

April 6, 2016 PAYSON CITY COUNCIL MEETING MINUTES

ATTENDANCE: Mayor Moore; Council member Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips and Doug Welton; City Manager Dave Tuckett; Finance Director Sara Hubbs; City Attorney Mark Sorenson

Meeting began at 6:04 pm.

PRAYER & PLEDGE OF ALLEGIANCE: Prayer offered by Jaren Carlile; Pledge of Allegiance led by Ammon Gull

CONSENT AGENDA: Approval of March 16, 2016 Payson City Council Meeting Minutes and March 30, 2016 City Council Work Session Minutes.

Approval of local Consent for Single Event Permit.

Approval of Congenital Diaphragmatic Hernia Action Day Proclamation.

Approval of Arbor Day Proclamation.

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

PUBLIC FORUM: Public Forum opened at 6:07 p.m.

Mr. Josh Huntsman stated that he is willing to volunteer to help find solutions to solve traffic issues, specifically unregulated intersections and pedestrian safety. He said the most effective way to make change is through education. He suggested that the police department and he work together to help educate elementary children and high school kids about pedestrian safety around unregulated intersections. He said there is little information in the Utah driver test that educates drivers how to drive in unregulated intersections.

Public Forum closed at 6:10 p.m.

STAFF REPORTS:

PARKS – Tracy Zobell said the golf department completed the bridge after four weeks and all that is left to do is aesthetics. He said the Petetneet sprinkler system has been backfilled. He addressed issues that were brought up last week during the public open forum meeting. He said he met with Mr. Fowden to address the dirt pile at 800 North. He said that his solution would be to berm around the area and put grass and trees that would allow people to sit. He said the berm could be designed, so it wouldn't affect the potential ball fields that will be built there and they can be left when they are built.

Mayor Moore asked if the berm that is there now is the top soil that will be used to put on top of the fields. Mr. Zobell said that he would berm all four sides, but would like to start on the Main street side. He said to do three sides, since the 800 North side is about done, would be roughly \$22,000. He told council that he is willing to answer any questions they may have.

Streets Superintendent Kent Fowden said the batch plant will start running regularly on Monday, so weather permitting they will start patching potholes and paving.

Mayor Moore asked Mr. Fowden to look at the potholes on 700 E. and 600 N.

COUNCIL REPORTS:

Councilmember Hardy said the Easter egg hunt was an interesting event due to the snow on the ground. He said the public still enjoyed it though.

Councilmember Welton apologized for having to leave early at last week's open public forum meeting and was excited about the turnout.

Councilmember Hulet thanked Mr. Zobell for following up on the issues brought up during the public forum meeting.

Mayor Moore mentioned the Easter egg hunt at the VA center was very successful and stated his appreciation for all of the public involvement. He stated that Peteetneet is progressing and he is looking forward to conserving the water. He said the snow pack is less than 70%, but the moisture has been very helpful. He said most of the water is going into the ground up in the mountains, so we will still be short.

SCOUT ATTENDANCE CERTIFICATES – Councilmember Doug Welton presented attendance certificates to the following scouts in attendance: Ammon Gull, Jaren Carlile and Matthew Lacey.

CHAMBERS BUSINESS OF THE MONTH PRESENTATION

Tabled for next city council meeting.

LOCHNER – UPDATE ON MAIN STREET INGERCHANGE EIS

Mr. Justin Schellenberg said that he has been assigned to the south Utah county area, which helps keep continuity and Andrea Clayton is replacing Loretta, who left Lochner for different employment. He said Ms. Clayton has been on the project from the beginning and will do a good job. He presented a timeline and said they are now analyzing impacts. He said this fall they will publish the draft EIS. He said that is when they will present a single option that they feel is best. He said there will be an open public comment period after that. He said that in February and March they will present the Final EIS.

Councilmember Hardy asked if the public comment will make a difference. Mr. Schellenberg said that they will have to address the public comments and if the public brings up an item that was overlooked then they could revisit the recommendation. He said that they are trying to be very thorough and receive all the comments right now. He said they don't expect to have comments that haven't been heard before during that open comment period. He said every comment is weighed and considered.

He reported that there were 3 different categories alternatives which were Combination, Improve, and Relocate. He noted there were 17 alternatives within those categories. He said now they have narrowed it down to 4 different options that they are studying. He said there are three different entities that Payson City, Stakholders, and the different Agencies like fish and wildlife and EPA.

