

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, September 20, 2017

CONDUCTING Scott Phillips

ELECTED OFFICIALS Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton
Mayor Richard Moore via telephone (5:35 p.m. to 6:00 p.m.)
Linda Carter via telephone (5:35 p.m. to 6:00 p.m.)

STAFF PRESENT David Tuckett, City Manager
Mark Sorenson, City Attorney
Sara Hubbs, Finance Director/City Recorder
Kim Holindrake, Deputy Recorder
Travis Jockumsen, Dev. Serv. Director/City Engineer, PW Director
Jill Spencer, City Planner
Brad Bishop, Police Chief
Janeen Dean, Community Events Coordinator
Karl Teemant, Recreation Director
Scott Spencer, Fire Chief

OTHERS Justin Schellenberg – UDOT, Lee Johnson, Trevor Jensen – Regtix,
Erin Mecklenburg, Steve Wallentine, Lynell Smith – Utah County
Housing Authority

This meeting of the City Council of Payson City, Utah, having been properly noticed, was called to order at 5:30 p.m.

MOTION: Councilmember Hulet - To appoint Scott Phillips as Mayor Pro Tem. Motion seconded by Councilmember Hardy. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

B. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Councilmember Welton.

Pledge of Allegiance led by Councilmember Phillips.

A. WORK SESSION

1. Update by UDOT on the Payson I-15 Interchange Environmental Impact Study (EIS)

Applicant Presentation:

Justin Schellenberg reviewed the Payson Interchange environmental Impact Statement for Main Street and Interstate 15. The proposed alternatives including a no-build option were reviewed and the preferred option is the C1 with braided ramps. The C1 maintains an interchange at Main Street and includes another access point further to the north for a future Nebo Beltway connector. It was

selected after considering design and operation based on traffic, impacts to key resources, community and economic considerations, cost, public and agency input, and regulatory input. The next steps include the DEIS publication on September 29 that begins the public comment period, a public hearing at Payson High School on October 26 from 6 p.m. to 9 p.m., and a decision and final EIS in mid-2018. Currently there is no funding for construction of this project.

Council Discussion:

Councilmember Hardy stated this is the best alternative to Payson. Closing Main Street would destroy downtown and the core area.

Councilmember Hulet stated the EIS study is good for five year before renewal if nothing happens. This is the best alternative, saves historic homes on Main Street, and keeps Main Street open.

Mayor Moore questioned when this needed to get on the Mountainland Association of Governments (MAG) projections. The city needs to lobby for the project.

Councilmember Carter thanked UDOT for saving Main Street.

Councilmember Welton stated this opens up the north part of Payson for development. Lobbying doesn't just happen on the city level. He recommended that concerned citizens call their state representatives stating this is good for our community and needs to be funded. When they take public comment, residents need to be more specific with their comments.

Justin Schellenberg clarified renewal is based on activity that may include fairly minor things such as property purchases. It is unusual to have an EIS approved so far ahead of the construction and funding. UDOT has not discussed anything with Utah Valley University. They try to separate any future development with this type of document. Everyone here probably favors this and UDOT is putting it forward as the preferred option; but during the public comment period, comments may not be favorable from other entities. UDOT will need to gather and address those comments. On the funding with MAG, this project is on MAG's long-range plan and will become more defined. A signed environmental document will move it forward for funding. This proposal can be viewed on UDOT's website. The best-case scenario to having a signed document is late spring or summer 2018. There is no official signoff with the stakeholders until the final. There are many stakeholders involved in this project that could drag out the process.

C. CONSENT AGENDA

1. Approval of the September 6, 2017 Council Meeting Minutes (6:00 p.m.)

MOTION: Councilmember Hardy - To approve the minutes of the September 6 council meeting. Motion seconded by Councilmember Hulet. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum (6:01 p.m.)

