



Salem City Council Meeting will also be held electronically, using the Zoom program.

If you would like to participate, please call the city offices (801-423-2770) or email (salemcity@salemcity.org) **before 5:00 p.m. on Wednesday, December 8th to request the link.**

DATE:

5:30 p.m.

December 8, 2021 (City Council Chamber 30 West 100 South)

WORK SESSION

1. Sunrise Engineering: Presentation on interchange discussion
2. FY 2021 Audit/Financial Report-Allred Jackson

7:00 p.m.

AGENDA – REGULAR COUNCIL MEETING

1. Volunteer Motivational/Inspirational Message
2. Invitation to Say Pledge of Allegiance
3. Youth Council Report
4. SF / Salem Chamber Report
5. Public Hearing
 - a. Glad & Karen Lewis for a Zone Change on approximately 3.24 acres of property located at 1509 North 1750 West from A1 to C1
6. Decision: Audit Report/Financial Statement for FY 2021
7. Request-Vikor Inc
8. Request-Dean Ingram, Arive Homes
9. Decision: Davis Water Banking Agreement
10. Decision: Approval of the modification to the Summer Springs subdivision right of way
11. Decision: Northfield Crossing Agreements
 - a. 250 East Connectors Agreement
 - b. Self-Help Sewer Reimbursement Agreement
12. Decision: 2022 Council Meeting Calendar
13. Decision: Financing for Fiber Equipment
14. Decision: Loafer Addition
15. Decision: Water Well Motor
16. Decision: Minutes of November 17, 2021
17. Decision: Bills for Payment

DIRECTORS REPORTS

18. Chief Brad James, Public Safety Director
19. Steve Cox, Building Official Director
20. Attorney Vaughn Pickell
21. Jeffrey Nielson, City Finance Director
21. Matt Marziale, Public Works/Recreation Director
22. Ted Barnett, Electrical Director

In compliance with the A.D.A., individuals needing special accommodations during this meeting should notify the Salem City Office at 30 W. 100 S. or call (801)423-2770 at least three working days prior to meeting.

- 23. Bruce Ward, Manager/Engineering
 - a. Canal Road Project
- 24. John Bowcut, Fiber Director

COUNCIL REPORTS

- 25. Mayor Kurt L Christensen
 - a. Finances / Budget
 - b. City Employees
 - c. Miss Salem
- 26. Councilman Sterling Rees
 - a. UMPA Report
 - b. SUVPS Report
 - c. Mayor / Council Advisory Board
- 27. Councilwoman Cristy Simons
 - a. SUVMWA & Mt. Nebo Representative
 - b. Water (Primary & Secondary)
 - c. Roads
 - d. Storm Drain
- 28. Councilman Seth Sorensen
 - a. Recreation
 - b. Green Waste
 - c. Chamber of Commerce
- 29. Councilwoman Delys Snyder
 - a. Solid Waste
 - b. Senior Dinners
 - c. Library
- 30. Councilman Tim De Graw
 - a. Sewer
 - b. Youth Council
- 31. CLOSED SESSION -The Salem City Council may temporarily recess the regular meeting and convene in a closed session to discuss pending or reasonably imminent litigation; the purchase, exchange, or lease of real property or water; or to discuss the character, professional competence or physical or mental health of an individual as provided by Utah Code Annotated §52-4-205.

Please Note: If you have an item that you would like to have discussed before the City Council, please fill out a request form, which is available online at salemcity.org or at the City Office, and return it to the City Office by 5:00 p.m. the Thursday prior to the meeting you would like to attend.

Minutes of the Salem City Council Meeting held on December 8, 2021 in the Salem City Council Chambers.

Work Session: 5:30 p.m.

