

PAYSON CITY  
CITY COUNCIL MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, August 17, 2016 6:00 p.m.

CONDUCTING Mayor Richard Moore

ELECTED OFFICIALS Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton

STAFF  
Dave Tuckett, City Manager  
Sara Hubbs, Finance Director/Recorder  
Travis Jockumsen, Dev. Serv. Director/City Engineer, PW Director  
Kim Holindrake, Deputy Recorder  
Brad Bishop, Police Chief  
Karl Teemant, Recreation Director  
Judge Dahlquist  
Spencer Killian, Police Officer  
Tracy Zobell, Golf Pro  
Ron Crump, Electrical Superintendent  
Scott Spencer, Fire Chief  
Kyle Deans, Planning/Zoning Specialist  
Kent Fowden, Streets/Landfill/Storm Drain Superintendent

OTHERS  
Spencer Lyle – Scout, Larry Garmus, Allaire YOUNICA, Chet Hovey –  
Advanced Environmental Engineering,

This meeting of the City Council of Payson City, Utah, having been properly noticed, was called to order at 6:10 p.m.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Councilmember Welton

Pledge of Allegiance led by Councilmember Phillips

**MOTION: Councilmember Carter – To allow Mayor Moore to amend the agenda as he sees fit.**

Motion was seconded by Councilmember Hardy. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

B. CONSENT AGENDA

1. Approval of August 3, 2016 Payson City Council Meeting Minutes

**MOTION: Councilmember Hardy - To approve the Consent Agenda.** Motion seconded by Councilmember Phillips. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

Mayor Moore amended the agenda to address Item C4 next.

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

50  
51 4. Oath of Office - Officer Spencer Killian  
52

53 Judge Dahlquist swore in Officer Spencer Killian. Officer Killian was hired to replace the officer who  
54 recently resigned from the agency.  
55

56 Judge Dahlquist stated that on behalf of the Payson Community Theater Board of Trustees he mentioned  
57 the upcoming show, Into the Woods, that opens next week. The show runs Thursday, Friday, and Saturday  
58 for two weeks at 7 p.m. and a matinee on Saturday, August 3rd at 3:00 p.m. He invited Mayor Moore and  
59 the city council to bring a partner and attend as their guest.  
60

61 1. Public Forum 6:16 p.m.)  
62

63 Larry Garmus stated he has lived in Payson for about 10 years at 500 West and 700 South. He served in  
64 the Marine Corp in southeast Asia flying a C46 helicopter. He followed an order and some people were  
65 killed by the rounds from his machine gun. He didn't know they were there but saw them after. It has left  
66 a mark on him that will never ever go away. He can imagine that day the children running from the  
67 helicopter with the guns blazing. He says this because he is serious about what he is saying. There are two  
68 schools on 500 West. He knows the children who walk down the road and play. The road is a race track,  
69 and there are no speed limit signs. Some people use it as a dragstrip. There are large construction trucks  
70 going down the hill. He fears for the children and any other innocent people who may get killed. He  
71 noticed the new stop sign on 300 South. Tow speed limit signs are needed. One on the south entering at  
72 800 South and another on the other end. Then the speed need to be enforced. At night there is someone  
73 going south to north at 70 to 80 mph. He is pleading the case for speed limit signs and enforcement. If  
74 something happens it won't be on his conscience. As for cost if it is enforced, the city will get 10 times  
75 the money in return in a short period of time. Please fix the problem because it is a serious problem. On  
76 the hill commercial trucks should not be allowed.  
77

78 Councilmember Welton stated the council addressed these issues a couple months ago, and staff is  
79 working on installing stop signs. He requested staff to address the speed limit signs.  
80

81 Public forum closed. (6:25 p.m.)  
82

83 2. Council and Staff Reports  
84

85 Staff Reports  
86

87 GOLF - Tracy Zobell, Golf Pro, stated Salem City thanked Payson City for the golf carts for their parade.  
88 Salem City also held their golf tournament in Payson with 140 players at the course. There are 3 to 4 big  
89 events coming up. One with Komatsu out of north Salt Lake, who will bring 160 players to the course.  
90

91 FINANCING – Sara Hubbs stated her appreciation to all the staff for their support. She will miss the city  
92 and everyone.  
93

94 POLICE – Chief Bishop stated he will add extra patrols to the 500 West/700 South area. The standard 25  
95 mph speed applies to any road not otherwise identified. He reminded everyone that school starts on  
96 Tuesday and to pay attention to the children walking. He reported that in the last two weeks there were  
97 666 calls for service, 62 arrests, 135 offenses, 157 citations, 221 violations, 197 traffic stops, and 14 traffic  
98 accidents. He welcomed to Office Killian, who will be a great addition.

