

Minutes of the Salem City Council Meeting held on December 11, 2019 in the Salem City Council Chambers.

Work Session: 5:00 p.m.

1. HANSEN, ALLEN, AND LUCE – WATER MASTER PLAN DISCUSSION

Bruce Ward introduced Steve Jones and Ridley Riggs from Hansen, Allen and Luce. They have been working on the water masterplan. Steve stated there is dramatic growth happening in Salem, and now is the right time to plan for the future. He went over the water master plan. He gave the council some suggestions for our water system. He stated they are still working on the impact fees and user rates for the city. The council thanked Steve.

2. UTA – TRANSIT PRESENTATION

Kent Millington, from UTA, thanked the council for allowing him to come and talk to them. He went over some of the things UTA has done in other areas, and the success they are having. He said UTA is aware of the growth happening in this area and they are reaching out to the city councils to find out what the issues are in their areas. He said his information is on the UTA website if anyone would like to contact him with concerns or questions. He thanked the council for letting him come and talk to them.

3. AGENDA ITEM DISCUSSION

Matt Marziale reported the water department installed 5 pressurized irrigation meters to compare the cost of installing them in house rather than hiring a contractor. He will have better numbers at the next council meeting. The mayor said this should save the city a considerable amount of money.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Kurt L Christensen

COUNCIL PRESENT:

Mayor Kurt L Christensen
Councilperson Cristy Simons
Councilperson Seth Sorensen
Councilperson Howard Chuntz
Councilperson Sterling Rees
Councilperson Craig Warren

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder, Excused
Junior Baker, City Attorney
Lieutenant Greg Gurney
Ted Barnett, Power, Excused
Matt Marziale, PW/Recreation
Bruce Ward, City Engineer
Steve Cox, Building Dept.
Allison Taylor

OTHERS PRESENT

Delys Snyder, Ken Meads, Robert Taylor, Kelly Peterson, Reed Nelson, J. Ward, John Bowcut, Bryan Perry, David Rice, Jon Ward, Greg Snaylor, Garrett Seely, Tucker Pedersen, Rhonda Hair, Karen Taylor, Michael Skarda

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Christensen asked if anyone would like to give a motivational or inspirational message. Councilperson Seth Sorensen 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. PUBLIC HEARING
(to open)

MOTION BY: Councilperson Seth Sorensen to open the public hearing.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

a. MODERATE INCOME HOUSING ELEMENT OF GENERAL PLAN

Attorney Junior Baker reported state law requires that we adopt a general plan, as part of this plan we need to have a moderate housing element. They have put together that element, and now need to have a public hearing on it. The state law

requires we take the average county wide income and look at our available housing to people that earn 80%, 50% and 30% of that average. Then we need to give strategies we are adopting to address moderate income housing. He commented they have come up with 5 strategies and most of them we are already working on. We have the R-5 zone and masterplan developments, and we have a number of those already approved. There is the mixed use zone, and we are already doing that. They would like to adopt the accessory apartment ordinance, this is going to the planning commission soon. Impact fees can also be waived and we already have that in our ordinance. We are also working with government agencies that help people build homes through sweat equity. We have our first project with them approved. Doing all of these things makes us compliant with the state law. The council should adopt this tonight unless they have any questions. The mayor asked if there was any public comment or questions. There were none.

b. BROADBAND FEASIBILITY STUDY FOR SALEM CITY

Attorney Baker advised state law allows municipalities to participate in broadband capacities where there is not a good service selection. Telecommunications are becoming more important and the city is looking to explore the possibility of providing a broadband service. By state law we are required to do a feasibility study before moving forward. A citizen group was put together and they were all excited about this possibility. The group felt we should move forward with the feasibility study which would analyze the cost and benefits and give recommendations on proceeding. He stated it would be appropriate to take any public comment. The mayor stated some of the people on the board are here and asked if they had any comments.

Robert Taylor stated they had a brief slide show they put together. He mentioned at the committee meeting there was gentleman there from Spanish Fork and he answered a lot of their questions. He said they were all in favor at the meeting. Ken Meads said he had a brief power point to show them. There are different options available for internet, there is cable, DLS and wireless. He has cable and it has a pretty good speed but is never guaranteed, you are sharing the broadband with your neighbors when you have cable. He said another problem is it is quite expensive to have the higher speeds, with fiber you get 100% or really close. Doing this would give everyone the opportunity to have high speed. He said that Utopia has a lot of baggage associated with it, there would be a lot of cost to the city, there is a large hook up fee, and there is a long wait time to get it. With SFCN they would help us install our own fiber optic system, they already have a successful program funded by their subscriber base, so there would be no tax burden. The best part is they are willing to help us do what we need to get us off the ground. He said he is highly in favor of this project and encourages the council to approve the feasibility study tonight.

