

February 17, 2016 PAYSON CITY COUNCIL MEETING MINUTES

**ATTENDANCE:** Mayor Moore; Councilmember Mike Hardy, Brian Hulet, and Doug Welton; City Manager Dave Tuckett; Finance Director Sara Hubbs; City Attorney Mark Sorenson. Councilmember Linda Carter attended the meeting by phone. Councilmember Scott Phillips was excused.

Meeting began at 6:03 pm.

**PRAYER & PLEDGE OF ALLEGIANCE:** Prayer offered by Jonathan Dodgen; Pledge of Allegiance led by Tyson Cook.

**CONSENT AGENDA:** Approval of February 3, 2016 Payson City Council Meeting Minutes.

**MOTION** by Councilmember Hardy to approve the Consent Agenda. Motion seconded by Councilmember Welton. Motion Carried.

**PUBLIC FORUM:** Public Forum opened at 6:05 p.m.

Rebecca Lee Peery stated she would like to see Payson start a recycling program. She said that Smith's has had a recycle container, but now they are gone. She has looked all over for recycling bins and hasn't found any. She encouraged the city to look into recycling. Mayor Moore stated that the recycling program is expensive. Mr. Tuckett stated that he has reached out to other city managers to get a copy of a request for proposal to send out for the recycle program. Mr. Tuckett stated that cost the cost would range from \$5-\$7. Mayor Moore said he's concerned about tacking on another fee to the citizens that are on fixed income. Discussion was held about whether the city could do an opt out or an opt in program. Mr. Tuckett stated that he could get the RFPs and then present it to the council and they can decide how to proceed. Mr. Tuckett stated that the school district had a company that provided recycle bins located at different schools, but they pulled the dumpsters because it was not cost effective. Ms. Peery asked if Payson residents could team up with Santaquin. Mayor Moore said we could, but the citizens would still have to pay for the service.

Dean Miller stated there is a recycle bin behind Stokes in Salem. He stated that he is here to address the I-15 proposals. He said that Combination 1 option would dump out near the hospital and asked how the corridor from Elk Ridge to Benjamin would affect the interchange. Mayor Moore stated that the city is looking at doing it to relieve the traffic and so they can have a say in project or the state will just wipe out the west side. Mayor Moore stated that his biggest concern is losing all of the houses and businesses on Main Street. Mayor Moore said that Combination 1 was the least invasive option. Mr. Miller asked what would happen to the wet lands. Mayor Moore said that they will move the wet lands and deal with that as they proceed.

Noah Larsen stated that he would like to see Payson adopt a recycling program as well. He found that Spanish Fork, Elk Ridge, Highland, Mapleton and other cities have hired Republic Services to provide the service. He stated Spanish Fork pays \$3.61 and Elk Ridge pays \$5. He said that Spanish Fork has 60% participation. He said that he posted a survey on Payson Indoor Yard Sale Facebook page and he received 107 responses and 78% said that they would like the recycling program. He noted that he

contacted republic services to get an estimate of costs and a plan for the Recycling program in Payson and is planning to meet with them when Republic has the plan drafted.

Councilmember Hulet thanked Noah for his participation. Councilmember Welton encouraged staff to put a survey out to get input from the public regarding this topic.

Public Forum closed at 6:21 p.m.

**STAFF REPORTS:**

POLICE – Chief Bishop mentioned in the past couple weeks the police department received 520 calls, 57 arrests, 88 offenses, 112 citations, 155 violations, 2 DUIs, 162 traffic stops, and 17 traffic accidents. He stated there have been some pretty big traffic accidents within the past few days. He said there was some graffiti over the weekend and they are working on cleaning it up. He noted the graffiti had wolf pack or WP written on it, but they can't attribute that to any gangs. He said there have been some suicides over the past week and sends out his condolences to the families.

Councilmember Hulet asked if the police dog has helped with increase in drug arrests. Chief stated there had been some increases and they have seen successes with it. He said that they are involved with other communities and building searches. Mayor Moore asked how many hours are spent on DUI patrol. Chief stated it was about DUI is 30 hours a month.

