Minutes of the Payson City Council of Payson City held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, April 15, 2015 at 6:00 p.m.

**ROLL CALL**: Mayor Rick Moore; Councilmembers: Larry Skinner, Mike Hardy, Jolynn Ford, Kim Hancock and Scott Phillips; City Manager David Tuckett; City Attorney Mark Sorenson and Trista Bishop taking minutes.

Mayor Rick Moore presiding. Meeting started at 6:04 p.m.

**PRAYER & PLEDGE OF ALLEGIANCE**

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

**CONSENT AGENDA**

**MOTION** by Councilmember Ford to approve the consent agenda with the exclusion of the Restaurant Tax. Motion seconded by Councilmember Phillips. Motion carried.

**PUBLIC FORUM**

Public Forum opened at 6:06 P.M.

Mr. Brian Hulett gave an update on what the Committee for the temple open house is doing. The letters encouraging the citizens to clean-up their properties have been sent throughout the community to residents and church groups. There will be several articles about the temple and Payson in various publications over the next few weeks. They have been trying to promote Payson while we have all the visitors in town. The billboard will be changed; it will have information about upcoming events in Payson so we can encourage those visitors to come back and enjoy Payson. There will be signage directing people to the website which will provide detailed information about our community. They will also be putting tabletop displays in the local restaurants to promote Payson and the Nebo Loop.

Councilmember Ford asked if this committee has been coordinating with the Chamber of Commerce.

Mr. Hulet explained that there is a board member from the chamber on the committee and they are coordinating their efforts.

Rhett Huff, president of Payson Lions Club explained that last Thursday they had their meeting and Travis Jockumsen, the Public Works Director from Payson and Dan Ellsworth with Strawberry Highline Canal spoke to them about the water situation. The Lions Club would like to sponsor a town meeting in about a month to discuss the water situation with the local residents and he would like Mr. Jockumsen and Councilmember Hancock to come speak again.

Public Forum closed at 6:11 p.m.

**STAFF REPORTS**

Street superintendent Kent Fowden mentioned that Monday they start implementing the traffic control plan by the temple. There will be a myriad of no parking signs placed in the surrounding residential areas in hopes of minimizing the impact for the residents as much as possible.

Councilmember Ford asked Mr. Tuckett if this is something we should put out on Parlant to let people know about the different traffic controls that will be going on during the open house.

Mr. Tuckett explained that on Parlant you can specify the area that will be affected the most so that the message just goes out to those affected.

Police Chief Brad Bishop mentioned that the church group has been going door to door and they have handed out parking passes so that the local residents will be able to come and go as usual.

Mr. Fowden feels like the plan as a whole is a pretty solid plan.

Mayor Moore asked if the Police Chief and Mr. Fowden are going to be working together to make sure this flows well.

Mr. Fowden indicated yes, they have done their best to mitigate any problems that may arise.

Mr. Fowden also explained that in conjunction with the police department and the youth court the garbage cans are being repainted and he appreciates this effort.

The Mayor would suggest they use cardboard or something because his sidewalk is covered in paint.

Councilmember Phillips asked what happened to the dumpster’s downtown by the bike shop.

Mr. Tuckett said he will check on it.

Police Chief – Brad Bishop, also thanked Mr. Fowden for the work on the garbage cans.

He mentioned that in the last two (2) weeks they have had 36 arrests, 64 offenses, 107 citations, 138 violations, 533 incidents, 148 traffic stops and 14 accidents.

Mayor Moore asked if we have gone down in traffic accidents compared to last year.

Chief Bishop said maybe a little bit.

Councilmember Hardy asked if there is a concentrated area where accidents might occur.

Chief Bishop said not really, the heavily populated roads obviously but a lot of it depends on the weather, etc.

Chief Bishop mentioned that in one day the church assigned 230,000 tickets and they project that we are going to bypass Ogden by 200,000 tickets, so somewhere between 600,000 and 700,000 people will be participating in the temple open house.

Councilmember Ford asked how many per hour.

Chief Bishop said approximately 1325 per hour. He feels like the extra numbers come in when people show up that don’t necessarily have tickets, drive-bys etc.

Mayor Moore asked what they are going to do in the parking area.

Chief Bishop said that the 7-8 acres have been leveled off and graveled. They have about 50 volunteers assisting with parking.

Chief Bishop mentioned that they got ahold of UHP today with their final traffic plan and they will have troopers available to assist in slowing down traffic on I-15.

