

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSIONS
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, December 2, 2020

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Linda Carter, Taresa Hiatt, Brian Hulet, Doug Welton,
William R. Wright

STAFF PRESENT Cathy Jensen, Finance Director
Kim E. Holindrake, City Recorder
Jason Sant, City Attorney
Brad Bishop, Police Chief
Nestor Gallo, Development Services Director
Travis Jockumsen, Public Works Director/City Engineer
Scott Spencer, Fire Chief
Jill Spencer, City Planner
Chris Van Aken, Planner II
Eric Jewell, Prosecutor
Stephanie Whitehead, Animal Control Officer
Brad Kearl, Electric Department
Cameron Phillips, Water Superintendent
Tracy Zobell, Golf Pro
Kim Lefler, Communities That Care Coordinator

OTHERS Steve Jones – Hansen Allen & Luce, Katie Jacobsen – Hansen Allen &
Luce, Terry Harward, Jeff Southard, Jonathan Biesinger, Kyle Spencer,
Nathan Staheli, Shaun Bufton

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at
5:00 p.m. The meeting was properly noticed.

A. WORK SESSION (5:00 p.m.)

1. Payson City water system status update

Presentation:

Katie Jacobsen stated the purpose tonight is a status update on the Master Plans for drinking water
and pressurized irrigation systems and what infrastructure need to come next. An equivalent
residential connection (ERC) is the average use of a commodity per residence. Nonresidential users
are assigned an ERC count based on water use. For example, a restaurant may use six times the
amount of a resident. The drinking water and pressurized irrigation systems were evaluated during
the master plan process addressing source, storage, and transmission.

Drinking Water System:

Source is all water available for peak days and on an annual basis. There are four pressure zones
known as the Patterson zone, upper zone, lower zone, and Arrowhead zone (part of lower zone).
Sources include the canyon springs (Patterson zone) with 700 gallons per minute, well #1 (upper
zone) with 1,000 gallons per minutes, well #2 (upper zone) with 1,800 gallons per minute, well #5

(upper zone) with 1,200 gallons per minute, Gladstan well (used for golf course) with 1,500 gallons per minute, and 800 South well (used for pressurized irrigation) with 1,600 gallons per minute. The 800 South well can be switched from pressurized irrigation to drinking water within hours for emergencies. All the existing sources serve the upper zone and then the water passes through valves to get to the lower zone. Water requirements are 500 gallons per day per ERC, which is about 0.35 gallons per minute per ERC. Well #1 can serve about 3,000 residents.

Storage tanks allow the system to function and provide water for emergency and fire flow. Equalization is the water used each day as the tank level cycles up and down. The lower part of the tank is used for emergency and fire. Tanks #1 and #2 are 2.5-million-gallon tanks and the Patterson tank is 600,000 gallons. A one-million-gallon tank provides water to about 4,000 average residents.

Transmission addresses the sizing of pipes.

Level of Development:

- In December 2018, the lower zone carried 5,824 ERCs, the upper zone carried 4,513 ERCs, and the Patterson zone carried 96 ERCs for a total of 10,433 ERCs.
- In the last two years, new development has added 782 ERCs to the lower zone, 181 ERCs to the upper zone, and 27 ERCs to the Patterson zone totaling 990 ERCs. This is about a 10% growth over the last two years.
- The Patterson zone projected buildout is 390 ERCs, and the source can provide 395 ERCs. The source and storage are sufficient for projected buildout. There is no redundancy in this zone so a booster pump project is proposed to provide water if the springs are unavailable.
- The upper and lower zones (including Arrowhead) total 11,300 ERCs, and are on the verge of capacity with no redundancy. The 800 South well could be used for drinking water in an emergency. Additional sources need to be addressed. Storage tank planning and design should begin immediately because the process takes several years. A moratorium may be required if source or storage become deficient.
- Currently, 4,915 ERCs are proposed in the lower zone and 780 ERCs in the upper zone. There will also be small infill project.
- A source is recommended in the south part of the City, and a tank on the foothills and to the east as well. Any area in the lower zone could produce a productive well. A tank could be constructed in the west mountain area, which is under evaluation. Project 4 shows a transmission line from the existing tanks through needed areas along with short lengths of pipe to alleviate a couple bottlenecks. Project costs include \$2,100,000 for a well, \$1,800,000 for a 1.5-million-gallon storage tank, \$4,100,000 for transmission lines to the tank, and \$1,100,000 to master plan project 4. This totals \$9,100,000. These are just the major projects to improve source and storage. These are an investment that will allow developers to continue to come into the City.
- Funding sources include impact fees, but these projects need to be built before impact fees are collected. Bonding or a rate study are other possibilities as well as impact fee reimbursement.

