

1 PAYSON CITY
2 CITY COUNCIL MEETING AND WORK SESSION
3 Payson City Center, 439 W Utah Avenue, Payson UT 84651
4 Wednesday, March 20, 2024
5

6 CONDUCTING William R. Wright, Mayor
7

8 ELECTED OFFICIALS Brett Christensen, Taresa Hiatt, Brian Hulet (6:25 p.m.), Anne Moss, Ryan
9 Rowley, William R. Wright
10

11 STAFF PRESENT David Tuckett, City Manager
12 Cathy Jensen, Finance Director
13 Kim E. Holindrake, City Recorder
14 Jason Sant, City Attorney
15 Brad Bishop, Police Chief
16 Robert Mills, Development Services Director
17 Travis Jockumsen, Public Works Director/City Engineer
18 Scott Spencer, Fire Chief
19 Michael Bryant, Planner II
20 Tracy Zobell, Parks & Golf Director
21 Karl Teemant, Community Services Director
22 Shawn Black, Power Director
23 Kent Fowden, Streets, Landfill, Storm Drain Superintendent
24

25 OTHERS Tonya Worthen, Ariel Worthen, Roger Zimmerman – UTOPIA, Diane
26 Jensen – Payson/Santaquin Chamber of Commerce
27

28 A. CALL TO ORDER
29

30 William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at
31 6:01 p.m. The meeting was properly noticed.
32

33 B. PRAYER & PLEDGE OF ALLEGIANCE
34

35 Prayer offered by Tonya Worthen.
36

37 Pledge of Allegiance led by Ariel Worthen.
38

39 C. CONSENT AGENDA

- 40 1. Approval of the March 6, 2024, City Council Meeting Minutes
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42 **MOTION: Councilmember Rowley – To approve the consent agenda.** Motion seconded by
43 Councilmember Moss. A roll call vote was taken as follows and the motion carried.
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45 Yes - Brett Christensen
46 Yes - Taresa Hiatt
47 Yes - Anne Moss
48 Yes - Ryan Rowley

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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. UPTOPIA 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.)

95 Ariel Worthen voiced her concern when driving down 100 West and turning right onto Utah Avenue at
96 the light, people turn left into the parking lot at the Sandwich Queen, which tends to stop traffic and
97 make it complicated for drivers. She proposed a sign indicating no left turn into the parking lot there.
98

99 4. Staff and Council Reports (6:29 p.m.)
100

101 Staff Reports
102

103 CHAMBER OF COMMERCE – Diane Jensen stated the Chamber has changed some of the leadership
104 titles, so Jim Rowland is the President/CEO, and she is the Chairman of the Board. The Chamber
105 offices will move to the ERA Brokers building at the end of April. A new program begins this year just
106 after Memorial Day called Passport to Summer, which has been done in Santaquin. The Chamber will
107 take over the program as a combined Payson/Santaquin activity. Kids receive a passport book through
108 the libraries, city offices, and chamber offices to do the activities, and the businesses stamp their
109 passport. This brings people into the businesses and creates a fun activity for the kids. The annual
110 activity was held last week or bowling with 149 participants, which was very successful and grows
111 every year. The Chamber appreciates the support it receives from the City.
112

113 RECREATION – Karl Teemant reported the recreation offices are almost complete at Wilson
114 Elementary, and staff will begin moving over. Youth soccer begins next week, and every division has
115 expanded as much as possible with the number of fields available. A high school softball invitational
116 will be held April 6. The Forebay Committee met last night, and chair Carey Pierce has moved out of
117 the city so Devin Weaver will serve as the chair for the remainder of the year with Kevin Crook
118 serving as vice chair.
119

120 DEVELOPMENT SERVICES – Robert Mills clarified the joint work session with Elk Ridge will be
121 held on April 11 from 5 p.m. to 6 p.m. in the Payson Council Chambers. The meeting will include the
122 city councils, planning commissions, and staff from Payson and Elk Ridge to discuss recreation,
123 preservation, conservation, golf course, Forebay, etc. with the intention to get good direction for staff.
124

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

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

150
151 PARKS & GOLF - Tracy Zobell stated the entire golf course has been open since Saturday and very
152 busy. The RV Park will open Easter weekend. The controllers for irrigation at the south end of the
153 Business Park will be redone next week. He thanked the Men's Association for its \$10,000 donation
154 for repairs on stairways on the T-boxes. The roads in the cemetery have some dirt following repairs
155 that won't be completed by Memorial Day. He asked for the council's patience to get through
156 Memorial Day. Sod will be placed in these areas when water is available. The asphalt paths at
157 Memorial Park will be removed the first of next week and concrete will come right after. The funds
158 come from the PARC tax funds. Parks is helping with planting trees. Funds for gates at the RV Park,
159 golf course entrance, and maintenance shed are planned, which will be automated.

160
161 Council Reports

162
163 Councilmember Moss stated the Chamber is doing an amazing job as well as city staff who work so
164 hard. Councilmember Rowley and she met with Robert Mills and Jill Spencer in Orem regarding UTA,
165 which was a great meeting. She commended the police officers who have been through a lot this week
166 and have done an excellent job. Tomorrow is the last citizens academy with active shooters training at
167 the high school.

168
169 Mayor Wright thanked the police officers for what they do. It's a thankless and high-pressure job. The
170 area is experiencing two very good water years in a row; historically, it's been good and then bad. We
171 still need to conserve water; we live in a desert.

172
173 Councilmember Rowley thanked Karl Teemant for getting the kids signed up. Payson provides many
174 recreation programs for kids. He attended youth court a couple of weeks ago; what a tremendous
175 program it is for youth who have made mistakes. He thanked Shelby Bohling for her hard work.
176 Robert Mills, Michael Bryant, and Jill Spencer have been working with a particular subdivision the last
177 few weeks; he thanked them for their constant direction and help sorting out the issues. He sent his
178 support and condolences to the Police Department and the officer involved in the officer involved
179 shooting. He's thankful for well-trained officers. He is supportive and grateful for the hard decisions
180 and positive atmosphere in the Police Department.

181
182 Councilmember Hulet stated he put in three outdoor recreation grants this week to purchase three all-
183 terrain wheelchairs, new concrete trails at Dry Creek, and equestrian and hiking trails in Forebay along
184 with a study. He thanked staff for all they do.

185
186 Councilmember Christensen loves seeing everyone out in the parks this time of year. He gave a shout
187 out to the Parks Department as well as a shoutout to the police officers as well.

188
189 E. ACTION ITEMS

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

191
192 Staff Presentation:
193 Michael Bryant stated this is item is for Holly Carter, Nurse Practitioner. The city code requires off-
194 street parking based on use. This building was a legal, nonconforming use with not enough off-street
195 parking. The total number of off-street parking stalls required by city code for a nurse practitioner is
196 nine. Holly Carter is requesting a 20% reduction to seven total per city code.

197
198 Council Discussion:
199 Councilmember Christensen noted the roads are lined with vehicles at the building to the south. He
200 questioned if something could be done for combined parking behind this building and the building to
201 the south. This would double the parking for both buildings and create a win, win situation. He has
202 concerns creating a precedence.

203
204 Michael Bryant noted the parking suggestion is possible but connected to granting this approval. The
205 applicant wanted to get this approval prior to providing plans.

206
207 Councilmember Hiatt clarified that there are only three rooms in the building and one professional.
208 The previous business had at the most four patients at a time. She has been to this building for the last
209 15 years. The patrons for the building to the south parked in front of this building. The new owner can
210 fit more than seven stalls. The new owner may want to build onto the building and not put parking in
211 the back. The new owner needs to get in and start working.

212
213 Councilmember Hulet stated there is this one and then a next one that is setting precedence. Everyone
214 will come in and ask for a parking reduction. He questioned how the city separates this one from
215 everyone else. Maybe there is a way in the downtown area to allow this because residential is being
216 converted to businesses.

