

Minutes of the Salem City Council Meeting held on September 15, 2021 in the Salem City Council Chambers.

**Work Session:** 6:00 p.m.

## **1. DR Horton Development Agreement Discussion**

Scott Bishop with Dr Horton is here to cover the BYU- Salem Development. Scott Bishop stated he wanted to pick up where he left off from the Planning and Zoning Meeting. Scott Bishop with Dr Horton felt the meeting got a little out of control and Scott commented he felt they didn't want to address all the concerns in the planning and zoning meeting because it was not the right time. Scott Bishop and Boyd Martin, both felt it was time to close out that meeting and let people know they hear their comments and concerns and they wanted to meet with the public. Scott Bishop stated they did make a commitment to slow down, that we would not push forward until we worked with the public. Scott Bishop stated they have an open house on September 16<sup>th</sup> and another one on September 30<sup>th</sup> to invite the public to come and get questions and concerns answered. Councilperson Chuntz asked if DR Horton would be there to answer questions and not a presentation. Scott Bishop commented the format is they will have a presentation and some booths, as well as cover the development and answer any questions. Scott Bishop said they will take time to receive input. They won't have just one presenter to field the questions. Scott Bishop wanted to cover a few things tonight. Scott Bishop stated that someone mentioned that the land was donated to BYU, and it was donated with the condition it would never be sold and kept for agricultural and education purposes. Scott Bishop commented BYU wanted a statement to be read on their behalf. BYU's Statement: 'Through a series of purchase beginning in 1957 Brigham Young University acquired property that has since been known as the BYU Farm unfounded rumors of incorrect stated that the farm was donated to BYU. BYU purchased each parcel. Over the years BYU has operated the farm with a dairy operation and various other farming activities and including agricultural research all intended to provide a learning experience for students and benefits to the university. In 2004 BYU determined to refocus its agricultural education to generally lab-based environment and conducted it on its Provo Campus. This meant there was no longer a need for educational activities on the farm. Since that time the farm has been leased at a nominal amount to a local grower for commercial farming operation. Through this sell of its farm property BYU is seeking to be a live steward of the resources and intents to better utilize funds obtained to fulfill other student benefiting university priorities. In selling the property BYU understands that potential development must be consistent with the Salem General plan and land use update, that was dated on November 6, 2019. Which was developed with Salem community involvement and was approved by elected officials, while BYU is not directing the development process, we understand that any such development must comply with the applicable government regulations and receive necessary approval from the appropriate decision-making bodies. Scott Bishop stated one of the other concerns was the infrastructure. Scott said the infrastructure will be placed before any home can be built. Scott stated the Engineers will address all issues including the traffic study. They want the center boulevard to take most of the traffic. Scott Bishop mentioned the concern of water. There is a well on the BYU property. Scott Bishop stated the well will be dedicated to the city not just the rights & shares but actual real water. Dr Horton intents to slowly take

