

## February 04, 2015 City Council Minutes

Minutes of the Payson City Council Meeting held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, February 04, 2015 at 6:00 p.m.

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

### PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Carson Wombolt and Pledge of Allegiance led by Mckade Biggs, scouts in attendance.

### CONSENT AGENDA

MOTION by Councilmember Hardy approve the consent agenda. Motion seconded by Councilmember Phillips. Motion carries.

### PUBLIC FORUM

With no comments public forum closed at 6:04 pm.

### COUNCIL AND STAFF REPORTS

Human Resource Manager, Dora Edvalson presented Jeff Hiatt with his 30 years of service award.

Chief Bishop gave a report on the happenings in the Police Department. He reported in January they had a total of 1176 calls. In the last two weeks they have had 48 arrests, 92 citations, 386 traffic stops, a couple accidents and a couple DUI's. He reported the department just recertified the officers in taser training. He reported they have started an intern program with the High School and Austin Lerwill will be the first intern. He reported they have meet with the LDS Church regarding the open house. He reported they are working out a few bugs but are prepared to move forward. He also stated they will be moving forward with angled parking on the east side of the building. He mentioned it would give the Seniors more parking. Councilmember Phillips suggested a skin patch on the road before it is stripped. He also mentioned that the businesses are appreciative of the evening business checks.

Public Works Director Travis Jockumsen reported they will start drilling the new well in about two or three weeks. He stated once they start drilling, they will drill 24 hours a day. They anticipate it will take two or three weeks. He also reported on the condition of the snow pack. Councilmember Skinner asked if there would be an estimate of the flow out of the well. Travis stated he hopes it will be around a 1000.

Community Events Coordinator Janeen Dean stated that she is excited to have a new float this year. She said the artists mostly follow a queen theme or an inner child theme. She stated she would like one that pulls the city together. She explained her idea for the new float which would be centered around Payson Canyon. The Mayor and Council expressed that they like the direction she is going. Councilmember Hancock stated he hopes there is not too much on the float and Councilmember Hardy expressed concern for the budget. Councilmember Ford asked if there is a way to advertise what these locations depicted on the float are.

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Golf Pro Tracy Zobell reported the parks have been digging a storm drain the golf course is open with carts. He reported he is hoping to have a busy weekend.

Perry Ewell gave an annual report for the Payson Community Theater. He was happy to report the show went very well. He stated they are grateful for the support from the city and hopes that the theater reputation is good for the city. He also expressed his gratitude for Janeen Dean's help. He also indicated the show for next year will be Peter Pan.

Councilmember Hardy reported that Reed Money passed away.

Councilmember Hancock reported on the Mayors State of the City address. He wishes more would have attended. He also reported on the Utah lake commission meeting. He stated that the phragmites are in all water sources and suggested that we look into Aqua Neat, a roundup type product for water.

Councilmember Phillips thanked the City for the follow up with the concerns about the parking lot behind the library.

Mayor Moore stated he is worried about the water situation. If things don't change the Council may need to look at ways to conserve.

#### SCOUT ATTENDANCE CERTIFICATES

Councilmember Skinner presented attendance certificates to scouts in attendance: Mckade Biggs, Richard Baugh, Kimball Johnson, Brock Bayles, Carson Wamboldt, Benjamin Chandler, Samuel Devenport, McClain Wall, Mackay Buss, Carson Broadhead, Logan Callaway, and Bryant Giles.

Councilmember Skinner also expressed appreciation for the leaders.

#### CTC - MAYOR'S YOUTH RECOGNITION AWARDS

CTC Coordinator Kim Lefler and Mayor Moore awarded the Youth recognition awards to Jose Valle (*Payson Junior High*), Emily Rowley (*Payson Junior High*), and Charity Pieper (*Mt. Nebo Jr. High.*)

#### CHAMBER OF COMMERCE BUSINESS OF THE MONTH

Payson Chamber of Commerce recognized Serve Daily as the February Business of the Month.

#### BRENDA WARNER (REPRESENTING SPRING LAKE RESIDENTS) - OPPOSITION OF POWER LINE PROPOSAL

Mrs. Brenda Warner addressed the Council regarding the 46kv line. She read a letter from their legal counsel which is below.

