

AGENDA FOR SALINA CITY CORPORATION
at the Salina City Hall
90 West Main Street, Salina, Utah
7:00 P.M. August 28, 2024

COUNCIL AND STAFF PRESENT:

Mayor Jed Maxwell	Ashlee Larsen, City Recorder
Earl Taylor, excused	Kathy Maxwell, City Treasurer, excused
Jon Maxwell	Jorgen Mickelson & Brad Allen
Kevin Mickelsen	Maintenance Supervisor
Randy Christiansen	Al Taylor, Chief of Police
Allen Tietjen	

Mayor Jed Maxwell called the City Council meeting to order at 7:00pm. at the Salina City Hall Welcome everyone present. Allen Tietjen offered the opening prayer.

Approval City Council minutes August 14, 2024, was motioned by Allen Tietjen. Randy Christiansen seconded. Motion carried 4 to 0.

Approval of bills submitted for payment was motioned by Jon Maxwell. Allen Tietjen seconded. Motion carried 4 to 0.

Visitors:

Kaylynn Gates-Discuss animal grandfather rules: Kaylynn Gates approached Mayor and City Council regarding the definition of “grandfather rules” Kaylynn asked the councils interpretation of the city code in reference to the clause when dealing with animals in certain residential zones. **Mrs. Gates** stated she reviewed the state code 10-98.511, but she felt like this code is more for buildings than land. **Mrs. Gates** looked up the Utah Commerce Office of Property Rights of Ombudsman which states: a non-conforming uses and non-complying structures. A non-conforming use is land use, that was established when allowed by zoning ordinance, it has been maintained continuously but no-longer allowed due to an ordinance change. See Utah Code 10-9A-103, 17-27A-103 defining non-conforming use and non-conforming structure. Non-conforming uses are sometimes nicknamed “grandfathered uses” and are allowed to continue even after the ordinance change subject to certain conditions in local ordinance. **Mrs. Gates** asked Mayor Maxwell and Council what their opinion is on the grandfather law or the non-conforming use law, on a piece of land someone has placed their horses, and they haven’t had horses in the parcel for over twenty years. **Mayor Maxwell** stated it depends on the size of the parcel, whether it is more than an acre, and what zone the parcel is located. **Mrs. Gates** asked the City Council what zone her parcel is located in. **Jorgen Mickelson** stated her parcel is on the same block and she in an R-1 zone.

Mayor Maxwell asked where this parcel was located. **Mrs. Gates** stated its the property located at 155 N 300 E. Mrs. Gates stated they recently placed a couple of horses on this property and the smell is terrible.

Jon Maxwell asked if she spoke with the homeowner about this situation. **Mrs. Gates** mentioned she hasn’t spoken with the homeowner currently, but she plans on it once she learns more regarding the grandfather ordinance.

Mrs. Gates stated the non-conforming use may be terminated if the use is determined to be abandoned generally, if the use is to be discontinued for at least one-year it is presumed to be abandon, if the use is

terminated any further uses of this property must conform to current zoning. The parcel doesn't border county lands, state lands, public lands, or Salina City agriculture lands. Mayor and Council reviewed the location of the parcel. **Mrs. Gates** stated when she moved to her home several years ago, Glen Barney housed horses in this parcel. There haven't been horses located in this parcel for twenty years. **Mrs. Gates** has several pictures of no horses located in the corral. **Jon Maxwell** asked Mrs. Gates how Salina City determines if horses have been housed there for twenty years. **Kevin Mickelsen** suggested Mrs. Gates speaking with Brad Barney about the situation and see if he is willing to move the horses out of the coral. **Mrs. Gates** stated she is here at City Council to get their opinion, of what the ordinance states before she contacts the homeowner. **Ashlee Larsen** stated Salina City follows the state grandfather ordinance. The Mayor and Council reviewed the state grandfather ordinance. **Mrs. Gates** asked if Salina City has a list of grandfather properties in town. **Jon Maxwell** mentioned the state law only states, you can limit or control a "non-conforming" uses it does not give a time frame. State code 10-9a-511 deals with non-conforming and non-complying. **Mayor Maxwell** stated he always understood the grandfather rule was once you passed away and sold your property the grandfather rights can be given to the new owner. The homeowner is still alive so the grandfather rights should still be continued. The Mayor and Council discussed other parcels in town with grandfather rights. **Jon Maxwell** stated Salina City will need to reach out to their attorney and figure out what the exact grandfather right states. **Mrs. Gates** stated she received a code from Kathy Maxwell which states: A municipality may not prohibit the reconstruction or restoration of a non-compliance structure; this is all about structures not land. Mayor Maxwell and Council stated right now they don't have the exact answer for her tonight, but they will contact the Salina City Attorney. **Brett Gates** asked how often the homeowner is allowed to water their property. **Mayor Maxwell** stated if they are using pressurized Irrigation, they need to follow the water schedule. **Mayor Maxwell** asked Mrs. Gates to come to the next scheduled City Council meeting. **Mrs. Gates** asked for the name of the Salina City Attorney.

