

Minutes of the Salem City Council Meeting held on June 5, 2019 in the Salem City Council Chambers.

**Work Session:** 5:30 p.m.

## **1. BUDGET DISCUSSION**

Jeff Nielson went over the budget for Fiscal Year 2020. He will put it on the web page for the public.

He went over the enterprise funds transfers. This is showing where money is transferred from the enterprise funds to the general fund, this helps keep our rates and property taxes down for our residents. He asked if there were any questions.

He recommended continuing the public hearing on the amended budget for Fiscal Year 2019 until the June 19, 2019 council meeting, that way he can close out May and have more accurate numbers.

## **2. SALEM PARK DEVELOPMENT DISCUSSION**

Bruce Ward reported Salem Park Development is on the north end of town. The east side of the project is single family units as planned. The west side is planned to have patio homes, townhomes, and condos. Tyler Roberts has been the main developer, he has sold the townhomes to John Dester, and the condos to Bryant Christensen, and the patio homes to Richmond America. Their purpose tonight is to amend the preliminary plat and development agreement. They have proposed some different amenities for the townhomes and the condos. He showed the new layouts for the townhomes, it is the same number of units and the open space is essentially the same. These meet our current ordinance on parking. They will start with phase A-1. Julie Smith mentioned the phasing on the condos is wrong on the plans that they gave to us, they need to flip C-1 and C-2. Bruce mentioned the townhomes will be garage loaded in the back, they will be similar to the ones by Stokes, they are a nice product. They will be earth tones to match what is already built in the area. Bruce stated the condos are a new product to Salem, the exteriors will be very similar to what was already approved. The patio homes will have 2 car garages and will meet all minimum lot size requirements. The patio homes meet all the standards that were previously approved. Bruce mentioned that the bridge railing will be done with Trex instead of the wrought iron that was in the original agreement. The condos had a clubhouse with an indoor pool in the original agreement, they would like to propose changes. They would like to do a clubhouse with a great room, a theater room, an office, storage space and a bathroom. The clubhouse would have a covered barbeque area. They will also have a pickle/basketball court and a playground. The townhome project will have a pavilion with picnic tables. There will be 2 playground areas, which will need to be approved by Matt Marziale, the recreation director. Matt went over Salem City's standards for playground equipment and how they decided on those standards. Matt advised he has approved the 2 playgrounds that John has proposed for the townhomes, but the playground proposed by Bryant for the condos does not meet our standards. Julie stated that Bryant isn't here to discuss the playground, she asked about getting designs that were approved. Matt replied they were given to them 2 DRC meetings ago. There was a discussion about the phasing and bonding of the amenities for both projects.

### **3. AGENDA ITEM DISCUSSION**

Chief Brad James stated he had sent out a staff report on the fingerprint machine. The one that we have now is nonfunctional.

Matt reported that bids had been sent out to replace the sump on the storm drain at 248 North 600 East. This is a budgeted item and it needs to be replaced. The sump is not working correctly so the water in the cul-de-sac is going up onto people's property 8 to 10 feet. Staff recommends approving Wilson Excavation to install new sump for \$20,355.00. Mayor Christensen asked if they were comfortable using this company. Matt replied that Troy Tischner had worked with them before, and they have done work for Springville and Spanish Fork.

**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  
Junior Baker, City Attorney  
Chief Brad James, Police Chief  
Clark Crook, Power  
Matt Marziale, PW/Recreation  
Bruce Ward, City Engineer  
David Johnson, Building Dept.  
Allison Taylor

**OTHERS PRESENT**

Brandon Mills, William Burk, John Dester, Julie Smith, Bryant Christensen, Tyler Roberts

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

Mayor Christensen asked if anyone would like to give a motivational or inspirational message. Clark Crook 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. PROPOSED BUDGET FOR FY 2019/2020**

Jeff Nielson handed out the budget to the public. He went over the highlights that were discussed in work session. The police department will be getting a new officer, they will have a school resource officer at the high school and one at the junior high. The fire department will be purchasing a new truck. The roads department is buying some new equipment. The sewer base rate will increase in July from \$36 to \$46.50, the new plant should be up and running this fall. They will look at an electrical rate increase in the middle of the year to help build up the reserves. The Republic Service rate is going up 20¢ so that cost will be passed on to residents, 20¢ on the first can and 10¢ on the second. We will be purchasing one new police truck, and leasing 3 other trucks out of the motor pool fund. Mayor Christensen asked if other cities are leasing or buying trucks. Chief James replied it varied by city. They have decided to do both, that way if something happens with the leasing program they don't need to buy all new trucks. Jeff asked if there were any other questions on the budget.