Councilperson Howard Chuntz stated if we go through SFCN the city would own the system, we would pay for it and have control of it. He feels putting in Utopia is helping put in a private business.

Robert Taylor said Spanish Fork keeps their citizens happy with good customer service and have made themselves very successful.

Delys Snyder commented she was at the committee meeting and this would be a good reliable system and it is appropriate for the city to have as a utility. Her house is in a rural area and there is not a lot of options, this service would be available to all of Salem, it would be a big difference for people that work at home. She is totally for it, and thanked the people at SFCN for being willing to share their knowledge. Mayor Christensen asked if there were any other comments from the public. There were none.

(to close)

MOTION BY: Councilperson Craig Warren to close the public hearing.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

MOTION BY: Councilperson Seth Sorensen to approve the moderate-income housing element of the general plan.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

4. APPROVE UPTOWN SERVICE MASTER AGREEMENT FOR BROADBAND FEASIBILITY STUDY

MOTION BY: Councilperson Sterling Rees to approve the Uptown Service Master Agreement for the broadband feasibility study.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

5. NEBO ALC – SALEM CITY LOGO DISCUSSION AND APPROVAL

Tucker Pederson stated the students at the ALC have been working on this project to refine the logos with the feedback they had gotten from the council. He thanked the council for letting them be a part of this project. He showed the new logo options, he mentioned they can change anything on them. The council discussed the logo options and asked Tucker to put some different things from some of the logos together. The mayor asked him to email the finished logo and he will get it to the rest of the council. Councilperson Craig Warren asked Tucker to tell the class thanks for working on the new logo, they have done a great job.

6. YOUTH COUNCIL

There was not a representative available tonight from the Youth Council.

7. SF/SALEM CHAMBER OF COMMERCE

There was not a representative available tonight from the Chamber of Commerce.

8. APPROVE PLANNING COMMISSION REAPPOINTMENT – KELLY PETERSON

Mayor Christensen said he is proposing the reappointment of Kelly Peterson to the Planning Commission. Kelly is a valuable asset to the committee, he is very knowledgeable.

MOTION BY: Councilperson Craig Warren to approve the reappointment of Kelly Peterson to the planning commission.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

9. NIELSEN, RICE, AND SKARDA – ANNEXATION REQUEST FOR PROPERTY LOCATED AT 428 EAST 10000 SOUTH

Bruce stated some of the applicants are here tonight, David Rice and Mike Skarda. The property is located by the new middle school. Attorney Baker stated they meet the requirements and are in our annexation area. Tonight, they would be approving the annexation request for further study, this is the first step in the two step process. Councilperson Sterling Rees asked what how many property owners this would impact. Bruce replied the 3 that petitioned for the annexation own most of the property, there is a sliver that is owned by someone else. They do meet all the criteria. Attorney Baker said after they accept this for further study then they look at the services they would need, then there would be a public hearing held. He said the process usually takes 3 to 6 months.

MOTION BY: Councilperson Sterling Rees to accept the annexation request for property located at 428 East and 10000 South for further study.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

10. GARRETT SEELY – DISCUSSION ABOUT PROPERTY AND ZONING LOCATED AT 200 NORTH 200 EAST

Garrett Seely stated he is here to find out what the council wants to see on the property he owns. He asked if the council would consider an R-8 zone there. He is showing the project around the neighborhood and the people he has shown it to are on board. The mayor replied they liked his last project but there was a lot of citizen resistance to it. Garrett said he wouldn't have proposed it if he didn't think it made sense there. The mayor said they were overwhelmed with how many of the neighbors were against it, and they work for the citizens. Councilperson Warren stated he thinks this would be a good compromise to go to the R-8. Garrett mentioned that he can put twin homes in the R-10 zone and he doesn't think the council wants that. Councilperson Warren said he really likes the project Garrett sent to them. Councilperson Seth Sorensen said he thinks the R-8 would be a good fit. Kelly Peterson said they had a lot of people at planning and zoning really against the R-5 zone

change, their recommendation to Garrett was to look at the R-8 zone. Garrett said his biggest deterrent was the 100 foot right of way, that is a lot of road to improve. The mayor said he would like to see some neighborhood support. Garrett said he would like to work with the council and staff to eliminate some of the cost on the 100 foot right of way. The council said they like the project and would consider the R-8. The mayor asked Reed Nelson how he felt about this property. Reed replied he is opposed to any change from the R-10 zone. He said it should stay R-10 and be single family homes. Garrett asked if Reed was opposed to duplexes. Reed replied he was. Garrett said that if the zone stays R-10 he is allowed to have 6 duplexes, if it was changed to the R-8 he would do all single family homes. Reed replied he would be okay with the R-8 as long as it was all single family homes. Garrett thanked the council for their direction.

