

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSION
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, March 20, 2024

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Taresa Hiatt, Brian Hulet (6:25 p.m.), Anne Moss, Ryan Rowley, William R. Wright

STAFF PRESENT David Tuckett, City Manager
Cathy Jensen, Finance Director
Kim E. Holindrake, City Recorder
Jason Sant, City Attorney
Brad Bishop, Police Chief
Robert Mills, Development Services Director
Travis Jockumsen, Public Works Director/City Engineer
Scott Spencer, Fire Chief
Michael Bryant, Planner II
Tracy Zobell, Parks & Golf Director
Karl Teemant, Community Services Director
Shawn Black, Power Director
Kent Fowden, Streets, Landfill, Storm Drain Superintendent

OTHERS Tonya Worthen, Ariel Worthen, Roger Zimmerman – UTOPIA, Diane Jensen – Payson/Santaquin Chamber of Commerce

A. CALL TO ORDER

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:01 p.m. The meeting was properly noticed.

B. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Tonya Worthen.

Pledge of Allegiance led by Ariel Worthen.

C. CONSENT AGENDA

1. Approval of the March 6, 2024, City Council Meeting Minutes

MOTION: Councilmember Rowley – To approve the consent agenda. Motion seconded by Councilmember Moss. A roll call vote was taken as follows and the motion carried.

| | | |
|-----|---|-------------------|
| Yes | - | Brett Christensen |
| Yes | - | Taresa Hiatt |
| Yes | - | Anne Moss |
| Yes | - | Ryan Rowley |

D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Payson/Santaquin Chamber Business, Employee, or Community Service Award

No award presented.

2. Report from UTOPIA

Roger Zimmerman stated Payson has been involved with UTOPIA Fiber (UTOPIA) for many years. UTOPIA is an interlocal entity with 11 founding members and then added 13 partner cities and counties. Initially, UTOPIA encountered difficulties, including a rough start in 2002, financial challenges, and skepticism. However, through perseverance and strategic planning from 2004 to 2008, the organization managed to overcome these obstacles. In 2008, UTOPIA underwent a financial restructuring to address the operating deficit and mounting debt obligations. This involved the creation of UIA (Utah Infrastructure Agency) and the issuance of a separate bond to complete Payson. Despite the initial hurdles, the partnership between UTOPIA and Payson City proved to be successful, which has shown a positive impact on the community.

UTOPIA's accomplishments include the largest open-access and most competitive network including the fastest speeds in the United States, awardee of the 2021-2024 Utah Education Network, provider of Air Quality Sensors and Smart City Solutions in Utah, net promoter score of +60, a Google rating of 4.5 stars (now 4.6 stars), the Smart 50 Award from Smart Cities Connect Foundation and US Ignite, and the Ongoing Broadband Communities top 100 FTTH Award.

UTOPIA provides city-wide fiber to the premises with 10 Gbps available for residential and 100 Gbps for businesses. Future technology plans include new 2.5 Gbps and 5 Gbps multi-gig service tiers; lower pricing for 10 Gbps; customer app for payment, troubleshooting; and provider switching; and additional Smart City applications/deployments. UTOPIA had a big year and big wins in 2023 with over 62,000 subscribers, customer satisfaction of 4.6, 2.7 million feet of fiber placement totaling 26.2 million total feet of fiber, and five network builds for Cedar Hills, Orem, Pleasant Grove, Santa Clara, and Syracuse. The increasing demand for internet services, coupled with the superior speeds and reliability has contributed to the success in attracting and retaining customers. Payson City has grown to over 2,750 total subscribers.

In 2019, the Payson City/UIA \$3.5 million bond financed the remaining buildout of the city and paid for 634 new installations. The bond was backed by a \$228,000 annual pledge from Payson City with 855 prior subscribers. Currently, there are 2,786 subscribers, which is 1,297 over the target. The additional take-rate and city growth has created \$3 million plus in additional costs, which are covered by additional revenues through UIA.

Both UTOPIA and Payson are committed to serving the community's needs and working together to ensure the success of the partnership. This collaborative approach is seen as instrumental in achieving the goals of providing high-quality broadband services and driving economic development.

3. Public Forum (6:26 p.m.)

Ariel Worthen voiced her concern when driving down 100 West and turning right onto Utah Avenue at the light, people turn left into the parking lot at the Sandwich Queen, which tends to stop traffic and make it complicated for drivers. She proposed a sign indicating no left turn into the parking lot there.

4. Staff and Council Reports (6:29 p.m.)

Staff Reports

CHAMBER OF COMMERCE – Diane Jensen stated the Chamber has changed some of the leadership titles, so Jim Rowland is the President/CEO, and she is the Chairman of the Board. The Chamber offices will move to the ERA Brokers building at the end of April. A new program begins this year just after Memorial Day called Passport to Summer, which has been done in Santaquin. The Chamber will take over the program as a combined Payson/Santaquin activity. Kids receive a passport book through the libraries, city offices, and chamber offices to do the activities, and the businesses stamp their passport. This brings people into the businesses and creates a fun activity for the kids. The annual activity was held last week or bowling with 149 participants, which was very successful and grows every year. The Chamber appreciates the support it receives from the City.

