



Due to COVID-19 Council meeting will be held electronically. If you would like participate please call the city offices (801-423-2770) or email ([salemcity@salemcity.org](mailto:salemcity@salemcity.org)) **before 5:00 p.m. on Wednesday, May 5th to get more information.**

DATE: May 5, 2021 (City Council Chamber 30 West 100 South)  
6:30 p.m. WORK SESSION

1. Agenda Item Discussion

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. Brighton Annexation to annex 55.64 acres of property owned by Richard & Wilma Riddle, The Leray Owen Warren Family Trust, Melvin & Shirley Bangerter, Rich J Ranch LLC (approx 9200 South Woodland Hills Drive)
6. Accept Revised Petition of BYU Farm Annexation for further study
7. Approve Arrowhead Springs Reimbursement Agreement
8. Approve Audio/Visual bid for City Council Room
9. Approve Purchase of truck for Power Department
10. Approve Minutes of April 21, 2021
11. Approve Bills for Payment

DIRECTORS REPORTS

12. Chief Brad James, Public Safety Director
13. Steve Cox, Building Official Director
14. Attorney Vaughn Pickell
15. Jeffrey Nielson, City Finance Director
16. Matt Marziale, Public Works/Recreation Director
17. Ted Barnett, Electrical Director
18. Bruce Ward, Engineering
19. John Bowcut, Fiber

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.

COUNCIL REPORTS

20. Mayor Kurt L Christensen
  - a. Finances / Budget
  - b. City Employees
  - c. Miss Salem
21. Councilman Sterling Rees
  - a. UMPA Report
  - b. SUVPS Report
  - c. Mayor / Council Advisory Board
22. Councilman Seth Sorensen
  - a. Recreation
  - b. Green Waste
  - c. Chamber of Commerce
23. Councilman Howard Chuntz
  - a. SUVMWA & Mt. Nebo Representative
  - b. Water (Primary & Secondary)
  - c. Roads
  - d. Storm Drain
24. Councilperson Delys Snyder
  - a. Solid Waste
  - b. Senior Dinners
  - c. Library
25. Councilman Tim De Graw
  - a. Sewer
  - b. Youth Council
26. 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 on line at [saalemcity.org](http://saalemcity.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 May 5, 2021 in the Salem City Council Chambers.

**Work Session:** 6:30 p.m.

## **1. AGENDA ITEM DISCUSSION**

### **Brighton Annexation**

This is an Ordinance to be adopted to annex the property and the proposed zoning is A1 zone. They have signed an annexation agreement with SESD stating they will pay for the inventory and reimbursement for those facilities. The general plan density is 2.0 -3.0 acres per unit. Councilperson Rees clarified this is a final annexation for Brighton? Jeff Nielson said yes. Jeff Nielson stated we will need to approve the SESD agreement and that states they will take responsibility. The agreement has been signed. Jeff Nielson commented make sure to add in the motion to approve the ordinance for annexation and the annexation agreement.

The BYU Farm has added addition land to the petition and will need to approve revised application for the petition for BYU Farm Annexation for further study. Attorney Pickell stated there will still be some peninsula issues, but the county has agreed to those. Councilperson Snyder stated we will have to give it a zoning designation, but not tonight? Attorney Pickell stated not until after we certify the petition and sent it to the county and schedule the public hearings and do the ordinance, then we can do the zoning. We are required to give it a zone when it annexes but we can wait until they give a master plan, or we see the full package. With the Sale of the property BYU Farm wanted to make sure they got a master plan zone.

This Arrowhead Springs agreement come about because we are worried about not having the drinking water capacity for that development. The developer agreed to pay up front 1 million to go towards the PI pump station. Then we can start issuing building permits and after 600 units then they will pay an addition 1 million. Attorney Pickell stated with the two million and the impact fees we collect Bruce Ward feels we will have enough to insure the water for that project. Councilperson Chuntz stated how does this get us drinking water? Attorney Pickell stated investing in PI Water will help to free up culinary water. Jeff Nielson commented this is an ongoing project and this isn't for the whole project just a small portion. Steve Cox stated this will help to get the ones above the canal of the culinary system, so they are not using it to irrigate. Matt Marziale said with the growth in that area the Richmond Subdivision and Hales Subdivision we will be adding more homes to the 300 we planned to take off culinary water and this will increase the number we are trying to take off culinary water.

Jeff Nielson stated we had Cares Funding that we received in November and we talked about upgrading the Council Room. The bid we got was around \$100,000, so we called the

company that did the original system in the council room and they said they can upgrade it with bigger screens and more cameras and speakers. They will also add a screen in the board room if we need to do a zoom meeting. The total bid for the upgrade would be \$46,000.