Sunrise Engineering Presentation on the interchange discussion

Shannon Ellsworth has managed most of this project for Sunrise Engineering. Shannon stated sunrise engineering brought a grant to Salem City and it was a very competitive grant with UDOT. UDOT thought this was a great opportunity to plan for an interchange. Shannon mentioned this plan centers around the transportation elements, active transportation elements, land use commercial development and residential development. Shannon said this plan can still be adjusted. Shannon Ellsworth showed a map of the project area. Shannon mentioned one thing they will update is a small section that is in now in Salem boundaries. Shannon stated we wanted to create a street network. Shannon said most roads are already approved and they built this grid from the roads that already exist. One of the staff recommendations was to create a frontage road which will likely be freeway commercial and can be serviced by this frontage road. Another part of the transportation network is the three major roundabouts. Shannon stated the Arrowhead Road roundabout is already approved and then Shannon pointed out the other two roundabouts on the project map. Councilperson Snyder asked if the connecting roads to Salem Parkway would have lights and Shannon respond yes, but not all of them. Shannon Ellsworth mentioned the intersection at 1260 West and SR 164 is a right in and right out because it is so close to I15. This was a stipulation by UDOT. Shannon commented if you are traveling north out of Salem you shouldn't use 1260 West because it is a very inefficient way to travel. This should push most traffic to Salem Parkway. The intersection at Salem Parkway and SR 164 will be a significant light and likely have two left turning lanes. Shannon pointed out the orange axis on the map and stated this is on the interior of the site. 1500 North and 1260 West will primarily be an active transportation corridor. They will try to move the cars slower through this area and this section will have a roundabout. A previous plan was presented on the streets, and they tweaked the plan a little bit. It creates really strong sidewalks or pathways on both sides of the street. There are wide sidewalks, wide park strips and bike lanes. This gives a safer access to walk to other designations. They wanted to create a boulevard and sense of place. Shannon stated much of this plan is built off of the transportation network. Shannon explained they map of right of ways. Shannon mentioned the underpass and she had spoken with UDOT, and they said it is a great idea to maintain that underpass and someday expand it and create a better connection to the other side. Councilperson Snyder asked if Salem Parkway is planned to continue north of SR 164. Shannon stated yes for the county. Shannon mentioned the land uses are not that different from the last time. We expanded freeway commercial and included a parcel from staff suggestions. Shannon said she wrote into this plan specifications so the city will get a higher quality townhome and condo. Shannon mentioned the mid-density 6-8 units per acre, and they are detached with smaller lots and smaller homes. Councilperson Snyder asked Shannon what she would consider low density. Shannon stated that's all subjective to the area. Shannon mentioned the last time she was here it was suggested to bump up the density in order to support the commercial development. There is 285 acres of proposed commercial. Shannon explained if you talk with a real estate commercial developer, they will tell you that you need 6000 housing units to support an 8-acre grocery store. Shannon stated you have 285 acres and

that is great, but you don't have to immediately supply all housing immediately adjacent to the commercial. It is somewhat optimistic in the near term but if you sit on this along time you might bring in the commercial. Shannon said if you offer great incentives, you might get the commercial or if you bring in more rooftops that will bring the commercial. This plan will get you to almost 2600 housing units if this plan is approved. Shannon pointed out a good spot on the map for an elementary school or a church or both, but this is not a guarantee. This is located next to the park. Shannon said they tried to keep the higher density closer to the park and amenities. Shannon said when they visited with the planning commission their recommendation was to expand the commercial near Salem Parkway in a couple of sections on the west side of the road. This will add 15-acres of commercial and 15 less acres of residential. Shannon said based on the councils and staff feedback we outlined some design recommendations. Shannon commented we want the townhomes to look great and create a sense of community and sense of place. They have added this recommendation, so this part of town is distinct. It has high quality building and interesting facades that has cohesive landscaping. Some recommendations are linear street tree plantings with same tree cultivar, large canopy trees mirrored on both sides of the boulevard, unique pavement patterns, a cohesive plant palette, consistent art, consistent & specific architectural feature, like red brick as a façade material and create a unified urban design. Shannon said we want this to improve the image of Salem not detract from the small-town feel. Bruce Ward mentioned that 66 acres of the commercial is Olsen's Garden. Mayor Christensen asked if it is still going to have flexibility? Shannon said yes and we had that conversation. Shannon said she has stated in the past that this is optimistic on commercial and the response from the planning commission & council was we can optimistically zone it or create a future land use as commercial or we can change it to residential in the future. Councilperson Sorensen said it is the only last developable interchange and you don't want to give anything away too soon. Councilperson Sorensen stated as the population moves south it could potential be similar to the Canyon Creek Development in Spanish Fork. Shannon Ellsworth said the best thing tonight is for the council to provide feedback on any changes and it is smart to start implementation and once the plan is adopted what kind of infrastructure do you need to plan for. Councilperson Sorensen mentioned one of the intersections at Salem Parkway he could see commercial close to the parks, so it is within walking distance to a convenient store. Mayor Christensen said let's reserve it and go with the recommendation of the planning commission. Bruce Ward explained the planning commission's recommendations of added a couple of sections into commercial. Boyd Brown stated he would prefer these sections stay residential and he is happy with the current drawings. Bruce Ward and the Mayor asked how we can have flexibility without amending the general plan. Shannon stated you don't create flexibility by creating 5-acre parcels. Shannon said the broader it is the more flexibility you will have. Attorney Pickell said if you look at Spanish Fork's plan, they have broader swaths and they are leaving hug gaps between land use categories. Shannon said we can make it more vague, which is typical in a future land use map. Shannon pointed out this is a land use map not a zoning map. Attorney Pickell stated this an advisory document. Shannon said this is not denying any business opportunities, but you are signaling what is welcome. Matt Marziale mentioned the south end of Spanish Fork main street and that there was nothing there for a long time and then they put in the ball fields and the convenience store popped up and then other business were built too. Matt Marziale suggested in the creation of this plan maybe create a new color on the map with a new designation that can be either commercial or residential. Matt Marziale

