

Minutes of the Salem City Council Meeting held on October 20, 2010 in the Salem City Council Chambers.

WORK SESSION 6:00 P.M. Diana Cannell, CPA from Allred Jackson audit firm, presented the draft copy of the audit to the council. She went over the audit and the report, and asked the council if they had any questions to give her a call. The approval of the audit will be on the next council agenda.

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 Todd R. Gordon
Councilperson Sid Jorgensen
Councilperson Sterling Rees

STAFF PRESENT:

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

Excused:

Councilperson Terry A. Ficklin arrived later

OTHERS PRESENT

Jelly Moyar, Brandon Taylor, Karen Taylor, Marte McKee, Isaiah Andrus, Justin Jolley, Jayson Bingham, Rylan Christensen, Nate Johnson, Ian Andrus, Jake McKee, Megan Allen, Chris Allen Sr. Brady Pierce, McKell Flick, Behany Bibson, Brooke Hall, Kellie Fawsen, Duane Andersen, Rowan Andersen, Lucey Cornaby, J. Reed Conraby, Erik Sealander, Kade Evans, Jared Herbert, Charlie Andersen, Rich Harris

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Cope invited Justin Jolley, a scout that was present, if he would lead those who would 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. PUBLIC HEARING

Open

MOTION BY: Councilperson Lynn Durrant to open the public hearing.

SECONDED BY: Councilperson Sid Jorgensen.

VOTE: All Affirmative (4-0).

A. DGI UTAH LLC – Zone Change on Property Located at 225 E 300 N. from R-1 to C-2

Bruce Ward explained and showed where the property is located on a map. He stated that Garrett Seely (DGI Utah LLC) has been to DRC and Planning & Zoning; both felt that it would be a benefit to the city to have the zone changed. A portion of the block is already C2, and this would be changing the remaining of the block from R1 to C2. In the General Plan discussion that we have recently went through and updated, we discussed that the zoning be based on an area and not based upon property boundary lines, and would be a case by case situation. Garrett Seely owns four of the three parcels, the other parcel is owned by Ottesen family, and they have agreed to the zone change also. There is a road right-a-way that will be dedicated and a portion of it would be improved.

Garrett Seely stated that they plan on doing the improvements next spring, and feels that the council and city will be happy with what they have plans for.

Mayor Cope asked if there were any questions from the public.

Reed Cornaby stated that he does not have an objection, but wanted Garrett Seely to be aware that the water table is very high in that area.

Close

MOTION BY: Councilperson Todd Gordon to close the public hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: all

**A. DGI UTAH LLC – Zone Change on Property Located at 225 E
300 N. from R-1 to C-2**

MOTION BY: Councilperson Sterling Rees to approve the zone change request for DGI Utah LLC and located at 225 East 300 North from R1 to C2 Zone.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (4-0).

4. CHARLIE ANDERSEN – Discussion on Skateboard park

Matt Marziale presented to the council that he has had a group of young men come to him asking about a skate park. He has told them that property and location is a big issue, along with cost associated for a skate park. They wanted to know what they could do to get it going, he suggested to them to come to the council. Matt then turned the time over to the group of young men.

Kade Evans handed out some information for the council to review about skate parks. He told the council that he and his friends along with many others would like a place to hang out, get some exercise, and be at a place where their parents know they are at and are safe.

Cody Kurek prepared a power point presentation about skate parks, the advantages and disadvantages about them. He then presented it to the council.

Charlie Andersen explained that skate boarding a great way to get exercise. Salem spends a lot of money for other recreation programs or traditional sports, would like to see some spent on non-traditional programs. Other communities have skate parks, Payson, Spanish Fork, and Springville. By having a skate board park it would eliminate them from being kicked out of some of the business parking lots and other areas around the city. Skateboarding is not a crime, and they feel that they are treated like it is.

