

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSION
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, September 4, 2024

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Taresa Hiatt (online), Brian Hulet, Anne Moss, Ryan Rowley, William R. Wright

STAFF PRESENT David Tuckett, City Manager
Cathy Jensen, Finance Director
Kim E. Holindrake, City Recorder
Jason Sant, City Attorney
Brad Bishop, Police Chief
Robert Mills, Development Services Director
Travis Jockumsen, Public Works Director/City Engineer
Scott Spencer, Fire Chief (online)
Michael Bryant, Planner II
Janeen Dean, Community Events Coordinator
Karl Teemant, Community Services Director
Shawn Black, Power Director
Shelby Bohling, Communities That Care Coordinator
Eric Jewell, District Court Judge

OTHERS Officer Cowley, Owen Drishinski, Douglass Loveless, Annette Loveless, Devin Weaver – Forebay Committee Chair, Cherie Ballamis, Buffie Quist, Don Forbush

A. CALL TO ORDER

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:00 p.m. The meeting was properly noticed.

B. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Bill Wright.

Pledge of Allegiance led by Anne Moss.

C. CONSENT AGENDA

1. Approval of the August 21, 2024, City Council Meeting Minutes
2. Resolution – Utah County Interlocal Agreement regarding Communities That Care and Substance Misuse Prevention
3. Resolution – West Central Strike Force Agreement

Councilmember Hulet questioned if the West Central Strike Force Agreement was something new.

Chief Bishop explained that it's not a new agreement but was originally with Millard, Juab, and Sanpete County Task Forces. Sanpete County dropped out and allowed Santaquin City and Payson City to join. It's an opportunity to share resources. Payson City is a member of the Utah County Major Crimes as well.

MOTION: Councilmember Rowley – To approve the consent agenda. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Presentation of new police officer and oath of office

Brad Bishop introduced Taylor Holmes Cowley as a new police officer. He graduated from the police academy a few weeks ago and comes from Woodland Hills.

Judge Jewell administered the oath of office.

2. CTC: Mayor's Youth Recognition (6:05 p.m.)

Mayor Wright and Shelby Bohling presented Mayor's Youth Recognition Awards to Owen Drishinski, Mt. Nebo Middle School.

3. Yard of the Month (6:07 p.m.)

Councilmember Moss announced the Yard of the Month to Douglass and Annette Loveless, 140 West 200 South, for the month of September.

4. Forebay Committee Annual Update (6:08 p.m.)

Presentation:

Devin Weaver reported the Forebay Committee began in 2022 and are appointed by the mayor and city council. Committee members serve a two-year term with two or three members replaced or reselected each year. City employees and council members also participate on the committee. Monthly meetings are held with the purpose of oversight of use and growth of the Forebay property and recreation area including implementation of the management plan. Accomplishments include a paved parking lot with restrooms, installed benches and tables, security cameras, trail maintenance, creation of additional trails, significant vegetation restoration, consistent and material usage year-round including bike teams, purchase of maintenance equipment, and one dedicated part-time employee funded from PARC Tax funds. Maintenance includes trail trimming and maintenance, Nebo Team trail work, trail bike, restroom repairs, and graffiti and vandalism removal. Potential future additions that may require approval or additional funding include a bike skills park, additional parking to accommodate trailers and increased traffic, additional trails in Upper Forebay area (Bear Canyon), and trail run as part of Adventure Days. Upcoming and ongoing work, events, and collaboration include collaboration with

United Way for the Day of Caring volunteer event on September 12, which expects 20 volunteers for two to three hours; a committee and city council field trip to visit the property as a group; and discussions with the Cattleman's Association regarding existing dirt parking area on the other side of the road. Primary focus of the committee is conservation. The Forebay property has been removed from surplus status. Discussions have been held to progress towards a conservation easement similar to what has been done to protect recreation areas in Lehi and Draper. A discussion was held with the Lehi City Council and staff regarding their process, pros and cons, roadblocks, and general guidance on the conservation process.

