

**Salina City Corporation
Council Meeting
7:00 p.m. July 26, 2023**

COUNCIL AND STAFF PRESENT:

Mayor Jed Maxwell
Earl Taylor
Jon Maxwell
Danny Viers, excused
Kevin Mickelsen
Randy Christiansen

Ashlee Larsen, City Recorder, excused
Kathy Maxwell, City Treasurer
Jorgen Mickelson & Brad Allen
Maintenance Supervisor
Al Taylor, Chief of Police

Mayor Jed Maxwell called the regular City Council meeting to order 7:00 p.m. at the Salina City Hall welcomed everyone present, led the pledge of allegiance. Jon Maxwell offered the opening prayer.

Approval City Council minutes June 14, 2023, was tabled.

Approval City Council minutes June 28, 2023, was tabled.

Approval of Bills Submitted for Payment was motioned by **Earl Taylor. Jon Maxwell** seconded. Motion carried 4 to 0.

Visitors:

Rocky Williams- Discuss approach to driveway-was not in attendance. Mayor Maxwell stated Rocky Willimas would like to place a driveway on the west side of his parcel located at 385 E Main. **Mayor Maxwell** stated when he spoke with Rocky Willimas and informed him, when he starts to construct the approach he will need to replace the city sidewalk. **Earl Taylor** motioned to allow Rocky Williams to add a driveway on the west side of his parcel located at 385 E Main. With a time, restriction of 30 days to complete the project and meet Salina City code. **Randy Christiansen** seconded. Motion carried 4 to 0.

Weston Anderson- Discuss Road repairs on 200 East Mayor Maxwell asked Salina City Maintenance if they had a chance to investigate the road on 200 East. **Jorgen Mickelson** said yes. Mayor Maxwell and council reviewed the easement of the road on 200 East which shows the road was deeded to Salina City in 1960. **Cindy Anderson** voiced her concerns with the condition of the road in front of her kids' homes on 200 East. Anderson mentioned the complaints they have received from Whites Sanitation, and UPS drivers. They won't drive down their street in the wintertime because it's too muddy. Anderson placed a dumpster at the end of the road for a couple years, but Whites Sanitation increased the cost of the dumpsters. Anderson decided to trade the dumpster for individual carts to reduce the cost. **Anderson** stated her son Weston constructed his house in 2017 and they have been dealing with this problem since then. **Kevin Mickelsen** asked why Salina City would be responsible for developing the road when the property owner should have developed when constructing their homes. **Cindy Anderson** felt Salina City should be responsible to develop and maintain the road after Valden Anderson had deeded the road right of way to Salina City. **Kevin Mickelson** asked if there is a written

agreement. **Kathy Maxwell** stated she couldn't find any type of written agreement. **Anderson** stated the road is recorded with Sevier County. **Mayor Maxwell** stated after reviewing prior they could not find any agreement of who would develop the road. **Kathy Maxwell** stated typically the developer would construct the road. **Anderson** asked why Salina City constructed half of the road on 200 East and didn't finish the other half. "It's a dangerous road that needs to be fixed" she stated. **Anderson** felt Salina City should develop the road because they pay taxes. **Kevin Mickelsen** stated this slipped through a loophole because the homeowner should have developed the road when they constructed their homes. After the road is developed, it is deeded to Salina City to maintain. **Anderson** stated if Salina City won't help develop this road, she is going to send Whites Sanitation and UPS drivers to the council to deal with their complaints. **Kevin Mickelsen** stated if Salina City develops all the roads in town they will be out of money. **Jon Maxwell** asked if this would require a turnaround. **Kathy Maxwell** stated she's not sure because it's a through street. **Brad Allen** said you would want to try and add a turnaround for Whites Sanitation trucks. **Mayor Maxwell** stated the road that runs east from the Blackhawk to the park road to 300 East is not developed. Salina City received permission to access the road until future. **Earl Taylor** stated, before the houses were constructed, the developer should have placed sidewalk, curb, and gutter and then Salina City would maintain the roads. Mayor and Council discussed what year the homes were developed and where the road was extended too. **Anderson** said Salina City patched the road in 2009.