*Dear City of Payson:*

*I represent certain owners of property who are directly affected by the proposed Power lines and Substation identified above. For the following reasons, I respectfully request that the City of Payson refuse the proposed placement and consider appropriate alternatives. The arguments are made in no particular order:*

*1. The current placement of the substation will dramatically effect property values. Such devaluation of property constitutes a taking for which the City of Payson and/or the Power Company should be responsible. Such a circuitous route results in an increase in the amount of money required to purchase such easements, which is not in the best interest of the citizens of Payson.*

- 2. The proposed placement is not the most desirable placement. Alternative placements of the substation should be considered that effect less people and property. For example, a new neighborhood can be built around such a facility to minimize the negative impact, rather than placing it in an existing neighborhood.*
  - 3. With respect to the power lines, a more direct route exists, traveling up 12000 South, affecting only 2 or 3 residences. Alternatively, the lines could follow the canal on the east side of Payson and a substation could be placed there on the east end of Salisbury's development. That neighborhood is not yet developed and property owners there could minimize the negative impact of the substation.*
  - 4. While the negative health effects of proximity to power lines may be in dispute, there is sufficient evidence to suggest that a "better safe than sorry" approach should be taken. The City of Payson should minimize the proximity of power lines to residences to the extent that it can. Future liability may exist for exposing people to the effects of high frequency power lines when alternatives exist.*
  - 5. Spring Lake is a bedroom community that attracts people who want to get away from the big city. Placing a power pole in the front yard of a Spring Lake residence takes that ambiance away and steals from the area its current charm.*
  - 6. Power lines will likely require removal of all or part of existing trees and other landscape, negatively effecting the appearance of the community.*
- In short, the proposed substation does not benefit the residents of Spring Lake, the substation is not in the proper location, and the power line route is circular and makes no sense. Please reconsider this flawed route and consider more viable options for both the location of the substation and the power line route.*

She also stated they do not agree with it, it will lose property value and health. She explained they are displeased with the way they have received information but have only received vague info at their prodding. She also expressed concerned that you are honoring a hometown hero and giving him a substation across the street from him. She believes it should be in the subdivision before anything is built. She stated they don't feel that running power lines the way that is proposed make sense. They feel it should be run along the highline canal. She also expressed concern that FHA will not loan on a property, which will decrease property values and make it hard to sell their property. She stated they don't think it should be run through the beautiful countryside. The letter also contains the signatures of the homeowners along the route in Spring Lake. Mrs. Warner expressed concern for receiving future information.

Mr. Crump stated the line will tie into existing substations and is proposed to be put by the road for ease of maintenance. This line will serve Payson and SESD customers in Payson and Santaquin. He stated they have hired someone survey the line and clear up the property lines and rights of way. He said the biggest concern is the railroad right of way. Union Pacific rights of way are not on the county map. He mentioned they are working on their descriptions and working to see if the lines match which will take 3 or 4 more weeks before the surveying is done on the whole route. Then the engineers will determine if the line can be put in as planned. That information will not be available for another 6 weeks. If that doesn't work they will look at different routes.

Councilmember Ford asked if there are multiple routes they are looking at. Mr. Crump responded that this option is the best one. However they are not considering any others at this time.

Councilmember Hancock asked what kind of help this would be to SESD and other communities. Mr. Crump stated it would shorten their circuits and have planned to have a substation in the area.

Councilmember Hardy asked if any part of the line will be under ground. Mr. Crump reported it would all be above ground.

MOTION by Councilmember Phillips to open the public hearing to receive public input regarding the review and potential adoption of impact fee facilities plan and impact fee analysis. Motion seconded by Councilmember Hancock. Motion carries.

Public hearing opened at 7:02 p.m.

Public Works Director Jockumsen stated all the impact fees are updated and everything has gone down.

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

Public hearing closed at 7:04p.m.

MOTION by Councilmember to Phillips to adopt for the Impact Fees Facilities Plan and Impact Fee Analysis. Motion seconded by Councilmember Skinner. Voting aye: Councilmembers Phillips, Hancock, Ford, Hardy, and Skinner. Voting Nay: None. Motion carries.