He said under the national environmental policy act, they have to look at a reasonable range of alternatives that satisfy all the needs of the parties interested. He said 3 of the 4 alternatives are “combination” and 1 is “improvement”. He stated that at the higher level screening process the combination alternatives received the most support from the public. He said now they will drill down and analyze the options more closely. He showed the four different options still being studied: C1 Braided Ramps; C3 Frontage Road Ramps, C4 – Split Diamond, I1 Long Span Structure.

He discussed alternative C1 Braided Ramp and noted this alternative will construct a new ulterior road that connects to SR 198. He said that it does require improvements to main street but it stops at 600 North.

Councilmember Hardy asked what impact this alternate would have to the businesses. He said that some of the businesses would have to be bought out and relocated. He said the magnitude of the impact will still be refined and evaluated into more detail. He said that they are looking at it as a worse-case scenario.

Mr. Schellenberg discussed alternative C3 Frontage Road Maps option and said it is very similar to the braided ramp. He said the frontage road would be used to access the on and off ramp. He said the impact is the same the only difference is the operation.

He discussed alternative C4 Split Diamond the new ulterior road has a different road way. He said the impact is very similar to C1 and C3 options. He said this option is more of a condensed footprint between the other two options.

He discussed alternative I1 – Long Span Structure and noted it was more of a traditional freeway interchange. He said it forces them to widen main street to accommodate the traffic that is expected to use the new interchange. He said main would be widened to 5 lanes all the way to SR 198. He said there would be a much larger impact to main street with the I1 option. He said even though this option has the most significant impact on main street it has the least impact on environmental impact. He said that they have to weigh out the impacts because they all fit the reasonable range of alternatives.

He said the next step is to analyze in detail the 4 build alternatives as well as a no build alternative, to determine potential environmental impacts. He stated they will document findings, recommend “preferred alternative” in Draft EIS and the draft EIS will be available for public review in fall 2016 and the public hearing will be held after that draft is published in fall of 2016.

Councilmember Hulet asked how much impact does the public, business owners, mayor, and council have when making this decision. Mr. Schellenberg said that they have a lot of impact, but there is no magic formula because there are other agencies that provide input as well. He said they try to balance all the needs and come up with a best solution that meets the needs. Councilmember Welton said that he had never heard nor seen the environmental impact and asked why that information isn’t presented. Mr. Schellenberg said the UDOT website lists all the environmental impacts. Councilmember Hardy said that he hasn’t heard Lochner talk about the economic impact. Mr. Schellenberg said that the economic impact is an impact that they do consider. Councilmember Hardy asked what the Partial acquisition

means. Mr. Schellenberg said that the property can still operate and be occupied, but they would have to purchase part of the property. He said the property will be appraised and the correct steps will be followed to make sure the property owners are compensated fairly.

Councilmember Carter said that someone's life long historical home and businesses that supply a lot of revenue to the city can't be overlooked and pushed aside like an old tree. Mr. Schellenberg said that they listen to those property owners and take their comments into consideration.

Mayor Moore encouraged all citizens to voice their opinion and participate in the study.

SELECTION OF RESIDENTIAL IRRIGATION METER

Brent Arns, Payson City Water Superintendent, stated that as part of the water smart grant they received \$300,000 and it requires a \$300,000 match as well. He stated the grant will be used to install pressurized irrigation (PI) meters. He said that he received 3 bids for the 4,500 meters. He said that he proposes the census meter as the meter to install. He said that the census meter offered a \$170,000 rebate and the software would be significantly cheaper than other options after the rebates that are given, which would be about \$7,500. Mr. Arns said that he has talked with other cities that use this meter and they are all happy with them. He said there are no moving parts, so the chance of them plugging up is not likely. He said the culinary meters would be able to be read with these meters as well. He said the per meter read price is also the lowest too. Councilmember Welton asked if the two towers have to be built. Mr. Arns said that there will be two new towers constructed. Mr. Tuckett said that they will work on the tower first and then whatever is left will be used to purchase more meters.

Councilmember Phillips asked what the plan is going forward. Mr. Arns said that the new homes will be required to put the meter in. Mr. Arns said they won't start charging for PI usage until all the meters are installed in the city. He said the secondary meter has an on off switch, so they control the water usage if someone didn't adhere to the restrictions. He said that is way extreme, but it is an option. He said that these meters can run with the SCADA system as well. Mr. Arns said that he talked to the water basin and they have received a 38% water conservation since installing meters.

Motion by Councilmember Phillips to approve Mr. Arns selection of meters. Motion seconded by Councilmember Hardy. Motion carried.