said realistically for us Salem City & the tax base in generating sales tax, that's better for us as businesses and for property owners because they have rights as they try to sell their property. Matt felt that we have a lot of similarities to the south end of Spanish Fork main. Bruce Ward suggested to make it more flexible and bring it back to the council. Shannon Ellsworth said to recap you would like to see more flexibility in land use. The council was in favor of more flexibility. Shannon asked about the densities, are they to high or too low? Mayor Christensen asked Attorney Pickell if he knew how high of a density Spanish Fork would be doing across the street. Attorney Pickell didn't have an immediate answer but would look into it. Councilperson Snyder mentioned Spanish Fork is having people buy density out of the river bottoms and paying the farmers and then buying elsewhere and that place is at the Benjamin exit. Shannon mentioned Spanish Fork is doing transfer of development rights. Bruce Ward asked if 9-14 units per acres needed to be higher. Attorney Pickell stated Spanish Fork's plan is 20 units to the acre. Councilperson Snyder asked for Shannon's thoughts and what is reasonable. Shannon said the more rooftops you have the more opportunity you have and understands people are not comfortable with density. Shannon mentioned people her age are comfortable with townhomes and condos. Most of the younger generation are not buying homes until they are in their 30's. Shannon said the population in Utah Valley is supposed to double in the next 20-30 years. Councilperson Snyder stated she feels it will double faster. Councilperson Sorensen mention the large number of students at Nebo School District. Shannon commented they will eventually buy a house. Councilperson Simons stated we already have plenty of space for larger lots in this section of Salem and said she would expect to see smaller lots in the new section of Salem. Councilperson Simons believes people are expecting the higher density in the new section. Shannon stated generationally it is a completely different concept on what housing is and what affordability is and where people want to live. Shannon said this isn't just for the younger generation, some of the older generations want to retire and not take care of a yard. Shannon mentioned there is more of a market for amenities and sometimes less of a market for a big yard. Councilperson Snyder thinks everyone knows this is where the higher density is going. Mayor Christensen mentioned tracks will eventually go through here and it is close to the freeway, and it is the place for the density. Mayor Christensen mentioned he would like to see mixed densities. Shannon Ellsworth stated adding density will support the council's goal on commercial and some of the design features that are desirable. Shannon mentioned it would be better to look at different product types. Shannon stated she will implement more flexibility into this plan and consider improving the density. Shannon mentioned we should also be thinking about the infrastructure and maybe tweaking or updating some of the zones so it will articulate the kind of development you want here. Bruce Ward said the goal would be to come back with updates in January.

FY 2021 Audit/Financial Report-Allred Jackson

Diane with Allred Jackson is here to go over the audit. Diane expressed her appreciation for Jeff, the staff, and Mayor Christensen. Diane congratulated the city on no findings during the audit. Diane commented the state requires us to test in twenty different areas and the city passed all of them. Diane mentioned Salem is in a period of what she would consider large growth. The total assets increased almost 24 million dollars from last year. A large

chunk of that was due to unexpended bond proceeds at the end of the year, as well as fixed assets additions including about 10 million dollars in donated infrastructure with various subdivisions completed during the year. There was work on the fiber line, Cole Park, Salem trails and the land purchased for the pressurized irrigation pond. Some of the cash increases was due to our revenue being up. In the governmental funds there was pretty much an increase across the board other than interest because the interest rates were low. The City received \$629,000 in cares act funds. The revenue went up about 2.5 million dollars. Expenses increased about 500 thousand in governmental funds. That includes general funds, capital project funds, and all those that aren't taxed for services. Enterprise type funds assets went up about 10 million dollars. Revenues just for charges in service went up about a million dollars. Expenses went up about 1.3 million dollars. Diane wanted to point out on the operating income that anything that isn't showing as a positive number, we need to pay close attention to and take a look at this to make sure we are charging enough on our fees to cover the expenses. Diane mentioned the fiber fund is new this year and that will start generating income and cover fees. All enterprise funds other than the fiber fund generated a positive net income. Diane said the financials look great and no findings. Mayor Christensen asked a question about the assets and how they show on the financials. Diane stated assets are shown at cost and they are depreciated, and any increase is not shown on the financials.

Central Utah Canal Project

Bruce Ward said we are getting closer to the Central Utah canal project. Bruce Ward asked Greg with Hans Allen Luce to come give us a quick update of cost on what Salem City might be responsible for and talk about the timing of the project. Greg with Hansen Allen Luce covered the 6 different components of the project and the engineer estimates. Greg said with the storm drain improvements and roadway improvements, and downstream conveyance improvements, sanitary sewer & drinking water improvements there along Salem Canal Road, cost sharing with the county related to the Elk Ridge Road to up size their storm drain facilities from Elk Ridge Road down to SR 198, and engineering design fees & services during construction. The grand total is 14.7 million dollars. Based upon discussions with Central Utah and Salem City the document handed out shows the components each party is responsible for. Greg discussed the three most important details, the funding streams that have been identified to pay for the Salem City share of the project. Of the 8.3 million dollars they have identified 2.3 million dollars available from MAG related to trail and improvements to trail, retaining wall, fences, curb & gutter, and asphalt. Greg stated they have been coordinating with the Division of Water Resources to obtain a loan from the Division of Water Resources and the amounts were provided on the document. Those are specifically related to the storm drain funding and that adds up to close to 6 million dollars. Greg also discussed the funding that Salem would have to bring to the table. The coordination with Central Utah Water Conservancy is on going to move the Salem dollars over into the Division of Water Resources funding and that requires them to shift some of the Central Utah money around a little bit because the Division of Water Resources has a very narrow corridor and Greg stated we have to stay within what we can spend and not spend that money on. Bruce Ward asked if there were any questions. Bruce Ward stated

