

PAYSON CITY  
CITY COUNCIL MEETING, REDEVELOPMENT AGENCY, AND WORK SESSION  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, December 16, 2020

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Linda Carter, Taresa Hiatt, Brian Hulet (6:05 p.m.),  
Doug Welton, William R. Wright

STAFF PRESENT David Tuckett, City Manager  
Cathy Jensen, Finance Director  
Kim E. Holindrake, City Recorder  
Jason Sant, City Attorney  
Brad Bishop, Police Chief  
Travis Jockumsen, Public Works Director/City Engineer  
Scott Spencer, Fire Chief  
Jill Spencer, City Planner  
Chris Van Aken, Planner II

OTHERS Mike McKell – House Representative, Jeremy Searle - Wall Consulting  
Group, Jeff Southard – South Haven Farms, Jerry Robinson

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 Bill Wright.

Pledge of Allegiance led by Doug Welton.

B. CONSENT AGENDA

1. Approval of the December 2, 2020 City Council Meeting Minutes
2. Resolution – City Council Annual Meeting Dates and Times
3. Resolution – Policy dealing with Federal Grants

**MOTION: Councilmember Welton – To approve the consent agenda.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

## 2. Staff and Council Reports

### Staff Reports

PUBLIC WORKS – Travis Jockumsen reported precipitation is 47% of normal, water equivalent is 27%, and the SNOTEL site has six inches. He thanked the council for their support and raises; employees appreciated it. Staff has been snow plowing and fixing water leaks.

POLICE – Chief Brad Bishop reported one speed sign is up on 1700 West but had some software difficulties, which is being resolved. The Arrowhead Trail sign has been installed, and there have been no complaints on that street since. He will check the speed limit sign on Arrowhead Trail. Currently, the December statistics include 45 arrests, 97 offenses, 54 citations, 90 violations, 482 calls for service, 1 DUI, 85 traffic stops, and 11 accidents.

FIRE AND AMBULANCE – Chief Spencer reported three employees are out with COVID, which other agencies have six to eight employees out. The Department has rapid testing available for public safety employees, which is a quick advantage in prevention. It's a busy time and season with fire calls. He appreciates the city council support.

FINANCE – Cathy Jensen thanked the council for raises and the movement in pay ranges. It was very much appreciated.

ADMINISTRATION – Dave Tuckett stated tomorrow is the Ted Bates Employee of the Year Award via a Zoom link. Then there is an employee luncheon by departments to keep the numbers down. Safety incentives and turkeys/hams will be distributed as well.

LIBRARY – Dona Gay thanked the council for the Christmas decorations on Main Street as well as the raises and taking care of the library.

### Council Reports

Councilmember Welton noted the decorations on Main Street look fantastic and appreciates all who had a hand in it. There is a lot of pressure with COVID, and things not being normal; but these things make people smile. Seasonal effective disorder is a real thing so he encouraged the City and residents to keep their Christmas lights up into January. Twice he went to McDonalds where his order was paid by the person before him. There are a lot of good people in the world, and he's grateful for them. Thanks to the employees who continue to work hard. When he begins at the State Capitol, his two standing committees are Public Utilities and Technology and Government Operations. He will also be on the Higher Education Subcommittee. He looks forward to serving there.

Councilmember Hulet thanked all the employees and the great job they do. He wished everyone a great Christmas. This COVID will be over soon. The City had a great year this year and next year will be even better. As an update, Utah County is working on plowing farther up the Nebo Loop next year; possibly to the road to Maple Lake.

Councilmember Hiatt echoed what Councilmember Welton said; he will be missed. She's glad he is up at the state. Merry Christmas and happy New Year to all the employees.

Councilmember Christensen noted his excitement for the raises to go out to the staff. As he contemplated Councilmember Welton leaving and realizing he only has one year left, he would like to push forward with a public improvement district (PID) for curb, gutter, and sidewalk. He would like to sit down with staff and get it underway in the next 12 months. A PID is the best option. Residents can be contacted to see who is interested. Merry Christmas everyone.