PUBLIC WORKS - Director Travis Jockumsen stated the snow pack is at 104 % precipitation and 93 % on snow water equivalent and 36 inches up there right now. He said the snow is melting pretty fast, but he is hoping the snow won't melt as quickly as last year and they will get more snow. He said that staff met with Elk Ridge regarding the Lee Haskell annexation. Mayor Moore asked if Elk Ridge was cooperative. Mr. Jockumsen said they still will need to meet with them to discuss some issues.

Councilmember Hulet asked if the lakes have filled. Mr. Jockumsen stated that until the snow melts it is hard to tell.

PLANNING TECHNICIAN - Kyle Dean stated that there has been a lot of concern regarding accessory units in single family homes. He stated they have met with planning commission and they are working on preparing an ordinance to address those assessor units.

CITY MANAGER – Dave Tuckett stated that a BYU professor is looking at having his class do a behavioral study regarding water conservation. Mr. Tuckett said that he met with the professor and discussed the project with him a little and it wouldn't cost the city money to have this study done.

Councilmember Hulet stated that Brad Wilson would also be willing to do that.

RECREATION – Recreation Director Karl Teemant stated that he has been meeting with Questar Gas to get a lower rate to help with the gas costs at the pool. He said that he has met with the Tour of Utah and will continue to plan with them.

PUBLIC SAFETY - Fire Chief Scott Spencer said that his department is working on t the great shake out on April 21<sup>st</sup> and test the communication system throughout the city. He said they are working with different religious groups in trying to get the work out. Mayor Moore asked if he has been working with the HAM radios. Chief Spencer confirmed that there had been tests being performed. He said they are working on advanced cardio certification and learning the rhythms and what drugs to give for different rhythms.

CITY MANAGER – Dave Tuckett asked the Council to let him know of any items they would like to discuss on the budget meeting that will be held on Saturday, so he can prepare the agenda with the items they would like to discuss.

**COUNCIL REPORTS:**

Councilmember Hardy said the Chamber will have the 2016 installation banquet February 26 at central Utah veterans home. He said Utopia had their annual board meeting to elect board members.

Councilmember Welton said the gentleman from Michigan will be conducting the rate study with Lehi and Brigham City, so the cost will be reduced.

Councilmember Hulet reminded the public that the meeting is being streamed live. Councilmember Welton asked if it is on Youtube. Mr. Tuckett confirmed it was through You Tube on Payson Channel 17.

Mayor Moore said he has many meetings regarding water and has been working with High Line to work with them regarding water issues. He stated the Legislature is in session, so there are few items that he has been keeping an eye on.

PARKS DIRECTOR – Tracy Zobell expressed his condolences for the Lewis Fields family and acknowledged all that he has done for the city. Mayor Moore agreed that Lewis Fields and his family have done a lot for the City.

Councilmember Welton stated that Mark Roberts will be here at the city building at 8:00 if anyone would like to meet with him.

**SCOUT ATTENDANCE CERTIFICATES** – Councilmember Hardy presented attendance certificates to the following scouts in attendance: Jonathan Dodgen, Hagen O’Bannon, Tyson Cook, Ammon Morrill, Ryker Jarvis, Marlon Chlarson, Kael Worthen, Damion Losee, and Brock

**PUBLIC HEARING – CONDITIONAL USE: HERITAGE VILLAGE ASSISTED LIVING CENTER (TO BE TABLED)**

**MOTION** by Councilmember Hardy to table the item until next council meeting. Motion seconded by Councilmember Hulet. Motion Carried.

**WASTE WATER TREATMENT PLANT SELF-ASSESSMENT REPORT**

Sarah Leavitt from the Waste Water treatment plant explained that this report is required by Department of Water Quality and needs to be approved by the City Council and signed by the Mayor. The report states what happened at the plant during the 2015 year.

Councilmember Hulet asked why there was high BOD in October. Ms. Leavitt stated that there was a spill from a business in town. Councilmember Hardy asked how they compare to prior years. Ms. Leavitt stated that it has been very comparable to prior years. She said that they always have the normal problems, but it is the nature of the beast.

Councilmember Hardy asked if we would be meeting with Salem on Saturday. Travis Jockumsen stated that the plant is still waiting on their permit. Ms. Leavitt stated that the permit is three years overdue. Mayor Moore asked if there was other information that staff was waiting for. Mr. Jockumsen stated that he was waiting for the limits regarding the phosphorus and nitrogen limits. Councilmember Hardy asked if the city was going to come against the deadline and not be in compliance. Ms. Leavitt stated that as long as the city is honest and transparent with the state, the state will work with the city.

**MOTION** by Councilmember Hardy to approve resolution approving Waste Water treatment plant self-assessment report. Motion seconded by Councilmember Welton. Motion Carried.

**RESOLUTION AMENDING THE FEE SCHEDULE REGARDING CEMETERY FEES**

City Manager Dave Tuckett explained that staff would like to change the amount of the cost of a burial lot that is allocated to the Perpetual Care from 50% to 25%. He stated pursuant to the state code, if the city has a perpetual care fund; it is only allowed to utilize the interest from the fund. He mentioned that the city has been transferring \$15,000 from the perpetual care fund to the cemetery budget to assist with costs, but the \$15,000 is more than the interest earned. He said that the cemetery department has a difficult time keeping up with the roads and other needs at the cemetery with the current budget.

Mr. Tuckett stated that he wants to make sure the city is in compliance with the Perpetual Care and regulations, so that is why he is proposing the change. He noted the different amounts that would have been allocated to the perpetual fund and the cemetery department if the 75%/25% allocation would have been used. He noted that additional revenue would have been recorded to the cemetery fund which could have been used for maintenance and upkeep at the cemetery.

Mr. Tuckett mentioned that Provo City also splits the revenue 25% to the Perpetual Care and 75% to the Cemetery. He feels the proposed changes would help the Cemetery department better care for the cemetery and make some needed improvements.

Councilmember Hulet asked what the principal amount in the perpetual care amount is used for. Mr. Tuckett stated that it is for the costs in the future when the cemetery is built out.

**MOTION** by Councilmember Hulet to approve resolution amending the fee schedule regarding cemetery fees making it 25% going into the perpetual instead of 50%. Motion seconded by Councilmember Carter. Motion Carried.

**DISCUSSION REGARDING POWER PLANT (to be tabled)**

City Manager Dave Tuckett explained that the report of the audit conducted by an independent consultant was finalized after the packet information was sent out to council members, so to provide the council sufficient time to review the report, he recommended tabling the item until March 2<sup>nd</sup>.

**MOTION** by Councilmember Hardy to table the item until March 2<sup>nd</sup>. Motion seconded by Councilmember Hulet. Motion Carried.

**DISCUSSION REGARDING NEW LED SIGN AT WAGON WHEEL PARK**

City Manager Tuckett stated that the city has grant funds of \$20,000 from the county that it would like to use for a new LED, digital sign at Wagon Wheel Park. Mr. Tuckett said that staff feels a bigger sign should be put in place to accommodate the future of Payson, but the bigger sign would cost about \$48,000. He stated the city could save money by doing some of the construction work and not having the logo included at the top of the sign. He mentioned that Mark Hyland estimated a cost of \$5,000 to improve the park. He said the purpose of this item is to receive guidance from council and how they would like staff to proceed.

Councilmember Welton asked if it is a two-sided sign. Mr. Tuckett confirmed that it is two sided. Councilmember Hardy asked how high the smaller sign is. Mr. Tuckett said it was 3 foot 5 inches by 53 inches.

Councilmember Welton asked if staff had done studies to determine if that is the best place to put the sign. Councilmember Hardy asked if there was budget to appropriate to this sign. Ms. Hubbs wasn't sure if there was money or not. Councilmember Welton stated that there is something to be said for doing something right the first time. Councilmember Hardy agreed with Councilmember Welton that he would like to make sure that this sign is put in the best spot in the city. Councilmember Hardy asked what the maintenance was on the LED sign. Mr. Zobell stated that the sign would be maintenance free. Councilmember Carter said that she would like to see a big sign if the city could afford it.

Council agreed to table the item until the budget meeting on Saturday.

**WORK SESSION – DISCUSSION REGARDING PAYSON CITY WATER NEEDS WITH HIGHLINE CANAL**

Mayor Moore stated that the City does depend on High Line 100% for the irrigation, secondary water needs needs. He said that the city needs to work with High Line and work through any issues. He thanked High Line for the support they have given the City.

Derek Whipple from High Line asked the Council if they had any questions that he could address first. Councilmember Welton stated he needed further clarification about what was being discussed before he knew what questions to ask because he was blasted last meeting where the discussion was held

regarding High Line buying pressurized irrigation system. Mr. Whipple stated that High Line is more interested in just managing the system and paying back the city a percentage. He felt like High Line could manage the system because they are in that water business and they have the knowledge. Councilmember Hardy asked Mr. Whipple to explain what managing would entail. Mr. Whipple said it is just what it sounds like. Mr. Whipple said the actual details haven't been worked through. He said his original thought was to manage the water and manage the system and then pay back a percentage to the city. He said initially he threw the idea of buying the entire system to the side, but he said he would entertain picking that idea back up and looking at some numbers. Councilmember Hardy asked for clarification of what High Line would want to manage. Mr. Whipple confirmed that he would want to manage the strawberry highline side all the way up to the canyon. Councilmember Welton said that it needs to be cost efficient and water efficient for the City to consider that option. Mr. Whipple stated that it is not just economical and he felt like High Line could run the system better. He stated that as the city was struggling with the water issues he approached the city many times to see if he could help with the drought pressures. He said High Line is concerned that there was a lot of water planning issues that could have been bypassed had they been managing the system. He stated that an option would be to hook in to Lateral 20. He said the capacity was built in to the line to handle the development west of Walmart. Mr. Whipple said that he feels there are a lot of things that could be solved if the City and High Line would work together. Mr. Whipple stated the City has turned down tying into Lateral 20 five times that he can find on record. He stated he doesn't want to sling mud, but he feels High Line is getting the wrath for not letting the city tie in. He said there is a memorandum of understanding (MOU) that is old and out dated and he feels a new MOU needs to be constructed to reflect the current issues. He feels the city needs to pay for some of the infrastructure that was built in to meet the capacity. He said he hasn't prepared the numbers at this time, but he can come back with those numbers.

Mayor Moore asked how soon the city needs to tie into lateral 20. Mr. Whipple stated on his time frame it can be whenever, but for the city's needs it needs to be as quickly as possible. He said it needs to happen before they turn water in because the city has run out of capacity.

Councilmember Welton asked what infrastructure he was referencing. Mr. Whipple stated it is for the capacity that is already built in Lateral 20 to allow the city to tie in. Mayor Moore asked if they figured they needed three taps off of the Lateral 20. Mr. Jockumsen stated that he would like to study that but felt it would help provide a loop system and it would service that area.

Mayor Moore asked if the city could get by with one or two taps. Mr. Jockumsen confirmed the city could. Mr. Whipple stated that there is a \$750/acre charge per hook up. Mr. Whipple stated that High Line spent money that they didn't need to on Lateral 20 to accommodate Payson. Mr. Whipple stated this isn't about one or two developments, but it is about the future growth of Payson. Mayor Moore stated that the city needs to decide how to proceed. Councilmember Hardy asked if the first step is updating the MOU. Mr. Whipple stated that the city needs to decide how to proceed. Councilmember Hardy asked Mr. Whipple if there would be a committee that could address these issues. Mr. Whipple stated that there is a committee already in place with two board members, the Mayor, Dave Tuckett, and a neutral individual. Mr. Whipple stated that any other individuals that would like to attend are

welcome. Councilmember Welton asked what time the meetings are. Mayor Moore stated they are usually around 11 to 1.

Councilmember Hulet said that it is important to work something out with High Line, but he also recognizes that the City has great staff and let the staff come up with some proposals. Councilmember Welton asked what the purpose of this discussion is. Mr. Whipple said that he is here at the council's request and he felt there were many lawns that went brown that he felt didn't need to. Mr. Whipple stated that he is willing to work with whomever the council would like to work with him.