Chief Bishop explained that they have asked the office of Adult Probation and Parole to have a satellite office in Payson two (2) days a week to meet with their parolees in the area to help mitigate some of the issues that we have. He is hoping that this will assist in stopping some of the crime that they may or may not be responsible for.

Chief Bishop explained that the Crime Victim’s Reparation program will not pay for any of the damage that was done at the cemetery. He also wanted to remind everyone that the Pay It Forward run is this Saturday morning and encouraged all to attend.

He mentioned that they have raised approximately $2500.00 for the K-9 already and there will be a booth available at the Pay It Forward event this weekend where people can donate if they choose.

City Attorney Mark Sorenson – Explained that there was a request for a resolution regarding the next step with the damn project. We have already approved that so it would be redundant to do anything else. We have been instructed to move forward with this.

Mr. Sorensen mentioned that they have had their first professional protester for the temple call them to give them a heads up. He mentioned that they are peaceful but when people walk away they are pretty irritated at his group and he just wanted to call and let the City know of their intentions.

**COUNCIL REPORTS**

Councilmember Skinner would like to commend all the staff for all the preparation that has gone into preparing for the temple open house, especially Brian Hulet for heading up the committee.

Councilmember Hardy echoed Councilmember Skinner’s comments. He also mentioned that the Chamber Easter Egg Hunt was held and it was a success.

He said that we are not doing a very good job at getting our public meetings noticed on the website and he would like some attention paid to this.

Councilmember Ford also echoed the previous comments regarding the temple preparation. She explained to the public that city staff has been working on this for five (5) years.

She wanted to mention that we will miss Jeanette Wineteer who recently retired from Payson City, she was a wonderful employee and she will be missed.

Mayor Moore echoed comments regarding Mrs. Wineteer, she worked for Payson City for 31 years.

There was a water meeting last night with all the river companies regarding a drainage study in South Utah County. They are trying to get a list done to see who wants to be part of this study for our water storage future.

Mayor Moore mentioned the temple is going to be busy and we need to be aware and watch our surroundings. He said that he came in about midnight last night and there were officers still going over plans for the temple and he appreciates all the hard work.

Council and Staff Reports close at 6:34 p.m.

**CHAMBER BUSINESS OF THE MONTH**

Chamber of Commerce President Mr. Colin Logue said that they had approximately 8,000 to 9,000 eggs gone within 20 to 30 seconds. He explained that with the combining of the Santaquin Chamber, Santaquin decided not to host an Easter Egg Hunt this year so we had a lot of kids come from Santaquin to enjoy Payson’s. He would like to thank Officer Monsen for coming and assisting at the Easter Egg Hunt, she did a great job.

The Chamber Installation Banquet has been rescheduled for May 28, 2015 at 7:00 p.m. at the Clarion Manor.

The first movie is scheduled for June 19 at the Peteeneet on Friday nights for Movies Under the Stars.

Councilmember Ford asked if he has been working with Janeen Dean on the Movies Under the Stars.

Mr. Logue said he will get with Mrs. Dean.

BUSINESS OF THE MONTH – Presented by Mr. Colin Logue; this business was chosen as business of the year at last year’s installation banquet and they were given business of the month in Spanish Fork last month. Business of the month is Gunnerson Dental.

Dr. Cheynne Gunnerson representing Gunnerson Dental said he would like to thank the support from Payson. Payson is a great place to have a business. He would like to thank the Payson-Santaquin Area Chamber and the community. He loves being here and mentioned that they are going on 19 years in Payson. He said that they will be doing dentistry from the heart again which is free dentistry care to as many people as they can. There will be several other dentists coming from the community to their office to help out. This is for anyone over the age of 18 that needs simple care such as an extraction or filling.

**DISCUSSION REGARDING WATER RESTRICTIONS**

City Manager Tuckett led the discussion. He asked the council what their thoughts were for the restrictions currently in place. The lakes are as low as they have ever seen them at this time of year. He explained that the previous year’s water restrictions are in place but he would like to have a discussion on whether or not we need to do something more. He said that talking about restrictions is always an issue because then for some reason use goes up. So far they haven’t seen that because we have had a snow storm. They are trying to get under control all the areas that have come on with automatic timers.

Councilmember Skinner said that he is not a watering expert but he has done some research to see what water experts suggest. First of all there is a difference between lawns and vegetable gardens. He said that he feels like three (3) days a week is a schedule not a restriction. He would suggest that we take it to two (2) days a week and we absolutely have to enforce it this year and the City properties have to set the example.

