

Minutes of the Salem City Council Meeting held on September 4, 2002 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:30 PM.

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Attorney Junior Baker.

PLEDGE: Mayor Randy A. Brailsford.

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilman Reid W. Nelson
Councilman Dale Boman
Councilman Terry A. Ficklin
Councilwoman Vicki H. Peterson
Councilman Dale R. Wills

STAFF PRESENT:

Jeff Nielson, City Recorder
Junior Baker, City Attorney
David Johnson, Public Works

OTHERS PRESENT

Brian Lloyd
Lacie Hales
Mican Richins
Tyler Stevens
Scott Rice
Clark M. Brenchley
Ricky Colledge

Bart Olson
Lori Farley
Chris McKusick
Andrew Stevens
Dave Rice
Tim Hall

Mayor Brailsford had Officer Bird present the new police officer, Officer Matt Bell, to the council, and had him sworn in as a police officer. Officer Bell has been a Mapleton City Police Officer, and he will begin working for Salem City, on September 10, 2002. Jeffrey Nielson swore in Officer Matt Bell.

Mayor Brailsford stated that Bart Olson had not arrived at council meeting, yet and would like to hold off on the public hearing until he is here.

1. BUSINESS LICENSE

a. Ricky Colledge – Swap Meet at 720 N. SR 198

Mayor Brailsford had Ricky Colledge explain to the council what he wants to do. Ricky stated that he manages the bookstore at the North end of town. He would like to do a swap meet on Doyle Hatfield's property, by the book store. Ricky stated that the two swap meets that used to be held in the county are now closed, but they did really well. The mayor asked Ricky to draw on the chalk board what he is planning on doing with the vendors and the parking. Ricky explained that the vendors would be on the graveled area south of bookstore. The parking would be on the West in the field along with parking lot at the bookstore. Ricky was not sure yet if he would charge the vendors, or have paid admission. If he does charge for admission it would be around \$ 0.50. Councilman Nelson asked what kind of contract Ricky would require the vendors to sign along with explaining what their responsibilities would be as vendors. Mayor Brailsford was concerned about vendors selling drug paraphernalia, and stolen items. Also who would be in charge of making sure the sales tax is done properly. Ricky stated that he feels he is very ethical, and would not allow anything to be sold that would break the law, or what he would feel to be unethical. Ricky stated that most of the vendors would be selling second hand items, along with people who want to do yard sales. Mayor mentioned to Ricky that he needs to come up with a sellers guide explaining what will be allowed to be sold and what will not be acceptable. Attorney Baker stated that under the ordinance, Ricky would have to complete the curb, gutter and sidewalk in front of Doyle Hatfields place. The city does not have anything in place for a temporary business license. Mayor asked Attorney Baker if he would look into that ordinance and see what the city would require. Councilman Nelson stated that we will either have to regulate each vendor ourselves or trust Ricky to regulate them for us. Dave Johnson was wondering who would clean up. Councilman Boman stated that this might require a mass gathering, and would need to get a permit from the county. Ricky stated that he would regulate the vendors, he has also committed to Doyle Hatfield that he would clean up what ever was left behind by the vendors, and as far as the mass gathering permit, and he would look into that. Councilman Nelson stated that this could be something good for the community, as long as everything is covered.

Mayor Brailsford explained to Ricky, that he would need to get a hold of Police Chief James to get his approval. He would also need to get a hold of the Utah County Health Department to find out what would be required by them. The mayor would also like to see a letter from Doyle Hatfield stating his permission. Ricky would also need to get an agreement put together of what is required of the vendors, and some type of sellers guide for them. The mayor asked Attorney Baker to review the ordinance on business and see what would be required of Ricky. The mayor told Ricky that will put it back on the agenda for the following council meeting (September 18, 2002).

2. PUBLIC HEARING

MOTION BY: Councilwoman Vicki Peterson to open public hearing.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (5-0).

A. Bart Olson - Annexation

Mayor asked Bart if there have been any changes from before. Bart Olson stated that there were not. He still wants to annex in the property along 8000 South and 1200 West. Right now they will be set up as wholesale nursery; basically they will be taking their business from Santaquin and locating it here in Salem City. Bart stated that he would like to begin building on Monday. The mayor asked Bart about the water situation out there. Bart explained that they are drilling for a well right now. Currently they are only down 45 feet, but hope to reach 400 feet. He stated that the winter months, and mid May, is when he will use most of his water, and it should not affect the city's water.

The question was asked if they are going to have plastic covering over the building. Bart stated that the facility will be all under one building made out of a ridged poly carbon surface. Bart was also asked the question about employment. Bart stated that he would have about 15 employees, but could increase into the hundreds during peak seasons. A lot of the jobs would be transplanting, which is labor intensive and would be good for high school age. Right now would only be bringing over the wholesale portion, but eventually would like to have the sales office, followed by bringing the retail over here. Bart stated that he has two more seasons left on his lease in Santaquin.

