

Minutes of the Salem City Council Meeting held on July 1, 2020 in the Salem City Council Chambers.

Work Session: 6:00 p.m.

1. STERLING BROWN-STRAWBERRY WATER PRESENTATION

Sterling Brown with Strawberry Water came to give a PowerPoint presentation on the history of Strawberry Valley Water Project. It mentioned that as early as 1900, the need for additional water to bring more land into farming production was realized. The US Government then approved the money for the Strawberry Valley Project. The original Spanish Fork diversion dam, Spanish Fork upper power plant, and the Strawberry Reservoir dam was completed. Following completion of the dams, there was a 3.8 mile diversion tunnel moving Uintah basin water to the Great Salt Lake basin. Starting from the east and west they drilled until they met in the middle. In 1913 the first SVP water arrived in South Utah County. Strawberry High Line Canal Company and Springville and Mapleton irrigation districts were created. In 1922 the Strawberry Water users association was formed as a mutual irrigation company to make repayment, and deliver water to the 9 head gates. The Central Utah project was authorized-Bonneville unit required the expansion and/or replacement of a number of SVP.

The water was all going into Diamond Fork Creek which did not have the capacity to hold that much water so the mouth of Spanish Fork diverted into the 11 head gates. Today the Strawberry Water users association and the strawberry reservoir system provides irrigation water to many. Last year, Utah County ranked #1 in Utah for total agricultural cash receipts. It was mentioned that there is no better quality of water than Strawberry, and it's not only quality, but reliable as well, because of those pioneers. They sacrificed so much especially in terms of dollars to make it all happen. Sterling and his board members want to be equal partners with Salem City to bring water that is vital. They thanked Bruce Ward for his communication and understanding as they get their feet on the ground.

Councilperson DeGraw asked what causes water loss? Sterling answered saying water loss is mostly evaporation but there are a few different reasons. Some entities spend a big amount on pipe systems to help prevent that evaporation.

Councilperson DeGraw wants to know if pollution effects the water. And what are the contributors that make it so it's not as pristine. Sterling stated that wildfires cause the biggest pollution, causing debris in the lake and rivers, which they spend millions of dollars to pull it all out, but outside of fires that water remains clean.

2. FIBER DISCUSSION

Jeff Nielson said we need to make a decision on whether we will move forward or not with the city fiber. If we move forward we need to come up with \$400,000 and it will be done as a inter fund loan. Over the next several years the fiber fund will charge the other enterprise funds (i.e. power, water, and pi) for the use of the fiber system. That's an inter fund cost to the enterprise funds. From \$40,000 to \$170,000 over the next 7 years. He thinks it's a great thing with a lot of amazing opportunities. He asked if anyone had questions, thoughts, or

feelings. Councilperson Seth Sorensen said he wants to go forward. Councilperson Delys Snider has been paying attention to fiber and noticed other companies have levels of usage and you can sign up for lower and higher amounts for what you'd use. John Bowcut stated there are lots of options with Fiber. There could be two tiers with one of them starting at one gig to serve the community better because not everyone needs the same amount. This will also give us a chance to reach out to businesses and be able to provide them with the fast internet that they need.

John Bowcut stated the Bonding amount needed would be around \$7,000,000 and the first 2-3 years you would build. The breakeven would be 5-6 years. John stated he did Spanish Fork's breakeven in four years.

The council had a discussion about potential issues we could run into or if we could fail at this. It was mentioned by John that satellite is a shared band width and as the needs grow, they would be the ones that struggle. The Data requirement doubles every 2 years and if fiber is going straight to individual homes, it is fast as light. Mayor says it's the best you can get. It was stated in the study, that financially they underestimated the growth and the take rate was low at 40 percent. It's about 76 percent take rate on residential homes in Spanish Fork. It would help Salem because businesses are needing fast reliable internet. Also with having to do school online with COVID, it would be very helpful for the kids to have fast internet. The council agrees and would like to move forward. Jeff stated he would contact Johnathon Ward from Zions Bank and do the bonding and work on the agreements with Spanish Fork. John stated that we are putting in an asset that is worth a lot of money.

