

**Salina City Corporation
Council Meeting
7:00 p.m. August 10, 2022**

COUNCIL AND STAFF PRESENT:

Mayor Jed Maxwell
Earl Taylor
Jon Maxwell
Daniel Viers
Kevin Mickelsen

Ashlee Larsen, City Recorder
Kathy Maxwell, City Treasurer
Jorgen Mickelson, Maint. Supervisor
Brad Allen, Maint. Supervisor
Al Taylor, Police Chief
Kelly Laier, P&Z Chairperson
Lora Fielding, Salina Sun

VISITORS:

Kenny & Debbie Poulson
Mike Thurston
Barbara Reid
Joe Parker

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

Approval Council meeting minutes June 27, 2022 was motioned by **Daniel Viers**. **Jon Maxwell** seconded. **Earl Taylor** abstained. Motioned carried 3 to 1.

Approval work meeting minutes June 27, 2022 was motioned by **Jon Maxwell**. **Daniel Viers** seconded. **Earl Taylor** abstained. Motioned carried 3 to 1.

Approval work meeting minutes June 8, 2022 was motioned by **Daniel Viers** seconded. **Earl Taylor** Motioned carried 4 to 0.

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

VISITORS PRESENT FOR COUNCIL MEETING:

Kenny & Debbie Poulson: Day of Service **Debbie Poulson** stated it's National Day of Service on 9/11. This is a community wide service day to help clean-up towns. It will be held on September 10, 2022. **Poulson** asked Mayor and Council for suggestions as to what the group of volunteers could accomplish for Salina City. **Earl Taylor** suggested cleaning up the Pressurized Irrigation pond. **Kevin Mickelsen** suggested cleaning the weeds at the new park next to the Rec. Center. **Mayor Maxwell** stated Salina City Maintenance will mow the weeds at the park this week. **Brad Allen** stated they planted some trees at the Salina City Park last year and two of them have died. **Daniel Viers** stated he will purchase the trees if they are willing to plant them. **Poulson** suggested moving the Blackhawk Historical Marker to Miss Mary's Museum and cleaning up that area. **Daniel Viers** stated he spoke with the new CEO at Sufco and he is willing

to place a couple trash cans from White's Sanitation and have them dumped once a week. Mayor and Council discussed some other projects going on in town and will get back with the Poulson's with a list. **Mayor Maxwell** thanked the Poulson's for coming to City Council and their service in our community.

