

Minutes of the Salem City Council Meeting held on May 1, 2002 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:35 PM.

CONDUCTING: Mayor Randy A. Brailsford.

PRAYER: Councilman Terry Ficklin.

PLEDGE: Mayor Randy Brailsford.

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilman Reid W. Nelson
Councilman Dale Boman
Councilman Dale R. Wills
Councilman Terry A. Ficklin
Councilwoman Vicki H. Peterson

STAFF PRESENT:

Jeff Nielson, City Recorder
David Johnson, Public Works
Chief Brad James, Police Chief
Junior Baker, City Attorney

OTHERS PRESENT

Roxanna Johnson
John Perrett
Reed Cornaby
Mark Johnson

Trina Johnson
Russell Hutchinson
Phil Porter

1. NORTH SLOPES ANNEXATION

Mayor Brailsford reported that Frank Johnson came into the city office earlier, and stated that they do not want to proceed with the annexation. Mayor feels we should deny the annexation at this time.

MOTION BY: Councilwoman Vicki Peterson that we deny the annexation of the North Slope.

SECONDED BY: Councilman Reid Nelson

VOTE: All Affirmative (5-0).

2. RANDY OLSEN – SEPTIC TANK APPROVAL at 1352 S. Woodland Hills Dr.

Mayor Brailsford asked if Randy Olsen was present at council meeting. Randy was not, so Mayor wanted Dave Johnson to explain what Randy wanted to do. Dave stated that the lot is on the west side of Woodland Hills Drive, and is outside of the protection zone

for our water well that Sunrise Engineers set up. Mayor Brailsford was wondering if it was above the water tank, and what the slope was. Dave stated that it was above the tank, but the slope would be to the Northwest. It would be a concern if the septic tank was on the East side of the road, which is not allowed, or if the slope would have been to the Northeast. Mayor Brailsford stated that if the sewer line ever comes within 1000 feet Randy would be required to hook on to it.

Randy Olsen has about 3.6 acres of land that he wants to build his home on. The area is zoned as an A1, which requires a person to have 5 acres of land to build a home. This property was 5 acres in the county, but then was divided before the annexation. Randy did bring in proof stating that the split was recorded before the annexation accrued. The question was asked what the next steps would be for Randy Olsen. If the septic tank is approved, Randy would need to bring in a letter to be signed, which he would then take to the county health department, to get their okay. He would then need to go to the board of adjustments to see if it would be okay for him to build a home on a lot smaller than 5 acres.

Councilman Wills was concerned that if we allow him to build then what will stop other people from wanting to build up there. It was mentioned that if someone wanted to build they would probably have to split a lot, which may be considered a subdivision. This would require them to do a sewer line, which would take care of the septic tank issue.

Mayor Brailsford asked the council what they would like to do. Non of the council denied it, but it would have to be under the conditions that the lot is over 3.6 acres, on the west side of Woodland Hills Drive, gets the county health departments approval, and if a sewer line ever comes in within 1000 feet they would need to hook on to the sewer line.

3. RESOLUTION FOR LAW ENFORCEMENT WEEK

Mayor Brailsford read the resolution on law enforcement week. The week would be May 12th through the 18th. Mayor would like to declare resolution 5102 to be law enforcement week.

MOTION BY: Councilman Reid Nelson to accept resolution 5102 to declare that May 12th through May 18th is Law Enforcement Week.

SECONDED BY: Councilman Terry Ficklin.

VOTE: All Affirmative (5-0).

4. TRAFFIC SCHOOL POLICY

Mayor Brailsford turned the time over to Police Chief James. Chief James thanked the council, and let them know he appreciated the vote on the resolution for Law Enforcement week. Last year Utah had 3 officers that were killed in the line of duty, and he feels we need to acknowledge our police officers.

Chief James stated that we have had a Traffic School Policy for some time now, and we need to make some changes on it. If the council would note, the price has been removed from the policy, and it now reads that the price will be determined by the council. This is so the council can state what the charge would be by a resolution when the price changes. By doing it this way, the policy would not have to be changed each time the price is changed (the current price is \$50.00 for traffic school). It also mentions a court clerk, (Jane Topham is considered to be our court clerk), and it says an individual must have a valid driver license, and proof of insurance when they go to traffic school. By going to traffic school the ticket does not appear on the state record and would not show on their insurance. A person may only attend traffic school once every 2 years, and not every traffic violation is eligible to go to traffic school. It was asked what the 20 dollar charge was for. Chief James said that it was an additional charge if someone did not show to traffic school and wanted to sign up for the next class. The class sizes have ranged from 4 up to 25. Officer Dibble has just put the traffic school on a power point presentation and has done a great job with it. Mayor stated that it is a great program.

