

1 Minutes of the Payson City Council Meeting held Wednesday, August 6, 2014 at 6:00 p.m.

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3 **ROLL CALL:** Councilmembers; Mike Hardy, Kim Hancock, Scott Phillips, Jolynn Ford, and Larry  
4 Skinner; City Manager David Tuckett; City Attorney Mark Sorenson; Taking minutes Trista Bishop.  
5 Councilman Scott Phillips acting as mayor Pro-Tem until Mayor Moore arrives. Mayor Moore entered the  
6 meeting at 6:25 p.m.

7  
8 **MOTION** by Councilmember Ford to appoint Councilman Phillips as Mayor Pro-Tem. Motion seconded  
9 by Councilman Hancock. Motion carried.

10  
11 Meeting opened at 6:00 p.m.

12  
13 **PRAYER & PLEDGE OF ALLEGIANCE:** Prayer offered by Karl Teemant, Pledge of Allegiance led  
14 by Chief Tom Runyan.

15  
16 **CONSENT AGENDA**

17  
18 **MOTION** by Councilmember Hardy to approve the Consent Agenda as presented. Motion seconded by  
19 Councilwoman Ford. Motion carried.

20  
21 **PUBLIC FORUM**

22 Paul Jacobson representing Heritage Village community presented a signed petition from all the residents  
23 in their senior community proposing that they have a gated community. They want to know what they  
24 need to do to get this taken care of. If the council is opposed to this they won't even entertain the idea.

25  
26 Councilman Phillips suggested sending one of their representatives to talk to the City Planner to go  
27 through the planning process.

28  
29 Mr. Jacobson has a letter that Planner Spencer wrote to Byron Bastian addressing this issue in the past.  
30 They have addressed some of the previous concerns as outlined in Planner Spencer's letter.

31  
32 Councilman Phillips asked what would happen in the winter time with snow removal. Mr. Jacobson said  
33 the City would have 24 hour access to the community.

34  
35 Councilman Skinner asked what the reason for this request is.

36  
37 Mr. Jacobson said that they want to restrict traffic during the evening hours and on the weekends.

38  
39 Councilman Skinner asked if this would restrict legitimate visitors.

40  
41 Councilman Hancock asked him to read the letter that Planner Spencer provided to Byron Bastian.

42  
43 *Letter is attached at the end of the minutes.*

44

1 Councilman Hardy asked Mr. Sorenson if we currently have an ordinance that deals with gated  
2 communities.

3  
4 Mr. Sorenson isn't aware of one that Payson City has.

5  
6 Kenneth Abbott with Abbott Auto Repair 191 South 100 West, he said that he doesn't agree with the  
7 closing of the road at Heritage Village but he is here to discuss a letter he received from the City  
8 regarding his weeds. He is frustrated by the request to clean up his property. City Manager Tuckett told  
9 him that the City Council is always looking at corridor maintenance and code enforcement. He feels the  
10 people that were given the letter were targeted. Officer Hurst was really nice to him talking about the  
11 issue. He feels like the police officers have bigger and better things to do than code enforcement. He  
12 doesn't feel like they should've gone after the people along the corridor.

13  
14 Councilman Phillips said that they didn't target him, they had to start somewhere and they felt like the  
15 corridors were a good place to begin.

16  
17 Councilman Skinner asked if his frustration is the fact that the city asked him to clean up the weeds or the  
18 way they went about it.

19  
20 Mr. Abbott said there were three reasons. The fact that he was asked, the way he is asked, and the fact  
21 that criminal charges could be enforced. He said that you don't know what is going in people's lives and  
22 there are more important things to worry about. He likes Payson for the people because they are nice, not  
23 because it is a beautiful place. Mr. Abbot said that he has cleaned his weeds up and he would like to have  
24 in his parking lot an ugliest weed contest over Onion Days. He wants people to bring weed in a pot and  
25 give it a name and tell a story behind it and make it creative and get people involved. They are going to  
26 have cash prizes etc. He is asking for public support. He has several ideas of how to run his contest. He is  
27 wondering if anyone wants to be a judge.