Mike Thurston: Housing horses in a Residential Zone

Barbara Reid, Joe Parker: **Kathy Maxwell** stated she received some pictures from Barbara Reid regarding the condition of Mike Thurston's horse corral. **Maxwell** stated she emailed the pictures to Mayor and Council for review prior to the meeting. **Jon Maxwell** stated on July 25th, 2022 he was working for Salina City Police Department and was called to Barbara Reid's house regarding the horses being housed behind their property. **Jon Maxwell** stated when he got a hold of Mike Thurston he asked if he had a copy of his deed showing the grandfather rights to house large animals on his parcel. **Thurston** stated no, he would need to find the deed to his parcel because the house was built 16 years ago. **Jon Maxwell** stated he then asked the parties to come to the next scheduled Salina City Council meeting to review the Animal Ordinance. **Kathy Maxwell** spoke with the Salina City Attorney who stated Mr. Thurston should have proof of grandfathering horses on his parcel annually. The Attorney highly recommends Mr. Thurston follows the Salina City Ordinance. **Barbara Reid** stated when she bought her property she was told by Mayor Marilyn Andersen there no longer was animal rights on the property behind her. Which is currently Mike Thurston's. **Reid** stated, Mr. Thurston has housed a horse on his property for a short period of time annually and she was fine with that, but now Mr. Thurston has (3) three horses in a small corral that isn't being taken care of. **Thurston** stated he housed the horses at his mother's in Aurora, but they are in the process of selling her property. **Reid** voiced her concerns of the flies, dust and manure that continues to come on her property. Reid presented pictures of the horse corral and the condition it's currently in to Mayor and Council. **Kevin Mickelsen** asked if Reid has read through the Salina City Ordinance. **Reid** stated yes, it states large animals must be (20) twenty feet from any lot line. All yards, barns, shelters, cages, areas, places, and premises where domestic livestock, animals, or fowl are kept shall be maintained in a clean and sanitary condition so that flies, dust, or odors do not disturb the health of any person or animal or create a nuisance to any adjoining property. Animal manure may not protrude onto the neighbor's property. The fence that surrounds the animal must be erected and maintained at least four-feet high but no more than seven-feet high. The fence must be constructed with a solid bar at the four-foot height of the fence such as a metal pipe or wood which cannot be flexed. A written approval must be obtained from all adjacent property owners consenting to animal owner housing any large animal bordering on their property. **Kevin Mickelsen** asked Reid what she suggests should be done. **Reid** stated she would like to completely get rid of the horses or move the horses closer to his house. **Mickelsen** asked Thurston if he purchased the property on the assumption he had the animal rights. **Thurston** stated yes, he purchased the property from Lee Torgerson knowing he had animal rights because Torgerson leased the property to John Roper. **Thurston** stated he tries to spray the corral down occasionally, but he's been on the long wall move and works every day. **Daniel Viers** asked if animal rights are recorded. **Kathy Maxwell** stated the homeowner must have record of the grandfathering annual record of housing a horse. **Kathy Maxwell** reviewed the ordinance with Mayor and Council. **Thurston** stated he didn't realize he was supposed to keep record of housing his horses annually. **Thurston** wants to construct a new fence but has been extremely busy with work and coaching football. **Mayor**

Maxwell mentioned in the ordinance it states, any barn, fence or dwelling must be constructed or maintained not less than (75) feet from a public street and not less than (20) twenty feet from any lot line. **Kathy Maxwell** stated the ordinance states the barn or fence needs to be (40) forty feet from any dwelling, and not closer than seventy-five (75) from any adjacent lot. **Kevin Mickelsen** asked Reid and Parker if Thurston made the changes to be in compliance with the Salina City Ordinance would they be ok with that. **Joe Parker** read through the ordinance and voiced his concerns of how the fence is constructed and the condition the horses are living in. **Parker** doesn't think it's fair that he and Mrs. Reid can hardly go in their backyards, due to the smell and flies. **Parker** called an officer today because he didn't want any legal issues. Thurston wasn't home, and left the water running, which flooded the corral. **Parker** stated to Thurston he would like it if he would follow the animal ordinance, maintain his property and take care of his animals. **Debbie Poulson** voiced her concerns from when she was on Salina City Council in the 90's. The animal issue divided the town. The grandfathering was in place to protect the residents that had livestock without an acre parcel. **Poulson** stated people like to live in Salina, so they can have animals on their property. **Mayor Maxwell** stated when Conrad Miller was the Salina City Mayor he updated the animal ordinance. The ordinance states if a resident owns an (1) one acre of land they can house a horse. If the property is less than one acre it needs to be grandfathered. **Mayor Maxwell** told Thurston you can house your horses on the property, but you need to move them (20) twenty feet off the lot line. **Thurston** said he's willing to make changes and follow the ordinance. **Jon Maxwell** stated Thurston needs to determine if his property has the grandfather rights and then maintain his property. Parker and Reid voiced their concerns with continuing to clean up the manure off their property. **Mayor Maxwell** stated Thurston will need to prove he has animal rights, move his horses (20) twenty feet off the property line and, abide by the ordinance, within (30) thirty days. **Thurston** stated he built his house (16) sixteen years ago and isn't sure he can find the documentation proving the grandfather rights. **Kenny Poulson** stated he remembers housing animals on his property and never had any type of documentation proving it. **Jorgen Mickelsen** stated when he purchased his property the grandfather rights was located on his deed but when he refinanced his house the title company left the grandfather rights off it. **Kathy Maxwell** stated the grandfathering rights stay with the property. **Mayor Maxwell** stated if the homeowner purchases property with a grandfather Claus and does not house animals on the parcel for each consecutive year they will lose the animal grandfather rights. **Earl Taylor** asked Parker and Reid if there is some type of agreement they can all agree on. If Mr. Thurston moves the horses back (20) twenty feet off the fence line, constructs a new fence, and maintains his property would that make them content. **Parker** voiced his concerns of Thurston not making the changes and abiding by the ordinance. **Kevin Mickelsen** stated we need to respect our neighbors and follow the ordinances, how can you come to an agreement. **Reid** stated let's give Thurston (30) thirty days and see if he can follow the ordinance. **Jon Maxwell** asked Debbie Poulson if Salina City kept any type of documentation to prove they had animal rights. **Debbie Poulson** said no, you would never find the grandfather rights on all the deeds. They didn't go to every property in town that housed animals without (1) acre lot. **Jon Maxwell** stated there is probably no documentation proving Thurston has animal rights, so they need to come to an agreement. Mayor and Council will give Thurston (30) thirty days to comply with all the regulations and if its not completed in the (30) days the horses will need to be moved to another facility until Thurston complies with the animal ordinance. **Mayor Maxwell** suggested Salina City keeping record of the properties in town that currently house large animals.