control of the water as needed. DR Horton will work with the farmer and let him know he can continue to farm, and we will take a chunk as we develop slowly over the next 10 to 20 years depending on how long this takes to build out. Scott Bishop stated there is a great resource of water. Scott Bishop said another comment was made about us playing by the rules. Dr Horton stated they have been working hard to follow the rules. They have been working for over a year with the city council and they haven't asked for any changes to the general plan. Scott Bishop stated DR Horton is following the guidelines and the master plan. Scott Bishop asked if the council had any questions. Scott Bishop said Dr Horton was grateful for the comments in the planning and zoning meeting. Scott Bishop stated they have made some great comments and express their feelings. Scott Bishop said in the end they have gathered some information and have made some adjustments and updated the agreement. The updated agreement has some minor changes mainly graphics, changing setbacks, widening roads, and separating housing further than they normal do and updated the street standards. DR Horton has made adjustment to the density and the layout of the plan. They have added 1 acre lots and more half acre lots and bringing the density down from 2.92 units per acre to 2.75 units per acre. They hope this will make the city council and residents feel more comfortable with the density they have. They still have the same amount of open space. With the density drop the suggestion was made to work closely with Matt Marziale. They will decrease the amenities that are put on the city parks by about \$700,000 the reason they are doing that both the city and DR Horton realizes that there will be inflation on the amenities. Scott Bishop said generally speaking the amenities package is staying about the same, it will move from \$9.9 million to \$9.2 million or \$9.1 million dollars worth of amenities is what they are offering. In addition to that they will offer what will be assessed is 3 million of parks and recreation fees that the city will be able to use throughout the city. Scott Bishop stated we talked about that being assessed at final plat. Scott Bishop said this is a well-planned development. Councilperson Chuntz wanted to make a statement. He said he saw emails and heard throughout the planning & zoning meeting about councilmember being pushed around, bullied, or rushed. Councilperson Chuntz stated he has not been bullied and he believes no other councilmember was bullied or pushed around. Councilperson Chuntz has heard that people want this area of property zoned 1 unit per acre, 5 acre lots, 10 acre lots, it's a lovely property. If we do this, we have to the same thing for the Davis family, Keith Lyman property and Arive homes wants to build on their property. We must make sure we are doing the same for all the properties coming in the city. Councilperson Chuntz said most people wouldn't want the city to come to them and state they have to try and reduce density, so when you sell your property, you would only get to sell it to two people who can live there and have one car. That would reduce the number of people in the city and the traffic and that will knock the heck out of the value of your home. BYU has the right to sell. Councilperson Chuntz said the council members worked hard on the general plan and it has been two years since we worked on the general plan, and we worked really hard to get the numbers and zoning down without being ridiculous and putting us any position to be sued. Councilperson Chuntz stated at the next public hearing anyone that wants to speak can, but he is only going to listen to Salem Residents because that is who he represents. Councilperson Chuntz stated if you don't pay taxes here or vote here, you don't have the say of what goes on in our city. Scott Bishop commented with regards to lower density DR Horton would like to know the council's thoughts and have some dialogue. Scott Bishop is looking for suggestions. Councilperson Sorensen commented from where we started, he like this project some much better. Starting out with

much higher density and now moving down. Councilperson Sorensen said the whole general plan process was a great one. This area is designated 2-3 units and now we are coming in below the general plan. Councilperson Sorensen commends DR Horton on working with us and he knows it hasn't been an easy process. Councilperson Sorensen believes most people don't understand the master plan development process and what a benefit it is to a community. Councilperson Sorensen when looking at a parcel of this size it is scary. Councilperson Sorensen stated one thing that has been difficult over the past since he has been on the council, when anyone comes in wants the maximum density and they don't really have to offer any amenities. The master plan process allows us to communicate with developers. This will offer benefits to the community that we don't currently have and now where else in town can offer that. Councilperson Sorensen likes what DR Horton has done with the new concepts. Councilperson Rees stated he agrees with Councilperson Sorensen. Councilperson Rees appreciated what DR Horton has done and they are willing to work with us on the density. Councilperson Snyder said we appreciate having a master plan and this adds more variety, interest, and value to the area. Councilperson Snyder appreciates that they have added 1 acre lots. Councilperson Snyder said if that doesn't answer what she heard in the meeting than she doesn't know what they are looking for. If they made 5 acre lots only millionaires could live there. Councilperson commented adding the 3 million dollars to the city is good because people are concerned what it will cost the city. We understand they will use our parks and facilities, and this will help to pay the cost. Councilperson Snyder likes that there is a master plan for the transportation and said this is much better than the first offer you provided. Councilperson Snyder said this needs to be lower than 3 units per acre and we need more parks. Scott Bishop said the master plan allows private amenities in addition to helping with not crowding the city amenities. Councilperson De Graw doesn't want to stifle the opinions or feedback of those close to Salem City. Councilperson De Graw said if you live in the county come to public hearings, we want to be good neighbors. Councilperson De Graw would like to see us be more collaborative. Councilperson De Graw said we started some place as a council, and we didn't know where it would land, and we need to feel our way through the process. Councilperson De Graw feels they have made strids in the process and he gets what they are offering. Councilperson De Graw said in additional to concerns about density, will this place feel like it ties in well with the how we have defined Salem as being unique. Councilperson De Graw said every developer has an opinion on quality. As a Salem resident we will still be here after DR Horton leaves, and he wants the buildings to last. Councilperson De Graw mentioned we need to talk about all things not just density like, natural resources, can we sustain the growth, etc. Councilperson De Graw said hopefully citizens will understand what safety coverage we will have as this gets built out. This should pass safety, in the eyes of Chief James. Councilperson De Graw doesn't want regrets as they start to build out. Scott Bishops mentioned the agreement will include certain things like no vinyl siding allowed and certain requirements on the roofing, etc. Scott Bishop said this will be the widest and spread-out master community Dr Horton has ever done. This will be different but unique. Scott Bishop said they are having discussion with staff about incorporating xeriscape to help with water conservation. Councilperson Chuntz in the documents on page 3 it should say the density at 2004 units with 2.7 units per acre and page 8 that section comes out. Scott Bishop state as part of the negotiations they will take it out. Councilperson Snyder asked how new this version was and Scott Bishop said 12:00 o'clock today. Scott Bishop said we have a meeting tomorrow and see if this version helps answer