Travis Henderson-discuss NSHS banner funding on Main Street: NSHS Principal **Ryan Harris** and the Assistant Principal **Travis Henderson** approached Mayor Maxwell and City Council asked for funding for the new NSHS banners placed on Main Street and thanked the Salina City Maintenance Employees for hanging them so quickly. Mayor and Council reviewed the donation budget and determined they could donate \$300.00 towards the NSHS banners. Mr. Harris stated there are a lot of good things coming down the pike as the school's rebranding process continues to bring improvements within the school walls. Mayor Maxwell thanked Ryan Harris and Travis Henderson for coming to Salina City Council. **Kevin Mickelsen** motioned to approve to donate \$300.00 towards the NSHS banners. **Allen Tietjen** seconded. Motion carried 4 to 0.

Vance Nelson- Construct the road north of Sunbeam Coal: **Vance Nelson** asked Mayor and Council if they would consider constructing the road north of Sunbeam Coal to where the services end. **Nelson** said the road is in rough shape. and while construction equipment is already in the area for paving Salina City Main Street due to the sewer project. The cost could potentially be less than preparing it later. **Kirby Nelson** stated the dust from their yard would be significantly less if the road was constructed. **Mayor Maxwell** asked Salina City Maintenance Employee Jorgen Mickelson to please receive a couple bids to construct the road north of Sunbeam Coal. **Nelson** discussed his concerns of a new manhole sinking from the sewer project. **Jorgen Mickelson** stated they aren't finished with placing the manhole. **Nelson** stated his power line from his old building was disconnected due to the sewer project, so he had to use a generator for a few days. **Nelson** is asking Salina City if they are willing to pay for the electrical bill once he receives it. He's not sure of the amount. Mayor Maxwell stated it should be Silver Spur

covering the bill, and asked **Nelson** to please bring it to the city office when he receives it. **Mayor Maxwell** stated when Salina City receives the bids they will review and thanked the Nelsons for coming to city council.

Katie Crane- 51 East Main Street building repair **Katie Crane** stated she's here to do a follow-up on a previous visit regarding repairs to her building at 51 East Main. Main Street. **Kevin Mickelsen** stated he and Councilman Allen Tietjen visited the site and said there's definitely an issue that needs to be addressed and recommended a concrete footing with a cinder block wall to meet a building code. Mayor Maxwell stated employee Brad Allen mentioned there was an issue with the property before Salina City even owned the parcel. **Katie Crane** stated in 2015/2016 The courtyard still had a partial roof on the back side. **Brad Allen** stated the roof was only removed on the front side, the back portion was gone in 2015/2016. Mayor Maxwell stated the courtyard was donated to Salina City and they took it on for additional back parking. Allen Tietjen stated if Salina City plans on constructing a building they would want to place a cinderblock wall. Mayor Maxwell asked **Kevin Mickelsen** to please contact Troy Lambertson for a bid to place a concrete footing and a cinder bock wall. When Salina City receives the bid, he will reach out to Mrs. Crane. **Kevin Mickelsen** suggested placing a couple of T-posts with caution tape for liability purposes in the back parking lot. **Mayor Maxwell** thanked Mrs. Crane for coming to the City Council.