Kevin Mickelsen motioned to give Mr. Thurston (30) thirty days to comply with the Salina City Ordinance. If Mr. Thurston doesn't comply with the ordinance, he will need to move the horses until it's completed. **Jon Maxwell** seconded. Motion carried 4 to 0.

AGENDA TOPICS

Mayor

Jed Maxwell Approve noise permit on US 50 bridge **Earl Taylor** motioned to approve noise permit on US 50 bridge. **Daniel Viers** seconded. Motion carried 4 to 0.

Review budget Mayor Maxwell asked council to review their budgets and bring any questions or concerns to the next scheduled council meeting.

Discuss Salina City summer party Mayor and Council decided to move the Salina City summer party to August 25, 2022 from 6-8pm. At the Salina City Park.

Approval of 4th of July fireworks Earl Taylor approved to purchase \$13,000 in fireworks for the 4th of July 2023. **Daniel Viers** seconded. Motion carried 4 to 0.

Employee wages Earl Taylor motioned to approve updating wages for Salina City Maintenance employees from \$17.50 to \$20.00 per hour excluding the annual raise this year. **Kevin Mickelsen** seconded. **Jon Maxwell** abstained. Motion carried 3 to 1.

Appointing Salina City Board of Adjustments Committee Members: Kathy Maxwell stated she couldn't get a hold of the Attorney, but they need to appoint (3) three Council members for a Board of Adjustments. **Kelly Laier** stated this is for a Board of Appeals if someone feels like Planning and Zoning has been unfair to them they can go to the Board of Appeals and appeal their decision. There will be five spots open on the committee from the community. Any interested and qualified citizen may contact the city office to be considered. Tabled until the next meeting.

Mayor and Council thanked the maintenance department for doing a tremendous job cleaning up the park grounds and the area of the Veteran's Memorial for the Blast from the Past Car Show. They expressed the car show's success and want to publicly thank Paul and Paula Martin and their committee for the hard work in bringing the event to Salina City.

Blackhawk Arena
Director Jake Van excused

Police Chief
Al Taylor:

Planning and Zoning
Chairperson
Kelly Laier:

Maint. Supervisor
Jorgen Mickelson/Brad Allen:

COUNCIL MEMBER BUSINESS

Earl Taylor Approval of July 2022 Court Report Earl Taylor presented the Court Report for July 2022. Total \$3,730.00 with Salina City's portion \$2,229.07 **Earl Taylor** motioned to accept the Court Report for July 2022 **Daniel Viers** seconded. Motion carried 4 to 0.