They discussed the shed being in the middle of the road and what year it was demolished. Mayor and Council reviewed the plat map of the street. **Brad Allen** discussed the location of the sewer and water lines. **Mayor Maxwell** asked Kathy Maxwell if she could call the county and see what the length of the road was deeded to Salina City. **Jorgen Mickelsen** said they will wheel off the road length tomorrow. **Mayor Maxwell** wants to check with Sevier County to see what is shown on the deed.

Paul Rymer- Discuss Duplex on 300 East, not in attendance.

Ralph Smith- Discuss property abatement: Charles Billingsley Salina City Code Enforcement presented pictures and notices that have been sent to Mr. Smith in regard to clean up his property located at 367 S 300 East.

On June 26th 2023, **Billingsley** stated he had left a 2nd notice on Mr. Smith's door and realized no action has been taken. **Billingsley** mailed a notice of intent to abate on July 26, 2023 to remove the dead vegetation, fallen tree limb debris, broken appliances, discarded furniture, rubbish, junk, and waste materials as a public nuisance was sent to Mr. Smith.

Billingsley and Chief Taylor met with Mr. Smith and discussed their concerns about the property. Mr. Smith disregards the notices and doesn't think anything will happen. **Billingsley** stated Mr. Smith has been a reckless homeowner since 2007 he first dealt with him in Richfield years ago.

Billingsley stated in some of the recent pictures it shows he has been working on it but won't give a time frame when the property will be cleaned up. **Mayor Maxwell** asked Mr. Smith if he would like to talk about cleaning his property. Mr. Smith said, "No he's wondering if he needs to hire an attorney." Mr. Smith stated he is in the process of cleaning up the property. **Kevin Mickelsen** asked how long it will take to clean up the property. **Mr. Smith** stated he is 71 years old, works at night and sleeps during the day and doesn't have a lot of time. **Jon Maxwell** asked how the property got to this point. **Mr. Smith** said it's a long story and you don't want to hear about it. **Jon Maxwell** suggested giving Mr. Smith a time limit when the property is cleaned up, or he will need to get an attorney. Mr. Smith presented pictures of other properties in town and asked if they had received letters from Salina City. **Mayor Maxwell** said yes, **Billingsley** has several properties on the list. **Billingsley** said he is happy to work with Mr. Smith and help him clean up the property. The neighbors have been complaining of the

broken-down vehicles, refrigerators and trees encroaching on their property. **Mayor Maxwell** suggested giving Mr. Smith 90 days to clean up his property. Mr. Smith agreed. Mayor and Council will give him until November 1st, 2023.

Earl Taylor motioned to give Ralph Smith until November 1st, 2023, to have his property cleaned up to Salina City Ordinance standards and follow-up with his property at the next council meeting in November 2023. If it continues to be in violation, Salina City will follow through with the abatement.

Jon Maxwell seconded. Motion carried 4 to 0.

Jesse Nelson-Discuss Future Development **Andy Rasmussen** presented a plat map that was recorded with Sevier County and reviewed it with Mayor and Council, stating the road right of way is 40-feet which is deeded on paper with Sevier County. The cul-de-sac is 70-feet wide, the road itself is 25-feet which the city ordinance states it must be 25-feet. **Rasmussen** stated, Jesse Nielsen knows he needs to widen the road. Nielsen would like to construct three (3) bedrooms 1 bath units, but they will not fit with the setbacks, the plans show it will be three (3) feet short. **Rasmussen** described the size of the buildings and where the setbacks are located. **Mayor Maxwell** stated in the current Salina City Road plan it shows it must be 36-feet wide with sidewalk, curb, and gutter. **Maxwell** stated the standard cul-de-sac needs to have a fifty (50) radius. **Rasmussen** stated, Jesse Nielsen drove around town and measured several cul-de-sacs in town and the new cul-de-sacs are 100-feet, but some are only 60-feet wide. **Rasmussen** read through the parking lot ordinance which states from five (5) to eleven (11) dwelling units, one twenty-four (24) foot two-way access strip or two, sixteen (16) feet, one way access strips. **Rasmussen** said the road needs maintenance, but the setbacks are fine. **Earl Taylor** asked what setbacks he needed to construct the three (3) units. **Rasmussen** stated he needs a 25-foot setback instead of a thirty-foot (30) setback, the way the cul-de-sac sets it will put it at twenty-one (21) feet on the front with a two (2) bedroom unit. The ordinance gives you the ability to go up to twenty feet (20). **Mayor Maxwell** said if he constructs a sidewalk, curb, and gutter he wouldn't have enough footage. **Rasmussen** asked if he needs to place sidewalk, curb, and gutter on a private road and said the road is forty feet (40) so he should be fine. **Rasmussen** stated when Nielsen went to Planning & Zoning, they said to sign an agreement with Salina City that they would never split the lots, it will remain under one owner and if it was split in the future everything must come to the city standards. **Mayor Maxwell** stated this would be considered commercial property because he is collecting income from them. Salina City would never allow this to happen. **Brock Jackson** asked how long Nielsen has owned the property. **Kathy Maxwell** stated she thinks he took ownership in 2000. **Rasmussen** stated Salina City doesn't maintain the road. **Jorgen Mickelson** stated there isn't a sign showing it's a private road. **Kevin Mickelsen** stated you shouldn't be allowed to have a business with a private road, he said, "it's like having a town inside a town," and it's not fair to Salina City which could cause future problems. **Rasmussen** stated, if they need to do a 100-foot cul-de-sac they would lose two (2) lots and at that point it's not worth putting money into the property. **Mickelsen** stated he understands they can't put it into city standards, but Salina City needs to look out for themselves.

