

Minutes of the Salem City Council Meeting held on April 20, 2011 in the Salem City Council Chambers.

**Work Session: 6:30 p.m.** Bruce Ward went over the two subdivisions and what DRC and Planning & Zoning recommendations were. He also went over the UBB agreement and the connector's agreement for Lamar Roberts.

**MEETING CONVENED AT:** 7:00 p.m.

**CONDUCTING:** Mayor Jonathan F. Cope

**COUNCIL PRESENT:**

Mayor Jonathan F. Cope  
Councilperson Lynn Durrant  
Councilperson Terry A. Ficklin  
Councilperson Sterling Rees  
Councilperson Sid Jorgensen

**STAFF PRESENT:**

Jeffrey Nielson, Finance/Recorder  
Chief Brad James, Police Chief  
Junior Baker, City Attorney  
David Johnson, Building Dept.  
Bruce Ward, Public Works/Engineer

Excused:  
Councilperson Todd R. Gordon

**OTHERS PRESENT**

Cary Robarge, Cary Hanks, Jolynn Julian, Kylee Vidmar, Shaylie Gordon, Tyler Argyle, Ethan Simons, James Simons, Steve Turner, Josh Parker, Coco Hansen, Sione Wolfgramm, Bayden Brown, Taylor Standifird, Melinda Howlett, Brian Miller, Greg Brindley, Terry Brindley, Calvin Brindley, Lucy Cornaby, J. Reed Cornaby.

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Cope asked if anyone would like to give a motivational or inspirational message. Councilperson Durrant stated she would like to offer a motivational message in the form of a prayer.

**2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Mayor Cope 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. CALVIN BRINDLEY – PRELIMINARY PLAT APPROVAL OF 4-LOT SUBDIVISION LOCATED AT APPROXIMATELY 625 S. 500 E.**

Bruce Ward introduced the project and showed the location of the proposed subdivision on a map. He stated that Calvin Brindley is proposing a four lot subdivision. Three of the lots will be narrower and the fourth will be a bit larger. Lots 1 – 3 are nearly improved because of a safety sidewalk that was installed by a couple of developers to the south. The sewer and water lines are already stubbed in on lots 1 – 3. When lot 4 is developed the sewer line will need to connect to the 600 South sewer line, as discussed in DRC. Also discussed in DRC, was the need for 600 South to have a 48 foot right-a-way which is 36 feet of asphalt and a combination curb, gutter and sidewalk on both sides when lot 4 is developed.

Councilperson Ficklin asked if Greg, Calvin and Terry Brindley, who are brothers, are the ones doing the subdivision. All three were present at council and stated that they are doing the subdivision.

Mayor Cope stated that this subdivision is pretty straight forward. Calvin is hoping to build a home on lot 2.

Mayor Cope asked if there were any questions. There were no questions.

**MOTION BY:** Councilperson Terry Ficklin to approve the Calvin Brindley Preliminary Plat of 4-lot subdivision located at Approximately 625 South 500 East, with the recommendations from DRC (*DRC Motion April 13, 2011: Attorney Baker to recommend approval of the preliminary plat of Brindley Acres located at approximately 625 S. 500 E. with a note that all existing irrigation ditches don't need to be piped at this time and to make sure that they are still able to deliver water to the customers who flood irrigate. Seconded by Mayor Cope; Vote Affirmative, 5-0.*).

**SECONDED BY:** Councilperson Lynn Durrant.

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

Bruce Ward stated that the next step will be to get a final plat approval, which will need to go before DRC and Planning & Zoning.

**4. KENNY PARCELL – PRELIMINARY PLAT APPROVAL OF 3 - LOT SUBDIVISION LOCATED AT 668 E. 600 S.**

Bruce Ward showed the location of the proposed subdivision on a map. He stated that this subdivision is east of the Brindley's proposed subdivision. It is a three lot subdivision. DRC gave the same recommendation for this development regarding 600 South as they did for Lot 4 of the Brindley subdivision, which is; to have a 48 foot right-a-way which is 36 feet of asphalt and a combination curb, gutter and sidewalk on both sides. The other two parcels front 820 South, which will have a 66 foot road right-a-way. The sewer will be brought in from 600 South, for all three lots. There will be a 25

foot utility easement for the sewer line for lots 2 and 3, with 20 feet of hard surface allowing for equipment access to service the line going to the two lots. The power on 600 South will remain over head because it is a main transmission line, but the power to the two parcels it will go underground.

Councilperson Rees asked about the existing home on the lot 1, which fronts 600 South. It was stated that the home would still remain there.

