

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, November 3, 2021

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Linda Carter, Taresa Hiatt, Brian Hulet, 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
Chris Van Aken, Planner II
Janeen Dean, Community Events Coordinator
Kent Fowden, Street/Landfill/Storm Superintendent

OTHERS Michelle Lines – Chamber of Commerce, Hillary Roberts, Clay Christensen – President of MTECH, Curtis Kennard, Kelly Kennard

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 Bob Provstgaard.

B. CONSENT AGENDA

1. Approval of the October 20, 2021 City Council Meeting Minutes
2. Resolution – Amended Interlocal Agreement with Utah County regarding Substance Use Prevention Services and Communities That Care Prevention

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	-	Brian Hulet
Yes	-	Bob Provstgaard

49 C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

50 1. Public Forum

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52 No public comments.

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54 2. Staff and Council Reports

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56 Staff Reports

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58 COMMUNITY EVENTS – Janeen Dean reported the Peteetneet museum has had a lot of people
59 come through recently surely because of the Nebo Loop and the beautiful fall colors. Dance classes
60 are all full. Bag pipes practice, scout groups meet, and other groups meet in the evenings. Two
61 weddings are scheduled this month and one next month as well as two in January. The next event is
62 the Santa Dash on November 26 at 4:45 p.m., which is the 6th year. A fire truck will lead the racers
63 down the street. Participants receive a free Santa hat, and there will be hot chocolate and donuts.
64 Christmas carol entertainment will follow after the race. December 3 & 4 is the annual Christmas
65 Boutique with vendors, a train show, Santa Clause, and treats. The restrooms remodel is still a work
66 in progress; costs will be available in January.

67
68 CHAMBER OF COMMERCE – Michelle Lines stated the Downtown Halloween Party put on by the
69 Historic Downtown Association was a fabulous event with 300 to 500 people showing up through the
70 course of the evening. She received a lot of feedback. The Association is also discussing having a
71 Christmas lighting on Main Street. Mayor Wright mentioned a possible decorating contest as well
72 and that these activities foster a home-town feel. Michelle Lines continued that the Chamber is
73 gearing up for new events and programs are in the works.

74
75 Council Reports

76
77 Councilmember Hiatt stated she hopes to be back in person in two weeks. She thanked the Chamber
78 and businesses for putting on the Halloween party on Main Street. She had friends and family attend
79 who stated they had a great time.

80
81 Councilmember Provstgaard reported he's amazed with the number of emails the staff responds to
82 from concerned citizens. Staff responds professionally, timely, and cordially.

83
84 Mayor Wright thanked the council members for filling in for him at the last meeting.

85
86 Councilmember Carter reported the Library Board met last week. She encouraged everyone to take
87 advantage of the library. The library has storytelling, storytelling in Spanish, and lots of activities.
88 The Board discussed the need for a new library with the hope of having an idea in place within the
89 next five years. She thanked staff for participating in the kickball with Wilson Elementary. She likes
90 reading the emails received from the citizens, the questions that are asked, and how well the city
91 employees answer those questions.

92
93 Councilmember Hulet congratulated Brett Christensen, Mayor Wright, Bob Provstgaard, and Taresa
94 Hiatt for their re-election to the council. Mayor Wright, Dave Tuckett, and he met with the Forest
95 Service regarding installing a parking for winter sports just past Maple Dell, which keeps with the
96 brand Home to Adventure.

Councilmember Christensen agreed with Councilmember Carter about the need for a new library and suggested using this building for a library and building a new city administration building. He's excited for Christmas this year and the new lights that will bring the Christmas spirit. Christmas is about community, family, and spending time together. These little things really build a community.

3. CTC: Mayor's Youth Recognition (6:16 p.m.)

Mayor Wright and Kim Lefler presented Mayor's Youth Recognition Awards to Damara Casanova, Payson Junior High, Ryan Shepherd, Payson High School, and MaKaydee Robbins, Mt. Nebo Middle School.

4. Chamber Business of the Month

Michelle Lines announced the Chamber Business of the Month is Life Platform, which is also very involved with the Chamber. Hillary Roberts stated Life Platform is a homebased business that helps businesses and people save money on products and services. The savings is funneled back to the people. Businesses receive free advertising.

5. Presentation regarding the new MTECH Campus (6:30 p.m.)

Brian Hulet introduced Clay Christensen, president of MTECH.