Lee Johnson stated he has concerns over Gary's Meats and what is carrying on in Hollow Park. He would like the minutes from over two years ago where Gary's Meats was not to have live animals

on property past 5 p.m. He didn't think he could have animals in the pasture out front. In Hollow Park, all the trees were ripped out and the brush taken down, which has been a headache. It brings in undesirables, and they have to be always watching. The gate was put up, which has helped. If the city pursues with park, he would appreciate a wall to keep them on the park side. Jill Spencer stated she emailed the requested minutes to Mr. Johnson and can resend them. Dave Tuckett stated he would follow up on the issues.

2. Council and Staff Reports (6:04 p.m.)

Staff Reports

PUBLIC WORKS – Director Travis Jockumsen stated the pressurized irrigation (PI) will be turned off on September 29 because the Highline will be off. Notices have gone out on Facebook, the city's website, and telephone messages. PI usage never went down with the rain events, but the city didn't go over its allotment. The ponds and pipes will be drained by September 30.

FIRE AND AMBULANCE– Chief Spencer stated the open burn window is September 15 to the end of October. Residents are not allowed to burn grass, leaves, or household garbage. It has to be yard waste like limbs and shrubs. If someone is illegally burning or smoking out a neighbor, the fire department will put it out. If needed, a citation is issued. Medical staff is doing training this week for defensive driving and emergency vehicle operations, which is required by state.

RECREATION – Director Karl Teemant reported a leak in the last sprinkler valve on the soccer fields was fixed today. Recreation is currently taking registrations for youth wrestling and women's volleyball. Youth flag football begins next week, and youth soccer is wrapping up.

ADMINISTRATION – Dave Tuckett stated a company wants to hold a Halloween party at Peteetneet and charge to attend. He is getting the space for free. The council discussed getting donations and not charging to attend. There are a number of people in the community who would be willing to help. The location can accommodate 350 patrons. Dave Tuckett continued a person that wants to be the city's consultant back in Washington DC wants to help the city get federal funding. It seems pricey. There are some federal grants or funds the city misses out on. Mark Sorenson stated the cities can't pay a consultant with commissions for federal funding. The council would like to know how long the federal process takes. He will reach out to Salt Lake County who has used him before. Councilmember Welton would like to use whatever resources are available to receive funding for infrastructure, etc. Councilmember Hulet stated he would like to have his meeting with the UVU grant writer first. Dave Tuckett stated the flooding issues are problematic in part because of the lack of curb, gutter, and sidewalk. About 15 years ago, the city developed a program where the city would upfront the costs of installing infrastructure and then a trust deed was recorded on the property. The resident would pay a small monthly amount until it was paid, and then the deed was released. If the council is in favor of the concept, staff can look at continuing that program. Councilmember Hardy stated it's a great idea. Previously flooding was occurring up on 600 East; but with the installation of curb and gutter, many of those issues have gone away. Dave Tuckett stated engineers have looked at the school district property for a pond. Staff will continue looking at current challenges to resolve. He will look at the 830 South area.

Council Reports

Councilmember Hardy stated the golf tournament “Payson Open for Business” went well. The last movie of the summer with the Chamber was rained out over in Santaquin. The chamber marketing for small businesses went very well. The chamber provides opportunities to businesses to learn where they would normally have to pay. The great pumpkin hunt is next month.

Councilmember Welton heard good feedback and messaging regarding the tournament. The city is pursuing business and growth in a responsible way. It’s great to have an answer for the I-15 interchange. He thanked staff for working hard and doing a great job. He was impressed with Councilmember Phillips who assisted a resident in solving a problem. This is what a community is.

Councilmember Hulet stated last he heard Utah Valley University now has funds in escrow to purchase the property in Payson. The golf event “Payson Open” and “Open for Business” was a good event with 78 participants golfing. He thanked the planning and zoning staff and Tracy Zobell for their assistance. He received an email from DeAnn Huish from Utah Valley Homebuilders, who *thanked the city for the enjoyable day at Gladstan. The hole sponsors were great and had a lot of information about development and present economic factors in Payson. This is a brilliant idea to gather those together in the building community to learn more about Payson.* There were many positive comments, and the money well spent. He wants to continue this as an annual event.