Council Discussion:

Councilmember Hulet attended the Outdoor Recreation Conference last week, and they have a trails crew available to help maintain trails. There is a sign up and no cost.

Councilmember Rowley thanked Devin Weaver and the Forebay Committee for all their work. He feels a sense of urgency to get the property in a conservation easement and asked the committee to keep working towards it. He asked to receive emails of what the committee would like to see in the Forebay area. He questioned a skills track and if it is like a pump track.

Karl Teemant explained Santaquin has a skills park. A pump track is one that a person jumps on and maneuvers the bike through the transitions but doesn't really pedal. A pump track is often part of a skills park. Payson's skills park could include a pump track if access is available. A pump track is accessible immediately; it's not biked to for use. He asked if the council was okay with them designing the trails in the upper canyon (Bear Canyon), funding provided.

The consensus of the council was yes.

5. Public Forum (6:18 p.m.)

Cherie Ballamis stated she and her husband own Lou's Barbershop, and they love and care about Payson. The city council is in trouble. The Main Street downtown project is a mess because you are my government. Previously, the new police officer took an oath that talks about the constitution. The city council represents us; the city council works for us. She questioned what the council do for the small businesses on Main Street. She loves the river; it's beautiful but not practical. Many customers have been hit because no one goes 10 mph. The police are too busy patrolling by the high school. She has gotten so many tickets on Main Street. When she breaks the law, she pays her dues. She questioned what it personally cost the city council this last year in money, services, benefits, or lost jobs. Eight of the 32 businesses on Main Street are out of business. Families lost their income, workers lost their jobs, and landlords lost rent. She questioned if this was taken into consideration. Permits were charged to put signs on the back of their buildings. She questioned why that couldn't have been waived. She questioned what the city did for the businesses. Meetings were held with the businesses, which she didn't attend because she trusts the council to take care of the city. The city council didn't serve her as her government. The city council didn't serve the constitution in her eyes. Some businesses will never return. She will make it. She doesn't envy the council's positions. The council didn't do their job. Taxes are going up, and the city is changing. The project was mismanaged; beautiful but not practical. It's not wide enough for the vehicles or an ambulance. The city is not thinking ahead. Parking was taken away. How will customers with walkers get through the flower beds?

Buffie Quist stated she and her sister own the Commercial Place. They are asking the city to allow her niece to open a body art business in the back of the building. It went before the Planning Commission and okayed it. Now it's up to the council. Body art doesn't have the same stigma, and they want a place welcoming to women in particular. It's not always comfortable going in a male-dominated situation.

Caroline Ashby voice she is proud to be in Payson. She has seen similar problems like Main Street in Pleasant Grove, Provo, and Orem. Orchards are going down and buildings are going up. There are loads of complaints and many ways to point fingers on what has happened. If the city could get ahead of anything that is foreseen with the colleges and FrontRunner. She doesn't know what can be done for the businesses on Main Street, but she is available to be a part of the discussion and to help in any way.

Mayor Wright noted that very rarely do this many people attend a council meeting. The city reaches out all the time and wants to be accessible and transparent. It takes the residents to get engaged. We can work together on the future.

Don Forbush stated he owns the Daily Freeze. He voiced concerns with no right or left turn signs coming onto Main Street. Four cars went the wrong direction this morning. Also, the parallel parking on the left side of the road is difficult with kids getting out of cars, which he understands is the parent's responsibility to watch their kids. He doesn't know how it can be fixed. The fire hydrant in front of Morris Quilting is an issue. Otherwise, great job; he appreciates it.

6. Staff and Council Reports (6:32 p.m.)

Staff Reports

ADMINISTRATION – Dave Tuckett reported that he, Mayor Wright, Robert Mills, and Karl Teemant attended the Utah League of Cities and Towns conference today where Payson was designated as a Healthy Utah Community along with nine other communities. It's a three-year program that focuses on recreation, mental health, and physical health.

