

Minutes of the Salem City Council Meeting held on January 8, 2003 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:35 pm

**CONDUCTING:** Mayor Randy A. Brailsford.

**PRAYER:** Councilman Dale Wills.

**PLEDGE:** Mark Goudy.

**COUNCIL PRESENT:**

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

**STAFF PRESENT:**

Jeff Nielson, City Recorder  
David Johnson, Public Works  
Junior Baker, City Attorney

Excused from council was Police Chief Brad James, Mayor asked him to attend the Nebo School Board Meeting.

**OTHERS PRESENT**

Mark Goudy  
Tyler Goudy  
Phil Porter  
Keith Gwin

Tori Goudy  
Brandon Archuleta  
Reed Conraby

Colton Goudy  
Rachael Smith  
Lucy Cornaby

**1. SWEAR IN NEW OFFICERS**

Mayor Brailsford stated that James Ealey is unable to attend tonight due to a family emergency. He invited Chief Mark Goudy to be sworn in.

**a Mark Goudy - Fire Chief**

City Recorder Jeffrey Nielson swore in Mark Goudy as Salem City Fire Chief for another two years.

**b James Ealey - SEMA Captain**

Will be sworn in as SEMA Captain next council meeting.

**2. WENDY CHANDLER & RACHEL SMITH - COMMUNICATION TOWER**

Mayor Brailsford stated that Wendy and Rachel would like to do a wireless internet business, but there were some concerns with the tower they are using. Mayor invited Rachel to let the council know what they would like to do.

Rachel stated that she has a narrow profile tower on the top of her home. The tower is only about an inch and half around, so it is very small. Towards the top of the tower are some small cylinders that transmit the internet signals. Earlier Mayor Brailsford asked Rachel if they were in compliance with FCC rules and regulations. Rachel handed out a packet to the council explaining that she is in compliance. She stated that her frequency falls under the low frequencies category. Every home that has a wireless network runs on the same frequency channel as they do. With the internet, she will be receiving and sending information. She has run into a problem with the ordinance allowing communication towers. Her tower is 40 feet high, including the height of the home. In the R1 Zone, the tower may not be over 30 feet.

Dave Johnson stated that she has put in her application for a business license, but the tower is the reason they can't permit the business license. Rachel stated that she is currently doing some business; she has customers in Salem, Woodland Hills, and Elk Ridge. With those customers, and the potential to reach more customers, height is a big issue. Her home is in South Valley View subdivision, and it is probably one of the highest points in Salem (including the tower). The home is in an excellent place to reach a lot of customers, and could provide the residents of Salem another way to receive high speed internet.

Mayor Brailsford stated that the tower is very small, and she is in compliance with the FCC. Rachel drew on the chalk board the location of the tower, and how it is secured to her roof. Dave Johnson read out of the ordinance, "Communication towers may be permitted in any zone upon the obtaining of a conditional use permit, and complying with the terms thereof". Attorney Baker stated that a conditional use permit would have to go through the process, and before Planning and Zoning, and then back to the council.

Rachel stated that in the worst case scenario she would lower the tower 10 feet, and then put up bridge towers to reach the higher areas. But this would not be cost efficient. It would also hurt the Salem customers, because she could not get a tower up high enough. The problem with wireless internet is it has to be in direct sight with the tower.

Councilman Nelson proposed giving her 90 days, to either go through Planning and Zoning and the process, or to find another option. Mayor told Rachel she will need to contact Becky to get on the Planning and Zoning agenda, and to start the process for the conditional use permit. She will have 90 days as Councilman Nelson stated. Until then she may operate as is.

### **3. BIDS FOR TREATMENT PLANT AERATOR & SAMPLER**

Councilman Ficklin reported that Bruce Ward and Scott Rogers from AQUA Engineering came to work session to go over the different aerators. In order for the sewer treatment plant to be in compliance with the state water board, the city needs to make some adjustments at the treatment plant. One of the engineer's recommendations is to purchase some new aerators to help mix and oxygenate the sewer. This would help the process. They have received bids from three different companies, and reviewed them with city council in work session.