AGENDA TOPIC

Mayor Jed Maxwell

Discuss per diem mileage to match the State of Utah Mayor and Council discussed matching the per diem mileage to match the state at .67 per mile. **Kevin Mickelsen** motioned to approve the per diem mileage to match the state at .67 per mile for travel reimbursement. **Randy Christiansen** seconded. Motion carried 4 to 0.

Increase budget \$1.000 for 4th of July fireworks. **Jon Maxwell** motioned to approve an additional \$1000.00 for the 4th of July fireworks. **Allen Tietjen** seconded. Motion carried 4 to 0.

Review budget **Mayor Maxwell** asked Council members to please review the budget and reach out to their department heads for any questions. **Mayor Maxwell** stated he would like to receive a total ledger of what taxes are being produced in Salina City.

Approval of increase of Public Safety Department, tabled

Blackhawk Arena
Director Jake Van, excused

Police Chief
Al Taylor:

Approval of Crime Tracer Training Hillary Anderson: **Kevin Mickelsen** motioned to approve Crime Tracer Training for Hillary Anderson in the amount of \$300.00 for lunch and hotel room. **Randy Christiansen** seconded. Motion carried 4 to 0.

Planning and Zoning

Chairperson:

Maint. Supervisor

Jorgen Mickelson

Brad Allen:

Approval of paint \$500 labor cost Mayor Maxwell and Council reviewed the paint specifications for the cross walks and asked if Ashlee Larsen could email the specifications to Sunrise Engineer Mario Gonzalez.

Kevin Mickelsen motioned to approve \$500.00 for labor cost for Dirt Worx to repaint the crossing walks in town if it meets the specks. **Randy Christiansen** seconded. Motion carried 4 to 0.

Approval of crack seal Eastside Cemetery Mayor and Council reviewed the bids to place crack seal located at the Eastside Cemetery. **Allen Tietjen** motioned to approve the lower bid from C&M Seal Coating in the amount of \$6,676.00 to crack seal at the Eastside Cemetery. **Kevin Mickelsen** seconded. Motion carried 4 to 0. **Randy Christiansen** asked if the bids are the same type of material. **Jorgen Mickelson** stated, yes.

Discuss water drainage & road repair next to NAPA & Barrett's Mayor and Council reviewed additional bids for the drainage and road repair adjacent to NAPA & Barrett's. Mayor Maxwell stated Rasmussen Excavation bid came in at \$58,500. Carlisle Excavating bid is \$35,098.00 Nicholas Dirt Worx, water way concrete amount \$5,930.00 with C&M LLC. asphalt \$6,300.00 with a total of \$12,230.00. **Mayor Maxwell** asked if the bid work is all the same type of work. The total amount will be paid three ways between Salina City, NAPA Auto, and Barrett's. Kevin Mickelsen suggested reaching out to the other business owners and reviewing the bids with them. Mickelsen wants to meet with C&M about the maintenance and make sure this is what Salina City would like completed. Mayor and Council agreed to table the bids until further research and reviewing the bids with the other businesses.

Approval of potholes Kevin Mickelsen motioned to approve additional potholes be placed in town in the amount of \$750.00 from C&M LLC. **Jon Maxwell** seconded. Motion carried 4 to 0.

Approval of fertilizer for the new park, tabled Mayor Maxwell discussed his concerns of the lawn at the new Salina City Park and the maintenance what can be done to help the grass grow, he also asked the maintenance to spray for ants at the new park. **Kevin Mickelsen** asked about the concrete next to Family Dollar sidewalk. **Mickelsen** suggested getting the sidewalk fixed ASAP.

COUNCIL MEMBER BUSINESS

Earl Taylor:

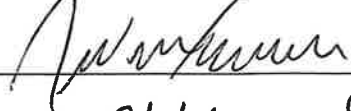
Jon Maxwell:

Kevin Mickelsen:

Randy Christiansen:

Allen Tietjen:

Kevin Mickelsen motioned to adjourn the City Council at 9:17 p.m. **Randy Christiansen** seconded.
Motion carried 4 to 0.

Date 9/11/2024 Mayor 
Date 9/11/2024 City Recorder 