28  
29 **COUNCIL AND STAFF REPORTS**

30  
31 Chief Runyan said that they are losing another officer that is going to Santaquin for more pay. Now they  
32 will be short two officers so code enforcement will have to take a backseat for a little bit. He said that  
33 there are two other officers being recruited by neighboring communities.

34  
35 City Engineer Travis Jockumsen said with all of the rain we have had recently we have been able to shut  
36 off some of the pumps at the lower ponds. They have pulled about 4 feet out of the Big East.

37  
38 Councilman Skinner asked how these numbers compare to previous years.

39  
40 City Manager Tuckett said that we are doing better than last year.

41  
42 Mr. Jockumsen wanted to give them a heads up on the annexation issues and SESD. He wants to have a  
43 work session regarding these in the near future.

44

1 Recreation Director Karl Teemant thanked everyone for the help with the Salmon Supper. He also  
2 mentioned that the recreation department is moving forward with their sporting programs.  
3  
4 Councilman Phillips asked the status on the leak of the pool.  
5  
6 Mr. Teemant said the last check they had they couldn't see anything. He wants to compare all three pools  
7 when the season closes. They haven't noticed any issues or problems during operation so he's hoping that  
8 the sealing of the lights fixed the issue.  
9  
10 The council would like to stay informed on this issue.  
11  
12 Communities That Care director Kim Lefler wanted to say thank you for adopting the inter-local  
13 agreement with Utah County. She would like to start their Mayor's recognition award this year beginning  
14 in September. She's not sure what the recognition will be. She also mentioned that the Strengthening  
15 Families program was very successful they had 8 families complete it. They have received a grant for  
16 \$15,000.00 to start another one.  
17  
18 City Manager Dave Tuckett received a phone call from an orchestra group. They would like to do some  
19 performances here in Payson. They want the City to pay them \$1,000 to come do a concert and a free  
20 venue. They are looking for a City to be affiliated with. He explained to her that we already have a band  
21 but he told her he would ask the council to see what their opinion was.  
22  
23 Councilman Hardy asked if they were talking about concerts this year.  
24  
25 Mayor Moore said that using the Peteeneet amphitheater wouldn't be a problem. He asked if they charged  
26 admission to their concerts or if they were free.  
27  
28 Mr. Tuckett said that it depends on if they get their costs covered by the hosting city.  
29  
30 Councilman Hardy said that he needs to know what we are getting into before a budget is proposed. He  
31 said that if they want to make a formal proposal then they could look at it.  
32  
33 Councilwoman Ford said that if we call it a city sponsored event then they can go to any city or school for  
34 free. She asked why they weren't affiliated with Spanish Fork anymore. She encouraged Mr. Tuckett to  
35 contact Spanish Fork and find out.  
36  
37 Councilman Skinner said that fortunately we are going to skate through another dry year but that doesn't  
38 lessen the need we have to progress with our water storage plans.  
39  
40 Councilman Hardy complimented Janeen Dean and the employees that assisted with the Salmon Supper.  
41 He has heard nothing but good all week long about how well it turned out. He received his Onion Days  
42 celebration brochure in the mail and he would like to compliment Janeen on this as well. The Chamber of  
43 Commerce had their board meeting today and the 23<sup>rd</sup> will be the movie under the stars. There are posters

1 around town and the movie is Frozen. The chamber will be publishing a magazine in October with all the  
2 addresses and businesses in town. There will be an event in October.

3  
4 He also mentioned that the Interfaith Council helped get rid of leftover food from the Salmon Supper.  
5 There will be a prayer breakfast on Saturday morning of Onion Days.

6  
7 Councilman Hancock said that there have been some discussions about dogs in the park. A citizen called  
8 him about having poop stations in the park with doggie bags available for people to clean up after their  
9 animals.

10  
11 Mayor Moore would like to extend his thanks to the volunteers of the Salmon Supper. The Mayor's  
12 Prayers breakfast will be on Saturday August 30, 2014 8:00 a.m. at the park. The money collected will  
13 help the fund for transients in town sponsored by the Helping Hands Program. There was a little bit of  
14 flooding the other night during the rainstorm but nothing to major. He thanked Councilman Phillips for  
15 saving the day again; every time it rains he comes to the rescue. There is another UTOPIA meeting this  
16 Friday that he and Councilman Hancock will be attending.