Ted Barnett said we currently have one truck with a utility bed, and we have to use our little bucket truck for service work that we could use a pickup for. As we add employees, we find our department needs a truck. The truck we have is 10 years old and is continuing to need maintenance. Ted Barnett has spoken with the dealership and they have two available with utility bed already on the truck. Councilperson Chuntz asked the cost and Ted stated \$69,256.75. Jeff Nielson mentioned that the Mayor was wondering why he wants to get the F250 versus the F350. Ted Barnett responded he was concerned about that, but the dealership did not have one available. Ted did some research and the only difference between them, the F250 can get a little more towing capacity than the F350 and the F350 has a little more payload. The F250 is a diesel.

**MEETING CONVENED AT:** 7:00 p.m.

**CONDUCTING:** Councilperson Sterling Rees

**COUNCIL PRESENT:**

Mayor Kurt L Christensen-via zoom  
Councilperson Sterling Rees  
Councilperson Seth Sorensen-excused  
Councilperson Howard Chuntz  
Councilperson Delys Snyder  
Councilperson Tim De Graw-excused

**STAFF PRESENT:**

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

**OTHERS PRESENT**

William Burk, Diana Wustemann, Sam Pugsley, Scott Bishop, Katelyn Bishop,  
Kelly Swenson, Sandy Hill, Andrew Ottesen

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Councilperson Rees asked if anyone would like to give a motivational or inspirational message. Councilperson Snyder stated she would like to offer a motivational message in the form of a prayer.

**2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Councilperson Rees invited those who wish to participate, to stand and say the pledge of allegiance with him. He then led the pledge of allegiance for those who wanted to participate.

**3. YOUTH COUNCIL**

There was not a member from the Youth Council present tonight.  
Jeff Nielson stated they will start interviews next week for the Youth Council.

**4. SF/SALEM CHAMBER OF COMMERCE**

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

**5. PUBLIC HEARING**  
**(to open)**

**MOTION BY:** Councilperson Chuntz motion to Open Public Hearing

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

**Councilperson Rees gave an outline for the Public Hearing.**

We appreciate all public comments. It is your concerns and involvement that make this area a great place to live and raise your family. As we move into the Public Hearing, we ask that you concentrate on the people's interest and time. We want to hear from everyone. If you agree with someone, you can stand up and state your name and state if you agree with their comments. If you have something to add, please add it and we will give each person 3 minutes. We also want to remind you that it is inappropriate to cheer or clap, the purpose of a Public Hearing is to allow everyone to express their opinions. Whether you agree or disagree with the agenda item. Intimidation or Public clamor will not be tolerated. Let's give everyone respect.

**A. BRIGHTON ANNEXATION TO ANNEX 55.64 ACRES OF PROPERTY OWNED BY RICHARD & WILMA RIDDLE, THE LERAY OWEN WARREN FAMILY TRUST, MELVIN & SHIRLEY BANGERter, RICH J RANCH LLC (APPROX 9200 SOUTH WOODLAND HILLS DRIVE)**

The properties zone would be A1 anything else would have to be requested at a later date. There is an SESD agreement that states the developer take care the SESD facilities and buyout the power lines, materials and equipment that is associated with the property. Attorney Pickell stated Brighton Homes has already signed the agreement.

**Open for public comment:**

Kelly Swenson asked if Brighton Homes has given any idea of what they want to do with the property and the Council stated no.

Sam Puglsey commented he is the Project Manager with Brighton Homes. We applied for the A1 zone and we do not have enough acres to do a master plan. We are planning in the future to apply for 10,000 to 15,000 square foot lots. Sam Puglsey stated nothing has been submitted to city regarding the zoning.

Diana Wustemann stated her property is next to the property Brighton Homes purchased and she is upset that she did not know the property was sold. She wanted to know a timeframe as to when the building would begin.

Sam Puglsey stated Brighton Homes has not purchased the property yet, but they have entered in an option agreement with the property owners which will give them the option to purchase the property after they have successfully entered into a development agreement. Sam Puglsey stated they probably will not begin building for at least a year because they anticipate it will take a little time to get the property zoned and entered into the agreement.

Kelly Swenson stated this area is in her ward and she knows all the people that surround the property. She asked Ms. Wustemann's her first name and stated that the people did not know about it. Councilperson Snyder asked if she meant finding out about the property being sold or about tonight's meeting? Kelly Swenson said about the property entering into a contract and was concerned about the property being sold and not knowing about it. Kelly Swenson stated it is supposed to be published somewhere. Jeff Nielson stated that all public hearing and meetings are published on the Utah's Public Notice Website. Kelly responded she thought that was only for public hearings and Jeff Nielson stated it is for all public notices and we also post it on the Salem City Website, at the City Office, Library, Recreation office and the Salem City Post Office.

