

Minutes of the Salem City Council Meeting held on February 7, 2007 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 Stanley W. Green
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

OTHERS PRESENT

Erman Stone
Cody MacCabe
Elizabeth Jackson
Jessica Findlay
Spenser Keele
Nick Smith
Connie Biggers
Scott Christian
Tom Thorpe

Shannon Badger
Jeremy Duda
Ricky Cooper
Whitney Maughan
Kyle Johnson
Troy Cressman
Arthur Biggers
George Rasband
Lucy Cornaby

CJ Btruthers
Burke Tervort
Sid Jorgensen
Sarah Callison
Richard Stewart
Kyle Clyde
Anna Harb
Austin Evans
Reed Cornaby

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Kyle Johnson 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. BLAINE BALLARD – ANNEXATION OF PROPERTY AT 1600 W. SR 198

Mayor Henderson turned the time over to Ed Ballard. Ed stated that a few years ago Smiths food chain had approached them about selling their property. Ed showed the council where their property is located. At that time they did not want to sell. Since then 1600 West road has come in. With the future road to connect to Arrow Head road, and with the growth coming; he feels that it would be a good time to talk to Smiths Food Chain. He thinks that this area would be ideal for a store. He is here tonight to get preliminary approval for annexation. He handed a map out to the council showing them the property, and how a new store would fit on the property. He showed how he would include other professional business. He would develop in two phases; the first phase would be for the store and other business. He feels that on the corner would be a great spot for a finance institute, and would also include other light retail. In the annexation proposal, he would go to 1700 West. He feels that this would be a great location for this type of business.

Mayor Henderson stated that the council has received the information. He is concerned about some of the property on the north side of the highway, and would like to see those properties to come in with the annexation. This would square up the boundary line. Mayor asked if there were any questions from the council. Attorney Baker recommended to the council that they include the triangle piece of property.

MOTION BY: Councilperson Stanley Green to approve the annexation proposal, for further study and to include the triangle property on the north side of SR 198.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

4. APPROVE BID FOR SOIL TESTING FOR OFFICE ADDITION

Dave Johnson stated that we received two bids to test the soil for the city office addition. Earth Tech bid was \$2,750 and IGES bid was \$3,200. They both proposed to drill some holes, to the east of the current city office building, to determine if a basement could be built. It would also help us for the next phase of having an architect do the drawing. Dave stated that either one of the companies would do a great job. Councilperson Hanks was wondering about using a back hoe to dig the holes. It was stated that we would get a better test with the holes, because they could go deeper, and they would not tear up the property. Councilperson Higginson was wondering why the test had to go so deep. Bruce Ward stated that we want to make sure there will not be a problem with water table. It also gives us a good idea for the footings for the building. You can get a better reading when they drill the holes, they then will fill it up with sand.

MOTION BY: Councilperson Jeff Higginson to proceed with the testing, and allow Earth Tech to do the testing with a bid amount of \$2,750.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

5. APPROVE PURCHASE OF PIPE FOR CANAL

Mayor Henderson stated that when the canal broke in Spanish Fork Canyon, the pipe was replaced. The old pipe was available for purchase. Bartell Mortenson, from Salem Canal Company, and Mayor Henderson went for a drive along the canal. They noticed that across from the Mt. Loafer View ball park, that the canal was not covered. Bartell mentioned that if the city would purchase the pipe that was for sell, the Salem Canal Company would install the pipe. This would cover the canal by the ball park and make it a safer place. The money could come from B&C road money, as it has in the past. Councilperson Ficklin was wondering about using the canal for storm drain system. Dave Johnson stated that the canal company has not allowed us to in the past, because if there were a large storm, and the irrigation water was flowing, it could cause a flood. Also, the debris from the roads that would go into the canal could cause problems with a farmer's crop and the canal company would be liable.

MOTION BY: Councilperson Jeff Higginson to approve the purchase of the pipe in the amount of \$21,168 and allow B&C funds to be used.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

6. INTERLOCAL AGREEMENT WITH PAYSON ON RODEO ARENA

Mayor Henderson stated that this is an interlocal agreement with Payson City to use our Rodeo Arena. Councilperson Hanks stated that he asked Jeff Nielson to look into the liability. Jeff stated that if people come and use arena, then it is like people coming to the parks to use them. If an event is held, we may need to require some type of insurance from the group holding the event. Councilperson Higginson stated that in the agreement it talks about a board, he is wondering who would sit on the board. It was stated that there would be two representatives from each city to sit on the board. Mayor Henderson stated that he would also sit on the board, incase if there were a tie vote. Dave Johnson stated that with the improvements that need to be done, Payson City would provide the money and Salem City would provide the labor. Mayor Henderson stated that this is a great opportunity for Salem to work with Payson.