COMMUNITY EVENTS – Janeen Dean thanked Mayor Wright and the Council for their support during Golden Onion Days. She gave a shoutout to Brad Kearl who she called a number of times during the celebration. Friday is the most stressful day with over 100 vendors coming in at the same time to set up. Kim Holindrake knows I was in the zone and was good to stay right with me. She thanked Ashley Christensen and the park crews for helping get everyone in. It was fun to see Dave Tuckett all around the park all weekend. In two weeks on September 21 is Festival Latino de Payson at the Amphitheater from noon to 9 p.m. with music, dancing, food, and merchandise. It is a free event.

Council Reports

Councilmember Christensen stated he appreciates the constructive insight into Main Street. Kids exiting on that side of a car was never a thought. Right hand turns out of the gas station is a concern. The main objective was consideration for business on Main Street. The city needed to fix the underlying infrastructure problems on Main Street and received grant funds. Additional grant funds were received to also beautify the top of the street at the same time and provide an inviting environment. Parking was reduced but an additional parking lot was created in the area. It was the objective to revitalize the area and businesses. He apologized it took longer than planned. Hopefully,

the downtown area will continue to grow, and new businesses come in to fill empty stores. Onion days is always great. His wife has a bake shop, and he had to get her trailer in early. The new eight-foot sidewalks were done through the PARC grants and really nice. He thanked Janeen Dean and appreciates all she does. A shoutout to the Daily Freeze who was the access to many of the businesses.

Councilmember Hulet gave a ditto to Janeen Dean and all she does for the city. Yes, there is less parking on Main Street, but 100 East was restriped, adding 50 parking spots a half block away. He thanked Karl Teemant for putting the Healthy Utah submission together; it's great for the city. There is a class called the Art of Building Cities, and the city is working with Utah Valley University to work on the downtown to make it more attractive and marketing. A professional will be here on Tuesday and then a group project for helping the downtown area, which is the heart and soul of the city.

Councilmember Rowley thanked all the residents in attendance tonight; the best ideas come from the residents. The whole reason for the downtown project was for the business owners including replacing the utilities, landscaping, and street scape. It created a destination and not just a busy through street. Some parking was removed but additional parking was acquired. He knows it's been tough for the businesses and hopes they can bounce back. He hopes everyone can take pride and shop local. He thanked Janeen Dean as well for her work. It was a great celebration; the fireworks were spectacular, and the band concert, and all the vendors. He had a chance to spend time today with Shawn Black, Power Director, as the old generators are being torn down for the new generators. He thanked the Power Department. This is all being done in-house and saving tens of thousands of dollars. The new sewer treatment plant is looking good. Funds are being spent prudently and cost effective. We are thinking of the future and a self-reliant city. He's thankful to be a part of Payson.

Mayor Wright noted the new generators will help secure an equal monthly payment for rate payers. Also, the public forum is a time for residents to express their views. It's a hard chore to get the information out to people who are very busy. The city needs the interaction with the residents. Main Street had not been addressed for 100 years, and the infrastructure was brittle and difficult to remove. The city was trying to avert a major disaster. Federal funds were made available through Mountainland Association of Governments to upgrade rear entrances for businesses as well as \$100,000 for facades. The city paid \$55,000 to replace utility laterals that is normally the responsibility of the business. The project hasn't been perfect, but the city did the best it could. The city felt the pain.

Councilmember Moss addressed the Main Street issues. Sometime in the design process, flaws don't manifest until later. She feels their pain. Some things will be changed over time. She's sorry for those businesses; the city tried to do everything it could to help them. It will be a good place and looks beautiful. On Golden Onion Days, she thanked Janeen Dean and reiterated all that has been said. It was so fun to observe and watch people; there were smiles, laughter, and socializing. She thanked everyone who made it happen. The slip and slide was true entertainment, but a longer slide may be needed.

Councilmember Hiatt reported she was on Main Street on Friday; and in all her years in Payson, she has never seen that many people on Main Street just walking up and down. There was plenty of room for people to walk and enjoy Main Street. There have been issued, but people were there, and it was amazing. Ditto to Janeen Dean.