MOTION BY: Reid Nelson to adopt resolution 5102A, with the change that it is read as a Resolution rather than an ordinance.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

5. BUSINESS LICENSE

a. Gina Griffiths – Internet Provider

Mayor Brailsford stated that everyone that is involved with inspecting the business has gone out to inspect it and reported that it was ok. The business license is only for an internet provider. This business is really in Springville, but the Griffiths wanted to get a license in Salem City, so they could work from home. Mayor asked if the council had any concerns, if not then it will be ok.

6. APPROVE MINUTES OF APRIL 17, 2002

Councilman Dale Wills sated that on line 338, change so it would read “would like to consider a full pad”, rather than “would like a full pad”.

MOTION BY: Councilwoman Vicki Peterson to accept the minutes with said change.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

7. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilwoman Vicki Peterson to approve the bills for payment.

SECONDED BY: Councilman Reid Nelson.

VOTE: All Affirmative (5-0).

8. PUBLIC SAFETY

Mayor Brailsford asked Police Chief James how Mark Goudy, the Fire Chief, was doing. Chief James said that a couple of weeks ago, Mark thought he was having a heart attack. The doctors found out that his pace maker was not working correctly. They have done a lot of tests on him. He is out of the hospital, but will still be having more tests to see what had happened. They are not really sure what caused the problem.

Mayor Brailsford wanted to thank Chief James for the police, and fire, escort that was given for Joe Blackburn's funeral services. They did a great job, and it meant a lot.

Mayor Brailsford also asked if they were still doing the target program for speeding. Chief James stated that they are, and they are trying to be very aggressive with speeders. Next week they will be getting a speed monitor that they will be placing in different areas of town. Councilman Wills was wondering about 400 north, some citizens have put their garbage cans out in the middle of the road with signs stating "Children at Play". Chief James stated that they have put some signs up down there, and they may need to install another one.

Reed Cornaby stated that he has a concern about the company that is doing the work on SR 198. In Spanish Fork the way they have cut the asphalt and left big drop off's; he is concerned about what they will do when they come through Salem. Mayor Brailsford stated that he is also concerned with the company. When they were working down by the pond they left a lot of trash lying around. He also feels they need to let us know what is going on, so we can let the citizens and business know, so they can be prepared.

Mayor Brailsford also had another concern about Canal Road, from 270 East to the Stake Center, and how narrow it is, we are going to have some kid hurt up there, especially with the new ball field near by. We need to find out who owns that property and see if we can buy it from them so we can widen that road. Attorney Baker suggested that when we do get that land, we need to look at getting rid of the little jog in the road. The mayor asked Dave Johnson to see what he could do.

9. OPEN DISCUSSION

Russell Hutchinson came in to talk to the council about the new water rates. He feels he is not being treated fairly. Back in 1994 he was cited for his yard being a nuisance, so he

and his neighbors have spent a lot of time working on it, and getting it to be a nicer place. He feels that with the new water rates he will not be able to afford to water the lawn, so he does not want the police to come by and give him another nuisance citation, because the grass is burning up. Mayor Brailsford explained to Russell that we had to have the new rates because we need residents to conserve water. We also need the money to pay for the power to pump the water because the cost of power has gone up (400%) from last year. Russell also stated that about 10 years ago the city convinced him to go to electric heating, and he has had to really cut back on electric usage. Mayor explained to him that those residents that went to the “all power” were given a discount rate that would be phased out over a 10 year period. Mayor Brailsford also explained to him that there is a group of citizens that make up the Mayor & Council Advisory Board. They looked at the different options and decided on the new water rate. They felt that it was fair and would be the best way to go.

John Perrett also wanted to know about the water rates, and what the process is. The mayor again explained about the cost of power to pump the water. It has gone up because we do not have a lot of water, so the wells are not flowing on their own. He mentioned the Mayor & Council Advisory Board and how they met and had decided on the new water rates. The mayor also mentioned that we are not allowing any new subdivision to be put in; this has been in effect since last fall. There are a lot of wells throughout the area that are going dry. We have always taken water for granted, and we have always figured it would be cheap.

John also asked if we could use the water from the sewer plant for secondary irrigation. Mayor Brailsford mentioned that we would have to purchase a water purification plant, and pay for the power to pump the water back up; it is not feasible at this time. He also mentioned that he has spent some time in Washington DC talking to a lot of people about the CUP water line that is supposed to be coming through. If it comes, we could use it for secondary irrigation.

Reed Cornaby mentioned that we are in a real trying situation. Under normal conditions we have enough water, but the last 4 years have not been normal. If our pumps go out we will not be able to pump water to be able to have a drink.