DISCUSSION REGARDING PRESSURIZED IRRIGATION SEASON

Mr. Arns said that the upper pond is full and has started to fill the lower pond. He said the high water has not come down yet, but they are trying to catch everything they can. He said they were at 32 inches last week and are now at 23 inches. He said the tentative day to release the water from High Line is May 1st. Councilmember Hardy asked how the citizens would be notified when the PI would be turned on. Mr. Tuckett said that they will use the parlant system to notify citizens. Mr. Arns said as soon as the ponds are full they will send it to the open ditches. Councilmember Phillips and Mr. Arns discussed when 6th East curb and gutter would be done and if the PI boxes will be moved.

Mr. Tuckett mentioned that there is no need to water right now and it actually hurts the grass to water this early. Councilmember Phillips asked if there is any kind of consideration of changing the watering days, so the same people don't have to water on Saturday who had to water on Saturday last year.

Councilmember Hulet asked if Mr. Arns is recommending three days or if they plan on buying more water so there aren't restrictions. Councilmember Phillips said that in PG they are implementing water restrictions as well because we are still in a drought. Mr. Tuckett said that Payson is still below normal and in a drought. Councilmember Hardy said that he wants staff to begin talking with highline now. Mr. Tuckett said that they have 200 acre feet extra water this year, which is more than they rented last year. Mr. Tuckett and Mr. Arns said that they are in better shape this year. Councilmember Hulet said that he recommends three days volunteer watering and flip the schedule, so the same people that watered on Saturday last year aren't watering on Saturday this year.

Councilmember Hulet said that the city needs to look at infrastructure, canals, ponds, reservoirs, water lines. He said that he feels like a committee should be put together to help the long-term water needs. He also said that he would like to see a \$5 monthly increase, but could be waived if citizens attend a water conservation class.

Councilmember Welton said that the lower pond is slowly filling, but the dry creek is running behind his house and is wondering if we can capture some of that water. Mr. Arns said that they have sand bagged the creek and has been diverted. Mr. Arns said that he knows people don't like the idea of meters, but it will provide accountability. Councilmember Phillips said that he liked former Councilmember Skinner's idea of having an allotment given to the citizens before they are charged. Mr. Tuckett said that having meters will probably be mandated that all cities will need to meter in the next couple years. Mr. Tuckett said that staff will have a resolution drafted for next council meeting to determine the watering schedule.

RESOLUTION APPOINTING PLANNING COMMISSIONERS

Mayor Moore recommended appointing Teresa Hiatt, Blair Warner and Adam Billings to the planning commission.

Councilmember Hulet said that he would like to see some information about the people that are being appointed to the boards beforehand, so he can make an informed decision. Mayor Moore said that the next time they will send out the bios to all the councilmembers.

MOTION by Councilmember Phillips to approve resolution appointing planning commissioners. Motion seconded by Councilmember Carter. Motion Carried.

RESOLUTION APPOINTING BOARD OF ADJUSTMENT MEMBER (TABLED)

ORDINANCE APPROVING FY16 BUDGET AMENDMENTS

MOTION by Councilmember Hardy to open public hearing. Motion seconded by Councilmember Welton. Motion Carried.

Finance Director Sara Hubbs presented the budget amendments that are funded with fund balance. She stated that there are three amendments that are funded by the general fund balance. She said the first amendment was for \$30,000 to help construct a new electronic sign at Wagon Wheel Park. She stated the \$30,000 would be used with a \$20,000 grant the city received from the county. Mr. Tuckett said that the additional \$30,000 would help cover the landscaping costs as well. Mr. Hulet asked if the higher resolution or lower resolution sign is being proposed. Mr. Tuckett said that the lower sign resolution is what staff is proposing. Mr. Zobell said they are proposing building the sign with a pole because if the UDOT study impacts this area, it can be easily moved.

Ms. Hubbs said the City had promised to transfer \$7,000 each year to the Payson Community Theater and that transfer was not made in Fiscal Year 2012 and 2015, so a budget amendment is needed to transfer \$14,000 to the Payson Community Theater.

Ms. Hubbs discussed an amendment needed for \$60,000 to finish the sealing of the Peteetneet. She said three quarters of it was sealed last year, so this amount will finish the last quarter of the sealing.

MOTION by Councilmember to close public hearing. Motion seconded by Councilmember . Motion Carried.

