

June 19, 2013 Joint Meeting of the Payson City Council & Redevelopment Agency

Minutes of the Payson City Council joint meeting with the Redevelopment Agency of Payson Utah held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, June 19, 2013 at 6:00 p.m.

Mayor Moore presiding.

ROLL CALL: Mayor Rick Moore; Councilmembers: JoLynn Ford, Kim Hancock, Scott Phillips, and Larry Skinner; City Attorney Mark Sorenson and City Recorder Jeanette Wineteer. Councilmember Hardy and Manager Tuckett were excused.

PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Devin Barney and Pledge of Allegiance led by Brennan Jensen, scouts in attendance.

CONSENT AGENDA

MOTION by Councilmember Phillips to approve the Consent Agenda consisting of Approval of June 5, 2013 City Council Minutes, Resolution – Adopting the Amended Fiscal Year 2012-2013 Payson City Budget and Adopting the Fiscal Year 2013-2014 Payson City Budget, but to pull the Fee Schedule off of the Consent Agenda for discussion. Motion seconded by Councilmember Ford. Motion carries.

PUBLIC FORUM

Jed Jensen representing “Addict to Athlete” said that “Addict to Athlete” is a group of friends, peers and family that have been affected by addiction. Their goal is to spread the message of recovery to the addict and family of addicts who still struggle with addiction and to show that we have discovered a more excellent way to live. In conjunction with Utah County Recovery Week, they want to hold a 5/10 K race that will begin and end at South County Lanes in Payson on September 6th. He said they would abide by all rules and obtain all permits required.

Woody Eccles asked to discuss the legality of riding side-by-sides within Payson City limits. Councilmember Phillips said that is kind of in the works right now and the ordinance would probably be approved within the next couple of weeks.

COUNCIL AND STAFF REPORTS

Superintendent Kent Fowden said he received the paver and roller today and so everyone will be seeing some work being completed with that machinery.

He also updated the Council on the 930 West project and said they will be starting on the surfacing next week. He asked the Council about the planter strip and whether we should take it all the way to the temple, which would cost approximately \$60,000.

Councilmember Hancock feels it would add beauty to that street, however if it is a burden to the roadway it should be moved. He said that the community agreed with the choice of the planter strip so if we remove it we should include those residences that were involved.

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Councilmember Skinner felt the church should be approached again. It was mentioned that the additional cost would affect the budget and Attorney Sorenson suggested that it should be brought back at the next meeting as an agenda item.

Chief Runyan reminded everyone of the Star Touring Ride on Saturday to benefit the Veterans home. He announced that Officer Doug Howell has accepted a position with the County, so his position will be replaced.

Recreation Director Karl Teemant said they wrapped up the Regional Hershey Track Meet last night and he thanked all of the volunteers. He also said there would be a Push America Hope of America bike ride coming through Payson on Friday this week and staying over and leaving Saturday.

Councilmember Phillips asked him if the Peteetneet had been talked to about cutting back on watering and Mr. Teemant Karl said that the Facilities Manager was going to talk to them about that and he will follow up.

Golf Pro Tracy Zobell reported that the trail in Hollow Park is completed. He said all the parks are real dry; especially the little pocket parks, so we will probably hear complaints.

Councilmember Phillips thanked the street crew for all the crack sealing that has been done, it really makes roads last longer. He is excited about getting the paver out and working. He also reported that Tracy Zobell's boy is doing an Eagle Scout project at Memorial Park and redoing the drinking fountain.

Councilmember Hancock commented that the Lions Club Talent show was terrific and a pleasant evening. Rhett Huff, Lions Club President thanked the City for helping to promote this event.

Councilmember Ford said the VA ribbon cutting went well and she thanked everyone for helping.

Councilmember Skinner agreed and said it is a feather in the hat for Payson. He also said we need to continue to promote conservation of water this year.

Mayor Moore also noted that this is the last VA center that will be placed in Utah. He said Mark Hyland has really been doing a lot of work in the parks and downtown and they look great. He commended all employees for all they do.

PRESENTATION OF SCOUT ATTENDANCE CERTIFICATES

Councilmember Hancock presented attendance certificates to scouts in attendance: Devin Barney, Brennan Jensen, Calvin Schulz, Cameron Johnson, and Travis Pitcher.

RESOLUTION –APPROVING AND AUTHORIZING THE APPOINTMENT OF VARIOUS JUDGES PRO TEM TO ACT FOR THE PAYSON CITY JUSTICE COURT

Attorney Sorenson explained that Utah State law requires appointment and authorization of any temporary Justice Court Judges by the Governing Body or other proper authority prior to filling in for our Payson City's Justice Court Judge.

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He presented a resolution to appoint and authorize any qualified Justice Court Judge, in our area, as allowed by Utah law to fill in as a Temporary Justice Court Judge.

This resolution authorizes the City Administration and Payson City Justice Court to move forward on an as-needed basis to procure a Temporary Justice Court Judge to cover the needs of the Payson City Justice Court.

MOTION by Councilmember Skinner to approve Resolution 06-19-13, a Resolution Approving and Authorizing the Appointment of Various Judges Pro Tem to Act for the Payson City Justice Court. Motion seconded by Councilmember Phillips. Motion carries.