Councilperson Gordon asked about the liability for a skate park. Matt Marziale stated that when he helped build the one in Spanish Fork City, they created the rules for the park and made sure they were posted. As long as the city maintains it in good working condition, then there is very little liability.

Attorney Baker stated that the liability, it would be like any other park, if it is properly maintained it would be okay, but if it starts having problems with items being worn down or broken then we need to fix it.

Kade stated that they obey the rules of other skate parks, because they do not want the park closed down.

Mayor Cope explained that the city is required to follow the budget; the budget for this year is in place and has not allocated money for new parks. He feels that this something

that can be considered in the future, and would also need to have some research done on it.

One of the parents asked about pursuing the grants on their own, to see the ones that are available, and when would be the best time to talk to the council about the budget. Mayor Cope stated that usually in the spring is when the budget is worked on. Also a location for the park is another concern.

Councilperson Jorgensen stated that the skate parks are very expensive, but he wanted to compliment the group for the presentation. He also wanted them to know that for the other sports participants have to pay a fee to be a part of them. That fee covers the costs of the program.

Charlie stated that the old Sisel building is for sale, what about the possibility of purchasing it, and having an indoor park. If that were possible, the city could charge a membership fee or access fee for the park. This would help offset the costs.

Councilperson Rees stated that he has seen this in another city; a group of youth came to the city asking for a park. They also went out into the city and asked for donations, it took them a couple of years to raise enough money, but they were able to get it. The city is a little different than Salem City as far as population and commercial.

The parent of the youth asked the council, that if they were able to obtain money from grants or donations, would the city be interested in having a park.

Matt Marziale felt that if the group were able to obtain money that he would recommend starting off small, and purchasing some of the small items and then building up. Also a location would need to be established. One possible location would be at the Veterans Memorial park.

The council asked the youth to work with Matt Marziale, to help with a location, and then getting a plan together.

5. APPROVE TEMPORARY SIGN ORDINANCE

Attorney Baker stated that in the past the city has had a very strict sign ordinance. The council started looking at this in the early spring, since then we have had a committee of some business owners who gave some input on the ordinance. One thing the committee stressed is that they need the city to allow temporary signs, but at the same time they felt that some regulation needed to be done. Attorney Baker then read through the ordinance. He stated that the ordinance is very liberal than what it used to be. In paragraph 4d it discusses campaign signs. He stated that this has been an issue with other cities, but feels that this ordinance has the appropriate regulations.

Mayor Cope was wondering for the sign size for residential, he made the suggestions of allowing a 4 foot by 4 foot sign, because the sheets of perforated plastic come in 4 feet by 8 feet. The candidate would not have any waste on the sheet of plastic

Councilperson Rees stated that with this, someone could have a sign up every other week. Attorney Baker stated that we would require a permit, but there is no fee associated with it. The question was who would be monitoring this. It was stated that the person would be required to put the dates that they signs would be up, and taken down. If we see that this becomes a problem then we will need to address it.

Councilperson Durrant asked about the religious signs that people put up. It was stated that they are not allowed.

MOTION BY: Councilperson Lynn Durrant to approve Ordinance 100610 amending sign regulations to allow temporary signs with the change in item 4d for political signs at residential zones to change from allowing 3 foot by 4 foot to allow a 4 foot by 4 foot sign.

SECONDED BY: Councilperson Todd Gordon.

VOTE: All Affirmative (4-0).

6. COMCAST POLE ATTACHMENT AGREEMENT

Attorney Baker stated that the city owns our own power poles and other utilities like to attach to the poles. We like this, because we only have to have one pole, rather than a bunch of poles. The current contract asked for a fee of \$5 per pole. The FCC has a formula that we have opted to do, with that formula the new cost is \$15 per each pole attachment. Attorney Baker has given the contract to Comcast and has not heard anything from them. Tonight we are asking for approval to have the mayor sign the contract then we will send a signed copy to Comcast.

Councilperson Ficklin arrived at 7:45p.m.

