

Minutes of the Salem City Council Meeting held on March 15, 2017 in the Salem City Council Chambers.

Work Session: 6 p.m.

1. HORROCKS ENGINEERING- ROAD STUDY

Brent Ventura with Horrocks Engineering presented the roads impact fee study. He stated it has been a long process. They had a lot of staff help, and would like to thank them for that. Using this study, they have come up with a transportation impact fee facilities plan.

DRC recommended implementing the transportation impact fee. They also recommended a 50% discount to commercial if they bring in sales tax to the city.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Cristy Simons
Councilperson Aaron Cloward
Councilperson Soren Christensen
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

John Dester, Deann Huish, Jennie Strong, Brynn Eyre, Julie Mitchell, Adalynn Mitchell, Brent Oakeson, Carson Brown, Julie Brown, Shelley Hendrickson, Glenn Ivers, Ty Ivers, Jane Topham, Jack Topham, Wade Reynolds, Brent Ventura

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford 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

Councilperson Soren 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. MAYOR APPRECIATION

Mayor Brailsford stated that on behalf of himself and the council he would like to show their appreciation for two important ladies. They help make life better in our community Shelley Hendrickson has worked on Planning and Zoning Board for the last 7 years. We appreciate the great job that she has done. Jane Topham has been putting together the senior spotlight for the newsletter for the past four years. It is a lot of work and she has done a good job. Jane stated that she benefits from getting to visit these people. The Mayor stated that without volunteers we wouldn't have such a great community. He appreciates all the volunteers in our city and their service.

4. UTAH LOCAL GOVERNMENT TRUST (ULGT) TAP AWARD PRESENTATION

Brent Oakeson, with Utah Local Government Trust presented a safety award to the city. This award gives us a 3% discount on our workman's compensation insurance and also a 5% check back to the city. Mayor Brailsford thanked Wade Reynolds and Jeff Neilson for all they do for safety and stated this is a reflection on the great job our employees do

5. PUBLIC HEARING (to open)

MOTION BY: Councilperson Aaron Cloward to open the public hearing.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

a. Ordinance Enacting Impact Fees for Parks & Recreation, Public Safety, and Transportation

Deanne Huish with the Home Builders Association stated that they like when local companies are used to do these studies, because they know our area. She stated that they haven't had time to go over these, but are pleased with the work that has been done. She stated that roads are always a concern, and that they understand that this has to be done.

Bruce Ward stated that he and Jeff Nielson were recommending to round to nearest dollar.

Mayor turned the time over to Horrocks Engineering. He reported that they have been working with the staff and have put a lot of time into looking at the transportation system. They modeled the city for the year 2040 with projected growth for 20 to 30 years. This will maintain the level of service our streets already have. They have found 7 projects that will need to be done in the next 6 years. These projects will require 4 million dollars from impact fees. The amount of impact fees the city can charge is at the city's discretion but cannot exceed what the study has determined. Mayor Brailsford stated that we will give a 50% discount on transportation impact fees to commercial builders. Attorney Junior Baker stated this will take 90 days to become effective once the ordinance was passed.

(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 Craig Warren to approve the ordinance enacting impact fees for Parks and Recreation, Public Safety and Transportation with the recommendation that it be rounded down to the nearest dollar.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

6. GEORGETOWN DEVELOPMENT- REQUEST FOR A MODIFICATION TO THE CENTRAL PARK DEVELOPMENT AGREEMENT

Mayor Brailsford stated that he appreciates John Dester doing what he said he will. John then reported that the 10 live/work units he proposed are not selling, he still likes the idea. He is asking the council to modify the agreement that these live/work units need to be finished with phase 2 of this development. He would like to change the agreement so that he can move on to Phase 4 and then come back to phase 3. He is not abandoning his idea of the live/work units, he would like more time to sell them. He is starting the road and will do all the other obligations in the agreement, he would just like to hold off and see if he can sell the work/live idea, or if it would be better to change these to commercial units.

Councilperson Warren asked if we allow this change, when the decision would need to be made on these units. Attorney Junior Baker stated we could work that out in the agreement. Bruce Ward stated that his opinion is to get rid of the live/work and go straight commercial, but he would still need this modification to the agreement. If these do go commercial than he would need to upgrade the fence to a privacy fence. Clark Crook stated if this goes commercial there may need to be an electrical upgrade. Attorney Baker stated we could put in the agreement that they need to be live/work or commercial. John stated he has no plan right now to do anything other the live/work if he can sell them. Jeff Nielson stated that we would need a new plat map. Bruce stated that we would need to disconnect plat B.

MOTION BY: Councilperson Soren Christensen to approve the request for a modification to the Central Park Development agreement.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

7. APPROVE POLE AGREEMENT WITH CENTRACOM

Clark Crook reported that CentraCom would like to lease our conduit. The conduit follows the power everywhere the power goes. We have been putting conduit in since 1998, every subdivision that was built since then will have it. This is the same agreement we have with other companies.

