

Minutes of the Salem City Council Meeting held on April 5, 2006 at Salem Elementary School.

**MEETING CONVENED AT:** 7:00 p.m.

**CONDUCTING:** Mayor J. Lane Henderson.

**COUNCIL PRESENT:**

Mayor J. Lane Henderson.  
Councilperson Lynn Durrant  
Councilperson Terry A. Ficklin  
Councilperson Stanley W. Green  
Councilperson Brent V. Hanks  
Councilperson Jeff D. Higginson

**STAFF PRESENT:**

Jane Topham, Deputy City Recorder  
Chief Brad James, Police Chief  
David Johnson, Public Works  
Junior Baker, City Attorney  
Bruce Ward, City Engineer

**OTHERS PRESENT**

Monty Griffiths  
Ruthele Edwards  
J.B. Howes  
Euniece Brenchley  
Norma J. Turetzky  
Christy Hardman  
Evelyn Christian  
Emily Anderson  
Alex Minson  
Paul Tervort  
Fred Swain  
Chett Muhlestein  
Ben Whiting  
Charley Twitchell  
Marvin Baker  
Troy Williams  
J. Wayne Francis  
Dawn VanNosdol  
Linda Earls  
Guy J. Farley  
Wendell Elder  
Duncan Tharp  
Donna Clark

Phil Spainhower  
Sam McVey  
Greg Brindley  
Kim L. Christensen  
Barbara Lewis Palfreyman  
Russ James  
Darryl Christian  
Jeremy Balls  
Zac Stiles  
Chris Vest  
Chloe G. Laurila  
Albert Davis  
Craig Christensen  
Karen Gull  
Lorraine Baker  
Gary Noll  
Ruth Ann Williams  
Barton VanNosdol  
Karren Andersen  
Hannah M. Farley  
Gary Macomber  
Delores Hanks  
Elwood Jones

Junior Underwood  
Leon Howes  
Clark M. Brenchley  
Nathan R. Christensen  
Robert E. Palfreyman  
Royden Christian  
Alli Cope  
Lorraine Underwood  
Mark Minson  
Rod Christensen  
Shalese Maughan  
Kevin Davis  
Tom Tolman  
Ryan Gull  
Harold Cox  
Erman Stone  
Derek Williams  
Baylis H. Earls  
Robert Bird  
Garth A. Hill  
Richard Whaley  
Beverly Davis  
George Fischer

Mayor Henderson welcomed all those in attendance.

### **1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Henderson asked if anyone would like to give a motivational or inspirational message. Councilperson Lynn Durrant stated she 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. JEREMY JOYNER – WISNOM PROPERTY AT CHRISMAN DR. & SALEM LAKE DR.**

This item was tabled as Mr. Joyner was not present.

### **4. BLAKE MESERVY – EAGLE PROJECT**

Blake Meservy presented an Eagle project. He would like to replace the metal roof at the pavilion at Knoll Park and put an oil finish on the exposed wood. Councilperson Higginson said he felt like it would be a great enhancement to the area. He asked Blake how he planned on doing it and the expenses involved. Blake said he would solicit donations for money to purchase the materials. Also his scout leader is a roofer by trade and would help furnish some of the supplies.

Council felt it was a good project and told him to proceed.

### **5. RESOLUTION PROTESTING WOODLAND HILLS ANNEXATION**

Mayor Henderson said the council had a map in their folders showing the property Woodland Hills wants to annex into their city. The difficulty Salem City has with this is that it is above the area where we have a proposed well site. It would be difficult to protect our water storage area with the density they are proposing. The mayor asked if the council had any questions on the resolution protesting the annexation which is within Salem City's declaration of annexation.

**MOTION BY:** Councilperson Brent V. Hanks to approve Resolution No. 4-05-06 Objecting to the Woodland Hills Annexation Known as the Wright-Smith-Evans Annexation.

**SECONDED BY:** Councilperson Stanley W. Green.

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

Mayor Henderson said the area is located at 1500 South Loafer Canyon Road, just above where Mr. and Mrs. Kevin Bardsley live.