Steve Jones noted impact fees and rates are looked at when bonding. Overall, Payson City is not anywhere near a precarious situation, which other cities are facing. There is plenty of time to decide what is best for the City.

Pressurized Irrigation System:

Katie Jacobsen continued stating the pressurized irrigation system has three pressure zones, i.e. upper zone, lower zone, and Arrowhead zone.

Sources include the Strawberry High Line Canal (lower zone) with 6,284 gallons per minute, Spring Lake (upper zone) with 1,700 gallons per minute, Payson Canyon (upper zone) with 900 gallons per minute, and 800 South well (upper zone) with 1,800 gallons per minute. The pressurized irrigation system is based on irrigated acres rather than ERCs. Currently, the usage is fairly high with 8.7 gallons per minute per irrigated acre, which is 12,500 gallons per day. The master plan was based on 6 gallons per minute per irrigated acre, which is 8,640 gallons per day. This is about 2/3 of what the residents are using now. Meters are being installed. The idea is that residents using the 6 gallons per minute pay a reasonable rate and those using above this usage are charged higher and higher to encourage conservation. Six gallons per minute is enough for a healthy attractive lawn. Some cities are as low as 3.5 and 4 gallons per minute. The ULS water is the solution for a source, which isn't available yet and requires storage.

Steve Jones noted cities have successfully reduced the gallons per minute to an appropriate amount. It's hard to regulate when a resident can use an unlimited amount and their bill doesn't change. Rates and meters are very effective in encouraging residents to conserve and is very doable and fair to the residents.

Nestor Gallo noted agencies are required to have a water conservation program to reduce water waste. A plan is submitted to the state every five years showing compliance and results in water use. Payson's plan is due next year.

Katie Jacobsen continued with storage. The lower pond has 25-acre feet equating to 8,146,275 gallons, and the upper pond has 10-acre feet for 3,258,510 gallons. The current usage requires 9,400 gallons per irrigated acre. The master plan level of service is 6,480 gallons per irrigated acre, which is again about two thirds. One million gallons of storage provides for needs of 106 irrigated acres, which is about 700 quarter-acre lots. Source and storage are available, but remember that over 4,000 ERCs are proposed in the lower zone. The upper zone is deficient on storage, but water can be pumped from the lower zone. Again, a moratorium may be required if source or storage become deficient.

Projects include 1 and 2 have been completed; 3, 4, and 5 will occur as development comes and improve pressure; 6 takes water from the ULS to a new pond; 7 takes water from the ULS to an existing pond; 8 takes water from the ULS to another pond; and 10 (underway) installs filters and pumps at Spring Lake. These projects total \$6,450,000 and assume conservation will occur.

Discussion regarding watering times and days to alleviate low pressures, large users watering during the day, conservation with the use of meters, and a rate structure. Saratoga Springs has a great rate structure to incentivize proper usage. The rate structure can be based on lot size. New billing software may need to be addressed. There needs to be a year of education with the residents prior to changing rates. The 800 South well can be switched to drinking water once the ULS water is available. The Council would like to see the meter reads and the reads show any reduction in water usage.

B. PRAYER & PLEDGE OF ALLEGIANCE (6:00 p.m.)

Prayer offered by Brian Hulet.

147
148 Pledge of Allegiance led by Brett Christensen.
149

150 C. CONSENT AGENDA

151 1. Approval of the November 18, 2020 City Council Meeting Minutes
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153 **MOTION: Councilmember Hulet – To approve the consent agenda.** Motion seconded by
154 Councilmember Christensen. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian
155 Hulet, Doug Welton. The motion carried.
156

157 D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

158 1. Public Forum
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160 No public comments.
161

162 2. Staff and Council Reports
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164 Staff Reports
165

166 PARKS & GOLF - Tracy Zobell reported the flower beds have been cleared in downtown Main
167 Street in preparation for spring. The dog park information is out for bid, which should be ready by
168 the first of the year. The bid will fit to any location once the location is determined.
169