questions. Councilperson Snyder said there is 39 acres of 1 acre lots. Mayor Christensen said the Council and I have worked hard for a long time on this, and people are saying untrue things and we have done our homework. We have gone to see many developments. Mayor Christensen said DR Horton is following the rules. Mayor Christensen said we don't have the right to make a different set of rules just for DR Horton. Mayor Christensen said stay within 2-3 homes per acre and they had added recreation. This is the best community for Salem and if you want to just have 3<sup>rd</sup> acre lots you will have no trails, park, and stuff that people will enjoy. Mayor Christensen said we have followed the plan and it's a good community and he was glad DR Horton is having the open houses. Mayor Christensen thanked DR Horton for having an open house and commented this will take years and years to develop. Mayor Christensen commented we do welcome residents and nonresidents to make comments. Mayor Christensen said we are doing our best. Mayor Christensen stated our ancestors have been here for years. Mayor Christensen stated some of the comments that were made were roads will be tight and packed, but when you moved here you made it work and made the road busy and just because you are here doesn't mean nobody else can come here. Mayor Christensen said we look for solutions not just complaints. Scott Bishop spoke about a unique design that they would like to incorporate, and it is a reloaded or alloy loaded design. This design is where you enter the home from the street behind and garages are in the back. Scott Bishop stated there is a boulevard that goes diagonally through the subdivision, and it is designed to hopefully take a lot of the traffic in and out of the area. Scott Bishop said one of the things that city staff has said is they don't want driveways on the boulevard because they don't want cars pulling in and out on the boulevard. Scott Bishop said there will be 3 roundabouts on the boulevard, so it doesn't become a screaming highway. If we don't allow driveways on the boulevard, it now becomes the backyards and all you get is a line of fences, which isn't attractive. The reloaded product allows to pull away the fences and then you see the front facade. There are smaller roads in the back. Mayor Christensen said we have gone to see some of these homes and there wasn't enough parking. Mayor Christensen wants enough parking, and he didn't feel the reload product would have enough parking. Scott Bishop said every unit will have a two-car garage and a 25ft driveway. Councilperson Rees was concerned about where the visitors would park to visit. He didn't want visitors to park in an alley way or on the boulevard. Adam Loser stated we will have guest parking and adequate parking. Scott Bishop said after having meetings they will see if they will need any revisions. Councilperson De Graw asked will we make the information available to the public? Jeff Nielson said we can put information on the website and mark that it is a rough draft, and it isn't final.

**MEETING CONVENED AT:** 7:00 p.m.

**CONDUCTING:** Mayor Kurt L Christensen

**COUNCIL PRESENT:**

Mayor Kurt L Christensen  
Councilperson Sterling Rees  
Councilperson Seth Sorensen  
Councilperson Howard Chuntz  
Councilperson Delys Snyder  
Councilperson Tim De Graw

**STAFF PRESENT:**

Jeffrey Nielson, Finance/Recorder  
Vaughn Pickell, City Attorney  
Chief Brad James, Police Chief  
Ted Barnett, Power  
Matt Marziale, PW/Recreation-excused  
Bruce Ward, Manager/City Engineer  
Steve Cox, Building Dept.  
John Bowcut, Fiber Director  
Robyn Mortensen

**OTHERS PRESENT**

Lyn Swasey, Steve Swasey, Sue Anderson, Ken Anderson, Craig Sacco, Paul Taylor, Kelly Swenson, Nina Lewis, Craig Lewis, Jade Ming, Nate Walter, Boyd Martin, Scott Bishop, Adam Loser, Alison Chuntz, Brook Christensen, Rod Christensen, Jill Christensen, Lenore Peterson, Jen Watson, Terry Bastian, Trudy Farley, Gus Farley, Jill Burgon, Chad Campbell, George Rasband, Andrew Ottesen, Nate Horton, Haven Harris, Danica Schaffer, Laurie Sacco, Kris Shields, Rachel Skinner, Chris Wright, Jeff Long, Joshua Sackett, James Ealey, Chris Reed

**1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE**

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

**2. INVITATION TO SAY PLEDGE OF ALLEGIANCE**

Councilperson De Graw 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. YOUTH COUNCIL**

Haven Harris and Bren Schaffer members of the Salem Youth Council were here to present to the council. Haven and Bren stated the youth council will be visiting the Senior Community Care Center to participate in many activities with the seniors. Haven And Bren thanked the Mayor and Council for all their support. Mayor Christensen and Council thanked the Youth Council for all they do in the community.