Councilmember Hulet asked if the committee was in place then why didn't the issues get resolved in the committee. Mr. Whipple stated that he was turned down. He asked the staff many times how much they needed but was never given an amount. He said there were pumping costs and the City turned it down because it was too much money. Councilmember Hulet stated that it came down to a money issue for the city. Mr. Whipple said the cost was very reasonable. Mr. Whipple stated that he felt like the costs could have been absorbed. He said at the highest point was a \$9 an inch and they offered it at \$3 an inch, but that water was gone. He said that he came back to the city and with a proposal of \$9 an inch because they had to pump, but the city turned down the offer. He stated that he found water to be delivered at \$3 an inch in August. He said the Mayor considered lifting the water restriction because he had found so much water. He feels that that shows the wants to be good partners with Payson.

Councilmember Hardy stated that he would like to stop pointing fingers at staff. He stated he had confidence in his staff and said he was frustrated that a lot of this information wasn't available to the council last year. He said High Line should get the information out to the public and council and so should the staff. Mr. Whipple stated that he got the information to staff. Mr. Hardy said we need to forget the past and move forward and work together. Mr. Whipple stated it's not his position to go above staff and report directly to the council. He said he became frustrated and started working with the Mayor to find water.

Councilmember Welton said that the staff does a wonderful job but staff needs to be held accountable. He said that if it costs the city an extra \$3 to \$5 month per household then it would be worth it. He stated that question should be submitted to the public and let them have input about it.

Mr. Jockumsen stated that he was told that they had rented all of their water when they started the conversation. He said High Line told them they would have to go back to the board and see if they would approve renting water, but it may be \$10 an acre inch. Mr. Jockumsen said he told High Line the city couldn't afford that price. He said when the \$3 cost was found he gave High Line the number that he felt the city needed. Mr. Whipple said that somewhere between April and August there was a disconnect.

Mayor Moore stated that the way they got the rate down to \$3 per inch was because of the pump. Mr. Whipple stated that there needs to be better communication. He also stated that he would like to know if the council wants him to report directly to the Council or go to the staff so he can plan accordingly. Councilmember Hulet stated that he would like Mr. Whipple to work with the staff and the committee. Councilmember Hardy agreed.

Mr. Whipple stated that he wants to be good partners with the city. He said that they really didn't have anything pushing them to offer water for the city other than trying to help out.

Councilmember Hulet said that one of the big challenges for the city is trying to judge what type of water flow is coming. Councilmember Welton suggested that is why the city needs to build in the cost in case the water flow isn't what was projected.

Mr. Whipple stated that \$9-\$10 an inch isn't a lot when it comes to pumping water because it just covers their basic costs. Mayor Moore said he doesn't agree with charging the citizens more for water because all of the increases keep adding up. Councilmember Welton stated that he feels the city needs to communicate more with its citizens and let them decide if they would like to pay the extra costs for more water. Councilmember Hulet agreed with Councilmember Welton.

Mr. Whipple stated that he would prefer to plan with the city instead of scrambling. Councilmember Welton said that is why he wants to start the conversation early and have it regularly. Mr. Whipple stated that the council needs to discuss what it would look like to for High Line to manage the PI system.

Mr. Tuckett said that he would like to get a number from High Line of how much it would cost to tie into Lateral 20 and then work on the MOU. Mr. Tuckett stated that the City has had many new water dedication agreements that provided an extra 3,000 inches. Mr. Tuckett said he felt hooking onto lateral 20 would be the city's best option. Mayor Moore said the city needs to figure out how many taps the city will need.

Councilmember Hulet asked if the committee takes minutes of those meetings. Mr. Tuckett stated that they used to have the secretary take minutes, but they haven't recently due to change.

Mr. Whipple stated that since the summer he felt that Mr. Tuckett and Mr. Jockumsen have been trying to work with him. He said he is willing to go forward and try to work with the city. He offered to all the councilmembers the option to meet with him and he will talk water with them to help increase their understanding of the water issues.

Mayor Moore stated the High Line staff is all great to work with. Councilmember Welton stated he had a great conversation with Mr. Whipple and he feels it is important to move forward and work with High Line.

Mark Roberts the state legislature said that he has a town meeting and thought he should stop by and welcomed the new councilmembers. Councilmember Hulet asked how Mr. Roberts' bee bill is going. Mr. Roberts discussed his bill and the process involved with it.

**MOTION** by Councilmember Welton to adjourn.

Meeting adjourned at 7:50 p.m.