it is not done yet. He has been patient with the council, but would like to know what they are going to do.

Mayor Brailsford returned to council chambers at 9:20 PM

Councilperson Wills stated that a PUD is not something the council the can rush into. This is an ordinance that will have a long time effect on the city. Attorney Baker stated the public hearing for the ordinance is set for Planning and Zoning next week. Mayor Brailsford stated that he is getting information about PUD's from other cities. Bill Young explained to the mayor his crisis. He would like to know when it will be completed. If it is going to be awhile, then he might have to look at not doing a PUD and doing a regular subdivision. Mayor Brailsford told Bill that it would be around December or so before the PUD is completed. He also told Bill that Planning and Zoning did not like the road size in his development. Bill stated that the engineers said that they would be wide enough. The mayor still stated that Planning and Zoning did not like the roads, and they might have to be re-looked at.

Mayor Brailsford explained to the council he had to go help work out an issue the Fire Department regarding their summer party. There was a misunderstanding about them wanting to take all of the fire trucks to their summer party in Spanish Fork. There are some other concerns with the department too that need to be worked out.

Police Chief James stated he would like to report to the council on the mock training that happened the other night. It was the best run exercise that has been done since he has been here in the city. The public safety team did a great job, and he was very pleased with it.

## **CLOSE CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Terry Ficklin to close city council meeting.

**SECONDED BY:** Councilperson Lynn Durrant.

**VOTE:** All Affirmative (5-0).

**MEETING ADJOURNED AT:** 9:45 P.M.

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Jeffrey Nielson, City Recorder