

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, March 17, 2021

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Linda Carter, Taresa Hiatt, Brian Hulet (6:50 p.m.),
Bob Provstgaard, 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
Janeen Dean, Community Events Coordinator
Karl Teemant, Recreation Director
Tracy Zobell, Parks and Golf Director

OTHERS House Representative Doug Welton, Bryan Chapman, Susan Palmer,
Ross McClintoch – Coldwell Banker

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:10 p.m. The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Isaac Cowie.
Pledge of Allegiance led by Scott Spencer.

B. CONSENT AGENDA

1. Approval of the March 3, 2021 City Council Meeting Minutes
2. Resolution – Development agreement with Altitude Premier Construction LLC regarding the Iron Horse Subdivision
3. Plat for road dedication and combining parcels for Parris RV Payson
4. Dedication plat for High Quality Carports, Plat A
5. Resolution – Amendments to the development agreement for Payson View Estates, Plat H

MOTION: Councilmember Provstgaard – 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	-	Bob Provstgaard

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports (6:14 p.m.)

Staff Reports

ADMINISTRATION – Dave Tuckett stated water is at 75%, and snowpack is at 68%. Governor Cox issued an executive order declaring a state of emergency for drought. He encouraged things that can be done to conserve water, which staff will address as spring moves forward. Hopefully, we will continue to get some rainstorms.

Council Reports

Councilmember Provstgaard reported he spent time meeting with staff and pleased to see the cheerfulness and attitudes with the workload. When meeting with the public and citizens, staff is professional even with items that won't work. Staff spends the time to help applicants understand what can be done. Hats off to the staff.

Councilmember Christensen stated he's grateful to participate via Zoom and represent the citizens of Payson. There is a lot going on in the City. He thanked Karl Teemant who opened youth sport registration for those sports mentioned previously. It would be nice to have a large building for recreation. A shout out to all the staff and police officers.

Councilmember Hiatt echoed what Councilmember Christensen said and incorporating additional teams. Planning and zoning is super busy, which makes all the other departments busy. Thank you for your hard work. It's very intensive to get a development off and running, and it requires all the different departments.

Councilmember Carter echoed the previous statements. She's appreciative of the staff; they all work so hard. There are many things happening in Payson, and she appreciates how things are handled and taken care of Facebook and what is seen. A shout out to Karl Teemant. She visited the new ballfields, and they are beautiful. It will be wonderful to have them next year. We need to pray for more water. She's amazed at how the pickleball courts are full all the time; they have been a great addition. Thank you staff for all your hard work.

Mayor Wright echoed the previous comments and thanked the hard-working staff.

3. Scout Attendance Certificates

No scouts present.

4. Report from House Representative Doug Welton

Representative Welton reported it's good to be back standing here instead of as a councilmember. He met with Santaquin and Elk Ridge city councils. There is a tremendous amount of growth coming to the south end of the valley. It's important to have a partnership with state and local representatives. There were 497 bills introduced in the House with 307 of those being signed into law. People ask what it's like to be at the State Capitol. It's a like a long city council meeting that goes to 11 o'clock at night, twice a day, five days a week for 45 days. The Utah budget was \$23.5 billion. Big winners were education with historic funding as well as infrastructure. There was \$100 million in tax cuts specifically to those on social security and our veterans. When there is any discussion of a tax increase, the older residents are concerned because of fixed incomes. Transportation received \$1.1 billion with some from saved cash and some from bonding. Wildfire suppression received \$56 million, which is especially important with the drought conditions. The big item for Payson City, which is official, was HB 433, Transportation and Infrastructure. Five million was secured for rebuilding Payson Main Street. Combined with the water pipeline installation, it should go from the traffic light down Main Street to 1400 South. This is a huge plus for the City and communities to the south. He, Senator Mckell, Dave Tuckett, Mayor Wright, and many others worked on this bill. These projects will take place over four years. Funds will be released the first of July HB 262 deals with children's health insurance by connecting kids to health care so they do better at school, etc. Utah has one of the lowest insured rates in the nation as far as the percentage of children participating in health care. HB 287 is nurse practitioner amendments allowing nurse practitioners to practice at the height of their education. It allows greater access to health care particularly in rural Utah. There are 22 surrounding states that already have this. The timing of streets will take over four years. The state will release the funds for the City to design and contract the work. He requested that Forebay be put in a conservation easement. The ballfields are looking great.

