

Minutes of the Salem City Council Meeting held on May 7, 2003 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:35 pm

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Reid Nelson.

PLEDGE: Nathan Davidson

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

OTHERS PRESENT

Robert Davidson
Steven Crawford
Natalie Cole
Sarah Ogden
Burke Tervort

Nathan Davidson
Sean Roylance
Guy Jr. Farley
J. Reed Cornaby

Sean Porter
Michael Cole
Mike Pierce
Julia Mohr

1. RESOLUTION DECLARING THE NEED FOR THE HOUSING AUTHORITY

Mayor asked Attorney Junior Baker if he would explain a little bit about the resolution. Attorney Baker stated that there is a federal program that would allow Salem City to receive a certain amount of funds, but because Salem City is a small city, it does not qualify. If we were to join other cities in an inter local (Spanish Fork, Payson, etc.) then we could meet the criteria for the funds. For this to work, the government is stating that an inter local agreement would have to be made to show that Salem City qualifies. This resolution is for that purpose. Mayor Brailsford stated that it needs to be done. It will not change any of our housing ordinances. He then read the resolution.

Mayor Brailsford asked for a motion on Resolution 5703

MOTION BY: Councilman Dale Boman to accept Resolution 5703 Declaring the Need for the Housing Authority.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (5 - 0).

2. PROCLAMATION DECLARING MAY 9TH AS CHILD CARE PROVIDER APPRECIATION DAY.

Mayor Brailsford read the proclamation declaring May 9, 2003 as Child Care Provider Appreciation Day.

Mayor Brailsford asked for a motion to sign the proclamation.

MOTION BY: Councilwoman Vicki Peterson to accept the proclamation declaring May 9, 2003 as child care provider appreciation day.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5 - 0).

Julia Mohr wanted to thank the council for passing the proclamation. She then gave the mayor a packet with more information about child care providers in Salem, and other information regarding child care.

3. RESOLUTION DECLARING LAW ENFORCEMENT WEEK

Mayor Brailsford read the resolution declaring Law Enforcement Week for the week of May 11 – 17.

Mayor Brailsford asked for a motion on resolution 5703A

MOTION BY: Councilman Reid Nelson to accept Resolution 5703A Declaring Law Enforcement Week.

SECONDED BY: Councilwoman Vicki Peterson

VOTE: All Affirmative (5 - 0).

4. CRAIG WARREN – ACCELERATED BASEBALL

Craig Warren stated that during the week of April 10, Salem City allowed the accelerated baseball teams to hold a tournament. Craig stated that there were 22 teams that participated. The tournament was held at the new ball park. Craig wanted to report some of the comments that he heard regarding Salem and the ball fields. The first was from a person who lives in Salt Lake, they were amazed at the great facility we had here. Second was a letter in the Spanish Fork Press with a lot of good comments, they would like to have the tournament as an annual event. Third, all of the teams were very appreciative towards Salem City and especially Gary Warner. Craig feels that the city and the accelerated teams are working great together. Craig stated that the tournament was a huge success; the Spanish Fork High School baseball team was able to raise money from umpiring the tournament. Craig then presented the city with a check for allowing the tournament to be held at the Salem City ball fields. He was also wondering if he

could get permission to have an article written in the Spanish Fork Press about the tournament. The mayor and council had no problem with the article.

Mayor Brailsford reported that the last ball field is currently being seeded.

5. BUSINESS LICENSE

a LESLIE JORGENSEN - Preschool

Mayor stated that Leslie Jorgensen wants to open a preschool at 79 South 200 East. The name of the preschool will be “My Little Friends Pre-school”. It has been approved by all of the appropriate people. The mayor and council had no problem with the license.

