

Minutes of the Salem City Council Meeting held on July 1, 2015 in the Salem City Council Chambers.

Worksession: 6:45 p.m.

The council reviewed the personnel policy changes. The changes to the policy are dealing with the wording for full-time, at-will employees who would be awarded severance package if they are terminated. The change is making it so if the employee is on probation they would not be awarded a severance package if they are terminated. The other change is employees who are salaried paid; they would receive the same vacation accrual rate as the at-will employees who are salaried.

Lieutenant Greg Gurney mentioned the police were able to hire one new officer out of the two they need. They decided to open the second position up again, will go through the interview process again.

Lieutenant Greg Gurney also presented the new vehicles that are on the agenda. He stated the difference between what was presented in the budget, is the prices went up \$266. Will use money out of the motor pool for the difference or with the equipment purchasing for the new vehicles.

Mayor Brailsford talked about the water for the city. He stated the springs at Water Canyon are down to less than 100 gpm. He has never seen them that low. He is concerned about water this year. He also talked about problems with PI and having our pumps keep up with the demand.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

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

Excused:

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Lieutenant Greg Gurney, Police
Attorney Jason Sant, City Attorney
Clark Crook, Power
David Johnson, Building Dept.

Attorney Junior Baker, Attorney
Chief Brad James, Public Safety
Matt Marziale, Recreation

OTHERS PRESENT

Clark Caras, Rebecca Andrus, Brian Garlick, Jon Ward, Howard Chuntz

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor 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. APPROVE PURCHASE OF POLICE VEHICLES

Councilperson Soren Christensen reported the police department is in need of replacing one police vehicle and getting a new one for the new police officer. The police have received bids for the vehicles. The lowest bid was from Smith Auto in Spanish Fork. \$29,176 for 2016 Ford Explorer and \$33,496 for a 2015 Ford F-150. Both of these bids were also lower than the state contracted amounts. The two vehicles were in the budget for 2015/2016 when the budget was approved.

MOTION BY: Councilperson Soren Christensen to approve the purchase of the two police vehicles.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

4. APPROVE RESOLUTION ON PERSONNEL POLICY

Mayor Brailsford asked if there were any questions on the Personnel Policy.

Councilperson Janie Christensen stated she is concerned that our Personnel Policy is very liberal and feels it needs to be reviewed. We recently paid out money for a severance package when the city engineer was released of her duty. The severance was for 6 months of salary and health benefits. Which she estimated it to be about \$45,000. Along with these costs the city then had to pay for engineering services to cover for when the release of duty happened. She feels the residents need to know about these things and that it was written in the policy to pay out the severance. She remembers in the discussion that Attorney Baker and the Mayor were going to negotiate with the severance so we did not have to pay the full amount.

Attorney Jason Sant stated they did work on the negotiations, and the ex-employee also got an attorney. In the discussions they felt it would be better to pay the severance than to go to litigation and spend the money in fees.

Councilperson Christensen stated again she feels our policy is very liberal, paying a six month severance then if the employee has been here 15 years or more it is a year severance

package. She stated other cities and Nebo School District do not have severance and that we have a liberal policy. She stated she appreciates the employees, but feels they do not need the severance in the policy. She would rather look at the whole personal policy than to approve this tonight to have a band aid fix.

MOTION: Councilperson Janie Christensen made a motion to deny the resolution.

Councilperson Craig Warren had a question on the policy, he understands if we want to review the policy that is okay, but tonight this resolution changes a couple of words so that if an employee is on probation and they are released from duty, they would not be eligible for the severance package. If this would have been in the policy before the engineer was released, then the city would not have had to pay out the severance package. He feels we need to pass this tonight to make sure we don't run into the same problem in the future, but if the council wants to review the policy in the future he would be okay with it.

Jeff Nielson explained the severance package is for the at-will employees, it is not for all of the employees. It is there to protect them so if they are released from duty for no reason, it would protect them. In order to be released they would have to have the majority of the vote of the council and approval of the mayor.

Councilperson Soren Christensen feels we need to fix the problem we have right now, so we are not exposed in the future. Then if we want to go review our city policy as a whole then we can go do it, but for right now we need to fix this issue we have.

Mayor Brailsford asked for a second on the motion to deny the resolution.

There was no second, motion died. He then asked for another motion.

MOTION: Councilperson Craig Warren to approve Resolution 70115 amending the personnel Policy.

SECONDED BY: Councilperson Soren Christensen.

VOTE: Councilperson Craig Warren; Aye, Councilperson Soren Christensen; Aye, Councilperson Aaron Cloward; Aye, Councilperson Sterling Rees; Aye, and Councilperson Janie Christensen; Abstained from voting (she does not like the way the policy is written and feels we need to review the whole policy). (4 Ayes, 0 Nays, 1 Abstain.)

5. APPROVE MINUTES OF JUNE 3 AND JUNE 17, 2015

Mayor Brailsford asked for a motion to approve the minutes of June 3, 2015.

MOTION BY: Councilperson Soren Christensen to approve the minutes of June 3, 2015.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

Mayor Brailsford asked for a motion to approve the minutes of June 17, 2015.

