

PAYSON CITY
CITY COUNCIL MEETING

Payson UT 84651 – Held via remote conferencing through Zoom Video Communications
Wednesday, June 17, 2020

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton (7:10 p.m.), William R. Wright

STAFF PRESENT David Tuckett, City Manager
Mark Sorenson, City Attorney
Kim E. Holindrake, City Recorder
Cathy Jensen, Finance Director
Travis Jockumsen, Public Works Director/City Engineer
Brad Bishop, Police Chief
Karl Teemant, Recreation Director
Kent Fowden, Streets/Landfill/Storm Superintendent
Daniel Jensen, Planner II
Audrey Camp, City Treasurer
Cheryl Hobbs, Customer Service
Brian Stevenson, Electrical Superintendent

OTHERS Jeff Southard, Kim Eaves

William R. Wright, Mayor, 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 William Wright.

Pledge of Allegiance led by Taresa Hiatt.

B. CONSENT AGENDA

1. Approval of the June 3, 2020 City Council Minutes
2. Resolution – Settlement Agreement with Marie Mitchell

MOTION: Councilmember Christensen – To approve the minutes from the June 3rd council meeting and the resolution listed. 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 - Brian Hulet

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports

Staff Reports

FIRE AND AMBULANCE – Chief Spencer reported the last couple days were busy with fires on West Mountain. One fire was from target shooting, which was kept to five acres; and the second fire was by the orchards, which was suspicious in nature and got up in the foothills. The second fire was contained Monday night about 7:30 p.m. with hotspots being managed above the orchards. Tuesday morning at about 1:30 a.m., the west side took off again, which damaged a couple sections of orchards and totaled about 300 acres. There was talk burning the whole mountain, but he objected. He told them “we’re not doing that again.”

RECREATION – Karl Teemant reported he met with Greg Graves, JUB Engineering, and they are pushing hard to coordinate the last efforts with Woodbury to compile all the drawings for the ballfield bid. The pool opened last weekend; swim lessons and swim team began. Youth sports have started. Staff is holding off on opening the Senior Center at this point. He has a meeting tomorrow with band members to discuss performances in the park, which typically start July 4.

POLICE – Chief Brad Bishop reported there has been a lot of vandalism at the city parks, and the ball park was heavily vandalized last night. Everything has been cleaned up. The police are helping with the movie set and filming on Main Street this week and next week. He thanked all the citizens and community partners who are flooding the Police Department with support.

ADMINISTRATION – Dave Tuckett noted staff discussed getting the Salmon Supper and Onion Days going. Staff is working with the Utah County Health Department on the Salmon Supper and hope to have an answer in the next day or two. The plan is to keep social distancing and space the tables. The current snow level is 70% of normal, which is good.

PUBLIC WORKS – Travis Jockumsen stated staff took a couple contractors to McClellan Lake this week to look at the outlet structure and the dam for repairs. Currently, no water can be taken out of the lake. The Big East Lake is pretty full. The Street Department building addition is almost done. The sewer plant is getting better; the smell isn’t as bad.

Council Reports

Councilmember Welton gave a continued shout out to the Payson police officers and community. Five police officers walked off the job in Salt Lake after restructuring. There are meaningful discussions that can be held on how police can do things better; no structure is ever perfect. He appreciates Chief Bishop driving him around town, discussing what’s happening in town, what officers are doing, and training. The Scottish Festival will be doing their athletics, but no bagpipes or vendors. Utah Valley University (UVU) officially signed and completed the land purchase, which is huge. In working with the Utah Republican Caucus, the COVID-19 will slow

down some funding because of budget cuts, but they are ready and aware of Payson's needs as well as the south valley.

Councilmember Hulet stated today, the state put out volume 4 on COVID with a 100-day plan, 250-day plan, and 500-day plan. The 250-day plan discusses bonding for infrastructure meeting. The City needs to be in forefront to get FrontRunner, the new interchange, and Main Street funding. It also discussed helping with sewer plants so the City could get funds to upgrade the sewer plant. Outdoor recreation was also big so the City needs to look at Forebay and trail improvements. It discussed reskilling and upskilling workers, which has a lot to do with MTECH. COVID cases have gone up quite a bit in the last two weeks so wearing masks is encouraged because it makes a big difference and helps open up the economy. He is excited about UVU coming. President Holland was in Payson about eight years ago when the City made a pitch to get UVU here. It's been a long process; UVU bought 38.7 acres, which will be a nice campus. He thanked the Police Department and appreciates what they do for Payson.