**b. PROPOSED TRANSFERS FROM ENTERPRISE FUNDS AND ADMINISTRATIVE FEES CHARGED TO ENTERPRISE FUNDS FY 2020**

| ENTERPRISE FUNDS |                             | PROPOSED TRANSFERS |                    |                         |                              |                    |                         |
|------------------|-----------------------------|--------------------|--------------------|-------------------------|------------------------------|--------------------|-------------------------|
| Fund             | Proposed Total Expenditures | Transfer To        | Amount of Transfer | % of Total Expenditures | Transfer To Internal Service | Amount of Transfer | % of Total Expenditures |
|                  | FY 2020                     |                    |                    |                         |                              |                    |                         |
| Water            | \$ 1,108,458                | General            | \$ 42,500          | 3.6%                    | Motor Pool                   | \$ 35,000          | 3.2%                    |
| Sewer            | \$ 2,058,220                | General            | \$ 21,500          | 1.0%                    | Motor Pool                   | \$ 26,000          | 1.3%                    |
| Electric         | \$ 4,808,007                | General            | \$ 306,500         | 6.4%                    | Motor Pool                   | \$ 17,500          | 0.4%                    |
| Solid Waste      | \$ 600,609                  | General            | \$ 25,500          | 4.2%                    | Motor Pool                   | \$ 10,000          | 1.7%                    |
| P.I.             | \$ 1,111,752                | General            | \$ 40,000          | 3.6%                    | Motor Pool                   | \$ 20,000          | 1.8%                    |
| Storm            | \$ 213,639                  | General            | \$ 11,500          | 5.4%                    | Motor Pool                   | \$ 8,000           | 3.7%                    |

These are the proposed transfers from the enterprise fund to the general fund. This is the same as when a private business has profits, they are paid back to the shareholders through dividends. In the city, the money goes back in the general fund to keep rates and property taxes down for our residents.

**c. AMEND BUDGET FOR FY 2018/2019**

Jeff recommended continuing the public hearing for this item until the June 19, 2019 council meeting so that he can close out May's budget and have more accurate figures to amend the budget. He asked if there were any questions.

(to close)

**MOTION BY:** Councilperson Craig Warren to close the public hearing on items a and b and to continue item c to the June 19, 2019 council meeting.

**SECONDED BY:** Councilperson Seth Sorensen

**VOTE:** All Affirmative (5-0).

Councilperson Craig Warren stated Jeff had done a great job on the budget, that everyone had done a good job.

#### **4. YOUTH COUNCIL**

There was not a youth council representative available tonight.

#### **5. SF / SALEM CHAMBER**

Heather Youd reported the chamber held the 3<sup>rd</sup> annual Wolfsburg on Main, they had a good turnout. The business of the month is Costco, they will have pizza and cake tomorrow at noon to celebrate. Food Trucks on Main is every Friday night, this week Spanish Fork will be starting their movies in the park, the movie this Friday will be Mary Poppins. They will hold a meeting for the Farmer's Market on June 11<sup>th</sup>. Noon Networking will be held on June 19<sup>th</sup> at the Canyon View Park. There is a ribbon cutting for Ryan Mortgage Company on the 20<sup>th</sup>. She mentioned they want people to know how safe and secure the information is that will be collected in the 2020 Census. It takes 72 years before the public has access to that information, and the city wants everyone to be counted. The city is given \$1,870 per person, and she is sure the city could use that money.

#### **6. APPROVE BUDGET FOR FY 2019/2020**

**MOTION BY:** Councilperson Sterling Rees to approve the budget for Fiscal Year 2019/2020.

**SECONDED BY:** Councilperson Cristy Simons.

**VOTE:** All Affirmative (5-0).

#### **7. APPROVE COURT AGREEMENT FY 2020**

Jeff mentioned that Salem City is part of the fourth district court. Heather Brindley is our court clerk. This agreement helps us off set some of the cost, our office only handles minor traffic violations.

