

Minutes of the Salem City Council Meeting held on April 4, 2018 in the Salem City Council Chambers.

Work Session: 6:30 p.m.

1. FOOD TRUCK ORDINANCE

Attorney Junior Baker stated this ordinance is on for discussion tonight. He sent the previous version that had been put together to the council, he did mention that there has been one change to state law that if a food truck has a business license in one city another city cannot require them to obtain another business license. There was a discussion on where and when to allow food trucks. Attorney Baker stated he will take the suggestions given tonight and put together a new draft of the food truck ordinance for the next council meeting.

2. AGENDA ITEM DISCUSSION

Jason Broome with Forsgren Engineering advised that tonight they are asking for approval of 7 contractors to be prequalified for the sewer treatment plant. He mentioned this is just for the general contractors only, all subcontractors will be wide open to them. He stated they had sent this out to 8 companies, advertised in the papers and these 7 contractors sent in their qualifications. He commented that if the list is approved then they will wait for the state approval and then they can move to the bidding phase. Bruce Ward asked when they expected the state approval. Jason replied he wasn't sure, but probably within the next few weeks. Mayor Christensen asked if all of the contractors had built treatment plants before. Jason answered they have or they have staff, a project manager and superintendent, that have. Councilperson Sterling Rees asked if they felt good about the 7 companies on the list. Jason replied that they did, that they meet all the qualifications. Councilperson Howard Chuntz asked in the bid process how easy it will be to see how they are bidding. Jason replied that it will be a lump sum bid. He said we are good as long as they are close and not too widespread in price.

Clark Crook stated that it is time to do an impact fee study to look at the electrical upgrades that are happening in the city and with SUVPS, which is our transmission group. This study will let us know where we need to be with the current projects going on. He stated that 50% of our impact fee now is going to repay what we owe on Loafer. He sent three requests for bids and received two bids back. He commented that it is hard to find Engineering companies that do the electrical studies. He thanked Jason from Forsgren for their bid. He commented that Intermountain Consumer Professional Engineering has a model of our city and is familiar with SUVPS and that might be why their cost was a little less. He recommends to approve the bid from ICPE for the impact fee study.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Kurt L. Christensen

COUNCIL PRESENT:

Mayor Kurt L. Christensen
Councilperson Cristy Simons, Excused
Councilperson Seth Sorensen, Excused
Councilperson Howard Chuntz
Councilperson Sterling Rees
Councilperson Craig Warren, on speaker phone

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Junior Baker, City Attorney
Chief Brad James, Police Chief
Clark Crook, Power
Matt Marziale, PW/Recreation
David Johnson, Building Dept.
Allison Taylor

OTHERS PRESENT

Wade Reynolds, Evelyn Christensen, Greg Smith, Shae Smith, Carter Smith, Ryan Kay, Blake Grimes, Heather Youd, Cory Rice, William Burk, Jason Broome

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Mayor Christensen 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. U.L.G.T. – UTAP AWARD PRESENTATION

Brent Oakeson, with Utah Local Governments Trust, presented Salem City with the UTAP award. This is for being a part of the Utah Trust Accountability Program, the city has done a really good job again and will be receiving a 5% check back to the city and a 4 ½ % discount off of our workers comp premiums. He stated this program helps the city and the trust. He appreciates Salem City, Jeff Nielson, and Wade Reynolds. Jeff commented that they provide our workers comp, liability, property and auto insurance.

4. APPROVE BUSINESS LICENSE ORDINANCE

Attorney Junior Baker reported that this is a review of the discussion we had at the last council meeting about the changes to the business license ordinance. The state law has changed so that no fee can be charged for a home occupation business unless it creates an impact. The impact was left to the city to define. We are defining this impact as having any non-residential employees and or having patrons. We are still requiring all home occupation

businesses to have a license; a fee will only be charged to those that have an impact though. The fee will remain at \$50. Attorney Baker stated that there is a change to the transient merchant license they will be \$25 dollars per day with a maximum for the year of \$300. He mentioned we are implementing an inspection fee of \$25 for any business that needs an inspection. Mayor Christensen asked if this fee would cover all inspections. Attorney Baker stated that it would.

MOTION BY: Councilperson Sterling Rees to approve the business license ordinance.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (3-0).

5. APPROVE CONTRACTOR PREQUALIFICATION FOR SEWER TREATMENT PLANT PROJECT

This item was discussed in work session. Mayor Christensen asked if there were any questions. There were none.

MOTION BY: Councilperson Howard Chuntz to approve the contractor prequalification for the sewer treatment plant project from Alder Construction, COP Construction LLC, Ellsworth Paulsen Construction, Nelson Brothers Construction, Record Steel and Construction (RSCI), VanCon, Inc, and Gerber Construction.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (3-0).

6. APPROVE BID PROPOSAL FOR ELECTRICAL IMPACT FEE STUDY

This item was discussed in work session. Mayor Christensen asked if there were any questions. There were none.

MOTION BY: Councilperson Sterling Rees to approve the bid proposal from Intermountain Consumer Professional Engineering for the electrical impact fee study in the amount of \$26,190.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (3-0).

7. APPROVE MINUTES OF MARCH 21, 2018

Jeff Nielson advised that Councilperson Cristy Simons had asked that one change be made to the minutes of March 21, 2018. He showed this change to the council. Line 402 and 403 take out "Councilperson Simons stated that everyone that attends Spanish Fork High School can try out for Miss Spanish Fork".

MOTION BY: Councilperson Howard Chuntz to approve the revised minutes of March 21, 2018.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (3-0).

