

PAYSON CITY  
CITY COUNCIL MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, August 7, 2019

CONDUCTING                    Mayor William Wright

ELECTED OFFICIALS    Linda Carter, Brett Christensen (via telephone), Taresa Hiatt, Doug Welton

EXCUSED                      Brian Hulet

STAFF PRESENT            David Tuckett, City Manager  
                                  Mark Sorenson, City Attorney  
                                  Kim E. Holindrake, City Recorder  
                                  Travis Jockumsen, Dev. Serv. Director/City Engineer, PW Director  
                                  Jill Spencer, City Planner  
                                  Daniel Jensen, Planner II  
                                  Brad Bishop, Police Chief  
                                  Janeen Dean, Community Events Coordinator

OTHERS                        Jackie Coombs - UAMPS, Ty Jones – Chamber, Cory Crabb, Jerry Robinson, Kim Eaves, Winn Jeanfreau

Mayor Wright called this meeting of the City Council of Payson City, Utah, to order at 6:35 p.m. The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

B. CONSENT AGENDA

1. Approval of the July 17, 2019 City Council Meeting

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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports (6:37 p.m.)

Staff Reports

COMMUNITY EVENTS – Janeen Dean thanked the mayor, council, and volunteers for all their help during the Salmon Supper.

POLICE – Chief Brad Bishop thanked everyone for their support of the National Night Out last night. July report includes 100 arrests, 183 offenses, 161 citations, 221 violations, 1,306 calls for service, 4 DUI, 269 traffic stops, and 35 traffic accidents. There is an Anytime Fitness fund raiser run and event this Saturday at Memorial Park at 8:30 a.m.

PUBLIC WORKS – Director Travis Jockumsen reported the 36-inch sewer line by the sewer plant is under construction. The water lines for the pressurized irrigation projects are done; just waiting on the well, which may take a couple months. The 500 West project is under construction with storm drain, water, and sewer. Slurry sealing begins in about a week including Utah Avenue. Interviews for the Development Services administrative assistant and the water operator are underway.

CHAMBER – Ty Jones stated the Chamber is ready and prepared to implement in January a series of seminars for businesses. He suggested using the chamber to help with the Salmon Supper. The rodeo fund raiser went very well and doubled what was earned last year. MTech joined the Chamber.

Chamber Business of the Month – Ty Jones stated the August business of the month is Crabby's To Go. Cory Crabb stated he has lived in Santaquin since 1999 and loves Santaquin. He is honored to be the business of the month. His general manager, Danielle does a great job.

### Council Reports

Councilmember Christensen stated he appreciates all the work on the Salmon Supper, which the Lt. Governor attended.

Councilmember Carter thanked everyone on the Salmon Supper, which went so well. The RV park at the golf course is looking so good. She appreciates Kenny Seng for all his work there. She is concerned with people to just coming to camp without paying. Tracy Zobell stated there will be no attendant during the first six months, but he is working on personnel.

Councilmember Welton stated he spoke to many participants at the Salmon Supper who had positive comments. A shout out the Janeen and the volunteers for a fantastic job. The city may need to look at additional help with the salmon cooking. He thanked the residents for approving the PARC tax and the committee because the pickleball and basketball courts are complete and open. It is a great addition to the city. The National Night Out was a great evening. Tarricaso Street Tacos donated 2,300 tacos for the event. The Economic Development Board information is not on the city website and should be removed.

Councilmember Hiatt stated it was a great Salmon Supper night. She library summer party was really nice with lots of activities. She thanked everyone for helping with the city events. She feels residents appreciate having events to attend at no cost.

Mayor Wright complimented the volunteerism of the citizens and employees on all the city events. Janeen Dean does a great job. He received many positive comments from those outside the community. It was a great end of summer library party.

3. Scout Attendance Certificates

Councilmember Carter presented scout attendance certificates to Dallin Hill and Ethan Nelson and asked them to state their favorite thing in scouting.

D. ACTION ITEMS

1. Resolution – UAMPS Jump Program (6:50 p.m.)

Staff Presentation:

Jackie Coombs stated the carbon free project includes energy efficiency, distributed generation, and small module reactor project installed at the Idaho National Laboratory. It is walkaway safe and needs no operator or additional water to cool the reactors. UAMPS entered into a memorandum of understanding with the Department of Energy, who will take the first module for 15 years, utilize it, and pay all the capital costs. UAMPS is asking their members to step up their entitlement to handle the first module and then the output is returned to the members at O & M costs and no capital. Allocation is based on recurring entitlement. The first module comes on in 2026 and then all twelve modules in 2027. Then it is laid off for 15 years to 2041. It provides a lot of growth. It will be to Payson in 2041 at just O & M and not capital costs, which is a huge benefit. The cost of O & M is less than half the cost of the project and is currently capped at \$55 a megawatt hour in 2018 dollars.