Councilmember Carter wished everyone a Merry Christmas. She appreciates the staff so much and grateful the City was able to give the pay raises. She agreed with Councilmember Christensen in creating a PID for curb, gutter, and sidewalk, which creates nicer streets. She's so happy about the Christmas decorations on Main Street. Yards in the north are so bad so she will work on creating a beautification committee the first of year. A gentleman approached her today commenting on the all the cars on the sides of the roads and questioning what the City is doing to get them removed for snowplowing. In his neighborhood, there were four neighbors with one or two cars in front of their houses that aren't being moved. Then another neighbor parked out front and was ticketed immediately. This needs to be addressed. Chief Bishop stated 1,500 warnings have been issued so far, but they ran out of tags. They will be back out when the new tags are received. The plan is to amend the parking ordinance so a ticket can be given without needing a signature.

Mayor Wright seconded all that has been said about staff and the Christmas decorations. He and the council were happy to award the employees for their efforts. A shout out to Dave Tuckett and Cathy Jensen for working on the raises. He wished everyone a Merry Christmas.

### 3. Scout Attendance Certificates

No scouts present.

### 4. Chamber Business of the Month

Item not addressed.

### 5. Discussion regarding issues and potential bills for upcoming legislative session

Mike McKell appreciates Payson City. He sees Mayor Wright, Chief Bishop, Doug Welton, and other councilmembers often on capitol hill; the City is well represented. He congratulated Jason Sant on his new position with the City. He's excited to have Doug Welton on capitol hill. He understands the unresolved issue with SESD that Payson, Spanish Fork, and Salem faces. Doug Welton is in a unique position to address the SESD issue as he serves on the Public Utilities Committee. He will serve with Doug on the Higher Education Committee, and there are some exciting things happening with UVU and MTECH in south Utah County. Payson City is heavily involved with the Nebo School District and the K-16 Alliance. It's rewarding to have a team effort with educators and city officials. He pointed out that the State of Utah is in a very good financial position. Following a caucus meeting last night, there will be bonuses for educators totaling \$121 million. Education is a priority. Originally, 1.6 percent was cut from the budget that will be restored. Transportation is a big issue especially in south Utah County. He is hoping for a transportation bond but only if it supports projects in south Utah County. An item on his list is the

rodeo arena for UVU. He is the incoming chair for Business and Economic Development and hopes to find a way to build a track. His door is always open.

Doug Welton noted he was excited to attend meetings where funds were set aside for education. He's excited to work on roads. He doesn't have a lot of bills to push but wants to be a voice for municipal governments to address the growth issues in south Utah County.

D. ACTION ITEMS

1. Resolution – Amendments to the Personnel Policy regarding clothing allowance and payment/reimbursement for public works required state certification (6:48 p.m.)

Staff Presentation:

Dave Tuckett stated the first part is a clothing allowance amendment. Other cities have faced IRS audits showing clothing allowances are taxable. This amendment creates a standard policy for each department giving certain employees a clothing allowance, which is taxable. The second part is a new policy addressing payment/reimbursement for public works state certification. If a test isn't passed, the employee may need to pay to retake the test. Staff recommends adopting these two policies.

Travis Jockumsen stated tests can cost a couple hundred dollars. The City pays for the training, and the employee does get a raise when the test is passed.

Council Discussion:

Councilmember Welton suggested the City pays one time and then the employee pays thereafter. The City could give a bonus as an incentive to pass.

**MOTION: Councilmember Welton – To pass the resolution on amendments to the personnel policy regarding clothing allowance and payment reimbursement for public works required state certifications.** 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

2. Preliminary and final development plan for South Haven Farms 210-unit apartment complex located at approximately 1461 East 50 South (6:56 p.m.)