11. ADJOURN TO MBA MEETING

MOTION BY: Councilperson Seth Sorensen to adjourn to MBA meeting.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

12. RESUME REGULAR COUNCIL MEETING

13. CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF SALEM CITY, UTAH AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF SALEM CITY, UTAH (THE "AUTHORITY"), AND A GROUND LEASE AGREEMENT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE AND REFUNDING BONDS, SERIES 2020, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$4,000,000 AND RELATED MATTERS

Attorney Baker commented the council needs to approve the motion that was approved in MBA meeting.

MOTION BY: Councilperson Howard Chuntz to approve the action taken by the Municipal Building Authority of the master lease agreement.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

14. APPROVE UTAH LAKE DRAINAGE BASIN WATER DELIVERY SYSTEM SPANISH FORK SANTAQUIN PIPELINE – SALEM REACH 1 CENTRAL UTAH PROJECT COMPLETION ACT DONATION CONTRACT AND GRANT OF EASEMENT

Bruce advised this is to grant an easement to the federal government on Elk Ridge Drive. Utah County is looking to do improvements on Elk Ridge Drive, they have asked the

Central Utah Water Conservatory to do that part of the pipeline next. Their easement process has to be perfect so tonight they are asking the council to approve the mayor to sign the grant of easement when the paperwork is complete.

MOTION BY: Councilperson Craig Warren to approve the mayor to sign the grant of easement after they make sure the document is correct.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

15. APPROVE PARKS DEPARTMENT TRUCK PURCHASE

Matt Marziale stated when Dave Johnson retired and Steve Cox moved to the building department Steve took his vehicle allowance with him. This has left the parks department without a vehicle for the parks director Chris Smith. They have mostly eliminated vehicle allowances so they would like to use the money that was budgeted for a vehicle allowance to purchase a truck. There is \$6,000 available from that and they have the funding for the remaining \$3,460. He has found a truck to purchase from South Jordan City that is in great shape and it will be assigned to the parks department.

MOTION BY: Councilperson Seth Sorensen to approve the truck purchase for the parks department.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

16. P.I. METER PROJECT –

a. APPROVE EQUIPMENT NEEDED FOR PROJECT

Matt stated with regards to the earlier discussion on installing P.I. meters Salem City is moving forward with installation. We hired a company to install 10 meters so we could find out what the cost would be. We are researching how much it would cost to have staff install the meters. There would be some equipment that the city would need to buy, they will have better numbers to present at the next council meeting. Councilperson Chuntz asked how they would get bond money to do this. Bruce replied they will prepare an estimate of what it will cost, then they will do a bond proposal and submit it. They will also put an application together because there is funding available from the state for metering projects. He said they would like to include the P.I. pump station in this bond. Councilperson Chuntz asked if they could put a rate structure together. Bruce replied they could. Matt said they are asking for council approval to move forward tonight.

MOTION BY: Councilperson Craig Warren to move forward with getting a plan and budget analysis for the P.I. metering project to do it in house.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

17. APPROVE SURPLUS OF THE RODEO TRACTOR

Mayor Christensen reported the tractor is very old. We are spending a lot of man hours trying to get it started and to keep it running.

MOTION BY: Councilperson Cristy Simons to approve the surplus of the Rodeo Tractor.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

18. APPROVE CONTRACTUAL AGREEMENT FOR OFFICER INVOLVED CRITICAL INCIDENT PROTOCOL

Attorney Baker stated this is a contract with the county attorney's office and several police departments that assist in critical incidents such as a high speed chase or shooting. This helps relieve some of the burden off of the county attorney's office and smaller police agencies. This is a good step for good investigations. Staff recommends approval tonight. Lieutenant Greg Gurney stated they have 3 officers that participate in this program, himself, Sergeant Greg Smith and Detective Dan Nielsen. They rotate on the team and it is good to be a part of, if we ever had a big event there would be about 100 officers available to come and help.

