

Minutes of the Salem City Council Meeting held on September 19, 2018 in the Salem City Council Chambers.

Work Session: 6:30 p.m.

1. AGENDA ITEM DISCUSSION

2. RYAN JOHNSON – DISCUSSION ON ALAN CURTIS PROPERTY

Ryan Johnson stated he had been here before and understands that the city is looking at creating a masterplan. He stated that he has 5.8 acres that are zoned R-5 on the Alan Curtis property. Their project is 44 units, they are 3 story units with 2 car garages. They would have 110 additional parking stalls. He would like the council to consider letting them do 26-foot streets in this development instead of the 30-foot streets required by city code. They would like to keep the pedestrian traffic in front of the buildings, and all the private driveways in the back. The 26-foot roads would allow them to have more green space. He showed a concept of the project. Councilperson Craig Warren asked if this would be 7 ½ units per acre. Ryan replied that was correct. Councilperson Howard Chuntz said his concern is the zoning states up to 9 units per acre and they are putting this project on 3.8 acres. Attorney Junior Baker stated they would have to include Alan Curtis' property to make it at least 5 acres, which is the requirement. They would have to get a development agreement from Alan stating that his house and property are included in this project. Councilperson Chuntz asked if they would have to do curb and gutter around the whole project. Bruce Ward said they would. Councilperson Chuntz stated he is concerned with snow removal on narrow private roads, where do they put the snow. Garrett Johnson stated they could put a place in for the snow. Councilperson Seth Sorensen said the problem with HOAs and smaller streets is they become impossible to maintain, this would be harder because it is a small development, and then they become city streets. Garrett stated they intend to keep some ownership to make sure the HOA is maintained. He said they want to develop something the community can be proud of. There was a brief discussion about green space and parking. The council felt like the roads would need to meet the city requirements. Attorney Baker said if they could get an agreement from Alan then they would meet the requirements of the R-5 zoning and could proceed to DRC.

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
David Johnson, Building, Excused
Allison Taylor

OTHERS PRESENT

Kenneth Olson, Laura Dart, Keith Lyman, Jan Gordon, Wendy Osborne, Marcie McKee, Marte McKee, Allie Dietz, Kyla Bingham, Brynley Reynolds, Ty Bailey, Hanna Hansen, McKayla Young, Lauren Cox, Brayden Adamson, Josh McKee, London Merrill, Eliza Morley, Clara Morley, Rachel Weber, Kaitlin Mehl, Kennady Leifson, McKenzie Graham, Kapri Boggess, Jenna Loveridge, Bailey Robinson, Ashlyn Biesinger, Avery Peterson, Taylie Mayfield, Sarah Rigby, Laura Johnson, Ammon Wallace, Olivia Reynolds, Quaid Hutchinson, Nathan Prettyman, Dalan Stokes, Emilee Stokes, Christy Lowe, Katie Lowe, Paige Lowe, Jan J. Ward

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Josh McKee 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 Craig Warren to open the public hearing.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

- a. **LARRY WRIGHT – ANNEXATION OF APPROXIMATELY 70 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1500 S. LOAFER CANYON ROAD**

Bruce Ward reported this is an annexation of approximately 70 acres directly south of our cemetery. It lines up with the future road of 500 East. It includes property owned by Larry Wright and Adam Lee and a few others. This has gone to the county, they found some surveying mistakes that have been corrected, and there was already a Wright Annexation so the name was changed to the LW Annexation. They also didn't want a gap between Salem and Woodland Hills on 11200 so we will annex up to Woodland Hills boundary. The road will remain a county road. Councilperson Sterling Rees asked if everything north of this was in the city. Bruce replied that was correct. Bruce asked if there were any other questions. Larry Wright stated they would like to put a nice subdivision there and would like for it to be zoned R-15. Councilperson Craig Warren asked Bruce how the electrical is serviced up there. Bruce said there is some SESD infrastructure that will need to be bought out. Clark Crook stated he has sent notice to SESD. They have 30 days to respond and that time is almost up. Bruce commented that he did not expect a response. Attorney Junior Baker stated that he expected a response that it is their service area. He feels it is not fair to throw the property owners into our fight so he thinks it should be zoned A-1, then we can rezone once the issue is resolved. Councilperson Seth Sorensen asked if we can service where their utilities don't exist. Attorney Baker said that has been the issue. Councilperson Howard Chuntz asked if Larry understands the problem and that it may delay the development process. Councilperson Warren stated we need to make sure he is aware. Attorney Baker stated we have to capacity to service this property. The mayor asked if there were any comments from the public. There were none.