Councilmember Phillips thanked staff for forwarding him the little issue because he wouldn’t have known about it otherwise. He thanked Councilmember Hulet on his work on the tournament and staff as well. He thanked Travis Jockumsen for answering the comments posted by residents.

3. Scout Attendance Certificates (6:26 p.m.)

Councilmember Hulet presented scout certificates to the following scouts and asked them to state what they like about scouting.

Zackary Peterson	Kyle Dalton	Luke Weaver
Justin Cook	Nathan Nelson	Brennen Bailey
Renik Carman	McKay Carman	Benjamin Baggaley
Benjamin Merrill	Wes Cook	

4. Discussion/Review Regarding the Salmon Supper (6:28 p.m.)

Staff Presentation:

Janeen Dean stated she has been doing the salmon supper for four years, which was pretty set in stone by previous staff. The city had a great handle on it. The community, staff, and elected officials are a great help. The city is maxed on what it can handle with the event. The only thing to make the event more successful is shorter lines. Her first year the line wait was about 1 hour and 15 minutes. The second year wait time was 30 minutes. Then the third and fourth years the wait was two hour, which is just too long. This is the city’s big event and compares to a rodeo in other cities. Most people do business on line. To be more professional she would like to do all ticket sales on line and at the city offices. She would also like to put times on the tickets. She suggested one-hour slots but would prefer half-hour slots. She estimates 1,100 people can be served every hour. Those buying the day of the event would need to buy before 3 p.m. on line or at the park, which would still have a

time. This is the future to be successful. This year the total tickets sold was 4,706 for an income of \$77,928 with 200 free guest tickets. The maximum number of tickets that can be sold is 5,000.

Trevor Jensen stated his company has scanners and hardware to accommodate printed tickets and mobile homes. No fee is charged for the online system.

Council Discussion:

Councilmember Hardy stated he is not supportive of just doing on line ticket sales. He received a call that the fish portions are too large, and the city should charge more. This is what the event is known for, a large piece of fish. It's a great event. He is concerned with the elderly standing in line for two hours. There may be a way to accommodate those seniors who come later.

Councilmember Hulet stated a way to encourage ticket purchases on line is to charge more at the park. He suggested doing the event for two days because economically people stay in the area and spend more money. It's something to consider.

Councilmember Phillips stated he would like to see a way to sign up to purchase the remaining fish after the event.

Dave Tuckett stated the time slots would cut down on the lines. There will be enough fish because only 5,000 tickets will be sold, and he doesn't want to cut down the portion of fish. This year 5,400 pounds of salmon was ordered.

Janeen Dean stated the city does the event to provide a nice dinner. She doesn't want it to become a fish sale event.

MOTION: Councilmember Hardy – To adopt this strategy as outlined. Motion seconded by Councilmember Hulet. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

E. PUBLIC HEARINGS/ACTION ITEMS

1. Discussion Regarding a Food Pantry at Memorial Park (6:48 p.m.)

Applicant Presentation:

Erin Mecklenburg stated she wants to create a food pantry in Memorial Park. She will stock and provide all the costs. The concept is to take what you need, leave what you can. She realizes there are other food pantries in town, but this is just another informal casual way. She understands the liability concerns. Memorial Park is well lit, centrally located, not on a busy street, and an easy place to access. She was looking at the northwest corner by Main Street. She plans to have the pantry checked on every day.

Staff Presentation:

Dave Tuckett stated there is some limitation on liability such as the Good Samaritan law. The city's insurance has concerns with risk management if someone did something not in a nice way and having some claims. The insurance company stated municipalities not normally involved in food pantries or food type business. There are coalitions that do it. The Catholic Church, Agape Community Center, and Interfaith Council all help those in need. The parks staff are concerned with

this in the park and maintenance. Those in the pictures all seem to be at storefronts or houses where people can keep an eye on it.

