

## January 21, 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, January 21, 2015 at 6:00 p.m.

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

### PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Brendan Goodsell and Pledge of Allegiance led by Porter Beck, scouts in attendance.

### CONSENT AGENDA

Councilmember Hardy couldn't remember how the amount was determined for our portion of the County Dispatch Building, and Manager Tuckett explained that he thought it was based on population, but he would get a hold of Chief Spencer to make sure.

MOTION by Councilmember Hardy to move the item of the Utah County Dispatch Building Agreement off the consent agenda and have it a regular item next meeting. Motion seconded by Councilmember Skinner. Motion carries.

MOTION by Councilmember Hardy to approve the amended Consent Agenda consisting of approval of January 7, 2015 City Council and Redevelopment Agency Minutes. Motion seconded by Councilmember Phillips. Voting aye: Councilmembers: JoLynn Ford, Kim Hancock, Mike Hardy, Scott Phillips, and Larry Skinner. Motion carries.

### PUBLIC FORUM

Kenneth Abbott thanked Councilmember Phillips for pushing snow after the last storm—for not only complaining about snow removal, but doing something about it.

He said that the Police Department did get back with his dad, so he appreciates that.

He said that last meeting the Chamber asked for money for the car show and movies and he feels that the city's money could be better spent elsewhere. His ugly plant contest was held last year with no funding from the city. He feels that if he can raise funds for that, the Chamber should be able to come up with funds.

Rhett Huff thanked the city and employees for taking care of the trash can problem he had.

Monte Court said he has admired for years what Provo City has done with a bike and walk trail all the way to Bridal Vail Falls. He wondered if anyone has considered doing this up Payson Canyon. Councilmember Phillips said that we have a trail committee and he could get a hold of Jill Spencer for a map, etc. and possibly become a member of the trail committee.

### COUNCIL AND STAFF REPORTS

Superintendent Fowden reported that committee meetings have been held regarding traffic control for the opening of the temple.

## January 21, 2015 City Council Minutes

Recreation Director Karl Teemant met with Peteetneet and thanked the PPP and volunteers for all they do and hosting the museum. Next week they will meet with the Historical Committee regarding next year's grant application.

He said that co-ed volley ball sign-ups are being held for youth and adults and the program will run March through April.

Parks and Golf Pro Tracy Zobell reported that the Parks Department is working out at Spring Lake, pruning trees, etc. We have had employees recertifying in golf and parks for pesticide use.

Chief Bishop reported on the past 21 days of the new year: 48 arrests, 148 citations 500 case numbers pulled, 200 traffic stops, 3 DUI's, and 20 traffic accidents.

He said there is a scam going on around the valley called "jail and bail" scam. They are targeting seniors for bail money for relatives that are not really in jail. We haven't had any reports in Payson yet.

There were two grants issued to the police department: \$5,000 for body cameras and \$7562 JAG grant for radios, we will be adding these in the budget amendment agenda item tonight.

We will have three officers testing tomorrow for the position we have open, and we are actively working on a body camera policy, because we know it is coming.

Councilmember Hancock noted that go-pro cameras are in the sporting goods stores and wondered what the difference was. Chief Bishop said they were very similar and approximately the same price.

Manager Tuckett reported that our snow water is 93% and 75% for water content.

He announced that the Mayor's State of City will be held Tuesday, February 3, 2015 at 7:00 p.m.

Electrical Superintendent Ron Crump reported on UAMPS meeting he attended and one of the items discussed was a waste energy presentation which is something we might want to look at by our landfill. It is taking waste and making natural gas from it.

Councilmember Hancock found an article that states "Orem withholds UTOPIA payment" in the Herald Extra. He believes everyone should read the article; it is a look from a different view and very worth reading.

Councilmember Hardy said the Chamber of Commerce held their planning meeting and the Council will see that coming from them.

He asked Manager Tuckett for a weekly report regarding what is happening with the opening of the temple. He feels this is an opportunity to show off Payson and we need to keep abreast of these things.