PUBLIC WORKS – Director Travis Jockumsen stated a meeting was held with High Line yesterday to work out the city's billing. The city has 3058.64 acre feet of water and should be fine the remainder of the year. About 12 cfs is being taken out of the canal to keep up with the lakes being closed. Additional testing is being done on the lakes. The numbers are down but not down far enough to reopen. The city used about 315 million gallons of pressurized irrigation water this year. The street department has been working hard. Utah Avenue is complete, and 100 South is almost complete. Work is just beginning on 600 East.

ELECTRICAL - Ron Crump, Electrical Superintendent, reported he attended a conference in Midway where they discussed climate change and the Columbia and Colorado River drainage. On the battery storage systems, if you took 60 Tesla cars and plugged them into the grid fully charged, it would give 50 megawatts of capacity. The downside is it's only good for 25 minutes. The grid is changing to a bidirectional because of distributive generation. Water conservation discussions noted that it takes 460 gallons of water to make a hamburger. It takes 1,600 gallons to make Levi Jeans for the cotton. A member of the Sierra Club presented. Their goal to have the electric grid decarbonized by the year 2050. There were discussions about nuclear energy. In France they use a little wind and nuclear gas. There are a lot of new advances. Utah is in the middle of decarbonation but with the highest cost. He gave a handout on load factor efficiency. Payson received a gold medal on load factor. Payson was the 11th seed and came out as #1 compared to other cities. The city is maximizing its capacity and being more efficient. He reminded the council of the carbon free project update that will be September 13th in Salt Lake City. It will be a full update of where technology is and on small modular reactors. The city needs to make a choice whether to go with the project or not.

RECREATION – Director Karl Teemant reported that gymnastics and cheer just began, and football will start shortly. There were 527 kids signed up for youth soccer. He will have the clock replaced at the pool.

FIRE AND AMBULANCE– Chief Spencer stated he has been working with state district where he did some training with their coaching staff. They assisted the football team Friday night where they sprayed them down after their workout. They ran 155 medical calls in July with over 1,000 total this year. There were 42 fire calls over the year. They have a great relationship with Mountain View Hospital who helped host a golf tournament for fire personnel and EMT's. He appreciates what they do for us. The ambulance team has been running 12 leads that is transmitted to the hospital for them to prepare for the patient.

#### Council Reports

Councilmember Hardy thanked Janeen Dean and the staff for fine job at the salmon supper. The chamber will be changing the billboard on the north side of town. The council can send him any design suggestions. He thanked staff for work in front of Jolly Joes, which looks really nice. He thanked Rhett Huff. He is impressed with the Lions Club and Rhett for their work improving Payson in raising money for the library. He is happy for Sara Hubbs' change but not happy to see her leaving Payson. He wished her well.

Councilmember Welton enjoyed the salmon supper, which was great. He thanked Janeen Dean, fire and police personnel, the employees, and volunteers. There were 5,000 people served; it was very impressive. Sara Hubbs has been fantastic communicating with him and the citizens. He publically apologized to Dan Elsworth for being hard on him. He has come to understand that the agreement in place is problematic for him and the city. Dan is willing to sit down and work with the city on the east-side plan. He noted in the pledge that there is no pause between one Nation and under God.

Councilmember Carter stated she has attended the salmon supper for over 55 years and has never missed one in all this time. She appreciates all the employees, fire department, and just everybody who worked so hard. She also appreciates all the work on the Labor Day celebration. She notices all those who work in the parks, etc. She stated that Sara Hubbs has faced many things. She is really proud of her, and the work she has done for Payson City. Her replacement will do a good job, but she will miss Sara.

Councilmember Hulet stated Payson will be doing great things and Sara Hubbs will miss out. He thanked her for all her work; he will miss her. The salmon supper was a great event. Sara Hubbs reported the concert made \$400 so costs were covered. Dave Tuckett reported that a work session is scheduled for August 31<sup>st</sup> on the east-side plan. Notices will be sent out. The open house will begin at 6 p.m. for one hour and then the work session on the east-side plan will follow. Councilmember Hulet reported that he and staff met with a company wanting to come to Payson. They were here for a day and a half. If the company locates in Payson, it will spend over \$300 million in building and equipment, which is great for property taxes. They went up to the golf course; the company reps thought it was a wonderful place. He noted that the City needs to take advantage of the golf course.