we will have to come up with 7 million dollars. Bruce mentioned that they are trying to get MAG to match the Division of Water Resources, Central Utah and DWRE to match MAG, and roll that 6-million-dollar loan up to 7.3 million and then the city doesn't have to come up with \$700,000. Mayor Christensen asked about the loan rate. Bruce Ward didn't have that immediate answer. Greg with Hansen Allen Luce said that is going to be based on the affordability of city, but they haven't got that far in the conversation, but he thought possible 1%. Bruce Ward said the term on the loan is still in question. They are subject to change once we get bids. Greg stated the pre-bid walk through occurred yesterday and the bids are due January 11th and then that gives the city 45-60 days to evaluate. Bruce Ward said once we get a bid the timecard starts. Bruce Ward said the bidding market is unpredictable. The whole project could potential cost 50 million. Jeff Nielson said on the 7 million loan we need to make sure we have it funded, and we have to figure out how we are funding it. Jeff Nielson stated this will be a general fund project. Bruce Ward said this is storm drain and roads and we don't collect money for either. Jeff Nielson mentioned we need to look at options to pay this loan. Bruce Ward said the construction timing is 2 years and starts June 2022. Councilperson Snyder said we have to come up with \$700,000 in this scenario but also 6 million. Bruce Ward said whenever you get a loan you are required to do a down payment and in municipal funding that's called matching. Bruce Ward said we are trying to get the match rolled into the loan but may not be able to do that. Greg stated the MAG component is a grant. 2.3 million is a grant and the 5.9 million is a loan and they want to get the \$700,000 into the loan. Councilperson Snyder asked about looking into all option of funding. Greg stated as part of the funding options he looked into many sources. Bruce Ward commented we have some decisions to make.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Kurt L Christensen

COUNCIL PRESENT:

Mayor Kurt L Christensen
Councilperson Sterling Rees
Councilperson Seth Sorensen
Councilperson Delys Snyder
Councilperson Tim De Graw
Councilperson Cristy Simons

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Vaughn Pickell, City Attorney
Chief Brad James, Police Chief
Ted Barnett, Power
Matt Marziale, PW/Recreation
Bruce Ward, Manager/City Engineer
Steve Cox, Building Dept.
John Bowcut, Fiber Director
Robyn Mortensen

OTHERS PRESENT

Glade Lewis, Karen Lewis, William Burk, Brent Bluth, Ryan Walters, Lauren Black, Brekell Gammell, Andrew Hunt, Caleb Eastman, Sid Cardon, Kam Valgardson, Paul Taylor, Jon Cope, Dean Ingram, Brad Bishop, Andrew Ottesen, Cammy Peterson, Garrett Anderson, Brant Tuttle, Boyd Brown

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Christensen asked if anyone would like to give a motivational or inspirational message. Jeff Nielson stated he would like to offer a motivational message in the form of a prayer.

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Brekell Gammell invited those who wish to participate, to stand and say the pledge of allegiance with her. She then led the pledge of allegiance for those who wanted to participate.

3. YOUTH COUNCIL

There was not a member from the Youth Council present tonight.

4. SF/SALEM CHAMBER OF COMMERCE

There was not a member from the SF/Salem Chamber of Commerce present tonight.

5. PUBLIC HEARING

MOTION BY: Councilperson Sorensen motion to Open the Public Hearing

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

A. GLADE & KAREN LEWIS FOR A ZONE CHANGE ON
APPROXIMATELY 3.24 ACRES OF PROPERTY LOCATED AT 1509
NORTH 1750 WEST FROM A1 TO C1.

Bruce Ward stated the property is located at 1509 North 1750 West. Bruce Ward mentioned Glade & Karen Lewis are here tonight if we have any questions. They proposed to be re-zoned from A1 to a future zone of C1. This goes along with the general plan we have discussed, and it goes along with the concept that Sunrise Engineering has presented. Bruce Ward commented this went thorough DRC, and they talked about multiple zones. DRC & Planning & Zoning recommended C1.

No Public Comment

MOTION BY: Councilperson Snyder motion to Close Public Hearing

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

Councilperson De Graw asked if we need to consider anything with the underpass expansion. Bruce Ward said as the road and development happens it will impact this property. Bruce commented he has been approached about the property from a couple source but no details of what is planned. Bruce Ward said the zone change is the only request he has been presented with.

MOTION BY: Councilperson Sorensen motion to approve the Glade & Karen Lewis zone change on approximately 3.24 acres of property located at 1509 North 1750 West from A1 to C1.