Mayor stated that our current aerators are out dated. When they were purchased the EPA did not have as many restrictions as they do now. In the future, if the cities agree to a regional sewer plant, our current treatment facility would be used as a pretreatment plant. Councilman Ficklin stated that the state is putting a lot of pressure on us, and we need to adhere to the new policies. Some of the old equipment that is still in useable condition will be used to aid in the treatment process.

**MOTION BY:** Councilman Terry Ficklin to proceed with the purchase of the AquaDDM Mixer on the condition of the approval from the State. With 8 units at \$9,370.34 per unit.

**SECONDED BY:** Councilman Reid Nelson.

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

#### **4. BUSINESS LICENSE**

##### **a. EDWARD PAXTON - Invent & Patent Items To Be Sold Over Internet**

Mayor stated that Edward Paxton, on 556 North 320 East, would like to have a business license to invent and patent items over the internet. Everyone has signed off on the application. The mayor and council felt it would not be a problem.

#### **5. APPROVE MINUTES OF DECEMBER 11, 2002**

**MOTION BY:** Councilwoman Vicki Peterson to approve the minutes of December 11, 2002 as written.

**SECONDED BY:** Councilman Dale Boman.

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

#### **6. APPROVE MINUTES OF GENERAL PLAN WORK SESSION**

**MOTION BY:** Councilman Reid Nelson to approve the minutes of the work session as written.

**SECONDED BY:** Councilman Terry Ficklin.

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

## **7. APPROVE BILLS FOR PAYMENT**

Councilman Nelson was wondering about the invoice for glasses for an employee. It was reported that they were safety glasses that the employee is required to wear.

**MOTION BY:** Councilman Reid Nelson to approve the bills for payment.

**SECONDED BY:** Councilwoman Vicki Peterson.

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

## **8. OPEN DISCUSSION**

Reed Cornaby had a question about the aerators at the sewer treatment plant. He wondered if the city had the money to purchase them. Mayor told him that the city did have money at the state treasure savings account, and then Elk Ridge would be paying for their 18%. Reed also wanted to thank the city for the lights on the pond and the candle lights at the cemetery.

## **COUNCIL REPORTS**

### **9. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford stated that he received a letter from the State Auditor stating that the budget we turned in was in compliance. This morning in department head meeting, he reported that he is concerned about the budget, and that purchases should be looked at as needs verses wants. When December books are closed out, he will be going over the budget with Jeff.

On January 25, the mayor has scheduled a special work session to be held at the Lion's Club. He is having Planning and Zoning attend, along with some of the employees. The meeting is a public meeting and has to be noticed. It will start at 8:30 AM. He would like Planning and Zoning to meet first to talk about some of the different ordinances, (signs, landscaping, apartments, setbacks on corners, etc.) Councilwoman Peterson stated that Planning and Zoning has already met this month, but they would be willing to meet one more time if they needed to. Mayor told Dave Johnson that when he is inspecting homes, if he sees a home that looks as if it they have an apartment in the future, he needs to send a letter to them stating the ordinance. This could however; change after the work session.

There will be a meeting January 16, 2003, at Spanish Fork Fair Grounds, to talk about the Salt Water River project. The meeting is for local mayors, council, and Strawberry Water. Attorney Baker stated that he heard the Interior of the State would not allow another Salt River Water District. Mayor Brailsford told Strawberry Water that if the Interior would not approve it, then the cities would pull out of the project. He is hoping to involve the Interior from the beginning, hoping that would soften them a bit. He would like to have the council be there if possible.

On February 4, there will be training for employees. The Training is for dealing with irate customers, and customer service. The council is welcome to come and attend if they would like.

Mayor left council chambers at 8:34 pm to talk to Police Chief Brad James.

#### **10. COUNCILMAN REID W. NELSON**

Councilman Nelson reported that Richard Judd, COO, from UMPA will be retiring. His position has been advertised. He has done a great job for UMPA and the cities.

Reminded the council of the February meeting that UMPA holds in St. George.