17  
18 City Manager Tuckett again said that there was an email regarding the flooding, they did a lot of work  
19 and didn't call the city. He said that they can get some employees for our annual service project to go  
20 cleanup this area by Joyce Bradley's.

21  
22 Manger Tuckett said that the City was hit up about the P on the mountain. The football team is willing to  
23 go up and repaint it but it is taking a long time to get the permit from the Forest Service.

24  
25 Council and Staff Reports closed at 6:45 p.m.

26  
27 PAYSON CHAMBER BUSINESS OF THE MONTH – Chamber of Commerce, Rhett Huff presented  
28 the business of the month which is Papa John's Councilman Hardy presented them with a plaque.

29  
30 APPOINTMENT OF UTOPIA BOARD MEMBER – City Manager Tuckett explained that a few years  
31 ago the council appointed Mark Sorenson to the UTOPIA/UIA board. There was never an alternate  
32 appointed so staff's proposal would be to have Councilman Hancock be the board member and Mark  
33 Sorenson be the alternate.

34  
35 MOTION by Councilman Hardy to approve Councilman Hancock as the UTOPIA/UIA board member  
36 and Mark Sorenson as the alternate to the UTOPIA/UIA Board. Second by Councilman Skinner. Motion  
37 Carried.

38  
39 AGREEMENT – WATER COMPANY OF AMERICA – City Manager Tuckett explained the idea  
40 behind their program and invited Ron Phillips to give the council an overview of the company and the  
41 services they provide.

42  
43 Ron Phillips, and Frank Christensen:

- 1 • The company has been in business 25 years proprietary software that analyzes utility billing
- 2 systems.
- 3 • They have talked with the City Manager and Recorder over the past few months and they think
- 4 that this is a great fit for Payson.
- 5 • There are three things that the company can provide to help Payson out. Their employees go out
- 6 and meet with the person in charge of the account.
- 7 • Their employees are very professional.
- 8 • Water Company of America takes all the financial risk.
- 9 • They do not ask for anything out of the city budget upfront. They are only paid a portion of
- 10 increased revenue that they find.
- 11 • They have dealt with 5 cities and Utility Districts in Utah and explained each one's savings or
- 12 additional revenue generated.

13 Councilman Skinner asked if they are looking at only one utility when they are doing that.

14  
15 Mr. Phillips explained that they look at all utilities but they look at them individually and how they relate  
16 to each other.

17  
18 He said that they just signed a contract with Pleasant Grove City and also Springville. They are adding  
19 more cities and districts all the time.

20  
21 Councilman Hancock mentioned that the city has explored metering on secondary water. He wondered if  
22 we should sign with them should happen and there is a big expansion on things they need to look at.

23  
24 Mr. Phillips said that they would be happy to amend the contract if they need to. They will discuss it for  
25 the contract at that point.

26  
27 Councilman Skinner verified that if metering of the PI system is not in the contract they wouldn't share in  
28 the revenue increase at this time.

29  
30 Mr. Tucket explained that they are not sharing in the dead meters that we have. They only share in the  
31 deficiencies we have in our billing system. We haven't talked about pressurized irrigation. Electrical is  
32 not even in the contract at this point.

33  
34 Councilman Hancock asked if the 30 day timeframe to get something fixed is on our shoulders and if we  
35 accept it is our responsibility to make the proper adjustments within the next 30 days.

36  
37 Mr. Phillips said that this is the case now but it is not the final answer. There can be some flexibility on  
38 the work load and how to get it done. Most of what they find is software issues.

39  
40 Mr. Christensen said that they are very flexible and they pride themselves in not having the staff have to  
41 do a lot more labor, but whatever they need to do for our workload is just fine.

42  
43 Mr. Phillips said most of the issues are with multi-family, commercial and industrial and very few single  
44 family residences.

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Councilman Skinner asked where there is an increased revenue and sometimes pretty significant. What kind of kickback do they receive from these communities?

Mr. Christensen said that in Salt Lake City they received 4 phone calls.