(to close)

MOTION BY: Councilperson Sterling Rees to close the public hearing.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

MOTION BY: Councilperson Seth Sorensen to approve the LW annexation, Attorney Junior Baker stated we should zone it A-1 until we get the issues with SESD worked out. Bruce asked why we would do that, what does that do. Attorney Baker replied it is better for the city and doesn't put Larry in the middle. Councilperson Chuntz commented then they cannot move forward with a development until we get this resolved. Councilperson Warren asked what is the problem with doing an R-15 zone. Attorney Baker stated if they start a project it puts them in the middle of us and SESD. Bruce commented that the A-1 does the same thing and then they would have to go through the process of a zone change. He asked what Larry wants the zone to be. Larry stated he would like it zoned R-15. Councilperson Chuntz stated this could put us in conflict with Larry. Adam Lee asked if Salem City has the ability to provide power there. Attorney Baker replied we do have the ability, but SESD says we don't have the right. This issue has been going on since March and is an issue in multiple cities. Councilperson Rees asked if the property owner goes in and wants Salem City to provide power how SESD can deny that. Adam asked if they have legal ground to do that. He asked what they advised them to do as property owners. Attorney Baker said they could go and talk to them. Attorney Baker stated that we could approve the annexation with an R-15 zone subject that any development that takes place must have Salem City power. The council asked if the property owners were ok with that. They stated it worked for them.

Bruce stated we will get the in the document that is recorded. Jeff Nielson mentioned we need to make sure it states that all the SESD infrastructure is paid for in the approval. Councilperson Seth Sorensen withdrew his motion.

MOTION BY: Councilperson Howard Chuntz to approve the LW Annexation of approximately 70 acres of property located at approximately 1500 South Loafer Canyon Road with an R-15 zone subject to a resolution with SESD that allows Salem City to provide electrical service to this property with any SESD infrastructure being paid for by Salem City.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

4. SALEM YOUTH COUNCIL – TABITHA’S WAY PRESENTATION

Wendy Osborne from Tabitha’s Way introduced herself. She thanked the mayor, council and Salem City for their efforts in helping other local communities during the fire. Tabitha’s Way is a local full-time food pantry located at 45 E 100 N, every month they serve 6000 people half of which are children. All of the food they receive has to be hand processed and checked so they asked local youth councils to join in a “food fight” to help sort and stock the food. She is happy to report that Salem City Youth Council sorted 8,922 lbs. of food, they are awesome and kicked Spanish Fork’s butts. She thanked them for all their hard work and effort. Mayor Christensen thanked them, they provide a lot of service to our community. The council thanked them.

5. CLIFF HALES – APPROVE THE PRELIMINARY PLAT FOR DEER HOLLOW SUBDIVISION LOCATED AT 500 E. 1280 S.

Bruce reported this is a standard R-15 subdivision south of Harvest Ridge. This has been approved in DRC and Planning and Zoning. There is one variance on the cul-de-sac, it is slightly over 400 feet, this was changed because of the ridge. It keeps it on flat ground and is a practical change. They are recommending approval tonight. Councilperson Cristy Simons asked if he owns the property to the east. Bruce replied he does not. Bruce mentioned there is also an SESD power concern at this property, their poles that are located at 1280 S. will be in the planter strips, this is their main feeder line. Clark stated we expect the same comments back from SESD on this project. Councilperson Warren asked if Cliff was aware of that. Bruce replied he was. Councilperson Chuntz asked if we need to do the motion the same way we did on the annexation. Bruce answered that seemed appropriate.

MOTION BY: Councilperson Howard Chuntz to approve the preliminary plat for Deer Hollow Subdivision located at 500 E. 1280 S. subject to a resolution with SESD that Salem City will provide electrical service to this subdivision and with the recommendations from DRC and Planning and Zoning.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

6. KEITH LYMAN – WATER CONNECTION ON MILL ROAD

Keith Lyman stated he is here to ask for a water connection to his property on Mill Road. Jim Whitmore will be putting a new water line there for Salem Park and Keith is asking to hook on to the line. Councilperson Rees asked what size of line he wants. Bruce replied it would be a one-inch line. Jeff commented that we need to address that we do not allow stock water. Bruce stated it will be a normal metered water line, Keith will have to pay impact fees and hookup fees.

MOTION BY: Councilperson Sterling Rees to approve a water connection for Keith Lyman on Mill Road.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

7. APPROVE LEASE OF EMERGENCY COMMUNICATIONS TRAILER

Chief Brad James stated that Attorney Baker had drafted the contract for the lease of the emergency communications trailer. We would pay Chris Reed \$1000 a year for user rights to the trailer. He is asking for the council to approve the agreement.

MOTION BY: Councilperson Seth Sorensen to approve the lease of the emergency communications trailer.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

Councilperson Warren mentioned in talking about communication he wondered if we could do more to communicate when there is an emergency. He felt like he heard very little from the city. Chief James stated all the information he had was posted to the webpage and the Facebook page. He stated he will address this more in his report.