RECREATION – Karl Teemant reported the recreation offices are almost complete at Wilson Elementary, and staff will begin moving over. Youth soccer begins next week, and every division has expanded as much as possible with the number of fields available. A high school softball invitational will be held April 6. The Forebay Committee met last night, and chair Carey Pierce has moved out of the city so Devin Weaver will serve as the chair for the remainder of the year with Kevin Crook serving as vice chair.

DEVELOPMENT SERVICES – Robert Mills clarified the joint work session with Elk Ridge will be held on April 11 from 5 p.m. to 6 p.m. in the Payson Council Chambers. The meeting will include the city councils, planning commissions, and staff from Payson and Elk Ridge to discuss recreation, preservation, conservation, golf course, Forebay, etc. with the intention to get good direction for staff.

ADMINISTRATION – Dave Tuckett stated staff attended the water conference this week. The water situation looks good with 127 % of normal statewide. The National Weather Service is predicting April to be colder and rainier than normal. It's a good situation for the water year. The reservoirs are at 83% capacity and runoff hasn't begun. The Great Salt Lake is up a couple of feet with a prediction of rising another 1 to 1.5 feet. Councilmember Christensen questioned why the state has legislation requiring cities to retain water in retention basins and other facilities but want the water to travel to the Great Salt Lake. Travis Jockumsen explained recent legislation was proposed to force any entity in the Salt Lake Basin to not retain or detain any water and send water to the Great Salt Lake. The problem was it would cost billions and billions because not one channel can handle that much water. Dave Tuckett continued noting the 2023 legislative session passed a law cancelling reuse applications after November 2023. Payson City was the second entity to receive a reuse application for wastewater and the City continues to use it. Hansen Allen & Luce has conveyed that the City should file another reuse application to upgrade the current application. The City has reapplied, but there are so many regulations that the State is refunding the application fee. Many entities at the water conference are hoping to go back to the Legislature to fix it. Water is tough every year. Mayor Wright noted the Great Salt Lake is a benefit to the state because it controls the weather to a certain extent, so the water levels are important. Dave Tuckett gave a heads up that the tie in on Main Street and Utah Avenue has been tough. Staff felt it was a good idea to get a bid from the contractor to finish Utah Avenue from SR-198

to 100 East, which was in the big master plan. There are Class C Road funds available, and the bid is within the amount available. A budget amendment and public hearing would be needed to address this at the next meeting. The lobbyist is looking to get a couple more million for this project. Staff is proposing \$300,000 in the new budget to finish the parking lot behind the library. The City has been chipping away at parking lots as funds are available. Kent Fowden noted there is about \$2.2 million available in Class C Road funds. Since COVID, it has been difficult to get projects completed because contractors are backed up. It behooves us to complete Utah Avenue at this time.

PARKS & GOLF - Tracy Zobell stated the entire golf course has been open since Saturday and very busy. The RV Park will open Easter weekend. The controllers for irrigation at the south end of the Business Park will be redone next week. He thanked the Men's Association for its \$10,000 donation for repairs on stairways on the T-boxes. The roads in the cemetery have some dirt following repairs that won't be completed by Memorial Day. He asked for the council's patience to get through Memorial Day. Sod will be placed in these areas when water is available. The asphalt paths at Memorial Park will be removed the first of next week and concrete will come right after. The funds come from the PARC tax funds. Parks is helping with planting trees. Funds for gates at the RV Park, golf course entrance, and maintenance shed are planned, which will be automated.

Council Reports

Councilmember Moss stated the Chamber is doing an amazing job as well as city staff who work so hard. Councilmember Rowley and she met with Robert Mills and Jill Spencer in Orem regarding UTA, which was a great meeting. She commended the police officers who have been through a lot this week and have done an excellent job. Tomorrow is the last citizens academy with active shooters training at the high school.

Mayor Wright thanked the police officers for what they do. It's a thankless and high-pressure job. The area is experiencing two very good water years in a row; historically, it's been good and then bad. We still need to conserve water; we live in a desert.

Councilmember Rowley thanked Karl Teemant for getting the kids signed up. Payson provides many recreation programs for kids. He attended youth court a couple of weeks ago; what a tremendous program it is for youth who have made mistakes. He thanked Shelby Bohling for her hard work. Robert Mills, Michael Bryant, and Jill Spencer have been working with a particular subdivision the last few weeks; he thanked them for their constant direction and help sorting out the issues. He sent his support and condolences to the Police Department and the officer involved in the officer involved shooting. He's thankful for well-trained officers. He is supportive and grateful for the hard decisions and positive atmosphere in the Police Department.

Councilmember Hulet stated he put in three outdoor recreation grants this week to purchase three all-terrain wheelchairs, new concrete trails at Dry Creek, and equestrian and hiking trails in Forebay along with a study. He thanked staff for all they do.

Councilmember Christensen loves seeing everyone out in the parks this time of year. He gave a shout out to the Parks Department as well as a shoutout to the police officers as well.