## **6. RESOLUTION ON WATER RATES FOR CONSTRUCTION PROJECTS**

Dave Johnson addressed this issue. This resolution is an amendment to the original resolution. In the past the construction companies who wanted to use water from our fire hydrants for dust control have had to obtain a permit through the city. It was \$150.00 per year and they could use as much water as they wanted. The only restriction was that it had to be used on the project here in Salem. We have asked that it be revised and for residential subdivisions the contractor will pay \$20 per lot for the project. This fee is due with the filing of the final plat for review. Commercial projects will be \$150.00 minimum with a \$50 per acre fee for that project. This should cover water use for projects. There will be certain hydrants designated that they can use and they will be required to have a back flow prevention device on the truck itself.

**MOTION BY:** Councilperson Jeff D. Higginson to adopt Resolution No. 4-05-06-A Establishing Water Rates For Construction Projects.

**SECONDED BY:** Councilperson Stanley W. Green.

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

## **7. CONTRACT FOR JON SNELGROVE**

Mayor Henderson explained that Dave Johnson is over-loaded with building inspections. Jon Snelgrove currently works for Payson City doing building inspections. He would be a part-time employee for Salem City working from 11 a.m. to 2 p.m. doing field inspections.

Councilperson Brent Hanks is concerned because 3 hours a day @ \$45 per hour would be roughly \$39,000 per year. Dave responded that Jon would be on an as-needed basis. There are some days he wouldn't be used. We would probably use him for approximately a month and that would give Dave time to catch up on plan reviews. Councilperson Hanks said if it is for a short term he has no problem, but long term we probably need to look into hiring a full time person.

Councilperson Lynn Durrant suggested hiring someone permanent on a part time basis.

Dave said this is working out well with Jon right now. He has had quite a few permits come in. Some of the individuals that have approached him to do inspections on a part time basis are not certified.

Tom Tolman asked how they arrived at \$45 an hour for a part time employee. Dave said Payson figured their benefits, their overhead and they have their own company vehicle. We have used LEI Engineering in the past but they charge \$60 an hour.

Jim Howes asked how long one of these inspections takes. Dave said a 4-Way is about an hour, the under slabs average about one-half hour each, the final takes a little longer. Jim asked what percent of the costs that we charge the person getting the inspection, would this be? Dave said the fees are included in the building permit. Jim asked what those costs were. Dave said the average building permit fee on an average home is anywhere from \$1,500.00 to \$2,000.00. That covers the city staff and all the overhead the city has plus the inspections. On an average home the inspections at that rate would probably be somewhere around 10 hours per home. That would be around \$450.00 per home for the inspections. Jim said that did not seem unreasonable to him.

A citizen asked if the need for an inspector was short time or is it long term. Dave said in a couple of years we will be looking for another full-time inspector but not right now.

**MOTION BY:** Councilperson Jeff D. Higginson to approve the contract for Jon Snelgrove to help with Salem City building inspections.

**SECONDED BY:** Councilperson Brent V. Hanks.

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

Mayor Henderson thanked everyone for coming. He thanked the council and city staff for all the work they do for the benefit of the city. Not all the time do they hear the positive things. It makes his position as mayor easier when he can count on them to do what they have been assigned to do.

## **8. PRESSURIZED IRRIGATION**

Mayor Henderson said that hopefully as a city and a people we can come to the best conclusion for our future. He introduced Bruce Ward, the city engineer and said the council person assigned to spearhead this effort is Councilperson Stanley W. Green. He then turned the time over to Councilperson Green and Bruce Ward. They did a power point presentation entitled “Salem City – Introduction to Pressurized Irrigation”. (See attached printout)

**1. Purpose of Tonight’s Meeting:** Councilperson Stanley Green said the last time we met we had some questions as to how much individuals would pay for water. We looked at the winter months and we got an idea what is used in the homes. We ran some numbers so we could get an idea of costs. He said we would like to get some public comments, and then let you know where we want to go as a city council and why we would like to go there.

**2. Long-Term Goals:** Some long-term goals that we have in this city are to conserve and use as efficiently as possible all the water sources that we have available.

That is underground and surface water. Underground water is what we drink; surface water is what we put on our lawns. Our goal is to keep our water here. Salt Lake City will take all the water they can from us. They are in a water shortage area. We are in a position to have adequate supplies right now. We have some responsibilities in order to get water.

**3. Planning:** The new developments have put in a dry line for pressurized irrigation. In 1995 we had a PI master plan and it was updated in 2001 and again in 2005. We have tried to have all the easements necessary to put the new pipe line into the city and to put them in a way that we won't have tear up the streets if we can help it.

**4. Conservation of Resources:** In July 2004 the City used 75.5 million gallons of water. In December 2004 was used 12.5 million gallons. The 12 million gallons is about the amount used inside of our homes. Electricity costs for pumping water is extremely high.

**5. Culinary Water System:** We have so much water that is available. There is going to be growth in Salem. People who own property are going to build on it. In 1997 we looked at proposals to improve the water and the amount of water that we could get. In 2005 we increased the Lower Well capacity from 1,500 gpm to over 2,600 gpm at the cost of \$150,000.00. With a pressurized irrigation system in place our culinary system could serve as many as 5,000 connections before needing additional storage and 6,500 connections before needing additional wells.

**6. Project Facts:** The project would require 122,000 lineal feet of pipe (6" – 24"). Two pressure regulating ponds. Mainline metering (when it leaves the ponds). The implementation costs would be around \$11,675.00.

**7. Funding:** We have a \$5 million dollar grant from Central Utah Water Conservancy District and a \$6 million dollar subsidized interest rate loan from the Broad of Water Resources. That leaves \$675,000.00 for Salem City as a self participation fee to qualify for the grant.

**8. User Rate:** As we have looked at it the average user rate will be \$25.00 a month. It is not planned to meter it right now. The culinary water rates would increase to meet the financial obligation of the bond we have. Each water connection will be charged \$450.00 for the self participation fee at a rate of \$25.00 per month of 18 months. \$450.00 times 1,500 connections equals \$675,000.00. It is projected we will break even in 7-15 years. 15 plus years savings begin to increase.

**9. The Key to User Rates:** Some of the things we have to look at when we meet with the water resources board to justify what we are doing are (1) Properly implemented fee structure, (2) Growth will pay for system expansion, (3) Long-term planning will give us long-term rate stability.

Richard Whaley asked if those who come in after the current residents pay their \$450.00, will they pay it and if so where will it be applied, against the loan or to maintain the system.

Councilperson Stanley Green said it won't go against the loan because in this sense we are actually the ones who are paying the price for the loan. That \$450.00 is a self participation fee so we qualify for the loan.

Bruce Ward explained that the State requires that we base the repayment schedule of the \$6 million dollar loan on existing citizens. They don't loan money on what might happen in the future. We have to structure that loan to be repaid by the system as it is now. As soon as we have the system in place the connection fee (self-participation fee) will turn into an impact fee and it will likely be quite a bit higher than the \$450.00. That impact fee can be put towards anything that is project related.

A citizen asked about the existing wells and if there was a chance they would dry up.

Councilperson Stanley Green said the answer was yes, always. No one can guarantee a well. Mayor Henderson said we live on a fault line and if that shifts our water might shift as well. There is no guarantee.

Norma Turetzky asked about metering and if in the future it would remain unmetered.

Councilperson Stanley Green said he will not always be on the council and he could not guarantee what six people would do in the future. The current city council can not guarantee what future councils will do.

Bruce Ward said the surface water is a finite amount of water. The water rights that we are looking towards putting into this system are Strawberry Water and Salem Canal Water. Sometimes that water is more plentiful than others during the irrigation season, sometimes it is more limited and sometimes it shuts off sooner than we expect. When you talk about metering it has less to do with the council and more to do with you citizens on how you conserve and regulate your use. In mid August when we run out of water we can shut it off or we can pump our drinking water into the irrigation ponds and keep that system going.

Do we diligently try to conserve water and make it last? If it doesn't happen then you will be sitting here in a few years and saying it is not me causing us to run out of water it is him, let's put meters on.

Mayor Henderson said metering is very expensive. It would increase the cost of this system immensely. We think the citizens can regulate themselves. As citizens we can regulate the usage of the pressurized irrigation water.

Gary Noll asked if the connection fee would be the same if they already had dry lines to their property.

Councilperson Stanley Green said the self-participation fee has to be there to meet the \$675,000.00 required to get the loan.

Gary Noll asked if the monthly fee average would be based on the square footage of the lot.

Bruce Ward said the average is exactly that, it is an average. Right now the determination has not been made. The council has not made a decision as to how to break up that \$25. We would appreciate input on that tonight. We need to come up with some equitable way without doing meters.

Councilperson Stanley Green said we have to look at a way to make it equitable. Big users should be able to make it equitable.

Jim Howes explained that South Ogden uses a throttle system. The citizen decides what size of pipe they want the water to go through to their property and that is the amount of water they can use.

A citizen asked what size pipe the services are that are in now.

Bruce Ward said they are 1-inch.

Gary Noll asked if they had any idea right now as to what the culinary water rates would raise to.

Bruce Ward said right now the average citizen is paying \$30 a month for culinary water. That amount of money needs to stay in the system to pay off our bond.

Councilperson Stanley Green said we have a bond of \$340,000.00 a year to pay off the current culinary system.

Charley Twitchell asked with the secondary system wouldn't they have to have a filter.

Councilperson Stanley Green said on your instructions for your irrigation water, even if you use culinary water, they all tell you to put a filter in.

A citizen questioned that if the \$675,000.00 won't go to a loan down payment, where will it be sitting.

Councilperson Stanley Green said that the \$675,000.00 is money that we have to raise to qualify for the loan. It is all part of funding for the system. As soon as we get it, it will be used immediately to start up the system. It will all be spent before we can get the \$6 million dollars.

Lorraine Underwood asked about her Salem Irrigation and Canal Water shares. What will happen to them?

Bruce Ward said her share of water will remain her share of water just like it is today. The system will need those shares of water. What the city would like to do is purchase your water shares from you. The \$450.00 is a separate issue. We will be offering \$1000.00 per share of Salem Irrigation Canal water and \$400.00 per acre foot of Strawberry High Line Canal water. A Salem Canal share of water is roughly equivalent to 2 ½ acre feet. You are not required to sell it to the city, but recognize that we need that water in the system or it limits everybody.

Sam McVey asked if they city would be interested in buying all of the water shares if they had more than one share.

Bruce Ward said the city would be interested in buying all of them. We do need to come up with 1400-1500 acre feet of water.

Councilperson Stanley Green said Salem Irrigation and Canal want to participate with us.

Lorraine Underwood asked when we will find out what ditches will be left.

Councilperson Stanley Green said when we find out who is selling their shares of water.

**10. Implementation Schedule** - Councilperson Stanley Green said we hope to have this up and operating in the Spring of 2008.

George Fischer asked if it would be feasible to put bike paths along the area where they are putting the pipe in. It would increase the safety of the children.

Councilperson Stanley Green said it would be less expensive if they could put them together. The way this is designed is we are not planning on digging up roads. It will be put on the edge of the roads.

**11. Public Education** - What we can to do is not have the same pitfalls that happened in other cities. He said we want to try and keep this economical, feasible and expandable.

Richard Whaley said he would encourage that during construction to look at the calendar and not do it during holidays, etc.

Councilperson Stanley Green said it will be the older part of town that will be involved. The dry lines are already in the new developments.

Sam McVey said he was reading that Pleasant Grove if putting a similar system in and they said it would only be about \$15 a month. He would encourage Salem to look at their system and see if they are really doing it for about 30% less.

Councilperson Stanley Green said that is a good suggestion. Any city that has Water Resource Board Money has to meet the same requirement. Every city that does this will



have to do something with their culinary rate. Pleasant Grove will increase their culinary rate because they have a huge debt burden on their existing culinary water system. We will check into this.

Councilperson Lynn Durrant said we could lower our monthly rate also, but your initial connection fee would be a lot higher.

Councilperson Stanley Green said we have to decide if we want to have high interest rates, long debt burden, or lower interest rates and get our kids out of debt too. There is a lot that goes on with interest rates.