Council Discussion:

Councilmember Hardy stated it makes him nervous and could be a problem if Ms. Mecklenburg moves from the city. He is concerned with what happens if it is abandoned. He would rather see it done at the city building.

Councilmember Welton stated he is all for helping people out, but isn't a big fan of the idea. There are many good avenues for people to use. He sees Rio Grande and Salt Lake City happening. If done, he would like to see it near the city offices and police station. He likes Ms. Mecklenburg is involved and caring. He worries about children who don't have food and are in poverty, and about people who would hanging out there.

Councilmember Hulet thanked Ms. Mecklenburg for being involved and helping people. He has concerns with food freezing in the winter and getting hot in the summer, which creates problems. Memorial Park is probably the wrong place.

Brad Bishop stated it's a great idea and needed in the community. He has concerns with the clientele it brings close to the office. Some people will come and take most of it. Maybe a trial period could be done. He is concerned with those who will abuse it.

Councilmember Phillips suggested a security camera pointing to the pantry with a sign under video surveillance.

MOTION: Councilmember Hulet – To try the pantry on a trial basis for six months at the city offices and see how it goes. Motion seconded by Councilmember Hardy. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

2. Discussion Regarding a Cobblestone Hotel Located at Approximately 1040 West 800 South (7:00 p.m.)

Staff Presentation:

Dave Tuckett stated he and Councilmember Hulet have been working to help a hotel company find a place to locate in Payson. Cobblestone has investors, and they have looked at four to five locations in Payson. They suggested the company contacted the owners of Farr's Ice Cream. He was not aware there was a transition area between the residential in the S-1 Zone. Once aware he spoke to them and suggested this may not be the right site. If the city council were in favor, the city ordinance would have to be changed. The current ordinance requires separation of 300 feet for a multi-level building of this type. He reviewed the buffer requirements for Provo, Spanish Fork, and Springville, which are all smaller. Provo is 10 feet, Springville is 25 feet, and Spanish Fork is 10 feet plus a six-foot wall. If the council is not willing to amend ordinance, they won't move forward and will look elsewhere.

Council Discussion:

Councilmember Phillips stated his concern isn't the hotel, but the height and people looking into resident backyards. The hotels in Springville and Spanish Fork are located out by the freeway and aren't the same situation.

Councilmember Hardy is concerned with lighting from the parking lots. Previous hearings received concerns with light and noise. He's not sure a six-foot fence would be high enough to insulate the residents. The location is a quieter area for those at the hotel.

Councilmember Welton stated it's not the right building for this place. He likes what they are doing on the Farr's Ice Cream site and excited for the growth. The council has talked about growth that represents Payson and who we are. He would like to see a hotel, but this isn't the right place next to the residents. He doesn't think the city is so desperate for growth to put this in people's backyards. Single-story commercial entities may work there.

Dave Tuckett stated the city has residential areas next to the S-1 zone whether it accommodates a hotel or something else. Chase Brook wants to build by Walmart, and there will be the same discussion and issue. The purpose of the ordinance states the council should be careful with the S-1 Zone because it is very high intensity commercial development. If the city doesn't want that kind of development, it shouldn't be zoned S-1 next to residential.

Steve Wallentine stated his site has frontage problems and access issues. He does agree the city is doing their job looking out for the residents. They will invest in something, and there will be lighting, etc. Cobblestone came to them, and they voiced their concerns with the four levels. They may go lower but it would still be a hotel. If a hotel, he wants it to be a mid to higher end hotel. It would be a mistake to go lower quality. Cobblestone has a proven record in being successful. His property may not be the right site, but he is willing to invest in a good project.

