

Minutes of the Payson City Council Meeting held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, July 2, 2014 at 6:00 p.m.

ROLL CALL: Mayor Rick Moore; Councilmembers: JoLynn Ford, Kim Hancock, Mike Hardy, Scott Phillips, and Larry Skinner; City Attorney Mark Sorenson, and City Recorder Jeanette Wineteer.

Mayor Rick Moore presiding.

#### PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Councilmember Hancock and Pledge of Allegiance led by Councilmember Skinner.

#### CONSENT AGENDA

MOTION by Councilmember Hardy to approve the Consent Agenda consisting of: approval of June 18, 2014 City Council Minutes, Resolution Amending Payson City Fee Schedule, Agreement regarding Improvement of Golf Course Lot & Use of Building, Resolution Mountainland Association of Government Agreement for Sr. Citizen, Ordinance Approving the Orlo Larson Annexation, and the Orlo Larson Annexation Agreement with proviso that staff meet with Mr. Hulet and resolve some issues with him regarding city ordinances. Motion seconded by Councilmember Phillips. Voting aye: Councilmembers: Ford, Hancock, Hardy, Phillips, and Skinner. Motion carries.

#### PUBLIC FORUM

Martin Larson clarified that approving the Consent Agenda approved the Orlo Larson Annexation Agreement and the Council agreed.

Randy Memmott feels there are problems in the city with consistency of repairing our streets and sidewalks. There are sidewalks that were torn out, one right next to his house, and not completed correctly. The contractor didn't remove the soil, put new material in, and compact it. He wondered why it wasn't done properly. He also wondered why the city is repairing sidewalks and doing drive approaches that are not on city property. He feels there should be someone hired that knows how to build roads and sidewalks and make sure they are inspected properly, or hire a contractor that knows how.

Public Works Director Travis Jockumsen thought the policies were being followed and the projects were being inspected.

Councilmember Hardy wanted to make sure that the Planning Commission agendas and minutes would be posted on the PMN website.

Councilmember Phillips also wanted the "Council Comments" along with the follow-up. Attorney Sorenson stated that he would make that is taken care of.

Linda Carter has lived in Payson her whole life and is totally disgusted with the roads in Payson, 300 East where she lives, in particular. She said that two years ago she wrote a letter to the editor about the roads and specifically Main Street and things still aren't being taken care of. She also mentioned the disrepair of certain sidewalks, and missing sidewalks.

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Councilmember Ford stated that Streets Superintendent Fowden has prepared a list of road repair priorities, and she is not sure where 300 East is on that list.

Mayor Moore explained that the old railroad spur is under Main Street and before it is re-done, we have to replace all of the infrastructure underneath, therefore very costly.

Discussion was held regarding ways to get curb, gutter, and sidewalks throughout the City with a GO bond or some type of Special Improvement Districts.

Steve and Mary Olsen moved to Payson from Salem after 15 years there. Their concern is Heritage Village is supposed to have an open look to it, and definitely the interior is open, however those that live on the parameter would like a fence. They presented a letter requesting a variance for a backyard fence signed by five or six citizens on the parameter. They said that their Home Owners Association is OK with it but the City Planners say it is not allowed.

Public Works Director Travis Jockumsen said that this requirement is part of the Development Agreement. Attorney Sorenson explained that the Agreement would have to be changed, and that agreement is between the city and the developer, so an amendment to the agreement is what the city would have to address. Attorney Sorenson and Planner Spencer will look into this for the Olsen's and then get back with them.

### COUNCIL AND STAFF REPORTS

Public Works Director Travis Jockumsen reported that Big East Reservoir is three feet below full and we are now pulling water from Pete Winward. The pumps have helped pumping from Highline. Water conservation was discussed as well as chemicals to help make lawns green.

He said that we need to order the new Christmas Decorations and wondered who was supposed to do that. Superintendent Crump said he could order them if he knows what budget number to take it from.

Councilmember Skinner wondered where we were on a reservoir study. Mr. Jockumsen said it was at the Bureau of Reclamation, and test holes need to be dug when that is completed.

Electrical Superintendent Ron Crump said that the street light issues mentioned last Council meeting, the cutover, and the problems in the area of Central Utah Clinic will all soon be resolved.

