

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, December 19, 2018

CONDUCTING Mayor William Wright

ELECTED OFFICIALS Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton
(6:10 p.m.)

STAFF PRESENT David Tuckett, City Manager
Mark Sorenson, City Attorney
Sara Hubbs, Finance Director/City Recorder
Kim E. Holindrake, Deputy City Recorder
Travis Jockumsen, Dev. Serv. Director/City Engineer, PW Director
Jill Spencer, City Planner
Daniel Jensen, Planner II
Brad Bishop, Police Chief
Scott Spencer, Fire Chief
Tracy Zobell, Golf Pro

OTHERS Brynn Mortensen – Salt Lake Chamber of Commerce (via phone), Marc
Roberts – Utah House Representative

Mayor Wright called this meeting of the City Council of Payson City, Utah, to order at 6:00 p.m.
The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Mayor Wright.

Pledge of Allegiance led by Chief Bishop.

B. CONSENT AGENDA

1. Approval of the December 5, 2018 City Council Meeting and Work Session Minutes
2. Resolution – City Council Annual Meeting Dates and Times
3. Biennial Housing Report

MOTION: Councilmember Hulet – To approve the consent agenda. Motion seconded by
Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian
Hulet, Doug Welton. The motion carried.

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum (6:02 p.m.)

No public comments.

2. Staff and Council Reports

Staff Reports

POLICE – Chief Brad Bishop reported the Police Department’s Sub for Santa is tomorrow at 4 p.m.

GOLF - Tracy Zobell thanked the mayor and council for all the accomplishments throughout the year.

FIRE AND AMBULANCE - Chief Spencer stated the department recognized Ren Zeeman as fire fighter of the year and Richard Duncan as EMT of the year. They also recognized years of service with Dean McCoy with 55 years of service to the Fire Department.

ADMINISTRATION – Dave Tuckett reminded the mayor and council of the Christmas luncheon tomorrow beginning at 11:30 a.m., which includes the employee of the year award. The council holiday dinner will be December 27 at 6 p.m. at El Tapatio.

Council Reports

Councilmember Hiatt thanked all the staff who keep the city running.

Mayor Wright thanked the staff for all the work they do every day. He sees it day in and day out, and it doesn’t go unnoticed. He received a notice for a court of honor for an eagle scout on December 27 at 7 p.m. at the green church where Congressman John Curtis may attend. The downtown coalition started a contest to decorate the storefronts, and many if not most did decorate. He met with Ty Jones a couple days ago and picked winners that will be in the newspaper.

Councilmember Carter echoed the appreciation of the staff.

Councilmember Hulet wished everyone Merry Christmas and wished everyone happy holidays. A Valley Visioning Workshop will be held in Payson on February 5 from 6 p.m. to 8 p.m. at Peteetneet. It involves about six cities on the Wasatch front. Because of the lights in downtown, someone told him the city is really happening now. Someone is interested in investing in the Huish and the downtown area. There is a proposal to do renderings of the downtown and Huish for \$3,000. The downtown has pledged \$500, the development committee has pledged \$500, and the Huish has pledged \$1,000 for have renderings. He would like feedback on the city pledging \$1,000.

Councilmember Christensen wished everyone a Merry Christmas. He likes the lights on Main Street. The area can be revitalized with some effort.

Councilmember Welton wished everyone a Merry Christmas and hope for a fun and safe holiday season. He is meeting with SUVPS tomorrow. He thanked the electric department who do an excellent job. He would like to see the downtown winners on social media as well. He questioned that the forest service wants to keep the canyon closed all of next year. He wants to start advocating that it be opened because of tourism dollars and camping.

3. Scout Attendance Certificates

No scouts present.

4. Presentation by Housing GAP Coalition regarding housing affordability (6:14 p.m.)

Staff Presentation:

Brynn Mortensen stated about 18 months ago, businesses came to the Salt Lake Chamber stating their employees are having a hard time getting into housing, apartments, new construction, and even existing homes. They partnered with the Kem C. Gardner Policy Institute and University of Utah and commissioned a study. This is a landmark study because it's the first of its kind in the nation to study the housing market across the state looking back 26 years and forward a generation. The reports shows that for the first time in 40 years there are more families and individuals than housing units, which equates to a deficit of 54,000 units. Based on the growth rate, the value of a \$125,000 home in Utah in 1991 has increased to \$347,000 by 2017; but at the national growth rate, that same home has increased to only \$184,000 by 2017. This is our greatest economic threat because homes for the next generation will be equivalent to today's Seattle prices. As a business community, they want to work together to ensure the employees that businesses need and who service the community are not priced out. There are five reasons for the rising housing costs that include a housing shortage, construction and labor costs, local zoning ordinances and nimbysim, land costs and topography of Wasatch front counties, and demographic and economic growth. In response to the report, they launched the Housing GAP Coalition in May. The Coalition is poised to address the challenges associated with housing affordability to ensure the American Dream is kept alive for all Utahans. This can be done by providing access to a variety of housing types for all income groups and encouraging the connection of land and transportation. They partnered with the Keys to Success program in high schools for trade and construction careers. They also partnered with the Utah League of Cities and Towns, the Association of Counties, and the Wasatch Front Regional Council to study growth and housing. The study found housing affordability is the most important issue in high growth areas. They are preparing to launch a media awareness campaign to discuss and plan growth. The campaign message is to facilitate economic growth, addresses skyrocketing trends, support different life stages, and provide options for children and grandchildren. Lastly, they are asking for a call to action of cities to break down the silos by connecting land use to transportation, update and use general plans including a moderate-income plan, be innovative in redevelopment, provide a variety of housing types and options, and sign a support resolution. We need to work and plan together.

Council Discussion:

Councilmember Hiatt stated in different states and nationwide, homes are still normal priced. Wafer board at Home Depot here is \$12. In Kansas City, it is \$8 and in California, it is \$10, which is a \$4 difference. It's not just the growth; everything is taking a big piece of the pie. Utah is growing so prices keep going up.

Councilmember Welton questioned if they took into account the need for water as well as storage and delivery.

Brynn Mortensen stated the rise in building costs is a very good point and needs to be addressed. They are commissioning a follow-up study. They are looking into water needs because it's a big issue.

Mayor Wright echoed the concerns. People want things to stay the same, but cities also want growth and can't bury their heads in the sand. Payson is already doing many of the things discussed. He

noted that he attended the Colorado Water District conference where issues such as water and emergency were discussed.

D. ACTION ITEMS

1. Resolution – First Amendment to the Development Property Agreement between Payson City and Woodbury Corporation (6:35 p.m.)

Staff Presentation:

Dave Tuckett stated the first amendment requires Woodbury to put 1.5 million toward the new ball fields with the city paying the balance. Staff hopes to get it going this spring. Woodbury has submitted development plans for some buildings on the old fields. Once Woodbury pays so much toward the new fields, they can do the first development phase on the old fields. With any other development in the pit property and the old fields, they repay the 2.5 million the city paid for the Special Improvement District. Staff is hoping to get a jump-start on the new fields as well as commercial for economic development. If they don't get started, it will take two years.

Council Discussion:

Councilmember Hulet stated he read the old agreement. In previous discussions, Woodbury has stated it would take 18 months for the grass to grow and be ready for play. He would like to see this done before approval of any plats or buildings on the old fields because this keeps dragging on. The agreement needs more teeth; he would like to see a start date and maybe end date. Woodbury needs to feel they have a time obligation.

Councilmember Hiatt stated the old fields are used a lot, and residents need a place to go.

Mayor Wright stated the intent was to do the new fields and commercial development at the same time.

Dave Tuckett stated staff can work on a start date. The agreement states, *Until such time as the replacement fields are constructed and are ready for operation, at which time the developer has the right to terminate the other fields.* To be playable, the fields need three growing seasons i.e. spring, fall, and winter. Woodbury should build all six new fields in conjunction with the commercial buildings.

Tracy Zobell stated if planting had been done in the fall, the grass still germinates during the winter. Woodbury may want to lay sod. You don't want to rush the fields. The entire infrastructure can go in now. The incentive should be the new fields are ready before any commercial building occupancy.

MOTION: Councilmember Hulet – To approve the amendment (resolution) for the development of the property with Woodbury with the addition of a start date and grass going in before commercial occupancy or something like that. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet

Yes - Doug Welton

2. Ordinance – Amendments to Title 19, Zoning Ordinance, Title 20, Subdivision Ordinance, and Standard Specifications and Standard Plans (6:49 p.m.)