**MOTION BY:** Councilperson Seth Sorensen to approve the court agreement for Fiscal Year 2020.

**SECONDED BY:** Councilperson Howard Chuntz.

**VOTE:** All Affirmative (5-0).

**8. APPROVE AMENDED PRELIMINARY PLAT FOR SALEM PARK MASTER PLANNED DEVELOPMENT (LOCATED APPROX. 300 WEST ARROWHEAD TRAIL) AND AMENDMENTS TO THE DEVELOPMENT AGREEMENT**

Bruce Ward stated this item was discussed in work session. The patio homes will be about the same as the original plan. They are architectural attractive, and not production looking. There is a minimum requirement of spacing so that 2 designs cannot be too close together. A lot of the open spaces in the area are wetlands, the parks and open space will be dedicated to the city when the development is complete. The townhomes will have 2 car garages and 50 guest parking spaces. The condos will have 96 covered parking spaces. The condos will be stucco and hardi plank. The clubhouse will have covered grilling and picnic patios. They still need to discuss the timing of the amenities. There will be trails, the one connecting the east and the west areas will be completed with the patio home phase of the project. The bridge will be Trex instead of the wrought iron that was in the original agreement.

John Dester stated he has some thoughts on the timing of the amenities. He said that all the amenities could be bonded for with the first phase of the townhomes and condos. They would construct the amenities with the second phase, and there could be no occupancy in the second phase until the amenities are finished. John commented that both of his playgrounds will be in the same spot and located by the pavilion. Julie Smith mentioned that C1 and C2 in the condo phasing need to be switched. Bryant Christensen asked why as the developer of the condos he could not choose which playground he put in. Councilperson Craig Warren replied he could chose the playground but that it has to be approved by Matt Marziale to make sure it meets Salem City standards. Bruce asked how long the city should hold the bond money for the amenities. Attorney Junior Baker replied 2 years would be an appropriate time to hold the bond.

**MOTION BY:** Councilperson Craig Warren to approve the amended preliminary plat for Salem Park Master Planned Development located at approximately 300 West Arrowhead Trail and the amendments to the Development Agreement subject to bonding in the first phase of the townhomes and condos for all amenities and that they be completed before any unit in the second phase be occupied, that the playgrounds meet or exceed Salem City standards and be approved by the recreation director, and flipping C1 and C2 on the condo phasing.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (5-0).

**9. APPROVE PURCHASE OF FINGER PRINT EQUIPMENT FOR POLICE DEPARTMENT**

Chief Brad James reported the Salem Police Department uses an electronic fingerprint device on a regular basis. The current device is outdated, inoperable, and no longer serviceable. The police department has looked a number of different units that are currently on Utah State Bid. Contact was made with BCI (Bureau of Criminal Identification) who provided the department with recommended companies. After research the department has identified a TouchPrint 4100 sold by a company called, "IDEMIA" that we feel will meet

our current needs for several years to come. The TouchPrint 4100 is on Utah State Bid and is a recommendation company from BCI. Consolation has also been made with our Executech IT Consultant who also recommends this unit as a replacement model. The price is \$8,036 and the money will come out of funds that the police department received from their help with the wildfires last year.

**MOTION BY:** Councilperson Howard Chuntz to approve the purchase of the finger print equipment

**SECONDED BY:** Councilperson Seth Sorensen.

**VOTE:** All Affirmative (5-0).

## **10. APPROVE STORM DRAIN REPLACEMENT AT 248 NORTH 600 EAST**

Mayor Christensen stated this was item discussed in work session. The storm drain at 248 North 600 East needs to be replaced. The city is comfortable with all 3 bids that were received, staff recommends accepting the bid from Wilson Excavation. Matt stated Wilson Excavation can start in about 2 weeks. Jeff mentioned it needs to be done this budget year.

**MOTION BY:** Councilperson Craig Warren to approve the storm drain replacement at 248 North 600 East.

**SECONDED BY:** Councilperson Cristy Simons.

**VOTE:** All Affirmative (5-0).

## **11. APPROVE MINUTES OF MAY 15, 2019**

**MOTION BY:** Councilperson Cristy Simons to approve the minutes of May 15, 2019.

**SECONDED BY:** Councilperson Sterling Rees.

**VOTE:** All Affirmative (5-0).

## **12. APPROVE BILLS FOR PAYMENT**

Mayor Christensen had a question on the bills. There were some weird dates on some of the invoices for Stokes. Jeff explained that they hadn't sent us some of their statements. He said that Allison Taylor has been working with them to try to get everything paid and the late fees taken off. Councilperson Howard Chuntz stated he had not seen the bills so he would be abstaining from the vote. Jeff replied they should always have all the information for council emailed to them on Monday, if they don't please let him know.

**AMOUNT:** \$554,113.63

**MOTION BY:** Councilperson Sterling Rees to approve the bills for payment.

**SECONDED BY:** Councilperson Seth Sorensen.

**VOTE:** All Affirmative (4-0). Councilperson Howard Chuntz abstained from voting.

### **13. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR**

Chief James stated Woodland Hills Drive is reopen and they haven't had any complaints about traffic in the city.

