

Minutes of the Salem City Council Meeting held on June 1, 2005 in the Salem City Council Chambers.

MEETING CONVENED AT: 7:30 p.m.

CONDUCTING: Mayor Randy A. Brailsford.

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Lynn Durrant
Councilperson Dale Boman
Councilperson Dale R. Wills
Councilperson Stanley W. Green

STAFF PRESENT:

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

Excused from Council Meeting:

Councilperson Terry A. Ficklin

OTHERS PRESENT

Sean Catherall
Fred Taylor
Reed Cornaby

Steve Carter
Cheryl Taylor
Lucy Cornaby

Lane Hendersen
Norman Smith

Mayor Brailsford welcomed everyone to council meeting. He stated that he previously sent the water department up Water Canyon to check on the springs and to make sure everything is okay. They stated that everything looked good. There was a boulder that had fallen and knocked over a tree. Other than that they did not see any problems, and stated that the springs are up. Mayor Brailsford said that right now he does not see any danger of flooding in the mountains, but that there always is the possibility of having problems with the canal. He will watch it, especially if there is a large amount of rainfall.

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Brailsford invited those who would wish to participate, to stand and say the pledge of allegiance. He then led the pledge of allegiance for those who wanted to participate.

3. PRESENTATION TO FRED & CHERYL TAYLOR

Mayor Brailsford welcomed Fred and Cheryl Taylor, and asked them to approach the council. He stated that both Fred and Cheryl have just returned home from Afghanistan, around the middle of April. He explained to everybody about the flags around the entrance to the building. He stated that they used to all be out front by the flower bed, but when a soldier from Salem came home their flag was moved over to the other side. We are glad to see that all the flags are by the entrance now. Fred and Cheryl were the last two. He presented them with a flag that had been flying in their name, and wanted to thank them on behalf of the city and council. He stated that the city is very proud of them and thanked them for their service. He asked them if they wanted to say anything. Cheryl stated that they were just shy of being gone for a full year. She stated that Fred was in charge of the food service, and she was helping to load the helicopters. Fred stated that one thing that you do not hear on the news is how thankful the people over there are that the Americans are there.

4. PUBLIC HEARING

Open

MOTION BY: Councilperson Stanley Green to open the public hearing.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

1. Approve the Preliminary Budget for Fiscal Year 2005 – 2006 and Amend Budget for Fiscal Year 2004 – 2005.

Mayor Brailsford turned the time over to Jeff Nielson to explain the preliminary budget for fiscal year 2005 - 2006. Jeff explained to the council that he has given them the preliminary budget and asked if they had any questions on it. Mayor Brailsford stated that this year's total budget is \$5,970,258 an increase of \$416,818 from last year. He then went over the city's debt service: 1. Water Revenue Bond Series 1991, 4% interest, present balance \$185,000, paid off in the year 2012. 2. G.O. Sewer Bond series 1992, 5.86% interest, present balance \$111,930, paid off in the year 2006. 3. G.O. Sewer Bond series 1993, 0% interest, present balance \$102,000, paid off in the year 2008. 4. Sewer Revenue bond series 1994, 2% interest, present balance \$155,000, paid off in the year 2013. 5. G.O. Refinancing Water Bond series 2004, 3.58% interest, present balance \$3,082,075, paid off in the year 2016. 6. Water Revenue Bond series

1996A, 0% interest, present balance \$180,000, paid off in the year 2017. 7. Electric Revenue Bond series 2000, 5.43% interest, present balance \$770,000, paid off in the year 2010. 8. Excise Tax Revenue Bond series 2002, 5.25% interest, present balance \$704,000, paid off in the year 2020. 9. New Fire Truck series 2004, 3.04% interest, present balance \$115,346.71, paid off in the year 2011. He stated that the total balance on Principle is \$5,398,421.71 and total interest is \$1,170,224.72 for a total of \$6,568,646.43. He asked if there were any question on the budget.

Lane Hendersen asked what the increase was from the prior year. Mayor Brailsford stated that it was \$416,818. Councilperson Lynn Durrant asked if the money for a new police officer was in the budget. Mayor Brailsford stated that the money was taken out, until we can get more revenue. He stated that if the batch plant comes in, that the sales tax should be enough to help out with a new officer, but we will wait and see. He asked if there were any other questions.

He then asked Jeff Nielson to explain the amended budget for fiscal year 2004 – 2005. Jeff asked the council if he could recommend tabling this item until next council. The reasoning is because he would have the month of May closed out, and would give him a better idea of where the budget stands for the current year.

Close

MOTION BY: Councilperson Dale Boman to close the public hearing.