170 PUBLIC WORKS – Travis Jockumsen stated there is a lot of infrastructure needing improvements
171 because of development. Staff is preparing for the signal light on 930 West and 800 South. The new
172 jet truck came in today. The sewer line has been replaced, and 1130 South is back open. UDOT is
173 reviewing the signal light at 600 North and Main Street.
174

175 DEVELOPMENT SERVICES – Nestor Gallo reported there have been 4,100 inspections this year,
176 which is a record to previous years. Yearly impact fees total \$480,000. Permits this year total 398
177 compared 330 previous year.
178

179 Council Reports
180

181 Councilmember Carter is excited for the festivities this weekend and hope everyone will support
182 these events. She appreciates Janeen Dean. Enjoy the Christmas season.
183

184 Councilmember Christensen gave a shout out to the first responders who are always so good to help
185 and support the residents. He looks forward to Christmas and handing out turkeys and hams to the
186 employees and shaking their hands.
187

188 Councilmember Hiatt thanked Chubby's for inviting them out last night, and the taco truck is back
189 in Payson. She thanked the staff for all they do.
190

191 Councilmember Hulet stated even with COVID, sales tax is up, which helps with building
192 infrastructure. He thanked citizens for shopping local. He talked with Brett Parris, Parris RV, who is
193 excited to build in Payson. He wished everyone a happy Christmas holiday, be safe, and look out
194 for one another. He thanked the city staff for all they do.
195

Councilmember Welton has concerns about the lack of public input for the dog park. It may not be a bad site, but the City needs public engagement. He thanked city staff for their hard work; Payson has exceptional staff. Much of what the employees do is unseen and unappreciated. There is a good plan and great opportunity for Christmas lights. Phasing in additional Christmas lights is great. Merry Christmas and happy holidays.

Mayor Wright noted the dog park location is an area in Hollow Park off a collector road and not near homes. He wished everyone a safe and Merry Christmas. Staff is actively looking at more Christmas lights at the business center on Main Street. The City has great staff and council.

3. Scout Attendance Certificates

No scouts present.

4. CTC – Mayor’s Youth Recognition (6:16 p.m.)

Mayor Wright and Kim Lefler presented Mayor’s Youth Recognition Awards to Liam and Shane Fudge, Mt. Nebo Junior High, Kathryn Morgan, Payson Junior High, and Tanner Hutchings, Payson High School.

5. Chamber Business of the Month

No presentation.

6. Outstanding Property Developer Awards (6:22 p.m.)

Mayor Wright recognized Terry Harward, Jeff Southard, and Rick Salisbury with the Outstanding Property Developer Award. We can all agree that land development is essential for a community's success and growth. While development can sometimes be challenging, land development has a direct socio-economic impact on the community's prosperity. Land development can generate more jobs, bring desired curb appeal to some areas of the city, unite community members, and increase home values. Whether the development is residential or commercial, construction brings economic stability to our community. Finding a balance between growth and maintaining our community's character and traditions is key to the planning of development. Growth can present challenges; however, it is a necessity for the prosperity of our city. Commercial and residential construction stimulates growth in retail, real estate, industrial and manufacturing, schools and colleges, and outdoor activities, to name a few. Some cities will require the developer to make improvements to the existing infrastructure. This requirement may include enhancing the road conditions, installing new street lights, replacing old water or sewer pipes, installing sidewalks, and dedicating open space for parks and trails. The contribution from private development was \$14,000,000 in 2019; \$18,000,000 in 2020; and we are projecting investments in the range of \$40,000,000 for the next year. For these reasons, Payson City would like to recognize the following developers for their outstanding work and investment in our community.

Terry Harward is the master developer of the Villages at Arrowhead Trail. The development includes the construction of high-quality single dwelling residential units, townhomes, and apartments. Terry Harward had to overcome many challenges in successfully developing this project, including installing a new culinary water line, sanitary sewer main, and obtaining permits from the United States Army Corps of Engineers.

Jeff Southard took over the Holdaway Annexation back in July 2019. There were many unknowns moving forward with this project. Still, Jeff worked diligently with city staff, and the Holdaway annexation became the South Haven Farms Subdivision in September 2019. South Haven Farms includes a high-quality Senior Housing component, apartments, townhomes, and 7.50 acres of commercial development. Jeff Southard teamed up with city staff to coordinate approvals from the Utah Department of Transportation and the United States Army Corps of Engineers.