Jill Spencer stated there is the distance provision in the ordinance and then structure height, noise, lighting, and hours of operation are addressed. The city addresses the use and how it will impact the existing residential area, which is another level of scrutiny within that 300 feet. Hotels operate 24/7. A four-story limits the privacy to the residents.

Councilmember Hulet stated the hotel has had a challenge finding something in the area they want. The city wants to be business friendly and also look out for the residents. He and Dave have been trying to help them find a location. They suggested this spot but didn't think about the zoning. He does have a challenge putting a four-story hotel in this location, but the city needs to look at the ordinance so that companies can come to Payson and build and be in line with other cities. He discussed giving them incentives but not in a location that causes problems with residents.

Councilmember Hardy stated the city needs to look at the ordinance and be proactive if the city is way out in left field based on what other cities require.

Dave Tuckett stated he understands the council is not in favor of changing the zoning in this location. He will continue looking at other properties.

F. ADJOURN TO REDEVELOPMENT AGENCY

MOTION: Councilmember Hardy – To go into RDA. Motion seconded by Councilmember Hulet. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

1. Public Hearing/Resolution – Approving the Sale of a Portion of Parcel Number 30:062:0049 for Development in the Business Park (7:16 p.m.)

MOTION: Director Hardy – To open the public hearing. Motion seconded by Director Hulet. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

Dave Tuckett stated the hearing notice was put in the newspaper anticipating the hearing but the developer is looking at a different location. If residents are here, he suggested allowing them to give comment. A new hearing has been noticed for October 4.

Public Hearing:
No public comments.

MOTION: Director Hulet – To go out of the public hearing. Motion seconded by Director Welton. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

G. ADJOURNMENT OF REDEVELOPMENT AGENCY

MOTION: Director Hardy – To go out of RDA. Motion seconded by Director Welton. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

MOTION: Councilmember Hardy – To allow the Mayor Pro Tem to amend the agenda. Motion seconded by Councilmember Welton. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

H. WORK SESSION

1. Presentation by the Utah County Housing Authority Regarding Supportive Housing (7:20 p.m.)

Applicant Presentation:

Lynell Smith requested the council to consider updating, amending, and addressing the zoning and master plan in this area (1250 E HWY 198) to allow for affordable housing. Wasatch Mental Health provides mental health services in Utah County and owns property to the east of their building. Their clients struggles to find affordable and safe housing. The Housing Authority has a successful history in providing affordable housing inventory throughout Utah County focusing on special needs populations. Together they have a successful partnership history of providing housing and care for clients known as permanent supportive housing. The target population for this area would be disabled adults with a history of homelessness and a need for supportive services to increase their success in the community. It is not transitional units but permanent housing. This model has been done in several other communities. There are 39 clients throughout the county with five located in Payson. The demographics of their current clients is an average age of 41 earning an average income of \$7,000 per year with many working and contributing to the community. The

average length on the program is 21 months. The average rent is \$170. The concept of the project is 25 to 50 units with one-bedroom units. The services to be provided through Wasatch Mental Health is comprehensive mental health, substance abuse services, case management, individual and group therapy, medication management, psychiatric and social skills. She reviewed the other facilities in Utah County including American Fork with 12 units in three four-plex buildings on .86 acres and Springville with 31 units in one building with commercial space on the ground floor. The gap of affordable and available units in Utah County is 7,500 units, which in Payson City is 260 units. The Housing Authority would be the developer of this property, owner, and property manager. They are asking Payson City to provide community support and consider zoning for multi-family units in this area. In the end, the project outcomes include stabilized and healthy clients, reduced homelessness, and attractive affordable housing. Funding is provided by various sources including tax credit funds, loan funds, CDBG funds, and home funds. Affordable Housing does not determine how long a resident stays. As long as they can live independently, they are good there. Eligibility is based on criminal history, income, and a client of Wasatch Mental Health.

Dave Tuckett mentioned that he serves on the Housing Authority board and could be a conflict of interest for him.