3. AGENDA ITEM DISCUSSIONS

Councilperson Delys Snider and Mayor Christensen spoke about canceling Salem Days and how we can't do some of the events because of the permits required from the county. It was discussed how it is hard to pick and choose which events to do. Councilperson Tim DeGraw worried if this would affect businesses that rely on the income during Salem Day's festivities. Mayor explained that it's more of a giving rather than getting situation, because the businesses donate a lot to each of the events. The county is not going to give out mass gathering permits which is what we would need to host most of the events. If we're not in green we can't have the parades and fireworks because we would have to be able to track where people are sitting and if we can't, we can't have it. We have to either spend the money now or decide it's not getting any better and not spend the money at all because we will lose it due to not being able to get refunded. Jen Wright told the council that we did purchase buckles for rodeo and paid for a design for the fun run shirts but that is all of the money that we are out. By Monday we'd have to have \$4,000 to \$6,000 for shirts and other things if we were to continue and that's the money we couldn't get back. Council agreed that we'd rather be cautious and safe so our residents can stay happy and healthy. Chief James said we are going to protect our citizens and are sad about this tradition being cancelled but as a city we need to set that bar and not take a chance but move forward next year.

While on the topic of safety and health, Mayor stated all employees need to wear masks especially when talking with the public and when close to each other and other departments. If you are at your desk you don't need one on but as soon as you go to another department you will need to wear it. Outside people need to wear one when coming into the office as well. The county states the rules and tells us when we need to wear masks or not. Jeff reminded us that if one department has it, it wouldn't take long to wipe out all of our staff because of how small we are so we need to be extra careful. If there is an issue where people need to engage, it will be the superintendent to do so (wearing a mask), but other employees should not be engaging with public without wearing a mask.

MEETING CONVENED AT: 7:09 p.m.

CONDUCTING: Mayor Kurt L Christensen

COUNCIL PRESENT:

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

STAFF PRESENT:

Jeffrey Nielson, Finance/Recorder
Vaughn Pickell, City Attorney
Chief Brad James, Police Chief
Steve Cox, Building Dept.
Bruce Ward, City Engineer
Matt Marziale, PW/Recreation
Brylie Haveron

Excused

Ted Barnett, Power

OTHERS PRESENT

1. VOLUNTEER MOTIVATIONAL/INSPIRATIONAL MESSAGE

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

2. INVITATION TO SAY PLEDGE OF ALLEGIANCE

Bruce Ward 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

Mayor Christensen asked if anyone from the Youth Council was present, no one representing the youth council was present.

4. SF/SALEM CHAMBER OF COMMERCE

Mayor Christensen asked if anyone from the Chamber of Commerce was present, no one representing the Chamber of Commerce was present.

5. INTERLOCAL AGREEMENT WITH UTAH COUNTY-WOODLAND HILLS DRIVE ROADWAY IMPROVEMENT PROJECT

Bruce Ward stated we are doing our trail system on Woodland Hills Drive by the new middle school. Utah County is also doing an overlay on Woodland Hills Drive in the same area. They would like to use our contract we have with the contractor doing our trail system so they can get the same pricing as us without going to bid on their own. In order for this to happen, Utah County needed to do an agreement with Salem City to use our contractor that we awarded the bid to. Utah County has already approved it and we presented to the council the agreement that was approved by them.

MOTION BY: Councilperson Seth Sorensen to approve the Interlocal Agreement with Utah County – Woodland Hills Drive Roadway Improvement Project.

SECONDED BY: Councilperson Sterling Reese.

VOTE: All Affirmative (5-0).

6. CARES ACT FUNDING-INTERLOCAL AGREEMENT WITH UTAH COUNTY

Attorney Vaughn Pickell said this agreement is for every city in the county to have funds available to reimburse the cities on expenses for COVID-19. There are limitations on reimbursements, the funding can't be on something we have already budgeted for, it's for any/all expenses associated from the COVID-19 pandemic that weren't planned for. The term is from beginning of March to the end of the year. Mayor said they will look at the money in October and see where you spent it and will help you determine if expenses would be considered COVID related or not.

MOTION BY: Councilperson Delys Snider to approve the Resolution 70120 for the Cares Act Funding Interlocal Agreement with Utah County.

SECONDED BY: Councilperson Tim DeGraw.

VOTE: All Affirmative (5-0).

7. ORDINANCE VACATING RIGHT OF WAY- 200 N AND 300 E STREETS

Attorney Vaughn Pickell presented to the council that this vacating right of way was on the council agenda last council meeting as a public hearing. It is part of the Woodland View subdivision. The city is vacating right of ways and giving them to the developer and in return the developer is improving the portion of 300 East street. Vaughn went over a couple of items in the ordinance and the ordinance was given to the council for review prior to the meeting. He asked if there were any questions, there were no questions.

MOTION BY: Councilperson Sterling Reese to approve Ordinance 70120 Vacating Right-of-Way on 200 North and 300 East Street.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

8. SEMA (SALEM EMERGENCY MEDICAL ASSOCIATION) RULES AND REGULATIONS 2020

Chief James wants to thank the Salem Emergency Medical Association (Ambulance) for what they do for our city and how dedicated they are to assist our citizens in distress or in an accident. With our city growing it has a big impact on public safety. We will need to be able to provide the services needed. Salem City currently has a volunteer emergency medical association. The policy was last updated in 2006. Committee of SEMA members worked on this new policy for quite some time. Chief James asked the council to please vote to approve the new rules and regulations so we can move forward as an association.

