

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSION
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, August 21, 2024

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Taresa Hiatt, Anne Moss, William R. Wright

EXCUSED: Brian Hulet, Ryan Rowley

STAFF PRESENT David Tuckett, City Manager
Cathy Jensen, Finance Director
Kim E. Holindrake, City Recorder
Brad Bishop, Police Chief
Robert Mills, Development Services Director
Scott Spencer, Fire Chief (online)
Travis Jockumsen, Public Works Director/City Engineer
Jill Spencer, City Planner
Janeen Dean, Community Events Coordinator
Tracy Zobell, Parks & Golf Director
Shawn Black, Power Director

A. CALL TO ORDER

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:03 p.m. The meeting was properly noticed.

B. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Brett Christensen.

Pledge of Allegiance led by Tracy Zobell.

C. CONSENT AGENDA

1. Approval of the August 7, 2024, Special City Council Meeting Minutes
2. Approval of the August 7, 2024, Regular City Council Meeting Minutes

MOTION: Councilmember Christensen – 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

D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports

Staff Reports

COMMUNITY EVENTS – Janeen Dean thanked those involved with the Salmon Supper. Onion Days is in two weeks. She asked the council to check out the booklet and attend as many events as possible, especially the play. Many hours have been spent on the play. Bags of onions are given away at the information booth.

ADMINISTRATION – Dave Tuckett stated Main Street will be open by Monday. A walk through was done yesterday that found a few needed fixes. Staff is concerned about this narrow two block area and people setting up chairs for the parade. Staff is looking at signage to make it safe there. Those on floats will be asked not to throw candy from the floats, especially in this two-block area. This has been a good project; it will be great to get it open. The council may be riding on a tractor with a flatbed. The horse and buggy may not be available. Mayor Wright noted the issue with the bridges to light poles have been fixed. Dave Tuckett invited the council to see the progress with the wastewater treatment plant upgrades.

Council Reports

Councilmember Christensen is excited for the Main Street completion. Businesses are looking at getting new facades. It's good to see the community involved in things such as the scavenger hunt.

Mayor Wright noted he walked Main Street and talked to people. Everyone has been very complimentary.

Councilmember Moss stated Main Street looks cute and thanked the staff for all their work.

E. ACTION ITEMS

1. Resolution – Amended agreement with JKLMN Investments LC regarding a building at the landfill (6: 15 p.m.)

Staff Presentation:

Dave Tuckett reported this is an agreement with Kenny Seng's company. Mr. Seng asked to build an additional small office building just west of the new scales. He will pay for the building and then it belongs to Payson. Plans have been submitted for a permit. The agreement amends the current agreement by adding a paragraph. Staff feels this is a good thing; Kenny Seng has been a good partner over the years. The royalty credits are done for the gravel operations. A certain amount of aggregate can be removed and then they are done. It may be at the end with the next 10 years. It's been operating for about 25 years mining. There is a lot of room for the landfill to grow.

Council Discussion:

Mayor Wright noted an additional 100 acres was approved by the state. This mining operation has been great for both Kenny Seng and the City.

MOTION: Councilmember Christensen – To approve the (resolution) amended agreement with JKLMN Investments LC regarding the building at the landfill. 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

F. WORK SESSION

1. Discussion regarding Motorcycle Track and OHV Facilities

Staff Presentation:

Jill Spencer stated staff wanted to give the city council an update on the West Mountain motorcycle track and OHV facilities and receive some direction on how to move forward.

As a brief history, this dates back many, many years. The purpose of looking at a motorcycle track and OHV facilities on West Mountain was to protect the existing uses and safety. The city owns property in the area, and some uses are dangerous and causing conflict. The question addressed was could these uses be organized and conducted in a safe manner. The overall purpose is to protect the existing uses on the mountain as a very important recreation amenity for the Payson community. Much of the area is unincorporated, but many Payson residents go out there to recreate. The original proposal began in 2006 with an effort by city leaders, county leaders, and a local business for OHV and motorcross use on West Mountain. This began conversations with the Bureau of Land Management (BLM), Utah State Parks and Recreation, Rocky Mountain ATV, Utah County Commission, and Payson City Council. The original proposal was for a track and trail system as well as a designated shooting area, which continued with an application submittal and multiple meetings over several years. After four or five years, it died, and the application was dropped. In 2020, there was another effort to move this forward that included two applications by two different entities, i.e., track and trail system by Payson City and a shooting range by a third-party non-profit group. Approvals were required by the BLM and the Utah School and Institutional Trust Lands Administration (SITLA) because some trails cross these lands as well as some private lands, which have had trespassing issues. The map shows SITLA lands (red) and permitted mining areas (yellow). Uses on the mountain include shooting, hunting, motorized use, hiking/biking, equestrian, mining, grazing, farming, and others. The last application to the BLM was submitted on September 24, 2020, with various amendments being submitted since that time and reviewed. The requested activities include a motorcross track (60 acres) that falls under the Recreation and Public Purposes Act and an OHV trail system (19.5 miles) that requires a right-of-way application. The proposed motorcross property sits west and south of the current Payson landfill on BLM land, and the many existing trails are on BLM and SITLA lands. The application only includes the trails identified on the map. Recreation users have come to the city asking to dream big and designate all the trails on West Mountain. This would be difficult because all the trails then become the city's responsibility. Staff would like to go with the identified trails and find volunteer groups and partnerships to help maintain these trails. Other trail corridors could be added in the future. The application is to only lease the land up to 20 years with possible extensions. Federal procedures require a lot of general steps including a National Environmental Policy Act (NEPA) analysis with additional studies and considerations, Notice of Realty Action (NORA), Recreation and Public Purposes Act, and surveys and reports. Staff has completed the application and plan of development for R&PP process (track), right-of-way application (trails), Phase I ESA including lead screening, limited site investigation, and cultural resources survey. Items to be completed include a right-of-way application