DISCUSSION REGARDING SPRING LAKE

Attorney Sorenson explained that a deputy sheriff came by on the 11th and was concerned about the posted sign hours at Spring Lake. The hours we posted are in conflict with the Utah County curfew hours. He indicated that the sheriff's department is called almost every night around 10:00 p.m. The county curfew is at 11:00 on weekdays and 1:00 a.m. on weekends. They can still cite a person from trespassing after 10:00 p.m. and before 5:00 a.m. but he was concerned that if Payson City wants people cited for trespassing, there would be many fishermen who would be coming to complain about that issue.

Deputy Tindal presented a copy of the sign posted at Spring Lake and said he contacted the County Attorney and their concern is whether the park is public or private. They are not quite sure how they are going to handle the curfew for under age of 18 because the County curfew is later than what the City posted. He said that the County has received several calls from residents and a lot of them have been anonymous, and since the signs have gone up they have received more calls. It is easier for the County Attorney and Sheriff's Department if they just stay consistent.

Councilmember Hancock said with the park we were trying to be a good neighbor to those around it.

Councilmember Phillips asked if the County has separate rules for their parks or if they just go with the curfew and Deputy Tindal said they go with the curfew.

Greg Callaway lives next to lake and said he met with the Council last year because of all the parties out there with loud bass speakers. He said it has been better with the signs posted. He said if he has property and if someone was trespassing the Sheriff would come out and help, so he wondered what the difference was.

Deputy Tindal said it is a question as to whether this property is public or private.

Councilmember Phillips wondered if 11:00 p.m. would be okay with the neighbors because with all of the complaints it makes us think it should be closed. Mr. Callaway said there is only a problem when it is loud and at 2:00-3:00 in the morning.

Ron Hughes lives in Spring Lake and also spent 45 years with the Provo City Police. He said they would have responded on any satellite city property even if it was in the County, so if that is the way it is posted Payson Police has jurisdiction to respond and regulate those hours.

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Councilmember Skinner asked Attorney Sorenson if he felt that were true if it is city owned but in the county that we had jurisdiction. Attorney Sorenson said he didn't know, but felt like we should accommodate the Sheriff's office to enforce and allow an 11:00 p.m. curfew with weekends later.

Deputy Tindal felt like consistency was the issue.

Councilmember Phillips agreed that he would like to accommodate the Sheriff's Office and see how it goes this summer. Attorney Sorenson said he is good to work with the County Attorney to see what will work for both entities as far as enforcement, but he felt consistency was the most important issue.

Bill Benson also lives next to the Lake and said that Spring Lake is a park because the city put that on their sign. He appreciates the city mowing twice so far this year, but said he mows there quite often.

Tracy Zobell said the City crews do clean all parks, and he won't mention what all he does in his neighborhood. He wanted to go on record stating that Mark does a great job on all the parks, this is a native park so if the Council wants it to be a regular park we should put grass out there and maintain it regularly.

He said he felt this was not only a park but a fishery and wondered if Provo Police enforced Provo City regulations on the property by Provo River and if they would be cited if fishing on the river beyond the posted hours. He felt it was not as simple as kicking everyone out at 10:00 p.m.

MOTION by Councilmember Phillips to ask Attorney Sorenson to work with the County to work out enforcement. Motion seconded by Councilmember Hancock. Motion carries.

Water levels were discussed and said that the water level of Spring Lake was established when Superintendent White worked for the City. Councilmember Phillips said he received a copy of an agreement from Greg Callaway and presented it. He felt we could solve some of this problem if we lowered the pipe. He will try to help get this resolved.

RESOLUTION – AMENDING THE PAYSON CITY FEE SCHEDULE

Discussion was held regarding the recommendation of agreeing to the increase for Veteran lots, but a discount of opening and closing for resident veterans. Councilmember Skinner felt that tenured public safety should be considered also.

MOTION by Phillips to approve the fee schedule as presented, however allowing half off of opening and closing for tenured public safety, (not spouses) and resident veterans honorably discharged (not spouses). Motion seconded by Councilmember Hancock. Motion carries.

ADJOURN TO REDEVELOPMENT AGENCY

MOTION by Councilmember Phillips to adjourn and reconvene as Payson Redevelopment Agency. Motion seconded by Councilmember Skinner. Motion carries.

Council adjourned and reconvened as Payson Redevelopment Agency at 7:20 p.m.

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RESOLUTION – ADOPTING THE AMENDED FISCAL YEAR 2012-2013 PAYSON REDEVELOPMENT AGENCY BUDGET AND ADOPTING THE FISCAL YEAR 2013-2014 PAYSON REDEVELOPMENT AGENCY BUDGET

MOTION by Director Skinner to approve RDA Resolution #06-19-13, A Resolution Adopting the Amended Fiscal Year 2012-2013 and Adopting the Fiscal Year 2013-2014 Payson Redevelopment Agency Budgets. Motion seconded by Director Ford. Motion carries.

ADJOURN

MOTION by Director Phillips to adjourn. Motion seconded by Director Hancock. Motion carries.

The joint meeting of the Payson City Council and Redevelopment Agency adjourned at 7:21 p.m.