

Minutes of the Salem City Council Meeting held on February 6, 2019 in the Salem City Council Chambers.

Work Session: 6:30 p.m.

1. AGENDA ITEM DISCUSSION

Bruce Ward reported on the agreement with Utah County related to the emergency watershed program. Because of the fire, we could be faced with a debris flow coming from Loafer Canyon. Salem, Elk Ridge, and Woodland Hills met with Utah County and representatives from Natural Resource Conservation Service (NRCS) and discussed the installation of a debris basin. This contract is an interlocal agreement with Utah County to apply for funding from the Emergency Watershed Program for emergency response mitigation measures. Utah County would be the lead agency in applying, and then the money would be broken up between the cities as needed. Signing the agreement does not bind Salem City to anything, it just allows Utah County to apply for the funding. Bruce recommended that the council approve the agreement.

Bruce stated they have reviewed the storm water master plan proposals and the selection committee recommends to accept the proposal from Hansen, Allen, and Luce contingent on half of the funding coming from the Central Utah Water Conservatory District. He mentioned that this was not the lowest bid but they felt like they were the most qualified based on their knowledge of storm water masterplans, and their familiarity with our city. Attorney Junior Baker commented when seeking professional services the lowest bid does not need to be accepted, the decision can be made based on other factors as were mentioned.

Attorney Baker stated they have made some changes to the personnel policy. Our insurance has asked us to adopt some changes to our driver license criteria. As a condition of employment, each employee or volunteer authorizes the city to perform ongoing checks of the status of their driver's license. If a driver's license check indicates that an employee or volunteer has any of the following on their driving record they will not be permitted to drive for the city: no valid driver's license, a DUI conviction within the last 6 months, or four moving violations recorded within the last 18 months. Employees or volunteers may be prohibited from driving for the city for any of the following reasons: failure to stop/report an accident, making a false accident report, or attempting to elude law enforcement. He mentioned they are picking up the IRS rates for per diem and travel. Jeff Nielson commented that if an employee goes to a day training and lunch is not provided, IRS tax rules do not allow them a per diem for that meal without it being taxed. The city will not do per diem for a day training. Attorney Baker stated in his notes he found that the next time they adjusted the personnel policy to update the tobacco policy, so he did that also.

Chief Brad James stated the fire department has some equipment they would like to place on surplus. There are a couple of heaters and the old compressor and filling station that we replaced this year. The people that work on the compressor have stated it does not have any value, Goshen City has expressed interest in the compressor and trying to use whatever they can out of it. He is recommending it be donated to Goshen City.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Kurt L Christensen

COUNCIL PRESENT:

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

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

Dylan McEwan, Derrick Brinkerhoff, Robert Brinkerhoff, Jenna Loveridge, McKayla Young, Sierra Knuteson, Kassidy Neves, Paul Young, Jen Wright, Heather Youd, William Burk, Garrett Worthen

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Derrick Brinkerhoff 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. APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SALEM CITY RELATED TO THE EMERGENCY WATERSHED PROGRAM

Bruce Ward reported due to the 2018 fires Salem City could face a significant debris flow coming down Loafer Canyon. They are looking at creating a debris basin at the bottom of the canyon where the trenches were dug after the fire to prevent flooding. This agreement would allow Utah County to apply to the Emergency Watershed Program for funding to help mitigate the cost. Approving the agreement does not bind Salem City to anything, we are just allowing Utah County to work in our behalf to find funding, and then we can make decisions.

MOTION BY: Councilperson Craig Warren to approve the interlocal agreement between Utah County and Salem City related to the emergency watershed program.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (4-0).

4. APPROVE RESOLUTION MAKING CHANGES TO THE PERSONNEL POLICY

Attorney Junior Baker reported we are making some changes to our personnel policy. Our insurance has asked us to adopt some changes to our driver license criteria. As a condition of employment, each employee or volunteer authorizes the city to perform ongoing checks of the status of their driver's license. If a driver's license check indicates that an employee or volunteer has any of the following on their driving record they will not be permitted to drive for the city: no valid driver's license, a DUI conviction within the last 6 months, or four moving violations recorded within the last 18 months. Employees or volunteers may be prohibited from driving for the city for any of the following reasons: failure to stop/report an accident, making a false accident report, or attempting to elude law enforcement. He mentioned they are clarifying the conference policy and the rules on per diem and travel. They also updated the tobacco policy.

MOTION BY: Councilperson Sterling Rees to approve the resolution making changes to the personnel policy.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (4-0).