Staff Presentation:

Jill Spencer reviewed the Residence at South Haven Farms located on the east side. The project master plan includes about 50 acres for commercial and residential. The property was annexed in 2019 with a zoning designation of RMF-20 and multi-family residential. This project includes nine buildings with a mix of one, two, and three-bedroom apartments including amenities. The project is in proximity to a future commercial node and two major transportation facilities. 1500 East will be a collector road in the future but will be constructed as a local road at this time. The project includes uncovered off-street and visitor parking as well as carports and garages equating to 2.5 stalls per

unit, which exceeds the required parking. The applicant is requesting a waiver of the RV parking and storage. Open space meets the 30% requirement and is accommodated on and off site. A non-motorized trail system will be established along 1500 West. The project includes 210 units at 20 units per acre with three-story structures. Project on-site amenities include picnic areas, pavilions with BBQ facilities, tot lot with playground equipment, and two dog parks. Off-site amenities include a master clubhouse with indoor amenities, outdoor swimming pool and hot tub, and shaded BBQ areas. The applicant will need to satisfy any city requirements and conditions of approval. A development agreement will be addressed at a future meeting. The public hearing was conducted with the Planning Commission with the landowner to the east asking questions in order to move forward with his project. The Planning Commission recommended approval with conditions and a waiver of the RV parking and storage. The project is consistent with the general plan and terms of the annexation agreement.

#### Applicant Presentation:

Jeff Southard stated they are requesting that the amenity package be included both on and off-site to provide a great amenity for all the residents. The senior apartments do have a lot of amenities in their buildings. This larger clubhouse and nicer amenities works better for all the residents. The architecture blends well with all the different areas. There are 0.25 more parking stalls per unit than required totaling 2.5 stalls per unit. The project provides two dog parks and more parking stalls instead of the RV parking, which is more appropriate for this development.

#### Council Discussion:

Mayor Wright stated this project is very innovative; the amenities are close enough to walk and higher-class amenities. The higher parking ratio and dog parks is an advantage and higher quality of life.

Councilmember Hulet questioned that the RV parking ordinance was changed a couple meetings ago. He's okay not having the RV because it's been waived in previous projects. He didn't see the Planning Commission minutes in the packet. In future projects, he would like to see building angled and not in straight lines to make it more attractive. He recommended a bond be in place for the amenities to ensure they are built.

Jill Spencer stated there was some confusion with the previous discussion on the RV parking ordinance. The Planning Commission recommended incorporating other solutions in the ordinance before eliminating the RV parking. Staff needs clarification on whether the Council eliminated the RV Parking or was waiting until some regulations could be replaced. She will bring this back to the council for clarification. The Planning Commission minutes were not included in the packet because the project is being addressed in back-to-back meetings, and the minutes are not finalized. A summary was included in the staff report. Most of the Planning Commission comments were complimentary on the applicant's efforts to address the issues of concern such as parking, amenities, and meeting requirements. The Commission sees the need for RV parking but recognized that there will be a management company to address the issue. The Commission felt the dog parks and amenities were a better option. The development agreement can address these concerns.

Jeff Southard stated they are asking to pull permits on six buildings prior to building the amenities. He hopes this satisfies any concerns. They are not interested in selling the commercial until the Nebo Beltway is underway. The 55+ community buildings are four stories high with an elevator.

Councilmember Welton appreciates the extra parking and off-site amenities. He questioned the collector road and whether it goes through the East Side Comprehensive Plan.

Jill Spencer clarified the annexation process acquired the needed right-of-way for a collector road, which will be a larger project in the future with possible MAG funding.

**MOTION: Councilmember Hulet – To approve the preliminary plan and final plat for the Residences at South Haven Farms with findings, making sure the red lines are taken of, and waiving the RV storage.** Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

3. Ordinance – Amendments to the Payson City Code, Title 19, Zoning including Appendix A (7:31 p.m.)

Staff Presentations:

Chris Van Aken addressed Appendix A with the proposal to change tire sales in the S-1 Zone from conditional to permitted use. It was conditional because of storage concerns, which are addressed elsewhere in the code.

Jill Spencer addressed the MU-1, Mixed Use Overlay, which is a new section and supports the general plan. An overlay is a legislative approval of the Council on a case by case basis dealing with location, size, and proximity. There is a two-step process including the overlay and then a development plan. The overlay includes criteria for land use mix, creation of downtown atmosphere, project master plan and sub-projects, market analysis, parking study, design standards, and open space and landscaping. The development plan includes finalizing details of phases, full engineering details, complete landscaping plans and amenity package, and other details as outlined in ordinance. Transit oriented development may need to be addressed in the future. As clarification, residential typically wouldn't be stand-alone but a vertical mix of residential and commercial, but there could be some stand-alone residential for apartments.