#### **4. SF/SALEM CHAMBER OF COMMERCE**

There was not a member from the SF/Salem Chamber of Commerce present tonight.

#### **5. PUBLIC HEARING**

**MOTION BY:** Councilperson Sorensen motion to Open the Public Hearing

**SECONDED BY:** Councilperson De Graw

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

##### **A. CHAD CHAMPBELL REQUEST FOR ZONE CHANGE ON APPROX. 4.62 ACRES OF PROPERTY LOCATED AT 1179 N 1750 W FROM A1 TO I1.**

Bruce Ward introduced the development. Chad Campbell is the applicant requesting the zone change from A1 to I1 on 4.62 acres of property approx. located at 1179 N 1750 W. Just south of this property is the city boundaries. Bruce Ward stated that we are currently working on an area specific plan with Sunrise Engineering with the UDOT planning grant and this request is consistent with that plan even though that area plan isn't completed. This has been presented to Planning & Zoning and DRC and they both recommend approval.

Public Comment:

Chad Campbell stated he is the one purchasing the property. Chad commented when he looked at the specific businesses that could go into a light industrial zone there was a wide variety of business options. Chad Campbell stated one that struck him was a sexual oriented business and he wanted the council to know he does not intent on putting that in. Chad Campbell intents on building storage units. He doesn't intent on selling the property, he feels this will be a good buffer for the city sewer plant. There will be one facility there for the caretaker. The future designation is intended to be commercial. Mayor Christensen felt it would be great for that area. Councilperson De Graw asked if everything around that property was still A1, and Chad responded yes. Councilperson De Graw asked about the specific business and what the utilization would be like. Councilperson De Graw felt we are getting saturated with storage units. Councilperson De Graw asked if there is a concern and what is the capacity of other facilities. Chad Campbell stated he has done research on that subject. Chad originally bought the property to put in townhomes. Chad commented he had a discussion with Bruce Ward and Bruce advised him that putting in town homes wasn't a wise decision. Chad stated he decided to put in storage units. Chad said he started researching the storage units and the majority of storage units in the Payson, Salem, Springville area are at 90-95% capacity. Chad said with the growth coming this is a good location. Councilperson De Graw wanted to know how much these units get bought up. Chad Campbell said even in

the past during the recession they were still running at 80% capacity. Chad stated even when someone loses their home to a hardship, they don't want to lose their belongings. They still need a place to put their stuff. Chad commented there is a need all the time for units. Councilperson De Graw noticed depending on when these were built, whether it was two decades ago or now there is a significant gap in what the frontage looks like and how they are maintained and secured. Councilperson De Graw stated we have some units within the city that haven't been maintained. Chad Campbell commented probably different standards at that time. Chad stated his units will be built with block. Councilperson De Graw commented they won't be metal, and Chad responded no, but they will have a metal door. Chad Campbell commented codes have changed and they require a retention pond now and we will place one on the south end. There is a house on the premises now and they plan on leaving it there for the caretaker. Chad stated they will be nice looking units built with block with a steel fence in front.

Jen Watson asked about the difference in zoning designations. Mayor Christensen explained A1 is agriculture and I1 is Light Industrial and gave examples of business that fit within the I1 zone.

**MOTION BY:** Councilperson De Graw motion to Close the Public Hearing

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

**MOTION BY:** Councilperson Snyder motion to approve the zone change of approx. 4.62 acres of property located at 1179 N 1750 W from A1 to I1.