Golf Pro Tracy Zobell said that the Cemetery irrigation is about 90% complete and will start energizing that system. He said the golf course is getting brown, so to pray for rain.

Attorney Sorenson said that UTOPIA/UIA Board Meetings was held, and they voted to go forward to Milestone 2. In the interim, they are waiting to see what Macquirie comes up with regarding the formulas. He also said that the Executive Committee of UTOPIA/UIA is also working with First Digital.

Councilmember Phillips mentioned some misleading comments that the UTOPIA Website states, like no more connections in Payson, and Payson will go dark. Councilmember Ford also commented that we do pay our UTOPIA bills that we agreed to.

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Councilmember Hardy said that a very successful “Shop Payson” was held, and he complimented the Chamber on getting everyone involved for that.

Councilmember Hancock said that he attended the first band concert last week, and how nice it was.

Councilmember Phillips said that both ball parks and Memorial Park, the post office, and churches have been watering on Sunday. He has contacted the church, and Manager Tuckett was supposed to contact the post office, and he wants to make sure we program our clocks so we don’t water on Sunday. If we have restrictions we need to enforce them.

Councilmember Phillips also stated that if Randy Memmott’s accusations are true about substandard street work, and inspections, there is a problem.

He asked Attorney Sorenson if we contacted Hanson’s about the welding at the Amphitheater. Attorney Sorenson said he didn’t know, but he would make sure it is done.

Mayor Moore agreed that the Band Concert was great the other night, and the downtown area looks good.

### CHAMBER OF COMMERCE – BUSINESS OF THE MONTH

Colin Logue from the Chamber of Commerce presented the Chamber of Commerce Business of the Month for July to Mountain View Hospital and read a history of Payson Mountain View Hospital. Rick Johnson from Mountain View Hospital accepted the award and told a little about the hospital and said they are proud to be in Payson.

### SUSPEND AGENDA

MOTION by Councilmember Ford to suspend the agenda to move at the Mayor’s discretion. Motion seconded by Councilmember Hancock. Motion carries.

### APPOINTMENT OF INTERIM CITY TREASURER

MOTION by Councilmember Phillips to table this item. Motion seconded by Councilmember Ford. Motion carries.

### DISCUSSION REGARDING SESD

Electrical Superintendent Ron Crump explained some history between Payson and SESD since 2011, including the March 2011 approval of the Interlocal agreement with SESD, and a letter he wrote with specific concerns regarding that.

The Council was presented with the current Interlocal Agreement that the parties should be following and Mr. Crump outlined that agreement and specifically concentrated on Section 5.2. Some of the terms of this agreement has not yet been completed, one of which is the accounting. The way he reads it they have not lived up to their part of the agreement, but we have.

Attorney Sorenson said that an Amended Agreement was brought to the City Council and it was approved, however SESD has never signed it. Therefore, we are still operating under this old one agreement.

Councilmember Hardy wondered if this has been brought up to them and felt it should be. Mr. Crump explained that Heritage has not met.

Superintendent Crump said that ICPE has the analysis of buying out the annexed lines and SESD also has that and they have not responded to that either.

Councilmember Phillips also brought up the issue that there is a log and our crews are going out on their outages 2-1.

Mr. Crump believes we need to have discussions with SESD and City Council. There are issues that we have worked under for three years, some of which are the wage disparity.

Superintendent Crump will check with Payroll and get some figures, and Mayor Moore will make sure there is a meeting next week.

#### NEBO BATTLE OF BANDS REQUEST FOR ASSISTANCE

Allissa Thomas presented some flyers for the 2<sup>nd</sup> Annual Nebo Music Festival on August 23, 2014. Last year, the City charged her \$1395 for the event and she would like some concessions regarding the fees charged for a mass gathering event at the park. She specifically has problems with the charge to have two police officers and parks personnel in attendance to handle the event and said that those things cost her more than the bands did.

Council was presented with the fee schedule that the council adopted regarding mass gathering events at the park. It's difficult to waive fees unless we are a co-sponsor of the event.

Councilmember Hardy wondered if she was making any money on this, and she said that she isn't but actually doing a food drive along with this to give to the local food bank. She would like to make some money off of it, but that is not what she is doing it for.

