

Minutes of the Salem City Council Meeting held on May 18, 2016 in the Salem City Council Chambers.

**Work Session:** 5:00 p.m.

Jeff Nielson reviewed the tentative budget with the Mayor, City Council, Mayor Advisory Board, and City Directors.

**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  
Matt Marziale, PW/Recreation  
Clark Crook, Power  
Chief Brad James, Police Chief  
David Johnson, Building Dept.

**OTHERS PRESENT**

Robert Palfreyman, Clark Caras, Jenessa Pratt

**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**

Councilperson Craig Warren 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. PUBLIC HEARING**

**Open**

**MOTION BY:** Councilperson Aaron Cloward to Open the Public Hearing.

**SECONDED BY:** Councilperson Sterling Rees.

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

- a. Matt Evens – Zone Change Request on Property Located at 1076 N. & 1086 N. SR 198 from R-15 to R-10

Matt Evens stated he just purchased the property. The property, which is one parcel, was approved for a twin home when it was built, but has been used as a fourplex. Matt is trying to fix the property and get it so it can be a twin home and each side have their own property. In order to create the two property parcels, he needs to subdivide it, but he needs to have the correct zone in order to do that. He has met with DRC, who recommended the zone change from R-15 to R-10. He also met with Planning and Zoning who recommended having the zone as a mixed use zone, which would still allow him to split the lot. Bruce Ward stated Planning and Zoning felt it would fit in area better with a mixed use.

It was stated with the mixed use, he would need to have 2.5 parking for each home. Matt stated he would be able to meet that requirement. Another item that would need to be met is each home would need to have their own septic tank. The fire wall between the homes would need to be acceptable to meet the code. It was stated DRC was requiring the following:

1. *Because there is only one drive approach, there will need to be an easement for the north unit and it will need to be indicated on the plat.*
2. *All utilities will need to be located and made sure they are contained on the correct lot, including the septic tanks.*
3. *The curb, gutter and sidewalk will need to be extended to the east property line along 1100 North.*
4. *The parking will be restricted to 6 cars and parking will not be allowed on the street.*
5. *The garages are to be used as such*
6. *There needs to be a 10-foot public utility easement along the street frontage.*
7. *A building inspection will need to be done to make sure the fire wall is still intact.*
8. *Do a boundary line agreement with Brighton's for the triangle piece of property to make the south lot compliant.*

Mayor Brailsford asked if there were any questions from the public or any other questions from the council or staff.

Dave Johnson stated the homes do have separate septic tanks, it was approved by the county, but we need to know where they are located and that the tanks will be on their own parcel after the split. The fire wall will also need to extend all the way to the roof in the attic to meet code.

**Close**

**MOTION BY:** Councilperson Craig Warren to Close the Public Hearing.

**SECONDED BY:** Councilperson Cristy Simons.

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

- a. Matt Evans – Zone Change Request on Property Located at 1076 N. & 1086 N. SR 198 from R-15 to R-10

**MOTION BY:** Councilperson Soren Christensen to accept the zone change to Mixed Use, subject to the recommendations from DRC, Planning & Zoning, and Dave Johnson the Building Official (The septic tanks will need to be on correct property, will need to be located and the location provided and the fire wall extended all the way to the roof in the attic).

**SECONDED BY:** Councilperson Aaron Cloward.

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

#### 4. TRAVIS & SHASTA PERRY REQUEST

Shasta Perry stated they purchased property in the county on 9800 South (just off of Woodland Hills Drive). They were getting ready to drill a well when the contractor told them it might be the same cost to do an 8 inch water line. Currently in front of their property is a 2 inch city water line that feeds the homes in that area. She talked with Bruce Ward and he stated since the property is in the county, they would need to come to the council to get approval. She stated she would be paying for the 8 inch line but then see if the others who hook onto it, would reimburse them for their connection to the line.