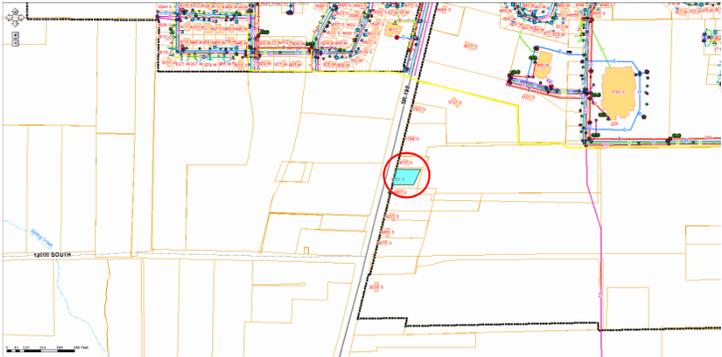
Mr. Tuckett explained that we would put something in the newsletter to inform the customers that this company has been hired by the council to provide some auditing of the billing systems.

MOTION by Councilman Skinner to enter into a contract with Water Works of America. Finding that it will help us correct issues we have in the city and direct the mayor to sign. Motion seconded by Councilman Hardy. Motion carries.

**DELAY AGREEMENT – IMPROVEMENTS FOR COFRAN PARCEL**

Planner Spencer presented the following:

Recently the single family dwelling located at 1865 South Hwy 198 was significantly damaged by fire and the structure subsequently torn down. The owners, Jason and Lisa Cofran have submitted building plans to reconstruct the dwelling and would like approval from Payson City to use existing on-site utility systems to serve the new dwelling. The parcel (30-068-0042) was included in the Mower Addition Annexation and annexed into Payson in 2003. At the time of annexation, the dwellings located along SR 198 were served by the drinking water system of the Spring Lake Water Company, on-site septic tanks, South Utah Valley Electric Service District (dba SESD) power facilities, and Strawberry irrigation water was delivered by the High Line Canal Company. The drinking water line has since been connected to the Payson City drinking water system and the homeowners submit payment to Payson City for use of the drinking water system.



City ordinance requires new dwellings to be connected to the municipal services of Payson City. As indicated on the utility map above, the Payson City utility systems (i.e. sewer, pressurized irrigation, power, storm drain) are located a considerable distance away from the subject parcel, with the exception of a drinking water line along SR 198. Moreover, the closest installation of curb, gutter and sidewalk is located over 1500' away from the parcel. Because the municipal services are so far away from the parcel, the applicants are requesting approval from Payson City to continue using the existing on-site systems even though they are provided by entities other than Payson City. In other words, the applicant is requesting the new dwelling be connected to a new on-site septic tank, the SESD power system, and to utilize existing irrigation systems for outside watering. Furthermore, the applicants are requesting the installation of curb, gutter and sidewalk be delayed until the improvements are located within a reasonable distance from the parcel. The applicant has indicated a willingness to connect to Payson City utilities once the utilities are available and to install curb, gutter, and sidewalk when the facilities are located near the parcel (a distance to be determined in the agreement).

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**Parcel Information:**

Parcel Number	Owner	Property Address	Mailing Address	Acreege	Zoning
30-068-0042	Cofran Climate Systems Rental LLC	1865 S Hwy 198	482 East 610 South Santaquin, UT 84655	0.52	R-1-A

Legal Description:

COM N 635.03 FT & E 1143.95 FT FR SW COR. SEC. 20, T9S, R2E, SLB&M.; S 89 DEG 11' 0" E 191.74 FT; S 26 DEG 0' 0" W 124.54 FT; W 159.48 FT; N 15 DEG 45' 0" E 114.72 FT TO BEG. AREA 0.445 AC. ALSO COM E 14.8 CH & N 14 DEG 45' 0" E 656.7 FT FR SW COR. SEC. 20, T9S, R2E, SLB&M.; N 14 DEG 45' 0" E 15 FT; S 89 DEG 11' 0" E 195 FT; S 26 DEG 0' 0" W 18.17 FT; N 89 DEG 11' 0" W 191.75 FT TO BEG. AREA 0.073 AC.

TOTAL AREA .518 AC.

MOTION by Councilwoman Ford to approve Request to allow dwelling to be served by private on-site utility systems. Motion by Councilman Hancock. Motion carried.