8. APPROVE HORSEPOWER FLEET LEASING CONTRACT FOR POLICE DEPT.

Chief James stated he was approached by Horsepower Fleet Leasing for vehicles to use for the city. He met with the mayor, Jeff, and Attorney Baker to go through the proposal. This will be a pilot program where we will lease 3 vehicles from them and then turn them back in at the end of the year. They had \$70,000 in the budget to purchase 2 new trucks, with this leasing option it would cost \$11,000 for the year for all 3 trucks. They would get 2 F-150s and 1 diesel truck. The vehicles would be allowed to have 36,000 mile per vehicle, and they were told if they went over they would not be penalized. He stated that Attorney Baker had reviewed the agreement and went over the changes with Lieutenant Gurney, Jeff and the leasing company. They agreed to the changes but he has not received a final copy yet. Jeff stated we are trying 3 this year and if it works we will look at adding more next year. The mayor stated this is a really good deal, they only offer it to municipalities. They are currently

working with 38 other municipalities. The chief mentioned that the vehicles will be under warranty so the only maintenance we would have to pay for are oil changes. This price doesn't include radios and emergency lighting. Chief James stated it is a good deal and they would like to make sure it is cost effective. Councilperson Chuntz asked if it didn't work out what they would do. Chief James replied he could have Jeff roll the remainder of the money for the motor pool to next year, then if they have to purchase trucks next year that money would be available. He mentioned one disadvantage is their older vehicles they usually implement into other departments but if it works out those departments could get their vehicles this way also.

MOTION BY: Councilperson Sterling Rees to approve the Horsepower Fleet Leasing Contract for the police department subject to Chief James, Attorney Baker, and Mayor Christensen approving the final contract.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

9. SURPLUS 1976 DODGE BRUSH TRUCK

Chief James mentioned that at last council they had approved the purchase of a new Chassis for the fire department, tonight he is asking them to surplus the old one. This is a 1976 Dodge (VIN # W31BJ6S307277).

MOTION BY: Councilperson Craig Warren to approve the surplus of the 1976 Dodge Brush Truck.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

10. APPROVE PURCHASE OF SPEED TRAILER

Chief James stated that in July a couple from Salem came to him and wanted to donate something that the police department could use. He mentioned they could use a mobile speed trailer. They liked that idea and donated \$5000 to purchase one. It will be \$5919.99 with shipping, he will use the donation and the rest he will cover with his budget.

MOTION BY: Councilperson Cristy Simons to approve the purchase of the speed trailer.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

11. APPROVE MINUTES OF SEPTEMBER 5, 2018

MOTION BY: Councilperson Seth Sorensen to approve the minutes of September 5, 2018.

SECONDED BY: Councilperson Craig Warren.

VOTE: All Affirmative (5-0).

12. APPROVE BILLS FOR PAYMENT

There was a brief discussion on the bills.

AMOUNT: \$1,782,082.56

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

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

13. YOUTH COUNCIL

There was not a youth council representative available.

14. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief James stated as they are aware late afternoon last Thursday Woodland Hills, Elk Ridge and Covered Bridge were evacuated because of the fire. He got the call that they were coming to our city for shelter. Over 6000 evacuees met at the Salem Hills High School in the auditorium. He is happy to report that we had so many citizens willing to take people in that not one person had to stay at the shelter, that says a lot about our community. Our city has been very active in helping with the fire, he has been attending daily meetings. The mayor and some of the council have also been attending a lot of meetings. He is very confident in the current Type 1 Team that is fighting the fire, but it is a huge fire. There is currently a Type 1 Team for each fire. It is a miracle that no structures or lives have been lost. He stated Salem City is actively involved, in the last 5 days the police department has worked 112 ½ hours, SEMA has worked 168 hours, and the fire department has worked 552 ½ hours, for a total of 883 hours directly helping on the fire. He said it has been a rewarding experience. With that said social media has been giving out a lot of false information, and that has been a lot to deal with. Mayor Christensen commented he appreciates all the Chief's help. The chief stated Councilperson Simons has been actively involved, helping with the volunteers and donations. He appreciates the help from the city setting up water and meters. He asked if there were any questions. He stated they have been told the fire will not be completely out until the snow flies, there will be hot spots and flare ups, but the fire fighters are here for the long haul. We need to do all we can to support them. He met with our fire chief and they had been out for 48 hours, so he sent them home to sleep. We are dedicated to helping our neighbors. Councilperson Warren asked if there was some way to keep the council informed about what is really happening with all the misinformation that was out there. He asked how as a council they can have good information when a citizen asks them. Chief James stated he has asked Jeff to keep the city website updated with things that have been verified. Councilperson Warren wondered if they could have a call or text with accurate information to the council. Jeff commented that he could forward the emails that the chief sends to him out to the council. Chief James stated he and the mayor had made the decision to leave part of Salem in prevacation mode, they have taken some heat for that. They have made all decisions in the best interest of our community and citizens. He mentioned there had been a post on the web page about mountain lions, someone had seen one on a home security camera. He talked to the DWR and they sent him a link for the webpage and the Facebook

