

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

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen (online), 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
Eric Jewell, Justice Court Judge
Karl Teemant, Recreation Director
Justin Pearson, Police Officer

OTHERS Martin Larson, Walt Johnson, Collin Brinkerhoff

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 Brad Bishop.

B. CONSENT AGENDA

1. Approval of the November 3, 2021 City Council Meeting Minutes

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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments

2. Staff and Council Reports

Staff Reports

POLICE – Chief Brad Bishop reported Santa Clause will be at the City Offices/Police Department on December 8 at 6:00 p.m., and everyone is welcome to attend. He, Chief Spencer, Utah County representatives, and state representatives met with representatives of the Nebo Power Plant this week on safety concerns and suspicious activity around the power plant. Ideas were given to help secure the facility as well as safety protocols.

RECREATION – Karl Teemant reported work on slide tower continues with rust removal and repainting. The slides are being polished. The gutters on the north side are being replaced.

Council Reports

Councilmember Hiatt stated she appreciates the rail provided in the council chambers. She appreciates the employees answering emails with concerns; it's nice to know people are taken care. Robert Mills is diving into Development Services, and she is looking forward to his ideas. The Council doesn't have all the answers so she likes hearing from the public.

Councilmember Provstgaard reported he was out of the country and grateful to be back. We are blessed to live here.

Councilmember Carter reported the pickleball courts as well as the basketball courts are played on all the time, and it's November. She wants to find a place for a dog park and then more pickleball courts. She appreciates everyone and all the hard work they do. This is a wonderful city, and she wants to see the best for Payson. It takes all the citizens to help. She encouraged residents to give the Council a call or come talk to us.

Councilmember Hulet wished everyone a happy Thanksgiving and to think of everything we are thankful for.

Mayor Wright stated this past Veteran's Day, he was invited to the American Preparatory Academy. Often in this confusing world we live in, He gets distressed for the future. But, what he saw at the Academy as well as other schools gave him a lot of hope on how they value traditions and honoring the veterans. It's wonderful to see people still playing pickleball as well.

3. Presentation of New Police Officer(s) and Oath of Office

Brad Bishop introduced Justin Pearson as a new police officer to Payson City. Judge Jewell administered the oath of office to Officer Pearson.

D. ACTION ITEMS

1. Public Hearing/Ordinance – Amendments to the General Plan – Trails Master Plan (

Staff Presentation:

Jill Spencer reviewed the amendments to the General Plan, Trails Master Plan. The City looking at funding for a trail in Payson Canyon and needs to demonstrate that it's on the Trails Master Plan for the General Plan. The Salem Canal Trail funding has been secured from Payson through Salem connecting with the Spanish Fork River Trail, which is a regional trail. The alignment still needs to

be finalized as well as working with property owners before construction. A future trail is shown on the Highline Canal, which is a long-range plan. The focus tonight is on trails in Payson Canyon, which will be an additional exhibit in the General Plan. Trails go from the mouth of Payson Canyon to Kiwanis Park to the city's forebay property and possibly to Camp Maple Dell. Staff is requesting approval of these amendments to proceed with funding.

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

Public Comment:

Martin Larson stated about two years ago, he met with Utah County, Salem City, and the Payson and Salem police chiefs. These entities were asked to monitor the Highline Canal because it is posted as no trespassing. Law enforcement was asked to ticket ATV's and other unauthorized motorized vehicles. The Highline Canal Company has no problem with people walking along the road. The Highline Canal Company wants to make sure this proposal is not a trail for ATVs or motorized vehicles in order to reduce safety issues. Old signage states no trespassing; but again, they are okay with pedestrians and bicycles. Any new signage only addresses no unauthorized motor vehicles.

Walt Johnson stated he has served on the Salem Canal Board for about 10 years and has never heard of a walking trail along the Salem Canal. He wondered if there have been any discussions with the Salem Canal Irrigation Company. Currently, the CUP line is going into the Salem Canal right-of-way. It makes sense to allow access, but there is all the head gates and infrastructure that could pose hazards. The canal companies that own the right-of-way would have to be identified on any accidents on use of those areas.

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:

Jill Spencer clarified that on the Trails Master Plan, all trails are non-motorized. Again, this is a future trails map of alignments. There are still steps, notifications, and agreements that need to take place for these trails to actually get started.

Councilmember Hulet stated when we met with the Forest Service weeks ago, they didn't seem to have a problem with a trail all the way to Payson Lakes. He suggested putting it on the plan because then it's at least a plan.

Jill Spencer stated it might be helpful when looking at specific areas because it helps with discussions and negotiations. Once a trail gets to the federal property, it requires a federal process and funding through those programs. This is one reason the trail didn't extend that high in the canyon. The Federal Government will want it to coincide with their plans.