Councilmember Phillips echoed what everyone has said. He thanked Kent Fowden and Sara Hubbs.

Mayor Moore thanked Kent Fowden and his crews; the streets are looking good. He appreciates the sewer, water, and street departments and all their work. He is proud of what has been done. The overlays and new streets have been very noticeable. The federal audit was turned in on strawberry, and information should be back by August 31<sup>st</sup>. The salmon supper was great, and the governor was impressed. Mayor Moore met with many of the regulars who attend the supper. The party bus came down again from Salt Lake City along with many from around the state and county. Last week was the poverty simulation, which went fairly well considering not many attended. Circles is part of the community action program that is helping families in need with finances, etc. They train them how to get jobs, to do budgeting, and many other things. Let him know if you are aware of anyone who needs this assistance. He appreciated the Lions Club and all their work. They are working to raise \$10,000 for the library for the teen center. They are serving hot dogs, chips and a drink at the park during the next three weeks. Councilmember Hardy requested that information be put on the website for this event. The library breezeway needs repairs with the stucco and possibly the tile. He appreciates everything Sara Hubbs has done. She got financing where it needs to be. He wished her luck with the rest of life.

### 3. Scout Attendance Certificates 6:57 p.m.

Linda Carter presented a scout attendance certificate to Spencer Lyle.

## D. RESOLUTIONS, ORDINANCES, AGREEMENTS

### 1. Request for Exception to Permanent Building Requirement 7:00 pm

Staff Presentation:

Kyle Deans reported that this item was discussed at the June 15<sup>th</sup> meeting. Prominence Natural Stone is requesting an exception to the permanent building requirement. Staff was asked to review a few items and continue the discussion at this meeting. The ordinance allows an exception to be granted by the city council. One issue was the classification of the business and whether that classification would require a zone change into the I-2, which allows heavier manufacturing and other businesses included in appendix A in the staff report. There are two classifications. Stone, clay, and glass manufacturing is cut stone and stone products, which is only allowed in the I-2 zone and requires a zone change. The second is

construction contractor and services, which is masonry, stonework, tile setting, and plastering services. This is allowed in both the I-1 and I-2 zones. In Chapter 19.8, subsection 1.3, any change of use or intensity of an existing use on the site triggers improvements to be made on the property. The improvements include roadway along all frontage areas of a public right-of-way to including curb, gutter, and sidewalk. A deferral agreement was discussed previously. The city engineer and street superintendent both feel curb and gutter should be required but would defer sidewalk until further development of the site or neighboring areas. The third issue is off street parking. According to the parking ordinance 19.4.1, every building, structure, improvement, and use shall provide permanent, maintained off-street parking as specified in the chapter. According to 19.4.7, all parking lots and parking structures shall be hard surfaced with asphalt or concrete. The question is, is the city council willing to allow for gravel off-street parking; and if so, the ordinance would need to be changed. The city engineer, as noted, feels that a deferral agreement on the installation of a hard surface parking lot can be deferred until time of further development on the parcel or adjacent parcels occurs. It still would need to be compacted gravel to provide for emergency vehicles. For discussion for the council is which category is appropriate for this business. Second will installation of curb and gutter be required or waived by the city council. Third will the council be comfortable with compact gravel parking. Currently the applicant has a home based occupation. In the past the stone work was cut on site, and they want to expand the business by cutting the stone at the business location. A permanent, approved restroom located on site is required. The Olsen's greenhouse is a permanent building, which has gravel out front. Previously the owners had requested an additional greenhouse that would have triggered all the improvements to the site. They chose not to build the additional building.

Kent Fowden stated the SWPPP requirements are addressed with gravel pads for tracking. The entrance would have to be a cobble. The business owner is responsible for tracking and any cleaning of the street, which is monitored by his department.

#### Council Discussion:

Councilmember Phillips has concerns about changing the zone to I-2 and opening the doors to different businesses. He would like to see it remain in the I-1 zone.

Councilmember Hardy has the same concerns with the I-2 zone. He has concerns about the current look of the property and not requiring a permanent building. He has seen rock out in the street.

Councilmember Welton has also seen rocks all over the street.

Councilmember Carter stated the requirement of curb and gutter will make the site look better.