Risk Salisbury is the master developer of the Springside Meadows Subdivision. The Springside Meadows creative layout and hillside setting invited home builders with an excellent reputation for their quality homes such as D.R. Horton. At one point, D.R. Horton had a two-page waiting list with potential buyers. The subdivision construction started in March 2019, and the Development Services Department issued the first certificate of occupancy in October 2019. The construction of underground utilities and road improvement in such a short period is impressive work. The Springside Meadows Subdivision includes single residential dwelling units, townhomes, and land dedication for the construction of a new fire station, new power substation, satellite salt and material storage building, and a community park with trails and playgrounds.

We are very appreciative of your investment in the city and contribution to the community. Thank you.

Jeff Southard stated it has been great to work with the City and staff; it's been great.

Terry Harward stated having a successful development especially one of this size is a joint effort. The City has bent over backwards to help and direct the project. He thanked Travis, Nestor, and Jill. Many residents are now living there. Thank you for the recognition.

The City Council thanked them for their contributions to the City.

7. Discussion regarding golf course year-end review and potential golf fee increases (6:31 p.m.)

Tracy Zobell stated it's been a very busy year. People love to be outside and play golf. Golf players come from throughout the United States with only five states not represented. He reviewed the zip code areas represented by golfers. Golf sales have increased from \$649,755.35 in 2016 to \$1,369,465.41 in 2020. Nine-hole rounds increased from 37,186 in 2016 to 68,526 in 2020. He reviewed the September-October no shows equating to a loss of \$50,623.00. He proposed moving forward with a prepay system where golfer books a time slot and pays, which is similar to a movie theater. This is how golf is done elsewhere, and Utah is beginning to use this format. Weather related no shows were not included. Golfers can book and pay on line. Spanish Oaks and Hobble Creek are presenting this information to their cities also. The point-of-sale system will easily switch over to prepay. Overall a better experience is created for the golfers. The last 18 months has been a big adjustment for local walk-on golfers who haven't been able to walk in and get on in 30 minutes because the course is very busy. He proposed new 2021 rates increasing \$1 for a nine-hole round and \$1 for a cart. Punch cards went from a 20% discount to a 10% discount. Punch cards expire a year from the date of purchase, but staff works with the pass holder if needed. The RV Park brought in \$14,340; the budget was \$10,000. He feels very good about the RV Park; it will get even better. Staff is discussing 10-minute tee times instead of 8 minutes and a flat rate for tournaments. The Economic Development Golf Tournament has been very positive.

Council Discussion:

Mayor Wright agreed the prepaying makes sense; there are multiple areas in our society that do this.

Councilmember Carter agreed wholeheartedly; this is a good move.

Councilmember Welton noted prepaying is easy and most of society is accustomed to it. The City isn't nickel and diming anyone but no shows costs money. The golf course needs to be profitable. He suggested an automated message directing callers to book on line.

Councilmember Hulet noted with Tracy running the course, it will become the premium golf course. In the future, he would like to look at different rates for local Payson residents.

E. ACTION ITEMS

1. Ordinance – Amendment to the Payson City Zone Map for the Geneva Rock Facility located at approximately 1325 N Main Street from the I-1, Light Industrial Zone to the I-2, Heavy Industrial Zone (6:55 p.m.)

Staff Presentation:

Chris Van Aken stated this is a zone change from I-1 to I-2 for three parcels totaling 20.47 acres at 1325 N Main Street. An ordinance text amendment was approved in August. If this is approved, then a conditional use permit for a concrete batch plant will be addressed by the Planning Commission, and finally a site plan application, which approved by staff. This area is industrial, but there is a future TOD node nearby as well as low density housing. The Planning Commission discussed a concern of approving the change to I-2 that would allow any I-2 use if the batch plant isn't built. Ultimately, the Planning Commission recommended approval.

Travis Jockumsen noted Main Street will still be the main road but will be rerouted with the new interchange.

Council Discussion:

Councilmember Welton stated there will be positive commercial and residential development in the area. He is concerned with concrete batch plant there.

Councilmember Hulet noted sales tax was mentioned in the Planning Commission. He questioned if concrete is purchased in Payson but the project is in Springville, does the sales tax come to Payson. Cathy Jensen stated generally if sales tax is charged in Utah, it's a point of sale and comes to Payson.