Councilperson Jorgensen asked if any of the lots would be landlocked. It was stated that the one lot faces 600 South, and the other two lots face 820 South.

Councilperson Rees asked about the acreage of the lots. Bruce stated lot 1 is 2.24 acres, lot 2 is 2.95 acres and lot 3 is 3.21 acres, and they will not be able to be subdivided again.

**MOTION BY:** Councilperson Sterling Rees to approve the Kenny Parcell preliminary plat of 3-lot subdivision located at 668 East and 600 South with the recommendation from DRC *(DRC Motion April 13, 2011 Attorney Baker to recommend approval of South Haven Subdivision located at 668 E. 600 S. as shown with the power lines on 600 South remaining overhead; the cross section of the 600 South road be a 48-foot right-of-way; running the sewer to the back of lots 2 & 3 from 600 South with the city having a 25-foot sewer easement with a 20-foot drivable hard surface; when they run the sewer line along 600 South they need to install a “Y” or a “T” in front of each existing house as approved by the city engineer and replacing all of the road that is dug up during the installation of that line. Seconded by Mayor Cope; Vote Affirmative, 5-0).*

**SECONDED BY:** Councilperson Sid Jorgensen.

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

## **5. APPROVE CONNECTOR’S AGREEMENT FOR LAMAR ROBERTS**

Bruce Ward showed the location on a map where the connector’s agreement would be. He stated that Lamar purchased a lot, and needs to run power to his lot, but the power will cross two other empty lots in the process. He would like to be reimbursed for the cost of the power when those other two lots are built on. This is a typical connector’s agreement, but will be for power only.

Councilperson Rees asked about the cost. Bruce stated that the full cost will be divided by three, so each lot would be responsible for 1/3 of the cost.

**MOTION BY:** Councilperson Lynn Durrant to approve the Connector’s Agreement for Lamar Roberts.

**SECONDED BY:** Councilperson Sterling Rees.

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

## **6. UTAH BROADBAND SITE LEASE AGREEMENT**

Bruce Ward stated a few months ago Utah Broadband (UBB), a wireless internet provider, approached the city about the possibility of installing some of their equipment on one of our water tanks. They would like to lease the space. Bruce stated that we have negotiated with them to be able to provide some of our city buildings with internet service in exchange for the use of that location. They have agreed to provide the city with internet for the same amount the city would charge for the lease, so the two amounts will offset each other. There will be an installation charge that the city would need to pay, and our city crews will help with the installation. By doing this, the cost savings to the city will be about \$3,000 a year. In the agreement it states that if we are not happy with the service, we can get out of the agreement, the same goes for UBB.

Mayor Cope asked if UBB would need to have access to the water tank. Bruce stated when they install the equipment; it will be during work hours so we can give them access. He stated that they have not had a need to get to their other sites after hours, but if they had to, we will need to be there to let them in. We will not give them free access to the tank.

**MOTION BY:** Councilperson Lynn Durrant to approve the Utah Broadband Site Lease Agreement.

**SECONDED BY:** Councilperson Sid Jorgensen.

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

## **7. APPROVE ORDINANCE ESTABLISHING PROCEDURES FOR THE RESPONSE & BILLING FOR EMERGENCY EQUIPMENT**

Attorney Baker stated Salem City Fire Department owns some extraction equipment. When the fire department emergency response team is called out to a traffic accident, we can invoice the insurance companies for the use of the equipment. This ordinance allows us to invoice the insurance companies when those situations arise.

Councilperson Rees asked if the equipment was used in situations other than a traffic accident, would this ordinance still allow us to invoice. Attorney Baker felt that there would not be a problem.

**MOTION BY:** Councilperson Sterling Rees to approve Ordinance 42011A Establishing Procedures for the Response & Billing for Emergency Equipment.

**SECONDED BY:** Councilperson Terry Ficklin.

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

**8. APPROVE ORDINANCE ALLOWING BOATS WITH MOTORS ON SALEM POND DURING CITY SPONSORED EVENTS.**

Attorney Baker reported that our current code does not allow motor boats to be on the pond, except for certain occasions. An event has been suggested for Salem Days that would require the use of a motor boat (wake boarding or jet skiing). This ordinance addresses and allows the use of boats with motors to be used during city sponsored events. Attorney Baker then went over the ordinance. He also mentioned that the use of the boats would require us to close certain portions of the pond for safety reasons during these events.

Councilperson Ficklin asked about the use of jet skis during the triathlon. Attorney Baker stated that our current code already allows that.

**MOTION BY:** Councilperson Sid Jorgensen to approve Ordinance 42011B Allowing boats with Motors on Salem Pond during City Sponsored Events.