217
218 Mayor Wright noted the applicant is just asking for two less parking stalls. This has already been done
219 with other situations. This brings it into compliance.

220
221 Michael Bryant clarified that this brings the business into compliance and frees up space on the street.
222 This was triggered by the change of ownership and gives the opportunity to fix a nonconformity.
223 The city code does allow for this reduction at the discretion of the city council, so no precedent is set.
224 The city code can be modified if there are any concerns to add guidance. The code is based on a
225 percentage ratio against the square footage of the building and type of use.

226
227 **MOTION: Councilmember Rowley – To approve the parking reduction for the Nurse**
228 **Practitioner for the building located at 55 South 100 East** Motion seconded by Councilmember
229 Moss. A roll call vote was taken as follows and the motion carried.

230
231 Yes - Brett Christensen
232 Yes - Taresa Hiatt
233 Yes - Brian Hulet
234 Yes - Anne Moss
235 Yes - Ryan Rowley

236
237 2. Request for a parking reduction for the building located at 1498 South 1700 West
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239 Staff Presentation:
240 Michael Bryant stated this is for the Christian Life Church, which is proposing an addition. The
241 addition will require a total of 168 off-street parking stalls, and the request is for 135 off-street parking
242 stalls. Weekly attendance and activities currently uses about 50 of the 80 stalls. Their estimate with the
243 addition is a need for 132 stalls. The applicant has not submitted plans for the addition.
244

245 Council Discussion:
246 Councilmember Hulet noted there is extra land for people to park that could be graveled.

247
248 Mayor Wright suggested giving a deferral to add parking down the road as needed.
249

250 Jason Sant stated no.
251

252 Michael Bryant stated the city code requires hard surface for parking, but gravel could be suggested for
253 additional parking. This requirement is specific to churches. Staff felt the 20% reduction isn't
254 unreasonable.
255

256 Robert Mills stated at some point someone wanted to assign a number of parking stalls to uses. There
257 isn't the best metric to do this other than seeing how it works and change the next time. For this one
258 because there isn't a current design or layout for the addition, the council could approve it
259 conditionally based on the design that meets the parking requirements. Parking can be reassessed with
260 future additions as well.
261

262 Councilmember Rowley noted this is tricky because of the frontage road and not knowing the future of
263 that road. He is inclined to send it back until the building plans are submitted.
264

265 Michael Bryant suggested approving the reduction contingent on the size of the addition.
266

267 **MOTION: Councilmember Hulet – To approve the reduction for the Christian Life Church**
268 **parking subject to the size of building addition but no less than a 20% reduction of what is**
269 **required.** Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the
270 motion carried.
271

272 Yes - Brett Christensen
273 Yes - Taresa Hiatt
274 Yes - Brian Hulet
275 Yes - Anne Moss
276 Yes - Ryan Rowley
277

278 3. Resolution – Real Estate Purchase Contract with the Corporation of the Presiding Bishop of the
279 Church of Jesus Christ of Latter-Day Saints for property located at approximately 1000 North
280 600 East (7:25 p.m.)
281

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

287 Power Systems purchasing 1.22 acres to the west. This will provide an additional power loop. A wall
288 will be installed between the new substation and residential area. There are no restrictions on the sale
289 from previous tax purposes.
290

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

295
296 Yes - Brett Christensen
297 Yes - Taresa Hiatt
298 Yes - Brian Hulet
299 Yes - Anne Moss
300 Yes - Ryan Rowley
301

302 F. WORK SESSION
303 1. Power Generation Plant
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305 Postponed.
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307 G. ADJOURNMENT
308

309 **MOTION: Councilmember Hulet – To adjourn.** Motion seconded by Councilmember Rowley.
310 Those voting yes: Brett Christensen, Taresa Hiatt, Brian Hulet, Anne Moss, Ryan Rowley. The motion
311 carried.
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313 The meeting was adjourned at 7:35 p.m.
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316 _____
317 Kim E. Holindrake, City Recorder