page. He mentioned it is not uncommon to have wildlife come down into the city, but this maybe increased because of the fire. He has tried to pass along all the information from the fire incident commanders that he has received. He mentioned there are still a lot of tough decisions to make and we will help where we can. He stated we have good citizens and they have really helped out our neighbors.

Jan J. Ward asked if they had any reaction to the deer population and them getting into people's gardens. Chief James replied they had sent out a survey on the deer population a couple years ago and most people felt we should leave them alone. He said we could reevaluate that in the future if we needed to.

Councilperson Simons stated they had all functioned well and done a fantastic job in response to the fire. She has met a lot of our officers and they have all been very professional. Chief James stated the council is always welcome to text or call him if they have any questions or need information verified. The mayor said this has been a very hard situation. Jeff commented as he gets updates he will forward them to the council and get them on the web page and Facebook.

15. DAVE JOHNSON, BUILDING OFFICIAL DIRECTOR

Dave Johnson was excused tonight.

16. ATTORNEY JUNIOR BAKER

Attorney Baker stated the legislature is really looking at ways to create more affordable housing. He spent the day discussing this with the Utah League of Cities and Towns. They are our ally in keeping local control over our densities and zoning. He wants the council to be aware of this issue coming up in the legislature in the few years.

17. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff did not have anything to report tonight.

18. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt Marziale reported they have added sidewalk to the Bart Mortensen property, this should be completed this week. They had some issues with the services there, but have gotten them worked out. This is a great improvement to the area, they will start looking at the corner by the Pendray's next. The pavilion at Loafer View is progressing, the poles are in place and the rebar will be in tomorrow. The roof should be finished in the next couple of weeks. They have purchased some new gates for the rodeo grounds, they will start installing them next week. This should help draw in more renters. He commented the public works would be interested in the leasing program if it works out for the police department.

19. CLARK CROOK, ELECTRICAL DIRECTOR

Clark did not have anything to report tonight.

20. BRUCE WARD, ENGINEERING

Bruce did not have anything to report tonight.

COUNCIL REPORTS

21. MAYOR KURT CHRISTENSEN

The mayor did not have anything to report tonight. He mentioned the employees were doing excellent, the police department, the fire department and the staff. They had taken some heat so be nice to them and tell them what a good job they do.

22. COUNCILPERSON STERLING REES

Councilperson Sterling Rees did not have anything to report. He wanted to thank the chief, all the employees, the fire department and emergency responders for all they had done. There are amazing stories about the things taking place and people really appreciate it.

23. COUNCILPERSON CRISTY SIMONS

Councilperson Simons said along those same lines they should go by the ALC building it is amazing to see the things happening daily there. They put out a need for the evacuees or firefighters and it is met. She mentioned Jeff had been super helpful getting this information on the web page. People are being directed there if they would like to help.

24. COUNCILPERSON HOWARD CHUNTZ

Councilperson Chuntz did not have anything to report tonight. Mayor Christensen mentioned he had been in touch with the owner of the old post office property they are trying to expand the library without having to relocate. She will be calling him back to discuss this.

25. COUNCILPERSON SETH SORENSEN

Councilperson Sorensen stated the green waste yard at the rodeo grounds will be open October 22, 2018 to November 3, 2018. It will be open Monday through Friday 4 p.m. to 6 p.m. and on Saturday noon to 6 p.m. They will also do the trailers for leaf disposal at the Activity Center the month of November. Matt said if the council is ok with it he will have Becky put it on the website. Mayor Christensen mentioned it should be in the newsletter also.

26. COUNCILPERSON CRAIG WARREN

Jeff mentioned he had sent out an email about changing to a 2-day garbage pickup schedule to help with load leveling and because of the growth in the city. Republic Services is working with Spanish Fork and Mapleton as well, right now they are talking about doing Tuesday and Thursday pickups. He asked how the council felt about this change, if they want to move

forward. Bruce mentioned contacting the district to see if they are ok with doing this. Jeff said he will email Terry Ficklin at the district.

27. CLOSED SESSION

MOTION BY: Councilperson Sterling Rees to move into a closed session.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Craig Warren to adjourn council meeting.

SECONDED BY: Councilperson Cristy Simons.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 9:10 p.m.

Jeffrey Nielson, City Recorder