Councilmember Hiatt thanked all the employees because COVID has messed things up. They are working long, hard hours and give it their all. She loves the police. She hopes the nation can resolve this so we know we are safe and protected. She thanked Chief Spencer for taking care of the fires.

Councilmember Christensen is excited for UVU and a bigger campus. He visited with Tracy Zobell and crews regarding the dumpsters in the parks. The City needs to crack down on illegal dumping in the park dumpsters by using cameras or even replacing the big dumpsters with the small totes. The thrift store deposit boxes need to be cleaned up because of the mountainous piles collecting around them. He is all for donating, but things can be taken directly to the thrift store in town. It's good to see the water meter complaints have gone down. Things are reopening, but the City needs to be smart about it. He thanked staff for quickly repairing the potholes in his neighborhood. It's good to see new businesses coming into town and the completion of the Street Department building. The Parks Department needs a building because they are spread out.

Councilmember Carter reported UVU coming is happy news. She has noticed how many people are using Quick Quack, which looks good. She has talked to a lot of people at the pool and saw people from Spanish Fork, which no longer has a pool. She has concerns about some yards and lots around the City that are never touched. A lot is said about a city with well-kept yards. She would like to put together a Beautification Committee to encourage lawn mowing, trash pickup, and watering.

Mayor Wright stated the Salmon Supper is very possible and doable. He spoke to the Quick Quack employees who said they are doing well. Quick Quack will have a ribbon cutting on June 23rd and a fund raiser for a local individual. The COVID funding has been divided up between Utah County and the cities, which will have an interlocal agreement. There is also a committee that will disburse 20 million to nonprofit and businesses in the area. He serves on this committee, which meets tomorrow.

D. ACTION ITEMS

1. Public Hearing/Resolution – Amendments to the Fiscal Year 2019-2020 Budget (6:34 p.m.)

Staff Presentation:

Cathy Jensen reviewed the amendments to the Fiscal Year 2019-2020 Budget including \$12,900 for animal control professional services, \$20,000 for the Mitchell land settlement, \$1,400 for the Interfaith other services, and \$60,117 for the emergency sewer repair on the Arrowhead project. These adjustments total \$94,417.

Discussion that the sewer item was an upsizing and could come out of impact fees, which was confirmed with Jeff Hiatt.

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

Public Comment:

No public comments.

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

MOTION: Councilmember Hulet – To approve (resolution) the budget amendments for 2019-2020 but moving the sewer repairs from the Sewer General Fund to Impact Fees. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

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

2. Resolution – Amendments to the Payson City Fee Schedule (6:41 p.m.)

Staff Presentation:

Dave Tuckett reviewed the amendments to the fee schedule that consolidates two application fees of \$20 each into one \$30 application fee. Staff is working to get utility applications on line, which will only accommodate one fee.

Audrey Camp explained that there was a \$20 water fee and a \$20 electric fee, but not all residents have water and electric. The majority of residents paid \$40. To get applications online and charge only one fee, staff proposes one \$30 application fee, which can be justified based on staff time and wage.

Cheryl Hobbs noted one fee is fair all around. One employee is sent out to check the meters; not a separate employee from water and from electric. A few areas in town receive only power because an HOA pays the water, sewer, and garbage. Other areas are not billed power because it's provided by SESD.

MOTION: Councilmember Hulet – To approve the resolution for the fee schedule relating to municipal services. 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. Resolution – Adoption of the Certified Tax Rate (6:47 p.m.)

Staff Presentation:

Cathy Jensen stated the certified tax rate received from Utah County is 0.001193. It was 0.001272 last year. The certified tax is only charged on the general purpose. On a \$225,000 home, it would be a decrease of \$9.56 per year. The City is guaranteed the same revenue as last year plus growth.

Council Discussion:

Councilmember Christensen noted the city opted out of the Truth in Taxation that could have brought the rate back up to 0.001272. The City needs to keep on top of it because there are city departments that are short staffed because of growth.

