

October 15, 2014 City Council Minutes

Minutes of the Payson City Council held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, October 15, 2014 at 6:05 p.m.

ROLL CALL: Mayor Rick Moore; Councilmembers: Kim Hancock, Mike Hardy, Scott Phillips, and Larry Skinner; City Manager Dave Tuckett, Attorney Mark Sorenson, and Deputy Recorder Amanda Baker. Councilmember JoLynn Ford and City Recorder Jeanette Wineteer excused

PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Boy Scout Mason Perkins and Pledge of Allegiance led by Boy Scout Wylie Wilson.

CONSENT AGENDA

MOTION by Councilmember Hardy to approve the Consent Agenda consisting of approval of October 1, 2014 City Council Minutes, and Resolution approving the amendment to the Interlocal Cooperative Agreement between Utah County and Payson City for the Communities that Care (CTC) program. Motion seconded by Councilmember Skinner. Motion carries.

PUBLIC FORUM

Chamber Board Member Carolyn Bowman reported that the Chamber of Commerce has put together a magazine which came out today. She also stated they are in the middle of a pumpkin hunt. The pumpkin hunt is open to all ages and there are some great prizes.

COUNCIL AND STAFF REPORTS

Recreation Director Karl Teemant thanked the council for the approval of the money to improve the Peteeneet. He reported that the bid came in under budget however; the bid does not include frost protection if the work is completed in the winter.

Electrical Superintendent Ron Crump reported that there was a planned outage to upgrade the power. Transformers were updated with the help of crews from Salem City. He reported the work was completed within the anticipated hours and all went well. He also reported on his recent trip to the UAMPS National Laboratories in Idaho Falls. Also took a tour of the UAMPS wind farm and can provide more information if the Council would like it.

City Engineer Travis Jockumsen reported the Request for Proposals for planning around the temple and the West Meadows area will be finalized. The Council would like to see the RFP before it goes out. He will also see if they can get the planters the Council wants.

Chief Runyan reported they are hiring for a new officer. He said they have lost 6 officers in the last couple years and would like the council to consider funding to keep the officers.

Planner Spencer reported they have received a new application for an assisted living center near the temple. This applicant has a new facility in Heber that will have an open house and encouraged the council to attend.

Human Resource Director Dora Edvalson presented employees with service awards:

- Linda Collard, Library director received her 30 years of service award.
- Brad Pulver, Parks/Cemetery received his 25 years of service award.
- Debbie Bushnell, Public Works received her 20 years of service award.

Councilmember Phillips stated the streets department is planning is to continue to fill pot holes until the weather doesn't permit doing it. Mayor Moore asked staff to set up a meeting with Century link to move some poles so some paving can be done before winter. He reported that the streets and water department have been working very well together the last couple of months.

Councilmember Hancock reported that SUVMWA has asked for suggestions for any projects that could help the water management in the valley.

Councilmember Skinner asked if SUVMWA could participate in the budgetary needs that would allow us to install the reservoir up the canyon. He also stated the Council needs to consider Chief Runyan's request to be able to keep officers.

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Mayor Moore agreed with Councilmember Skinner that wages need to be looked at soon. He reported they have been working on trying to get a few new businesses in town. He also agreed with Councilmember Phillips that the streets are looking good.

PRESENTATION OF SCOUT CERTIFICATES

Councilmember Phillips presented attendance certificates to Boy Scouts Austin Lewis, Mason Perkins, Wylie Wilson, Tyson Schwartz, and Kimball Wilde.

CTC – MAYOR’S YOUTH RECOGNITION AWARD

This item was placed on the agenda in error.

PROCLAMATION – UTAH COLLEGE APPLICATION WEEK

City Manager Tuckett stated that Payson High School requested the City Council adopt a proclamation for February 24, 2015 – March 1, 2015 as Utah College Application week.

MOTION by Councilman Phillips to approve proclaiming February 24, 2015 – March 1, 2015 as Utah College Application Week. Motion seconded by Councilmember Hardy. Motion carries

PUBLIC HEARING – REQUEST FOR APPROVAL OF A ZONE CHANGE FROM THE CC-1, CENTRAL COMMERCIAL ZONE TO THE R-1-75, RESIDENTIAL ZONE.

MOTION by Councilmember Hardy to open the public hearing to receive input regarding approval of a zone change from the CC-1 to the R-1-75 Zone. Motion seconded by Hancock. Motion carries.