Alissa said that she has a security team that she could provide also and Councilmember Skinner wondered if that would eliminate the number of officers we have to provide and said that legally we couldn't ask any employee to volunteer time.

Tracy Zobell said that every year we run into events that are not budgeted and are left covering the manpower with our budgets, which makes them go over.

Councilmember Ford clarified that she gets money from food vendors, and that is what she tries to pay the bands with. The Scottish Festival doesn't pay any entertainers, even though they charge vendors it costs to put on their event and don't make a profit. She thought there would be a problem helping with something and they make money.

Councilmember Skinner agreed, we cannot provide the venue for someone to make a profit.

Attorney Sorenson said that it costs to put these things on, and the concert that was held at Peteetneet cost the City money but was reimbursed by the organizing company of that event. We had a contract and in that contract they were to pay the city to cover the incurred costs by the city

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Councilmember Hancock attended last year and doesn't have any reservations with the event, however they need to cover their costs. He asked if we could find a way to buy a sponsorship packages for advertising Onion Days.

MOTION by Councilmember Ford to ask the Events Coordinator to look into paying for an Advertisement for Onion Days in the Nebo Music Fest program. Motion seconded by Councilmember Hancock. Voting aye: Councilmembers: Ford, Hancock, Hardy, and Phillips. Voting nay: Councilmember Skinner. Motion carries.

### REQUEST BY GEORGE BRINKERHOFF TO ANNEX INTO SANTAQUIN

Attorney Sorenson explained that George Brinkerhoff owns a parcel of land located within the Overlapped Area of the annexation growth boundaries of Santaquin City and Payson City. On the map in the packet, it is the small parcel and surrounded on three sides by Santaquin City

Pursuant to the Interlocal Agreement, Payson City would have to give written approval in order for his property to be annexed into Payson City. We don't see a problem in allowing that parcel to become part of Santaquin City.

Mr. Brinkerhoff said that he was recently annexed into Santaquin, however part of his property is still in the County and he would like to build on it. Because it is in the growth boundary, he has to ask Payson City to relinquish this.

MOTION by Councilmember Hancock to allow this parcel to become part of Santaquin City. Motion seconded by Councilmember Phillips.

Prior to the vote Councilmember Hardy noted that when we wanted to do the same thing in a different area, Santaquin didn't work with us.

Motion carries.

Attorney Sorenson said that he would prepare a letter to Santaquin stating this.

### REQUEST BY TABATHA'S WAY TO PLACE RECYCLING BINS IN PAYSON

Mayor Moore explained that Tabatha's Way is a non-profit agency and they contacted him and asked if they would be able to place recycling clothing bins in Payson.

Attorney Sorenson said that Planner Spencer's concern was there wasn't a zone for this, and they take space where parking takes place at businesses. She would like to see some zoning regulations.

Councilmember Ford said that we have MS drop off bins already at some of the schools, so she wondered if we couldn't just allow them at the school districts.

MOTION by Councilmember Phillips for Tabatha Way to contact the School District to see if they can place the bins on their property. Motion seconded by Councilmember Hancock. Motion carries.

### ADJOURNMENT TO CLOSED SESSION

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MOTION by Councilmember Phillips to take a break and then convene into Closed Session to discuss the competency of an individual or potential litigation. Motion seconded by Councilmember Ford. Motion carries.

Council took a break at 8:26 p.m.

### RECONVENE

Council reconvened at 8:45 p.m.

MOTION by Councilmember Skinner to have a Closed Session on the next agenda to discuss the competency of an individual and have specific people in attendance. Motion seconded by Councilmember Hardy. Motion carries.

### APPOINTMENT OF INTERIM CITY TREASURER

MOTION by Councilmember Phillips to appoint Cheryl Hobbs as Interim City Treasurer effective July 28<sup>th</sup> for a period of time until it is reviewed for permanent position. Motion seconded by Councilmember Hancock. Motion carries.

### ADJOURNMENT

MOTION by Councilmember Hardy to adjourn. Motion seconded by Councilmember Skinner. Motion carries.

Council reconvened and adjourned at 9:22 p.m.

