MOTION BY: Councilperson Brent Hanks to approve the interlocal agreement with Payson City on the use of the Rodeo Arena.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

7. BUSINESS LICENSES

a. Arthur Biggers – Mobile Entertainment (DJ)

Mayor Henderson stated that Arthur Biggers, at 130 West Aspen Way, wants a business license to do a mobile DJ business. Arthur was present and discussed what he wants to do.

b. Tricia Ford – Horse Training & Lessons

Mayor Henderson stated that Tricia Ford, at 750 S 195 E, wants a business license to train horses and give lessons. She will be going to people's property to do this. Chief James stated it is only an office.

c. Cassie Steele – Home Staging for Realtors

Mayor Henderson stated that Cassie Steel, at 667 South 420 East, wants a business license. Her business will go and decorate up a home and get it ready to sell. Chief James told her she could not store the furniture at the home.

d. Gloria Hair – Day Care

Mayor Henderson stated that Gloria Hair, 289 North 100 East, wants a business license for a day care. Chief James stated that before they can get a state license for day care, they have to have a city licenses. Another issue the state will require is that a fence be placed around the yard.

MOTION BY: Councilperson Stanley Green to approve the business licenses.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

8. AGREEMENT WITH COUNTY ON 11200 SOUTH

Attorney Baker stated that when we do an annexation, and it is adjacent to a county road, the county will require the annexation to include the road. This agreement is for the South Hills annexation that will take in a portion of 11200 South. The agreement states that the road will be in the city limits, but that the county will maintain the road. The county will also include the road with their B&C road, which means we can not include it in ours. This agreement is like the agreement we have on Woodland Hills Drive.

MOTION BY: Councilperson Brent Hanks to approve the agreement for 11200 South with Utah County.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

9. APPROVE CITY SHOP PURCHASES

Councilperson Hanks stated he did not have anything for the City Shops this time.

10. APPROVE MINUTES OF JANUARY 17, 2007

MOTION BY: Councilperson Lynn Durrant to approve the minutes of January 17, 2007 as written.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (5-0).

11. APPROVE BILLS FOR PAYMENT

Councilperson Jeff Higginson had a question on the pump that was purchased for the snack shack. It was stated it was for the bathrooms so there would be enough water pressure.

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

SECONDED BY: Councilperson Brent Hanks.

VOTE: All Affirmative (5-0).

12. PUBLIC SAFETY

Chief James stated that he held a meeting with the Fire Department and SEMA. They are concerned about being able to service the city in the future. They are having a hard time staffing with the volunteer departments. As we grow and get a high school we are going to need to get our public safety staffed. Mayor Henderson stated that it is a concern that we are not getting enough volunteers.

13. OPEN DISCUSSION

Mayor Henderson stated that we need to do something with the renting of the civic center; we would like to be consistent. Councilperson Hanks feels we should keep the rates as they are. Erman Stone stated that in the past, with the Lions Club building, we used to allow different groups to use it and it became a problem. Mayor Henderson asked the Biggers to come tonight, who are representing the Rotary club. The Biggers stated that they are a non profit organization, and they do not have the funds to pay for a deposit. Councilperson Durrant stated that we need to have a deposit. We have already had someone write on a wall. Mrs. Biggers stated that in Florida, the community center where they lived, had a staff that took care of the building, they would do the cooking for different events that were held there. This way they would always be at the building. It was stated that the city could look into installing security cameras. Mayor Henderson

stated that we need to decide with these different clubs, we have the Rotary Club, the AA, the Schools, a group who wants to do board games, etc. Mike Parker was wondering about a senior citizen center and making it into a recreation place for them, and it could be adopted into the recreation programs. Councilperson Higginson would like to see it used more. Councilperson Green wants to make sure that the overhead costs are being covered for the civic center. Reed Cornaby stated that when the project was first getting started, it was to be used for a senior citizen center. The senior citizen program is not a money maker, and would not be able to rent the facility. Mayor Henderson stated that they would like to start something for the senior citizens to be held there. Councilperson Ficklin stated that the Rotary Club does a lot of great projects for the city. Is it possible to have the city sponsor the club so it could be considered a city event. Biggers stated that they would like to use it on March 13, to host a dinner and dance to help get more members. Mayor Henderson stated that he would like to have the council think about this, and come back with a solution.