(to close)

**MOTION BY:** Councilperson Chuntz motion to Closed the Public Hearing

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

**MOTION BY:** Councilperson Chuntz motion to approve the Brighton Annexation of 55.64 acres property owned by Richard & Wilma Riddle, The Leray Owen Warren Family trust, Melvin & Shirley Bangerter, and Rich J Ranch LLC at approx. 9200 South Woodland Hills Drive including the annexation agreement with SESD that Brighton has entered into and approve the ordinance 50521 zoning it as A1.

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

## **6. ACCEPT REVISED PETITION OF BYU FARM ANNEXATION FOR FURTHER STUDY**

Councilperson Rees stated addition land was added to the petition. The Petition is for further study and starting annexation process over with the new petition. Scott Bishop stated more property owners wanted to annex with us and county commission preferred to have the new property included. Attorney Pickell said the county commission appreciates the bigger connection to Salem City verses a smaller continuous connection and they recommended it. Councilperson Chuntz asked if we had to making a zoning designation? Attorney Pickell stated not unless this is accepted for annexation and the zoning would

happen after a public hearing and the ordinance is approved. Councilperson Rees stated this is for further study with addition land added to the petition.

**MOTION BY:** Councilperson Snyder motion to accept revised petition on BYU Farm Annexation for further study.

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

## **7. APPROVE ARROWHEAD SPRINGS REIMBURSEMENT AGREEMENT**

Attorney Pickell stated this item is an agreement that the city has worked on with the developer to reimburse them for some of the infrastructure they are providing that is above and beyond what is needed for their project. Part of this is to free up the culinary water supply for the project and to do that they have agreed to pay 1 million at the recording of the Plat for the pressurized irrigation system. By doing this it frees up culinary water. At 600 units of building permits being issued they would pay another 1 million. That 2million plus the impact fees generated should provide enough pressurized irrigation and culinary water for the project. Power substation the developer will pay for design and construction of the substation and city will reimburse for actual cost from impact fees.

**MOTION BY:** Councilperson Chuntz motion to approve the Arrowhead Springs Reimbursement Agreement

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

## **8. APPROVE AUDIO/VISUAL BID FOR CITY COUNCIL ROOM**

Jeff Nielson stated back in November we received Cares Act money and we could use it for an upgrade on our council room for meetings and we got a bid back then for \$100,000. We spoke with the company that did our original system and they will do it for \$41,000 upgrading the tv screens, cameras speakers and add a screen to the board room if we need to have a zoom meeting in that room. Cares Act money will fund the project.

**MOTION BY:** Councilperson Snyder motion to approve the Audio/Visual Bid for the City Council Room

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)



## **9. APPROVE PURCHASE OF TRUCK FOR POWER DEPARTMENT**

Ted Barnett asked for approval to purchase a work truck. We currently have one truck with a service bed on it. Ted said we are out growing that. The truck we have is 10 years old and is starting to need maintenance more often. When it goes into the shop, we are down a truck and our alternative is the bucket truck, but it is expensive to run around. Ted has found two trucks that are available on the state bid. Ted stated trucks are hard to find right now. Ted Barnett spoke with Jeff Nielson and felt they could purchase it now with the revenue coming in. 2021 Ford F250 with a utility bed this is off the state bid at \$69,256.75. Councilperson Chuntz asked where the money is coming from to pay for the truck? Jeff Nielson explained it is coming from revenue of the power department. Jeff explained if you remember we raised rates in August and that was not part of the budget. We had a 1% increase and that also helped to put money in the reserves. Councilperson Chuntz asked if there was a way to use the reserve money to purchase the truck but budget for this truck in next year's budget, so we can put the money back in the reserves. Jeff Nielson said there is a lot of things in the budget that are needed and that's way we want to buy it this year. Councilperson Rees said as we continue to growth cost will grow with us and if we wait trucks are not getting any cheaper. Jeff Nielson said we can try and put money back in reserve.

**MOTION BY:** Councilperson Snyder motion to approve the purchase of truck for the Power Department for the purchase price of \$69,256.75.

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

## **10. APPROVE MINUTES OF APRIL 21, 2021**

**MOTION BY:** Councilperson Chuntz motion to approve the minutes of April 21, 2021.

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

## **11. APPROVE BILLS FOR PAYMENT**

**AMOUNT:** \$582,297.95

**MOTION BY:** Councilperson Snyder motion to approve the bills for payment in the sum of \$582,297.95.

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

**12. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR**

Chief James didn't have anything to add to tonight's meeting.

**13. STEVE COX, BUILDING OFFICIAL DIRECTOR**

Steve Cox stated the cost for building is rising and the longer we wait cost continue to rise. Metal is taking another increase this week and it is hard to find people that can do the job.

**14. ATTORNEY VAUGHN PICKELL**

Attorney Pickell had an update on a closed meeting item. He will send via email.

**15. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER**

Jeff Nielson stated he met with directors and supervisors about their budget. Will go over budget in the next work session.

American Towers come back to us with proposal. They asked us to extend another five terms ending in 2064, they will give us a signing bonus \$10,000. The rent will continue as it has but they want to extend the term. Tower is located a city shop. Mayor Christensen said we can think about it. Jeff Nielson just wanted to bring it to the council's attention.

**16. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR**

Matt Marziale is trying to move forward with sheeting and insulation on roads building. We finally got in a good workable bid. James Thomas wanted to get it on the council this week, but Matt told him it was to late for staff reports, but he would mention it to the council and get a tentative approval. No work would be able to happen, but we would like to get on the company's schedule. James is looking to get bid approval on for next council. Matt stated the bid original come in at \$132,000. James Thomas has a bid for \$38,000 for tin and insulation and ready to install the garage doors. Matt Marziale told James we need three bids. Councilperson Chuntz asked beyond the tin, insulation, and garage doors, what needs to be done so the building is operational? Matt Marziale responded we can move stuff in, but we still need to put in a concrete floor, wire the building and put in the offices and restrooms.

Matt Marziale stated we had our first day back with our Senior Citizen in house. We had 15 attend and they enjoyed it. We still had several that chose to pick up the meal.

Matt said tomorrow is Opening Day at the Ballpark for the start of Baseball Season. It starts at 5:30pm with the first pitch at 5:45pm. This will be at Loafer Complex and we have selected the individual to throw out the first pitch.

Matt Marziale commented the Pressurized Irrigation is up and running.

#### **17. TED BARNETT, ELECTRICAL DIRECTOR**

Ted Barnett stated the footing and foundation in on the power building. We need to decide how to proceed. We want to work up a cost estimate to get this building completed. Ted met with some engineers and they will come up with a cost estimate. They will come up with a site plan, interior, parking, curb gutter and sidewalk. Jeff Nielson said will probably bond for it because it takes longer to piece the building together.

#### **18. BRUCE WARD, ENGINEERING**

Bruce Ward was excused from tonight's meeting.

#### **19. JOHN BOWCUTT, FIBER**

John Bowcutt stated he is waiting on two pieces so we can do our first install. The two pieces have been on order for 8 weeks. It is actually 1300 ft of fiber and 18 pieces of termination for those fibers. We put out on the website to get volunteer testers for the Aguilar node, and we got 15 responses back. They are working hard to get the first setup in May. Internet feed is connected to Spanish Fork. We are very close to setting up first customer.

### **COUNCIL REPORTS**

#### **20. MAYOR CHRISTENSEN**

Mayor Christensen didn't have anything to add to tonight's meeting.

#### **21. COUNCILPERSON STERLING REES**

Councilperson Rees stated UMPA meeting was last week. The Clover Creek solar farm by mona is on schedule for late fall. Solar farm on Spanish Fork landfill is close as well. Ted Barnett stated some racks have been added.

Memorial Day Program will be May 31<sup>st</sup> at 8:00a.m. Councilperson Rees is looking for a Veteran to help with program. Councilperson Rees stated if you know of a veteran, please email him the information.

#### **22. COUNCILPERSON SETH SORENSEN**

Councilperson Sorensen was excused from tonight's meeting.

**23. COUNCILPERSON HOWARD CHUNTZ**

Matt Marziale stated Pressurized Irrigation is moving forward. 30-40 homes had leaks, but we are back on track. We have 2-3 guys to add to crew in the coming weeks. Councilperson Chuntz asked Matt Marziale about the hooks of our Commercial users. Matt stated the school district has the meters in place. The churches and APA needed a 2" pipe and they were not in stock, so we have to wait for them to be delivered and get them installed. June 1<sup>st</sup> is the target start date.

**24. COUNCILPERSON DELYS SNYDER**

Councilperson Snyder stated she attended the Utah League of City and Towns conference. She learned about communication. She volunteered to improve our communication. The Library will be celebrating 20 years June 14.

**25. COUNCILPERSON TIM DE GRAW**

Councilperson De Graw was excused from tonight's meeting.

**ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Chuntz motion to adjourn the City Council Meeting

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, (3 Ayes)

**MEETING ADJOURNED AT:** 7:42pm

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Jeffrey Nielson, City Recorder