MOTION BY: Councilperson Sterling Rees to approve the minutes of June 17, 2015.

SECOND BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

6. APPROVE BILLS FOR PAYMENT

Mayor Brailsford asked to come back to this item.

COUNCIL REPORTS

7. MAYOR RANDY BRAILSFORD

Mayor Brailsford did not have anything more to report at this time.

8. COUNCILPERSON STERLING REES

Councilperson Sterling Rees did not have anything to report at this time.

9. COUNCILPERSON JANIE CHRISTENSEN

Councilperson Janie Christensen reported the library is doing well and nothing new from the sewer. Miss Salem is also doing well. The library is looking for donations for the auction; if anyone has anything they can get a hold of the library.

Bruce Ward reported a representative from the State Board of Water Quality, who is over the sewers, will be coming down for the July 15 council meeting work session. They would like a list of questions before hand if possible.

10. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward reported on the Parks Department, they are doing maintenance and working to get ready for Salem Days. Recreation is wrapping up little league baseball and the State Tournament for baseball will begin the week of July 13.

Councilperson Cloward turned the time over to Clark Harris from the Chamber. Clark reported the last two ribbon cuttings for the chamber have been business in Salem, Altitude Homes and Zuwire Gym. He stated he will contact the chamber members to see if they wanted to donate to the library auction.

11. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen reported we are using a lot of PI water. We have gone from 2.5 and 7 acre feet a day in June to 6.9 and 17 acre feet a day so far in July. There is some reduction on Tuesday and Fridays, but we still have a lot of people using the water on those days. We had an issue with the pumps and our ponds were drained. We now have it fixed, but we are finding a new issue with our pumps, they cannot keep up with the demand. Looking to ask people to water before midnight or after 8:00 a.m.

Mayor Brailsford reported in June we issued 28 violations and one of those was a violation with fines. He has asked the police department to keep an eye on the PI ponds. We have also done procedures different to make sure the gates to the ponds are locked.

12. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren reported the Roads Department is patching roads and planning on doing overlays the week of July 20th. They are also preparing for Salem Days and working on the storm drain boxes at 450 West Canal Road area. 100 East project is also on its way.

Mayor Brailsford reported on 100 East project, they ran into some old utility lines, some tree roots had also intertwined with other utilities. We have had some other issues with trees being taken out and we did meet with the resident and was able to get concerns resolved. Feel things are going well on the project.

APPROVE BILLS FOR PAYMENT

Mayor Brailsford reported the amount of the bills to be paid tonight is \$624,987.44. He then asked for a motion to approve the bills.

MOTION BY: Councilperson Aaron Cloward to approve the bills for payment.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

13. PUBLIC SAFETY – CHIEF BRAD JAMES

Lieutenant Greg Gurney did not have anything to report tonight.

14. DAVE JOHNSON, BUILDING DEPARTMENT

Dave Johnson did not have anything to report tonight.

15. ATTORNEY S. JUNIOR BAKER.

Attorney Jason Sant did not have anything to report tonight. Mayor Brailsford asked Attorney Sant to relay the message of the Personnel Policy to Attorney Baker.

16. JEFFREY NIELSON, CITY FINANCE DIRECTOR/RECORDER

Jeff Nielson did not have anything to report tonight.

17. MATT MARZIALE, RECREATION DIRECTOR

Matt Marziale was excused tonight.

18. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook did not have anything to report tonight.

Bruce Ward reported the bids for the overlay on the roads are due tomorrow.

19. WADE REYNOLDS, STORM DRAIN/SAFETY

Wade was excused tonight.

Mayor Brailsford asked if there was anything from the public.

Howard Chuntz asked the mayor and council what the city will be doing for the use of their pond for storm drain. Mayor Brailsford stated that the council has not had an opportunity to discuss the issue.

20. CLOSED SESSION

Mayor Brailsford asked for a motion to enter into a closed session to discuss litigation.
(Time 7:35 p.m.)

MOTION BY: Councilperson Craig Warren to enter into a closed session.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

Council meeting left closed session and entered into open meeting at 8:20 p.m.

Mayor Brailsford stated he would need a recommendation of how to proceed with the request from Howard Chuntz.

Councilperson Soren Christensen stated he would recommend structure a deal with Howard to go from August 2015 to August 2016 and pay \$4,500 for the year and be paid out of the 2016/2017 budget year. He stated the \$8,000 payment is not an option. If Howard says no to the deal, then ask how long we have to stop using the pond. Councilperson Aaron Cloward recommends that for the safety of the school kids we hold off moving the storm water until school is out next year. Mayor Brailsford stated he is also concerned about the safety of the school kids. So if Howard says no to all of it, do we try and negotiate the \$8,000. The council all felt that the mayor does not negotiate on the \$8,000. The council all agreed on the recommendation.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Craig Warren to Adjourn City Council Meeting.

SECONDED BY: Councilperson Janie Christensen.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:25, p.m.

Jeffrey Nielson, City Recorder