

Minutes of the Salem City Council Meeting held on September 7, 2016 in the Salem City Council Chambers.

Work Session: 6:00 p.m.

Work session began at 6:00 p.m. for a tour of Convoyant Building at 185 E. 200 N. (Meet at the Convoyant building).

At 6:30 council returned to the council chambers for a discussion of solar power. Rick Brunson was there to talk to the council about solar power. One item he would like see changed in Salem is the ability of having the solar power generated credit go on a yearly basis, rather than being zeroed out each month.

Attorney Junior discussed the ordinance being presented tonight to the council. It is an ordinance changing a number of minor offenses from Class C Misdemeanors to Infractions. This follows the pattern established recently by the legislature. An infraction eliminates the possibility of jail time for violators. It also does not allow the defendant to demand a jury trial. It also allows a warrant to be issued for failure to appear on an infraction, which is newly allowed under state law. Many of these offenses are currently Class C Misdemeanors, only so that a warrant can be issued for non-appearance. Now that warrants can be issued for infractions, it makes sense to make these minor offenses infractions.

MEETING CONVENED AT: 6:00 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
Matt Marziale, PW/Recreation
David Johnson, Building Dept.

OTHERS PRESENT

Wayne Pace, BJ Livingston, Brian Stewart, Maddy Hansen, Marie McKee, Andy McKee, Whitney Livingston, Shane Johnson

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Bryan Steward, a local 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. CITIZEN REQUEST - Whitney Livingston

Mayor Brailsford turned the time over to Shane Johnson. Shane wanted to talk to the council about the requirement for the curb and gutter ordinance, and the possibility of changing it. His daughter, Whitney Livingston, is building a new home that is located just outside of the boundary, where it is considered the old section of town, and not required to put in curb and gutter. They live in an area that already has homes without curb and gutter. Because it is a new home, they are being required to do curb and gutter. They are concerned with this, because none of the neighbors have curb and gutter, and when it rains, the storm water would be going onto neighbor's property. Another concern is it will probably have to be replaced before the rest of the street ever gets curb and gutter. This would be a cost to the city in the future. Shane asked about the possibility of taking a cash bond for the improvements, and then when the city is ready to do the improvements on the entire street, they will have the money for their section.

Mayor Brailsford made the comment about the new Storm Water regulations and how they like to see the water lay where it falls.

Councilperson Aaron Cloward stated another concern would be the contour of the road, and making sure we get it correct for the entire street.

Shane Johnson stated they had a surveyor come in to make sure they would be able to meet the crown of the road. This was a concern to them.

Mayor Brailsford asked Attorney Baker if we needed to change the ordinance. Attorney Baker stated we could look at it and see if it needs to be changed.

Councilperson Aaron Cloward asked if we take the money, can we use it in other places for road improvements, or does it have to stay there. It was stated we could use it, but we would have to make sure Shane gets the credit for when the improvements are completed on his daughter's street. Dave Johnson stated he thinks we could have Aaron Painter flag the lot on the GIS system to show that a cash bond was paid.

Councilperson Soren Christensen stated we could do a sump tank for the storm drain or use ditches.

The council was okay to allow them to proceed and to install the sidewalk and then allow the ordinance to change to see what that would require of them.

4. APPROVE ORDINANCE AUTHORIZING WARRANTS FOR FAILURE TO APPEAR

Mayor Brailsford stated this item was discussed in work session tonight. It is following the pattern that was recently established by the legislature.

MOTION BY: Councilperson Aaron Cloward to Approve Ordinance 90716 Authorizing Warrants for Failure to Appear.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

5. APPROVE RESOLUTION OF SALEM TO PARTICIPATE IN THE UTAH COUNTY CDBG PROGRAM.

It was stated this resolution was passed back in May, but when the county submitted to HUD, they did not like the wording on it and had a couple of items changed. This is to allow the city to apply for CDBG grants. Councilperson Craig Warren asked if it costs any money to participate. It was stated no. Councilperson Soren Christensen was concerned about the federal government regulations on it.

MOTION BY: Councilperson Craig Warren to approve Resolution 90716 of Salem to participate in the Utah County CDBG Program.

SECONDED BY: Councilperson Cristy Simons.

VOTE: Mayor Brailsford asked for a roll call. Councilperson Craig Warren; Aye, Councilperson Soren Christensen; Nay, Councilperson Aaron Cloward; Aye, Councilperson Sterling Rees; Aye, and Councilperson Cristy Simons; Aye. (4 Ayes, 1 Nay)

6. APPROVE MINUTES OF AUGUST 24, 2016

Jeff Nielson explained the minutes were not ready yet and would be ready for next council meeting.

7. APPROVE BILLS FOR PAYMENT

AMOUNT: \$797,819.32

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

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

8. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief Brad James reported the animal clinic will be held at the city office the following the night. He also reported he was able to get a grant to get a defibrillator for the city office. The defibrillator has arrived and will be placing it in the city office.

Councilperson Craig Warren asked Chief James if our police officers bullet proof vests are current. Chief James stated that they are.

9. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson reported on DRC Meeting. DRC would like to schedule a work session to discuss the closing of the 80 South by Woodland Hills Drive. If you remember a few council meetings ago, we had the developer who was annexing Canal Road. Part of the development was having him close the connection of 80 South and Woodland Hills Drive. He also reported Tyler Roberts was bringing in the preliminary plat for Salem Park Development to Council and Planning and Zoning. DRC recommended approving the preliminary development. His last item, Westland Construction has brought in the plans for the skilled nursing facility at Revere Health for the addition to it.

Mayor Brailsford stated he has received some notes from residents concerned about the building and if we have enough water.

Dave Johnson explained that we require 1.3 acre feet of water per lot. .8 acre feet is for indoor water and .5 acre feet is for outdoor water. Right now we are requiring wet water to be brought into the city. Meaning this is water that we can use in our system, it is not paper water from a source that we cannot use. Councilperson Soren Christensen stated he thinks we need to change the water required based on the lot size. Attorney Baker stated we would need to do a study for it. Mayor Brailsford stated he would like to have the study reviewed in the winter time. We need to make sure we have enough water for the lot sizes.

Dave Johnson stated this is slowing the development down a bit, as the developers are required to provide the water shares. He also stated for the future, we need to look more into the xeriscaping.

10. ATTORNEY JUNIOR BAKER

Attorney Junior Baker did not have anything to report tonight.

11. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson did not have any anything to report tonight.

12. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale explained the public works departments are doing great. They are completing the sidewalk project on 750 East, it should be finished soon. They will be going back to the project and doing the asphalt when they are doing other asphalt projects. Mayor Brailsford stated he is currently working with Bartel Mortensen on his property to see if we can put sidewalk on it.

Matt continued to report we had a flooding issue on the south part of Main Street. When we put the storm drain on 100 East, we had it go into the gully that ends up at the south end of Main Street. We also have an irrigation ditch that ends there. We had some flooding the other day that went into the Swenson home. We have made the culvert bigger and made a ditch to channel the water to go to the culvert that leads into the pond.

The water department is working on the replacement of 12 old water services on Towers Drive. We are doing about 1/2 of the services ourselves and then contracting out the other 1/2. This is so we can hurry and get it completed so we can get the road asphalted before the weather turns cold. We are also doing an overlay on the roads in the subdivision.

The storm water drying beds at the shop are coming along. We are going to be running the sewer lateral for it across the wetlands (we finally received permission from the army corps of engineers) and running into the pump station for the sewer plant. While we are doing the laterals we are going to connect the shops sewer lines to it also, so we can get rid of the holding tanks in the shop.

Matt also reported the sidewalk by the flat bridge is being replaced. The crew is finishing up the landscaping on the property owners where the sidewalk was replaced.

Matt is also having the crews going around checking the storm drain systems and making sure the drains are cleaned out.

The crews are doing a great job and there a lot of projects going and being completed.

13. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook reported they are doing the interviews for the new power employee. He also reported on Solar Power and would invite residents to look into the UMPA Renew Choice for alternative power. We also had the study completed for the solar and what rates to establish for them. Mayor Brailsford asked Clark to write up a paragraph for the newsletter about solar.

Clark also reported they are going to start the tree trimming around town.

14. BRUCE WARD, ENGINEERING

Bruce Ward reported the environmental study on the Bearson Property is in process. The impact fee study for the roads is completed, will be looking into it and then bringing it to council.

15. WADE REYNOLDS, STORM DRAIN/SAFETY COORDINATOR

Wade Reynolds was excused tonight.

COUNCIL REPORTS

16. MAYOR RANDY BRAILSFORD

Mayor Brailsford stated the YAM program will be kicking off on Tuesday September 13 at 7:00 p.m. here at the city office. He also wanted to thank Steve Cox and James Thomas for their work on getting the sidewalks completed. He is also very nervous about the water situation, and would ask that all of the city properties to cut water use by 20%.

17. COUNCILPERSON STERLING REES

Councilperson Sterling Rees reported UMPA will be having an open house for the West Valley Power Plant that we purchased. The open house will be Wednesday September 28, and would invite the council and employees to attend.

18. COUNCILPERSON CRISTY SIMONS

Councilperson Cristy Simons turned the time over to the youth council.

Bryan and Mattie from the youth council reported they will be helping out with the YAM program. They also reported in October they will be helping out in the library for the Halloween party. They thanked the Mayor and Council for the support.

Councilperson Simons reported on the Chamber, the Farmers Market is going on in Spanish Fork on Saturday's.

19. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen did not have anything to report at this time.

20. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward reported the women's soccer league has just finished up, it went very well. The girls travel softball league is getting ready to start and then football is going strong.

21. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren reported Western Metals Recycling in Provo, they got rid of their free recycling bins. Recycling is becoming too expensive.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Aaron Cloward to adjourn city council meeting.

SECONDED BY: Councilperson Christy Simons.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:10 p.m.

Jeffrey Nielson, City Recorder