Motion to approve the budget amendments via resolution but monitor 930 West truck traffic and have them come down 1400 or 1550 South roads. Mike Hardy seconded the motion. Motion carries.

MOTION by Councilmember Phillips to approve budget amendments via resolution but monitor 930 West truck traffic and have them come down 1400 to 1550 South roads. Motion seconded by Councilmember Hardy . Motion Carried.

DISCUSSION REGARDING STAR RIDGE DEVELOPMENT AGENCY

City Manager Tuckett said at the budget retreat there was discussion regarding a potential reception center near the golf course. He said that he was directed to meet with Mr. Redd and get a proposal from him. Mr. Tuckett said that Mr. Redd asked for the latest proposal to be placed on the agenda.

Councilmember Hulet said that he and Councilmember Welton met with Mr. Redd, and he offered some ideas to be added to the proposal. He said Mr. Redd put in one of his recommendations of having two rooms, so there could be multiple events running at once. He also suggested ideas for the city to have more opportunity for revenue and use. He said originally Mr. Redd proposed unlimited use of the building, but then it became \$300 an event for unlimited use. He said that he talked with Mr. Redd

about the city being able to sublease its use. He said he would like the city to be able to rent the reception center to a corporation and pay the reception center the \$300, but then keep the remaining amount. He said that Mr. Redd talked about putting it in the agreement, but he doesn't see it in here. Councilmember Welton said he agreed with Councilmember Hulet that neither of them should be making negotiations for the city. He said that he believes Mr. Redd is concerned about the \$300 cost for life. He said that Mr. Redd would give the city 40 uses and all Sundays.

Councilmember Carter said that she has seen many other golf courses that have added beautiful additions and how often the reception centers are used and rented. She stated the she feels it should be the city that should build it and utilize it. She also asked how the proposed reception center would be able to house the golfers and a wedding reception.

Mr. Steve Wilson said that they have plans to construct more parking on their land. Mr. Wilson said that he has worked on this a long time. He said they feel like the 40 golf uses and unlimited Sundays, and plus some City events is fair. He said that he would like the council to vote on what is in front of them, so they can move forward.

Councilmember Carter said that she was at the golf course when she first met Mr. Redd and she extremely happy about what Mr. Redd proposed in the beginning, but was shocked at how it changed. Mr Wilson. said that he can accept that, but he said once they figured the costs they would have to put out to make it work for the city they came up with the proposal that is in front of council and if council doesn't like it they can vote it down.

Councilmember Welton said it's important for Council to understand that things change and the council should understand that. He said his concern is that the city won't do it because he knows they have talked about it for 20 years. He said if the city isn't going to do it in the next couple years, then we should let the company do it. He said he has seen a proposal in Dave's office that has been there for multiple years. Councilmember Welton said if it can be done in three to five years then he is for the city.

Councilmember Hulet said that he has a philosophical problem with the city competing with the businesses. He said he also has a problem that he met with Mr. Redd and the items that he asked to put in the contract were not there.

Councilmember Phillips said that he isn't in favor of the proposal as presented, but he would still be interested if some changes were made. Mr. said that they won't come back with another proposal.

MOTION by Councilmember Phillips to deny the proposal as presented. Motion seconded by Councilmember Carter. Motion Carried 4 to 1. Councilmember Welton voted nay.

Steve Hanson applauded the decision of the council and asked if the developers have followed proper channels to build up there. He asked that Council have a public hearing on this topic if it comes back to council. Mr. Wilson stated that there has been open forum for this meeting and they have the right to build a home up there.

DISCUSSION REGARDING CURBSIDE RECYCLING

City Manager Tuckett said that recycling has been a very important discussion for the past few years, but now there has been a lot of interest due to the school district removing the recycling bins. He said the staff recommends the opt-out provision. He said every citizen will receive a can and will have the option to opt out within a certain period of time. He said the bidder suggests doing a two-month period of education. He said the pricing depends on participation and at a 75% participation rate it will be \$4.97 a month for biweekly pick up.

Councilmember Phillips asked if there would be a city meeting that would allow citizens to come and voice their opinion.

Councilmember Hardy asked how long the contract lasted. Mr. Tuckett said that it was for five years. Councilmember Hardy asked if the contract could be three years. Councilmember Hardy said that he noticed there is a cost of living adjustment that the company can increase the cost. Mr. Tuckett said that they could increase the price due to the consumer price index and adjust for the gas cost.