MOTION: Councilmember Provstgaard – To approve the (ordinance) amendments to General Plan for the Trails Master Plan. 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

2. Preliminary Plan approval of Quail Mountain Subdivision, Plat A, located at approximately 370 South 1300 East in the R-1-10 Residential Zone (6:30 p.m.)

Staff Presentation:

Chris Van Aken stated this property was recently annexed into Payson and consists of two parcels. This is a request for preliminary plan approval. The project consists of 26 lots with one existing home, which will remain. The R-1-10 Residential Zone was assigned with the annexation, but the project is bound to quarter-acre lots with the East Side Comprehensive Plan. The project meets all the code requirements, and staff is working through the redlines.

MOTION: Councilmember Provstgaard – To approve the preliminary plan for Quail Mountain Subdivision, Plat A, located at 370 South 1300 East in the R-1-10 Residential Zone.

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

3. Brinkerhoff Duplex Overlay – Request for use of the RMO-1 Two-Family Residential Overlay located at 387 North 300 East in the R-1-7.5 Residential Zone (6:34 p.m.)

Staff Presentation:

Chris Van Aken stated this is part of the S Wilson Subdivision, and the underlying zone allows use of the RMO-1 Overlay. This is a legislative decision by the City Council. The building permit has not been officially reviewed but elevations have been submitted. The frontage requirements and lot sizes are met. An overlay is used to encourage this type of infill. Staff is addressing red lines, and some issues with power are being addressed.

Council Discussion:

Councilmember Christensen stated this property was discussed under a subdivision about two years ago, and he mentioned his concerns with the road alignment needing to be straightened. All the possibilities were assessed and the costs were around \$750,000. It is in proximity to an elementary school and a difficult intersection. A duplex will create a blind corner next to an elementary school, which isn't worth utilizing the property. The setback needs to be increased because of the intersection. A single-family home would do just fine on this corner. He understands the purpose of an overlay, but this particular lot doesn't fit the bill and would cause problems. It's difficult for kids to cross the street.

Councilmember Hulet questioned when doing an overlay, are letters sent to the neighbors.

Chris Van Aken stated notices are sent to the property owners and a public hearing was held with the Planning Commission.

Councilmember Christensen noted that he didn't receive a notice.

Councilmember Carter stated she doesn't have a problem with the intersection. It's a four-way stop intersection.

Applicant Presentation:

Collin Brinkerhoff stated currently, the property is grown in with trees so it's difficult to see. The entire frontage and side will be opened up by removing the trees and cleaning up the property. This will take care of the visibility issues and crossing the street. The duplex is a rambler style with landscaping and will look very nice. The duplex will be a rental.

Brad Bishop stated if the setbacks are met, it's fine, and cleaning up the property is good.

MOTION: Councilmember Hulet – To approve the Brinkerhoff Duplex Overlay for use of the RMO-1 Two-Family Residential Overlay located at 387 North 300 East in the R-1-7.5 Residential Zone and to make sure all redlines are covered. Motion seconded by Councilmember Carter.

Further Discussion:

Councilmember Provstgaard questioned if there were any comments at the public hearing. He likes the proposal.

Chris Van Aken clarified that no comments were received from the Planning Commission public hearing.

Those voting yes: Linda Carter, Taresa Hiatt, Brian Hulet, Bob Provstgaard. Those voting no: Brett Christensen. The motion carried.

4. **Resolution - Memorandum of Understanding with MTECH regarding the Red Bridge Project**
(6:42 p.m.)

Staff Presentation:

Jason Sant reviewed the Memorandum of Understanding with MTECH and noted the Red Bridge project is underway. The City is selling 10 acres of city property at a discounted price for the project and Red Bridge in turn is donating 13.3 acres for the MTECH campus. If Red Bridge doesn't go through with the project, this MOU protects the City in that the 13.3 acres will be donated back to the City.

Council Discussion:

Councilmember Hulet explained with the contract with the landowners, the property was to be given to MTECH. If the Legislature decides MTECH should go by Utah Valley University (UVU), we don't want MTECH to sell this donated property to purchase property elsewhere. We want to make sure that this property comes back to the City to have control. There are still items to complete; the property isn't donated yet. The City only sold half of the 10 acres. He disclosed that he is on the MTECH Board of Directors.

Mayor Wright stated there has been discussion to move MTECH by UVU so this protects the City.

Jason Sant clarified the Legislature ultimately has control over the MTECH location. If they cannot or will not build there, then the City receives the 13.3 acres.

MOTION: Councilmember Provstgaard – To approve the (resolution) Memorandum of Understanding with MTECH regarding the Red Bridge project as described to us and authorize Mayor Wright to sign the document. 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. ADJOURNMENT

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

The meeting adjourned at 6:47 p.m.

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