6. SUBDIVISION RESTRICTIONS

Mayor Brailsford stated that since September 2001, Salem City has had a restriction on any new subdivision, due to the lack of water caused by the drought. Mayor Brailsford feels that at this time the city is ok to relinquish the restriction, because of the studies that Sunrise and LEI have completed, the redevelopment of the springs, and the cities obligation to pay part of the water bond with impact fees. Residents will still need to conserve water. We need to tell developers that the subdivisions need to be small. We will not allow any big subdivisions at this time. If at anytime the water flow is down, there would be a restriction on new buildings. From the studies done, he feels we will have enough water, but residents still need to conserve. Remember the first priority for water is indoor use, second is fire protection, and third is outdoor use. There are a few residents who want to sell their land to help with their retirement, but they need to realize that at any time they can be shut down due to water flow.

Mayor asked Attorney Baker if a vote needed to be made. He stated that the restriction was only for a 6 month period, and he will not be imposing the restriction at this time. Attorney Baker stated that no vote was needed.

Burke Tervort had a question concerning the number of new homes that will be allowed. Mayor Brailsford stated that it would be a small amount of homes in a subdivision. Then if there becomes a water problem, then the building will be restricted.

7. APPROVE MINUTES OF APRIL 16, 2003.

Mayor Brailsford asked for a motion or changes on the minutes of April 16, 2003.

MOTION BY: Councilman Reid Nelson to approve the minutes of April 16, 2003 as they are written.

SECONDED BY: Councilwoman Vicki Peterson.

VOTE: All Affirmative (5 - 0).

8. APPROVE BILLS FOR PAYMENT

Mayor Brailsford asked for a motion to approve bills for payment.

MOTION BY: Councilwoman Vicki Peterson to accept the bills for payment.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5 - 0).

9. PUBLIC SAFETY

Chief James stated that about six weeks ago, Fire Chief Mark Goudy resigned; Assistant Chief Todd Gordon has been temporary chief. A few weeks ago, Chief James went to the fire department and asked for resumes from those who would be interested in being the fire chief. Interviews were then held with a board consisting of Todd Gordon, Brent Jarvis, and himself. After the board interviewed them, they had an interview with the Mayor. The new Fire Chief will be Todd Miles; he will finish out Mark's term. Todd Miles should be a great chief; he has a lot of experience, and works at the fire academy.

Part of the emergency preparedness for the city was bringing in two semi loads of food for food storage. He wanted to thank Councilman Ficklin for allowing the use of his building and fork lift. It worked out great to have it at the storage building.

10. OPEN DISCUSSION

Steve Bird presented to the council a rough draft of a motor cross track down by the rodeo grounds. There would be two tracks, one for adults and one for peewee. Steve stated he has connections to allow the dirt to be brought in, and he also has other support for equipment, etc. The question was asked if the city would be liable, with the track being on city property. Steve stated that Goshen has something similar right now. Steve brought Brandon who will be helping with the design. Brandon also teaches motor cross and could teach classes down there. Mayor Brailsford stated that the rodeo area has always been promised to the 4H club. We would need to make sure that the riding club was ok with it, because we do not want a bunch of nervous horses. Also in the future, the city may have to extend its sewer lagoons, if that happens it might take out part of the

track. Mayor also asked that Steve make sure he lets the residents who live down in that area know, even though they are county residents, it would still be good idea. There would have to be restrictions on the times it could be used. Steve stated that it would have a fence around it. He also thought that Goshen has a sign stating the city is not liable. He would have temporary portable grand stands. Mayor Brailsford asked Steve about the dust. Steve stated that they would get a water truck to drive around the track to control the dust during the races. It was requested that Steve find out what Goshen does, talk to the residents who live down there, then come back to council. We will have Jeff find out from the trust about liability.