Mayor noted that Speaker of the House Becky Lockhart passed away last week with a very rare disease and wanted to send condolences to her family.

He reminded everyone of his State of the City on February 3<sup>rd</sup> and invited everyone to attend.

There are quite a few committees working on security, transportation, etc. for the temple opening. It is exciting, and he encouraged everyone to become part of that.

#### SCOUT ATTENDANCE CERTIFICATES

Councilmember Hardy presented attendance certificates to scouts in attendance: Cameron Bird, Sam Lundberg, Max Strebel, Chance Wikinson, Logan Kinnard, Darriel Thurman, Brendan Goodsell, Bradley Barben, Ethan Cheney, Garrison Durrant, Sean Humphereys, Mason Davis, Trevor Fausette, Jace Hancock, Max Staheli, Porter Beck, and Erik Brailsford.

Councilmember Hardy thanked the leaders and mothers of the scouts and asked the leaders to come up and introduce themselves: Dan Condie, Andrew Tanner, and Jeff Wilkinson.

#### PUBLIC HEARING – FY 2014-2015 BUDGET AMENDMENT

MOTION by Councilmember Hardy to open the public hearing to receive public input regarding Amendments to the Payson City FY 2014-2015 Budget. Motion seconded by Councilmember Phillips. Motion carries.

Public hearing opened at 6:50 p.m.

Manager Tuckett explained the items scheduled for the budget amendment:

**Funds moved toward salaries:** We had a work session regarding salaries and pay scales. It is my understanding that the council is committed to working on the employee's salary over the next three years and that the council wanted to do something this January. We have looked through the current budgets and determined that we could move \$163,163 to salaries. The superintendents know that these cuts are permanent. We would like this amount transferred to the appropriate personnel budgets to be determined at a later date. He explained what items would be cut.

**\$163,163.00 from the various budgets.**

**Parade Float:** Janean has been working hard to get a new float. We carried over \$4,600 from the last budget year to this year. We will also use the funds budgeted in next year's budget for the float. With those three years, we are still \$2,000 short to complete a new float. We would request \$2,000 to be appropriated from fund balance to cover the new float.

**\$2,000.00 from general fund balance.**

**Police Department:** The police received a \$300 donation and want it placed in the drug task force line item.

**\$300.00 donation.**

The police also received two grants: A \$5000 State Grant for Body Cameras, and a \$7462 Federal Grant for radios.

**\$12,762 grant revenue.**

**Recreation:** The recreation department started the ski school this year. They brought in an additional \$3,480 in revenue and want it placed in the professional services and supplies for the ski school.

**\$3,480.00 additional revenue to pay for ski school.**

Also, the RAP tax provided an additional \$3,150 in revenue. They would like it placed in improvements to help pay for the new tables and chairs at Peteetneet and golf course.

**\$3,150.00 additional revenue.**

**Sewer Department:** The sewer department received a loan of \$80,000 from the State of Utah to pay for planning the upgrade for the plant. It needs to be placed in the improvements line item to be reimbursed for the expenses of planning the upgrade.

**\$80,000.00 revenue from the State of Utah.**

**Community Development:** Staff would like to propose combining the part time positions of the community events coordinator and the Peteeetneet Museum employee into a full time position. This position would also provide grant writing services for the city. The midpoint of the salary scale for a position of this nature would be \$49,420.00. With what is currently budgeted, we are requesting \$33,000 to be appropriated from fund balance and move forward with combining these positions.

**\$33,000.00 appropriated from general fund balance.**

**Water Department:** The well at the Memorial Park has failed. It lasted much longer than anticipated. The shaft broke. The estimate to rehabilitate the well is \$48,415.00. We would like to take the funds out of the water fund balance. I am also attaching the engineers estimate.

**\$48,415.00 appropriated from water fund balance.**

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

Public hearing closed at 6:58 p.m.

MOTION by Councilmember Phillips to approve the amendments to the FY 2014-2015 budget as presented. Motion seconded by Councilmember Hardy. Voting aye: Ford, Hancock, Hardy, and Phillips. Motion carries.