Nestor Gallo explained the street connections in the area. The Main Street alignment and traffic pattern will change north of the freeway. The main idea is to move the heavy traffic that goes through the City to the Nebo Beltway. Staff tries to discourage housing close to industrial. The concrete plant is required to submit an industrial notice of intent to the Division of Water Quality. The plant to be in full compliance.

Councilmember Christensen stated he understands some don't want it here because of the dust and Utah Valley University coming. He has been to the facility, and there isn't much dust. It didn't sound noisy, and they have nice concrete walls. It fits the location, and he is in favor of granting the zone change to allow expansion. He does have a concern with increased traffic.

Applicant Presentation:

Jonathan Biesinger stated the concrete trucks will travel to the new I-15 access. The current plant is not only compliant but falls under the maximum limits for particulates and noise, which beats the standards from the environmental protection agencies.

Councilmember Hulet stated he is okay expanding the concrete plant; it's next to the city power plant and sewer plant. He looks at the traffic differently. The new interchange will have Utah Valley University, commercial, and high density so he would rather have the trucks use Main Street.

MOTION: Councilmember Hulet – (ordinance) To change the zoning for the Geneva Rock Facility three parcels as outlined to I-2. 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 – Amendment to the East Side Comprehensive Plan to allow annexations under 300 acres in size (7:16 p.m.)**

Staff Presentation:

Jill Spencer stated this is an amendment to the East Side Comprehensive Plan (ESCP) including a public hearing. The Staheli family is requesting an exception to the 300-foot annexation rule or an amendment to or removal of Section 5.1.1, Special Considerations South of Salem Canal Road. Their goal is to annex property into Payson City in order to develop three lots. The ESCP was approved in 2019 to identify land uses and provide guidance for annexation and development. There was a lot of engagement from the land owners. The planning framework included a guide for annexation and future development, support of agricultural activities, diversity in lot sizes and housing options with higher density near the SR-198 corridor, expansion of professional services, commercial village, and parks, schools, churches, etc. The area encompasses south of Salem Canal Road, north and east of Gooseneck Drive, and west of 1600 West. Some area has been removed in favor of Elk Ridge. Following a public hearing, the Planning Commission forwarded a recommendation to amend the ESCP but limiting further annexations until additional planning is completed for the Uplands Neighborhood and planning tools are in place in city ordinance to realize the plan goals. The City Council can address an exception or an amendment, determine parameters of an amendment, or deny the request. If approved, the applicant will need to submit an annexation petition and comply with Utah and city codes.

Kim Holindrake noted the public hearing has not been noticed on the state noticing website or on the agenda.

Jill Spencer noted the public hearing was sent to the newspaper and published and a notice was sent to the property owners. It was not posted on the state noticing website. She asked if the council could allow some public comment.

Jason Sant stated the council can take public comments. His concern is if it's not on the state noticing website, then the council will have to table the item until it is properly noticed. It will not

be a public hearing but public comment. The Council can discuss the issue but not make a decision. All the people who may want to speak may not be present.

Applicant Presentation:

Kyle Spencer stated most of the items have been covered. The project started last December. The ESCP hasn't changed much since adoption. The three Staheli brothers want to build homes next to their parents and help with the farm. The 300-acre rule has prevented them from moving forward. He would like to hear additional comments from the public. The public hearing last December received a lot of comments with many in favor of pursuing development and coming into Payson. The last November hearing received very little comments. The neighbors do work together and have worked to find a solution.

Public Comment:

Nathan Staheli stated it's unfortunate we'll have to go to the next meeting. They have been working on this for a year with the County and a year with the City so one more month shouldn't hurt too bad. They want to return to their roots. There is a beautiful view up there, and they grew up with all the neighbors. They understand what they are fighting for and what they want to keep. We've got to get through the details and get the three houses. They understand how they want to keep this area. It's not working out with the county so this works best for them and hopefully the City.

(Brian Hulet excused)

Shaun Bufton stated he can't represent all the neighbors but a good share of them. Eleven years ago, they all worked really hard on this plan. Obviously, it was a way of life they wanted to keep out here. They don't want high density housing, and they want this farm to be operational. The Allreds and Ellsworths are great people. Nothing has changed over the last 11 years. We all have rules and regulations to follow. This was part of the plan. He personally doesn't care if Stahelis build three houses. The issue is the County won't let them do septic tanks. The City can make an exception and allow them to connect to sewer and water, which runs right in front of them. The neighbor's biggest fear is allowing Stahelis to build three houses then what about the next guy and the next guy. It won't stop if we don't stick to the rules. The City and Stahelis can't guarantee the remaining parcel won't sell and houses built. The only guarantee is to stick with the 300-acre rule. They fought with Lee Haskell who wanted houses and neighborhoods, and they will continue to fight to keep it.