Mayor Brailsford stated right now it is an old water line and the residents in the area have paid for the maintenance. If a new 8 inch line would be installed, the residents in the area would need to be responsible for maintaining it. The Perry's would also be required to pay the fee's associated with the new line, which would include the impact fee and other fee's associated with the water hook up.

Shasta talked about the process of getting a well and they are looking at other options to get water to their property. They feel with the cost being the same, they are interested in hooking onto city water.

Chief James stated we would require a fire hydrant to be installed at the end of the line. This would help with fire protection in the area. It was also stated that the Parry's would be responsible for the cost of the fire hydrant.

It was stated they would need to talk to their neighbors, get them on board to hooking onto the new line. We do not want a new 8 inch line going along the side of the 2 inch line. The water line would be installed by the Parry's along with a fire hydrant at the end of the line. The Parry's or the residents in the area would be responsible for maintaining it. All fees would need to be paid.

**MOTION BY:** Councilperson Craig Warren to move forward with allowing the hook up, with an agreement written up stating the stipulations on it.

**SECONDED BY:** Councilperson Sterling Rees.

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

**5. APPROVE RICK AINGE BOUNDARY LINE AGREEMENT AND PUBLIC UTILITY EASEMENT**

It was stated that Rick Ainge is selling his property. On the west end of his property (back) he has a fence and the property line that don't match up. Because it borders the city shop property, we need to do a boundary line agreement. This will clean up his property so he can sell it. The remaining properties along 460 West have the same issue, and will need to be addressed in the future. We wanted to hurry with Rick's and complete it so he could sell his property. Along with the Boundary Line Agreement, there is a Public Utility Easement that will need to be approved too.

**MOTION BY:** Councilperson Aaron Cloward to approve the Rick Ainge Boundary Line Agreement and the Public Utility Easement.

**SECONDED BY:** Councilperson Sterling Rees.

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

**6. APPROVE PI RATE RESOLUTION**

It was stated the new PI rate resolution that was approved on April 20, there were some items that needed clarification. One item was the commercial and how to bill for the commercial businesses. The other item was to take the last tiers off and have it capped at lots of one acre and more to be charged the \$19 rate.

**MOTION BY:** Councilperson Soren Christensen to approve the PI Rate Resolution 51816.

**SECONDED BY:** Councilperson Aaron Cloward.

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

**7. APPROVE TENTATIVE BUDGET FOR FY 2016/2017**

Mayor Brailsford reported we reviewed the tentative budget in work session tonight. We had the Mayor Advisory Board there also. Have been working with the directors and supervisors on the budget. Mayor stated he appreciates everyone's help on the budget.

Councilperson Craig Warren mentioned that the recycling charges from SUVSWD would be changing to \$36 a ton.

**MOTION BY:** Councilperson Soren Christensen to approve the Tentative Budget of FY 2017.

**SECONDED BY:** Councilperson Cristy Simons.

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

**8. APPROVE ORDINANCE PROHIBITING E-CIGARETTES IN PUBLIC FACILITIES**

Attorney Baker reported this ordinance is banning E-Cigarettes in public places, including parks. The Utah County Health Department has been asking for this from all of the cities.

**MOTION BY:** Councilperson Aaron Cloward to approve Ordinance 51816 Prohibiting E-Cigarettes in Public Facilities.

**SECONDED BY:** Councilperson Soren Christens.

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

**9. APPROVE MINUTES OF MAY 4, 2016**

**MOTION BY:** Councilperson Soren Christensen to table the approval of minutes for May 4, 2016.

**SECONDED BY:** Councilperson Craig Warren.

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

**10. APPROVE BILLS FOR PAYMENT**

Mayor Brailsford asked for approval for the bills for payment.

**AMOUNT:** \$186,081.89

**MOTION BY:** Councilperson Craig Warren to approve the bills for payment.

**SECONDED BY:** Councilperson Soren Christensen.

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

**11. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR**

Chief James did not have anything to report tonight.

**12. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR**

Dave Johnson did not have anything to report tonight.