E. ACTION ITEMS

1. Ordinance – Request to apply the I-O, Infill Overlay to Utah County Parcel #46:969:0002 located at 844 East 200 North in the R-1-7.5 Residential Zone to allow for reduced frontage for a two-lot subdivision (Buena Vida Subdivision) (6:50 p.m.)

Staff Presentation:

Michael Bryant reviewed the location of the proposed I-O, Infill Overlay request. The proposal is to divide the lot into two parcels with 65 feet and 66 feet of frontage, which the current zone requires 75 feet. The lots are larger than the minimum required. The Planning Commission gave a positive recommendation for the overlay, and staff recommends approval. The Planning Commission held a public hearing with no opposition. One neighboring property owner owns a vacant parcel at the back that made a handshake agreement for access. Findings may include that two lots of this size are greater than the minimum lot size for the zone, these two lots will facilitate single-family homes that will blend harmoniously with the existing neighborhood, and the development of this property is infill development that will utilize existing utility services.

Council Discussion:

Councilmember Christensen doesn't see a problem with the request, which was done once on 200 East.

Councilmember Hulet likes the request, which is better than a flag lot.

MOTION: Councilmember Hulet – To approve the (ordinance) request to apply the I-O, Infill Overlay to 844 East 200 North in the R-1-7.5 Residential Zone to allow reduced frontage for a two-lot subdivision including the findings. Motion seconded by Councilmember Rowley. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

2. Ordinance – Amendments to Title 13, Zoning, Appendix A, Central Commercial (6:55 p.m.)

Staff Presentation:

Michael Bryant addressed items 2 and 3 together.

Item 2 affects the tattooing and body art to allow it in the CC-1 and S-1 Zones. Staff was okay with a positive recommendation for this.

Item 3 addresses several zones.

- The zoning districts don't scroll and will be added to each section. Councilmember Hulet proposed putting each zone district in the headings, so they don't have to be looked up each time.
- Terms were changed throughout the document in order to use updated or more general terminology.
- Different items received permitted designation and others permitted was removed.
- If it is found that an item isn't addressed and comes up in the future, it can be addressed and added.

- Any changes won't affect existing businesses and uses.
- Educational Services: Driving schools (large trucks) was removed entirely. Regular vehicle driving would fall under schools. A resident noted that the new high school will not have a driving range but may be readdressed in five years.
- Food – Retail: Nonprofit distribution centers added a permitted use to I-1 Zone and removed from CC-1 Zone.
- Metal – Manufacturing: Secondary smelting and refining of nonferrous metals and alloys as well as Nonferrous foundries were removed entirely.
- Paper and Allied Products – Manufacturing was removed in its entirety. Staff felt it was messy and smelly.
- Personal Services: Mixed martial arts fits in personal fitness and training facility as well as dietician and weight loss centers.
- Professional Services: Added Dietician and weight loss centers.

Council Discussion:

Councilmember Rowley agreed with simplifying and consolidating but doesn't want to eliminate opportunities for new businesses to come to Payson.

MOTION: Councilmember Christensen – To accept the (ordinance) amendments to Title 13, Zoning, Appendix A, Central Commercial with a key signifying the different zones. Motion seconded by Councilmember Moss. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

3. Ordinance – Amendments to Title 13, Zoning, Appendix A, various sections

MOTION: Councilmember Rowley – To approve the (ordinance) amendments to Title 13, Zoning, Appendix A, various sections. Motion seconded by Councilmember Moss. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

F. WORK SESSION

1. Discussion regarding Power Transmission Line (7:10 p.m.)

Staff Presentation:

Shawn Black stated there is a lot of work to do to improve power reliability. There were a few power blinks this summer because the system is stressed. The Power Plant Substation and the Racetrack Substation are deficient with 140% and 124% for normal. He reviewed substation element losses, results, and how those can be fixed. Many go over 100%. This is for 2023 at 34 megawatts. The city

hit 37 megawatts this year, which is almost a 10% growth. There are critical projects, existing deficiencies, which need to be scheduled and completed. He reviewed the current deficiencies and the work that needs to be done. Staff identified different possible power line routes from the Racetrack Substation to the Spring Lake Substation.