Kyle Deans stated that everything has been moved onto their site. The decision tonight is based on Section 19.8.4.1 and the applicant showing that a permanent building is not necessary to the business operations.

#### Applicant Presentation:

Allaire Younica stated they would like to continue the production of shaping and cutting stone, which requires no covering or building of any kind. They don't need an office or show room. None of the equipment needs to be covered. There are huge trucks that come in and turn around, but they don't come onto the land and there is no tracking. There is no dust created with the cutting. They are happy to put in a restroom.

#### Further Council Discussion:

Councilmember Welton stated he understands there is no building needed at the home sites, but this is a permanent site where more volume is done. His concern is there is more work and a larger quantity in one

place. He questioned the difference between the definition of cut stone and stone work. He is concerned about fudging definitions and what problems that may create. He is okay with just curb and gutter at this time.

Kyle Deans stated there is a potential uses guide for cities and planning that shows categories, which is the entire definition. It could be a gray area, but he feels it falls under either category.

Councilmember Phillips voiced his concern that the business may get bigger and bigger and begin to generate dust. He questioned what safeguards are in place to regulate this and protect the neighbors down the road. He is also concerned with noise.

Dave Tuckett stated many items such as the dust can be handled through the deferral agreement. It is the discretion of the city if things become a problem.

Councilmember Hardy stated it is the city council's obligation to look at 5 to 10 years down the road.

Councilmember Hulet stated the I-2 zone is for higher manufacturing, and feels that is what is being proposed. It may not require a building. The I-2 zone opens it up to other types of businesses. The I-1 zone is for businesses that require a building. He would like some kind of building there. He is okay with just curb and gutter at this time.

Allaire Younica stated as a citizen she appreciates the city council looking out for the citizens. You also have to be careful not to drive away businesses by going too far with how it may change in the future. Keeping the property in the I-1 zone is a great protection. Because of the location and issues with the height of utilities, it would cost \$300,000 to bring in utilities. There are issues with the sewer as well. She has demonstrated that they don't need a building to run the business, which was the requirement.

Travis Jockumsen stated there is no water and sewer available. Utilities would have to be brought from the corner from Olsen's all the way down. When development to the east happens, it would trigger having to put in the infrastructure.

**MOTION: Councilmember Phillips – To go with the staff recommendations (to classify as construction contractors and services, require installation of curb and gutter, defer installation of sidewalk and hard surface parking, require impacted gravel for parking), approve the application for no permanent building with a deferral agreement, and keep it in the I-1 zone.** Motion was seconded by Councilmember Carter. Those voting yes: Linda Carter, Scott Phillips, Doug Welton. Those voting no: Mike Hardy, Brian Hulet. The motion carried.

### 3. Resolution - Discussion Regarding a Solid Waste Master Plan 7:31 p.m.)

Kent Fowden reported that in 1985 the city contracted with Erics Engineering for a solid waste master plan, which has been followed all these years. In May 2016 the city contracted with Advanced Environmental Engineering for a new master plan. The meat of the document is to see where the city is at and what volumes are left. There is 186 additional acres that has been mined by Kenny Seng, which is available for lateral expansion.

Chet Hovey stated this is phase 1, which establishes the foundation. They focused on the capacity of current land fill cells. With a master plan there is a wide variety of items to address such as infrastructure, maintenance facilities, recycling, and diversion. They look at development windows by addressing

population projections and rates of generated waste. They then project those volumes and determine how it will be processed. They address 20 to 50 year ranges. Currently the class 4 has about 12 years left, and the class 5 has about 19 years left. They look at different ways to extend the cells without expanding the footprint. This master plan is used as a budgeting and planning tool. They also look at diversion rates and changes in regulations. He commended staff as to the way the facility is operated. His recommendation is to start looking at expansion on the class 4. There are potentials for expansion above the class 5 area. The next phase is to dig deeper. The city needs to look at relocating the scale house, which is another phase. Waste fluctuation can be from construction and economics while some waste may be diverted for recycling. Current earth work is preparing for the next cell; and the material is sold, which creates a revenue. Regulations are changing so at some point the city may need to consider linings, which are very expensive. Utah's climate is an advantage. Funding can be addressed down the road; grants are available.

Dave Tuckett stated the main purpose of this study was to determine the timeline. The next part is to get a new cell entitled.