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

6. DECISION: AUDIT REPORT/FINANCIAL STATEMENT FOR FY 2021

This item was discussed during work session and Jeff Nielson stated if there are any other questions, please let him know. Mayor Christensen mentioned to those who were not in the work session, there was no findings in the audit and Salem City is in good standings.

MOTION BY: Councilperson Snyder motion to approve the audit report/financial statement for FY 2021

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

7. REQUEST: VIKOR INC

Vikor Inc. is an established and reputable business located in Sioux Falls South Dakota. They have located this parcel as their future home for their Rocky Mountain Headquarters. Vikor is a tower company that builds cell towers, wind turbines, etc. No building will take place at this site. This will bring roughly 30 jobs to Salem City with the Rocky Mountain Headquarters. The representative stated the average income for an employee is \$80,000-\$100,000. Vikor wants to be a part of the community. The representative showed an image of Sioux Falls headquarters. The Salem building would be 3500 square feet with 2000 square feet of office space and the yard space would have gravel. Councilperson Rees asked how many acres of property? The Vikor Rep stated 2.4 acres. Vikor believes your job should add to your life experiences, not keep you from them. It is a company built on culture. Showed a video about the Company Vikor Inc. and talked about the benefits of coming to Salem. Vikor is looking for approval to get this property annexed into Salem City. The Vikor Rep stated the parcel is under contract and state if it gets approved it will take roughly 12-18 months to start construction. Bruce Ward mentioned the property to the south needs to be a part of this annexation because it could create an island. Councilperson Simons asked if the property owners to the south are interested in annexing? The Vikor rep stated he will speak with the owners. Bruce Ward said we have concerns because this is a wrecking yard, and it may have potential environmental issues. Bruce Ward said Vikor would be willing to deal with environmental issues. Bruce Ward said our general plan doesn't see this as light industrial use, so if the city feels this is something appropriate for this property, then they will have to submit a formal application. Councilperson De Graw sees this as an opportunity to partner with them and feels we should help support this project. The Vikor rep stated they have done the EPA phase 1 study on the soil, and they have looked into how the cars were being stored and all the fluids were emptied prior to being stored. In 1998 a test was done on the water, and it was not contaminated. Vikor rep said if we do a phase 2 study it would cost \$18,0000. Vikor is not worried about the phase two study but if Salem City wants the study done then they would like to do a split on the cost with the city and bring utilities in. Vikor is looking to see if Salem City is interested in partnering. Councilperson De Graw asked how the process works. Bruce Ward said we

don't have a requirement on the phase two. Bruce Ward said this is historically a hazard. We recommended this to protect their assets. Bruce Ward asked if they find something whose obligation, is it? Attorney Pickell said should be the property owner's responsibility. Bruce Ward asked if there is any risk to city if this is allowed. Attorney Pickell said the risk is born by the property owner. Council was interested in looking into this and gave the go ahead to submit an application. Bruce Ward explained the next steps for Vikor to proceed forward.

8. REQUEST: DEAN INGRAM, ARIVE HOMES

Dean Ingram stated as they are developing parcels in Salem city they have come up with issues on the code with single access and secondary access. Dean mentioned he has looked into neighboring cities on their code. Dean Ingram gave an example at his Skyview development. The developer below us is turning in plats but we don't know when he is going to do it, so they are waiting. Dean Ingram said now we are taking a road that we were not planning on doing because we need a second access after 24 lots and put the people out onto unsafe road exiting onto Elk Ridge Drive. Dean Ingram said we have stubbed for future access. Dean Ingram mentioned a power issue on the Ridgeview development because the circuit is maxed out. Dean Ingram said he can't go any further with the Selman Ridge development. Dean Ingram talked about the pros and cons. Dean Ingram stated he would like to do more homes in first phase and get the second access in the second phase on the larger projects. Dean Ingram wants to propose change in the code. Dean asked for permission to look into this and bring back to planning and zoning. Dean Ingram asked if it needs a hearing. Attorney Pickell stated a public hearing is needed. Bruce Ward said we have met as staff and discussed this issue. Bruce Ward said there is not a magic number. Bruce stated one access with less homes is safer. Bruce Ward stated Dean Ingram has provided the code from other cities. Bruce Ward said every city is pretty much the same when you go over 50 there is no more flexibility on second access. Bruce Ward stated this is a reasonable request and suggested to look into the code. Councilperson De Graw asked why was it originally set at 24 units? Councilperson De Graw felt this is done to govern and due to growth. Bruce Ward gave an example of why it was set at 24 units. Councilperson De Graw feels we should have a plan at 24 and mandatory after 50 and leave it as somewhat discretionary, due to particular areas and a case-by-case situations. Councilperson Sorensen mentioned Spanish Fork has 35 units with temporary accesses. Bruce Ward stated we will work up an ordinance as staff and present it to planning & zoning and bring back to council.