5. APPROVE SURPLUS OF CITY PROPERTY / FIRE DEPT. AIR COMPRESSOR SYSTEM AND HEATERS

Chief Brad James stated the fire department has some items they would like to place on surplus. They purchased a new compressor and filling station in this year's budget and would like to surplus the old 1990 compressor and filling station. The people that maintain this for us have told them there is no value in the compressor. Goshen City has expressed interest in it. We would like to donate the compressor to them. The other items are two heaters and three overhead lights.

MOTION BY: Councilperson Sterling Rees to surplus the heaters and the light bars from the fire department and that we surplus the compressor and donate it to Goshen city with no value assigned to the compressor.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (4-0).

6. APPROVE PROPOSALS FOR THE STORM WATER MASTER PLAN

Bruce mentioned they had sent out a Request for Proposal for a city wide storm water master plan and received 5 proposals. The selection committee, which consisted of Bruce, Mayor Christensen, Councilperson Seth Sorensen, Troy Tischner, Storm Water/MS4 Coordinator, Chris Hansen, Central Utah Water Conservatory District, and Ryan Selee, BYU Intern, is recommending they approve the proposal from Hansen, Allen and Luce in the amount of \$99,921.97. They are recommending Hansen, Allen, and Luce based on the quality of their scope of work, their experience with storm water master plans, and their

familiarity with the city. When awarding professional services, they are not required to accept the lowest bid. They are recommending approval contingent on getting 50% of the funding from Central Utah Water Conservatory District. Our portion for the storm water master plan would come from the storm water unrestricted fund.

MOTION BY: Councilperson Craig Warren to approve the proposal from Hansen, Allen and Luce in the amount of \$99,921.97 for the storm water master plan, contingent on half being paid by the Central Utah Water Conservatory District.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (4-0).

7. APPROVE MINUTES OF JANUARY 16, 2019

MOTION BY: Councilperson Cristy Simons to approve the minutes of January 16, 2019.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (4-0).

8. APPROVE BILLS FOR PAYMENT

AMOUNT: \$720,646.03

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

SECONDED BY: Councilperson Craig Warren

VOTE: All Affirmative (4-0).

9. YOUTH COUNCIL

Jenna Loveridge and McKayla Young announced the Senior Valentine Dinner would be held tomorrow, February 7, 2019 at 6 p.m. at the Community Center. They invited the council to attend. The council thanked them for all they do.

10. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief James remarked there was a banquet for Erman Stone held on January 24 to honor him for his 46 years of service to the city. He mentioned there was a good turn out and thanked those that could attend. He commented Erman will be missed.

He stated that Captain Karen Booth has things moving forward, they have approached the recreation department to offer CPR classes to the community.

He has talked to Nebo School District and invited them to come to a work session to talk about the new middle school.

He said we dodged a bullet with this storm, and had not received as much snow as other places. He said the plow guys are doing a good job at keeping the snow off the roads.

11. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson did not have anything to report tonight, he mentioned they are holding DRC meeting tomorrow afternoon.

12. ATTORNEY JUNIOR BAKER

Attorney Baker stated that Councilperson Howard Chuntz had asked him to talk about some of the legislation happening regarding affordable housing and how it could affect our city. There has been a bill presented that basically would require cities to provide some level of affordable housing or the state will withhold road funds. The League of Cities and Towns is opposed to the bill. He doesn't think it will pass in its current form. He said currently we are deficient, but some of that is not our fault as we have allowed zoning but the homes have not been built. Councilperson Craig Warren asked if it wasn't enough that we had approve the zoning. Councilperson Chuntz stated that as it reads now you need to have moderate income housing in the masterplan. He hopes the talk will stay with density and not the cost of housing. Attorney Baker said they need to be aware of these bills, and talk to our sister cities and the league, to make our community what we want it to be. The bill that Councilperson Chuntz brought up is pretty drastic. The roads money is collected through gas tax and we all pay that so we should get our share.

13. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson mentioned that we had approved to look into the rank choice voting, since then we have had some people reach out that are for and some that are against doing this. He has that information available if the council wants to look through it. He has a meeting in April with the county and he should have more information about rank voting then, only a handful of cities are looking at doing it, 3 in Utah County and 2 in Salt Lake. Jeff has emailed all the directors to start working on the budget for next year.

14. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported our public works department has been working on a sewer issue at the lift station south of Stokes. Something is plugging it and they have been working on it for the last 3 days. They have cleared the lines to prevent any backups. He said that we have lift stations that we maintain, but with the new line coming up from the sewer plant we need to get to a point where we can connect to it. They will continue working on the problem tomorrow. Councilperson Warren asked where the new line comes up. Matt replied it is being brought up for the self help homes and that they have a connectors agreement to hook onto the line. He stated that we need to look at the budget to connect to the line, it would benefit us down the road. This is the first time we have had this severe of an issue at the lift station.

Matt mentioned he had emailed the council the recreation budget. He would like to discuss how the recreation budget flows. The budget is lean with how many different activities they are over. He explained that the recreation department is responsible for special events, Salem Days, Halloween, Pond Town Christmas, Easter. The snack shack is included in their budget. The rodeo grounds, the community theater, and the green waste is also part of the

recreation. We do not have separate budgets for all of these things. He stated that looking into this had enlighten him about where the funds go, and that there is not a lot left. The recreation staff runs at a sprint, and they accomplish a lot of things. He isn't here asking for more money or a pat on the back. He has been comparing the actual budgets for Salem, Spanish Fork and Payson. There are a lot of things that fall under our recreation budget that both Spanish Fork and Payson have separate budgets for, like our senior citizen program. He stated you can't compare budgets accurately unless you are looking at all these other funds too. Matt stated when he was hired by Mayor Lane Henderson, he was charged with trying to be Spanish Fork in the recreation department, that is how they will proceed if that is what we are still trying to do. When the focus changes from that, then he is done here. Councilperson Sterling Rees asked what started this conversation, was there an issue from the public, the budget has already been approved. Matt replied it started with a meeting with Councilperson Cristy Simons and Councilperson Chuntz about how much money the recreation department was spending compared to Spanish Fork and Payson. Matt said he became more familiar with the budget, he met with Jeff, he also looked into how we compare to other cities. It was good practice for him to make sure we are still moving in the right direction. Councilperson Rees asked Councilperson Chuntz if he wanted to reduce the recreation budget. Councilperson Chuntz stated he has compared the budgets of Spanish Fork, Payson, and Salem and he went to talk to Matt about what he found so that he could understand why we were spending close to what they were when we are so much smaller. The answer he got from Matt was that we have the best recreation department in the county, and he was happy to accept that answer. Councilperson Chuntz stated he has talked to residents that think we spend more than we should on recreation, and he would like to be able to give those residents an answer as to why. We spend less on the library and they both service the same number of residents. He was just trying to collect information to take back to the residents. He set up the meeting with Matt and Councilperson Simons, who is over the recreation department, to get that information. He was surprised it was being brought up in council. The mayor stated he appreciates what Matt does and the recreation department. He also appreciates Councilperson Chuntz for trying to find an answer for the citizens. Councilperson Rees stated he has served for 18 years and we have an obligation to provide services for citizens and some of those will be subsidized. He appreciates the information that he received and supports Matt in continuing in the direction he is going. The mayor commented that he had played basketball and a lot of the teams were coming from Spanish Fork and Payson to play here, because it was getting too expensive. He stated that Matt was there at 10 p.m. running the program and he puts in very long days. Councilperson Simons commented that the staff all work really hard. Councilperson Warren stated he has been on the council for 6 years and this comes up every year. He asked Councilperson Chuntz how many residents had he talked to that were upset by this issue, he said they are usually the same 25 people that bring it up every year. Councilperson Chuntz said he wasn't keeping count but figured about 200 to 300 people talked to him about it. Councilperson Rees stated every year when discuss the budget there are only a handful of people that attend. Councilperson Chuntz stated he only had the information that was online he didn't know where the numbers all came from, and he didn't ask for the information to be brought here, he just asked for an answer he could take back to residents. Councilperson Warren said he was glad they were discussing it. Matt said it was good to have the meeting, after finding the information he now has answers to the question. His hope is that everyone is on the same page, it is hard on the morale of his staff when these questions come up. Councilperson