Public hearing opened at 6:40pm

Planner Spencer presented information from the following staff report:

INSERT STAFF REPORT

Councilmember Hardy Mike asked if it would be a non-complying structure and if there were any other limitations. Planner Spencer reported that the only limitations would be expanding the structure.

Councilmember Skinner asked what options are available to the applicant and if they can change the ordinance today. Planner Spencer stated they could not change the ordinance today, that changing the ordinance would be a new process.

Mr. Reed Finch, owner of the parcel had planned to do something commercial and did some improvements to accommodate that. However, he has been unable to rent it. He stated that most of the calls were interested in a residential use, so they couldn't find a tenant. He stated he wants the use to be good for downtown. He also said that at some point they may look to have it commercial again.

Mrs. Donna Gay questioned where the parking for the home would be.

Mr. Finch stated it would be in the driveway next to the home.

Receiving no further input *MOTION* by Councilmember Phillips to close the public hearing. Motion seconded by Councilmember Hardy. Motion carries.

Public hearing closed at 6:55 p.m.

Councilmember Hancock stated he doesn't think that there has been anyone that has done more for downtown than Mr. Finch. However; he said he can't look at this item on a personal level. He said that spot zoning is discouraged but not prohibited. He feels like it is spot zoning and he discourages it. He agrees with Mr. Finch but feels that the Council needs to think about planning and zoning regulations and why it is zoned commercial. Mr. Finch mentioned that there isn't a plan for downtown that will allow it to grow and improve. Councilmember Hancock stated he doesn't have a problem with it being a

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residence but he does have a problem with rezoning it. He stated he is not prepared to change the zone but he would like to change the ordinance.

Mayor Moore asked how long it will take to change the ordinance. Planner Spencer said it's not as much the required time period but the time it will take for staff to write it. She posed the question of whether we are just changing for this parcel or for the entire zone.

Councilmember Hancock wondered if we could make it a conditional use without re-writing the whole ordinance.

Councilmember Skinner agreed with the Planning Commission's recommendation and what Councilmember Hancock said. He stated there needs to be a plan for downtown because it is dying. He asked if there was any way to grant this on a temporary basis.

Attorney Sorenson stated there isn't anything in our ordinance that would allow it on a temporary basis.

Planner Spencer also stated there isn't a way, but rezoning it could be an option for now.

Council member Hardy stated the Planning Commission did a great job. He dislikes spot zoning and feels like they should help the owners out. He feels like if it were residential, they could have put someone in there until someone complained. He feels strongly that we approve this and keep our downtown full. He stated we need to look at that zone and come up with something that would work.

MOTION by Councilmember Hardy to approve the requested zone change from the CC-1, Central Commercial Zone to the R-1-75, Residential Zone. Motion seconded by Councilmember Phillips.

Voting aye: Councilmembers Hardy, Phillips, and Skinner. Voting nay: Councilmember Hancock.
Motion carries.

Councilmember Hancock clarified that he feels the zone change looks like preferential treatment.

Councilmember Hardy stated that he would like staff to work on solutions for downtown.

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 Hancock. Motion carries.

Public hearing opened at 7:00 pm

Planner Spencer presented information from the following staff report:

INSERT STAFF REPORT

Councilmember Hardy asked if the changes have already been made to the ordinance. Planner Spencer stated the changes suggested by the Planning Commission are not included in the current text but could be added and approved by the council through an ordinance on the next consent agenda.

Receiving no public input *MOTION* by Councilmember Skinner to close the public hearing. Motion seconded by Councilmember Hancock. Motion carries.

Public hearing closed at 7:10p.m.

MOTION by Councilmember Hardy to approve the amendments to Titles 19, Zoning Ordinance and Title 20, Subdivision Ordinance. Motion seconded by Councilmember Hancock. All Councilmembers voting aye, motion carries.

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WATER QUALITY PLANNING AGREEMENT, THE RESOLUTION APPROVING FINANCIAL ASSISTANCE AND AGREEMENT WITH AQUA ENGINEERING

City Manager Dave Tuckett explained that on August 20, 2014, the city council adopted resolution 08-20-2014-B approving a request for financial assistance for a planning advance for our waste water treatment plant. We met with the State of Utah Department of Environmental Quality, Division of Water Quality Board on August 27, 2014 and they approved the planning advance. The Board required that the money be paid back if we have not rolled it into a project by 2017. The resolution you adopted indicated that we would pay the planning advance back by 2019. Therefore, we are amending the resolution to coincide with the approval that we received on August 27th. He stated if we don't turn this into a project we have to turn the money back it. He stated the project needs to be done within 3 years.

