

Minutes of the Salem City Council Meeting held on June 18, 2003 in the Salem City Council Chambers.

**MEETING CONVENED AT:** 7:30 PM

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

**PRAYER:** Attorney Junior Baker.

**PLEDGE:** Mayor Randy A. Brailsford

**COUNCIL PRESENT:**

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

**STAFF PRESENT:**

Jeff Nielson, City Recorder  
Junior Baker, City Attorney

**Excused From Council Meeting**

Councilman Terry A. Ficklin  
David Johnson, Public Works  
Chief Brad James, Police Chief

**OTHERS PRESENT**

Greg Magleby

Mike Christiansen

**1. PUBLIC HEARING**

Mayor Brailsford asked for a motion to open the public hearing.

**MOTION BY:** Councilwoman Vicki Peterson to open the public hearing.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (4-0).

**A. AMEND BUDGET FOR 2002 – 2003**

Mayor Brailsford turned the time over to Jeff Nielson. Jeff explained that during the prior council meeting he told the council that changes would need to be made to the general fund of the budget, to make sure it balances. Prior to council meeting Jeff gave the council a copy of the amended budget for the general fund.

B. WATER IMPACT FEE

Mayor Brailsford turned the time over to Attorney Baker. Attorney Baker explained that with the impact study that LEI conducted, the amounts were between \$3,500 and \$4,500. Mayor asked if there were any questions from the public or council. There were no questions. Mayor Brailsford told the council that Councilman Ficklin told him he was ok with the \$3,800.

C. ZONE CHANGE FOR LARRY STONE

Mayor Brailsford stated that at a previous council meeting the council passed the zone change for Larry Stone, but the item was not on as a public hearing. So this item was on the agenda again, but this time as a public hearing.

**CLOSE PUBLIC HEARINIG**

**MOTION BY:** Councilman Dale Boman to close the public hearing.

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (4-0).

A. AMEND BUDGET FOR 2002 – 2003

Mayor Brailsford asked for a motion on the amended budget.

**MOTION BY:** Councilman Dale Wills to accept the amended budget for 2002/2003.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (4-0).

B. WATER IMPACT FEE

Attorney Baker stated that the ordinance was written with the amount of \$3,800, if the council decides to changes it, then he would change the amount in the ordinance. Councilman Wills stated he does not want to stop growth, but he knows the fee needs to change, he feels comfortable with \$3,500.

**MOTION BY:** Councilman Dale Wills to accept Ordinance 61803 to change the water impact fee amount to \$3,500.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (4-0).

Councilwoman Vicki Peterson had a question on the motion. What is the difference between \$3,500 and \$3,800? What is the difference in the

deficit amount, how much sooner would the \$3,800 get us out of a deficit. LEI Engineers stated that by going with the \$3,500 it would take about an additional year to get out of the deficit. Councilman Nelson had a concern that at the end of the time frame, when the last infrastructure is put in, that we would have extra money by going with the \$3,800. It is better to show that we are not going to have extra money in the end. Mayor Brailsford stated Councilman Nelson had a good point.

Mayor asked for another motion for the water impact fee ordinance.

**MOTION BY:** Councilman Dale Wills to accept Ordinance 61803 to change the water impact fee amount to \$3,500.

**SECONDED BY:** Councilman Reid Nelson.

**VOTE:** All Affirmative (4-0).

C. ZONE CHANGE FOR LARRY STONE

Mayor Brailsford asked for a motion for the zone change for Larry Stone.

**MOTION BY:** Councilman Dale Boman to accept the zone change for Larry Stone

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (4-0).

**2. APPROVE FINAL BUDGET FOR 2003 - 2004**

Mayor read the total budget for 2003/2004 was \$4,984,478 an increase of \$302,395 from last year.

**MOTION BY:** Councilman Reid Nelson to approve the final budget for 2003/2004

**SECONDED BY:** Councilwoman Vicki Peterson.

**VOTE:** All Affirmative (4-0).

**3. APPROVE MINUTES OF JUNE 4, 2003.**

**MOTION BY:** Councilwoman Vicki Peterson to approve the minutes as written.

**SECONDED BY:** Councilman Dale Wills.

**VOTE:** All Affirmative (4-0).

#### **4. APPROVE BILLS FOR PAYMENT**

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

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (4-0).

#### **5. PUBLIC SAFETY**

Mayor Brailsford stated that Chief James and Dave Johnson were not present at council meeting tonight.