Council Discussion:

Mayor Wright appreciates the flexibility this ordinance gives the Council to address issues as they come forward including a transit-oriented development.

Councilmember Hulet questioned not allowing drive up windows, which may be an issue down the road for commercial businesses.

Councilmember Welton noted he likes focusing on a walkable community but there will be vehicles because of the commercial and restaurants.

**MOTION: Councilmember Hulet – To approve the (ordinance) amendments to the City Code, Title 19, Appendix A and MU-1, Mixed Use Overlay Zone with the change on #9 (Section 19.6.35.3, Allowable Land Uses) Not Permitted leaving out “fourplexes, etc.”.** Motion seconded by Councilmember Welton. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter  
Yes - Brett Christensen

Yes - Taresa Hiatt  
Yes - Brian Hulet  
Yes - Doug Welton

4. Ordinance - Amendments to the Payson City Development Guidelines (7:50 p.m.)

Staff Presentation:

Travis Jockumsen stated the amendment adds in new ADA ramp standards for clarification for contractors. The thickness of the sidewalk goes from four inches to six inches everywhere.

Jeremy Searle stated this adds a new Section 14 regarding standards for designing and implementing trails. It was compared to the City Code for any contradictions. It references the Payson City Master Plans, ASHTO, and APWA standards. It outlines everything from trail width and shoulders, sign placement, right-of-way, pavement, weed barrier, railings, intersections, bollards, striping, etc. Trails are typically asphalt unless more pedestrian oriented, which can be addressed on a case by case basis. Natural surface paths are used for hiking trails.

**MOTION: Councilmember Hulet – To approve the (ordinance) amendments to the Payson City Development Guidelines as presented.** Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

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

5. Resolution - Red Bridge Mixed-Use Parking Study (8:00 p.m.)

Staff Presentation:

Jill Spencer stated this study was discussed in October, and the Red Bridge project would like to move forward.

Jeremy Searle stated there was a lot of background research including the Payson City Code, TOD Overlay, ITE Parking Demand Data, and National TOD studies. Data collection and analysis focused on six different Utah County local projects; some with transit and some without transit. Parking demand results showed a higher parking demand of 1.79 where transit was not available and lower where available. To account for fluctuations, the study recommended a minimum of 1.9 parking stalls per residential unit and mixed-use sites receive a 20% parking reduction, which is consistent with Payson City Code. Since the Red Bridge area may become a TOD development, a lower parking requirement could occur along with an additional parking study to determine the actual demand. Also, it's found that people do what is comfortable for them so many park on the street, which is a convenience and not a lack of parking.

Council Discussion:

Mayor Wright noted the MU-1 Overlay give the flexibility to take advantage of a TOD if it becomes viable, and he believes it will. UTA will have a presence at some point in some form.

Councilmember Hulet stated the governor’s economic summit had a presentation on parking, and this study coincides with that presentation. Their studies on usage showed most were underutilized. Also, UTA said it will have a robust transportation plan between MTECH and UVU. He believes it will happen and is comfortable with the 1.9 stalls per unit.

Applicant Presentation:

Jerry Robinson reviewed issues at the Eversage apartment site where garages are filled with stuff causing cars to be parked elsewhere, which reduces the required parking. Also, open stalls were available in part of the site while another area had only a few stalls available. The Eversage apartments and Outlook apartments are 75% two and three bedrooms. In Red bridge, three-bedroom units are a rarity. Red Bridge will be predominantly one bedroom, studios, and, micro-studios, which emphasizes smaller rooms. He requested the Council approve the 1.9 stalls as proposed in the study.

**MOTION: Councilmember Hulet – To approve the (resolution) Red Bridge parking study and apply it to the Red Bridge area.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion failed.

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

E. ADJOURN TO REDEVELOPMENT AGENCY (8:22 p.m.)

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

1. Resolution – RDA Annual Meeting Dates and Times

Staff Presentation:

Dave Tuckett stated this sets the dates and times on first and third Wednesday of each month along with council meetings.