MOTION BY: Councilperson Sterling Rees to approve the contractual agreement for officer involved critical incident protocol.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

19. APPROVE MINUTES OF NOVEMBER 19, 2019 AND NOVEMBER 20, 2019

MOTION BY: Councilperson Cristy Simons to approve the minutes of November 19 and November 20, 2019.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

20. APPROVE BILLS FOR PAYMENT

AMOUNT: 1,128,675.38

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

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

21. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Lieutenant Gurney did not have anything to report.

22. STEVE COX, BUILDING OFFICIAL DIRECTOR

Steve Cox gave the year-end report for 2019, there have been 107 single family home permits approved. There were 74 permits approved in 2018 and that included townhomes.

23. ATTORNEY JUNIOR BAKER

Attorney Baker thanked Councilperson Craig Warren and Councilperson Cristy Simons for their service. He asked them to make sure they sign all the paperwork tonight since it will be their last meeting.

24. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson was excused tonight.

25. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt stated that Chase Castleberry has left us for a new job. They have hired Coleman Jacklin to replace him, and they are excited to have him start working.

26. TED BARNETT, ELECTRICAL DIRECTOR

Ted Barnett was excused tonight.

27. BRUCE WARD, ENGINEERING

Bruce mentioned the 750 North sewer line project is out for bid, this will connect to Self Help Homes. They did a pre-bid tour today and they expect to have at least 3 or 4 bids. Bids are due next Thursday and final approval will be in January. He stated they did a pre-walk though inspection at the sewer plan and let the contractor know how picky we are going to be. They are doing clean water testing now, and plan to have raw sewage in on January 13, 2020. It is still pretty muddy down there and there are a lot of finishing touches that need to be done. He thinks they should plan a tour for spring, but they are welcome to call or go down any time, there is not any heavy equipment operating anymore. Mayor Christensen said it is very impressive down there. Councilperson Seth Sorensen commented it is bigger in person than it is on paper. Councilperson Chuntz asked if they are doing anything but pushing dirt around on Arrowhead Trail and Beet Road. Bruce replied Arrowhead Trail was a part of the preliminary plat for Salem Park, once they had the engineer look at the road they told them the whole thing needed to be replaced. They had to tear out the entire road, bring in new fill, and now they need to replace the road. They didn't start the project until right before winter.

Bruce mentioned there was an issue with a water dedication agreement for Loafer Mountain View Plat F, Robert Nelson dedicated the water to the city so he could build the homes. It was not processed right so Strawberry Water split the water over the 12 lots instead putting it in Salem City's name. He has sent letters to the 12 homeowners explaining there was a clerical error and the water should never have been attached to their lot since that is the

water we required for the subdivision. He put in the letter the property owner will not be allowed to use the P.I. system until they sign the water back to the city. Attorney Baker mentioned we will need to pay any assessments that they have been charged for the water. Bruce said he has offered to meet with the owners to answer any questions they might have. This was an honest mistake and no one should benefit from it.

Bruce mentioned that Ryan Selee leaves for his military training next Friday and won't be back until May 11, 2020. He wants the council to know how much he appreciates Ryan, he does a great job. He has reached out to BYU for an engineering intern and has received one application. Ryan stated he is going to Fort Lee in Virginia. He appreciates the opportunity to work here, to serve Salem, Utah, and his country. He knows it is a sacrifice for everyone when he goes.

COUNCIL REPORTS

28. MAYOR KURT CHRISTENSEN

Mayor Christensen did not have anything to report tonight.

29. COUNCILPERSON STERLING REES

Councilperson Rees commented that UMPA board meeting was held on Monday. Attorney Baker mentioned they are looking into another wind resource.

30. COUNCILPERSON CRISTY SIMONS

Councilperson Simons stated the parks department had done a great job on Pond Town Christmas. It has been a pleasure serving with the council, working with the staff and working for the citizens. She is very grateful for this experience and appreciates them all. The mayor said he appreciates all that Councilperson Simons and Councilperson Warren have done for the city.

31. COUNCILPERSON HOWARD CHUNTZ

Councilperson Chuntz did not have anything to report tonight.

32. COUNCILPERSON SETH SORENSEN

Councilperson Seth Sorensen did not have anything to report tonight.

33. COUNCILPERSON CRAIG WARREN

Councilperson Warren said he has had a fun 8 years serving on the council. He is happy and sad to be leaving. It has been great working with staff, we have a lot of good people working for our city, staff and volunteers. He knows more about garbage now than he ever wanted to know.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Craig Warren to adjourn city council meeting.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:30 p.m.

Jeffrey Nielson, City Recorder