Councilmember Hulet stated it's important to look at the Truth in Taxation most years. The Council decided not to look at it this year because of everything that is going on and the County just raised theirs a big margin. Most residents will have a little less of a tax bill on property taxes from the city. The City does need to keep up with inflation most years.

Mayor Wright noted the City gets a better bond interest rate with a Truth in Taxation so it helps in the long run.

MOTION: Councilmember Hiatt – To accept the resolution setting Payson City's 2020-2021 Certified Tax Rate at the 0.001193. 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

4. Resolution – Authorizing the City Treasurer to write off certain uncollectible debt (6:51 p.m.)

Staff Presentation:

Audrey Camp reported at the end of the fiscal year, staff compiles a list of utility accounts to be written off as bad debt. Accounts are considered bad debt if they have been sent to collections, the customer has filed bankruptcy, or the customer is deceased and the estate is unable to pay.

This year, the total bad debt to be written off totals \$34,229.48. When an account goes to collections, there is a 35% collection fee and it affects their credit. Last year, about \$45,000 was sent to collections and \$17,000 was collected, which is about 38%.

Council Discussion:

Councilmember Hulet questioned an account on the list from 2017 for almost \$2,700. He would like to see business owners personally guarantee the business account so the City can go after the owner.

Cheryl Hobbs clarified that the \$2,700 account was a business that staff tried to work with on payment arrangements, but the business never followed through. Staff generally tries to do payment arrangements; but at some point, it's sent to collections.

Audrey Camp stated the City collects a deposit on an account, but businesses usually provide a surety bond, which is good for two years.

Councilmember Hiatt would like a breakdown of the bad debt between rentals, ownership and businesses.

MOTION: Councilmember Hulet – To approve the resolution charging off uncollectible debts owed to Payson City according to the list presented to Council. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

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

5. Public Hearing/Ordinance – Request to extend the municipal boundaries to encompass the property included in the proposed Mount Loafer Meadows Annexation consisting of one parcel (30:030:0056), containing approximately 7.98 acres on the east side of town adjacent to and south of SR-198 and east of 2100 West, and proposed in the General Commercial Zone (7:00 p.m.)

Staff Presentation:

Daniel Jensen reported an annexation is a legislative action giving broad discretion to decide if it's in the best interest of the City. The proposal is to bring 8.51 acres into the City under the General Commercial Zone, but the use will remain agriculture at this time. The proposal is consistent with the East Side Comprehensive Plan. Land uses include many permitted and conditional uses but have been limited considerably because of the nature of the intersection, which has commercial on all four corners. Staff worked with the applicant to identify appropriate uses for the development, which will be spelled out in the Annexation Agreement. The East Side Comprehensive Plan includes a village commercial with a grid layout along with system improvements, road study, and road widening provided by the developer. According to city code, a public hearing was held with the Planning Commission with no public comments; and the City Council public hearing is required according to state code. If the property were left in the

agricultural zone, the owner would be entitled to build a single-family home on the property. The applicant wants assurance that it will be zoned commercial. The use will remain agricultural at this time so the applicant can apply for greenbelt. Staff is comfortable recommending commercial because of the specific area plan in place.

Mayor Wright noted the City wants it to be commercial because of the type of road in the future.

Councilmember Welton stated he wants it to be commercial, but who knows what the future will bring down the road.

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

Public Comment:

Jeff Southard stated as the applicant, he is most interested in having the property zoned neighborhood commercial immediately. It was taken out of greenbelt and the taxes paid. He is excited to see when the beltway comes through the area and how the area will develop. It will be called the East Village at South Haven Farms. UDOT as been tough, but staff has helped to make things happen.

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

Council Discussion:

Councilmember Hulet stated he is excited about the annexation with one owner doing both corners. It will be a really good commercial corner.

MOTION: Councilmember Hiatt – To accept the ordinance annexing the 8.51 acres extending the municipal boundaries of Payson called the Mount Loafer Meadows Annexation and zoning the property General Commercial and amending the official zoning map of Payson City. Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion carried.