Captain Karen Boothe said the outdated rules and regulations was one of the first things that needed changing. Ken Wright wants to thank the council for the support they have given them. Volunteers need to feel like they are needed, appreciated and shown support for them, to want to do the job. He feels we take them seriously, so he mentioned as we get bigger he worries about response times. The volunteer fire department and emergency services are not retaining volunteers. He asked at what point we would consider full time paid professional staff and how do we recruit volunteers. With 1600 homes coming by Benjamin exit we need to make sure we have enough volunteers, so we are able to help residents quickly.

People are very interested in volunteering for SEMA but it's so time consuming that it's hard for people to be able to commit. Most of the volunteers do it because they don't need the income or because they have time, but because they love helping. A lot of the people that are interested in being a volunteer don't live in town so they can't do it because being a part of SEMA, you have to live 5 minutes from the station for the full 12 hours while on shift. We might need additional staff to keep up these response times when we grow by 1600+ homes. We need a plan based on scenarios and what size we get before we need a change. Councilperson Tim DeGraw wants to lay out a plan that shows how we will respond to growth. With high cost and no cost options. We need to be able to keep volunteers and know what the cost is for that.

Councilperson DeGraw wants us highly responsive to keep us safe and wonders if Spanish Fork City has issues since they waited so long to build a new station and pay full time. He worries the issues with growing and the response times.

Councilperson Delys Snyder mentioned to maybe reach out to newly retired people to volunteer because they have the time and most wouldn't have kids at home.

Chief James said he started in Springville in 1980, they had two full time and they'd respond first and then the volunteers would come after that. We are losing people because people can drive a few miles to get paid instead of volunteering for free.

MOTION BY: Councilperson Howard Chuntz to approve the SEMA Rules and Regulations 2020.

SECONDED BY: Councilperson Tim DeGraw.

VOTE: All Affirmative (5-0).

9. APPROVE FY 2021 STATE COURT CONTRACT

Chief James stated Salem City serves as a satellite court, for the 4th District Court. We are the only ones in Utah County to do so. Instead of the citizens having to drive to Spanish Fork, they are able to come to the city office to handle traffic citations, which is more convenient. Heather Brindley is the court clerk here and the state pays the city a small amount for the office space and her time. We have to renew this each year.

MOTION BY: Councilperson Seth Sorensen to approve the FY 2021 State Court Contract.

SECONDED BY: Councilperson Sterling Rees.

VOTE: All Affirmative (5-0).

10. SALEM DAYS AND OUTDOOR CONCERTS

Matt Marziale stated that we discussed this in work session. He said we either need to financially invest or decide that we won't be holding the events. The concerts in the park are also part of Salem Days and then we have three other events besides then. They don't require mass gathering permits but it does need space big enough to hold enough people at the six feet apart. It does cost money to pay those groups so we need to decide if we are having them or if we need to cancel. Mayor Christensen asked if other cities were doing theirs and Matt stated that Spanish Fork had canceled some. Mayor does not think it's a good idea to host them and wants to suspend the Salem Days and Outdoor Concerts this year. The council felt this is a very hard decision, but that it would be a good idea, especially since we are unable to get permits from the county for most of our events.

MOTIONED BY: Councilperson Howard Chuntz to council Salem Days 2020 and the Outdoor Concerts.

SECONDED BY: Councilperson Seth Sorensen.

VOTE: All Affirmative (5-0).

11. APPROVE MINUTES OF JUNE 17, 2020

Jeff Nielson stated the minutes for the June 17, 2020 were not ready for this council meeting, but will be ready to approve for next council meeting.

12. APPROVE BILLS FOR PAYMENT

Councilperson Delys Snyder asked about the material for power cost and if we get that in impact fees. Jeff Nielson explained that when a new subdivision is submitted, they pay the cost to have the power infrastructure put in. Our power department then purchases the supplies and installs the infrastructure for the subdivision. Impact Fees are not used for this.

AMOUNT: \$978,010.54

MOTION BY: Councilperson Delys Snyder to approve the bills for payment.

SECONDED BY: Councilperson Howard Chuntz.

VOTE: All Affirmative (5-0).