Mayor Moore asked if we have talked with Salem recently regarding this. City Manager Tuckett said that we haven't talked to them recently. He said Salem has a few options but this study will tell us what our best option is.

MOTION by Councilmember Phillips to approved the water quality planning agreement, the resolution approving financial assistance and agreement with Aqua engineering. Motion seconded by Councilmember Hardy. Motion carries.

REPORT ON THE DOWNTOWN LIGHTING PROJECT

Superintendent Crump stated he has come up with a plan to upgrade the lighting in the downtown area. The cost was above what they originally thought and still needs to get the cost on boring.

Councilmember Phillips asked if there would be any open trench. Superintendent Crump stated he didn't want to open trench because there would be a lot of patch work. Councilmember Phillips asked how much it would cost to bore Superintendent Crump stated he didn't know. Councilmember Phillips would like to replace the irrigation pipe if there is an open trench.

The Council would like staff to bring more information to include updating all utilities. Councilmember Hardy stated he likes the layout of the lights that are being proposed.

Superintendent Crump stated there are accessories such as planter hangers and speakers which are possible upgrades if the council would like them. He mentioned there are 21 power poles that need to be installed.

RDA ANNUAL REPORT

MOTION to adjourn to RDA by Councilmember Phillips seconded by Councilmember Hardy. Motion Carries.

MOTION by RDA Director Hardy to approve the report as presented for the RDA seconded by RDA Director Skinner. Motion carries.

MOTION by RDA Director Phillips to return to council meeting. Motion seconded by RDA Director Skinner. Motion Carries.

DISCUSSION REGARDING INDUSTRIAL BUSINESS INCENTIVES

City Manager Tuckett stated we have been told that if we are going to be competitive we need to provide incentives to businesses looking to come here. City Manager Tuckett provided some options the council could consider as incentives. He stated finalizing this list of incentives would have to go through the public process but staff needs to have some direction from the council for possible options.

Mayor Moore asked if state incentives are matching. City Manager Tuckett says they are. Councilmember Skinner stated they need to consider these options but would like to postpone the discussion for a couple weeks.

MOTION by Councilmember Skinner to table the discussion for a couple of weeks. Seconded by Councilmember Phillips.

Hardy would like these items sent to the Economic Development board.

Motion carries.

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UTOPIA DISCUSSION

Wesley McDougal of first digital. Presented information regarding the state of UTOPIA and their proposal. He presented proposal information to take over the UTOPIA line.

Discussion was held regarding the ways First Digital can benefit UTOPIA customers.

SUSPEND AGENDA

MOTION by Councilmember Hardy to allow the Mayor to suspend the agenda and move at his discretion. Motion seconded by Councilmember Phillips. Motion Carries

ADJOURN TO CLOSED SESSION

MOTION by Councilmember Hancock to adjourn to Closed Session to discuss possible land acquisition. Motion seconded by Councilmember Hardy. Motion carries.

MOTION by Councilmember Hancock to reconvene. Motion seconded by Councilmember Phillips.

Meeting reconvened at 8:30p.m.

WORK SESSION – SPRINGSIDE MEADOWS

Salisbury would like to finalize the layout of the Springside Meadows Subdivision so they can be ready to start building in the spring.

Mr. Chris Salisbury stated they have reconfigured the lots in the subdivision and the total difference in lot count is about 100 less lots. Mr. Salisbury presented the different housing options they would like to incorporate.

Discussion was held regarding the following items.

- Potential access to the freeway on the southern end
- The amount of potential traffic in the area near the school.
- Addition of a second access to the townhomes

The council requested the application look at the traffic count in the area, especially the congestion during school pick up and drop off hours, having multi-family across from the school and the need another access in and out. They also requested the homes face Main Street.

Councilmember Hancock stated the concept seems good but he feels uncomfortable with the plan. He feels that we have given up some of the esthetics and that he is concerned with the traffic. Look into homes facing Main Street.

ADJOURNMENT

MOTION by Commissioner Hardy to adjourn. Motion seconded by Commissioner Skinner. Motion carries.

Meeting adjourned at 9:30 p.m.