Rasmussen stated he called Sevier County and they said this was never a subdivision, this is a lot of splits on a private road. **Brock Jackson** stated there is a State Statute states a road that has been accessed by the public continuously for ten (10) years becomes a private road. **Rasmussen** stated it was split into lots, but it was technically never a subdivision. Gary Carslie placed the services at the end of the street to serve his intended buildings. **Jackson** stated in the Salina City Street Ordinance it states, all streets within the city limits will be required to be dedicated for public use. **Rasmussen** stated Sevier County doesn't have anything recorded except the deed. **Kathy Maxwell** stated Gary Carlisle initially constructed the town homes in 2000. **Mickelsen** suggested placing the property back in one parcel. **Rasmussen** said he doesn't know if that will work because they are all separate buildings. **Mickelsen**

discussed his concerns of the safety aspect of the road not being big enough for fire trucks turning around in the cul-de-sac. Mayor and Council discussed the measurements of the lot size. **Rasmussen** said they are coming up three (3) feet short. **Earl Taylor** asked if there will be enough parking for the residents. **Rasmussen** stated usually a three (3) bedroom home will house two (2) vehicles. **Mayor Maxwell** discussed his concerns of not having enough parking for that many buildings. **Mickelsen** asked if Mr. Nielsen proceeded to receive a professional design as the layout of the streets. **Rasmussen** stated this is a private street, prior to deeding it over to Salina City, Nielsen would need to bring it up to Salina City standards. Nielsen has the plans ready; they just need to get the last details worked out. **Mayor Maxwell** is wondering why Carlisle didn't continue building the units years ago if the lots were already split. **Mickelsen** stated this is hard because there are other properties in town with unique situations and Planning and Zoning shuts them down. **Mayor Maxwell** asked Brad Allen what size water line has been placed. **Brad Allen** stated he thinks it's a 6-inch line. **Jorgen Mickelson** asked if the road stays private, who will be responsible for all the meters and maintaining them. **Rasmussen** stated he assumes Mr. Nielsen will take care of the meters and is willing to purchase them and maintain the road. **Brad Allen** said Salina City would only receive revenue for one meter instead of six. **Mayor Maxwell** asked if Salina City is willing to do this for everyone else. Mayor and Council reviewed the map and discussed the lot split. **Mickelsen** said he would like to see the lots utilized for additional housing in Salina but needs to figure out a way that's fair for Salina City and Mr. Nielsen. **Mickelsen** suggested getting a survey and drawing up plans, and stated Mr. Nielsen might have to purchase ten (10) more feet of property to make it a city street. **Mayor Maxwell** asked if the council is willing to accept the street the way it is. The council mentioned they would like to review this further. **Kathy Maxwell** stated she can do some more research and read through the minutes. **Rasmussen** stated the recorded deed with Sevier County shows the lots are divided as individual parcels on the plat. **Jorgen Mickelson** stated he doesn't know if it's a private road, but Salina City doesn't plow the street. **Mayor Maxwell** asked if Council is fine with adding these additional units with a private road, or do they need to add sidewalk, curb, and gutter. **Brock Jackson** discussed the Salina City Street Ordinance. **Mayor Maxwell** said Council will need to decide if they would like to move forward with things. **Kathy Maxwell** suggested, finding minutes from the year it was initially constructed. Council decided not to move forward with the development of this project until further information has been presented. **on. Kevin Mickelsen** motioned to deny the development request presented by Jesse Nielsen until further information has been provided. **Randy Christiansen** seconded. Motion carried 4 to 0.