E. ACTION ITEMS

1. Request for a parking reduction for the building located at 55 South 100 East (7:02 p.m.)

Staff Presentation:

Michael Bryant stated this is item is for Holly Carter, Nurse Practitioner. The city code requires off-street parking based on use. This building was a legal, nonconforming use with not enough off-street parking. The total number of off-street parking stalls required by city code for a nurse practitioner is nine. Holly Carter is requesting a 20% reduction to seven total per city code.

Council Discussion:

Councilmember Christensen noted the roads are lined with vehicles at the building to the south. He questioned if something could be done for combined parking behind this building and the building to the south. This would double the parking for both buildings and create a win, win situation. He has concerns creating a precedence.

Michael Bryant noted the parking suggestion is possible but connected to granting this approval. The applicant wanted to get this approval prior to providing plans.

Councilmember Hiatt clarified that there are only three rooms in the building and one professional. The previous business had at the most four patients at a time. She has been to this building for the last 15 years. The patrons for the building to the south parked in front of this building. The new owner can fit more than seven stalls. The new owner may want to build onto the building and not put parking in the back. The new owner needs to get in and start working.

Councilmember Hulet stated there is this one and then a next one that is setting precedence. Everyone will come in and ask for a parking reduction. He questioned how the city separates this one from everyone else. Maybe there is a way in the downtown area to allow this because residential is being converted to businesses.

Mayor Wright noted the applicant is just asking for two less parking stalls. This has already been done with other situations. This brings it into compliance.

Michael Bryant clarified that this brings the business into compliance and frees up space on the street. This was triggered by the change of ownership and gives the opportunity to fix a nonconformity. The city code does allow for this reduction at the discretion of the city council, so no precedent is set. The city code can be modified if there are any concerns to add guidance. The code is based on a percentage ratio against the square footage of the building and type of use.

MOTION: Councilmember Rowley – To approve the parking reduction for the Nurse Practitioner for the building located at 55 South 100 East

Motion seconded by Councilmember Moss. A roll call vote was taken as follows and the motion carried.

- Yes - Brett Christensen
- Yes - Taresa Hiatt
- Yes - Brian Hulet
- Yes - Anne Moss
- Yes - Ryan Rowley

2. Request for a parking reduction for the building located at 1498 South 1700 West

Staff Presentation:

Michael Bryant stated this is for the Christian Life Church, which is proposing an addition. The addition will require a total of 168 off-street parking stalls, and the request is for 135 off-street parking stalls. Weekly attendance and activities currently uses about 50 of the 80 stalls. Their estimate with the addition is a need for 132 stalls. The applicant has not submitted plans for the addition.

Council Discussion:

Councilmember Hulet noted there is extra land for people to park that could be graveled.

Mayor Wright suggested giving a deferral to add parking down the road as needed.

Jason Sant stated no.

Michael Bryant stated the city code requires hard surface for parking, but gravel could be suggested for additional parking. This requirement is specific to churches. Staff felt the 20% reduction isn't unreasonable.

Robert Mills stated at some point someone wanted to assign a number of parking stalls to uses. There isn't the best metric to do this other than seeing how it works and change the next time. For this one because there isn't a current design or layout for the addition, the council could approve it conditionally based on the design that meets the parking requirements. Parking can be reassessed with future additions as well.

Councilmember Rowley noted this is tricky because of the frontage road and not knowing the future of that road. He is inclined to send it back until the building plans are submitted.

Michael Bryant suggested approving the reduction contingent on the size of the addition.

MOTION: Councilmember Hulet – To approve the reduction for the Christian Life Church parking subject to the size of building addition but no less than a 20% reduction of what is required. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

- Yes - Brett Christensen
- Yes - Taresa Hiatt
- Yes - Brian Hulet
- Yes - Anne Moss
- Yes - Ryan Rowley

3. Resolution – Real Estate Purchase Contract with the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints for property located at approximately 1000 North 600 East (7:25 p.m.)

Staff Presentation:

Shawn Black reviewed the current transmission lines in the southern end of the valley. Payson's line is a 46 kV transmission near the Suter Substation owned by South Utah Valley Electric Service District. Staff is proposing to purchase property for a substation for the Bamberger area. Several options for land were addressed and reviewed. The proposed location is 1.02 acres with Southern Utah Valley

Power Systems purchasing 1.22 acres to the west. This will provide an additional power loop. A wall will be installed between the new substation and residential area. There are no restrictions on the sale from previous tax purposes.

MOTION: Councilmember Christensen – To approve resolution for the real estate purchase contract with the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints at approximately 1000 North 600 East. Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

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|-----|---|-------------------|
| Yes | - | Brett Christensen |
| Yes | - | Taresa Hiatt |
| Yes | - | Brian Hulet |
| Yes | - | Anne Moss |
| Yes | - | Ryan Rowley |

F. WORK SESSION

1. Power Generation Plant

Postponed.

G. ADJOURNMENT

MOTION: Councilmember Hulet – To adjourn. Motion seconded by Councilmember Rowley. Those voting yes: Brett Christensen, Taresa Hiatt, Brian Hulet, Anne Moss, Ryan Rowley. The motion carried.

The meeting was adjourned at 7:35 p.m.

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder