

Minutes of the Salem City Council Meeting held on December 14, 2016 in the Salem City Council Chambers.

Work Session: 6:30 p.m.

Bruce Ward reported on the zone change to the property located at 605 N. Main. This property is zoned A-1 it is next to R-15 zoning, it has agricultural to the north. The medium density R-15 allows, fits in with the neighbors and zoning around it. DRC and Planning and Zone have both approved this zone change. Ridgepoint Management has hired an engineer, Susan Palmer, and they have also contacted the Corps of Engineers because of wetland issue. The property is approximately 46 acres. Councilperson Soren Christensen questioned where the storm water would go. Mayor Randy Brailsford stated that there are problems with that property and will be until the Corps of Engineers decides what is developable. Councilperson Christensen asked what is the point of rezoning it now, it seems premature until the Corps of Engineers makes a decision. Bruce said they may have additional information tonight. Attorney Junior Baker said that we have absolute discretion and we don't need any reason to deny a zone change.

Jeff Nielson reported on recycling, he stated we have 2 things that need to be discussed. We need to establish rates so that we can get it on the flyer and get the flyer in the mail. Attorney Junior Baker stated that the rates would depend on the percentage of participants. It was discussed to have the rates as estimated depending on participation put on the flyer. The estimated rates would be three levels: 60% or more \$6.25, 50-59% \$6.75, 40-49% \$7.50. Councilperson Craig Warren asked that these be highlighted somehow on the flyer, to make sure people see it. The council agreed that the flyer was good to send out. Attorney Baker is concerned with the wording on liability of hazardous material addendum on the Republic Service agreement amendment. Reese from Republic Services stated this is their standard agreement, they have worked with other cities to get the wording so that both parties are satisfied, and are willing to work with us also. Councilperson Sterling Rees asked what our agreement with them states now. Reese stated there is nothing there now, but that in this legal climate we are in, they will require there be something there, but the legal department for Republic is willing to work with our attorney to satisfy both parties.

Bruce Ward reported on Kevin Khuni's request for approval of preliminary plat for Whisper Ridge Plat D located at 960 S. 750 E. this request was approved years ago, it is just back as a preliminary plat. It hasn't changed and all the improvements are shown, it is a standard R-15 subdivision.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Cristy Simons
Councilperson Aaron Cloward
Councilperson Soren Christensen
Councilperson Sterling Rees
Councilperson Craig Warren

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Junior Baker, City Attorney
Chief Brad James, Police Chief
Clark Crook, Power excused
Matt Marziale, PW/Recreation
David Johnson, Building Dept.
Allison Taylor

OTHERS PRESENT

The roll was not sent around.

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Councilperson Sterling Rees stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

A scout invited those who 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. SWEAR IN NEW POLICE OFFICER, COLBY SNELSON

Chief Brad James introduced new police officer Colby Snelson. He graduated from the Police Academy last summer, he has been working with us for several weeks. He is from Spanish Fork and has good family support. We are excited to have him in our department.

Jeff Nielson then swore him in.

4. PUBLIC HEARING

(to open)

MOTION BY: Councilperson Aaron Cloward to open public hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

a. Ridgepoint Management Group- Request for Zone Change on Property located at 605 N. Main from A-1 to R-10

Victor Hansen with Ridgepoint Management Group introduced himself, he stated they are asking for a zone change on property located at 605 N. Main from A-1 to R-10. They feel like they can develop this property to blend with the community around it. He is aware that this property has some wetland and groundwater issues. They have had the Corp of Engineers come and look at the property, to address the wetland issue. They are not sure when they will have results back from them. They are also waiting on ground water studies, right now they are just asking for the zone change. Councilperson Soren Christensen asked when you mention ground water are you talking surface water or storm water. Victor answered the surface water. Councilperson Aaron Cloward asked how the project would change if they lost area due to the wetlands. Victor stated that they would take their concept and work around the wetland areas. Mayor Randy Brailsford is concerned about the storm water, where will it go. Victor said that they will create storm water drainage, they will follow our standards and continue to work with our engineer. Councilperson Cloward stated he is concerned if they lose half to wetlands, they would come back wanting another zone change and that they would only consider R-10 to keep that area rural. Victor stated that the buyers are comfortable with the change to R-10. Councilperson Cloward would like to see what the Corps of Engineers determines before the change is made. Victor stated that they have no idea how long that could take. Councilperson Christenstn asked if this was an all or nothing request, maybe they could focus on the east side of the property, it might be something to consider in the future.

Kevin Peterson with Century 21, who is representing current owners that are selling the property, stated that this developer and buyer has done everything they said they would do.

(to close)

MOTION BY: Councilperson Craig Warren to close public hearing.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

MOTION BY: Councilperson Soren Christensen to deny request for zone change on property located at 605 N. Main from A-1 to R-10.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

5. KEVIN KUHNI- APPROVAL OF PRELIMINARY PLAT FOR WHISPER RIDGE PLAT D LOCATED AT 960 S. 750 E.

This item was discussed in work session.

MOTION BY: Councilperson Aaron Cloward to approve preliminary plat for Whisper Ridge Plat D located at 960 S. 750 E.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

6. APPROVE CARRIAGE RIDE ORDINANCE

Councilperson Soren Christensen questioned the liability of the city in case of an accident. Attorney Junior Baker stated that the insurance we are requiring would cover all liability, if the driver were negligent the insurance would protect us. Attorney Baker will change the wording in the ordinance.