MOTION BY: Councilperson Cristy Simons to approve the pole agreement with CentraCom.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

8. APPROVE NEBO SCHOOL DISTRICT PROPERTY PURCHASE

Mayor Brailsford reported that we would like to purchase 7.64 acres for a total cost of \$750,000, this property would be used for a future public safety building. We would have 3 years to pay for this property on a 1.7% interest. The mayor stated that we are out of room for our police and fire department, the property is big enough if we decide to do a city campus in the future. The mayor stated that Keith Lyman has a lease on this property now to keep his cows on. Councilperson Rees asked if we would continue to let him lease the land. The council felt this was a good idea to keep the weeds down, until we are ready to use the property. Councilperson Warren asked if we were receiving water rights with this property. Attorney Baker stated that they are looking into that issue, we would pay \$750,000 with the water rights, and \$730,000 without the water. He suggested putting that wording in the motion. Mayor Brailsford stated that he had never been sorry that he purchased property.

MOTION BY: Councilperson Aaron Cloward to approve the property purchase from Nebo School District for \$750,000.00 with water or \$730,000.00 without water.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

9. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH DIVISION OF FORESTRY, FIRE, AND STATE LANDS

Chief Brad James reported that this is a renewal of a contract we already have. This contract gets us reimbursement for our truck time and fireman time when we help with a fire, mostly canyon fires. We renew this contract either every 3 or 5 years.

MOTION BY: Councilperson Craig Warren to approve the memorandum of understanding between the Utah Division of Forestry, Fire, and State Lands.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

10. APPROVE MINUTES OF MARCH 1, 2017

MOTION BY: Councilperson Soren Christensen to approve the minutes of March 1, 2017.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (5-0).

11. APPROVE BILLS FOR PAYMENT

AMOUNT: \$237,736.91

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

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (5-0).

12. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief Brad James would like to thank the council for the purchase of the property for a future public safety building. He believes this is a good vision for the future. The police are getting more calls with the warm weather. He would like to remind our citizens to slow down and make sure they are stopping at stop signs, especially with the kids walking home. They have been issuing a lot of tickets.

13. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson did not have anything to report tonight.

14. ATTORNEY JUNIOR BAKER

Attorney Junior Baker reported that at the next meeting he will have the ordinance on the water we want to accept done. The mayor thanked Attorney Baker for all his work and the good job he does.

15. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson reported on the February 2017 budget. Mayor Brailsford thanked Jeff for the great job that he does. Jeff stated that the library received funds from state for \$3900.00 for purchase of books or computers. The mayor stated good job to the library.

16. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported that the YAM program had a successful meeting in February. Jace Gordon, who is over the YAM program, did a meet and greet at the high school and is doing a good job of getting new youth involved. They will start doing more YAM activities once the Activity Center is finished.

Matt thanked Clark for the work he has done on extending the net at the upper ballpark it looks good and will benefit the homeowners that live nearby. He reported that the road by the Activity Center is finished and they will now be working on the landscaping. Matt stated that the roads department is out shouldering the roads that were damaged by the snow this year. They will now be able to get asphalt so they can fix the pot holes, and the asphalt will hold the repair. Matt reported that he has a new Eagle Project list, scouts can pick these up at the recreation office.

Matt reported that they have started organizing for Salem Days. He asked the council for direction with the community theater that was presented at an earlier council meeting. They were told that it would not work to have this during Salem Days and so they will be doing

their production of Bye, Bye Birdie on July 26, 27, 28 and 31. They will be able to use the high school through our agreement with Nebo School District. Everyone participating will have to sign up through the recreation office, and sign the liability waiver. Matt wanted to check with the council that they were ok going forward with this. The council stated that they were.

17. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook reported that we had an outage last Thursday at about 11 am. This was caused by a failure of transmission to one of our substations, it was resolved quickly. He stated that we are members of IPSA, they support apprentices and safety. They received an award for no accidents. Clark commends his guys. He feels we have a really good safety program from IPSA and the city.

18. BRUCE WARD, ENGINEERING

Bruce Ward reported on planning and zoning and directors meeting. He reported that at the directors meeting they had adjusted the density zoning; low density would be 2 homes and under per acre, medium density would be 2 to 4 homes per acre, and high density would be 4 to 6 homes per acre with the option to earn up to 9 by doing amenities. Planning and Zoning really liked this idea, and will get back to Bruce with any recommendations.

Bruce sent out the xeriscape recommendations to the council, for them to go over for a future meeting. Councilperson Christensen stated that he did not see much for incentives. Bruce stated that our numbers are higher than anyone else's. He is also ready to present water recommendations for the transfer of the water, he will send this to the council. April 15, 2017 Forsgren Engineering will present on the wastewater plant in work session. Mayor Brailsford stated that Matt, Bruce, Councilperson Christensen and himself would be going down to Mesquite, Nevada to look at the plant there. ported to planning and f density adjusted 1-3 low w

19. WADE REYNOLDS, STORM DRAIN/SAFETY COORDINATOR

Wade Reynolds did not have anything to report tonight.