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

6. Resolution – Annexation Agreement for Mount Loafer Meadows Annexation (7:15 p.m.)

Staff Presentation:

Daniel Jensen stated the annexation agreement includes language regarding the land-use restrictions, improvements paid by the applicant, and the property use as historic agricultural with current animal rights. There is some wording to be finalized to fix some internal

inconsistencies with terminology. Staff will finalize the document with the applicant and city engineer. The final agreement will be emailed to the council before signing.

Jeff Southard noted a couple items to clarify is the wastewater could flow to Salem as an option and the type of water shares provided.

Council Discussion:

Councilmember Christensen questioned taking funds for water shares instead to purchase the CUP water.

Travis Jockumsen stated the city code has not been amended to allow use of the CUP water, but staff is working on the ordinance details.

MOTION: Councilmember Hulet – To approve the agreement (resolution) between Payson City Corporation and Jeffrey Southard as manager of the South Haven Farms LC for the annexation of the Mount Loafer Meadows Annexation to Payson with the stipulation that staff can make changes that are not substantive. But if the changes are substantive such as changing where the sewer goes, it come back to council. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

7. Public Hearing – Site plan for Suite 55 at South Haven Farms, a 90-unit, 55+ community located south of SR-198 along 1400 East and 50 South (7:22 p.m.)

Staff Presentation:

Daniel Jensen reviewed the project in the PO-1 Zone including a previously approved Housing Facility Overlay. The request is administrative to determine if it meets the overlay requirements. The project is over three acres with 90 units, two separate four-story buildings, 126 parking stalls with 56 covered, and six ADA stalls. There are no garages due to the concern of storage use. Staff will monitor and evaluate the parking as it is occupied. This 55+ community has its own amenity package including a gym and theater as well as access to the large clubhouse on the south side. Access is from 1400 East, 50 South, and SR-198. The elevations were modified slightly from the packet submittal for overall cohesiveness, which are consistent with the overlay. The applicant intends to have all structures in the development similar with barn-type features.

Jeff Southard stated gables were added to the roof and the roof pitch is steeper. The fake chimneys have been removed because they didn't match the farmhouse style. The elevations and color schemes are more cohesive with a farmhouse motif; the clubhouse has a silo-type element. It is a better-looking product since it is all part of the same community. He wanted a nod to the Holdaway farm that was there forever with stone and white/black for the farm house style. It will be a showpiece when entering the city.

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

Public Comment:

Richard Brunson noted the Mountain View Hospital and Parkway Health have a lift station for sewer, and this project will land lock the property. He asked if it was possible to tie in the sewer as this project moves forward.

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

Council Discussion:

Councilmember Welton stated he liked the coloring on the first elevations, which looked more barn like. These look like every other building out there.

Councilmember Christensen noted his concern that 1.4 parking stalls are not enough so it needs to increase in future projects. This will also help increase the average income in the city.

Councilmember Hulet likes the clubhouse design. Barnes have a little red so he would like some color on the buildings. Something to think about; when townhome projects are in a straight line, they don't look as nice as on an angle so they are less boxy.

MOTION: Councilmember Welton – To approve the site plan for Suite 55 at South Haven Farms, a 90-unit, 55+ community. Motion seconded by Councilmember Christensen. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

8. Request for use of the NC-1, Neighborhood Commercial Overlay at approximately 355 South 100 East to allow an event center and associated parking within the R-1-9 Residential Zone (7:42 p.m.)

Staff Presentation:

Daniel Jensen reported the request is for the NC-1, Neighborhood Commercial Overlay, which is a legislative action to determine if it is in the best interest of the City. If granted, it then goes through the final plat process. The NC-1 allows a commercial use in a residential neighborhood that is limited in scope, which can't be transferred from one property to another or from one use to another. The NC-1 creates a legal conforming use that laps after one year if not completed. The base zone remains the same, which is the R-1-9 Residential Zone. Considerations include building design (massing, orientation), hours of operation, maximum potential number of employees on site, noise generated from activities, proximity to similar services, nature of vehicular access, impact/effect on traffic, emissions, parking, lighting, signage, landscaping, projections into setbacks, build-to-lines, lot size, accessory structures, and neighborhood characteristics. Project specifics include the base zone of R-1-9 residential and use as a reception center/event center with two remaining existing homes. The future plat will vacate the lots and easements out of the current subdivision to establish a new subdivision and new utility easements. The property to the south is under a purchase agreement with the Nebo School