Councilman Boman asked Bart if they support the community. Bart stated that they have really supported and helped out a lot in Santaquin, and they are looking forward to supporting the community in Salem.

Mayor Brailsford stated that he has not heard of anyone protesting the annexation. He added that it should be a good business for the community, and is excited for them to be a part of Salem.

MOTION BY: Councilman Terry Ficklin to close the public hearing.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

Bart Olson - Annexation

MOTION BY: Councilman Dale Boman to accept the Bart Olson annexation.

SECONDED BY: Councilman Terry Ficklin

VOTE: All Affirmative (5-0).

3. NEW VEHICLES

a. Police Car

Mayor Brailsford stated that Officer Dibble's police vehicle was handed down from Chief James, and it is the oldest of the police vehicles. He stated that we have received a state bid for a 2003 Dodge Durango for \$22,361. The vehicle will be used by Officer Dibble, and will be an unmarked vehicle. The police department had planned for a new vehicle this year, and it was in the budget.

MOTION BY: Councilman Reid Nelson to accept the new police vehicle.

SECONDED BY: Councilman Terry Ficklin

VOTE: All Affirmative (5-0).

b. Power Truck

Councilman Reid Nelson stated that for several years now, the power department has been using an old pole cat truck. To rebuild the truck to where we would need it to be would cost the city about \$37,000. The power department has been looking, for about a year now, for a new truck. Darrell Miller (Power Superintendent) has received a couple of bids on some used trucks. He also looked at state bids, but those bids were on larger and newer trucks. The company that had the better bid has allowed the power department to try it out for the last couple of weeks. With the trade in of the old truck, the cost would be \$77,900. The power department does have money in the state savings account to help pay for it.

MOTION BY: Councilman Reid Nelson to purchase the new power truck.

SECONDED BY: Councilman Vicki Peterson.

VOTE: All Affirmative (5-0).

4. APPROVE MINUTES OF AUGUST 21, 2002

Councilman Nelson stated that in the minutes it needs to state that he was not present.

MOTION BY: Councilwoman Vicki Peterson to approve the minutes of August 21, 2002 with the said changes.

SECONDED BY: Councilman Dale Boman

VOTE: All Affirmative (4-0), Councilman Reid Nelson abstained from voting.

5. APPROVE BILLS FOR PAYMENT

Councilman Nelson stated he would like Darrell Miller to review the power bills.

MOTION BY: Councilman Reid Nelson.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (5-0).

6. OPEN DISCUSSION

Scott Rice, would like to do an Eagle Project at the old ball park by putting in a new drinking fountain. He stated the old one is in bad shape. The new drinking fountain would be made out of brick, square shaped, and with a step so little kids can get drinks. It would be patterned after the drinking fountain by Salem Elementary School. Scott stated that he has someone to donate the brick and gravel, so he would only have to purchase the premix and mortar mix, costing about \$40. Mayor Brailsford stated to Scott that he needs to make sure that he designs it so there would not be a mud hole. An idea would be to get a big barrel, put holes in it, and fill it with rock, then burry the barrel so that the excess water would drain into the buried barrel. Scott stated that he would be doing the brick laying, and he does have some experience from helping do the brick work on his house this last summer. He stated that it would take about 80 hours to complete with a lot of help from his scout troop. Scott stated that he grew up using that ball park and feels it would be nice to have a drinking fountain for future use. Mayor Brailsford stated that it sounds like a good Eagle Project, and that he would need to work with Gary Warner and Councilman Boman.

Mayor Brailsford welcomed the scouts that were present to council meeting.

Tim Hall stated that last council meeting, the subject of Bridalwood Estates improvement bond was brought up. Tim was wondering if it has been cashed in yet. Tim stated that he thought the bond had been returned to the developer. He also heard from someone, over in the county, that if the developer does not pay for the improvements the city could require each of the land owners to help pay for the improvements to be done. Mayor asked Dave Johnson if he would check to see if the bond has been released or not.

Clark Brenchly stated, that in regards to the same subdivision, a group of the home owners have reviewed the minutes from when it was approved back in 1992. In the minutes it referred to the requirements that Planning and Zoning had placed on the subdivision, but there is no record of the Planning and Zoning minutes, so they are not sure what was required of the developer. Clark also mentioned that he is concerned about the bond. In the council minutes in 1992, it stated that the developer had a year to post the bond. Attorney Junior Baker stated that the developer would be bound by what the standards were when the plat was approved, and that the bond has nothing to do with what the standards are.

COUNCIL REPORTS

7. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford stated he would like a letter sent to the Fire Chief, stating that the fire department budget has been frozen.