Bruce Ward said Councilperson Durrant made a good point. You buy a \$50,000 car with \$5,000 down or you put \$45,000 down. If we want to change that \$450.00 to \$1,000.00 we can lower the rate.

A citizen asked if we have been able to solve the problem of pressure when the farmers start irrigating.

Councilperson Stanley Green said we are not using the Pressurized Irrigation for the farmers. There will be no farms hooked to this. It will be a pressurized system from our pressurizing ponds through our system strictly for Salem City.

Gary Noll wanted to clarify that the connection fee is not connecting to the system. It will be the property owner's responsibility to connect to the line coming out of the system.

Councilperson Stanley Green said absolutely. The city will bring the water to the connection point and it will be the citizen's responsibility to run their lines to connect to that point. Bruce Ward said every home will be contacted to see where to put the connection that will be the most convenient for the citizens to hook to.

Junior Underwood asked how deep the lines will be.

Bruce Ward said the main line will be 4-feet deep.

A citizen asked if there is a time frame when they had to hook on to the system.

Bruce Ward said not necessarily. Councilperson Stanley Green said you can never hook up if you don't want to, but you will still have to pay the \$450.00 self-participation fee. Bruce Ward said and the \$25 per month whether you use it or not.

Elwood Jones asked if we have any idea how safe this water will be if a child were to drink it.

Councilperson Stanley Green said it will be as safe as the canal is; we are not going to treat it.

**12. Timing:** Timing is really important. The \$5 million dollars that we receive through Central Utah Water is really the last grant. They are not going to do grants any more.

Aksel Tanner asked when the \$450.00 would be due. Councilperson Stanley Green said you can pay it at any time. Bruce Ward said one of the ideas that has been discussed is to take that \$450.00 and spread it over 18 months, which would equal \$25 per month.

Jim Howes said they had commented that the break-even point was about seven years out and after that “savings start”. Does this mean that after about seven years the rates will start to go down?

Councilperson Stanley Green said he didn’t know. There is no way for him to know. The projection would be “yes”, but he can’t guarantee that.

Bruce Ward said the other thing is that everything goes up in costs. Twenty years ago a water base rate of \$15 was outrageous. Today we have some of the lowest water rates in the south end of the county. The idea behind that is 10 years from now as the natural increase goes our water rates will stay stable. 15 years, we’re still stable; 20 years, we’re still stable, barring some federal regulation we can’t control. We will look back and say we are only paying \$25.00 a month for water. Every day another home turns on the system. Everyday we generate more revenue. Everyday that we continue to grow we will have more revenue and additional impact fees and it is possible for the city council to make adjustments to that rate if they desire.

Jim Howes asked what the current connection fee is to hook to the culinary system we have.

Bruce Ward said maybe more appropriately would be the impact fee.

Dave Johnson said on new building permits the impact fee is \$3500.00 and \$223.00 connection fee for a 1-inch meter.

Jim Howes asked how it would change with the new system.

Bruce Ward said as soon as the system is finalized and the council goes forward with it, then they will have to adjust the impact fee for the culinary water system as well as the impact fee for the pressurized irrigation system.

Richard Whaley asked if the \$25.00 charge will be to the house or to the home owner. If he sold his home would it be a higher fee to the new owner?

Bruce Ward said no this is attached to a piece of property. If someone new comes in they will continue to pay the same rate.

Mayor Henderson: When you talk about vision, he thinks the people who went before us had vision. People wonder why we didn't do this 10 years ago. He didn't feel that the time was right to do it 10 years ago. He said he wants to hear from the council.

Councilperson Brent Hanks: He feels like now is the time to do it. Orem and Provo do not have it and there is no way they can do it. They would have to tear up their streets. Water is a wonderful commodity. The more we can conserve it and utilize it, we are going to have it to take care of ourselves a lot longer. The more he has gotten into this and all of the issues on it he feels like now is the proper time to do this.

Councilperson Lynn Durrant: She enjoyed the comments tonight. The throttling on an irrigation line is an interesting idea. She loves the idea of a bike path and it would be nice to see it implemented. Bruce said if our connection fee was a little bit higher your monthly rate would go down. She asked how many were interested in paying the \$25 fee right now. Many expressed they would be interested in it.