Staff Presentation:

Jill Spencer reviewed the amendments to Title 19, Zoning Ordinance, Title 20, Subdivision Ordinance, and Standard Specifications and Standard Plans. The planning commission went through the amendments very thoroughly. Most of the amendments in Title 19 are for clarification and cleanup. The most significant changes are with Section 19.8.4.1 regarding exceptions to constructing a primary building on site for commercial or industrial and bonding requirements. Title 20 changes the appeal authority reference of planning commission, council, or staff to land use authority, addresses waterways and other sensitive land areas, and removes the requirement for concept plans but strongly encourages them. The most significant change deals with performance guarantees because of changes in Utah Code relating to bonding requirements and the amount. Staff is working on additional changes regarding paving because of Utah Code amendments. In the Standard Specifications and Standard Plans, the proposed changes include updates to all the utility requirements and changing the document name to Development Guidelines. She answered questions from the council. Staff is working on a chart to clarify the land use authority and appeal authority as to who is responsible. These amendments can wait until that chart is ready. She doesn't see any of the proposed changes restricting a builder or developer except the requirement of the primary building section. Staff continues to work on clarification on flag lots and redevelopment to make the requirements different but not more limiting.

MOTION: Councilmember Hulet – To approve the amendments (ordinances) to Title 19, Zoning Ordinance, Title 20, Subdivision Ordinance, and the Standard Specifications and Standard Plans with the exception of taking out the land use authority until a chart so there is no ambiguity. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Doug Welton

3. Parking waiver for 99 South Main (7:09 p.m.)

Staff Presentation:

Daniel Jensen stated this item came before the council last summer. There is no designated off-street parking for this building. There has been commercial on the ground floor, but the upstairs has been vacant. The building was recently purchased, and the new owners would like to renovate the upstairs. Staff has mentioned that only one apartment would be allowed, which requires two off-street parking stalls. Staff has tried to get the surrounding property owners together to discuss parking. The parking lot behind the building is privately owned, and the owner is not willing to put anything in writing to allow parking. The code allows the council to approve a waiver to substitute street parking. During snowfall, vehicles would have to be moved off the street. He conducted a parking study in the downtown area and collected parking data for six months. The study showed an

overall average of 31% full with a high at 44%, which was during the Tour of Utah race start on August 8. Lunch hours are higher with usage in the mid 30%. There are more cars during dinner by the restaurants with the surrounding areas and north Main Street empty. Customers may have to walk a half block to a restaurant in the evening.

Council Discussion:

Mayor Wright clarified that parking is available and wouldn't create a strain if the waiver were allowed.

Councilmember Hulet questioned if parking on Main Street could be restricted during the day. He and the Downtown Alliance met with the Development Review Committee regarding restricted two-hour parking, which will be down the road.

Councilmember Welton stated his concern is from Utah Avenue to 100 South on Main Street, which should be no parking for this unit. The parking behind the library would be used if it were restriped with wider stalls.

Councilmember Christensen stated he is worried about the snowball effect with this being approved and then others wanting the same waiver. He is not opposed and wants to see development. He is in favor of changing the parking on Main Street to two hours, which can be enforced by the police.

Daniel Jensen spoke to Jon Snelgrove, building official, regarding space available in the downtown area where an owner could create a residential unit. Mr. Snelgrove felt there were only one or two existing buildings that could accommodate apartments. If new buildings were built, off-street parking would be required. 19.4.12 allowing off street parking be satisfied by ...

MOTION: Councilmember Hulet – To waive the parking for 99 S Main Street because there are only a few more buildings that could have residential upstairs Motion seconded by Councilmember Hiatt. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

4. Resolution – Development Agreement for Creek Hollow Subdivision located east of 930 West at approximately 1150 South (7:30 p.m.)

Staff Presentation:

Jill Spencer stated the agreement has been prepared based on approvals by the planning commission and council. The applicant had the opportunity to review with changes on the height of structures, phasing plan, improvements to complete with each phase.

MOTION: Councilmember Hulet – To approve the resolution for the development agreement for Creek Hollow Subdivision located at 930 West and approximately 1130 South. Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Doug Welton

5. Resolution – Sewer Utility Easement and Right-of-Way Agreement (7:36 p.m.)

Staff Presentation:

Travis Jockumsen stated based on the sewer collapse earlier this year, staff has been working on a design solution. The agreement addresses taking the sewer straight up north along the west side of the Hill property through an easement. The city will build the Hill family an access road to their well on the east side. The Hill family is in favor of the project.

MOTION: Councilmember Carter – To accept the resolution on the sewer utility easement and right of way on the Hill property with Payson City. Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Doug Welton

6. Resolution – Supporting and encouraging the Utah County Commission to implement the Fourth Quarter Cent Sales Tax Option (7:38 p.m.)

Staff Presentation:

Dave Tuckett stated the county voted on the quarter-cent sales tax yesterday so there is no need to address it.