**13. ATTORNEY JUNIOR BAKER**

Attorney Junior Baker did not have anything to report tonight.

**14. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER**

Jeff Nielson went over the April budget with the council.

**15. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR**

Matt Marziale reported he has had food truck organization contact him about allowing food trucks to come over every other Tuesday. They say they will bring about 8 trucks, which would bring about 400 people from around the county. We have also been approached to have food trucks for the Salem Days Fair in the Square. If we get the food trucks, then we would not have any other vendors come. A couple of weeks ago, the council denied the ordinance which would allow food trucks. With some discussion, it was determined that the concerts in the park would be a special event and an opportunity to allow a food truck during the concert.

**16. CLARK CROOK, ELECTRICAL DIRECTOR**

Clark Crook did not have anything to report tonight.

**17. ENGINEERING**

Bruce Ward from Forsgren Engineering reported on Planning and Zoning meeting the prior Wednesday. He stated with the animal rights, they had a question about a juvenile animal and would it count as an animal unit or not count until it is weaned from its mother. It was stated that staff will work on it and bring it back to council.

Bruce also reported we have received four very good references for Silver Construction. We will award the bid to them to do the 400 North storm drain project and they will start when school gets out.

On May 26<sup>th</sup> from 3:00 p.m. to 7:00 p.m. at the Community Center will be an open house for the sewer plant discussion. We want to invite the public to come and give us there input on the different options.

We will also be having Jonathan Ward coming down within the next couple of council meetings and talking to the council about financial advisor for the sewer plant project.

**18. WADE REYNOLDS, STORM DRAIN/SAFETY COORDINATOR**

Wade Reynolds was excused tonight.

Mayor Brailsford turned the time over to Jenessa Pratt, Miss Salem. Jenessa reported they are working with the new contestants for the Miss Salem Pageant. Miss Utah Pageant will be on June 13<sup>th</sup>, and she is preparing for it.

Clark Caras reported on the Chamber and how he is excited that Revere Heath is part of the chamber.

## **COUNCIL REPORTS**

### **19. MAYOR RANDY BRAILSFORD**

Mayor Brailsford did not have anything to report tonight.

### **20. COUNCILPERSON STERLING REES**

Councilperson Sterling Rees reported on UMPA purchasing the gas powered power plant in West Valley. He also reported on the Memorial Day program, he was able to get Robert Money Davis to speak.

### **21. COUNCILPERSON CRISTY SIMONS**

Councilperson Cristy Simons did not have anything to report tonight.

### **22. COUNCILPERSON SOREN CHRISTENSEN**

Councilperson Soren Christensen reported on the Mt. Nebo Water Agency meeting. He stated they agency is looking at phase two of the water study, which will be about \$7,000 for Salem City portion. Also during the meeting, the Bureau of Reclamation discussed the transferring of water rights.

### **23. COUNCILPERSON AARON CLOWARD**

Councilperson Aaron Cloward did not have anything to report on tonight.

### **24. COUNCILPERSON CRAIG WARREN**

Councilperson Craig Warren reported on the Solid Waste District. He stated they are operating in the black, which is good. He also talked about NUERA, and how it is an agency getting a group of agencies together to purchase Bayview as a group. The board has reviewed the options and looking for the tech/finance committee to give their recommendations. If this happens it will be very beneficial to the district and the member

cities, as it would reduce the cost of dumping waste. Would like to have something completed before the end of the year. Looking at the options of us not buying in to the ownership, as we already own Bayview. Terry Ficklin from the district has been working hard on this.

Both the Mayor and Councilperson Christensen recommending proceeding with caution with the organization, making sure we are looking at all the options and what is best for the district.

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Craig Warren to Adjourn city Council Meeting.

**SECONDED BY:** Councilperson Soren Christensen.

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

**MEETING ADJOURNED AT:** 8:15 p.m.

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Jeffrey Nielson, City Recorder