Clay Christensen updated the City Council on the Mountainland Technical College (MTECH) Comprehensive Campus in Payson. MTECH has partnered with Utah Valley University, K-16 Alliance, Nebo School District, and Payson City. They work hard to help eliminate duplication, save time and money, and use taxpayer dollars wisely. In evaluating the direction, workforce demand and growth were evaluated in Payson and the surrounding areas, which is used to identify the program offerings. There are 2,100 Payson-area jobs currently available in six MTECH program areas including manufacturing, healthcare, transportation, construction, data analytics, and food services. Over 10 years, 20 sectors in the Payson region are forecast to have double-digit employment growth. Currently, MTECH has a campus in Lehi, Orem, Provo, and Spanish fork. The Payson campus includes a two-phase process. Phase one includes an 85,000 square-foot facility with a parking and maneuvering area, landscaping, and the beautification of Spring Creek. Phase two is five to ten years out and includes two additional buildings of 75,000 square feet. When phase one is complete, it will include 1,100 students ready to go in the fall of 2023 with 10 programs, shovel-ready, including automotive and trades, manufacturing, healthcare, information technology, and culinary. This group of students will infuse about \$115 million into the Utah economy every year. The capital development request includes an 85,000 square-foot building with an estimate of \$52,422,000 less a 13-acre land donation of \$4,500,000. This is the largest land donation to a technical college in the state of Utah. This makes the fiscal year 2023 requested funding \$47,922,000. MTECH provides accessibility including doubling annual new enrollment to 1,100, new public transportation options, and MTECH Hallmark localized services. The current workforce demand includes 2,100 open jobs in the Payson area related to MTECH programs and double-digit growth projections across all employment sectors. Affordability includes the land donation of 4.5 million, economical, program-focused construction, and equipment donations from corporate sponsors. MTECH is ranked highest with the Utah Board of Higher Education for a project. The next steps include infrastructure and general government subcommittee, executive appropriations committee, and legislative approval. He

expressed his appreciation for the support from Payson and the opportunities in this area. In answering questions, he stated the construction process is normally 14 to 18 months.

Council Discussion:

Councilmember Hulet noted MTECH promoted the Payson campus by spending \$300,000 to have the architectural plans complete so they are ready to go when the funds are allocated. MTECH was given the old court house building in downtown Provo but chose to promote Payson for the next facility. He thanked MTECH for their support to Payson.

Mayor Wright stated Councilmember Hulet is on the MTECH Board, which Payson is honored that he is. With the advent of Utah Valley University coming as well, flags will be put along Main Street. With MTECH, flags will be put along 800 South. He thanked MTECH for their support to Payson.

1. Public Forum – Continued (6:53 p.m.)

Curtis Kennard stated his house abuts the Hidden Cove Park. Land was recently traded to Suzy Tidwell in order to develop the park. They have seen the plans to make Hidden Cove Park a green grass park. They and several neighbors would like it to remain a bicycle park since Payson is the Home to Adventure. They spoke to Suzy Tidwell; her desire is to have the bike trail cross the creek and then cross back so it isn't so close to her land. They would like this to go before the citizens before the land is developed. They came before the council years ago when it was named Hidden Cove Park and asked for this park to remain a bicycle park and asked that they be informed if the plans change. He asked who is doing the planning and how they can get involved.

Dave Tuckett stated PEC engineering is designing the plans, which are about 60% complete. He's not sure if it's too far down the road or if the Council wants to change direction.

Mayor Wright appreciates the comments. This is the first time this Council has received this information and he has been the mayor for four years. The Council can look at the possibilities but can't guarantee it will be changed.

Councilmember Provstgaard noted that when he became a councilmember, he promised to be a voice for the whole community and not just special groups. The Council is charged with finding the happy medium for residents with regards to parks, facilities, etc. He walked the mountain bike park up the mouth of the canyon the other day. The Council is trying to address the needs of the entire community as a whole and not just special interests. He's not saying they are a special interest but the Council is trying to meet the needs of 25,000 and not just 1,000.

Curtis Kennard stated he understands. His point in keeping this a bike park is that there is a green grass park a block away in two directions. The City is meeting the needs of those who want green grass parks. If this is taken away, the needs are not met for those who ride bikes.

Councilmember Hulet noted the thrust of the project has been to complete the trail system and the park was an addition to that project.

Councilmember Christensen stated the City just allocated a large bicycle park in the Forebay area but understands this area is more of a BMX bike park. He is willing to look at the situation.

193 D. ACTION ITEMS

194 1. Ordinance – Amendments to Title 2, Municipal Government establishing a Beautification
195 Committee (7:02 p.m.)

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197 Staff Presentation:

198 Dave Tuckett stated this creates a Beautification Board to initiate, plan, direct, and coordinate
199 programs for the promotion of community pride and general beautification and improvement of the
200 physical quality of life in Payson City. The number of members would be determined by the Board
201 and includes members of the community who want to help with beautification, the mayor, a
202 councilmember, and police officer over code enforcement. In discussing this with the fire chief, a fire
203 fighter could be added that deals with weeds. The Board would meet and discuss how to tackle some
204 of the challenges in town to beautify the City. The nuisance and abatement ordinances do not change.

