

Minutes of the Salem City Council Meeting held on May 17, 2017 in the Salem City Council Chambers.

Work Session: 6:00 p.m.

1. SEWER RATE DISCUSSION

Jason Broome with Forsgren Engineering went over the presentation from a few weeks ago on the new wastewater plant. They have come up with 5 alternatives for the restructuring of the sewer rates. They are recommending alternative five which is a hybrid of alternatives one and three, it is a new base rate with a tier usage rate structure, and would be implemented over the next 4 years. Bruce Ward stated that he has not seen a rate structure like this before, but he likes it. They will have to work through commercial and industrial users. They will have to look at the total year of usage at houses without PI water. Mayor Brailsford stated that this will encourage indoor water conservation and be fair to the general public. Councilperson Craig Warren likes this and thinks we should proceed this way. Bruce asked if they could develop the rate structure. The council said yes.

2. SEWER IMPACT FEE DISCUSSION

Jason presented a refresher on the sewer impact fee discussion. He discussed the projects that needed to be done in the next 6 years. There will be two main trunk lines and the actual wastewater plant that will need to be done in this time. The suggested new impact fee would \$3532.71.

3. AGENDA ITEM DISCUSSION

Raylene Long, the Miss Salem Director, asked the council to donate to the Miss Salem scholarship fund. She stated that the contestants would be singing at the Memorial Day Celebration, she will get the names to Councilperson Sterling Rees. She reminded the council that the pageant would be held on June 3, 2017 at 7 p.m. at Salem Hills High School and stated that we have fabulous contestants this year.

Bruce Ward reported on the zone change located at 375 East 1280 South from A-1 to R-15. Robert Nelson bought property and Dean Ingram bought property, both had the property changed to R-15, but this piece was missed in the zone change. Robert Nelson owns the property. It is surrounded by R-15, this is mostly just a fix to change this small piece from A-1 to R-15.

Bruce stated that Brent Bluth with Self Help homes had been asking for a zone change on property located at approximately 900 North 250 East to an R-10 from an R-15, he was told this would probably not happen. He pulled this request and reapplied for a zone change to an R-12. DRC recommended approval with conditions that the preliminary plat be approved concurrently with the zone change; the roads at 1000 N. SR 198 and 250 East for about 500 feet, be full roads; installing a vision barrier fence between their property and Stokes' property; getting UDOT approval for an access onto SR 198 and getting the appropriate easements for the road and sewer line; and complying with the City Development and Construction Standards. The staff recommendation is that they put these conditions in if

they decide to approve the zone change. Attorney Junior Baker stated that we could do a development agreement, this would protect both parties. Mayor Brailsford stated that there is one more thing to add to the motion if the council decides to do the zone change, they would like this to be completed in one phase. Attorney Baker stated that would be put in the development agreement.

Bruce reported on the ordinance to abandon 80 South, he stated this is not a good intersection, it is not a heavily traveled road. Mayor Brailsford stated that he had not been in favor of this closure until he had read the letter of opinion from Horrocks Engineering, and went up there. He stated he no longer has any concerns. Chief Brad James stated he is in favor of the closure as long as the subdivision is completed. Attorney Baker stated that the ordinance states it becomes effective once the new road is in place.

MEETING CONVENED AT: 7:00 p.m.

CONDUCTING: Mayor Randy A. Brailsford

COUNCIL PRESENT:

Mayor Randy A. Brailsford
Councilperson Cristy Simons Excused
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

Jen Wright, Russ Myers, Kevin Young, Dakota Ekins, Craig Callister, James Mayfield, Ethan Muller, Andre Callister, Austin Slye, Cayden Bowers, Brad Bishop, Robert Nelson, Haley Barnson, Dusten Heugly, Paul Tervort, Jason Broome

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

Mayor Brailsford asked if anyone would like to give a motivational or inspirational message. Bruce Ward 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'S RECOGNITION – ALAN CLARK, SALEM ELEMENTARY SCHOOL

Mayor Brailsford presented Al Clark with a plaque thanking him for his 10 years of service at Salem Elementary School. He has been a great help to the community and our youth.