Sam McVey said they may want to put some advance warning before putting this fee on because of the Sr. Citizens who are on a fixed income.

Mayor Lane Henderson: We haven't proceeded with the system yet.

Councilperson Lynn Durrant: We haven't decided, but once we decide everyone would have to go that way. Councilperson Green told them that her monthly bill was \$19 per month so for her to pay an additional \$25 per month will hurt the pocket, but she knows that water needs to be coming to us.

Councilperson Stanley Green: He grew up on a farm in Box Elder County. Water is important but the utilization of water is more important. How do I use it? How do I use it effectively? The pressurized irrigation is a way to conserve water and still have our city look beautiful. He recognizes that it will be expensive, but in seven years when we break even, we will be thankful.

Councilperson Terry Ficklin: He is in favor of it. In calculating, even if we were to start right away, in May or June and it was \$5 for the first month and then we consecutively went up \$5 for the first 5 months, \$5, \$10, \$15, \$20 and then to \$25, and then maintain that \$25 it would get us through the summer into September or October before the \$25 would be in full effect. Because we can determine when we will turn the system on, we can cover it and actually make us more money. By the time the system is implemented instead of the \$675,000.00 we would actually have in excess a million dollars. Again it is all going to go to fees.

Councilperson Jeff Higginson: He is in favor of it. We have had the opportunity to learn and research and understand this and hear from each of you. The former council had the vision for this, 20% of the homes are already set up. Central Utah Water Project gave us the \$5 million dollar grant. Provo and Orem will never be able to do it. They are too established and it is too expensive.

Mayor Lane Henderson: He showed the made up large size \$5 million check for the grant from the Central Utah Water Conservative District for the city. That money is available and it hasn't been before for us. Any further discussion from any of you?

George Fischer: He owns water shares and he is going to loose out because water is just going to keep going up and up. When he looks at the fees it is going to cost him a lot right off the bat. On the other hand, he has this irrigation water and this water is going to make room for a lot of growth and development. If he is going to give up his water rights, he would like to see something for the future for the children, not just for the developers. If you do a bike path then he is for it, something for the children. If somehow this can be more than for the developers alone, growth, put something in for the future, enhancing it, he is willing to give it up, otherwise they will have to fight him for it.

Jim Howes: He raised a valid point. In a way we are subsidizing development. Have you looked at a way to make the entire cost of this go to the developer?

Mayor Henderson replied, we have but it is virtually impossible to do it because we would have to do it in stages. This actually has to be done all at once.

Robert Palfreyman: That is not a benefit to the developer, that is what that impact fee is for. That developer already pays a lot of money which reverts right back to our children. The developer comes to the table with water before he can develop.

Mayor Henderson said the developers do bring impact fees to the city because they do impact the city and the water for development.

Jim Howes: Obviously not as much as we're asking for or we would not expand the system.

Mayor Lane Henderson: It is not necessarily that because they are paying for their area.

Jim Howes: We have enough water for what we have right now. New growth is what is causing us to have to expand the system.

Mayor Lane Henderson: Not necessarily. We understand the need to conserve water. Part of the condition for the grant money that we receive is that we educate the citizens on water conservation. We live on a fault line and if that were to shift we could loose the water we have.

Councilperson Stanley Green: We have a debt service of \$345,000.00 we have to come up with on the culinary water each year.

Jim Howes: How long before that loan is paid off?

Mayor Lane Henderson: In 2017.

Gary Noll: He and Bruce had a meeting earlier this week. He was previously in a farming community that grew from 8,000 to 30,000 in less than 10 years. They did not have the vision that you have. They did not have a \$5 million grant and we should take advantage of that. He appreciates the vision that everyone has.

Mayor Lane Henderson: Thank you. It has been a hard decision to look at because they understand that people are on a fixed income. We have to look at the best overall solution.

A citizen commented that Payson is already on an irrigation system. Have any studies been done to see how impacted their city is?

Mayor Lane Henderson: We have studied most everyone that is on a pressurized irrigation system.

A citizen asked if they could give the option to those who would like to contribute more to those who are on a fixed income.