Councilmember Phillips asked if the city would know what the trigger points were. Councilmember Hardy asked if the city is comfortable with a five year contract. He stated his concern about placing the ability to control the budgeting process for it. Mr. Tuckett said that it will not affect the city budget and the citizens will have the option to opt-out if the price jumps too high. Mayor Moore asked if it was a certain time frame that was given for citizen's to opt out.

Councilmember Phillips asked to hear from Solid Waste Superintendent Mr. Fowden. Mr. Fowden said in his opinion recycling is a good idea and it is market driven, it works only if people are willing to pay for it. Councilmember Phillips asked about logistical issues. Ms. Hubbs asked if the recycling would extend the life of the landfill. Mr. Fowden said that it is a loaded question and so many different opinions regarding recycling. Mr. Fowden said that if the citizens want it then the city should do it. Councilmember Welton said there is a potential with recycling to reduce the amount of trash put in the landfill. Mr. Fowden said that the good thing with the opt-out program is that the city will find out in a hurry whether citizens want it or not. Discussion was held about rates increasing if the rate of participation decreases. Councilmember Phillips said that he agrees with Councilmember Hardy and would like a shorter contract.

Larry Skinner asked if there would be a penalty for those that opt out of the recycling program. Mayor Moore said that the citizens garbage service would still be treated the same.

Mr. Tuckett said the big question is whether the council wants to provide recycling to the citizens. Councilmember Hardy said the citizens made it pretty clear that they want recycling. Councilmember Hulet asked if the city would be responsible for any charge if the take rate drops below a certain rate. Mr. Tuckett said that the only effect would be that the price would increase, so those who choose to stay in will pay the higher price. He said the theory is that it doesn't affect the city coffers; it only affects those who choose to stay in the program.

MOTION by Councilmember Phillips to move forward with the opt-out recycling program. Motion seconded by Councilmember Hardy. Motion Carried.

DISCUSSION REGARDING GREEN RIDGE OVERLOOK PROPERTIES

City Manager Tuckett presented the green ridge development. He said there are areas where the homeowners have put their fences on the city property. He said if the city is going to subdivide the two lots and sell them, then he would like to clean up the area that has homeowner fences on the city property.

Councilmember Hulet said that the planning and zoning can do a two-lot subdivision and it may not have to come back to city council.

Mr. Tuckett said that the money from the lots would be put back into the park. Mr. Zobell said that they thought about doing a parking lot, but he said the funds will go back into the park.

Councilmember Hulet asked if the two lots could be made bigger and not leave the big open space. Mr. Zobell said that the open space is a pad that is not owned by the city.

Councilmember Welton and Mayor Moore said that they like the green space. Councilmember Carter said that she walked up there today and the big, steep hill is not considered green space.

ADJOURN TO REDEVELOPMENT AGENCY

MOTION by Councilmember Hardy to adjourn to Redevelopment Agency. Motion seconded by Councilmember Welton.

MOTION by Councilmember Hardy to open public hearing. Motion seconded by Councilmember Phillips. Motion Carried.

PUBLIC HEARING – RECEIVE PUBLIC INPUT REGARDING THE SALE OF PARCEL #49:440:0005 IN THE PAYSON CITY BUSINESS PARK

Mr. Tuckett showed a map of property that is owned by the RDA. He said there has been a request to purchase the property. He said that the price would be around \$85,000 per acre. He said Coldwell banker brought the purchaser to Payson City. He said the city code states that anything over 1 acre has to be open to a public hearing. He said the potential buyer would like to start building as soon as possible.

Lynelle Smith said she is representing the housing authority and her petition to council is to develop affordable housing for those in need. She said Payson has a deficit for affordable housing of about 1,100 homes.

MOTION by Councilmember Phillips to close public hearing. Motion seconded by Councilmember Welton. Motion Carried.

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Councilmember Hardy said that he feels there needs to get some businesses out there, so he is in favor of the sale of the property.

MOTION by Councilmember Hardy to approve resolution approving sale of property. Motion seconded by Councilmember Carter. Motion Carried. All present voting aye

MOTION by Councilmember Phillips to adjourn from Redevelopment Agency and reconvene to City Council. Motion seconded by Councilmember Welton.

RECONVENE TO CITY COUNCIL

MOTION by Councilmember Phillips to reconvene to City Council. Motion seconded by Councilmember Welton.

MOTION by Councilmember Hulet to move to closed session. Motion seconded by Councilmember Welton. 8:23

Reconvened at 8:46 p.m.

MOTION by Councilmember Hardy to adjourn.

Meeting adjourned at 8:46 p.m.