MOTION BY: Councilperson Sid Jorgensen to approve the Comcast Pole Attachment Agreement.

Councilperson Durrant asked how many poles Comcast was attached to. Bruce Ward pointed out that on page three it states how many (753 poles). We do not see this changing since we don't do a lot of overhead power lines anymore.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

7. POWER RATES FOR COUNTY RESIDENTS

Jeff Nielson stated that when we adopted the new power rates for residents back in June we did not address a power rate change for the county residents. He stated that the new rates went into effect for the September power usage (November power bills), and that we need to make this retroactive so we can send the November power bills out. He stated that what he has proposed we tried to keep the same percent ratio between city and county rates as before. He then displayed the new rates.

County Residential Proposed Power Rate

Kwh Used	\$ Per Kwh
500	\$ 0.0873405
501 -999	\$ 0.095316
1000	\$ 1.56
1001 - 1499	\$ 0.11440
1500	\$ 2.60
1501 - XXX	\$ 0.1222
Base	\$ 11.00

MOTION BY: Councilperson Lynn Durrant to approve the power rates for county residents as it has been presented.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

8. APPROVE MINUTES OF OCTOBER 6, 2010

MOTION BY: Councilperson Lynn Durrant to approve the minutes of October 6, 2010 as they have been presented.

SECONDED BY: Councilperson Sterling Rees

VOTE: All Affirmative (5-0).

9. APPROVE BILLS FOR PAYMENT

MOTION BY: Councilperson Sid Jorgensen to approve the bills for payment.

SECONDED BY: Councilperson Terry Ficklin.

VOTE: All Affirmative (5-0).

10. PUBLIC SAFETY

COUNCIL REPORTS

11. MAYOR JONATHAN F. COPE

Mayor Cope stated that the question about the light parade for the city is something that the council wants to continue or not. He stated that he was told that the last four years the attendance has not been that great.

After some discussion the council felt that the money spent on the light parade would be better spent on Pond Town Christmas and improving it, so they decided to abandon the light parade.

Another discussion also came up about the night that we light Pond Town Christmas, and how we do it on the night after Thanksgiving, and it is also the same night as the light parade in Spanish Fork. After some discussion on it, the council felt to do it the same night and not change it. Mayor Cope asked Councilperson Rees to be in charge of it, and to have Councilperson Gordon assist him.

12. COUNCILPERSON LYNN DURRANT

13. COUNCILPERSON TERRY A. FICKLIN

Councilperson Ficklin reported that the audit for SUVSWD (South Utah Valley Solid Waste District) is done and presented to Mayor Cope the audit.

Mayor Cope talked about some of the Eagle Projects that were being done around the city and how they are doing a great job.

14. COUNCILPERSON STERLING REES

Councilperson Rees stated that the PI has been shut off and will have some numbers next meeting regarding the usage for this year.

15. COUNCILPERSON SID JORGENSEN

Councilperson Jorgensen reported that 650 West and Canal Road is finished and the city crew did a great job.

16. COUNCILPERSON TODD R. GORDON

17. DAVE JOHNSON, BUILDING DEPARTMENT/PUBLIC WORKS

18. BRUCE WARD, CITY ENGINEER/ PUBLIC WORKS DIRECTOR

Bruce Ward talked to the council about a power meter generator transfer switch and how it works when the power goes out, a person can hook their generator up to the meter and put power into their house. When the power comes back on, the switch will automatically switch from the generator power to the city power. The meter will also work as a surge protector. The cost is about \$700, and would recommend that it be installed by our city power crew. He would like to get more information on it and then have the council approve it. Mayor Cope stated that this helps answer the question for those who need power for medical purposes when the power goes out.

19. ATTORNEY S. JUNIOR BAKER.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Terry Ficklin to adjourn city council meeting.

SECONDED BY: Councilperson Lynn Durrant.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:20 p.m.

Jeffrey Nielson, City Recorder