9. DECISION: DAVIS WATER BANKING AGREEMENT

This agreement is to allow the owners of the Davis Ranch to donate their water to the city in a banking format and provide them a credit for the number of acre feet they provide. Then it will go through a change application process to municipal use. If the state engineer reduces the amount of acre feet available for municipal use, the credit the city provides will also be reduced. This requires them to pay the cost for the change application and if there is

any challenge to the state engineers decision than that burden is on the Davis Family. It is also limited to their property. Attorney Pickell spoke with Jon Cope and Jon stated the main reason is for the water to stay with their property. Attorney Pickell stated another benefit is once the water is converted to municipal use it helps to protect from nonuse. Attorney Pickell and Bruce Ward recommend approving the agreement.

MOTION BY: Councilperson De Graw motion to approve the Davis Water Banking Agreement

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

10. DECISION: APPROVAL OF THE MODIFICATION TO THE SUMMER SPRINGS SUBDIVISION RIGHT OF WAY

Bruce Ward said some weeks ago we talked about the Summer Springs development. Summer Springs Development is the Townhomes and single-family mix on 1500 North 777 West. Bruce Ward stated the developer approached us, and we brought this to the council and the council asked us to look closer at it and see if it was something we could recommend. Bruce Ward commented after meeting with staff we have a dual recommendation. Bruce Ward said the city standards cross section it doesn't contemplate this cross section currently. Bruce Ward said they came to a conclusion for the townhome section. The developer asked if they could take the 8 feet out of the planter strip and set it in the back so there is a little more yard in back. The developer will still maintain the 25ft driveway. The cross section is still 36 ft of asphalt, the curb & gutter remains the same on both sides, and the 5ft sidewalk is the same. Bruce Ward stated the only thing missing is the 8ft planter strip. Bruce Ward mentioned the second part of the recommendation is we develop a new standard. Bruce Ward stated he would like to recommend to the council to approve the cross section to be used specifically on the Summer Springs project and recommend the staff to come back to the council with a modified standard. Councilperson Sorensen stated he feels this goes along with the water conservation efforts. Councilperson Snyder asked if we need the strip for snow removal. Bruce Ward said the 36 ft of asphalt is sufficient where we don't allow parking on the road in the winter. Councilperson De Graw asked what is in middle of the two driveways. Bruce Ward said everything between the two units will natural be there, sometimes you will see grass or rocks. Bruce Ward stated the DRC approved

MOTION BY: Councilperson Rees motion to approve the modification to the Summer Springs Subdivision right of way

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

11. DECISION: NORTHFIELD CROSSING AGREEMENTS

A. 250 EAST CONNECTORS AGREEMENT

Attorney Pickell stated the developer built the 250 East Street behind Stokes and added the utilities. The property to the west is owned by Salem City and we should pay our share. The Salem City total is \$216,636.35. This is a connector's agreement and it's time for the city to reimburse for it. Bruce Ward mentioned when this was approved the subdivision was presented to the council and the agreement it would be handled at the end of construction.

MOTION BY: Councilperson Rees motion to approve the 250 East connector's agreement

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

B. SELF-HELP SEWER REIMBURSEMENT AGREEMENT

Attorney Pickell stated they have asked to table this agreement because they are still working on numbers.

Mayor Christensen asked Bruce Ward if we could talk about his for a moment. Bruce Ward asked Brent Bluth to come up and talk about the cost of the right of way. Bruce Ward mentioned as we do a reimbursement agreement, we reimburse for all costs. In this case, the right of way the cost was around \$100,000.00. Bruce Ward asked Brent Bluth why was the right of way that amount. Brent Bluth said typical when he has worked in the city, we ask for easements and right of ways and they are typically granted at cost for the benefit of the utility. As a private developer that is rarely the case that we have to pay a cost for. Brent Bluth said we looked for three possible scenarios for that sewer line to go to Beet Road and connect the sewer line. Brent Bluth mentioned some years ago he and Junior were discussing the initial right of way and it was mainly going through the church property and then off to the gentleman where the log homes are built. The cost was significant for the right of way. Brent Bluth stated the church has a formula when you are going through any of their properties, and they charge you for that. The total cost in the first proposal was close to 4 million dollars. Brent Bluth said we found a much less expensive way to find an alternate route and we were able to negotiate a fairly good price for what we thought the majority of the right of way by Beet Road was valued at and we applied roughly the same formula the church uses and that's how we came up with the price. Mayor Christensen said the pipeline increased the value of the property. Mayor Christensen said if the city is going to reimburse them, why weren't we apart of the negotiation. Bruce Ward mentioned that Attorney Pickell mentioned they requested to table this item. Bruce Ward said we are working through impact fee reimbursements and how that will work, and

we need more time to work on this. Bruce Ward asked that the sewer reimbursement be tabled.

MOTION BY: Councilperson Simons motion to table the Self Help sewer reimbursement agreement until its ready to bring back to council.

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

12. DECISION: 2022 COUNCIL MEETING CALENDAR

MOTION BY: Councilperson Snyder motion to approve the dates for the 2022 Council Meeting Calendar.