Val Cope came to council because of damage to his car. He was driving on Canal Road and 500 west, by the Stake Center, at the four-way stop. When he turned to go south, he swerved a little bit to miss hitting a car, and instead hit the stop sign that is in the middle of the road. He called the police department do to an incident report. Mayor Brailsford stated that the police did the report, our insurance company was called, and after reviewing the information they denied the claim. Val feels that the stop sign is in a dangerous place, and that it is a hazard. Police Chief James stated that in the past there used to be a lot of accidents at that intersection, but ever since the stop sign was put in, the accidents have decreased a lot. Attorney Baker asked the Copes what they wanted from the city. Val feels that he wants something done about the stop sign and that he feels the city should be liable. He was wondering if the city could put an island up there to make it a little safer. Mayor Brailsford stated that islands are going out; even the state is not using islands any more. People still run over the islands. Since the stop sign has been put in, the accidents have declined tremendously. The intersection is a four way stop. Mrs. Cope stated they went and got four bids, just as the mayor asked her to when the accident happened. The bids range from \$2,000 – \$2,400. She also stated she knows of other people who have hit the stop sign as well. Mayor Brailsford stated that he asked her to get bids, because he knew if the insurance was to pay for it, they would ask for bids. He also confirmed with Attorney Junior Baker that the city is bound by what the insurance states. Attorney Baker stated that we are bond by their decision, and they would have to work with the insurance company. Val stated that he would still like to see something done to the design up there. Mayor Brailsford stated he would have Todd Gordon, Dave Johnson and Chief James go look at it.

COUNCIL REPORTS

11. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford reported that Miss Salem and some of the attendants came in today to share her platform and to talk to the mayor and Councilman Boman regarding parades. Mayor told them, that if Miss Salem knows that she can not make a parade, to make sure her attendants can make it. Along with other activities where they have been invited to attend. They need to make sure our city is represented. Councilman Boman stated that Debbie Ward was over arranging the parades for them. He also talked to them about the float, and that it needs to be used. He is also expecting them to attend the Memorial Day service.

Mayor Brailsford reported that this year there will be a fire work sale. He will designate a date and time that the city will pick up saleable items. The sale will be on Saturday, July 19.

He also reported that he received a call from someone in the armed forces, but they are not with the government. They were asking if Salem could help out the residents whose head of house hold has been activated due to the war, by helping out with utility bills. He feels that if you give the utility bill away, then it might be abused. The assistance could last about a year. The residents would have to prove that they are eligible by bringing in the orders. Councilman Nelson felt that it would be nice to do something for them. Attorney Baker stated that there might be a problem with the city giving services, and a discount is the same issue. Gary Warner feels that it is a good idea, but what if a kid has been activated. Mayor stated that the person would have to be the head of the house hold, and have the utilities in their name. He stated that when they are activated, most have to take a big pay cut. Councilman Nelson stated that bankers have to work with those families who have been activated. Mayor stated that we could do a percentage base rather than a dollar amount. Review last year's utilities and give a percentage based on that. The families would have to notify us and then let us know when they return. Mayor asked the public what they feelings were. Burke stated that he felt it would be a good idea, but to go with the last year's usage and do a percentage from it. Farley felt it would be a good idea, and to go with last years usage. The council all thought it would be good, as long as it was legal. To look at 50% cut from last years usage, and would end the month that they come home. Mayor asked Attorney Baker to check into it and see if it is legal, or what we could do to help them out. Then we would have to have a resolution.

He also reported that handicapped fishing day will be this coming Tuesday, May 13. There will be about 750 participants coming from around the whole state. They need as many volunteers as possible and they should be at least 12 years of age. Mayor asked Councilwoman Peterson if she would contact the youth council. It starts at 8:45 am, and is a neat experience for all. Albertsons usually donate the food for lunch, and he would like to thank them for that.

12. COUNCILMAN REID W. NELSON

Councilman Nelson reported that UP&L has written up a new contract. They felt that a few things needed to be changed. He said it went from a 3 page contract to a 10 page contract and nothing really changed. He would like to have Attorney Baker review the contract so they can get it resolved as soon as possible.

13. COUNCILMAN DALE BOMAN

Councilman Boman reported that the theme for Salem Days will be "Heroes Among Us". Also for Memorial Day ceremony, he would like to have the families that have had someone activated come and speak a little bit.