(costs, design, construction, details); noise, dust, and mitigation plans; wildlife survey; equipment inventory; and Phase III ESA.

Discussion:

- At one time a sound study was conducted on the motorcross area, which sits in a bowl, which came back good. The BLM may require another sound study.
- The motorcross would need a ticket booth, parking area, snack bar, medical area, restrooms, and stands. This would all be provided by the entity hosting the event as well as prepping the track. The city would receive a percentage of the revenues.
- The motorcross location has national potential for events because of the natural terrain.
- There hasn't been any other locations in the community to accommodate the OHV recreation user group. Payson Canyon is very limited and not convenient. HOV's are not allowed in the Forebay area.
- A shooting range is not part of the current application, but the BLM may require it to be added in a specific area to accommodate the use. The BLM is working on shooting restrictions because of fire issues, shooting into Genola, and safety.
- The main access to the motorcross property is along 10400 South, which is far from any residential and avoids dust and noise.
- The city would be responsible for mass grading the motorcross area for parking and rough prep. A contract with Kenny Seng could be acquired since his machinery is used at the landfill and close.
- At other motorcross events, viewers just bring their own chairs or sit on the ground. There are no bleachers.

Robert Mills stated this project has come a long way with almost 20 years of history. Staff needs to know where the council wants to go from here. The NEPA requirements address impacts such as noise and dust and what mitigations need to be put in place. Professional studies are needed that will require some funding.

Jill Spencer noted in moving forward the staff is looking for local support from the city council and the community, partnerships with Utah County, Utah State Parks and Recreation, Rocky Mountain ATV/MC, and volunteer groups/recreation users. Consulting services with NEPA experience and federal process knowledge will need to be hired.

Mayor Wright would like to continue to explore and get needed answers. There is a lot of support and other concerns as well. This project also benefits retail businesses in Payson and can be used by residents for free.

Jill Spencer explained that she spoke to the BLM on the need for public hearings or an open house for this project. The BLM stated these would most likely be required. The field manager/office has the authority to require them just because of impacts. Staff will continue discussions with the residents in the area, which will hopefully give support during the required hearings and open house.

Dave Tuckett noted there is a lot of work done behind the scenes, and it's taken a long time. There are funds that have and will need to be spent. It's similar to the shooting range that was recently addressed. There may be people who don't want this. He doesn't want to see the city spend more money, get to public process, the public doesn't want it, and the city shuts it down. If there is a possibility that will happen, then don't go down this road. The city could conduct its own public hearing.

Councilmember Hiatt agreed. Traffic will be minimal for an event compared to the shooting range that was recently addressed.

Jill Spencer noted a consultant is needed to revise the right-of-way application for plan and development, which will provide a lot of details that could help with answers to the residents.

Councilmember Christensen would like to get public input before spending more money. He doesn't mind spending \$10,000 to \$20,000 to get answers before public input.

G. ADJOURN TO CLOSED SESSION

MOTION: Councilmember Christensen – To adjourn the regular meeting and go into closed session on August 21, 2024, at 7:05 to discuss the purchase of land. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Anne Moss

1. Purchase, exchange, sale, or lease of real property

H. ADJOURN FROM CLOSED SESSION

MOTION: Councilmember Hiatt – To adjourn from Closed Session and reconvene the regular meeting. Motion seconded by Councilmember Moss. Those voting yes: Brett Christensen, Taresa Hiatt, Anne Moss. The motion carried.

I. ADJOURNMENT

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

The meeting was adjourned at 7:25 p.m.

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