#### PUBLIC HEARING – OVERLAY ZONE FOR NIELSON ACCESSORY APARTMENT

MOTION by Councilmember Phillips to remand the Overlay Zone for Nielson Accessory Apartment back to staff. Motion seconded by Councilmember Hancock . Motion carries.

#### ORDINANCE WORKSHOP – AMENDMENTS TO TITLE 1, MUNICIPAL GOVERNMENT

Attorney Sorenson stated we would like to incorporate an ordinance regarding impact fees, appeal, unique situations etc. He will bring it back to the Council in a draft form for adoption.

#### AGREEMENT – UTAH COUNTY DISPATCH BUILDING

Fire Chief Scott Spencer presented information regarding the proposed Utah County dispatch building. He said the fees were based off the following 10 % of population and 90% is average of calls for the last 3 years.

Councilmember Skinner asked how we compare to other cities. Chief Spencer stated we are about 8% of the bill for the building.

Councilmember Hardy asked if staff feels this is fair to Payson.

Councilmember Ford stated that the thing that frustrates her is that the cost for an alternative is more. Even if we say no to this option it would be more. Chief Spencer stated Lehi looked at doing their own but it just wasn't economical. City Manager Tuckett stated they looked at going with Springville as they have their own dispatch but it was a lot more money.

MOTION by Councilmember Phillips to approve the resolution to sign the inter-local agreement. Motion seconded by Councilmember Ford.

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Councilmember Skinner asked if we could change our mind. Chief Spencer said we could we would just lose what we put into it.

Roll Call: Voting aye: Councilmembers Phillips, Hancock, Ford, Hardy, Skinner. Voting nay: none

Motion carries.

#### RESOLUTION – INTERLOCAL AGREEMENT WITH UTAH COUNTY IMPLEMENTATION OF STRENGTHENING FAMILIES PROGRAM

Dave stated the county is providing funds to implement the strengthening families program.

MOTION by Councilmember Hardy to approve the resolution to sign the inter-local agreement with Utah County and the CTC program. Motion seconded by Councilmember Ford. Motion carries.

Roll call: Voting aye: Councilmembers Phillis, Hancock, Ford, Hardy and Skinner. Voting Nay: None.

#### AGREEMENT FOR CONSULTING SERVICES – SOUTH MEADOWS PLANNING AREA

Was not talked about

#### SNOW REMOVAL ISSUES

Golf Pro Tracy Zobell presented information on the sidewalks to be plowed in the city. He stated that the departments have determined which should be cleared however it may need to be changed. He stated they feel that they have most of the equipment but would like a plow and cover for a mule.

Councilmember Phillips stated they probably won't need it this year.

Councilmember Ford asked if this will help with other departments, Tracy said that it would.

City Manager Tuckett stated that they are going to work the property owners and hopefully get their help with keeping it clear.

Councilmember Skinner asked what the purpose of this is and why we don't include Main Street.

Discussion was held regarding what should be included.

Councilmember Hancock questioned where the snow will be pushed. Mark stated we could push it to the curb.

Consensus of the Council was to move forward and get it into the budget for next year.

#### RECYCLING PROGRAM

City Manager Tuckett presented information on the curbside recycling program. He stated we cannot put it on the ballot. However we can send out some surveys to get a feel of what the community wants. Other communities who have implemented recycling have used the opt-out program, others the opt-in. Overall he feels it is a good program.

Discussion was held regarding the recycling program.

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MOTION by Councilmember Phillips to continue to look into it the recycling further. Motion seconded by Councilmember Skinner. Motion carries.

ADJOURNMENT TO CLOSED SESSION

MOTION by Councilmember Hardy to adjourn to closed session to discuss land acquisition. Motion seconded by Councilmember Phillips. Motion carries.

Council adjourned to closed session at 7:41 p.m.

RECONVENE & ADJOURNMENT

Council reconvened at 8:09 p.m.

MOTION by Councilmember Ford to adjourn. Motion seconded by Councilmember Phillips. Motion carries.

Council adjourned at 8:10 p.m.