4. PUBLIC HEARING (to open)

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

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

a. Robert Nelson – Request for a Zone Change on 4 Acres of Property located at 375 East 1280 South from A-1 to R-15

Bruce Ward stated that Robert Nelson owns the property at 375 East 1280 East. This is a small piece of property that is zoned A-1 and is surrounded by R-15. This request has gone through DRC and Planning and Zoning and they recommend to approve this change. The mayor asked if there were any questions or comments. There were none.

b. Bent Bluth, Self Help Homes- Request for Zone Change on 23 Acres of Property located at Approximately 900 North 250 East from R-15 to R-12

Bruce stated that this property is located north of Stokes Market, it is currently zoned R-15 and the request is to change the zone to R-12. Planning and Zoning has recommended approval with some conditions, that the preliminary plat be approved concurrently with the zone change; the roads at 1000 N. SR 198 and 250 East for about 500 feet, be full roads; installing a vision barrier fence between their property and Stokes' property; getting UDOT approval for an access onto SR 198 and getting the appropriate easements for the road and sewer line; and complying with the City Development and Construction Standards. During the discussion in the work session Attorney Junior Baker stated all of these conditions could be put into a development agreement. This fully protects the city. Brad Bishop that works with Brent Bluth had no comment. Mayor Brailsford asked if there were any questions or comments. There were none.

c. Ordinance Amending the Outside Water Transfer Requirements of the Salem City Municipal Code with Regards to Lot Size

Bruce explained this is an ordinance to modify the amount of outdoor water required for each single family home from a uniform .08 per lot to a scale system based on the lot size. In the past, our lot sizes across town have been pretty similar. Over the past few years the lots sizes have begun to be more drastically different. This change would only affect single family houses. The scale system

would give us the flexibility to be fair. This would not change the indoor water requirements. The mayor asked for questions or comments.

d. Sewer Impact Fee Ordinance

Bruce stated that we are working on the design of our new wastewater treatment plant, as part of our contract we need to implement new impact fees. Forsgren Engineering has recalculated our impact fees, their study recommends that we collect \$3532.71 based on projects that need to be done in the next 6 years. Councilperson Soren Christensen asked if existing residents that have septic tanks want to connect to the sewer system, are they charge the impact fee. Bruce stated that they would be. Councilperson Christensen remarked that we could use this as incentive to get those people to connect to the system, before the new impact fee is in place. Bruce stated that he did not think we had that many in the city, but we could send a letter to them. Mayor Brailsford stated that we should let them know it would be a good time before the 90 days when the ordinance is effective. The mayor asked if anyone had questions or comments. There were none.

e. Ordinance Vacating a Portion of 80 South from 900 East to Woodland Hills Drive

Bruce addressed the ordinance closing a portion of 80 South from 900 East to Woodland Hills Drive. The council had requested that a traffic study be done to look at this closure. Horrocks Engineering had just finished a city-wide traffic study, they sent a letter of opinion stating that the closing of this road is the safest and best option. Chief James stated that public safety is fine with this closure. Councilperson Christensen stated that the new road would need to be finished by the developer for us to abandon this road.

Paul Tervort asked if they had anticipated the amount of traffic this will add to 500 East, that is his concern. Chief James stated that he doesn't think it will change that much. Bruce stated that all the roads impacted by this would have the capability to handle the traffic.

Mayor Brailsford asked if anyone had any other comments or questions from the public or the council. There were no questions or comments.

(to close)

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

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (4-0).

MOTION BY: Councilperson Aaron Cloward to approve the zone change on 4 acres of property located at 375 East 1280 South from A-1 to R-15.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (4-0).

MOTION BY: Councilperson Sterling Rees to approve the zone change on 23 acres of property located at approximately 900 North 250 East from R-15 to R-12 with the condition of having a development agreement concerning the stipulations given from Planning and Zoning.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (4-0).