#### AMENDMENTS TO RIDGESTONE CONDOMINIUM DEVELOPMENT AGREEMENT

Planner Spencer presented the following staff report:

The developers of the Ridgestone Condominiums project, Ryan Remkes and Stan Goodrich, are prepared to begin the final phase of the development. Plat D consists of three (3) buildings situated parallel to Interstate 15 along the east side of the development. In conjunction with the recordation of the Final Plat, staff has reviewed the Development Agreement and has identified some improvements that will need to be completed with the final phase. Staff has discussed these obligations with the developers and they are taking the necessary steps to complete the required improvements. Upon completion of this phase, the developers will relinquish ownership, maintenance, enforcement, and financial responsibilities to the Homeowner's Association (HOA). Therefore, the developers want to address any unresolved obligations of the Development Agreement so the transfer of these responsibilities to the HOA will be as simple and straightforward as possible.

There are a few improvements included in the Development Agreement that the developers and staff would like the City Council to reconsider as required improvements. It is proposed that the following improvements listed or inferred to in the Agreement be excluded from the conditions of approval.

- Pedestrian crossings at each entrance into the development
- Decorative canopy over mailbox units
- Ten (10) foot wide pedestrian trail along the north side of the Spring Creek channel

The Development Agreement states that any modification to the provisions of the Agreement must be approved in writing by Applicant (Ridge Stone Development LLC) and City (Payson City). If the City Council is willing to release the developers from these obligations, staff will prepare an Addendum to the Development Agreement for review and approval by the City Council and subsequent recordation in the office of the Utah County Recorder.

Councilmember Hancock said there are mandates for low income residences, and wondered if a development like this would have any impact on those requirements. Planner Spencer said they have to document anything that is accommodating those requirements.

Councilmember Phillips wanted to make sure they were current on their utility bill. Attorney Sorensen said that within the last month, we have worked out set terms where they will be paying that back and they are current with that commitment.

Discussion was also held regarding mail boxes.

MOTION by Councilmember Hancock to approve the proposed amendments, and have staff prepare the amendment to the original development agreement to come back as a regular item on the next Council Agenda. Motion seconded by Councilmember Hardy. Motion carries.

#### REQUEST FOR MODIFICATION OF TIMING OF INSTALLATION OF IMPROVEMENTS (HERITAGE VILLAGE)

Planner Spencer explained that the Restated and Amended Development Agreement for the Heritage Village development provides a schedule for the completion of required improvements and project amenities. The Agreement states that no more than thirty (30) building permits will be issued until certain improvements are completed by the Applicant and inspected and approved by Payson City. To date, thirty (30) building permits have been issued.

Due to inclement weather and the need to fulfill obligations with approved and pending purchase contracts, the developers are requesting approval from the City Council to delay the completion of the private open space area and park amenities (i.e. landscaping, walking paths, benches, recreation facilities). Attached is a letter provided by John D. Smiley requesting approval to delay the completion of the private open space area and associated improvements until July 31, 2015.

The Development Agreement states that any modification to the provisions of the Agreement must be approved in writing by Applicant (Heritage Builders LLC) and City (Payson City). If the City Council grants approval of the request, staff will prepare an Addendum to the Development Agreement for review and approval by the City Council and subsequent recordation in the office of the Utah County Recorder.

Brady Bastian, the applicant, explained that they are just extend the time to complete for more building permits and asked for July in case they come into any delays.

MOTION by Councilmember Hardy to approve the request for an amendment to the development agreement for Heritage Village as recommended by staff, and have staff prepare the addendum for the next Council Meeting. Motion seconded by Councilmember Hancock. Motion carries.

#### DISCUSSION REGARDING ANNEXATION IN THE HASKELLVILLE AREA

Manager Tuckett explained that Lee Haskell requested a meeting to discuss Annexation in the East Side Plan area. The City Council adopted a rule for the East side that states that there needs to be 300 acres before property can be annexed. In essence this prohibits annexation on the east side unless the Allred properties agree to join in the annexation petition.