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

13. DECISION: FINANCING FOR FIBER EQUIPMENT

John Bowcut stated the fiber department has been leasing a mini excavator and a skid steer. This is the equipment they use all the time and is essential for their operations. The lease for this equipment ran out and the next year's lease doubled in pricing. John felt that with the money spent on leasing with the new costs, it would be cheaper in the long run to purchase the equipment. John Bowcut stated we are now faced with finding equipment and he went to the state contracts. John Bowcut said we had to buy what we could find. The skid steer we had was under sized and the new one is capable of lifting our product. John Bowcut is looking to finance the equipment over a term. John Bowcut said we haven't received all the numbers back from Zions but would like to go ahead and finance them because nobody is leasing. Jeff Nielson said we want to get approval to finance for 5-6 years. One company gave us a rate of 2.99% and Zions said roughly 2.69% but that isn't a firm number. Jeff Nielson said the resolution tonight is giving approval to the Mayor and Jeff Nielson to sign on the financing for the purchase of the equipment. Mayor Christensen mentioned in 4 years the equipment is ours. Councilperson Snyder asked what the life is on this equipment. John said a long time if we take care of them.

MOTION BY: Councilperson Rees motion to approve the resolution to buy JCB track loader and mini ex.

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

14. DECISION: LOAFER ADDITION

Matt Marziale stated he is here tonight to ask for permission to spend impact fees some of which he doesn't currently have, but we must deal with the designer on the loafer addition as to when the payment will take place. Matt Marziale stated we put out a request for bid asking for design of the loafer addition. The addition is the 10 acres section of property directly behind the stake center and loafer complex. Matt Marziale said we had 9 firms attend the pre meeting information and our onsite walk. Of the nine, three submitted bids. Matt Marziale said when we did the original bid, we asked for them to price for design and construction management. Matt said at this point we are not looking at going forward with construction management or construction. Matt Marziale stated we are looking for a complete design of loafer, so when we get ready to start, we can bid out the packet and put that in the hands of who wins the bid and have them build the whole park. Matt commented PEC had the lowest number on the design and we have worked with them before and comfortable working with them. Matt said Lars Anderson who represents PEC came back to Matt and wanted to clarify a few things, so it didn't become a change order later. He clarified the difference of his original bid to this extra ten thousand, those being a design of basement in the actual building in the middle of the addition and lighting and making a room that could be a concession. Matt Marziale said he still has money in his impact fee budget and that is lined out for Cole Park. Matt Marziale said the restrooms at Cole Park is under construction. The fence bid is out and due back on January 5th and Matt is holding back impact fees for the fence. Matt mentioned all the main lines for sprinkler are in and after the storm the crew will go back and run the sprinkler lines and have it ready to hydro seed in the spring and he has held money out for that. Matt said he wants to have Cole Park put together minus the splash pad and playground. Matt Marziale stated he needs about 40 impact fees in order to pay PEC and they have agreed to wait to be paid. Matt Marziale would like to move forward with awarding the bid to PEC for \$136,810.00. Matt Marziale mentioned we had them design this with the property agreement we have in place with the Jermain's. Councilperson Snyder asked what is PEPG? Matt Marziale stated that is the company we hired to do the design of 600 South. Councilperson Snyder asked what the building was, and Matt Marziale talked about keeping the ball fields central and explained it is a score tower at the ball field. Matt commented this something similar to what we already have at loafer.

MOTION BY: Councilperson Sorensen motion to approve PEC bid of \$136,810.00 for the design at Loafer.

SECONDED BY: Councilperson Rees

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

15. DECISION: WATER WELL MOTOR

Bruce Ward said we have been working on an issue with the lower well. We found the lower well barring's were shot and overheating. Bruce Ward stated good news we keep an extra motor on hand. They put the new motor in and running well. Bruce mentioned they took a look at the Maple well and it was showing some signs of wear, but not as bad. Bruce Ward stated once they realized that they figured they should schedule both replacements for the motor. When they went to replace the upper well, they found out the extra motor for the upper well was the wrong shaft size. There was some mix up when we purchased the motor. Bruce Ward said the upper well does need to be replaced because we clearly don't have a backup now for it. The upper motor will be a 150 horsepower we need to buy for maple canyon well at \$14,416.99. Bruce Ward stated for the other two motors there is two options, a 250 horsepower which is what is on the well now and then there is a 300-horsepower motor. The 300 hp motor was actually suggested by Nickerson because they said it could up our capacity of the well. Bruce Ward thought the change in capacity would be worth looking into. Bruce would like approval tonight for the purchase of maple canyon well motor. Bruce Ward mentioned we also have another quote coming in and if it's better than the numbers we are looking at then we will go with the better quote. Looking for approval for \$14,469.99 and the \$25,965.81. Bruce mentioned if we decision the 300 hp isn't financial worth the small increment then we will drop down to the \$22,500.00. Sid Cardon asked if the motor that was stored for 14 years, does it have any value? Bruce Ward said the motor can be used on lower motor if needed. It has some value and Bruce Ward said we might try and find a buyer. Mayor Christensen asked if the company would take it back. Bruce Ward said we will talk to them first, but they haven't indicated they would take it back. Councilperson Snyder asked how will we pay for it? Jeff Nielson said it would be from the unreserved balance from the water department. Jeff Nielson said this is an emergency and why we have a reserved balance budget.