13. CHIEF BRAD JAMES, PUBLIC SAFETY DIRECTOR

Chief James wanted to discuss the firework situation. We are mandated by the state when people can purchase and discharge fireworks. The times that we can do so are July 2-5th from 11 am-11 pm except on July 4 hours are extended to midnight. Then again on July 22-25th with the 24th also being extended until midnight. Fireworks are prohibited in the following areas: South of the Highline Canal, East of Woodland Hills Drive, North of 400 North except in the developed subdivisions, within 20 feet of any building, within two hundred feet of any open field, unimproved lot with dry vegetation, or any vacant building with dry vegetation on the lot, and within two hundred feet of any haystack, straw, or other flammable agricultural product. State law is if you live in the county or on unincorporated private lands, fireworks are banned. Some of the counties have prohibited all fireworks, but Utah County is choosing to allow them, but we need to follow the laws.

Currently in our country police departments are seeing a lot of civil unrest. We are fortunate to live in Salem. Chief has trusts in his officers who are professional and well trained. He is confident that will treat all citizens with dignity and respect regardless of race. Our policemen have completed lots of training including de-escalation and diversity training. As a department they are trying to work through our country's current circumstances and overcome it. He is concerned about the movement that some of the city councils in our country and state are making. The department has received lots of supportive emails. Many citizens are worried about the current situations going on in our country and the way police officers are being treated. We are trying our best to provide a top notch law enforcement service that our citizens can be proud of. If city council is having citizens calling and you don't have the answers to their concerns, get with chief and he will help address their concerns.

Councilperson Deyls Snyder wants to add and suggest that we do listen to people's stories, especially people who are racial minority and if we listened maybe that would alleviate the issues.

14. STEVE COX, BUILDING OFFICIAL DIRECTOR

Steve Cox did not have anything to report tonight.

15. ATTORNEY VAUGHN PICKELL

Attorney Vaughn Pickell did not have anything to report tonight.

16. JEFFREY NIELSON, CITY FINANCE DIRECTOR/CITY RECORDER

Jeff wanted to give a notice for a public hearing for next council meeting. It will cover Bonding for PI meters. The notice went out to all the residents with their utility bills.

Jeff also mentioned that Becky Warner is now retired from the city, we will miss working with her.

17. MATT MARZIALE, RECREATION/PUBLIC WORKS DIRECTOR

Matt did not have anything to report tonight.

18. TED BARNETT, ELECTRICAL DIRECTOR

Ted asked to be excused from this council meeting.

**19. BRUCE WARD, ENGINEERING
A. LAND SWAP**

Bruce Ward stated the Orchard Farms Subdivision, they are finishing up improvements. They had a discussion mentioning the issue of the water line weaving in and out of homeowners' yards. The developer asked about the possibility to swap some land. The city has some property next to the subdivision that is not usable. The developer is willing to give us some property to help with the water line, and in turn we would give him some of the property that is unusable to the city, but could be used by the developer. Prior to creating documents and paperwork, they wanted to know if the council would consider. They will make sure they know exactly where the water line is at before doing anything. We don't need a motion but we recommend you consider it and move forward with it. He doesn't see a down side. The council did not see a problem with it, as long as everything was in order.

COUNCIL REPORTS

20. MAYOR KURT CHRISTENSEN

Mayor Christensen did not have any additional comments for tonight's council.

21. COUNCILPERSON STERLING REES

Councilperson Sterling Rees did not have any comments to add to tonight's council.

22. COUNCILPERSON SETH SORENSEN

Councilperson Seth Sorensen reported he filled in for Councilperson Rees for the UMPA meeting. He stated they approved the new budget and sent back to the technical committee to look at the option of a lower power rate if they use an electrical car to offset the fees.

He also reported the youth recreation programs are wrapping up. He thinks it was a really good idea to go forward with the sports this year, so kids were able to make those connections again and thanks everyone who contributed to that.

23. COUNCILPERSON HOWARD CHUNTZ

Councilperson Howard Chuntz did not have any comments to add to tonight's council.

24. COUNCILPERSON DELYS SNYDER

Councilperson Delys Snyder did not have any comments to add to tonight's council.

25. COUNCILPERSON TIM DEGRAW

Councilperson Tim DeGraw did not have any comments to add to tonight's council.

26. CLOSE SESSION-

MOTION BY: Councilperson Seth Sorensen to move into a closed session for the discussion of personal issues and litigation.

SECONDED BY: Councilperson Delys Snyder.

VOTE: All Affirmative (5-0).

ADJOURN CITY COUNCIL MEETING

MOTION BY: Councilperson Howard Chuntz to adjourn city council meeting.

SECONDED BY: Councilperson Delys Snyder.

VOTE: All Affirmative (5-0).

MEETING ADJOURNED AT: 8:35 p.m.

Jeffrey Nielson, City Recorder