Councilmember Hardy agrees with Councilmember Skinner and he said that our lawns don’t need much water this time of year anyway.

Mayor Moore asked if we have any kind of incentive for people who do xeriscape landscaping.

Discussion was held whether or not we offer an incentive for this. The council was in agreement that it would be a great idea because we live in a desert.

The council would like staff to put an incentive package together for xeriscape.

They asked Park Superintendent Mark Hyland his opinion on xeriscape. Mr. Hyland said deeper infrequent water is the way to go. One day a week with triple or double the water you are going to get a greater effect. Fertilizing this time of year will only get the roots to come to the surface and search for the fertilizer. He would suggest one day a week, pick a quadrant and say you get one day a week and you water for 60 minutes or three times for 20 minutes, depending on how your sprinkling system is designed.

Councilmember Phillips asked about raising the mower decks throughout the city.

Mr. Hyland said that the more above, the more below, he would encourage everyone to raise their mower decks.

Councilmember Hancock asked Mr. Hyland to prepare something for Parlant or the newsletter to go out to the citizens with some of this information to help educate people.

Councilmember Hancock said that it will be a matter of enforcement and a lot of what has happened in the past is neighbors telling on each other which he feels is unfortunate. He thinks we need to identify priorities; are we prepared to dry out and replant the cemetery? Are we prepared to dry out memorial park and the golf course? Where an investment is made it needs to be saved. Right now the big threat is irrigation water, we feel fairly comfortable with culinary. We intentionally water the lawns in the memorial park with culinary water because of a safety issue for all the children that play in the park. There are some places in the city that are going to have to be put on a priority list to be preserved. He would expect that they be kept to a minimum.

Mr. Hyland feels like we should assess every piece of City property and re-evaluate the landscaping and eliminate grass were we can.

Councilmember Skinner agrees with Mr. Hyland on only one day a week but he would like them to consider those who plant vegetable gardens. They wouldn’t be able to water once a week and survive.

Councilmember Hardy said that we need to do this regardless because our aquifers are lowering now.

Councilmember Hancock asked if we are operational with the new well.

Mr. Tuckett said not yet.

Mr. Jockumsen said that on the well the geologist said that the pump may be set at 340 feet he guessed. In 2-3 weeks the well will be dug and then we have to order a pump and they are 2-3 months out for pumps. They are trying to get ahead of the game a little bit.

Councilmember Hancock said that the golf course will be watering out of 4-bay as they have been in the past.

Mr. Jockumsen said that there will be a backflow preventer on it so there will be nothing coming back into the well.

Attorney Sorenson said that they can’t just hook up culinary to their pressurized irrigation to protect the systems.

Water Superintendent Brent Arns said that at their meeting they discussed priorities and where they could let go and not let go. The biggest concerns that he has is cross connections between the culinary and irrigation systems. Once it does that you can’t track it and the entire city would be on a boiling order.

Councilmember Phillips asked if we will be running the new pumps at the lower pond.

Mr. Arns said yes.

Councilmember Skinner said that when we talk about enforcement it falls on City Staff and the Police Department. He feels like we should have two (2) types of notifications, one should be a public service notification and then a citation.

Mr. Arns said that the City will be setting the example. He mentioned that the sewer plant is on effluent water so they are not part of the system.

Councilmember Phillips said that the residents don’t care whether someone is on, culinary, irrigation or effluent. They see someone doing it then they will be pointing fingers.

Councilmember Hancock asked if we produced signage community wide that said we are preserving water and if this is drying down it’s intentional. You can go quite a ways on word of mouth as far as what the restrictions are.

Mayor Moore asked what the penalty is for cross contamination.

Mr. Tuckett explained that it is a misdemeanor but you would have a really hard time finding out who did it.

Mr. Sorenson said that there are several resources throughout the state for drought information and knowledge with the universities.

Discussion regarding what water restrictions should be implemented.

Councilmember Skinner said that we have to prioritize some of the city’s properties. Some can go brown and some that bring in revenue we may have to make some concessions for.

Mr. Tuckett explained that staff wanted the Mayor and City Council to be on the same page with them to support the priority list.

Councilmember Hardy said he would like to see the priority list at the next council meeting.

Golf Pro Tracy Zobell said that at the golf course they cannot water once or twice a week. They have cut back 30% in the last four years. He agrees with Mr. Hyland but he doesn’t feel like it is a good idea to restrict watering to once a week right now. The decisions that they make will directly affect what money the golf course brings in. He would like them to be mindful that the golf course is in a different situation than a residence.

Councilmember Hardy said that he would expect that this exception would be included in the resolution/proclamation.

Mr. Zobell said that they will do whatever they need to do to conserve but he can’t expect people to drive past four (4) or five (5) green golf courses to come play at a brown one.

Councilmember Phillips would like to see enforcement as part of the resolution.

Chief Bishop said that they could log the violations through Spillman.

Mr. Tuckett said that Debbie with the public works department will be keeping track of the violations.

Councilmember Hancock said that he doesn’t feel like they are being specific enough for the amount of days. He feels like two (2) days is a restriction. It is impossible to water his lawn with a handheld hose in one (1) day. Three (3) days is more than we need but two (2) is doable. He is suggesting that we do two (2) days a week.

Councilmember Phillips said that there should be three (3) days that are no water days and that would help re-energize the system.

Discussion on when we bring in meters for pressurized irrigation and when we do, we allow the residence certain number of gallons to use before we start charging them.

The council is in favor of doing meters sometime in the future.

Councilmember Hancock said that when Mr. Tuckett brings this issue to them with a dollar amount at some point in the future we better be able to support that.

**MOTION** by Councilmember Hardy to open the public hearing. Motion seconded by Councilmember Phillips. Motion carried.

Public hearing opened at 7:38 p.m.

**PUBLIC HEARING – REQUEST FOR APPROVAL TO VACATE EXISTING EASEMENTS AND COMBINE PARCELS LOCATED IN THE BLA EASEMENT VACATION PAYSON BUSINESS PARK**

Planner Jill Spencer led the discussion for the request. She explained that to accommodate the Phase VI addition to the Rocky Mountain ATV/MC building a boundary line adjustment will need to be approved to combine three (3) parcels owned by Loafer Mountain Enterprises LC to create one (1) larger parcel of land. Although the process to combine parcels is rather simple and straightforward, a request to vacate an easement must satisfy the provisions of Utah Code.

No public comment.

**MOTION** by Councilmember Phillips to close the public hearing. Motion seconded by Councilmember Hancock. Motion carried.

Public hearing closed at 7:42 p.m.

**MOTION** by Councilmember Phillips to vacate the utility easement. Motion seconded by Councilmember Ford. Motion carried.

**PUBLIC HEARING – AMENDMENTS TO TITLE 19, ZONING ORDINANCE AND TITLE 20, SUBDIVISION ORDINANCE**

**MOTION** by Councilmember Hardy to open the public hearing. Motion seconded by Councilmember Phillips.

Public hearing opened at 7:43 p.m.

Planner Spencer explained the ordinance amendments that she was proposing to amend.

No public comment.

**MOTION** by Councilmember Skinner to close the public hearing. Motion seconded by Councilmember Hardy.

Public hearing closed at 7:52 p.m.

Councilmember Hardy asked the council if any of them has heartburn with pet grooming being allowed in the CC-1 zone.

Discussion held regarding odors and affects of pet grooming.

Planner Spencer explained that we had a lot of these same concerns when we allowed them in residential zones and we haven’t had any complaints.

She explained that where the current business is in operation is located within the commercial zone but is a home business. She wants to expand her business and make it a better situation.

The applicant Brandy Ore is present.

Councilmember Hardy mentioned that he is concerned because the CC-1 zone is our downtown.

Councilmember Phillips said that every business has odors; restaurants, meat shops etc.

Councilmember Skinner said all the pet grooming places he is aware of are located in strip malls and he is not aware of any issues.

**MOTION** by Councilmember Hancock to approve the ordinance amendments as proposed and direct the Mayor to sign Ordinance 41515. Motion seconded by Councilmember Phillips. Everyone voting aye. Motion carried.

**RESTAURANT TAX**

Planner Spencer explained that staff originally had two (2) proposals that they brought before the City Council for the Restaurant Tax monies. One was the video production and the second was the sign in Wagon Wheel Park. As staff was looking at the different options they determined that they will need more than $10,000 for the sign. Staff is proposing that they rollover this year’s monies to next year so they can do the sign.

Councilman Hardy asked how the county determines how much we get.

Planner Spencer said she thinks it is based off population.

**MOTION** by Councilmember Ford to ask Utah County to roll over the restaurant tax money to next year. Motion seconded by Councilmember Hardy. Motion carried.

**MOTION** by Councilmember Ford to go into closed session. Motion seconded by Councilmember Hardy. Motion carried.

**MOTION** by Councilmember Phillips to adjourn. Seconded by Councilmember Ford.

Meeting adjourned at 8:22 p.m.