Councilmember Hardy said he has some issues with the East Side Comprehensive Plan and would like to go over those with staff. He would like to table this item until he gets with staff and then bring it back to the Council.

Councilmember Hancock presented an area that he felt might be a typo, and asked staff to look at it.

MOTION by Councilmember Hardy to table this item. Motion seconded by Councilmember Phillips. Motion carries.

#### SNOW REMOVAL ISSUES

Councilmember Phillips noticed some people walking along the highway and the sidewalks were not clear. In his opinion if people cannot get the snow moved, and if it is upwards of two feet of snow; we might need to assist, to make the walking paths safe for our school children and the elderly. His ultimate goal here is to get everyone involved and clear the walk to make it safe. He said that Manager Tuckett sent out an email to Officer Riley to see what could be done with code enforcement to get everyone on board with clearing the walks. The State is pretty much finished plowing 6 hours after a snow storm.

Councilmember Ford noted that we are only talking four or four times a year at the most, with that much snow.

Councilmember Hancock is in 100% in favor of the idea, and Councilmember Hardy said he is also.

Councilmember Phillips said the State gives money for safety sidewalk and we need to make sure it is safe in the winter.

Attorney Sorensen said that we might need a permit to do this for the bus stops, etc. Council directed Mr. Sorenson to proceed to see what we can do.

MOTION by Councilmember Hardy to direct staff to look into the permit process so we can instruct our employees to keep these sidewalks safe and bring this item, along with the map, back to Council for the next Council Meeting. Motion seconded by Councilmember Phillips. Motion carries.

#### DISCUSSION REGARDING RECYCLING PROGRAM

Superintendent Fowden explained that we have had additional requests to implement a curbside recycling program in Payson. Manager Tuckett presented a couple of emails that have been received recently. He also presented information we looked at in 2011 when Allied Waste pitched for the account. Staff would like to know if the council is open to setting up a recycling program in Payson. From the emails we have received, it appears Santaquin, Elk Ridge, Spanish Fork, Springville, Pleasant Grove, Provo and Orem all have recycling programs. If there is interest, we can send out a Request for Proposals and see what we can do to start the process.

January 21, 2015 City Council Minutes

Discussion was held regarding public opinion and putting the question on the ballot.

MOTION by Councilmember Ford to table this item until we find out what it would cost to put it on the ballot. Motion seconded by Councilmember Hardy. Motion carries.

#### DISCUSSION REGARDING INFRASTRUCTURE AND TRANSPORTATION IMPROVEMENTS FOR MAIN STREET

Street Superintendent Fowden presented a map and a breakdown of costs for improvements for the 4-block area in downtown and Main Street. The total estimated cost with a 30% contingency would be \$2,647,658.

He said that Public Works Director Jockumsen was not in attendance, but felt that the Council could study the information and call him with any questions and we can put it on a future agenda.

Mayor Moore said that we need to apply for CDBG grant anyway and this might be a good project.

Councilmember Hancock felt that Mr. Jockumsen's main interest was just for us to see this and study it.

Consensus of the Council was to study this and discuss it during budget sessions.

Superintendent Fowden said that the waterline on Main Street is a time bomb, but there is a lot of infrastructure needed all over the city.

#### BREAK

Council took a break and reconvened at 8:00 p.m.

#### ANNUAL TRAINING – MUNICIPAL ETHICS/OPEN AND PUBLIC MEETINGS

Attorney Mark Sorensen presented and explained information to the Council regarding Municipal Ethics and Open and Public Meetings.

#### ADJOURNMENT TO CLOSED SESSION

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

Council adjourned to closed session at 9:07 p.m.

#### RECONVENE & ADJOURNMENT

Council reconvened at 9:10 p.m.

MOTION by Councilmember Hancock to adjourn. Motion seconded by Councilmember Hardy. Motion carries.

Council adjourned at 9:10 p.m.