He mentioned that channel 13 had reported there is a farmer in Salem City limits that would like to obtain one of the licenses the state is issuing to grow medical marijuana on 5 acres he owns. Chief James said he just wanted to make the council aware of this. Mayor Christensen stated he had talked to the farmer and he has an uphill battle to try to obtain one of the licenses. The chief said we will deal with it if it happens, he just wanted everyone to be aware since it was on the news.

### **14. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR**

Dave Johnson stated we have been getting more and more calls and questions on accessory apartments. They are not allowed anywhere in the city, but we do have a people that have them even though they cannot legally do so. He is bringing this up so the council can decide if this is something they would like to address. Attorney Baker said this is something that Spanish Fork is also looking into. They are bringing it up to their planning commission tonight. We could ask them to share the information they have gathered. Councilperson Warren asked if renting out bedrooms is legal. Attorney Baker replied it was. Councilperson Howard Chuntz mentioned having a restriction so the property must be owner occupied. Councilperson Cristy Simons said we would need to have parking restrictions. The mayor stated this is an issue that is hard to control. Dave introduced Steve Cox who will be replacing him as building inspector when he retires.

### **15. ATTORNEY JUNIOR BAKER**

Attorney Baker stated that Spanish Fork had asked him to talk to the council about the billboard out by the freeway. It is not in good shape, and they would like to bring it up to modern standards. The mayor said he is happy to let them do what they need to. Councilperson Warren stated they would agree to work with Spanish Fork City on the billboard.

### **16. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER**

Jeff mentioned that Troy Tischner is holding a safety meeting for the seasonal help tomorrow morning.

He stated there are 3 city council seats up for election. Candidates have tomorrow and Friday to sign up.

### **17. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR**

Matt did not have anything to report tonight.



## **18. CLARK CROOK, ELECTRICAL DIRECTOR**

Clark Crook thanked the mayor, council and Jeff for their work on the budget. He mentioned they rely a lot on Jeff and the ladies in the office and Bruce's department. He stated Nyle Robinson has been an absolute help to them and he is sorry to see him go, he thanked Bruce for letting Nyle help them.

## **19. BRUCE WARD, ENGINEERING**

Bruce mentioned he is planning a lunch to celebrate Nyle Robinson's retirement. It will probably be next Wednesday, he will send an email or a text out to the council. He commented we appreciate all the work Nyle has done for the city.

## **COUNCIL REPORTS**

## **20. MAYOR KURT CHRISTENSEN**

The mayor stated there will be some shifting with the city employees. They are encouraging employees to move up in the city.

He commented the Miss Salem did a wonderful job at the Memorial Day program. He and Councilperson Seth Sorensen attended the pageant and there were 11 very talented girls. They all did a very good job.

## **21. COUNCILPERSON STERLING REES**

Councilperson Sterling Rees commented the Memorial Day program went well. He thanked the staff at the cemetery, Gabe and Spencer for setting up they did a great job. He thanked the chief and everyone else that helped with the program. He commented that Kim Olsen had done a really good job speaking. The weather was just right. Mayor Christensen stated he has attended about 10 of the programs and this one was the best he has been to.

Councilperson Rees stated that Miss Salem did a great job. The pageant was held Saturday and they were ready to go on Monday at 8 a.m., they did great at their first gig.

He mentioned he and Clark would be attending the American Public Power Association National Convention in Austin, Texas next week.

He stated he has observed quite a few sink holes in the roads. Some of them have cones on them, do we contract someone to fix these. Matt replied that our crew repairs them.

Councilperson Rees asked if they are caused by the wet weather. Matt said we find more of them in the dry years. They are not sure why they are happening.

## **22. COUNCILPERSON CRISTY SIMONS**

Councilperson Simons reminded everyone about the fee concert on Monday June 10, 2019 at 7:30 p.m. at the Knoll Park. There will be food trucks there.

## **23. COUNCILPERSON HOWARD CHUNTZ**

Councilperson Chuntz did not have anything to report tonight.

**24. COUNCILPERSON SETH SORENSEN**

Councilperson Sorensen did not have anything to report tonight.

**25. COUNCILPERSON CRAIG WARREN**

Councilperson Warren did not have anything to report tonight.

**ADJOURN CITY COUNCIL MEETING**

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

**SECONDED BY:** Councilperson Cristy Simons.

**VOTE:** All Affirmative (5-0).

**MEETING ADJOURNED AT:** 8:37 p.m.

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Jeffrey Nielson, City Recorder