Rees stated we have a top notch recreation department. Councilperson Warren stated he has had two councilmen from Spanish Fork tell him they are doing to get Matt back from us and he told them both that was not going to happen. There are a minority of citizens that don't want the recreation department, and he is tired of hearing Matt have to defend himself. He understands why the youth programs are so important. Councilperson Rees said it isn't just the youth, its everyone that goes to the park or attends a ball game. Councilperson Simons said there is a lot of support from most of our residents. Councilperson Chuntz asked what is his response to those that ask. The mayor said it is cheaper to have a library than it is to have a park. Councilperson Chuntz said he went to Matt for an explanation so the he could answer the question. Councilperson Warren commented what it comes down to is that Matt keeps being questioned about his job. Councilperson Chuntz said that is the disadvantage to being the new person, he doesn't know all of the answers. The mayor stated there is nothing wrong with asking the question. Councilperson Warren stated this happens every year and Matt and his staff have to take the time to get all of this information. Councilperson Rees stated these discussions should happen when they go through the budget, they shouldn't have to justify it in the middle of the year. Matt told the council he will meet with Councilperson Chuntz and Councilperson Simons so there is an understanding.

15. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook explained we had an outage on February 2, 2019 at approximately 6:30 p.m. The report back was that the feeder that takes care of the Loafer Substation had lost an insulator and tripped a breaker at Rocky Mountain Power. Once they were notified of the problem, they switched that circuit to the Arrowhead Substation. They made all the repairs later in the week and then switched it back to the normal configuration the following Monday.

16. BRUCE WARD, ENGINEERING

Bruce explained that after our last meeting he received a call from Ed Vidmar, from Franson Engineering, he said we had misinterpreted how the grant for the PI metering works. The city was given the \$300,000 grant based on the entire project, so we could not match it and use the \$600,000 to just buy the meters. If we did that, we would only get a percentage of that money. Franson is going to the board of Water Resources and then will put together a presentation to bring back to the council so they can decide if they want to move forward with the project.

Bruce invited the council to attend the General Plan meeting on Tuesday February 12, 2019 at 6:30 p.m. at the Activity Center. He commented they are all welcome to come at 5:30 p.m. He mentioned that we had a transportation masterplan done for the city about 4 years ago with a very limited scope of work. With all the development going on and as a result of the discussions of the general plan the transportation plan concerns him the most. He would like to consult with Horrocks Engineering since they already have the modeling done for the city and expand their scope of work and put a transportation plan proposal together. He would then bring that back before the council, he thinks it is important to have a good transportation plan in place.

Heather Youd, from the chamber of commerce, stated the February business of the month is The Fellas Chop Shop. There will be a Utah Valley visioning workshop at the Spanish Fork High School held at 6 p.m. on February 12, 2019. This is an interactive workshop for the community to come together to chose how they want to see things grow. There will be a couple others held in Provo and Orem at later dates. On February 20, 2019 they will hold their noon networking and the Boy Scouts of America will be there to talk about the changes they are making to their program. This year the chamber will be more involved with Salem, they will begin alternating their board meetings between Salem and Spanish Fork.

COUNCIL REPORTS

17. MAYOR KURT CHRISTENSEN

Mayor Christensen did not have anything to report tonight.

18. COUNCILPERSON STERLING REES

Councilperson Rees stated Mayor Christensen will be going with the UMPA board to Washington DC on February 24-27, 2019. He mentioned UMPA will be holding meetings in St. George March 20-24, 2019. He commented that Salem has not had a very good turnout for these meetings from the city council. He will be attending them so he will not be here for the March 20, 2019 council meeting. Councilperson Simons said that she has registered for the UMPA meetings so she will not be here either. There was a discussion on moving or canceling the council meeting.

19. COUNCILPERSON CRISTY SIMONS

Councilperson Simons did not have anything to report.

20. COUNCILPERSON HOWARD CHUNTZ

Councilperson Chuntz stated that SUVMWA and Mt. Nebo had not held any meetings since November. He is thankful for the snow that is falling.

21. COUNCILPERSON SETH SORENSEN

Councilperson Seth Sorensen was excused tonight.

22. COUNCILPERSON CRAIG WARREN

Councilperson Warren stated the South Utah Solid Waste District had approved and ratified the move from Springville to Spanish Fork. He mentioned that Bruce was on the board for the financial comparisons. Bruce stated this move had been a long time coming, the transfer station was over capacity and there has been contention between Springville and the district. They have spent 10 years trying to work through this, and have evaluated other sites. Councilperson Warren stated they went over the financials and based on the recommendations the board voted unanimously to move. They gave Terry Ficklin

authorization to close the deal on the land. He mentioned there is already interest in the old property. Bruce stated there would not be a rate increase. Councilperson Warren said that at this point there is no proposed rate increase at NUERA either.

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Craig Warren to adjourn council meeting.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:24 p.m.

Jeffrey Nielson, City Recorder