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2014/07/02













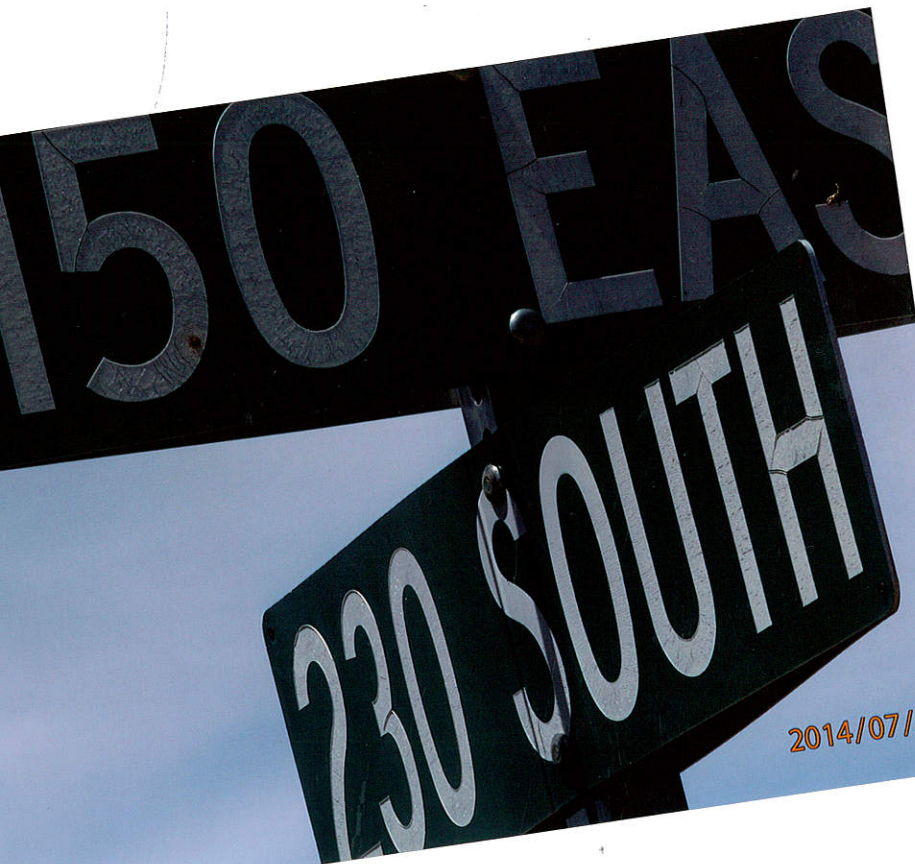
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2014/07/02

Really take  
A LOOK AT  
ROADS!!!  
At lack of .....



To: Payson City Council

From: Eugene C Draney

1253 S. 1080 W.

Payson, UT 84651

(Heritage Village Lot #50)

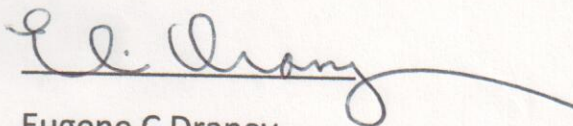
Subject: Variance for backyard fence

I would be in favor of a variance that would allow homeowners in the Heritage Village development to put up a fence from the back corners of their homes to the fence delineating Heritage Village. On the East property boundary, the fence has not yet been erected but will be constructed by the builders to match the existing fence along W 1130 S.

This would presume that a fence with defined specifications would be delineated and be the model/design that would be required throughout the development for the exterior lots should those homeowners desire such.

Thanks for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'E. C. Draney', with a long horizontal flourish extending to the right.

Eugene C Draney

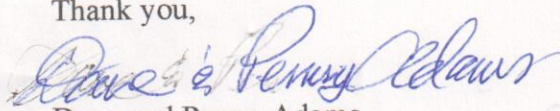
July 2, 2014

To Payson City Council,

We are in agreement to have a variance to have fencing from the back corners of our house to the existing fence.

Our address is: 1262 South 1150 West, Payson, Utah. We are in the Heritage Village Subdivision.

Thank you,

  
Dave and Penny Adams

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Parley & Earlene Thompson 661 221 0228  
1136 West 1150 South Payson

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Dale & Elaine Hymas 307 871 1560  
1106 W 1150 S Payson UT

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Steve and Maree Olsen 801-592 6470  
1177 S 1080 W Payson UT 84651