8. APPROVE BILLS FOR PAYMENT

Mayor Christensen stated that the new snow plow is in the bills for \$202,000. Councilperson Chuntz asked where those funds came from. Jeff replied that we had received a lease from Zions Bank and we will pay it back over 7 years.

AMOUNT: \$620,622.48

MOTION BY: Councilperson Howard Chuntz to approve the bills for payment.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (3-0).

9. YOUTH COUNCIL

There was not a representative from the youth council available tonight. Mayor Christensen mentioned that the Easter Egg Hunt had been a great event. Councilperson Chuntz commented that the youth council had done a good job.

10. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief Brad James showed the council the sign that had been made for the exchange zone that will be located on the East side of the city office building on Main Street. They are waiting on the camera system before they put it out there. This will be a place for custody exchanges or for people selling or buying things over the internet. He will put it in the newsletter when it is ready to go.

Chief James stated Sergeant Greg Smith received the Utah Police Officer of the Year in a small police department. He appreciates Sergeant Smith's family being here tonight. Chief James nominated Sergeant Smith and would like to read the nomination letter that he wrote. "On September 11, 2017 Sergeant Smith responded to a local grocery store on the report of an individual passing a fraudulent check. Through Sergeant Smith's investigation it was discovered that the suspect in this case was in possession of a counterfeit check. In addition to the check, a fraudulent Utah Identification card, and a fraudulent Utah temporary registration was located taped inside the suspect's vehicle rear window to avoid detection. Sergeant Smith obtain a search warrant for the residence where the suspect was staying. During the execution of the search warrant there were several items recovered related to identity theft and fraud such as computers, printers, ID Card makers, scanners, data storage devices, ink, blank credit cards, multiple fraudulent Utah Identifications, blank Utah paper, thousands of blank checks, hundreds of stolen checks, fraudulently made checks, fraudulent military ID's, birth certificates, death certificates, stolen credit cards, Physician DEA Medical Cards, medical records, and many other stolen and/or counterfeit documents.

Through the investigation, Sergeant Smith found that this individual was a suspect, and main player in a much larger organization that was stemming from within the prison system. The individuals are part of a White Supremacist gang that have been operating a large identity theft and fraud scheme to fund the organization. The suspect in this case was successfully convicted at the state level for the initial crimes committed within Salem and other local jurisdictions. With the evidence located during the search warrant Sergeant Smith obtained, the suspect is also being prosecuted federally as part of a RICO (Racketeer Influenced and Corrupt Organization) case. Up to this point, with data storage devices, computers, and

other evidence seized as part of Sergeant Smith's search warrant, approximately 13,000 victims have been identified as being victimized by this suspect and the prison organization. Through a continued investigation by the United States Marshalls Office, the U.S. Secret Service, and other federal agencies many more victims will be identified.

Additionally, the arrest and interview process with this one suspect resulted in information about new drug stash houses, gun caches, and meeting places for high ranking gang members in the State of Utah." Chief James congratulated Sergeant Smith and thanked him for putting Salem on the map with this major case. The council congratulated Sergeant Smith on his award.

11. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson reported that at the last Development Review Committee meeting there was one item on the agenda. This was a preliminary plat for Salem Fields Estates, located on the Evan Theobald property. It was approved and will be 18 lots. This preliminary plat will now go to Planning and Zoning next Wednesday and then will come before the council.

12. ATTORNEY JUNIOR BAKER

Attorney Baker did not have anything to report tonight.

13. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson did not have anything to report tonight.

14. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported the green waste yard will be open April 9 to April 21, 2018. It will be open from 2 p.m. - 6 p.m. on weekdays and 12 p.m. - 6 p.m. on Saturdays, this information is on the website.

15. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook did not have anything to report tonight.

16. BRUCE WARD, ENGINEERING

Bruce Ward did not have anything to report tonight.

COUNCIL REPORTS

17. MAYOR KURT CHRISTENSEN

Mayor Christensen stated that we are working on the budgets, the city employees are doing great. He commented that the Miss Salem Pageant will be held on April 20, 2018 and tickets are now available for presale.

18. COUNCILPERSON STERLING REES

Councilperson Sterling Rees stated that the UMPA conference is this weekend. He mentioned the speaker for Friday would be U.S. Senate Candidate Mitt Romney. He stated that there had not been a UMPA meeting held last month and that it will be held at the conference.

19. COUNCILPERSON CRISTY SIMONS

Councilperson Cristy Simons was excused tonight.

20. COUNCILPERSON HOWARD CHUNTZ

Councilperson Chuntz did not have anything to report tonight.

21. COUNCILPERSON SETH SORENSEN

Councilperson Seth Sorensen was excused tonight.

Heather Youd with the Chamber of Commerce stated that one of the April business of the month nominees is Fast Gas in Salem so everyone should vote. She mentioned that the Easter Egg Hunt in Spanish Fork had gone well and that they had donated some bikes, eggs and other prizes to the Salem Easter Egg Hunt. She commented that there will be some ribbon cuttings happening this month. Tim Dahle Ford will be on April 11 at noon and they will be having a luncheon. Elilibrium Fitness will have a ribbon cutting on April 12 and Tabitha's Way will be celebrating their new location on April 18. She mentioned that they will be hosting a golf tournament on May 2 if anyone is interested, last year they were able to give out over 20 \$1500 scholarships.

22. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren did not have anything to report tonight.

Mayor Christensen asked if there any comments or questions from the public.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Sterling Rees to adjourn city council meeting.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (3-0).

MEETING ADJOURNED AT: 7:27 p.m.