14. COUNCILWOMAN VICKI H. PETERSON

Councilwoman Peterson reported that Janet has resigned from being the custodian for the city office. She has just had a baby. We are advertising for a new custodian now and hope to fill it soon. Applications will be accepted through May 16. Erman Stone has been filing in until we get someone hired.

Planning and Zoning has a full agenda this coming week. Mayor Brailsford recommended that he has been in some meetings with Nebo School District; he feels that the district needs to work with Dave Olson with his subdivision. If things are not going to work out, then he recommends tabling Olson's subdivision to see if they can work it out with the district.

Mayor Brailsford also reported he received a letter from the "Dear Mayor", the person wanted to know why the district would get to name the new high school. They felt that it should be named Salem High. Mayor Brailsford agreed with them, every other city has the high school named after the city.

15. COUNCILMAN DALE R. WILLS

Councilman Wills was wondering about getting a resolution to begin a lawsuit to receive a bond from Valley Asphalt for the gravel pit they are using off of Woodland Hills Drive.

He also received a call from someone wanting to know what his opinion was about allowing an annexation on the south end of town, from SR 198 to 1600 west. He was wondering if anyone else received a call.

16. COUNCILMAN TERRY A. FICKLIN

Councilman Ficklin stated that President Green (Salem West Stake President) met with the church's architect and builders. They told him that they were very impressed with Salem City and how the building process is handled, especially with DRC (Develop Review Committee). The other question they had was on the land swap by where the new church is going. It was stated that the city is waiting for the land title from Mr. Poulson.

Councilman Ficklin stated that he has Waste Collection Agreement from BFI, from the looks of it, we will not be paying BFI any more, and the payments will be going with someone else. It has to have the signature of the mayor on it, do we need to have it on the agenda. Attorney Baker stated that we should have it as an item on the agenda. There is a South Valley Solid Waste meeting the following day at 5:00 pm. It looks like they will be talking about the compost situation. Some of the questions are; who has the right to compost, and someday in the future we may have to look at getting two cans, one for garbage and the other for grass clippings. Another thing is that the district might be able to save some money. Where the solid waste is stored on the west side of the lake, a big hole is dug, then lined with a plastic, when the hole is filled, more plastic is put on top to seal it, then covered with dirt. Now they are going to use the dirt that was dug out of

the hole, because the clay and other mineral content is so high, that it can be used to seal up the hole. The cost would be about a fourth of what the plastic would be.

Mayor Brailsford stated that some day he would like to have someone work part time, down at the new yard, to allow people to drop off yard waste. They would only have to be there for a few hours, and maybe most of the day on Saturday.

Councilman Wills stated that the potential of us purchasing our own trucks might be closer. Springville has looked at also changing and joining us (Salem, Spanish Fork, and Mapleton). Provo is also showing interest in a second can.

Mayor Brailsford asked if there was anything else.

Councilman Boman asked Councilman Wills if he wanted to know what roads the council though should be looked at getting repaired. He stated that Chrisman Drive by the pond is really bad. Councilman Wills stated that if he had a list he would look at it with Todd and Dave.

Councilwoman Peterson stated that she thought the triathlon went very well. It brought a lot of people to town. Travis Snyder did a great job, for being the first year, and not knowing what really to expect. This next year he would like to make sure it is done right. Mayor stated that he felt out of the loop a lot. Travis was supposed to get something done, and the mayor would not hear about it. Chief James stated the same thing. Councilwoman Peterson stated that Travis felt the same way, so there was not a lot of communication. She told Travis that, and this next time to make sure there is a lot more communication. He will be meeting in again in a few months to get the race started next year. He also needs to look at getting some local business to help sponsor the race.

Mayor Brailsford asked for a motion to close council meeting.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilman Reid Nelson to close city council meeting.

SECONDED BY: Councilman Terry Ficklin

VOTE: All Affirmative (5 - 0).

MEETING ADJOURNED AT: 9:15 pm

Jeffrey Nielson, City Recorder