SECONDED BY: Councilperson Dale Wills.

VOTE: All Affirmative (4-0).

1. Approve the Preliminary Budget for Fiscal Year 2005 – 2006 and Amend Budget for Fiscal Year 2004 – 2005.

MOTION BY: Councilperson Lynn Durrant to approve the preliminary budget for fiscal year 2005-2006 with an amount of \$5,970,258.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

Mayor Brailsford stated that there has been a request to table the amending budget for fiscal year 2004 – 2005 until next council meeting.

MOTION BY: Councilperson Stanley Green to table amending budget for fiscal year 2004 – 2005 until next council meeting when more information will be available.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

5. HIGHLAND HOMES – PRELIMINARY SUBDIVISION APPROVAL AT 750 E. 600 S.

Mayor Brailsford turned the time over to Joel Harris, who is one of the representatives of Highland Homes. Joel stated that he is here tonight to ask for approval for 39 homes, in a 3 cul-de-sac subdivision. The subdivision will be just south of the new elementary school. Councilperson Wills mentioned that he is concerned with the number of homes in the area and if there is going to be enough access roads. He was wondering about the property to the east, the Warren property, and have they contacted Mr. Warren about another access. Joel stated that they do have access on other roads, and explained that they have talked to Warrens, and they are not willing to work with anybody right now, so having an access is not possible at this time. He feels that with the two accesses, one on 600 South and the other on 820 South, there will be enough access. The question was brought up about the depth of the cul-de-sac. Joel stated that according to the city's current ordinance they meet the requirements. From the start of the radius, the cul-de-sac is less than the 400 feet, which is the maximum amount required. The question came up; if there was an emergency and an evacuation had to happen, would the access road be able to handle the traffic, especially with Steve Dewey's subdivision to the north. Joel explained again that they would have two accesses out of the area. Councilperson Green stated that the access was a big concern at first, but knowing there will be two roads for access, the concern is not as big. The question was asked about 820 South and having it attach to Woodland Hills Drive. There has been a concern from the county of having access roads attached to woodland Hills drive. Joel asked to turn the time over to Ron Paul, an engineer from LEI who has been working on the subdivision. Ron stated that he has done some conceptual ideas of how to connect to Woodland Hills Drive. Mayor Brailsford stated that the council would like to have a letter from the county, preferably from Mr. Naylor, stating that the county is okay with 820 South connecting to Woodland Hills Drive. Ron stated that he has talked with John McMullin from the county, and they discussed options of hooking 820 South and 600 South to Woodland Hills Drive. The county's biggest concern is they do not want driveways connecting to Woodland Hills Drive. They also did not have a problem with 820 South as long as there was an engineer backing the design up. There was also talk about 820 South could be moved to the north more and be closer to 600 South. Again the county told them that they were okay with the design as long as there was an engineer backing the process. Mayor Brailsford told the council that they need to think about a master road plan for the area and at the same time think about making a frontage road along Woodland Hills Drive. He also suggested to Ron that when they do the design to involve public safety to get their input on the design of the road. Mayor Brailsford stated that Planning and Zoning denied the subdivision depending on a traffic study to be done. Joel stated that they have a study done by PEC (Project Engineering Consultants). He stated the council should have received a copy of the letter. Mayor Brailsford asked if there were any questions. Police Chief James stated that he likes the idea of having another access into the school. Councilperson Wills was wondering what the first phase would be. Joel stated that they would start on the south end where the sewer access is. He stated that whatever the first phase is, they would have to connect 820 South to 600 South with 750 East. So 750 East

will be completed with the first phase. It was stated that could be one of the conditions. Councilperson Wills stated he felt that his questions and concerns have been answered.

MOTION BY: Councilperson Wills to approve the preliminary subdivision for Highland Homes located at 750 East 600 South, with the conditions that DRC placed on May 4:

1. **Comments from April 25, 2005 Letter:** Items 7, 8, 12, & 13 are in process and can be finalized during the final plat phase.
2. **Street Location & Layout:** All street lights are to be located behind the back of the sidewalk. Additional streets lights need to be added as follows:
 - a. (3 Street Lights) 1 additional street light between the intersection of 750 East and each cul-de-sac.
 - b. (1 Street Light) Add a streetlight between lots 135 & 136 along 820 South.
3. **Valve Location & Layout:** Two (2) culinary water and pressurized irrigation valves are required at each “tee” in the main lines. I.e. two valves are required at each intersection on each mainline. In addition, valves are required to be placed on property lines.
4. **Lot 138:** Lot 138 will not be available for sale during Phase II until the turn around is abandoned for a thru street or the turn around is relocated to other property which would require an easement.
5. **Turn Around on 600 South:** The east end of 600 South will require a temporary turn around. The diameter of the turn around shall be 100 feet. This will likely require the temporary loss of one of the lots at this end.
6. **Improvements of 600 South:** Depending on the timing of future phases of Foothill Meadows, the improvements in 600 South will be required to go in with Autumn Hills.
7. **Sewer on 820 South:** The sewer on 820 South should be extended to the property line.
8. **Culinary Water & PI mainline locations:** The water mains in the road cross section indicate they will be located on the north and east. The main lines on the drawing are reversed and need to be fixed.