**MOTION: Councilmember Welton – To approve the resolution supporting the UAMPS JUMP program, authorizing and approving an increase in the Participant’s Entitlement Share under the Carbon Free Power Project Power Sales Contract for the Lay-Off Power Sales Agreement associates with Joint Use Module Plant Operations.** 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 - Doug Welton

2. PUBLIC HEARING – Boundary Adjustment between Payson City and Salem City (7:08 p.m.)

Staff Presentation:

Mark Sorenson reviewed the boundary line adjustment with Salem City near Arrowhead Road. The intersection will be revised for a good traffic flow and utilities. Salem City will be addressing the same item tonight at their meeting.

**MOTION: Councilmember Carter – To open the public hearing.** Motion seconded by Councilmember Welton. Those voting yes: Linda Carter, Taresa Hiatt, Doug Welton. The motion carried.

Public Hearing:

No public comments.

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

**MOTION: Councilmember Hiatt – To pass the ordinance to adjust the common boundary between Payson and Salem cities on 200 West street.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

3. Resolution – Development Agreement with Springside Meadows (7:12 p.m.)

Staff Presentation:

Jill Spencer reviewed additional changes to the agreement. Section III (C) on page 2 combines neighborhoods G, H, L and N. Section III (D) page 3 includes a reference to plans and specifications with details regarding utility laterals. Section III (J) page 4 regarding clarification to the electrical considerations with SESD and identifying a specific amount. Section III (Q)(iii)(b) page 8 reduces the size of the pavilion in the townhomes to 250 square feet. Section III (Q)(ii)(b) page 7 modifies the type of fencing to white vinyl instead of masonry. The masonry wall is required along Main Street. The developer is comfortable with these changes and requested approval with the changes.

Council Discussion:

Councilmember Hiatt stated the pavilion seems so small even 400 square feet is small. It could be just green space or a swing set.

Jill Spencer clarified the central open space includes a playground area with benches and green space. The city needs to consider the number of units and available parking by the pavilion. Staff is comfortable with a 250-foot pavilion; it is only for the townhomes. She will share these thoughts with the developer.

**MOTION: Councilmember Welton – To approve (resolution) the Springside Meadows agreement with the condition that staff works out a specific amount for the buyout for the SESD utilities and all changes as currently addressed.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

4. Preliminary plan and final plat for South Haven Farms Subdivision located adjacent to and south of SR-198 extending to 100 South (10300 South Utah County coordinate) and between 1300 East and 1500 East (2100 West Utah County coordinate). The proposed uses

include professional & medical office, high and mid-density multi-family housing and commercial (7:30 p.m.)

Staff Presentation:

Daniel Jensen reviewed the South Haven Farms Subdivision where the Holdaway-Pleasant Flats Annexation occurred, which consists of 43.61 acres and includes general commercial, residential multi-family, and professional office.

**MOTION: Councilmember Hiatt – To accept the preliminary plan and final plat approval for the four-lot subdivision, South Haven Farms Subdivision, at SR-198 and 100 South and 1300 to 1500 East and accept the RMF, PO-1, and GC-1 for the 43.61 acres along with all staff redlines and conditions and any findings.** Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Doug Welton. The motion carried.

5. Request by Walkera Development LC to rezone 5.35 acres including The Depot, Plat A, Lot 4, located at 614 North 400 West on parcel 37:292:0004 from the S-1, Special Highway Service Zone to the RMF, Residential Multi-Family Zone (7:33 p.m.)

Staff Presentation:

Daniel Jensen stated the proposal it to change from the S-1, Special Highway Service Zone to the RMF-20 Zone with 20 units per acre. The planning commission addressed the issue twice and held two public hearings. Future development of the surrounding area includes the new I-15 interchange and Nebo Beltway. Concerns from the public hearing included power poles in the street, RV parking on the street, and timing of the development with street closures, etc. The development engineer modeled the project trip generations for the area at buildout that fell in a level of service A. Currently a road along the east boundary is not possible but could be with future development. Commercial zoning is preserved along the east west corridor to the north. The I-15 corridor needs to be included in the rezone.