MOTION BY: Councilperson Aaron Cloward to approve the ordinance amending the outside watering transfer requirements of Salem City Municipal Code with regards to lot size to go into effect July 1, 2017 for subdivisions given preliminary approval from DRC.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (4-0).

MOTION BY: Councilperson Soren Christensen to approve the sewer impact fee ordinance.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (4-0).

MOTION BY: Councilperson Soren Christensen to approve the ordinance to vacate a portion of 80 South from 900 East to Woodland Hills drive subject to the connection of road 850 East being completed.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (4-0).

5. APPROVE CONTRACT WITH MT. LAND FOR SERVICES PROVIDED TO SENIOR CENTER

Jen Wright asked if the council had any questions about this contract. Councilperson Soren Christensen asked if Mt. Land cooked the food and then delivered it. Jen replied that Mt. Land is the governing entity, and that the food is prepared and cooked at the county jail. She stated that there are 9 other cities that use this program. Lunch will be served on Tuesdays and Thursdays at noon. There will be a \$3 suggested donation for anyone 60 and older, anyone under 60 will be charged a \$6 fee for each meal. She will attend a quarterly meeting where she can share what the seniors liked and did not like. Mayor Brailsford thanked Jen for all of the work she has put into this program.

MOTION BY: Councilperson Aaron Cloward to approve contract with Mt. Land for services provided to the senior center.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

6. APPROVE MEMORANDUM OF UNDERSTANDING WITH UTAH COUNTY FOR THE CHILDREN’S JUSTICE CENTER

Chief Brad James reported that our police department are active participants in the children’s justice center, this is where they can take any victims of crime or abuse. It is a good program for them to be able to use. We must sign this every year to continue to use the center.

MOTION BY: Councilperson Craig Warren to approve the memorandum of understanding with Utah County for the Children’s Justice Center.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (4-0).

7. APPROVE ORDINANCE AMENDING THE MUNICIPAL CODE CONCERNING THE APPOINTMENT OF THE RECORDER AND TREASURER

Attorney Junior Baker informed the council that this is a change made in the legislature this year, and the law went into effect on May 9, 2017. The positions of recorder and treasurer will no longer have to be reappointed every four years with the mayoral election, they will now serve until someone else is appointed.

MOTION BY: Councilperson Sterling Rees to approve the ordinance amending the municipal code concerning the appointment of the recorder and treasurer.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (4-0).

8. APPROVE RESOLUTION FOR PUBLIC WORKS WEEK

Mayor Brailsford read the resolution.

MOTION BY: Councilperson Soren Christensen to approve the resolution for Public Works Week.

SECONDED BY: Councilperson Aaron Cloward.

VOTE: All Affirmative (4-0).

9. APPROVE MINUTES OF MAY 3, 2017

MOTION BY: Councilperson Soren Christensen to approve the minutes of May 3, 2017.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (4-0).

10. APPROVE BILLS FOR PAYMENT

AMOUNT: \$352,716.39

MOTION BY: Councilperson Craig Warren to approve the bills for payment.

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (4-0).

11. YOUTH COUNCIL

There was not a youth council representative in attendance tonight.

12. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief Brad James did not have anything to report tonight.

Mayor Brailsford stated that it is public safety week. He salutes and thanks the members of our police department.

13. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson did not have anything to report tonight.

14. ATTORNEY JUNIOR BAKER

Attorney Junior Baker did not have anything to report tonight.

15. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff Nielson stated that he will have the budget on a disc for the council next week. He reported that Councilperson Cristy Simons had sent an email to remind the council of the American Legions Walk Through Life on Thursday May 18, 2017 from 9:30 a.m. to 2 p.m. at Veteran's Park in Spanish Fork. The Salem school's fifth graders will be attending that day. He stated that the library was doing well, their only concern is they are running out of room.

16. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale said to go along with the closing of 80 South, during the first week of June they will start working on widening 400 North. The intention is for this to become a main carrier of traffic, so they will be making it a safer width to handle the traffic. Our roads crew will be doing the work and it should be a 10 to 14 day project. He stated that starting in June they will begin the asphalt overlay project they have for five streets. Matt invited the council and the public to attend the Memorial Day program at the cemetery. Matt reported that there is a Just Serve Program that is a place for people wanting to do service projects through the LDS church to find places where service is needed. The city has 4 projects that we rotate through every 3 months on there. He stated that next week will be Public Works Week. Matt has been contacted by Staker Parsons about taking some millings from the

Payson Wal-Mart parking lot. They were very complimentary of our guys from when we worked with them in Spanish Fork.

17. CLARK CROOK, ELECTRICAL DIRECTOR

Clark Crook reported that the power department had the good fortune to interact with our youth. They have attended the junior high and high school career days. They have also been to the elementary school doing the egg drop, this is a favorite with the kids. The power department has had good reliability and they are still working on replacing poles. Clark stated that they are trying to get overhead power areas access out of backyards and put them out by the roads. That way they can access them quicker.

18. BRUCE WARD, ENGINEERING

Bruce reminded the council that Planning and Zoning would like to schedule a joint meeting with them, if they could work out a day and let them know. He stated that Planning and Zoning is tired of being told amenities will be done, they would like to see them done first in developments.

19. WADE REYNOLDS, STORM DRAIN/SAFETY COORDINATOR

Wade Reynolds was excused tonight. Matt Marziale stated that Wade and Mike have been out cleaning the storm drains, they have a third of them complete. The drains have all been in good shape, one was blocked with a couple of soccer balls and one had some plywood in it.

COUNCIL REPORTS

20. MAYOR RANDY BRAILSFORD

Mayor Brailsford did not have anything to report tonight.

21. COUNCILPERSON STERLING REES

Councilperson Sterling Rees stated that that he had been on a tour with the UMPA board to see where the generator for our new plant in Provo is being built. The council will be able to tour the plant in Provo when they get the generator installed. He stated that there will be a UMPA meeting next week, they will not be in their new building until June.

He reported the speaker for the Memorial Day Celebration will be Richard Whaley. He is a retired military with a lot of experience. He will do a good job. The American Legion will be there, the Miss Salem contestants will be there to sing, they will have doughnuts and juice. It will be held on Monday May 29, 2017 at 8 a.m. at the cemetery.

He stated that he had attended the fishing day last Tuesday, and that it was quite an experience.

22. COUNCILPERSON CRISTY SIMONS

Councilperson Cristy Simons was excused tonight.

23. COUNCILPERSON SOREN CHRISTENSEN

Councilperson Soren Christensen stated that at the Mt. Nebo meeting there had been one issue that needed to be addressed. Spanish Fork City has acquired a muscle wall. This is a device that is used in case of flooding, it is more effective than sand bags. They had asked if other cities would like to share the cost and then they would have access to it. The cost for us would be \$2200.00. This would be a onetime fee to buy in. Attorney Baker stated that the cost does include the trailer to house the wall. The council felt we should do this, and it needs to be put in the budget.

24. COUNCILPERSON AARON CLOWARD

Councilperson Aaron Cloward stated that he didn't have anything new to report. The baseball and softball are mid-stream. He stated that the final concrete work on the recreation building will start and the kitchen will be finished next week. Matt stated the open house will be June 1, 2017.

25. COUNCILPERSON CRAIG WARREN

Councilperson Craig Warren did not have anything to report tonight.

Paul Tervort stated he is concerned about Salem Canal and the closure of 80 South. Bruce Ward stated that he has met with Cody and Chris Vest and walked through this area with both of them. Mayor Brailsford stated that we need to have better communication with the canal company, Bruce said we have been meeting with them regularly. There was a brief discussion on the capacity of the canal and if anything needs to be done.

ADJOURN CITY COUNCIL MEETING

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

SECONDED BY: Councilperson Soren Christensen.

VOTE: All Affirmative (4-0).

MEETING ADJOURNED AT: 8:14 p.m.

Jeffrey Nielson, City Recorder