Russell Hutching was wondering if it would be feasible to have someone come up half way through the month to see how much water he has used. Mayor told Russell to give Jeff Nielson a call and they would try and get someone up there to read his meter.

COUNCIL REPORTS

10. COUNCILWOMAN VICKI H. PETERSON

Councilwoman Peterson mentioned that the city youth council is looking for some service projects to do. It was mentioned that they could help with parks by planting trees

and get some of the new benches in the park. They can work with Councilman Boman for service projects in the parks.

Planning and Zoning will be reviewing the general plan. They are about a month behind, and were hoping the mayor would allow them more time. Mayor Brailsford stated that it would be fine.

The Miss Salem Pageant will be on May 18th. They will need help with taking money, and handing out tickets. It was suggested we need to look into selling tickets before hand at the city office. Maybe we can give some kind of discount to people who buy early. It might be a little late this year but we will look into it for next year. It was suggested we could also look at having some of the older City Youth Council take tickets and money.

11. COUNCILMAN DALE R. WILLS

Councilman Wills was wondering about the study that Sunrise is going to do for us on our springs. The last he heard is that they were not sure if they would be responsible for any hazardous material. It was mentioned that they did state that they would be responsible for any hazardous material. Dave Johnson has given it to the mayor to review. We really should have them look at the clay wall at Water Canyon and see how we could make that a better water collection area. We need to try and find out who did the work for us back when we did the clay wall; it would have been back in 1990-1991.

Mayor Brailsford mentioned that the artesian well is flowing a little bit now.

Councilman Wills was wondering if we go with the regional sewer plant, can we look at doing a lagoon plant like ours. It was stated that a couple of problems with having lagoon system for a regional sewer plant is the price of the land; it would have to have a lot of lagoons. Also a purification plant would have to be put in place. With the regional sewer plant, it would not take up that much land, and it would also treat the water better than what the lagoon system could.

Councilman Wills stated that Councilman Boman had approached him with a question and he was not sure if it was a road or a park issue. He was wondering about the fence over the pond along the highway. Could we get rid of the chain link fence there, and put up a nicer fence. We would like to have the pond look as nice as possible, especially since a lot of people travel on the highway that are not from Salem. He thought that since they are redoing the highway, it would be a great opportunity to do something there. The problem we have is that we would have a lot more vandalism. It is also a safety issue. Even though the chain link is not that attractive, it serves the purpose. We are also not sure if the state has special requirements, since they are the ones redoing the road, and they own where the fence would go. A nice fence would look good but we also need to be realistic. What we can do is talk to the state, see if they have any restrictions. Get some ideas of what we would want and how much it would cost. Then come to the council with some ideas.

12. COUNCILMAN TERRY A. FICKLIN

Nothing to report at this time.

13. COUNCILMAN REID W. NELSON

Councilman Nelson reported that we are trying to get a time together that we can work with Strawberry to figure out the costs of the Arrow Head Substation.

UMPA is also working with us to see if we could put a SCADA system in for the power department. It would help us to determine, when we have a power outage, the location of the problem. We would like to put it on our substation right now, and then work on other area's. The cost would be about \$13,000 and about 5 days of labor.

The power department has been doing a lot of projects in town, and has been working at the new ball field.

The Dry Creek Substation is coming along, but we are not sure if we will be hitting the May 13th deadline. We have run into a few obstacles. We wanted to be up and going. Also UMPA is supplying Springville with some of its power.

The UMPA BBQ is going to be in Salem this year. It will be in August, and we are still looking at a couple of different dates, and we will let the council know when we have chosen one.

14. COUNCILMAN DALE BOMAN

Councilman Boman requested some ideas on a couple of situations. Someone that is helping with Salem Days spent a large amount over their budget. They got color copies that are 1.05 a piece. They did get a P.O. but did not mention that they wanted color copies. The Copy Shack asked them a couple of times if they were sure they wanted color copies. It was suggested that we make sure Jeff Nielson gets a copy of the budget for Salem Days, and what each event has to spend. Next we need to make sure that the person that got the copies is able to get a lot of donations to help pay for them. The other situation is question is the Memorial Day ceremony. The person in charge of the armed forces was wondering if they could do their portion at 9:00 AM instead of at 8:00 AM. We have already advertised that it would start at 8:00 AM. It was stated that since we have already set the time, that we need to call them to let them know they need to come at 8:00 AM.