The mayor stated he would like to do a “Home Town Christmas”, (putting Christmas trees on the pond and placing lights around Knoll Park). Brent Hanks approached the mayor with the idea, and he would be willing to help get it started. Brent stated that Dr. Gomez’s son, (Dr. Gomez lives in Mapleton and has his house decorated each year with a lot of lights), has a lot of connections and knows where to get the wiring that would be able to go under water, for the trees on the pond. The first year would have most of the cost, but Brent stated that he would help get donations. Mayor stated that he would like to have an opening night, where there would be chili, hot cocoa, and donuts for sell. He would also like to some kind of entrainment available.

The council felt like it would be a great idea, and to have the mayor and Brent to proceed.

8. COUNCILMAN DALE BOMAN

Councilman Boman stated that the Eagle Scout projects are going a little better. He wants to put the projects that are available on the web page for scouts to review.

He is also looking at doing an adopting a tree program in the city. He is also wondering about getting smaller trees and then growing them in a green house until they are big enough to plant. Bart Olson suggested that he would be willing to give us a small green house, and help out in anyway possible. It was suggested that the greenhouse could be placed down at the sewer plant and have Jerry take care of them.

9. COUNCILWOMAN VICKI H. PETERSON

Councilwoman Peterson stated that September 10, 2002 will be the Public Hearing on the General Plan for Planning and Zoning.

A question was asked about the General Plan, and what are the city’s thoughts regarding county property. Mayor Brailsford stated that the city has a declaration of annexation, it used to be that the city could annex in property, now it has to be a land owner wanting to be annexed into a city. The declaration Salem has is an agreement with the other nearby cities on what would property would be beneficial for each of the cities to have. The mayor feels it is important to keep a good working relationship with all of the other cities.

On a side note, Mayor Brailsford mentioned that Woodland Hills is requiring the new subdivisions to put in a sewer line. It looks like they are planning into the future.

Councilwoman Peterson reported that the city office had the new phone system put in place. So far it seems to be working out great.

During the Christmas Eve luminary at the cemetery, Councilwoman Peterson is looking at having Rita Tischner helping with it. The Youth Council has also mentioned that they are going to line the road into the cemetery with luminaries and have extra luminaries available for people who did not bring one.

Mayor Brailsford stated that we need to get the parking lot up at the new ball park paved before winter. Stakers gave a bid of \$23,483.25 for a 3" overlay, and Geneva gave a bid of \$24,228 for a 3" overlay. The council and Mayor agreed to have Stakers complete the project.

10. COUNCILMAN DALE R. WILLS

It was stated that for the next work session, Sunrise Engineering will be coming to report on how the project is going on the city's water well.

Mayor Brailsford stated that in a couple of weeks, there will be a CUP meeting held in the Provo Library. The mayor thinks the date would be around the 22nd of September, but he will let the council know. He feels that it would be very beneficial to get as many people to attend that meeting as possible.

11. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin stated it was good to have LEI come for the work session to discuss what is going on with the sewer lines in the city.

12. COUNCILMAN REID W. NELSON

UMPA will be signing the contract with Desert Power, and will be having a ceremony for it. UMPA still feels they will be under budget this last fiscal year for the cost of power.

Councilman Nelson reported that the SUVP Sinking fund could be used to help pay for our power bond. The Dry Creek Substation still has some outstanding bills from UP&L that has not given SUVP the final bill. The cost for Salem would be about \$12,000 for the UP&L charges.

13. DAVID JOHNSON

Dave was wondering about the power usage for Bart Olson's Nursery. He stated that what their engineers stated seems to be very high for what they need and Dave does not feel it is correct. The city does have some options as to what we could do, but Dave feels that Bart's engineers need to re-look at the formula.

Dave also mentioned that up at the new ball park, along the side of Robert Nelson's new subdivision is an irrigation ditch. Robert is wondering about having the ditch piped and put on the city's property so he would not have to get rid of a couple of trees. The concern about having the pipe on city property would be if there were any problems in the future, it could come back on the city since it is on city's property. The council felt that Robert Nelson should pipe the ditch on his side, and get rid of the two trees.

14. ATTORNEY S. JUNIOR BAKER.

Attorney Junior Baker stated that when Nelson Taylor built his subdivision, both he and Robert Nelson had to have electrical work done, which was beneficial for both subdivisions. Robert Nelson paid for his portion, but we still have not collected from Nelson Taylor. It has been just about a year now. Invoices have been sent to him, and Attorney Baker has sent letters, but no response. Nelson Taylor put a request to release the bond so he could use the money to pay for the electrical work done. Per Nelson Taylor's request, his bond was released to him, but he has not paid his bill for the electrical work. We need to take him to court, and needed to let the council know about this decision. Mayor Brailsford stated that we need to make sure from now on that for subdivision we get cash up front to cover all cost, plus 10%. If the electrical cost are under then the city can pay back the difference.

Mayor Brailsford also asked about how the nuisance laws were going. Attorney Baker stated that he has been looking at a few other cities to get some good points. He is also waiting until Chief James gets back from vacation to have him help.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilman Reid Nelson.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 9:26 PM.

Jeffrey Nielson, City Recorder