Jill Spencer stated Shaun has expressed the feelings of many of the residents in this area. She clarified that the Planning Commission recommended the change with a strong emphasis of no other annexation or development would be allowed without additional planning and tools in place. She stressed this was the only reason the Planning Commission was comfortable moving forward.

Council Discussion:

Mayor Wright stated it is a very sensitive issue, and he see both sides. People who own ground need the flexibility to use that ground as well.

Councilmember Christensen questioned how many parcels are 300 acres and does one person have more control over another. This is his concern is someone having dominating control over others. He would annex the property into the City under the holding zone, build the houses, and provide services. He's not a fan of septic tanks.

Shaun Bufton stated there is no one but the orchard owners who have 300 acres. It's not a power play. They love the orchard and the farm. The more houses that move in, the more problems it causes them. The County has rules. It's frustrating to him that there is water and sewer literally 10 feet from their property. It makes more sense for the environment and ground water to not build septic tanks. He questioned why the City can't allow the three houses to connect to the sewer and water.

Mayor Wright stated there are some restrictions that prohibit the City from connecting non-residents to the sewer but rules may have changed.

Jill Spencer stated the Staheli family understands they will need to meet all the city requirements and connect to all utilities. They will be responsible for the extension of utilities and are aware of that.

Kyle Spencer noted the plan includes house placement, utility connections, grading, and drainage. If the property stays in the County, there are minimum lot sizes. Homes will be spaced out more than proposed because the County doesn't have a clustering ordinance. This makes farming difficult. What about the next guy is a realistic concern. The City has legislative tools in place to address the next guy, but there will always be the next guy. Stahelis want to connect to all city utilities moving forward.

Mayor Wright suggested the community look at the needed restrictions so they can be comfortable prior to the public hearing. There needs to be confidence and trust on both sides.

Councilmember Welton asked if there were better protection tools that could be put in place for the orchards. He understands the concerns with keeping the way of life as well as property right concerns.

Jill Spencer noted there are conservation easements, transfer of development rights, and zoning. Many options have been shared with the Allreds; they will take whatever protections they need for their operation.

Nathan Staheli stated the neighborhood has held meetings, but people are busy. They are just trying to figure out how to do it best. Previously, the City told them they would have to annex to get services. They want to farm; they want to keep the houses close together. The orchards were on board and would allow them to build. He thought everyone was in agreement at the neighborhood meetings for annexation and the amendment.

MOTION: Councilmember Christensen – To table the item until the public hearing is properly noticed. 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

3. Ordinance – Amendments to Title 16 Traffic (8:05 p.m.)

Staff Presentation:

Eric Jewell stated the traffic and parking ordinance didn't include unlicensed, unregistered or uninsured vehicles in the street. This allows the police to ticket these vehicles.

Council Discussion:

Councilmember Christensen stated the ordinance needs to clarify when there is no curb or gutter along the street.

Eric Jewell stated he can look at additional language addressing city right-of-way. There is a separate code for vehicles in disrepair and junk items.

MOTION: Councilmember Welton – To approve the (ordinance) amendments to Title 16

Traffic as presented. 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

4. Ordinance – Amendments to Title 6 Animal Control

Staff Presentation:

Eric Jewell stated this is a follow up from the last amendment a few weeks ago. Section 6.01.180, Livestock, clarifies where livestock is prohibited. Section 6.01.190, Cruelty to Animals, has been replaced to follow state code by reference because of a concern with poisoning animals for pest control. Also included is language regarding dogs in car without proper ventilation and it's extremely hot. Previous concerns dealt with the number of animals allowed in the A-5-H Zone where only eight cows were allowed on 19 acres. The proposal changes the minimum acreage to two acres for livestock with one animal unit. The tiered system was removed and three horses was changed to two horses in an animal unit.

Council Discussion:

Councilmember Hiatt voiced concerns if property is in greenbelt and only two acres, how the City stops them from having more animals. Owners have to have animals to show they are in greenbelt.

Jill Spencer stated most of the annexations into the A-5-H Holding Zone have a clause in the annexation agreement addressing greenbelt. It is not the intention that existing agricultural uses are prohibited from maintaining greenbelt status. Many animal rights were established when the property was in Utah County and under another government code. It is recognized as a continued use.