Councilman Nelson stated that the power department is looking at getting some power poles. Darrell Miller has received 3 bids. The 1<sup>st</sup> is from Royal Utility Supply for \$9750, 2<sup>nd</sup> is from McFarland Cascade for \$10,192, and the 3<sup>rd</sup> is from North Pacific Lumber Co. for \$9,850. They are wooden poles, and we would split a load with Strawberry to help with cost of shipping. The question was asked why wood and not metal poles. Councilman Nelson explained that it is a personal preference, Darrell prefers to have wood. One of the reasons is that if they are working on a line, and have the bucket truck in use, and need to go to another pole, the line person can climb up the wood pole a lot easier. The life of the metal pole would probably be longer, but they have not been around long enough to see how long they would last.

**MOTION BY:** Councilman Reid Nelson to approve the Royal Utility Supply bid on the power poles for \$9,750.

**SECONDED BY:** Councilman Dale Wills.

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

The Power department is also working with UMPA for a SCADA System for the power lines and substations.

#### **11. COUNCILMAN DALE BOMAN**

Thanked the city for the Christmas trees on the pond.

Mayor returned to council chambers at 8:42 pm.

Mayor asked Police Chief James if he would report on the Nebo Board Meeting. Chief Brad James reported that the Nebo School Board met tonight to make a decision on the two proposals for the Schools in Salem. The 1<sup>st</sup> proposal was to have all of the kids from Salem, currently attending Mount Loafer Elementary, that live above the canal, walk down 100 East to Salem Elementary. The 2<sup>nd</sup> proposal was to have the kids that are currently being bussed to Mount Loafer School from Woodland Hills, to bus them to Salem Elementary. The board voted unanimously to have the Woodland Hills kids bussed to Salem Elementary. They also awarded the bid to Weslan Construction to add onto Salem Elementary School.

## **12. COUNCILWOMAN VICKI H. PETERSON**

The Miss Salem Pageant is coming up. The dates have been changed. The first date had a conflict with the Young Woman Conference for the LDS Church, but the new date is now during General Conference for the LDS Church.

Thanked the youth council; they did a great job with the luminaries at the cemetery. They came on Christmas Eve day; there were about 24 that helped.

Planning and zoning talked about the home occupation ordinance, no one there really wanted to address it at this time.

## **13. COUNCILMAN DALE R. WILLS**

Councilman Wills reported that the bids for the work on the springs are due back on the 23<sup>rd</sup> of January. He is wondering if the council could award the bids on the 25<sup>th</sup> of January during the work session. Mayor Brailsford stated that it could be on the agenda very first.

## **14. COUNCILMAN TERRY FICKLIN**

Councilman Terry Ficklin reported that at the sewer treatment plant, we have an on going problem with the chlorination pumps. In the past we have had 3 pumps; one would be in use and have the other two for back up. Right now we only have one that is workable. In the last month two of them have broken down. He would like to purchase two pumps so we would be prepared. The costs for the pumps are about \$900 each.

**MOTION BY:** Councilman Terry Ficklin to authorize the purchase of two more chlorination pumps for the sewer treatment plant.

**SECONDED BY:** Councilman Dale Boman.

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

Another problem the plant is having is the influent pump, right now there are three of them that are manually rotated to get the same use. When the flow is more than what the one pump can handle, then the second pump is automatically started to control the flow and same with the third pump. As normal maintenance, Jerry would like to replace one of the pumps. He will need to get some bids, and then it can be put on the agenda.

Councilman Ficklin has met with a company out of Salt Lake regarding generators. The company will come out and test the generator at the treatment plant for a load test, and to also certify it. The sewer plant generator has never had a load test done. It is 15 years old, and only has 1900 hours on it. The generator is in good condition, and is fired up on a weekly basis. He feels it would be good to have them come and do a load test and certify the generator. He will contact them to get some prices.

#### **15. ATTORNEY S. JUNIOR BAKER**

Attorney Baker wanted to make sure that the council received the General Plan with the changes on it. The public hearing will be next council meeting.

#### **16. CLOSE CITY COUNCIL MEETING**

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

**SECONDED BY:** Councilman Terry Ficklin.

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

**MEETING ADJOURNED AT:** 9:00 pm

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Jeffrey Nielson, City Recorder