Jon Maxwell: NS Rec. Update Jon Maxwell stated Wyatt Mason NSHS Football coach approached the NS Rec. Board asking for help purchasing a striping machine for the fields. The two entities will go in together on the machine. The NS. Recreation cost is \$2,626.02 which can be used for other sports. They discussed employee wages Heather Elliott's wage will stay the same, they raised Clint Johnson's wage to \$400.00 per month. Sevier School District has been renting the NSCC Building discussed the concerns of them not cleaning up after their meetings but have worked things out with them. NS Recreation Grant Update Riley Tidlund, Ashlee Larsen, and Jennifer Vought attended a grant writing class in Richfield to help fund the park adjacent to the NS Rec. it will take some time before funding is received and everything is finalized. Youth Sport Advertisement Riley Tidlund is receiving several phone calls asking when registrations for sports will begin. Tidlund will send a flyer out to all elementary and middle school students the first week of school with important registration dates. Parents are encouraged to watch for this advertisement and keep track of it throughout the year. The information will also, be located on the website of Salina City Rec. Department. NS Rec. Reviewed the financial reports

Daniel Viers: Approval of installing lights in the Blackhawk outdoor arena Kathy Maxwell reviewed what has been completed with the grant funds at the Blackhawk Arena.

She stated the Blackhawk Arena purchased lights with some of the grant fund from Central Electric. The LED lights came with a rebate of \$2500. They were hoping the rebate would cover the remaining cost of the installation, but they will possibly need to take \$3000.00 from the Blackhawk budget to help cover the cost. **Kevin Mickelsen** asked if the Blackhawk only received (1) one electrical bid. **Kathy Maxwell** stated yes, it was piggybacked from another project at the Blackhawk Arena.

Kevin Mickelsen suggested receiving a couple more bids. **Kathy Maxwell** will receive the bids and email them to Mayor and Council next week.

Daniel Viers motioned to approve installing new lights at the Blackhawk Arena up to \$6,000.00. **Kevin Mickelsen** seconded. Motion carried 4 to 0.

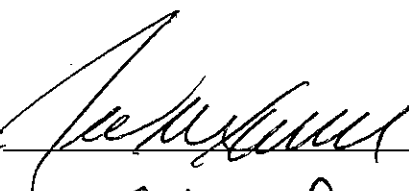
Daniel Viers stated he had been in touch with the new General Manager of the mine and has been given the go ahead to begin working on the cleanup of the property in front of Maverik where many mine employees park their vehicles. The area has commonly used as a dumping ground for trash, and **Viers** said the mine will be working on getting some garbage cans there, sectioning off the monument and laying down gravel and weed kill to make the area more presentable. **Daniel Viers** reviewed the mileage on the leased truck at the Blackhawk Arena.

Kevin Mickelsen: Review bids to extend sidewalk on Sunset Drive Mayor and Council reviewed the bids they received for the road project on Sunset Drive. **Mayor Maxwell** stated Salina City budgeted \$189,000.00 for the entire Sunset project and with the dirt work, pipes, extended pipe and sidewalks, the cost is at \$170,000.00 not including the asphalt. Mayor Maxwell suggested reviewing the budget. **Earl Taylor** stated Salina City should only pay to construct phase 1 and re-budget for the 2nd phase. **Mayor Maxwell** would like to table this until further review.

Review piping on Sunset Drive Council and maintenance spoke about the pipes that will be placed on Sunset Drive and the cost. The pipes need to be 4 to 5 feet deep. **Jorgen Mickelson** stated the cost of the pipes on Sunset Drive will be \$5,500.00. **Earl Taylor** motioned to approve \$5,500.00 to extend the infrastructure piping on Sunset West. **Kevin Mickelsen** seconded. Motion carried 4 to 0.

Daniel Viers motioned to adjourn the City Council at 7:50 p.m. **Earl Taylor** seconded. Motion carried 4 to 0.

Jon Maxwell motioned to adjourn the City Council at 10:05 p.m. **Kevin Mickelsen** seconded. Motion carried 4 to 0.

Date 8/24/2022 Mayor 
Date 8/24/2022 City Recorder 