205
206 Council Discussion:

207 Councilmember Provstgaard stated he agrees with a firefighter on the Board to address weeds. The
208 citizens on the Board will bring a great perspective.

209
210 Councilmember Hulet is very excited but wants to be cautious. It needs to be a positive experience
211 and the Board needs to focus on the good things.

212
213 Councilmember Carter stated the fact that the City cites people definitely hasn't worked in
214 overcoming the messes in the City. There has to be something the City can do involving the state.
215 There are many upset citizens in her area who have called her because of the situation there. There
216 needs to be something done; they feel their property is devalued. This needs to be part of the
217 Beautification Board.

218
219 Dave Tuckett clarified the past Beautification Committee was tied to the nuisance ordinance. This
220 Board is separate and positive things can be done. The City can still go through the nuisance process
221 and cite people. But when the court finds someone incompetent, it's the way it is. This Board can
222 take a positive angle and help with these issues.

223
224 Councilmember Christensen stated this Board can be in conjunction with service projects. Instead of
225 giving a citation immediately, free dump passes could be given.

226
227 Mayor Wright stated this is a good starting point.

228
229 **MOTION: Councilmember Hulet – To approve the (ordinance) amendments to Title 2**
230 **establishing a Beautification Committee and appoint Councilmember Carter to represent the**
231 **Council.** Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and
232 the motion carried.

233
234 Yes - Linda Carter
235 Yes - Brett Christensen
236 Yes - Taresa Hiatt
237 Yes - Brian Hulet
238 Yes - Bob Provstgaard

239
240 2. Ordinance – Amendments to Title 11, Solid Waste Collection (7:11 p.m.)

Staff Presentation:

Jason Sant stated several months ago the city received an inquiry from a lobbyist. This contact was made because Payson is a unique city with its own landfill. Over the last 40+ years, Payson has been collecting all the trash from residents and businesses. Informally, business collection changed a few years ago because pressure from some businesses, which was not formalized in the city code. A manager of an apartment complex inquired about hiring another collection service to collect their dumpster. According to the city code, it wasn't allowed. The manager asked that it be changed or he would go to the Legislature. Utah Code does specify that cities do have the right to establish how garbage is collected from the citizenry. This is a very broad power. The proposal is to allow private businesses with four or more units to collect garbage from residents and businesses with dumpsters. Springville City is the only one doing this but includes a franchise fee of 6%. This covers the city's cost of losing business and ensures trucks are up to code, fees are paid, etc. These are the main changes including definitions.

Council Discussion:

Councilmember Hulet questioned not collecting single-family residential. There are many residents living on the outskirts of Payson that their garbage collected by other entities. He questioned inspecting trucks.

Jason Sant stated technically this would not be allowed, but the City could give away that right to specific residences. He can build this into the ordinance. Some things have been allowed informally as needed. The City doesn't have to inspect trucks but gives the City the option.

Councilmember Christensen stated the City can inspect the trucks but doesn't have too. If property is annexed into the City, the City should provide all the services that are available and can become available.

Dave Tuckett noted the philosophy with annexations has been services such as garbage are provided when the property develops.

Kent Fowden stated with some of the annexations, residents had a private contract for garbage service so the City honored those contracts until the contract expired. Some may have slipped through the cracks.

Councilmember Christensen asked that this be written into the ordinance to allow another service until it expires. Then the 6% can be required, or the City provides the services.

Dave Tuckett clarified this caught the attention of the Utah League of Cities and Towns. Other cities definition a commercial account as anything over a four-plex and Payson doesn't. Other cities are hoping Payson will change so it didn't go to the Legislature.

Councilmember Provstgaard voiced concerns about the budget.

Jason Sant clarified townhome complexes fit the definition as being commercial, which states four or more dwelling units. Townhomes are all connected. The proposal addresses dumpsters; other entities can't pick up individual garbage cans. Republic does pick up recycling in the City, and the schools

are exempt because of a state-wide contract. Currently, the City doesn't get anything for these commercial accounts, and this gives the City a 6% revenue.

MOTION: Councilmember Christensen – To approve the (ordinance) amendments to Title 11 regarding solid waste collection. 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
No	-	Bob Provstgaard

E. ADJOURN TO CLOSED SESSION (7:35 p.m.)

MOTION: Councilmember Carter – To adjourn to closed session. 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

1. Pending or reasonably imminent litigation

F. ADJOURN FROM CLOSED SESSION

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

MOTION: Councilmember Carter – To adjourn to closed session regarding property. 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

1. Purchase, exchange, sale, or lease of real property

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

336 G. ADJOURNMENT

337

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

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342 The meeting adjourned at 8:22 p.m.

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Kim E. Holindrake, City Recorder