**MOTION: Councilmember Welton – To approve the Walkera Development LC to rezone from the S-1 Highway Service Zone to RMF-20 Residential Multi-Family Zone located at 614 North 400 West including a connection point on the east side as discussed, staff findings, and including the I-15 corridor in the zone change.** Motion seconded by Councilmember Hiatt. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Doug Welton. The motion carried.

6. Request by Jerry Robinson to apply the TS-O, Transit Station Overlay Zone to 48.17 acres located at approximately 800 South and 1700 West on parcels 30:060:0056, 30:060:0030, 30:060:0040, 30:060:0014, and 30:060:0069 to allow a master planned walkable community around a higher education facility. The current zoning includes the A-5-H, Agricultural Holding Zone and R-1-A, Residential Agriculture Zone and S-1, Special Highway Commercial Zone (7:47 p.m.)

Staff Presentation:

Daniel Jensen stated the area includes 14.65 acres in the South Meadows Area Specific Plan. The proposal is to have MTEch come to this south interchange with Utah Valley University to come to the north interchange. The project falls in the south nodal area of the general plan. Neighborhood analysis includes college, housing, church, retail/office, freeway access, retail & restaurants,

grocery, and possible transit. The concept plan includes trails, open space (3.57 acres), plaza, three housing types, shared parking, office space, and other amenities. The overall density is 25-units per acre totaling 366 units. The housing product includes an urban style with modern elevations, stacked units with some condominiumized with other apartments, common area surrounded by units that engage with the space, variety of housing types, and amenities (clubhouse and pool). The TS-O is tied to the concept plan. The site plan, preliminary plan and final plat approval will come at a later date. The required hearing was held with the planning commission.

**Applicant Presentation:**

Jerry Robinson reviewed the proposed project. In order for MTEch to sign an agreement conveying parking rights, they have to be entitled to the ground. If they can't sign an agreement conveying the parking, anything approved tonight dies. There is the safety valve. He presented a resolution from the MTEch Board from a meeting held in March stating *Approval to move forward with the acquisition of the 13.3 acres off the 800 South Exit in Payson (Payson South Meadows Planned Development site) subject to further legal review mutually agreeable to all parties. Final resolution: Motion Carries.* It was unanimously in favor. The proposal includes integrating the ditch into the plan with trails connecting to open space outside the development, clubhouse, open space (3 football fields), and 2, 3, and 4 level buildings. RV parking can be included if needed. This is a walkable community with great connectivity. MTEch is growing 12% per year and the building will be 250,000 to 300,000 square feet. The mixed-use is 45-units per acre, the multi-family is 25-units per acre with open space and pedestrian access, and the fourplex multi-family is 14-units per acre. MTEch can't develop without this project and this project can't develop without MTEch. This project and density allow them to contribute the land to the school. The goal is to fit with the South Meadows Area Specific Plan. With approval tonight, it will allow them to generate the cash to complete the transfer.

**Council Discussion:**

Councilmember Welton stated the project is a beautiful development, but he questioned what happens if MTEch doesn't come.

Daniel Jensen clarified the concept plan ties to shared parking and university option so it's tied to MTEC. The planning commission motion mentioned a traffic and feasibility study before the site plan approvals.

**MOTION: Councilmember Hiatt – To approve the application of the TS-O, Transit Station Overlay for the density up to 25-units per acre along with commercial space as shown on the concept plan contingent upon the satisfaction of conditions including the recommendations of the planning commission and in staff report. Some of these conditions include, the overlay shall be tied to transit, which must be incorporated into the site plan or development plan. The granting of the overlay does not provide any will-serve commitment by the city. Any impact such as roads and utilities are the responsibility of the developer and will be addressed at the time of site plan. The overlay is tied to this concept plan and any material change such as a change in density, housing type, open space, connectivity, trails, or parking would require new approval. A signed shared access and parking agreement between MTEch and the overlay area shall be recorded prior to approval of any future site plan. A traffic and feasibility study will need to be completed and the recommendations implemented before sit plan approval can be granted. The architecture and design will need to be approved by city council in**

**conjunction with the site plan and at a minimum will need to be consistent with the RMF Zone. Also, overlays shall be valid for one year and can be extended with a submission of a site plan and continuance to move ahead and not stop. Also, all findings from planning and zoning including redlines.** Motion seconded by Councilmember Welton. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Doug Welton. The motion carried.

(Councilmember Christensen excused.)

7. Ordinance Amending “Title 4 Business Licenses and Regulations” – regarding beer sales  
(8:23 p.m.)

Staff Presentation:

Dave Tuckett stated the state of Utah passed a law in May allowing beer sales from a drive-through window. Each city can determine if they don’t want to allow it. Businesses in Payson have requested that it be changed to allow the sales. In discussions with the Chief Bishop who has talked to businesses, an electronic ID reader should be required. Some businesses already have these readers. The ordinance can be adopted and the addition of readers can be included later.