Mayor Wright has met with UDOT who felt July first was not unreal for receiving the street funding. The city's goal is 100 North to 700 South. He explained underneath Main Street there is an 18-inch, concrete, steel reinforced road that was given to the City by the State back in 1935. The utilities have not been accessed since that point. The funding is critical to help the City make the repairs.

Dave Tuckett noted the City will need to do some things before receiving the street funding. The funds will be requested in July. There needs to be a council discussion regarding a one-way street or pulling some things out for a two-way street. Mountainland Association of Governments has assisted with the initial design and cost estimates.

5. Discussion regarding Payson Rock Festival on June 30 and 31 (6:37 p.m.)

Janeen Dean stated Bryan Chapman is the managing director to the Utah Live Concerts Foundation. He has some great ideas for a Rock Festival. In years past, the City had the Nebo Fest, which went beyond what the City anticipated. She loves the idea of bringing music into the City. A lot of the funds will come from sponsor and vendor fees. It will be a quality event and a great asset to the City. There will be bands who have experience as well as youth bands to give them exposure and learn from the event. The time frame is actually July 30 and 31. It will be a trial this year and then changes can be made for future events. This is an opportunity to bring music and knowledge of music into the community.

Bryan Chapman stated this group is a 501-C3 organization. The bands are local from Utah Valley. A local charity will be brought in to receive donations, and the concerts are free. Classic rock is played and is family friendly. They have done a similar event for Orem City since 2017. We hope to have a lot of fun.

Councilmembers voiced their support and excitement for the event.

- Additional Item:

Mayor Wright stated as the City has been going through a branding of the City, video submissions were received for the My Payson Adventure Video contest. He presented a gift card to Isaac Cowie for his video submission snowshoeing in Payson Canyon with his happy dog. Brad Dayton was the January winner for racing their mountain bikes through the snow-covered Payson Canyon.

D. ACTION ITEMS

1. Public Hearing/Resolution – Amendments to the Fiscal Year 2020-2021 Budget (6:48 p.m.)

Staff Presentation:

Cathy Jensen reviewed proposed budget adjustments.

1. Trailhead park located near Payson View Estates (\$68,400)
2. Use of General Fund Fund Balance for branding expenses with part from Utah Local Governments Trust rebate (\$64,600 total)
3. Replace playground equipment at Peteetneet (\$55,000)
4. Begin paying down the 2019 sewer bond (\$300,000)
5. Reallocate a revolving loan between departments for a truck allocated to Development Services instead of Streets (\$266,500)
6. Move SCBA equipment from external loan to revolving loan to avoid 3.5% financing rate.
7. Revenue received from scrap metal to be used for lockers, Water Department (\$3,900)
8. Victim Advocate-increased state funding (\$3,500)
9. New ballfields expense to pay for new power line (\$80,000)
10. New library grant (\$6,400)
11. Spring Creek / West side planning additional funding (\$34,400)
12. Wireless cameras for the pool and park (\$8,000) and finish phone system (\$28,500)

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

Public Comment:

No public comments.

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

Council Discussion:

Councilmember Hulet suggested PARC Tax funds for the Peteetneet playground and use the \$55,000 for fixing infrastructure.

Karl Teemant noted staff is working to get the match for the Hancock Trail Connection from the PARC Tax funds this year.

Councilmember Christensen stated the northeast corner of the City doesn't have many parks. There is just Memorial Park. The old playground equipment at Peteetneet was damaged and removed for liability reasons. He advocated for this playground equipment. Leaving this neighborhood without would be a detriment. If funds are available in the budget, it should be done now.

Dave Tuckett agreed with using PARC Tax funds, but the funding process will push it to July or August. If the council is okay waiting for the PARC funds to go through the process.

Tracy Zobell noted it may take 8 to 12 weeks to order the playground equipment so waiting may delay it this season.

Councilmember Provstgaard stated the PARC Tax rules don't allow for reimbursement. He is 100% on board in getting this playground equipment installed as soon as possible.