Travis Wilson-Discuss Frito-Lay project: **Travis Wilson** stated Kelly Laier Planning and Zoning Chair advised him to present his Frito-Lay plans to the Mayor and Council. **Wilson** stated when he submitted the site plan, he was required to construct a sidewalk curb, and gutter with greenery. **Wilson** asked if he could plant shrubs instead of trees. **Wilson** asked if they could wait and finish the sidewalk, curb, and gutter the width of the parcel, until he constructs the second building. **Jon Maxwell** asked if he was given a timeframe to complete the sidewalk, curb, and gutter. **Kevin Mickelsen** stated, Salina City has a lot of property in the Industrial Park, and they now require businesses to place the sidewalk, curb, and gutter the width of their parcel adjacent to the road. **Kevin Mickelsen** motioned to require Travis Wilson to construct sidewalk, curb, and gutter the width of his parcel adjacent to the road. **Randy Christiansen** seconded. Motion carried 4 to 0.

AGENDA TOPIC

Mayor

Jed Maxwell: Review Budget Mayor Maxwell asked Council to please review the budget and reach out to their department heads with any questions.

Blackhawk Arena
Director Jake Van:

Police Chief
Al Taylor:

Planning and Zoning
Chairperson

Kelly Laier: Planning & Zoning update: Kathy Maxwell asked Mayor and Council to please review a couple Ordinances Planning and Zoning and Brock Jackson from Six County is working on.
Mayor Maxwell discussed some issues on 395 West Main.

Maint. Supervisor
Jorgen Mickelson
Brad Allen:

Discuss maintenance lawnmower repairs Jorgen Mickelson stated the maintenance lawnmowers need to be fixed they are down to one lawnmower. Mayor Maxwell asked if the new lawnmower was still under warranty.

Discuss maintenance on-call truck Mickelson asked if Corey Crawford can take the maintenance truck home when he is on call.

Purchase weed killer Mickelson stated Salina City Maintenance needs to buy more weed killer in bulk for this year in the amount of \$5,962.50, Mayor and Council discussed the issues with weed control.

Earl Taylor motioned to approve weed spray for Salina City Maintenance in the amount of \$5,962.50.

Kevin Mickelsen seconded. Motion carried 4 to 0.

Jorgen Mickelson presented a map of the road between Barrett's, Salina Swimming Pool, and Napa Auto Parts. Maintenance spoke about the potholes and the drainage issues.

Barrett's and Napa Auto are willing to split the cost of the road repairs three (3) ways. **Jon Maxwell** stated if they are willing to help with the cost Salina City should repair the street. **Mayor Maxwell** asked if maintenance could get some bids for the next council meeting.

Mayor Maxwell reviewed the new park layout and the timeline.

COUNCIL MEMBER BUSINESS

Earl Taylor:

Jon Maxwell:

Business of the Quarter (Soda Barn) Mayor Maxwell and Council presented an award to Soda Barn for Business of the quarter and thanked them for everything they do for Salina City's community, especially during the Balloon Festival.

Daniel Viers, excused

Kevin Mickelsen,

Randy Christiansen: Approval of June 2023 Court Report Randy Christiansen presents the court report for June 2023, the total taken in \$13,699.67 with Salina City's portion \$4,261.20. Randy Christiansen motioned to accept the court report. **Kevin Mickelsen** seconded. Motion carried 4 to 0.

AGENDA TOPIC

Mayor
Jed Maxwell, excused

Planning and Zoning
Chairperson
Kelly Laier

Maint. Supervisor
Jorgen Mickelson
Brad Allen:

COUNCIL MEMBER BUSINESS

Jon Maxwell:

Daniel Viers:

Kevin Mickelsen:

Randy Christiansen:

Earl Taylor motioned to adjourn the City Council at 9:32 p.m. Kevin Mickelsen seconded. Motion carried 4 to 0.

Date 9/27/23 Mayor 

Date 9/27/2023 City Recorder 