Chief Bishop stated he spoke to the owners of Fast Gas who have these readers in all their locations. He contacted the distributor and will continue to work on the issue. There was a lot of pressure to allow these sales. The readers are an additional safeguard. Alcohol prevention has dropped sales. Retailers argue their sales will be lost. Fines increase with each offense if alcohol is sold to a minor.

Kim Eaves stated she is really opposed to this change. People can get out of their cars to purchase beer.

**MOTION: Councilmember Hiatt – To accept the ordinance change to Title 4, Business Licenses and Regulations, to allow alcohol to be sold through the drive-through windows at convenience stores and gas stations.** Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion fails.

Yes	-	Taresa Hiatt
No	-	Linda Carter
No	-	Doug Welton

8. Resolution – Agreement between Vereo Impact & Payson City (8:37 p.m.)

Staff Presentation:

Dave Tuckett stated the city has been working on economic development assistance and approached Winn Jeanfreau who has helped with Utah Valley University and other businesses at no cost. The contract addresses three items, new car dealerships, used car dealerships, and a rodeo facility. This is a six-month contract at \$4,000 per month to work on these specific items. Bonus payments are available if programs are established in Payson. He discussed switching the compensation on used car and new car dealerships because used cars bring in more tax dollars because more used cars are sold. He suggested as a compromise increasing the used car up to \$30,000 and lower the new car bonus down to \$40,000.

Winn Jeanfreau stated he has been volunteering on the Payson Economic Development Board for almost two years. He served on a variety of committees as Director of Education at Utah Valley University. He then headed up a defunct agency for the state, which is now funded. He is now full-time to the manufacturing sector of the state under an economic development mandate as well as for all business in rural Utah. He is passionate for Payson City but not yet a resident. He wants to continue working to bring Utah Valley University to the city who has a rodeo program and build an equestrian center. There are several car dealer networks who support the rodeo; a car dealership is how they make money. The second item is the downtown revitalization by pulling together the culinary arts programs through Park City, Utah Valley University, MTech, and SLCC beginning with food trucks, then downtown, and then a food mall providing culinary opportunities. It will build an ecosystem of food traffic.

Council Discussion:

Councilmember Hiatt questioned the number of hours he could put toward the contract per month. She wants him to spend the eight hours per week doing the job and not attending meetings.

Councilmember Welton stated the food may create a revenue stream by providing the opportunity.

Mayor Wright stated he supports this initiative. Winn Jeanfreau will put in many hours above the one-day a week.

Winn Jeanfreau stated it will be a minimum of one day per week. The contracted rate for private is \$10,000 per month. Meetings such as the Payson Economic Development Board will not be part of the time commitment. His time is a minimum of a day (8 hours) a week as well as attending meetings above and beyond the contract. He has already met with the MTech, SLCC, and Park City culinary institutes. There is an investment council that oversees the culinary project. It is a public-private partnership. The city may provide the building or other spaces that are leased. The city may participate in creative ways such as the investment fund similar to the state for small businesses.

**MOTION: Councilmember Carter – To accept (resolution) the agreement between Vereo Impact and Payson City with the automatic renewal (#16) taken out and commencing today.**

Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Taresa Hiatt
Yes	-	Doug Welton

9. Resolution – Junior High School Resource Officer Agreement with Nebo School District (9:08 p.m.)

Staff Presentation:

Dave Tuckett stated this is the contract for the resource officer in the Payson Junior High. Nebo School District is paying half the cost for the officer.



**MOTION: Councilmember Hiatt – To accept the resolution for a police officer to go to the two different schools as a partnership with Nebo School District.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter  
Yes - Taresa Hiatt  
Yes - Doug Welton

E. OTHER

F. ADJOURN TO CLOSED SESSION

**MOTION: Councilmember Hiatt – To go into closed session.** Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter  
Yes - Taresa Hiatt  
Yes - Doug Welton

1. Discussion regarding the character, professional competence, or physical or mental health of an individual

G. ADJOURNMENT OF CLOSED SESSION

**MOTION: Councilmember Hiatt – To adjourn the closed session.** Motion seconded by Councilmember Welton. Those voting yes: Linda Carter, Taresa Hiatt, Doug Welton. The motion carried.

H. ADJOURNMENT

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

The meeting adjourned at 9:15 p.m.

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