MOTION BY: Councilperson Snyder motion to accept for the bids for the water well motors for \$14,416.99 and \$25,965.81.

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

16. DECISION: MINUTES OF NOVEMBER 17, 2021

MOTION BY: Councilperson Sorensen motion to approve the minutes of November 17, 2021

SECONDED BY: Councilperson De Graw

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

17. DECISION: BILLS FOR PAYMENT

Councilperson Snyder asked how long we will be paying the attorney fees for SESD. Attorney Pickell stated we are still in litigation, and we are waiting on a judgment.

AMOUNT: \$728,786.31

MOTION BY: Councilperson Rees motion to approve the bills for payment in the sum of \$728,786.31

SECONDED BY: Councilperson Sorensen

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

18. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief James did not have anything to add to tonight's meeting.

19. STEVE COX, BUILDING OFFICIAL DIRECTOR

Steve Cox stated we have 244 new single family building permits, and we have 10 in the reviewing process and 400 total permits for the calendar year. Steve Cox stated in 2020 we did 302 permits.

20. ATTORNEY VAUGHN PICKELL

Attorney Pickell did not have anything to add to tonight's meeting.

21. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson mentioned to the Mayor and Council that he has the Poinsettias, Candy, and Cards ready to deliver to the Businesses. Jeff Nielson asked the Mayor and Council to stop by and pick them up.

22. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale mentioned the new Flagpole at Veterans Park is standing.

23. TED BARNETT, ELECTRICAL DIRECTOR

Ted Barnett did not have anything to add to tonight's meeting.

24. BRUCE WARD, MANAGER/ENGINEERING

a. Canal Road Project

Bruce Ward gave an update of the canal road project and reports. The project bids will go out in January. Salem City's portion for the project is around 7 million dollars.

Bruce Ward stated of approximately 250 new home building permits, and we are flowing at 100 connections.

Bruce Ward mention the SR 198 & Elk Ridge Drive Light is about 60-90 days out. Councilperson Snyder asked about the latest information on the county road and asked if we can put a little pressure on the county. Bruce Ward said the latest information he has is county was able to get one of the significant landowners to sign. It has been signed at the title company for closing. Bruce Ward said we can't put pressure on the county because it is their job and their money.

Bruce Ward mentioned in the DRC meetings they have talking a lot about masterplans. The Arrowhead Springs development got the first 3 phases of final plat approved.

Bruce Ward has asked Attorney Pickell to help prepare a job description on his position. Bruce Ward stated he would like to advertise the position opening in first part of the year.

25. JOHN BOWCUT, FIBER DIRECTOR

John Bowcut said we were having a hard time get switches, so they left that manufacture to get different switches. John stated we are waiting on the new switches to continue working on Foothill's node. John Bowcut stated Deer Creek is now live. John said we have put out yard signs letting people know fiber is available in their area and trying to get people to sign up. John mentioned he is still not able to get pieces to do the overhead work.

Councilperson Rees asked when you get to an area, what is the homeowners responsibility? John Bowcut explained first part of the installation is get the fiber from the street to house and put 5# box on the home. John stated the homeowner doesn't need to be home at that time. Second, we set up a time to meet with the homeowner and determine how they want to get the fiber into the home, and they must have their own Wi-Fi router. John said they will help the homeowner with the configurations. John Bowcut said we have not been able to launch the managed Wi-Fi yet because we are having trouble getting the routers. Councilperson Snyder asked home many customers do we have? John responded 155.

COUNCIL REPORTS

26. MAYOR KURT L. CHRISTENSEN

Mayor Christensen did not have anything to add to tonight's meeting.

27. COUNCILPERSON STERLING REES

Councilperson Rees asked the Mayor and Council if they received information about the Clover Creek Dinner. Councilperson Snyder mentioned she received an email asked if we need to RSVP. Councilperson Rees stated yes you must RSVP. The rest of the council stated they had not seen an email about the Clover Creek Solar Project.

28. COUNCILPERSON CRISTY SIMONS

Councilperson Simons did not have anything to add to tonight's meeting.

29. COUNCILPERSON SETH SORENSEN

Councilperson Sorensen did not have anything to add to tonight's meeting.

30. COUNCILPERSON DELYS SNYDER

Councilperson Snyder did not have anything to add to tonight's meeting.

31. COUNCILPERSON TIM DE GRAW

Councilperson De Graw commented on the Pond Town Lighting Ceremony and thanked all the youth council who helped with the lighting ceremony.

Councilperson De Graw stated the Sewer Dept is running well. Councilperson De Graw mentioned the sewer department is waiting on a snowplow truck from Spanish Fork. Matt Marziale stated we won't receive the truck from Spanish Fork until they have received their new one.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Rees motion to Adjourn the City Council Meeting

SECONDED BY: Councilperson Simons

VOTE: Councilperson Tim De Graw; Aye, Councilperson Cristy Simons; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

MEETING ADJOURNED AT: 8:45 p.m.

Jeffrey Nielson, City Recorder