District for parking. Unique characteristics include largely wooded areas, Peteetneet Creek traverses through the center of the north property, and a large 30-foot slope to the east. The reception/event center is proposed on the northwest side of the property with approximately 47 parking stalls on the southern property with on-street parking on 100 East and 400 South. The elevations include 9,000 to 10,000 square feet with a maximum building height of 39.5 feet with large windows, balconies, garage/storage area, office space, entry area, back rooms, open dance floor, and upstairs with bride room, fitting rooms, and bathrooms. The building will accommodate 100-150 guests at a time. The business will have three employees plus event staff and operate between 9 a.m. to 10 p.m. Neighbors on the east side have asked for a fence because of liability. The center will be accessed from 100 East to discourage parking on 400 South in front of the neighbors. "No event parking" signs could be installed. Because of the slope and wooded area, noise is contained but maybe not in the winter; a noise study could be conducted. The Planning Commission held a public hearing with a lot of discussion and a large concern with on-street parking on 300 East and in front of neighbors on 400 South. The Planning Commission recommended approval with fencing being addressed and mitigating concerns from the public hearing.

Council Discussion:

Councilmember Hiatt doesn't see much of a noise problem with the hill, all the trees, and the building.

Councilmember Christensen stated he lives 6-8 blocks to the north of this project and Memorial Park and hears the band concerts every Sunday at Memorial Park. He is concerned with the noise in the area during an event.

Councilmember Carter stated she lives 1.5 blocks away from this project and can't hear the band concerts at Memorial Park.

Councilmember Hulet questioned the CC&R's and development agreement associated with the property to the south. If removed, it takes the property away from what is was approved for originally.

Councilmember Welton noted the property is not currently zoned for a reception center. To him the parking is irrelevant, but it would be nice to have school parking. It comes down to whether the City wants a reception center and not the parking.

Daniel Jensen stated the property to the south will be vacated out of the current subdivision so the CC&R's won't carry over. The action changes the use for that property, which was intended for single-family homes or a parking lot for the school. The parking is tied to the overlay proposal. The two questions are, does the City want a reception center with zero off-street parking or does the City want a reception center with about 47 off-street parking stalls. The overlay is specifically tailored to the project proposed.

Councilmember Welton stated the third question is it's not approved at all and not wanted there. It's not just a reception center with parking or a reception center without parking.

Kim Eaves stated they decided to do the reception enter because people were constantly asking for receptions, anniversaries, and school class reunions. Currently, if it rains, there is nowhere for

the guests to go. There are no plans for big bands, concerts, or not classy events. They live there and want it to be very classy.

Councilmember Christensen would like to see a noise study done before a decision is made. The parking seems to be taken care of. He would rather to see 75 to 100 parking stalls because it can't rely on the school parking.

Councilmember Welton agreed. It can't be passed until the City has the noise information. It is a beautiful facility. What the Eaves have done is beautiful, well thought out, and a beautiful addition to the City. There are so many pressures on the City to grow, change, and balance who we are as Payson. He worries about adding so many businesses in residential areas.

Councilmember Hulet stated JoLynn Ford lives just up the hill to the east and said she can hear the band concert. There are a lot of good things about this project such as the beautiful building and the ambiance is great for a reception center. Then, there are those who say, 'not in my neighborhood'. Bringing in commercial does take away from that ambiance for the residents. Schools and parks are in neighborhoods because that's their purpose. Concerns are that the parking is right where the school crossing is located and people could still climb the fence. It would be a nice addition to Payson but then he has concerns. The city ordinance states the council shall ere on the side of protecting the existing neighborhood and residential uses.

Discussion that neighbors have sent a lot of emails so the consensus of the council was not to take public comment. Specific unwanted events such as concerts could be listed with the approval. The parking to the south could give additional parking for the school. Most events will occur during the evening. The noise study needs to be done, and the city code needs to be updated regarding noise decibels.

MOTION: Councilmember Christensen – To approve the request for the NC-1, Neighborhood Commercial Overlay to allow an event center and associated parking in the R-1-9 Residential Zone. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion failed.

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

Mayor Wright noted that the Eaves could continue to hold events from time to time because it's allowed throughout the City.

Discussion that the applicant's request is still on the table so action of some type needs to be taken, i.e. table, remand, deny.