The bike path now has the white line painted on it. The mayor was wondering when the rumble strip would be put in. It needs to be on the outside of the white line, closest to the traffic side of the road. We also need to get the stencils painted stating it is a bike path, along with the signs that state "No Parking". It was questioned if the no parking would

be for a certain period of time. A couple of concerns were brought up; will we allow people to park there when school is out for the summer, or if we will not allow any parking at all. For now lets get the rumble strip in, then worry about the signs to decide when we will not allow people to park there, if at all.

Councilman Boman asked about renaming the park, during Salem Days, to Blackburn Park, after Joe. Councilman Nelson said that Joe was a great guy, with all due respect, but we have a lot of great people in Salem that we could name things after. We have to be careful about doing things like this. It was mentioned that we could do a plaque and place it by the memorial, or somewhere else in the city, for Joe.

15. DAVE JOHNSON, PUBLIC WORKS DIRECTOR

Dave Johnson stated that the church next to the city office is getting ready to do asphalt sealing on their part of the parking lot, and were wondering if we wanted our portion done at the same time. Mayor Brailsford thought that with the agreement we have with them, they are in charge of any up keep of the parking lot. We are only responsible for the snow removal. We need to find the agreement we have with the church on this. Councilman Wills wanted to make sure Todd Gordon was aware of this.

Dave would also like some more of the camera work done on some of the sewer lines. He has talked with Val Kotter about some of the work, and is estimating it would cost about \$12,000. The original bid on the sewer project was for \$119,000, that amount has been decreased. We could use the extra money for the extra camera work. Mayor Brailsford told Dave to get some figures together, and sites where he would like done, and then have it on the agenda for next council meeting.

Dave mentioned that John Curtis would like to extend the curb and gutter by his home (195 W. 100 S.). Before he does it, the city used to pay for the surveying, do we still want to do that? Mayor Brailsford mentioned that we need to see what the master plan states as far as what we want done in that area. Dave mentioned that if he does do it, that we would have him match up on the other side of the road. It would leave a planter strip of about 7 feet, but would still give enough room to park. We need to get with Councilman Wills and Chief James to make sure that it will line up and work. It was asked if we could get a Special Improvement District to look at it. If we do get a Special Improvement District, it would cost a lot of money, and we would have them do a lot more of the city for the cost. Dave mentioned, as far as John Curtis is concerned, Dave will get a hold of the master plan to see what it requires, then get with Berry from Cole's Surveying.

Dave mentioned that Robert Nelson was wondering about the curb and gutter in front of the Dietz home, between his new subdivision and the new ball park. Dave thought that something was stated in last council meeting that it could not be done, but was not sure. The cost would be about \$2,500, and Gordon Brothers stated that they can do it for the same price as what they are doing the ball park for. Robert Nelson may also be helping

with the asphalt. Councilman Wills stated that we need to do it for safety purposes, especially since it is right by the new ball park. The council all agreed that it would be a safety issue.

16. ATTORNEY S. JUNIOR BAKER.

Did not have anything at this time.

17. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford talked about his trip to Washington D.C., with Richard Heaps from Spanish Fork, to discuss some issues on CUP. Mayor Brailsford stated that when he got there, he was amazed by how many of the congress and senators from Utah knew about the 10 cities mayor group.

Mayor Brailsford then went on to state that they thought that the Department of Interior would be the department to give them problems, it was just the opposite. Jason Dieter from the Department of Interior met with them. Jason was very concerned about what has been going on with the CUP issues. After their meeting that day, Jason wanted to have them come back in the morning to continue. (Strawberry Water was also in most of the meetings with us).

During the hearing, when Mayor Brailsford was giving his testimony, he sat next to Don Christiansen, and a Councilwoman from West Valley there to state why the water should go to Salt Lake City area. Mayor Brailsford was very pleased with how his testimony went. After the hearing, Mayor Brailsford and Richard also met with Congressman Cannon, Senator Hatch, and Senator Hansen's liaisons. They are all concerned about what is going on. The mayor still has not heard from Senator Bennett. Congressman Matheson also spent about a half hour with them. He is also concerned, and stated that what is being done to us is not right. They spent a lot of time chasing from one person to another, but they were all very good meetings.

The night of the hearing, Mayor Brailsford and Richard were invited to eat dinner with Strawberry, Don Christiansen, a representative from Congressman Cannon, and Ron Johnston. During Dinner, Ron Johnston stated that the cities (South Utah County) will be getting the pipeline, and the cities will be getting their water. This was said in front of all those were at dinner.

Mayor Brailsford stated that we will be having more meetings with the mayors to work the details out and trying to get a contract in place.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilman Reid Nelson to close city council meeting.

SECONDED BY: Councilman Dale Boman.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 10:25 PM.

Jeffrey Nielson, City Recorder