**MOTION: Councilmember Phillips – To approve the resolution adopting the Integrated Solid Waste Management Master Plan.** Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter  
Yes - Mike Hardy  
Yes - Brian Hulet  
Yes - Scott Phillips  
Yes - Doug Welton

## 2. Resolution – Amendments to the Personnel Policy Regarding Vehicle Allowance

### Staff Presentation:

Dave Tuckett reported this item was discussed two meetings ago focusing on going with the lease option. At that time the council wanted more information and to look at the entire policy. He reviewed a spreadsheet with vehicle options for employees.

<u>Miles</u> <u>Driven/Month</u>	<u>Car</u> <u>Allowance</u>	<u>IRS rate</u>	<u>Purchase</u>	<u>Lease</u>	<u>Annual</u> <u>Savings</u>
250	\$550.00	\$135.00	\$488.40	\$405.07 \$144.93	\$20,869.71
500	\$550.00	\$270.00	\$541.98	\$458.64 \$91.36	\$12,059.14
750	\$550.00	\$405.00	\$595.55	\$512.21 \$37.79	\$4,987.71
1000	\$550.00	\$540.00	\$649.12	\$565.79 (\$15.79)	(\$2,083.71)
1250	\$550.00	\$675.00	\$702.69	\$619.36 (\$69.36)	(\$9,155.14)
1500	\$550.00	\$810.00	\$756.26	\$672.93 (\$122.93)	(\$16,226.57)
1750	\$550.00	\$945.00	\$809.83	\$726.50 (\$176.50)	(\$23,298.00)
2000	\$550.00	\$1,080.00	\$863.40	\$780.07 (\$230.07)	(\$30,369.43)

The scale shows the cheaper option is the car allowance at \$550 per month. The lease option might be cheaper up to a certain mileage and is for diesel engines. The lease price has changed considerably. The vehicles available for lease at \$2,000 annually are a Ram ¾ ton Laramie or Ford F250. These would not work for some of the city needs. They also have a Chevy Tahoe for \$3,500 annually, a Ford F150 for \$4,000 annually, or a Jeep grand Cherokee for \$3,500 annually. The Police Department is going to lease

332 six trucks. He is concerned that this is a fairly new company, and the prices may be just to get started. If  
333 lease prices go up to \$3,000, it is still cheaper to do the car allowance. It is an unknown area if it changes  
334 next year. He recommended seeing how the Police Department does with the company. Then the city can  
335 work slowly into the program. There are approximately 10-12 vehicles on the car allowance.

336  
337 Council Discussion:

338 Councilmember Hulet stated he understood the proposal to address the basic car allowance and then if an  
339 employee drives more miles the allowance goes up. Some leases could be addressed in that if the employee  
340 is in the office a lot maybe only three vehicles are needed for five people. It would be on a case by case  
341 basis. Some employees don't need the vehicle all the time. He would like to recommend increasing the  
342 mayor's mileage allowance to at least \$300.

343  
344 Councilmember Hardy agreed.

345  
346 Councilmember Phillips would like to address this before the next budget in about March.

347  
348 E. OTHER

349  
350 1. Discussion Regarding City Digital Sign (7:48 p.m.)

351  
352 Dave Tuckett reviewed the new sign layout and two renderings. The plan is for a pole mount and not the  
353 brick pole. The council previously approved \$30,000, and the city received a grant for \$20,000. The  
354 project requires an additional \$8,000 for cement work and purchasing the pole. The screen is a 16  
355 millimeter, full color display. It is the same as the Gunnison Dental sign. A budget amendment will be  
356 needed. The grant money needs to be spent before the end of October.

357  
358 Councilmember Welton remarked on branding the city with the city logo.

359  
360 Councilmember Hardy would like to keep the logo off the sign. He does prefer the larger city name of  
361 Payson at the top.

362  
363 F. ADJOURNMENT TO CLOSE SESSION

364  
365 1. Discussion Regarding Property Sale and/or purchase (8:16 p.m.)

366  
367 **MOTION: Councilmember Hardy – To go into closed session.** Motion seconded by Councilmember  
368 Welton. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The  
369 motion carried.

370  
371 **MOTION: Councilmember Phillips – To adjourn the closed session.** Motion seconded by  
372 Councilmember Hulet. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug  
373 Welton. The motion carried.

374  
375 G. ADJOURNMENT

376  
377 **MOTION: Councilmember Carter – To adjourn the meeting.** Motion seconded by Councilmember  
378 Welton. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The  
379 motion carried.



381 The meeting adjourned at 8:46 p.m.

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Kim E. Holindrake, Deputy City Recorder

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