Mayor Lane Henderson: Yes that is an excellent idea.

A citizen commented that on the utility bill there is a box if you want to contribute to someone's utility bill.

Mayor Lane Henderson: We would like to know if someone is in that situation because there are many people who would like to contribute.

A citizen asked if they anticipate the pressure being about the same as it is now.

Mayor Henderson: Yes. He asked if there were any other questions. We have to make a decision quickly on this. We have now held three public meetings. He asked to see by a show of hands how many are in favor of this. It looks like about 99% in favor. Any opposed? No one raised their hands. There were a few indecisive. We cannot make a motion to proceed with this tonight.

Attorney Junior Baker: This was on the agenda only for discussion. We need a resolution to vote on.

Mayor Lane Henderson: It will be on the council agenda for next meeting.

## **9. APPROVE MINUTES OF MARCH 15, 2006**

**MOTION BY:** Councilperson Lynn Durrant to approve the minutes of March 15, 2006 as written.

**SECONDED BY:** Councilperson Stanley W. Green.

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

## **10. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Brent V. Hanks to approve the bills for payment.

**SECONDED BY:** Councilperson Terry A. Ficklin.

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

## **11. PUBLIC SAFETY**

Chief James said as a reminder that on May 6<sup>th</sup> there is going to be a Family Wellness Fair. Those participating will be the Power Department, Fire Department, gas company, Salem City Ambulance, and the Police Department. The Police Department will be doing four classroom presentation on the Dangers of the Internet, Home Protection, Alcohol and Drugs, and Identity Theft. It will be at the Salem West Stake Center. Then on Sunday between noon and 5 p.m. they encourage every residence to call 911 and verify with dispatch that this is where they live, this is who they are so in the event of an emergency they are dispatched to the appropriate address.

## **12. OPEN DISCUSSION**

Karren Andersen addressed the issue of motor scooters going up the street around 15 – 40 MPH.

Chief Brad James said they are legal with certain restrictions. Last year they tried to get the legislature to change that. They would not look at it. They have addressed it and they will try to address it again.

Monty Griffiths talked about the building at 10 West Center. It is really not set up to be a home, they would really like to do something with it. Monty said Brooke has an interest in it as a youth center.

Mayor Lane Henderson asked Attorney Baker to help him with the zoning. It came in as a migrant school because it wasn't prohibited at the time so you couldn't keep it out. It is in the R-1 Zone and unless you change it to a C-2 Zone which is near by, it has to meet the requirements of the R-1 Zone. There are some limited business uses that can happen in an R-1 Zone, but it is limited to what is in the ordinance. It would have to comply with what is in the R-1 Zoning.

Attorney Junior Baker said Monty filed a Zone Change Application to make it a C-2 Zone. You could change the church and city office to tie into the old post office at 95 No. Main, which is already a C-2, but there was quite a bit of opposition to it and the council turned that down.

Brooke ( ) said when you walk into it you feel like you are walking into a big office building. Monty Griffiths said even if we did those improvements that were brought up, where do we go from here?

Mayor Lane Henderson said you would have to file for a zone change.

Attorney Junior Baker said he thought they were looking at a dental office

Monty Griffiths said it really would work better for a youth center.

Attorney Junior Baker said part of the challenge with the neighbors was the parking. Councilperson Brent Hanks said it would be great for an insurance office, etc. with parking in the back.

Councilperson Jeff Higginson asked who owned the building.

Monty Griffiths said Control Leverage, which he is a part of. Mike Davis is actually the one selling it.

Councilperson Terry Ficklin asked about a conditional use.

Attorney Junior Baker said it could be done but you would have to change the ordinance to do that.

Councilperson Jeff Higginson asked how many rooms are in that building.

Monty said there are 4 large rooms upstairs and downstairs 2 large rooms and 3 small rooms with 12 bathrooms.

Councilperson Lynn Durrant told Attorney Baker that she didn't understand, if it was a migrant school---

Attorney Junior Baker said it was non-conforming. When it came in there was no zoning there that would prohibit it. The city implemented zoning and tried to deny it. The city was taken to court and we lost it. It's been gone long enough it's lost its non-conforming status. It now falls under the current zoning. You could take the C-2 Zone from Mel Hanks and continue north with the city office, the church, etc. If they have a concept in mind what they would like to do they could meet with Dave Johnson and Bruce Ward. If it looks like something feasible have them fill out an application and meet with DRC. We may put some conditions on that limit the use they are talking about so it couldn't turn into something different.