Dave Tuckett stated there have been some requests for flowers and to fix the pond at Peteetneet with PARC Tax funds. The PARC Tax funds allocated for a dog park were put on hold as well as the baskets for Main Street. This totaled over \$70,000. He will review the PARC Tax guidelines and contact the PARC Tax Committee to see if these funds can be reallocated. The Council has the ultimate decision allocating the PARC funds.

Councilmember Provstgaard noted the idea of flowers is welcoming and needed. The Main Street project won't be underway this year.

Councilmember Hulet stated he is fine doing the playground equipment now, and it's important to get it done. He is always concerned about the infrastructure and roads, and we keep kicking the can down the road.

Councilmember Christensen noted the PARC Tax funds need to go back before Committee to determine where those funds go. The guidelines may need to be rewritten to allow the Committee to address these types of issues and reallocate the funds based on Council approval.

Mayor Wright suggested approving the budget amendments including the \$55,000. Then there is time to adjust to the other items that have been discussed.

MOTION: Councilmember Christensen – To accept the (resolution) budget amendments as proposed. No second. Motion dies.

Discussion that approving the amendments allocates funds for the Peteetneet playground equipment. Staff will review the PARC Tax Guidelines. Additional budget amendments can be made at a future meeting. Discussion to word the motion that the playground equipment is only funded in the budget if PARC Tax funds are not received.

MOTION: Councilmember Christensen – To approve the (resolution) budget amendments as proposed. Motion seconded by Councilmember Provstgaard. 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	-	Bob Provstgaard

2. Resolution – Utility reimbursement agreement with Arrowhead Partners LLC (7:15 p.m.)

Staff Presentation:

Travis Jockumsen stated the developer extended a culinary waterline so this reimburses the developer as property develops and connects to that line. Also, as part of the annexation agreement, there was a 200-lot minimum, which is now removed because the utilities have been extended. There is a current limitation of 400 units because the project is served by culinary water for outdoor use. The project is one phase away from having the pressurized irrigation line all the way down Arrowhead Road. The project will then switch over to pressurized irrigation. The agreement covers a 10-year time frame that began November 1, 2019 and expires November 1, 2029.

MOTION: Councilmember Hulet – To approve the (resolution) utility reimbursement agreement with Arrowhead Partners LLC. 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
Yes	-	Bob Provstgaard

MOTION: Councilmember Hulet – To give Mayor Wright the right to amend the agenda as needed. Motion seconded by Councilmember Christensen. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

Mayor Wright moved item #7 next on the agenda.

7. Resolution – Pace Industrial Annexation petition for consideration of acceptance and further review located at approximately 600 North 700 West consisting of 24.718 acres (7:20 p.m.)

Staff Presentation:

Jill Spencer stated the first step in the annexation process is for the council to consider accepting the petition for further review. If approved, staff will begin the review, work with the applicant to meet city and state requirements, and continue through the approval process. Acceptance for further review doesn't obligate the city to approve the annexation. The applicant has talked to adjacent landowners to join the annexation. The area is zoned industrial on the General Plan.

Susan Palmer stated Property Reserve is not interested in annexing at this time, which is the only one they have talked with.

Council Discussion:

Councilmember Hulet doesn't want to hold up the annexation, but it would be nice to add other properties up to 9600 North.

MOTION: Councilmember Hulet – To approve the resolution for the Pace Industrial Annexation Petition for consideration and acceptance and for further review. 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	-	Bob Provstgaard

3. Resolution – Amendments to the Payson City Fee Schedule (7:27 p.m.)

Staff Presentation:

Jason Sant stated this adds a half hour for a total of one hour to allow for cleaning parks and pavilions after each use.

MOTION: Councilmember Provstgaard – To approve the (resolution) amendment as noted giving staff time to clean and prepare the parks for the next renter. 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
Yes	-	Bob Provstgaard

4. Resolution – Interlocal agreement with Utah County regarding Elections

Staff Presentation:

Kim Holindrake stated the proposal is to contract with the Utah County Elections Office for the 2021 Municipal Election, which occurs November 2. The State of Utah is a vote-by-mail state, so all elections are conducted in that manner. The Council adopted a resolution in February to do Ranked Choice Voting, which means a Primary Election is not needed and is a huge savings. The current proposal from the County is \$2.25 per registered voter. Ballots placed in drop boxes and not the mail is a savings to the City. The price went up since 2019, which was \$1.85 per registered voter, because the County felt they didn't cover their costs. As of February, Payson had 10,488 registered voters, which will increase with the development in the area. Staff requests the Council adopt this Interlocal Agreement. At this time, she isn't sure if Vineyard has adopted Ranked Choice Voting again. Several cities are looking at Ranked Choice Voting; they have until April 15 to adopt a resolution. She and the Vineyard recorder have received numerous emails and requests for information on doing Ranked Choice Voting. Also, the Utah Municipal Clerks Association

conference at the beginning of March held an election panel on Ranked Choice Voting. There is a lot of interest. It would be very difficult for the City to conduct its own election by mail as well as Ranked Choice Voting. The City Manager's Association has been discussing the issue of not having a choice other than the County to contract an election.

Dave Tuckett stated the city managers have been concerned with the election costs from the County. Some have talked to the County. He feels the cost is pretty fair for Payson. Provo is still considering Ranked Choice Voting, and Lindon decided against it. He isn't sure if anyone has opted in.

Council Discussion:

Councilmember Hulet noted the County did a great job with the last election.

MOTION: Councilmember Hulet – To approve the resolution for the Interlocal Agreement with Utah County regarding elections. Motion seconded by Councilmember Provstgaard. 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	-	Bob Provstgaard

5. Resolution – Carnival agreement with City of Fun (7:35 p.m.)

Staff Presentation:

Dave Tuckett stated the City has had a long-standing agreement with the City of Fun for the carnival, which recently expired. There aren't many changes from the previous agreement. Previously, the police requested that the carnival close down early on Monday by 9 p.m., which has been added formally. The upfront payment was increased to \$12,000. The total payment is at least \$21,000 or 20% of what is collected by City of Fun. They are required to comply with all state protocol relative to COVID. It is a 5-year agreement. The city can terminate 60 days prior to the event. The location is specified in the agreement as 200 South Main, Payson, which may be changed by a mutual agreement of the parties.

MOTION: Councilmember Provstgaard – To approve the resolution for a five-year contract with the City of Fun for a carnival supplying entertainment for the residents. 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
Yes	-	Bob Provstgaard

6. Resolution – Ambulance services agreement with Mountain View Hospital

Staff Presentation:

Dave Tuckett stated this agreement is requested by Mountain View Hospital for ambulance transportation with Payson as the preferred provider. Staff recommends approval of the agreement.

Scott Spencer clarified most calls are 911 related.

MOTION: Councilmember Hulet – To approve the resolution for the ambulance services agreement with Mountain View Hospital. 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	-	Bob Provstgaard

E. ADJOURN TO REDEVELOPMENT AGENCY (7:42 p.m.)

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

1. **Public Hearing/Resolution – Disposal of Utah County Parcel Number 49:876:0003 consisting of 1.99 acres and Real Estate Purchase Contract**

Staff Presentation:

Dave Tuckett stated parcel was purchased back by the Redevelopment Agency and will now be sold. It is a fair-market offer at \$4 per foot, which is more than any of the other properties sold. Because it is over 1 acre, a public hearing is required.

Ross McIntire stated the buyer is AML Holdings and wants to build two buildings as rental investments. The price is \$350,000, and the business park guidelines have been sent to the buyer.

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

Public Comment:
No public comments

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

MOTION: Director Provstgaard – To approve the resolution for disposal of the property before us with conditions of the Real Estate Purchase Contract and that they meet all applicable ordinances currently in place in the Business Park. Motion seconded by Director 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 - Bob Provstgaard

F. ADJOURNMENT OF REDEVELOPMENT AGENCY

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

G. ADJOURN TO CLOSED SESSION

MOTION: Councilmember Carter – To adjourn to closed session. 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 - Bob Provstgaard

1. Pending or reasonably imminent litigation
2. Character, professional competence, or physical or mental health of an individual
3. Purchase, exchange, sale, or lease of real property

H. ADJOURN FROM CLOSED SESSION

MOTION: Councilmember Hiatt – To adjourn from Closed Session. Motion seconded by Councilmember Provstgaard. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

I. ADJOURNMENT

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

The meeting adjourned at 9:20 p.m.

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