Eric Jewell stated Section 6.06.040, Non-Conforming Animal Rights, addresses pre-existing rights, which stay with the property. If property is annexed into the City, the pre-existing rights run with the property. He's happy to look at the language to make sure it's clear. Section 6.06.050, Relationship to A-5, Agricultural Zone, allows a request for additional animals.

Stephanie Whitehead noted the city code is pretty comparable to the county code. She has never had a complaint of too many animals in the A-5-H Zone. She can look at the county code to match it with the city code.

Councilmember Hiatt stated the requirements need to be in the city code. The properties in the A-5-H Zone have a lot more animals than what is shown in the proposed code.

Councilmember Welton if a neighbor complains it makes it harder. ... enforce complaints.

MOTION: Councilmember Welton – To approve the (ordinance) amendments to Title 6

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

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

Further Discussion:

Stephanie Whitehead noted goats are not allowed on smaller properties because of the noise; goats are very vocal. This doesn't take animal rights for goats away for those who already have those rights. Goats must be contained.

Eric Jewell clarified nonconforming permits are renewed on an annual basis. Annexed properties have to show they are maintaining the animal for keep the animal right. There are separate regulations for chickens.

5. Resolution – Amendments to the Payson City Fee Schedule (8:35 p.m.)

Staff Presentation:

Eric Jewell stated the fee amendments are in relation to the previous amendments for nonconforming use permit and kennel permit.

Kim Holindrake noted the proposed golf fees are also included.

Council Discussion:

Councilmember Hiatt stated she would like to stop backyard breeders because they don't take care of the dogs. If they don't get a permit, can they be charged higher.

Stephanie Whitehead stated residential kennel licenses require the two additional dogs to be fixed. She hasn't had any complaints of anyone over the limit. This code has done really well for Spanish Fork.

MOTION: Councilmember Welton – To approve the (resolution) amendments to the Payson City fee schedule as presented. 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

6. Resolution – Purchase of 4 megawatts of solar energy with UAMPS (8:40 p.m.)

Staff Presentation:

Brad Kearn stated this is a solar power purchase agreement at a good price at 31.45 cents per megawatt hour. It fits nicely with scheduling and picks up some of the daytime capacity when the San Juan Power Plant goes down in 2022. The City is not an owner in this project. The City pays for what it uses.

MOTION: Councilmember Welton – To purchase up to 4 megawatts of solar energy with UAMPS. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

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

F. WORK SESSION

1. Development on the west side of Payson (8:45 p.m.)

Nestor Gallo stated the City has a proposed development on the west side by 400 North close to Intermountain Nutrition. It's about 140 acres and could grow. The main constraints with development on the west side includes the capacity for the existing water tanks and the number of units that can be serviced. Land development is based on the basic principle of providing sewer, water, power, and an access road to any building. Without any utilities nearby, any application submitted for review would need to be denied because the City can't provide those services. The City doesn't have the funds to subsidize that kind of infrastructure. A second option is approving the application with the contingency that the developer will pioneer those improvements, which Jeff Meads is willing to invest the funds and take the risk. Jeff is experienced developer and understands the magnitude of this project. The question is where do we begin. All development begins with a base zone, which needs to be established through a specific analysis of the land. The Council, as the land authority, needs to be comfortable with the proposed density; then staff will work on the design. A specific plan is a dynamic way to do land use. Currently, the City has three specific plans. Two plans don't have a study for water demand and sewer capacity or an analysis for traffic. These plans don't comply with the master plans so now there is a conflict. Do we follow the specific plan or the recently adopted master plan? The South Meadows Specific Plan has some underground utility analysis that is wrong. The sewer main on Turf Farm Road is at capacity but wasn't a year ago. The Springside Meadows Subdivision flows have been added. A specific plan doesn't give a good direction on how to build but a specific analysis of the infrastructure does give direction. The East Side Comprehensive Plan is the same having recommendations but no analysis for underground infrastructure. The west side needs a specific plan, but staff doesn't have time. The conclusion of the city's water system is very accurate. The water tank needs to be in place; or in two or three years, the City will need to adopt a moratorium. The City can work together with Jeff Meads to accomplish the plan.