**SECONDED BY:** Councilperson Sorensen

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

## 6. PUBLIC SAFETY PRESENTATION

Chief James spoke about the mock training that was held at the rodeo arena on May 24, 2021. Chief James felt it was important to show the Mayor and Council the time and effort that went into the training. Chief James said he gave this assignment to Lieutenant Gurney, and he did a phenomenal job. Lieutenant Gurney assembled a team of professionals and they met multiple times putting this together. Chief James gave a disclaimer that this training video is not real. Lieutenant Gurney thanked the Mayor and Council for allowing him time to show this video. Lieutenant Gurney said this training was setup to hopefully be the worst it could get, and it was overwhelming, but we did this for a purpose, so we can take this video and train on it, and we can learn from this experience. Lieutenant Gurney showed a slide of all the agencies involved in the training. Lieutenant Gurney introduced the committee that put together the training. Rachel Skinner from Salem EMS, Chris Reed from

Salem EMS shot the video, Chris Wright was the representative from fire and was the safety officer. Kris Shields from Mountain View Hospital was the EMS relations and Joseph Fertitta the Director of Emergency Services was at the training as a representative for Mt View and Air Med. Lieutenant Gurney played a video of the training. Lieutenant Gurney stated all our Fire Department and Ambulance was represented. Lieutenant Gurney commented it is important we can work with our neighboring jurisdictions because a seen like this is overwhelming. Lieutenant Gurney stated it is our hope to take this video and use it for training. Lieutenant Gurney wanted to thank those who volunteered their time and stated they are doing great things for the safety of Salem, and they make our community better. Chief James thanked each of the individuals on the committee for their time and effort they put into this training. Chief James presented each one of these individuals on the committee with a challenge coin. Chief James stated he does not give this challenge coins out often, but he gives them to people that are well deserving of them.

## **7. DECISION: RESOLUTION APPROVING MUTUAL AID AGREEMENT FOR ELECTRICAL POWER SYSTEMS IN THE EVENT OF AN EMERGENCY**

Attorney Pickell said this agreement came forth from UMPA working with Rocky Mountain Power, Rural Electrical Cooperative, UAMPA members and UMPA members. This agreement is where if any of those entities need help, they can request assistance from other entities. This is completely voluntary. The entity requesting the service will pay the bills for the assisting agencies, but they don't pay benefits only an hourly rate, don't pay for equipment time or fuel. They would pay for lodging if needed. The assisting party follows their own safety rules. The charges are due within 60 days. Ted Barnett mentioned a tentative signing ceremony on the 7<sup>th</sup> of October. Ted Barnett said this allows us to contact them for aid and vice versa and they can call us to help. This gives us a broader range of help we can call. Councilperson De Graw asked about the interstate dependency and how that works? Councilperson De Graw asked if there is an outage outside of Utah, how does that apply to us? Ted Barnett said this is only within Utah.

**MOTION BY:** Councilperson Rees motion to approve the resolution for the Mutual Aid Agreement for the Electrical Power Systems

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

## **8. DECISION: A RESOLUTION ESTABLISHING A PROCEDURE TO FILL A VACANT CITY COUNCIL SEAT**

Attorney Pickell said this resolution will adopt a procedure on how to conduct a meeting for filling a vacancy on the council. Utah State Code governs some of the parameters we must live within, and this helps to fill in some of the cracks so we can handle any issues that come up in the meeting. First, we must fill the vacancy within 30 days of those two weeks it has to



be noticed. During the timeframe people can indicate their intent to fill the vacant position. This procedure is for what happens at the meeting that night. What is required is to have interviews in person of all the individuals who have applied to fill the vacancy. They are entitled to be interviewed in the public meeting. There are 3 sample questions. What do you want us to know about you? What is your vision for the future of Salem? Why you? Help us know what sets you apart from the others who have applied for this position. Attorney Pickell said we can change the questions if you wanted to. After the interview we will take a first vote and Attorney Pickell stated he found the best to do this is with a ranking vote and pick top 3 and the two highest will move on to the 2<sup>nd</sup> vote. It identifies if there are two top applicants that are clearly identified they move on and if there is only one top applicant and others are tied, then the top one moves on and you re vote with the people tied. If you have no top applicant, then you must do a roll call vote with the 3 tied. Second vote would be on the record. They need to win the majority of the vote and then if a tie the mayor would vote. Attorney Pickell stated it can be adjusted if needed. Jen Watson mentioned we have done this before and asked has something changed since last time we did this. Attorney Pickell said the state code gives you the information for the procedure and this addresses if there is a tie and this tries to help anticipate anything that might come up.

**MOTION BY:** Councilperson Chuntz motion to adopt the resolution to establish the procedure to fill a vacant City Council seat.