#### **COUNCIL REPORTS**

##### **6. MAYOR RANDY A. BRAILSFORD**

Mayor Brailsford wanted to ask the council for their opinion. He has not used the Mayor Advisory Board for a while. The recreation board keeps falling apart. He is thinking about changing the Mayors Advisory Board to the City Advisory Board. He could have them look at different issues in the city. For the recreation, there would be a committee for each program (i.e. a baseball committee, soccer committee, etc.). Gary Warner (recreation director) would be the liaison between the recreation committee's and the City Advisory Board. The board would then look at the whole picture. Councilman Nelson stated it sounds like it is a good idea; but he would like to think about it more. He would also like to look at getting a power committee put together. Mayor Brailsford feels he does not use the board enough, so people lose interest. He feels this would help keep the boards more active. He would like the council members to think about this.

Fire Chief Todd Miles stated he has four guys that need new turn outs for fire dept. Mayor asked if they are on a rotation for turn outs. Todd stated that they will be, in the past the rotation has not been that good. The cost would be \$3,946.

**MOTION BY:** Councilman Reid Nelson to approve the new turnouts for the fire department for the price of \$3,946.

**SECONDED BY:** Councilman Dale Wills.

**VOTE:** All Affirmative (4-0).

##### **7. COUNCILMAN REID W. NELSON**

###### **A. PURCHASE OF VEHICLES FOR WATER & PARKS DEPTS.**

It has been a long time since the water or parks have had a new vehicle. Councilman Nelson had a couple of questions, if we approve them now, can it come out of next years budget and also how much money do we have up at the

state treasure if we need help for these then put the money back up as the year goes on. Jeff Nielson stated that yes we can have it come out of next years budget, and there is \$40,000 up at the state treasure. Councilman Nelson stated that the council talked about the new trucks in work session.

**MOTION BY:** Councilman Reid Nelson to approve the purchase of two trucks for the water and parks department. One  $\frac{3}{4}$  ton for the total price of \$20,214.25 and  $\frac{1}{2}$  ton for \$18,010.08.

**SECONDED BY:** Councilman Vicki Peterson.

**VOTE:** All Affirmative (4-0).

## **8. COUNCILMAN DALE BOMAN**

Councilman Boman mentioned, for Salem Days, there are people asking about doing a softball tournament on the Saturday of the parade. Mayor felt that it would be hard for the public safety to cover the tournament also. The other problem is that we have barely enough room for the residents of Salem to attend the pageant and fireworks. If we get people from out of town, it might not leave room for our residents. Mayor feels they should have it a week earlier. He also feels that Councilman Boman should work with Gary Warner.

## **9. COUNCILWOMAN VICKI H. PETERSON**

Councilwoman Vicki Peterson stated that windows and blinds were cleaned today in the city office.

## **10. COUNCILMAN DALE R. WILLS**

Councilman Wills did not have anything to report tonight.

## **11. ATTORNEY S. JUNIOR BAKER.**

Attorney Baker stated that Dave Johnson and he have met with Robert Nelson regarding the ordinance on affordable housing. Robert had a couple of changes that he would like to see made. Attorney Baker told him the changes would have to go through DRC, Planning and Zoning, and a public hearing with city council. Some of the changes he is thinking about are with landscaping; allowing a smaller tree, making sure a sprinkler system is installed along with sod. A cash bond would be put up for the landscaping, then when finished the refund would go back to the homeowner. Mayor Brailsford felt that we should make the bond more, that way it would be an incentive for the home owner to complete the landscaping. The problem we are having is that the landscaping is not being completed. Councilman Wills was wondering who would put the bond up;

would it be the contractor, or the owner. Attorney Baker stated that whoever sets up the building permit would be responsible for the bond at the same time. Councilman Nelson asked if it is the responsibility of the contractor to put the landscaping in. Attorney Baker told him not all the time, sometimes it is put in after which makes it the home owners responsibility. Mayor Brailsford stated that the buyer needs to be aware that the landscaping needs to be done when they get the building permit, or sign up for utility. We can give them a check list stating what we require.

Councilman Wills agreed with the Mayor about increasing the bond amount, to give them an incentive to finish the landscaping. He also feels that with these types of homes, the home owner may not have enough money to put up a bond, and also finish the landscaping. Mayor Brailsford felt that if the home is done between the months of May and October that a final inspection would not be done until the landscaping is completed. The question from the council is who we make responsible for the bond. Councilman Nelson feels that who ever gets the building permit should be responsible for the bond. Mayor Brailsford stated that when the council made this ordinance it was to protect the neighbors; the responsibility should be back on the builder of the home. The landscaping needs to be complete before a final inspection, if done between May and October. If it is done between October and May, then they have sixty days from the end of April to have the landscaping done. Councilman Wills thinks the bond should be \$1,800 rather than \$1,500. Attorney Baker stated that he will take the ideas back and work on the ordinance.

## **CLOSE CITY COUNCIL MEETING**

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

**SECONDED BY:** Councilman Dale Boman.

**VOTE:** All Affirmative (4-0).

**MEETING ADJOURNED AT:** 8:25 PM.

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Jeffrey Nielson, City Recorder