Jill Spencer stated now that the general plan has been adopted, there is a lot of work to do such as planning studies, ordinance amendments, and utility system improvements. The next step for any development in the west side is to have a specific plan. Nestor Gallo has brought up valuable

information to see the need for a specific plan. Staff wants to make sure the Council is supportive in moving forward with a specific plan and how it will be funded.

Councilmember Christensen stated he is in favor of doing a west side plan and strongly suggest doing it. At the same time, he feels the City is short staffed. He would like to see a flow chart of what the Development Services Department would look like in the next 10 years and what are the current needs. He would rather hire an individual to work exclusively on the plan and then move them to different tasks. next area. The City needs the right people to move this forward. The City needs to pay attention and get everything in order.

Councilmember Hiatt agreed. The City is seeing a lot of development, and Development Services needs help. She doesn't want to turn away a developer who is willing to help with this infrastructure. The City may need two people. They will work with the developer and protect the City.

Jill Spencer noted there are some expertise the City will never have on staff because it isn't used on a day to day basis, which is why consultants are hired. It will take more than one city employee to prepare this plan.

Jeff Meads stated the presentation on water systems was very productive and great information. He has had great discussions with staff, and what his specific efforts are relative to the west side. With the city's forward planning and current infrastructure, they have identified Payson as a great place to come and develop to create a first-class community to the west. It's largely driven by the market as well, which pushes further south in Utah County. He has been a developer his entire career mostly in the Las Vegas area. He's had experience with larger master plans and working collaboratively with cities in building water tanks where developer shoulders cost with reimbursement. He came to Utah to work on a large master plan with Oakwood Homes. He now works for the Horan family, which is a large family of companies that is fully integrated, owned, and operated by the Horan family. They specialize in acquisition as well as both vertical and horizontal development. Their focus is not just development but building communities. They understand the infrastructure constraint. They are a part of the Red Bridge PID. They are offering a three-phased approach to first pay for and shoulder the cost of the land use plan for the entire west side with a collaborative approach with the City. Phase two would be the infrastructure analysis, and phase three would be how to pay for all of it. They are willing to lead the charge. The intent is not to be one sided. They would like to memorialize their intentions and a collaborative approach in a memorandum of understanding. If that works, it presses forward.

Mayor Wright stated he shares the excitement as well as concerns because of the unknowns. The City wants to ensure the quality of life too, and plan a community that can infill easily.

Chris Van Aken stated he doesn't want it to seem that staff doesn't want this type of growth. He worries about the precedent it may set with someone else funding a city specific plan. His last employer had companies sponsor these types of projects. Developers or private interests have a stake in the project that can influence the outcome. Staff wants a specific plan for the west side but don't want it to be so difficult to curb growth. This won't be the last specific plan. It needs to be a collaborative effort with the City in the driver's seat.

Councilmember Christensen stated working through the PID process, he feels the City needs to keep the ball in its court. He would like to stream line the process, do a budget amendment in two

684 weeks, and get it rolling. The City will pay for it and recoup the costs in impact fees. This way the
685 City can expand above and beyond this project. He doesn't want to scare them away.

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687 Jeff Meads stated it doesn't scare them away. The important thing is it moves forward. They are
688 offering to help, fund, and lead. If the City is willing, their offer stands. He noted their investor's
689 timeline clock is ticking. A two-year process to create the area specific plan would not fit their
690 development timeline. If given the green light, they see six to eight months to create this area
691 specific plan; and then four to six months on infrastructure plans. In the first year, land use and
692 density are in place with an infrastructure plan in six months. Then they are ready to stick a shovel
693 in ground. This timeline works for investment. They don't get scared away, but time could take a
694 project out of the timeline and move it to another place. If meaningful progress is being made,
695 timeline adjustments can be made. They also feel their plans fit right into the master plan.

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697 Mayor Wright stated he doesn't want to miss this opportunity either. It's well worth continuing the
698 discussion and investing some time.

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700 Chris Van Aken stated he's not sure if staff can meet that time line but not out of the realm of
701 possibility. It needs to be discussed with everyone. He doesn't want to make a timeline acceptance
702 when everything isn't known. Meaningful progress is absolutely attainable.

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704 Councilmember Welton wants to make sure that the city's expectations are understood. He doesn't
705 want to miss this opportunity either and is excited for the development in the community.

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707 G. ADJOURNMENT

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

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712 The meeting adjourned at 9:40 p.m.

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Kim E. Holindrake, City Recorder