**MOTION: Director Welton – To approve (resolution) the RDA annual meeting dates and times.** Motion seconded by Director Hulet. A roll call vote was taken as follows and the motion carried.

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

F. ADJOURNMENT OF REDEVELOPMENT AGENCY

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

D. ACTION ITEMS (Continued)

5. Resolution - Red Bridge Mixed-Use Parking Study (Reconsidered)

Councilmember Christensen noted he would be okay with two stalls per unit or 1.9 without the 20% reduction. The 20% drops it to 1.7 or 1.8 overall. He feels the City is being nicked and dimed. Even a 10% reduction would be in the right direction.

Travis Jockumsen clarified each commercial use could be different from an office building to a restaurant. The residential 1.9 is added to the commercial use; then the 20% is taken off. He's not sure if the 20% is taken off the commercial only or both the commercial and residential.

Councilmember Welton stated it's hard to swallow when the previous developer gave 2.25 stalls and created a better area as well with amenities. This developer didn't offer anything; they just pointed out what was wrong with Eversage. He is okay not doing a TOD in this area and just one on the north end.

Mayor Wright stated a TOD enhances the city's ability to provide transportation, and this is very close to making some headway.

Councilmember Hulet noted the City paid for this parking study. The biggest amenity they are providing is MTECH by donating the land.

Jeremy Searle clarified in the mixed-use areas, take the required parking for residential plus the required parking for commercial, add them together and then take 20% off. Commercial and residential have complimentary land uses from a parking perspective. Commercial uses the parking during the day and then residential uses the parking at night.

Councilmember Christensen stated when he drives to a restaurant and the parking is full, he leaves. His fear is it will over burden the parking lot with shared parking and the 20% reduction to the point of being a detriment to the businesses. 1.9 and no reduction. Give developer option to move forward.

Jeremy Searle noted the mixed-use areas are not traditional development styles. Red Bridge has commercial on the bottom and residential above. The 20% reduction seems like a lot; but in reality, there is still 80% of the commercial plus 80% of the residential. There would be far less parking with just commercial, but the residential parking has been added as well. Together, it will be above the 1.9. If the commercial needs 100 stalls and the residential needs 100 stalls, it totals 200 stalls. With the reduction, it's only 80 stalls each. This is 160 stalls, which is more stalls total and utilized at different times of the day.

Councilmember Christensen stated the commercial node needs to support itself, and he fears this node isn't big enough to support itself. He questioned what the 20% reduction benefits. The commercial may be tenant finished so the business is unknown. There could be an overlap in parking between the commercial and residential.

Mayor Wright noted the City asked a professional for an opinion independent of the developer. The combination of parking stalls may be over the 1.9 stalls or even over 2.2.

Councilmember Hiatt agreed with Councilmember Christensen. The Residences at South Haven Farms has 2.5 stalls per unit. If the jobs aren't here, a couple will have two cars.

Councilmember Welton questioned if the City is locked into micro-units at Red Bridge. He would be okay with 1.9 parking stalls per unit if it's guaranteed the stalls are in close proximity to the units and there is no pedestrian access to the street to discourage street parking. Also, rent can't be charged for parking stalls.

Jill Spencer stated the ordinance requires a market analysis be provided. When a developer applies for the overlay, they have to provide the land use mix and the unit mix as part of the approval to move the project forward. Staff needs direction on the parking because it will affect the overall layout of the development and make the overlay process smoother.

**MOTION: Councilmember Christensen – To supersede the previous motion about the parking at Red Bridge with a new motion to allow 1.9 parking stalls per unit with a 20% reduction in the mixed-use area based on staff and City Council approval of the final layout and placement of vehicle parking within a reasonable area and distance of the apartments and no charging for parking stalls.** Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

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

#### G. WORK SESSION

##### 1. Discussion regarding Pressurized Irrigation Rates (8:25 p.m.)

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

#### H. ADJOURNMENT

**MOTION: Councilmember Hiatt – 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 9:55 p.m.

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