**BREAK**

Council took a break at 7:13 p.m.

**DISCUSSION REGARDING SPRINGSIDE MEADOWS SUBDIVISION**

Planner Spencer explained that representatives of Salisbury Homes would like to discuss with the City Council various options for the Springside Meadows development. As a result of current economic conditions and changes in the housing market, the applicant is considering changes to the overall layout. The applicant recognizes that additional approvals are necessary, but would like direction from the City Council on the overall configuration of the development before a lot of time and money are spent on a new layout.

While the process is intended to result in open discussion and even suggestions from the City Council, there is no approval being sought nor should any approval be given at this stage in the review process. The meeting will simply allow the City Council to provide guidance to the applicant so that more complete and acceptable plans can be created with as little iteration as possible.

She explained that Salisbury homes owns a lot of acreage in this subdivision and they want to jump start Payson and they are at a point that they have to invest a lot of money for the sewer trunk line. They want to make sure they housing market will support their investment. The original housing proposal will not work now. For the benefit of Payson City we want to make sure that we have building lots available and under construction. The first part of moving forward with a new development proposal is what he city wants in this. What are the elements that the City wants them to evaluate and incorporate into their development?

Planner Spencer has identified 5 things that are important to them.

- 1 1- Roads and infrastructure
- 2 2- Continuation of the citywide trail system
- 3 3- Completion of Main Street and 2000 South (arterial status roads)
- 4 4- Acre site for a public safety building
- 5 5- Half acres site for future power substation

6  
7 Mayor Moore asked what the last proposal was that was considered.

8  
9 Planner Spencer explained that the last proposal was one acre lots. This brings a concern of water in  
10 the future.

11  
12 Manager Tuckett asked how many units have been approved.

13  
14 Planner Spencer said 413 lots according to the 2006 plan. She said that if the market would support it and  
15 go to the black and white of the specific plan they could get 448 units.

16  
17 Chris Salisbury said that the project has evolved over the last several years. Basically they wanted to take  
18 some time tonight and do a 30,000 ft. view of the ground. Since 2006 they have acquired the Butler piece  
19 that they didn't have in 2006, and was not part of the original plan. As they started reorganizing things  
20 this parcel was perfect for it.

21  
22 Discussion was held regarding the options for the subdivision.

23  
24 Plat C is the last phase that they can sewer with the current infrastructure.

25  
26 Councilman Skinner asked if we can approve many more homes because we don't have any water.

27  
28 Planner Spencer said that this property comes with a lot of Strawberry Water.

29  
30 Manager Tuckett said that they have talked with Highline Canal Company about doing an inline canal  
31 extension for this development.

32  
33 Councilman Hancock said that we have gone over this a number of times and he feels like in the past that  
34 there have been more flexibility in the types of lot sizes and different things. The one issue that he is not  
35 flexible on at all is the 2000 South and Main and it being the other entrance into town. He wants it unique  
36 and distinct. He is not sure where we end up taking Main Street to the south. Just for discussion sake you  
37 stick a round-a-bout then you have a feature.

38  
39 Scott Mitchell with Mitchell X expressed his frustration because he realizes that the council wants it  
40 unique but they can only try it so many times because every proposal they change gets turned down.

41  
42 Councilwoman Ford asked if Patio homes are selling well right now and Mr. Salisbury said they weren't  
43 right now.

44

1 Councilwoman Ford likes the idea of the fire station being on the main road. She also likes the church and  
2 the substation next to the park because then it's not next to homes. Councilwoman Ford said that Payson  
3 is not lacking rentals.

4

5 ADJOURNMENT

6

7 MOTION by Councilman Ford to adjourn. Motion seconded by Councilmember Skinner. Motion  
8 carried.

9

10 Council adjourned at 8:14 p.m.

11

## Jill Spencer

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**From:** Jill Spencer  
**Sent:** Tuesday, November 26, 2013 10:36 AM  
**To:** Byron Bastian (byron@allgorealty.com)  
**Subject:** Question Re: Gated Community

Byron,

I discussed your idea regarding a "gated community" with the members of the DRC. This is a summary of the comments and concerns regarding this proposal.