**SECONDED BY:** Councilperson Sterling Rees.

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

**9. PROCLAMATION FOR “CLEAN OUT THE MEDICINE CABINET” DAY**

Attorney Baker stated this is a Mayors Proclamation and would not need to have the council approval. This proclamation addresses the use and abuse of old prescription drugs that are in homes. The county public safety departments and the Health Department have set the day of April 30 as “Clean out the Medicine Cabinet” day. There are designated locations throughout the county where people can drop off their old prescription drugs for proper disposal. We don’t want the old drugs flushed down the toilet or buried in the ground. Salem City also has a drop box located in the city office where people can drop off the old prescription drugs any time during business hours.

Mayor Cope stated he and other mayors were amazed when they found out how many prescription drugs were brought in during the “Clean out the Medicine Cabinet” day in the past.

Attorney Baker stated that we need to recognize Chief Brad James, as he has been a leader in our county to really get this program going. He has done a lot of work.

Mayor Cope thanked Chief James and all of his officers for the work they do. He also restated that the date is April 30th for “Clean out the Medicine Cabinet” day.

**10. APPROVE MINUTES OF APRIL 6, 2011**

**MOTION BY:** Councilperson Lynn Durrant to approve the Minutes of April 6, 2011 as written.

**SECONDED BY:** Councilperson Terry Ficklin.

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

## **11. APPROVE BILLS FOR PAYMENT**

**MOTION BY:** Councilperson Terry Ficklin to approve the bills for payment.

**SECONDED BY:** Councilperson Sid Jorgensen.

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

## **12. PUBLIC SAFETY**

Chief James reported on May 10<sup>th</sup> is the disabled fishing day. He also encouraged the council to read the article in the Daily Herald about our K-9.

## **COUNCIL REPORTS**

### **13. MAYOR JONATHAN F. COPE**

### **14. COUNCILPERSON LYNN DURRANT**

### **15. COUNCILPERSON TERRY A. FICKLIN**

### **16. COUNCILPERSON STERLING REES**

Councilperson Rees reported that he had attended a recent a Strawberry Water Users meeting. They are concerned with the high water levels we will be facing this year and they explained what they have done to help prepare for the high water. Councilperson Rees reminded everyone to help keep debris cleared from ditches and canals, and to also be very aware and safe around the water.

### **17. COUNCILPERSON SID JORGENSEN**

### **18. COUNCILPERSON TODD R. GORDON**

Mayor Cope talked about the upcoming Easter Egg Hunt on Saturday April 23 at 9:00 a.m. Cary Hanks from the chamber presented the Mayor and Council with about 3000 plastic Easter Eggs that they are donating to the Easter Egg Hunt. Mayor Cope thanked the chamber for the work they have been doing for Salem City businesses, and for their efforts in trying to get the businesses involved with the chamber.

Councilperson Rees thanked them for the ground breaking ceremony for Salem Hills Pharmacy. Mike Mendenhall and Cary Robarge from the chamber stated that if they can do anything for Salem City, or the businesses in Salem, to let them know. They are here to help us. They also mentioned that they are willing to help with any new developments or to help to get new businesses here.

Mayor Cope asked if there was anything from the public.

Reed Cornaby asked about the ambulance charges for senior citizens who are residents and if we give them a break. Attorney Baker stated that we have to accept what Medicaid pays, and that the state sets the rates of what we can charge.

**19. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS**

**20. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR**

Bruce Ward stated that during the upcoming fishing day, there are a few of the employees who assist with the events. He asked the council if it would be okay if some of the city employees helped out that day. The council felt that it would be fine.

With the snow storms we have had this year, a lot of debris is on the roads, he would like to remind residents to remember and keep the storm drain grates cleaned. We also have sandbags available at the city office if people feel they need some.

The city crew has also started spring clean up. We have a lot of tree limbs this year because of the late spring snow storm. We expect it to take about three weeks to finish the clean up. Councilperson Ficklin asked if it would help if we were to have an additional spot where the limbs could be dropped off and then shredded by the solid waste district. Bruce stated that we could look at that for next year.

The Smart Yard systems installation will begin in the next couple of weeks for those who have signed up. We are also waiting on the High Line Canal to fill so we can begin putting water into our P.I. system.

**21. ATTORNEY S. JUNIOR BAKER.**

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Terry Ficklin to Adjourn City Council Meeting.

**SECONDED BY:** Councilperson Sterling Rees.

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

**MEETING ADJOURNED AT:** 7:50 p.m.

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Jeffrey Nielson, City Recorder