Council Discussion:

Jill Spencer stated this project has not been discussed with the DRC committee. Modifications would need to be made to the ordinance for this particular site because of the type of facility, proposed density, and parking requirements. Some questions to address include is there a need in the community, how much of the need is filled with this project, is this the best location, and will it encourage or discourage commercial in the area. The city meets and exceeds state mandates, but the state mandate doesn't address the 30% below AMI. There is a need for this in every community. She noted this area hasn't been master planned.

Brad Bishop stated his concerns are dependent on the clientele. The Mountain View Apartments are close and started out as this same type of facility, which is now not the best conditions. There is the retirement community right in the middle of the proposed area. It would be unfair to make them feel uncomfortable. He thinks there is a need for this type of facility.

Lynell Smith stated she understands Mountain View Apartments does have a history and it has been for sale, which they have looked at purchasing. She doesn't think it's fair to judge another affordable housing complex to what the Housing Authority does because they are on top of their properties, they are well maintained, and they have zero tolerance for criminal activity.

Councilmember Welton stated he has concerns with funding if the Legislature pulls funding. There are many studies that show we spend far more on transient individuals if they don't have opportunities to get back on their feet. People can't get jobs if they don't have phones or access to living on their own. Without properties like this, the problem continues to fester and doesn't get any better. This allows people to get back on their feet. Location is always a concern. He likes the concept and may be in favor. He would like to see some statistics from other facilities. He wants to make sure Payson includes all levels of housing.

Councilmember Hulet questioned if the residents would be from Payson or other areas as well. He likes the concept of commercial on the bottom and housing on top. The number of housing units

should be on the lower end so Payson isn't taking a disproportionate share. He suggested the Housing Authority start a dialogue with the senior development residents to see if there is a project that will work with them. If it doesn't work with them, then there is a challenge.

Councilmember Phillips stated the road through the middle next to Wasatch Mental Health would connect to the senior community as an ingress/egress road. He sold the land to Wasatch Mental Health as commercial.

Councilmember Hardy stated there was a lot of opposition from the senior community when Wasatch Mental Health was addressed, and Wasatch Mental Health said there wasn't going to be any of this kind of housing. He is sure there will be a lot of opposition with this proposal. Payson currently have the lowest median income. He is concerned if this could hurt the city when other businesses are considering Payson to locate. He understands this is a service that needs to be provided but maybe not in this location. He is concerned with the perception of Payson. The council needs to be very careful in proceeding with this type of facility. He would like to hear from the public.

Lynell Smith clarified that the people would come from Utah County and not just Payson. When a resident leaves this housing and moves into the community, they are given a housing voucher to find a place under the fair market rents. She would be happy to research statistics from other facilities. The affordable housing must remain affordable housing for 50 years. Currently there is no affordable housing in Alpine or Highland, but there are subsidized residents who live there.

F. ADJOURN TO REDEVELOPMENT AGENCY (Continued)

MOTION: Councilmember Welton – To go back into RDA. Motion seconded by Councilmember Hardy. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

(5-minute recess)

2. Adjournment to Closed Session (8:09 p.m.)

MOTION: Director Hulet – To go into closed session (RDA). Motion seconded by Director Hardy. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

MOTION: Director Welton – To close the closed session. Motion seconded by Director Hulet. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

MOTION: Director Hulet – To go out of RDA. Motion seconded by Director Welton. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

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

MOTION: Councilmember Hulet – To close the closed session. Motion seconded by Councilmember Welton. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

Other Item

Councilmember Phillips stated the slaughterhouse property, which the city owns, needs to be cleaned up.

I. ADJOURNMENT

MOTION: Councilmember Hulet – To close the city council meeting. Motion seconded by Councilmember Hardy. Those voting yes: Mike Hardy, Brian Hulet, Scott Phillips, Doug Welton. The motion carried.

The meeting adjourned at 9:05 p.m.

/s/ Kim E. Holindrake
Kim E. Holindrake, Deputy City Recorder