Monty Griffiths said he has some old apartments on the highway. He also has his personal home on north main with the entrance to his back garage coming off the lane going to the new high school. He has a half acre lot that he was under the impression, and in his notes from 1997 that if he worked it out with Dave Olson that there would a

road there. At that time he gave up 10 feet of property so that Dave had an easement. Dave had to purchase two other pieces. The school district now owns the property and there is not a roadway to his property. He would be willing to tear the old apartments down if he could work something out for access to his property and have a building lot.

The mayor said he has talked to Monty about it but the difficulty to maintain a road back to his property would be a problem. He said he would encourage him to work it out with the school district.

Councilperson Brent Hanks asked how we can grant access to a road that we don't own.

The Mayor said he would still encourage Monty to work it out with the school district. We don't want to be a third party.

The Mayor asked Erman if he had anything from the ambulance.

He said no.

## **COUNCIL REPORTS**

### **13. MAYOR J. LANE HENDERSON**

Mayor Henderson stated he would give his report later.

### **14. COUNCILPERSON LYNN DURRANT**

She talked about a chipper for the city. The Mayor has given Councilperson Durrant a paper for review and for her to get with Doug Smith about it. Then they will discuss it at next council.

### **15. COUNCILPERSON STANLEY W. GREEN**

He said he is thankful that the sewer system is working well. It looks great and he invites everyone to visit there. The sampler is working.

### **16. COUNCILPERSON TERRY A. FICKLIN**

He didn't have anything to report.



**17. COUNCILPERSON JEFF D. HIGGINSON**

He reported that the scoreboards are in. They will be very nice. He wanted to thank Lew and Kurt Christensen for their donations to the Recreation Department. Gary Warner has been out until about 10 each night with recreation. We are resolving some of the issues of man power.

**18. COUNCILPERSON BRENT V. HANKS**

He didn't have anything to report.

**19. DAVE JOHNSON, PUBLIC WORKS DIRECTOR**

No comments.

**20. ATTORNEY S. JUNIOR BAKER.**

He said we need to talk about the Interlocal Agreement with South Utah Valley Municipal Water Association (SUVMWA) to share Bruce Ward's expenses. It was an 80-20 splits. That 20% would cover his wages and benefits. When it was presented to SUVMWA, it was only presented as wages. Dale Wills, Chairman of SUVMWA at the time, and on our city council said yes the benefits should be fine. When they got their bill, and Dale's gone now, they didn't see it that way. They thought it was only to be for wages. Bruce and he met with SUVMWA and their attorney and reviewed that. Bruce has since met with them and we are proposing at this time, due to the conflict, we have modified it to a 10% split to cover wages and benefits. That will give us a break and we don't have to track all of his hours. We would recommend the 90-10 Agreement.

Mayor Henderson said that is money well spent in our favor. Bruce does a very good job. He does 100% of the work for us. Councilperson Green said he does an awful lot of work for us, and is on the phone handling a lot of phone calls.

Attorney Baker said if we are oaky with that he will get back with SUVMWA and get an amended contract for next meeting.

Bruce Ward said the impact fee proposals are coming in tomorrow afternoon. We need to have this on the agenda for next council to discuss and award impact fees.

Bruce reported work on the bridge on 500 East on the Highline Canal is underway.

Councilperson Green reported on the Sewer Department. We met with Neways. They have been very workable and they have now visited the sewer plant a dozen times where

they had never visited it before. Every time we have foaming problems, they come to the plant and see what they can do. It is a big issue.

Mayor Henderson told Bruce to draft them a letter thanking them for working with us as they have so far.

**CLOSE CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Stanley W. Green to close city council meeting.

**SECONDED BY:** Councilperson Jeff Higginson.

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

**MEETING ADJOURNED AT:** 9:05 p.m.

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Jeffrey Nielson, City Recorder