**SECONDED BY:** Councilperson Sorensen

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

## **9. DECISION: EMERGENCY WATER RESPONSE PLAN**

Bruce Ward stated this is a continuation of work we started a while ago and we keep getting hit by our Legislature and Federal government to continue to evolve our water master plan efforts. Inside the water master plan efforts, we hired Hansen, Allen Luce years ago. This is a second risk assessment, and this is an emergency response plan that we must develop specifically for our water system. We did not get three bids, but it is over our limit and that is why we brought it to City Council. Hansen, Allen Luce has done all 3 previous steps. Bruce Ward commented he hopes this is the final step and having them create the emergency response plan to comply with the America's Water Infrastructure Act that was passed in 2018. Bruce Ward recommends hiring Hansen, Allen Luce for 19500.00 to prepare the plan for water system

**MOTION BY:** Councilperson Snyder motion to accept the Emergency Water Response Plan contract with Hansen, Allen & Luce for \$19,500.00

**SECONDED BY:** Councilperson Chuntz

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

## **10. DECISION: MINUTES OF SEPTEMBER 1, 2021**

**MOTION BY:** Councilperson Sorensen motion to approve the minutes of September 1, 2021.

**SECONDED BY:** Councilperson Rees

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

## **11. DECISION: BILLS FOR PAYMENT**

**AMOUNT:** \$687,414.56

**MOTION BY:** Councilperson Rees motion to approve the bills for payment in the sum of \$687,414.56

**SECONDED BY:** Councilperson De Graw

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

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

Chief James commented he was invited to spend time with the Seniors. Chief James spent an hour with them, and it was a question-and-answer meeting. Chief James stated this was a great meeting. Chief James said he loves and worries about the Seniors and the struggles they have. They had great comments toward the city and emergency services. Some of the Seniors had examples of how they appreciated the way they were treated by the ambulance crew or the fire department or by a police officer. Chief James stated he spent time talking about fraud and we have seen way too many of our Senior's become victims to people who have taken advantage them and stealing their hard-earned money or identities.

Chief James stated the Ambulance Crew has been extremely busy. They have been transporting people like crazy. The majority of them have been breathing problems or respirator problems. Chief James is encouraging the citizens to get vaccinated.

## **13. STEVE COX, BUILDING OFFICIAL DIRECTOR**

Steve Cox stated in August fifty-five permits went out for single family homes. As of Sept 1st, twenty permits have gone out for single family homes. Steve said we have roughly 205 permits so far this year. Councilperson Snyder asked if they are mostly in developments? Steve Cox replied most are Richmond, Arive, Self-Help program and homeowner builders. Most are developers or mass producers who bought the land and are now building. Mayor Christensen asked how Wyatt is doing and Steve Cox said Wyatt is doing a great job. Steve Cox stated he had one thing to discuss on the municipal code and asked if we can change roof pitch requirement in R10 and up zones to be 5:12. Steve Cox said house plans are

changing and most are going to the modern style homes. He has had some applications being submitting with different pitches and one with a T12 pitch which is a very flat roof. They still need to meet state requirements to be compliant. Steve Cox said all plans are required to be structurally engineered. Steve Cox asked for permission to bring this item before the Council.

**14. ATTORNEY VAUGHN PICKELL**

Attorney Pickell did not have anything to add to tonight's meeting.

**15. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER**

Jeff Nielson did not have anything to add to tonight's meeting.

**16. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR**

Matt Marziale was excused from tonight's meeting

**17. TED BARNETT, ELECTRICAL DIRECTOR**

Ted Barnett did not have anything to add to tonight's meeting.

**18. BRUCE WARD, MANAGER/ENGINEERING**

Bruce Ward gave a reminder about the information for the Pressurized Irrigation shutoff at the end of September. Bruce Ward encourages residents to wait to install their yards until next year. The shutoff is because the Highline Canal will be doing construction up stream. September 30<sup>th</sup> is the hard shutoff date.

Bruce mentioned we submitted our ARPA grant applications. Bruce stated we submitted 3 applications for projects. Bruce Ward said we submitted 1 for one million dollars for fiber and one million dollars for storm drain on Salem Canal Road, and \$800,000 for the drinking water meter upgrade.

**19. JOHN BOWCUT, FIBER DIRECTOR**

John Bowcut stated we are live in the first node and 54 customers are signed up in the first node. Today we put door hangers in the area to call and sign up. They can go online to sign up. We asked to have them give us their utility account number. There is page that explain the installation process of two steps and a page about the rules of use. John recommends going to the website. If you become a member of the website, you will get notifications.