7. Representative Marc Roberts, Utah House District 67 (7:39 p.m.)

Marc Roberts stated for the record, he didn't support or vote for the quarter-cent sales tax bill. He is working on bills for the next session. A bill regarding local food producers and allowing direct to consumer sales. A bill regarding mechanics liens, which won't be popular. The lien recovery fund was appealed last year, which assessed contractors to fund mechanics lien disputes in order to make the supplier whole. Property owners were penalized by paying for their homes and then paying again or going to court to remove a lien. He is proposing a new bill where a mechanics lien only applies to the primary contractor who has a direct relationship with the property owner. Another bill in software and technology addresses where developers can test out their code in a sandbox environment without affecting live production applications. The old regulatory system isn't adapting to new technology. He is working with Utah County Emergency Management on funding for bomb squads because they are serving the entire state and not just each county. A bill on rank choice voting to bump the filing deadline to August and to find funding to help those cities who first use the program. He will be talking to UMPA and mayors in order to keep a watch SESD. There is rumor of a bill similar to what Gibson had last year, but UMPA has a counter bill they may run. He is watching the road transportation. He is serving on the Business and Labor Committee and Government and Operations Committee as well as the Executive Offices and Criminal Justice Appropriations Committee. He appreciates a heads up if city officials hear of anything.

Council Discussion:

Councilmember Welton stated earlier, he mentioned the possibility of Payson Canyon remaining closed next year. He would appreciate some pressure on this.

Scott Spencer stated it's unofficial but coming from the local and state forest services. They have concerns with people hiking or pulling off the side of the road and the possibility of a slide.

Mayor Wright stated the city is concerned there are other agendas afoot concerning the canyon.

Marc Roberts stated there are a number of bills in the works to address federal lands. A previous bill stated if there is a threat, notice is sent to the federal agency with a copy to the state governor. If there is no response, the county commissioner and sheriff have the ability to fix the problem. The bill was watered down and fluffy things added when it passed.

8. Resolution – Rank Choice Voting (8:05 p.m.)

Staff Presentation:

Marc Roberts elaborated on rank choice voting and a congressional race in Maine. Maine has a history of third party people running for office. In this race, four people were running with one being a conservative. The one conservative was leading in the first round but not over 50%. Two candidates were dropped off leaving the democrat and the conservative. The second round gave the votes to the democrat who won so rank choice voting worked. The loser filed recounts and lawsuits, which were dismissed. Rank choice voting is instant runoff voting.

Dave Tuckett stated if the council chooses to support rank choice voting, a resolution is provided with a provision to withdraw by May 1. The costs are still unknown.

Council Discussion:

Councilmember Hulet stated he likes the concept but has concerns. Utah County had the lowest voter turnout in the state at the last election. He feels voters in Utah County are disillusioned with the process. He is hesitant to add another form of voting before voters are comfortable with vote by mail. He would rather wait another year and see how it goes. He likes the idea but doesn't want to be the early adopter.

Mayor Wright stated he met with Sara Hubbs, Kim Holindrake, and the new county clerk/auditor. The new clerk/auditor addressed rank choice voting and a key part being education of the voters and funding for the education.

Councilmember Welton stated he has no date to support this, but one reason people vote lower in Utah County is because they feel their vote doesn't matter. If they don't fit that circle, why take the time to vote. If you allow them to choose the best candidate, there will be a larger turnout. He isn't advocating for a presidential candidate because it's already passed; but in Utah County and Utah, there were many who wanted to vote a third option. If the third option had been there, they would have voted. It's something to say about new ideas and engaging with the public instead of a specific mind set. The American voter is much more complex than straight republican or straight democrat.

Councilmember Christensen stated we need to get more voters out and give it a try.

MOTION: Councilmember Welton – To pass the resolution requesting inclusion of Payson City in the municipal alternate voting methods pilot project giving the city until May 1 as an out. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Doug Welton
No	-	Brian Hulet

E. ADJOURN TO REDEVELOPMENT AGENCY (8:13 p.m.)

MOTION: Councilmember Carter – To go out of council and into Redevelopment Agency. Motion seconded by Councilmember Hulet. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

1. Resolution – RDA Annual Meeting Dates and Times

MOTION: Director Welton – To adopt (resolution) the meeting schedule for 2019. Motion seconded by Director Hulet. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Doug Welton

MOTION: Director Welton – To adjourn from Redevelopment Agency. Motion seconded by Director Hiatt. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

F. ADJOURNMENT

MOTION: Councilmember Welton – To adjourn. Motion seconded by Councilmember Christensen. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

The meeting adjourned at 8:16 p.m.

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