- Route 1: Type - 46 KV for 2.03 miles with a total approximate cost of \$3.41 million. Easement purchase costs total \$340,560. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 3 for a total of \$600,000. Total of 33 homes affected.
- Route 2: Type - 46 KV for 2.09 miles with a total approximate cost of \$4.75 million. Easement purchase costs total \$1.66 million. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 5 for a total of \$1 million. Total of 69 homes affected. This line goes down the canal. The drawbacks is that it affects more homes and deals with the Central Utah Water Project, Bureau of Reclamation, SEDS, Canal Company, and Utah County Trails. It would be difficult to get all these entities to align.
- Route 3: Type - 46 KV for 2.05 miles with a total approximate cost of \$4.47 million. Easement purchase costs total \$1.62 million. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 4 for a total of \$800,000. Total of 71 homes affected. This line goes down Main Street along front yards.
- Route 4: Type - 46 KV for 2.06 miles with a total approximate cost of \$4.36 million. Easement purchase costs total \$251,700. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 4 for a total of \$800,000. Total of zero homes affected. This line goes down the middle of Main Street along the turning lane.
- Route 5: Type - 46 KV for 3.67 miles with a total approximate cost of \$8.98 million. Easement purchase costs total \$2.91 million. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 12 for a total of \$2.4 million. Total of 50 homes affected. This line goes down 800 South and then jogs by the Walmart area to the south.
- Route 6: Type - 46 KV for 3.97 miles with a total approximate cost of \$3.14 million. Easement purchase costs total \$3.11 million. \$1 million on average per mile for line and poles. \$200,000 per hard angle specialty poles. Number of hard angles is 10 for a total of \$2 million. Total of 47 homes affected. This line goes down 800 South and then jogs by the Walmart area extending to I-15 and then jogging south and east.

There is currently about \$2.1 million available in impact fees, which need to be updated. There are difficulties going through forest service lands. Pictures reviewed of different areas and poles in the proposed routes. Putting lines underground costs five to six times more. Circuit 730 is having pumps. The city is at a crucial level for a transmission line and substation. Something has to be done if the city wants power.

Council Discussion:

Councilmember Christensen likes route 5 best. The cost is higher, but it makes more sense. An additional substation could be added through impact fees. The power is more useable for future use in route 5. He likes the idea of redundancy for power. He wants to plan ahead and not just put a bandage on it.

Councilmember Moss likes route 5 as well. It is more expensive, but people will know the lines are there prior to development. Her concerns include property values go down, health problems, and

difficulties getting home loans. It's an extremely difficult situation. There are homes affected on all the routes. Many residents are already mad at the city, and she doesn't want to give them another reason. She really wants to think about the options and not just go with the cheapest. She doesn't want to negatively impact residents who knew what they were buying because the city failed 10 or 12 years ago and dropped the ball.

Councilmember Hulet questioned if eminent domain can be used and the timeline this project needs to be completed.

Jason Sant stated eminent domain can be used.

Brad Kearl noted that many people put their property in ag protection to prevent power lines from being installed. Have to have a loop system with redundancy with capability of back feeding. It's a timing issue.

Discussion how some people are affected by power lines near them, and some are not affected.

Councilmember Rowley stated staff has presented good plans. He would like to explore routes 5 and 6. It's a balance for what is best for the entire city with those impacted.

Shawn Black stated this should have been done before. There are too many entities to work with trying to get lines along the canal. The city is already experiencing problems. Reliability is scary. Residents currently with SESD will need to be connected within five years, which is another issue. Things will fail, and areas will be out of power. Engineered poles can be further apart. He will look at options, cost differences, and where poles will be located.

Mayor Wright asked staff to prepare a recommendation.

G. ADJOURNMENT

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

The meeting was adjourned at 8:10 p.m.

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