John Bowcut stated this is an amazing network. John Bowcut recommends going to the progress page on the website it explains where we are working. John commented they don't allow over 250 homes per node. Mayor Christensen asked how many a week he will hook up. John said the process is a two-step process. The first step can be done without homeowner home running it from the street to the side of the home and the second step is we meet with the homeowner and explain the different ways we can deliver the services and do the install. Councilperson Sorensen asked about getting the materials in? John Bowcut said there is a 9-month delay on some of the material, but this is a constant battle. Councilperson Sorensen asked when the managed internet would be available. John Bowcut said we are waiting on hardware to move forward with that product. Councilperson De Graw asked about the agreement with Spanish Fork on the support. John Bowcut said at point we don't need the support because we don't have enough customers. Councilperson De Graw asked at what point will you need that support. John Bowcut stated we will know exactly when that is. John stated we are already growing. We just added two full time temporary. John Bowcut said his goal is to run three crews. One crew running the boring machine every day, the 2<sup>nd</sup> crew doing the install of a node that already has the conduit in and they will install the fiber and terminals. The 3<sup>rd</sup> crew will do the install and service calls. John Bowcut commented none of the service calls have been our fault.

## **COUNCIL REPORTS**

### **20. MAYOR KURT L. CHRISTENSEN**

Mayor Christensen mentioned the employee's received raises and we have added a couple new employees to the staff.

### **21. COUNCILPERSON STERLING REES**

Councilperson Rees did not have anything to add to tonight's meeting.

### **22. COUNCILPERSON SETH SORENSEN**

Councilperson Sorensen mentioned the Chamber is going through board elections. They have sent out ballots and they should know the results at the October meeting. Chamber is making efforts to help with our Halloween party. They said they are happy to help and will reach out to see how they can help. Councilperson Sorensen stated fall sports are going well.

### **23. COUNCILPERSON HOWARD CHUNTZ**

Councilperson Chuntz stated to the Council that we need to have a better way to communicate with the residents. He likes when the text and emails are used to get information out. He thinks we should send it out for Public Hearings of any kind.

Councilperson Chuntz stated if we can send it out for a rabies clinic than we can certainly send it out for a public hearing on a certain issue. Councilperson Rees said when the text and emails go out, they are important messages. We don't want people to overlook the important information because they are always getting messages. Councilperson Chuntz stated we need to better with PR in explaining our side, otherwise the miss information is floating around the internet, and we get bam blasted and we don't get a chance to explain ourselves maybe we should have a Facebook page. Jeff Nielson commented we have a Facebook page. Councilperson Chuntz asked Jeff Nielson if any explanation has been put on there about what we are doing with DR Horton and Jeff said we have not. Councilperson De Graw said we are a legislative body, and we are not going to agree on everything and to put a statement out there that speaks for the entire council could be problematic. Councilperson De Graw stated there is other ways to get information out. Councilperson Chuntz said we are all getting semi to really hostile emails about this whole development. Councilperson Rees regardless of what we want to say, they are going to have their opinion and regardless of what you say won't change their opinion. Councilperson De Graw believes Councilperson Chuntz is looking for more transparency in government and how do we make ourselves as representative more accessible. Councilperson Sorensen said if someone truly wanted to talk to me, they can call me on my cellphone or pull me to the side at the grocery store. Mayor Christensen said we need to be fair across the board. Councilperson Rees says the information is out there on the website and people must do their part in researching the information. Jen Watson said she didn't hear anything about the meeting tomorrow night, she didn't get a text or email. Jen Watson said the agenda is hard to read. Jen Watson said she would love to get a text about Public Hearings. Councilperson Sorensen says we have Public Hearings just about every week. Jeff Nielsen said if residents will go to the Utah's Public Notice Website and sign up, they can get notifications. Jen Watson said it's a lot and she has been getting them for years. Jeff Nielson stated we must determine what is important. Jen Watson asked what if we only put the agenda and take off the council reports. Jeff Nielson said by law we must publish the agenda. Jen Watson thought the email was coming directly from Salem and Jeff Nielson said the email comes from the State. Joshua Sackett stated it is hard to keep track of everything that is going on all the time. Councilperson Sorensen said it is our civic duty. Joshua Sackett stated what if we send out a text weekly. Jeff Nielson said we can send an email telling them to sign up for UPN Notice. Councilperson Sorensen said everyone needs to take some initiative. Mayor Christensen thanked Councilperson Chuntz for all he is doing with the DR Horton development.

#### **24. COUNCILPERSON DELYS SNYDER**

Councilperson Snyder did not have anything to add to tonight's meeting.