1. *Garbage Collection.* There is a concern of how the development would be accessed to collect solid waste. Several employees would need to have an access code to enter the development on the assigned collection day or all trash receptacles would need to be transported to an approved location outside the gate on the day of collection. It will likely be difficult to identify an off-site location for 95 trash receptacles.
2. *Snow Removal.* The roads in the development are public roads and Payson City is responsible for snow removal. Again, Payson City employees would need to have access to the development to provide this service.
3. *Ownership and Maintenance of City Facilities.* The infrastructure and roadways in the development are owned and maintained by Payson City. If the development was gated, this would limit our ability to maintain public facilities. The City Council may consider deeding these facilities to the HOA, but that would expand the responsibilities of the HOA (i.e. private roads, private infrastructure) and the HOA dues.
4. *Emergency Access.* The gate system would need to include an SOS system so emergency personnel and equipment may enter the development during the event of an emergency.
5. *Turn Around.* If a gate was installed at the entrance of Heritage Village on 1150 South, there wouldn't be a turn-around for the lots along 1150 South in Winegar Estates.
6. *Access to Trail System.* Any fencing and gates would need to be installed in a manner that does not restrict access to the public trail system along the north property line and the east property line.

These issues, and possibly others, would need to be addressed before Payson City would consider a gated community. Let me know if you would like to pursue this idea further.

Also, I forgot to ask about placing a pavilion in the detention basin. I will find out at our next meeting and get back with you.

I hope you have a wonderful Thanksgiving holiday. ☺

*Jill Spencer*

Payson City Planner  
439 W. Utah Avenue  
Payson, UT 84651  
(801) 465-5233  
[jills@payson.org](mailto:jills@payson.org)

July 9, 2014

To: Payson City Planning Commission  
Payson City Council

We, the residents and developers, of Heritage Village do hereby respectfully request that the City of Payson grant the Heritage Village community permission to install fences and gates, that will allow us to become a "gated community". We ask for the Planning Commission and the City Council to work with us to develop a plan that will be acceptable to all concerned. Heritage Village is located at 1125 West 1150 South Payson, UT 84651.

Residents:

Eugene C Draney	1253S 1080W	<del>E C Draney</del>
Paul Jacobson	1098 W. 1260 S.	<del>Paul Jacobson</del>
Valene Jacobson	1098 W. 1260 S.	<del>Valene Jacobson</del>
C. Max White	1114 W 1150 So.	<del>C. Max White</del>
Karla J. White	1114 W. 1150 So.	<del>Karla J. White</del>
Penny Adams	1262 S. 1150 W.	<del>Penny Adams</del>
David Adams	" "	<del>David Adams</del>
Parley Thompson	1136 W. 1150 W.	<del>Parley Thompson</del>
Earlene Thompson	1136 W. 1150 W.	<del>Earlene Thompson</del>
CHRISTINE MADRID	1125 W. 1150 W.	<del>Christine Madrid</del>
ANTONIO MADRID	1125 W. 1150 W.	<del>Antonio Madrid</del>
Dale Hymas	1106 W 1150 S	<del>Dale W. Hymas</del>
A Elaine Hymas	1106 W 1150 S	<del>A Elaine Hymas</del>
Margaree Ohlsen	1177 S 1080 S	<del>Margaree Ohlsen</del>
Steve Ohlsen	1177 S 1080 S	<del>Steve Ohlsen</del>
Marion Kretze	1084 W 1260 S	<del>Marion Kretze</del>
Richard Soto	1118 W 1260 S	<del>Richard Soto</del>
Marilyn T. Soto	1118 W 1260 S	<del>Marilyn T. Soto</del>
Polly J. Bishop	1261 W 1080 S.	<del>Polly J. Bishop</del>
Tom R. Terwort	1148 W 1150 S	<del>Tom R. Terwort</del>
Paula Terwort	1148 W 1150 S	<del>Paula Terwort</del>

Developers:

BYRON BASTIAN	1116 S 730 W PAYSON, UT	<del>Byron Bastian</del>
Superintendent Mark DePalma	651 S. 630 W. Payson, UT	<del>Mark DePalma</del>

Agent Bentley Bastian 742 tomahawk drive Payson ~~Bentley Bastian~~