The Highline Canal Company will need to approve any piping or re-routing of the irrigation ditch. There is also an old water tank on that property that will need to be taken care of., Planning and Zoning conditions placed on May 11: Traffic study be done, and that 750 East being completed from 800 South to 600 East in the first phase.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

6. MILLIE CANNON – THIMBLE WEED QUILTERS USE OF NEW CIVIC CENTER

Millie Cannon was not present at council meeting.

7. APPROVE AGREEMENT WITH ALLIED WASTE SERVICES

Mayor Brailsford stated that BFI was purchased by Allied Waste. This agreement is to acknowledge that the purchased has been made, and that nothing will change with our contract with BFI.

MOTION BY: Councilperson Stanley Green to approve the agreement with Allied Waste Services.

SECONDED BY: Councilperson Dale Wills.

VOTE: All Affirmative (4-0).

8. APPROVE RESOLUTION ESTABLISHING ELECTRONIC PAYMENT FEES

Attorney Baker stated that when someone pays the city using a credit card, that the bank will charge Salem City a certain percentage of that payment to cover their cost. This resolution allows the city to pass that expense from the bank onto the customer paying by credit card. The city does not have a lot of people using credit cards, but they do receive some.

MOTION BY: Councilperson Lynn Durrant to approve Resolution 60105 Establishing Electronic Payment Fees.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

9. APPROVE RESOLUTION ESTABLISHING NOTARY FEES FOR NON-RESIDENTS

Mayor Brailsford stated that this item does not have to be a resolution, but must be passed by the council. The city office has a few people that are not residents of Salem, who need a notary. The city office feels that they should pay for the notary service. When the notary act is done for an item pertaining to the city, the fee will be waived. But when it is for personal use, the fee will be charged. The amount of the fee would be \$5.00 per document.

MOTION BY: Councilperson Lynn Durrant to approve notary fees for non-residents of \$5.00 per document.

SECONDED BY: Councilperson Dale Boman.

VOTE: All Affirmative (4-0).

10. BUSINESS LICENSE

a. Diana Wilmarth – Medical Legal Consultant

Mayor Brailsford stated that Diana Wilmarth, at 1096 South 480 West, would like to have a business license to work as a medical consultant to attorneys. She will either pick up the work from attorneys or having work Fed X. She is licensed by the state and a medical. The business has been inspected by the necessary people. Chief

James stated that the name of the business had to change per state tax commission. The council did not see a problem with the business.

b. Shelia Hales – Embroidery

Mayor Brailsford stated that Shelia Hales, at 5 West Hazel Drive, has an embroidery business. They have had a business license in the past and then they did not meet the ordinance. He stated that both Chief James and Dave Johnson have okayed the business. They stated that with the current ordinance, they meet all of the conditions, and she stated that they will continue to meet the conditions. The question was asked about the employee's. Chief James stated that they will have one employee at a time there. He stated the way the ordinance reads, they can have up to two employees at a given time, and right now they meet all of the conditions. The council did not see a problem with the business.

11. APPROVE MINUTES OF MAY 18, 2005

MOTION BY: Councilperson Dale Boman to approve the minutes as written.

SECONDED BY: Councilperson Stanley Green.

VOTE: All Affirmative (4-0).

12. APPROVE BILLS FOR PAYMENT

Mayor Brailsford had a question on a couple of Mountainland Supply invoices that he would like to talk over with Todd Gordon before they are paid.

MOTION BY: Councilperson Stanley Green to approve the bills for payment, except the two invoices in question by the mayor.

SECONDED BY: Councilperson Dale Wills.

VOTE: All Affirmative (4-0).

13. PUBLIC SAFETY

Police Chief James stated that Heritage Day went off very well, and with no injuries. He stated that usually when you get animals and people you have some injury. The Triathlon is set for Saturday morning. He stated there are about 400 contestants this year. Travis Snyder (person over the triathlon) has been working with the churches and schools for parking. He is going to close the park so there is no parking there.