MOTION: Councilmember Christensen – To remand back to staff for further discussion. Motion seconded by Councilmember Hiatt. Those voting yes: Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. Linda Carter abstain. The motion passed.

9. Ordinance – Amendments to the Payson City Code Title 19, Zoning and Development Guidelines (8:45 p.m.)

Staff Presentation:

Daniel Jensen stated the proposed amendments to clean up Section 19.12, Annexation Requirements by removing duplicated language already in the State Code and removes the public hearing with the Planning Commission because the State Code requires the public hearing with the City Council.

Jill Spencer reviewed the proposed amendments to Section 19.6.14.17, Footprint Lots, for use in the S-1 Zone, which is around the freeway interchanges. There are times when a lot or development can't meet the minimum requirements of the zone or the end user may not want to own more property than the structure/footprint. The city code has regulations in the Professional Office Zone that accommodates footprint lots including shared parking agreements, utilities easements, etc. The City received a request for a commercial development in the S-1 Zone on the 800 South interchange west of Walmart on 6.5 acres for a hotel and restaurant/commercial pads. The parcel is a little challenging in order to accommodate the commercial users and have frontage on a street. The project maximizes exposure to the freeway with buildings along the frontage, but some pads won't have frontage on the street, which is required. Staff felt it appropriate to allow footprint lots in the S-1 Zone, which allows the businesses to own their site. The Planning Commission recommended approval.

Council Discussion:

Councilmember Hulet stated it's important for this piece of property to develop and businesses owning their pads. He is 100% in favor.

Mayor Wright stated this would be a very good tool to facilitate worthy projects such as this to be affordable and a reality.

Councilmembers Hiatt and Carter agreed.

MOTION: Councilmember Hiatt – To grant approval of the ordinances for the three proposals in the packet (Section 19.12 Annexation, 19.6.14.17, Footprint Lots for the S-1 Zone, Development Guidelines regarding sanitary sewer). Motion seconded by

Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

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

10. Resolution – Agreement regarding Substation Operation and Maintenance with Utah Associates Municipal Power Systems (UAMPS) (8:55 p.m.)

Staff Presentation:

Brian Stevenson stated this contract replaces the current working agreement in the host agreement, which doesn't spell out specific operations. The new program spells out who has responsibility for what equipment. He recommended approval.

Council Discussion:

Councilmember Hulet questioned if there is a separate line item in the budget covering this so it can be specifically tracked so hours and equipment can be billed. It's a great partnership but needs to be tracked correctly.

Brian Stevenson clarified there is an emergency budget, and UAMPS is billed monthly with the payment going into the Electrical Fund. The equipment hours are documented per where it is used such as city or UAMPS.

Cathy Jensen stated there is currently no line item, but one can be added.

MOTION: Councilmember Hiatt – To approve the resolution approving the operation and maintenance between UAMPS and Payson City. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

11. Resolution – Interlocal Agreement with Utah County regarding CARES Act (9:00 p.m.)

Staff Presentation:

Dave Tuckett reported this proposed agreement is with Utah County. A couple cities were worried about the indemnification provision because it put the liability on cities even if Utah County made mistakes. A group of city attorneys contacted Utah County and were advised that several cities had already signed and felt the cities had commented. The group tried to get revised language to the County for the commission meeting, but he hasn't received any information. He recommended tabling the item so Utah County can address some of the concerns.

Mayor Wright stated the feeling of the mayors in general was to get this out as quick as possible, but cities could be accountable if the County makes a mistake. There is plenty of time to get this passed.

MOTION: Councilmember Hulet – To table the resolution for the CARES Act contract with Utah County realizing we may need a special meeting. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried. All

12. Resolution – Contract with the State of Utah for the Outdoor Recreation Grant

Staff Presentation:

Dave Tuckett stated this is the contract with the state for the \$150,000 grant for the Forebay parking area.

Council Discussion:

Councilmember Hulet questioned if staff reached out to Utah County for the additional money to cover the project.

Karl Teemant stated he has not reached out yet.

MOTION: Councilmember Hulet – To approve the (resolution) outdoor recreation grant with the state. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

E. ADJOURNMENT

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

The meeting adjourned at 9:07 p.m.

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