Councilperson Craig Warren wondered why we were requiring permits for citizens doing private hayrides. Chief Brad James stated it was just the safety issue and that way they have an idea of how many people are out each night, because of the amount of traffic. The permits would be good for three days from when they are issued. He also stated this will not effect this year, the ordinance will go into effect on January 17, 2017, and it is only during Pond Town Christmas.

Councilperson Soren Christensen thanked Chief James and Attorney Baker, stating the ordinance was well done.

MOTION BY: Councilperson Soren Christensen to approve carriage ride ordinance with the change to read “An operator of a horse drawn carriage on City streets assumes all liability related to that use. Salem City assumes no liability by reason of adopting this ordinance.”

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

7. APPROVE REPUBLIC SERVICE AGREEMENT AMENDMENT

This item was discussed in work session.

MOTION BY: Councilperson Soren Christensen to approve Republic service agreement with indemnification wording needing to be worked out with Republic, Attorney Baker, Mayor Brailsford and Councilperson Craig Warren.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

8. APPROVE RESOLUTION ESTABLISHING RECYCLING FEES

This item was discussed in work session.

MOTION BY: Councilperson Craig Warren to establish the three recycling fees as estimated depending on percentage of participating residents.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

9. APPROVE PURCHASE OF RECYCLING CANS

MOTION BY: Councilperson Sterling Rees to approve purchase of recycling cans in the amount of \$62,940.54.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

10. APPROVE MINUTES OF NOVEMBER 16, 2016

MOTION BY: Councilperson Cristy Simons to approve minutes of November 16, 2016.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

11. APPROVE BILLS FOR PAYMENT

Councilperson Soren Christensen asked about the need for both landlines and cell phones that the city is paying for. Jeff Nielson stated that the offices, where the public calls, do need to be landlines, but he could look at how much the city shop uses their landline.

AMOUNT: \$728,645.67

MOTION BY: Councilperson Soren Christensen to approve bills for payment.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

Jeff Nielson gave the council the preliminary budget for November 2017 general fund, we are doing well. We have received the B&C road money from the state, building permits are up, and sales tax is doing good. Also, Amazon is going to start collecting sales tax. Property taxes are starting to come in. Councilperson Soren Christensen asked where the recycling was going to be budgeted. Jeff stated it would be under waste collection, but there would be a new fund for recycling.

12. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief Brad James reported that for the last few Sundays he and Mayor Brailsford have been visiting LDS wards asking for volunteer help for the fire and ambulance departments. With all that effort, there have been 5 new applications come in.

Chief James stated that they had written out hundreds of warnings about the winter parking ordinance with little results, now they have started writing tickets and they are having better results. He wants people to know that we did try the warnings first.

This Saturday will be the Shop with a Cop, this is a county wide effort and we help raise funding for this cause. This year it will be at Walmart in Spanish Fork and they have 134 kids

to help. They pair each officer with 1 or 2 children, they take them to the Festival of Lights, then to Spanish Fork Junior High for breakfast, then they are given about \$130 to spend on Christmas.

We continue to have a lot of emergency calls; the public safety people are being kept busy.

13. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson did not have anything to report tonight.

14. ATTORNEY JUNIOR BAKER

Attorney Junior Baker did not have anything to report tonight.

15. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson reported earlier, reminded council of the employee lunch on December 22, 2016 at noon.

16. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported that the precipitation is not helping with our water needs, but we have finished most of our projects. They are now working on widening 400 North, and putting fabric and wood chips over some of the problem weed areas to keep them down in the spring. The crews are in good spirits and things are going well.

Matt stated that there has been a schedule change for the city crews, they will now start work at 7:30 a.m. to 5 p.m. Monday through Thursday and work 8 a.m. to noon on Fridays.

Councilperson Soren Christensen asked Matt for an update on the recreation center progress. Matt said it is going well now. Westland is not concerned with meeting the March 1, 2017 finish date. He is pleased with them, and James Ealey is doing a good job. Councilperson Cristy Simons asked how the recycling bins were doing down at the ball park. Matt said that they are being used, and they haven't had any problems with them.

Jeff Nielson stated the Salem City Calendars would be mailed out today or tomorrow. This is a unique thing we do as a city.

17. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook was excused tonight.

18. BRUCE WARD, ENGINEERING

Bruce Ward reported that we are in the process of applying for a smart water grant, we would be using this money to install PI meters to the city.

19. WADE REYNOLDS, STORM DRAIN/SAFETY COORDINATOR

Wade Reynolds was excused.

COUNCIL REPORTS

20. MAYOR RANDY BRAILSFORD

Mayor Brailsford reported that he would like to schedule the Saturday work session for January 21, 2017.

21. COUNCILPERSON STERLING REES

Councilperson Sterling Rees did not have anything to report tonight.

22. COUNCILPERSON CRISTY SIMONS

Councilperson Cristy Simons stated that she would like to thank everyone for help with Pond Town Christmas Lighting, it went great and was well attended. She introduced Heather Youd to the council, she is the new Chamber of Commerce Director. Heather said it had been great working with Cristy and she was excited to try and get more involvement with the businesses in Salem.

23. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen reported we have the data from PI, but with all the growth it is hard to compare and see if the conservation is working.

24. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward reported the recreation is starting youth basketball, youth wrestling has ended and girls volleyball will end tomorrow.

25. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren did not have anything to report tonight. He stated to Mayor Brailsford that he would be out of town on January 21, 2017. The Mayor asked if anyone was opposed to move the January work session to the January 28, 2017 instead. Everyone agreed this would be fine.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Soren Christenson to adjourn council meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:00 p.m.

Jeffrey Nielson, City Recorder