COUNCIL REPORTS

20. MAYOR RANDY BRAILSFORD

Mayor Brailsford reported he has put together a survey for the city. He has been calling people and asking them how they feel about the city. He reported on this in the director's meeting and Jeff Nielson suggested putting it on our website. This survey was sent out to the council to review. Councilperson Christensen suggested that where it asks if employees address the concerns of residents, that the council be added to that also. Councilperson Warren asked if there was a way to make the starting answers more neutral. Jeff stated that there was not. The city will be emailing the link out to residents and the survey will be open

until April 7, 2017. They can also find it on the website. Councilperson Simons suggested putting the link on our Facebook page as well.

Mayor Brailsford reported on the Morrell annexation, they would like to annex to Spanish Fork, this differs from our master plan. The mayor stated that Woodland Hills Drive is right there and that would be a good boundary. Chief Brad James stated that the old boundary follows the ditch, he thinks this makes a good split. Bruce Ward stated that sometimes a county will annex up to the road, if Spanish Fork does that who would maintain the road. The mayor stated that Woodland Hills Drive would stay a county road.

Mayor Brailsford reported that Attorney Baker is working on a notice of obligations that go along with the Orchard Farms development. The developer has run out of time, and the owner is not interested in extending it. Mayor Brailsford stated that he has told Attorney Baker that they have to finish with the agreement we had in place. No new building will be allowed until this is settled. They are hopeful that we can meet and come to an agreement. Councilperson Christensen stated that developers are always coming in and asking for multiple phases, he asked if we could demand that they have all financing in place for the entire project first. Attorney Baker stated that we could do that. Councilperson Warren asked if we should require these obligations sooner in future developments. Attorney Baker stated this would probably be the easier way to go. Bruce Ward stated that there are 7 to 10 more homes left to build to finish the development.

21. COUNCILPERSON STERLING REES

Councilperson Sterling Rees reported that he had traveled to Washington DC with the UMPA board to meet with senators and congressmen. UMPA will not hold a meeting in March, the April meeting will be held in Midway. The first weekend in May he will be going to Chicago area to visit the Catapillar plant to see what they are considering using for power at the Peking plant in Provo. He asked Clark if he would like to report on this.

Clark Crook stated that they will be making their final selection for the Provo plant. This is locomotive size and runs on natural gas, there is not diesel used. They considered turbines, but this looks like the best option for rapid response.

22. COUNCILPERSON CRISTY SIMONS

Councilperson Cristy Simons reported that last weekend she had attended youth council conference with members of the youth council. She turned the time over to members of the youth council, Brynn Eyre and Jennie Strong, they reported that they had taken third overall in the competition at the conference. The next event for the youth council will be the Easter egg hunt in April. They thanked Councilperson Simons for attending the conference. She stated it was a great time, and would like to thank the youth council advisors Martee and Marcie McKee. Councilperson Simons thanked Bryce for all that they do at the library.

23. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen did not have anything to report tonight. Mayor Brailsford asked Matt Marziale to let Chris Averett know that he would like a report sent to Councilperson Christensen and himself every week on what the springs are doing. Mayor Brailsford asked when the PI will be turned on, if it is in April we need to get it in the

newsletter. Bruce Ward stated it is usually in May. The mayor stated we need to look at the spring reports to decide on water restrictions.

24. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward did not have anything to report tonight. He did remind the council about the Activity Center open house on May 1, 2017. Councilperson Warren asked Matt when the building would be finished. Matt replied that he has been told April 1, 2017, but he hopes to move in next week. Councilperson Cloward stated that he thinks they should not move in until it is 100% complete, with the punch list done. Matt stated that we are doing the landscaping and that it should be complete April 1, 2017. He has volunteers coming down next week to put the sod in.

25. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren stated that House Bill 115 passed, this is the solid waste bill. Attorney Baker stated that he understood that they will do a study to look at the cost. Councilperson Warren stated that he has talked to Terry Ficklin and they feel the bill wasn't very transparent. This will not impact us until 2019, but we will not have much say in fees. We may be charged a fee going into the transfer station, and another fee going into the landfill. If anyone talks to their representatives please tell them what this does to us in real terms, we would have to raise fees for our citizens.

26. CLOSED SESSION

- a. **Real Property Transaction**
- b. **Reasonably Imminent Litigation**

MOTION BY: Councilperson Craig Warren to go into a closed session.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Cristy Simons to adjourn city council meeting.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (4-0). Councilperson Aaron Cloward needed to leave and was excused during closed session.

MEETING ADJOURNED AT: 9:30 p.m.