Councilperson Green thinks we need to get a committee together for senior citizens, and see what direction the city would like to go in order to get some programs going for them.

Councilperson Higginson asked Mike Parker, who sits on the recreation board to come and talk to the council about an idea for more soccer fields. Mike stated that in the general plan, it talks about the ratio for open space, and right now the city is behind. The recreation board has met and talked about using the land by the cemetery for soccer fields, until we need the land for future cemetery. He showed a layout of the property and he could be utilized. Because of the slope, the land would have to be terraced for the different fields. There would also be a parking lot, a walking path around the area, restrooms that could be shared with the cemetery, and a play ground. Councilperson Higginson would like to have the concept taken to Coles Surveying to have it surveyed properly. A letter has also been sent to the Corp of Engineers to see if they would be willing to help out. The recreation board feels they could get enough people to help out, that they could get the project done. Chief James stated that he is concerned about the traffic, and how there is only one road into the area. He wants to make sure there is enough parking. Dave Johnson stated that our next step would be to have a professional engineering company look at it. The council feels that would be a great idea.

Some questions were brought up about the sports complex, and if it would be feasible to move to a more central location. The problem is that we need to find a place where the land is level, so it would not require a lot of excavation, which cost a lot of money. Reed Cornaby stated that about 10 years ago, the city started the new ball complex. The city needed to make sure that it had enough money, because it cost a lot.

Reed Cornaby stated that there are some pot holes on 100 East that need to be repaired.

COUNCIL REPORTS

14. MAYOR J. LANE HENDERSON

Mayor Henderson handed out a report from TAG, the group that takes care of graffiti in the cities, and passed it around to the council for review. He stated that the Planning and Zoning chair would be leaving soon and would need to be replaced. He also has asked Steve Greenwood to serve on the Planning and Zoning committee.

15. COUNCILPERSON LYNN DURRANT

Councilperson Durrant stated that Kerry the Librarian has put together a report showing how many books we have out that are past due. The reported showed that there are about 411 books out. The library board has spoke with Attorney Bakers office about it, and to see what Spanish Forks Library does. They do a letter stating that the person has a book that is outstanding, and could be charged with library theft. A concern with that is if people get this letter, would it be threatening to where the people will not come back to the library. This last year, we have had around 21,000 books checked out. Councilperson Durrant was wondering about the letter and if that is something we want to do. Reed Cornaby made the statement of having Councilperson Durrant put something in the news letter, about how many books are past due, and how we need them back.

16. COUNCILPERSON STANLEY GREEN

Councilperson Green did not have anything to report tonight.

17. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin did not have anything to report tonight.

18. COUNCILPERSON JEFF HIGGINSON

Councilperson Higginson did not have anything to report tonight.

19. COUNCILPERSON BRENT V. HANKS

Councilperson Hanks did not have anything to report tonight.

20. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

21. BRUCE WARD, CITY ENGINEER

22. ATTORNEY S. JUNIOR BAKER.

EXECUTIVE SESSION

MOTION BY: Councilperson Brent Hanks to close city council meeting and enter into an executive session for the discussion of land purchase.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

Meeting closed at 8:30 p.m.

Council closed executive session at 10:00 p.m. and entered back into city council meeting.

Councilperson Hanks would like to discuss the renting of the civic center. There was some discussion on the dance for the senior citizens. The council feels to keep it as it is, and to review it each year.

Bruce Ward stated that the city is need of a confined space policy. There are a lot of OSHA regulations. Aqua Engineering is willing to do a policy for us. He would like to have them begin work on it. We also need to have our water rights reviewed, if we go to a PI system, we will be using less water rights, and we need to make sure we are protecting them. We have also lost some rights, but feel we can get some of them back. We need some direction on non use, and rotating the water rights. It is something he would like the council to think about. The council stated that the confined space would be needed, and will need to look at the water issues and come up with some ideas.

Mayor Henderson discussed the 20th of February for the Emergency Management thank you dinner. Wanted to make sure the council would be there.

ADJOURN CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 10:30 p.m.

Jeffrey Nielson, City Recorder