Mayor Brailsford wanted to thank Councilperson Dale Boman for planning the Memorial Day ceremony, he was said to see that it was rained out. He stated that he liked the idea of having Jeff Long speak at the 4th of July program; sense he was unable to do his talk at the memorial day.

The mayor stated that the Miss Salem Pageant and Heritage Day both went very well. He would like to send a thank you card to both Abbie Higginson and Reta Tischner for their hard work. He stated at the park activities for Heritage Day, there was a relative of Lyman Curtis. It was great to speak with her and to hear her stories.

14. OPEN DISCUSSION

At this time Mayor Brailsford turned the time over to Nebo School District to talk about the new high school.

Sean Catherall, with MHTN Architects, apologized to the council for not making the work session; he stated there was a mix up in the times. He would like to present to the council the plan for the new high school. He then showed the layout of the area. He stated that the access road connecting to 400 North is still being discussed. The other access will be off of Main Street and SR 198. There will be a fire access road around the school. There is still discussion about a couple of soccer fields to the west, as the Corps of Engineers is claiming that land as wetlands. Steve Carter stated that it has been a battle with the Corps; they are still trying to take more land away from us. He hopes they can get it resolved soon, as the site plans for the school have changed 6 times now because of the wetland issues. Steve mentioned the access onto SR 198, across from 100 West, that UDOT is looking at putting a signal light for that intersection. The question was brought up about Lyman's and Griffiths, would their property be landlocked. Steve stated that they are working with Lyman to work something out. Mayor Brailsford was wondering if he sent a letter to the Corps of Engineers if it would help. Steve felt that it would not hurt. Steve stated that the parking lots have also changed from the idea that is shown on the plan. The question was asked about how many students. Steve stated that it will be able to hold about 1,500 students, with the option of adding on in the future. He stated that Spanish Fork has about 2,000 students. He stated that when the school opens they estimate about 1,200 students.

The mayor and council thanked Steve and Sean for showing them the plans for the new school.

COUNCIL REPORTS

15. MAYOR RANDY A. BRAILSFORD

Mayor Brailsford reported earlier.

16. COUNCILPERSON DALE BOMAN

Councilperson Dale Boman was wondering if the police could go around Knoll Park more at nights. He stated with the warm weather, people are staying there longer, and

they keep getting noisier. He stated he has had a couple of people complain to him, the Callisons and Wilcox's.

17. COUNCILPERSON LYNN DURRANT

Councilperson Lynn Durrant did not have anything to report tonight.

18. COUNCILPERSON TERRY A. FICKLIN

Mayor Brailsford stated that Councilperson Terry Ficklin was excused from council meeting tonight.

19. COUNCILPERSON STANLEY W. GREEN

Councilperson Green did not have anything to report tonight.

Todd Gordon stated that he has told the churches and the schools to stay on the same watering schedule as last year. He also has completed a report to the state showing water usage. He said that it is amazing to look at the last couple of years and to see the water usage, and how the residents have conserved the water usage over the last couple of years.

20. COUNCILPERSON DALE R. WILLS

Councilperson Dale Wills stated that at Harward Irrigation they have a little weather station that monitors the conditions in the air, and measures the moisture content of the ground, to determine if the sprinklers need to come on or not. He stated that the price on them have gone down a lot. They are about \$400 a site. The owner would program in all of the information. He feels that it would be a great investment for the city to purchase one and put it at the new ball park. Mayor Brailsford feels it would also be a great idea, but feels to test it at the cemetery, that way you would not have a lot of kids bugging it. As the city we need to set the example of water conservation. He asked Todd to look into it.

Mayor Brailsford asked if anyone else had anything for tonight.

Reed Cornaby wanted the council to know that Heritage Day was very nice. The cemetery walk was great. Joyce Henderson did a great job, and he would like to have a copy the information she presented. Councilperson Boman stated that he is trying to get a copy and put it on the web page. Reed wanted the council to know that on Memorial Day he went to a lot of cemeteries around the valley. He stated he was very proud of Salem's Cemetery. He stated it was very well maintained. He did notice that the lawns

were a little high, but so were the rest of the cemeteries. He wanted to tell the council that he appreciated it very much.

Mayor Brailsford thanked Reed. He stated that he wished more of the youth would learn about the veterans, and why we have Memorial Day. He stated he feels the schools are going away from teaching patriotism, and how to respect the flag. He feels the schools need to get back to teaching about patriotism.

Mayor Brailsford also mentioned to Chief James about a solar speed limit display, and how he saw one in another city. He feels they might be a good idea to look into someday.

CLOSE CITY COUNCIL MEETING

MOTION BY: Councilperson Stanley Green to close city council meeting.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:45 p.m.

Jeffrey Nielson, City Recorder