#### **25. COUNCILPERSON TIM DE GRAW**

Councilperson De Graw is concerned about the city's outlook and wants to start the process. Councilperson De Graw is requesting information about the growth process. Councilperson De Graw wasn't sure if it was his place to ask but he referred to Attorney

Pickell about how to approach the process. Councilperson De Graw would like us to have a growth and continuation, or continuity assessment done. Councilperson De Graw wants to make sure once we reach certain benchmarks, we can come up as a council or make recommendation as a staff that helps guide us on when we need to have in place certain individuals, laws, or ordinance things that help guide us through the growth. Councilperson De Graw said the assessment could be as simple as, this is the number of permits that is requested of us and at this level when it becomes intangible or is it a population benchmark. Councilperson De Graw said is it founded in data we have from other cities, that says this is when a majority of cities reach a particular point of critical mass that this position within the city is a requirement, so we have appropriate planning and consideration around all city services? Councilperson De Graw commented even if this is just a plan. Councilperson De Graw asked Attorney Pickell what can he do to initiate that process, even if it requires a consultant to come in and help? Attorney Pickell stated you can work with the council, and you could hire a consultant to come up with a plan. Attorney Pickell said the problem he has seen in the past is that the revenue of growth always lags the pain of growth and the building permits come in at the end. Councilperson Chuntz commented like what the mayor does with staff, he is talking to staff and asking what do you need, what's happening, do you need more help? Councilperson De Graw commented the legislative body is the ones that have the oversight of the budget. Mayor Christensen commented to Councilperson De Graw you have brought this up 3 weeks in a row and you have brought the building department in. Mayor Christensen said when he started there was one person in the building dept with 80-100 homes and now we have 200 go up and now he has Steve, Wyatt, Dave, and Vineyard no one is lagging behind. Councilperson De Graw commented to Mayor what you are hearing is not what I am saying. Councilperson De Graw said we need to have a plan, what is wrong with having a plan. Mayor Christensen said you can have a plan. Councilperson De Graw asked the mayor why he was so critical of a councilmember asking for a plan, isn't that the responsible thing to do. Mayor Christensen said his problem with this situation is, we have an agenda item on here and if you want an agenda item you give, just like everyone else a 24-hour notice. Councilperson De Graw said that is exactly what I am asking for the procedural process. Councilperson Chuntz commented the mayor is asking to not bring it as part of your council report to put it on the agenda and lay it out and have an agenda item discussion instead of doing it at the end of the night as part of Tim's report on sewer and youth council. Councilperson De Graw stated he views that report as not just for sewer and Youth Council but it's to bring this stuff forward. Councilperson De Graw asked when do we have this opportunity to discuss and seek guidance from the City Attorney around this kind of stuff. Mayor Christensen commented you have never talked to the City Manager and staff, and you are talking about spending a lot of money. Mayor Christensen stated that staff has approach him about where Councilperson De Graw is coming from because we haven't talked to him. Councilperson De Graw stated these gentlemen are bursting at the seams, you can hear about all the growth coming and we need a plan. Councilperson De Graw wants to know at 3 years, 5 years out what we need to anticipate as a council and how to support the city, so we don't have any coverage issues and lost of services. Councilperson De Graw doesn't want to loss good employees. Mayor Christensen said to Councilperson De Graw you don't do it in this body as a city council, you need to spend time and talk to staff. Mayor Christensen asked him to do it as an agenda item and come prepared by going to staff. Councilperson De Graw said he would rather figure out what direction we are going and how we can prepare for it.

Mayor Christensen asked if Councilperson De Graw has talked to the staff. Councilperson De Graw stated he has had conversations with individuals, and they have told me what their load is and he has seen it and they have also mentioned in Council. Councilperson Sorensen said this is a good topic to have on the agenda and have discussions. Councilperson Sorensen there is a lot of things we need to look at planning as we move forward.

## **ADJOURN CITY COUNCIL MEETING**

**MOTION BY:** Councilperson Sorensen motion to adjourn the City Council Meeting

**SECONDED BY:** Councilperson Snyder

**VOTE:** Councilperson Tim De Graw; Aye, Councilperson Howard Chuntz; Aye, Councilperson Sterling Rees; Aye, Councilperson Delys Snyder; Aye, Councilperson Seth Sorensen; Aye, (5 Ayes)

**MEETING ADJOURNED AT:** 8:36 p.m.

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Jeffrey Nielson, City Recorder