

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSION
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, June 15, 2022

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Kirk Beecher, Brett Christensen, Linda Carter, Taresa Hiatt, 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
Robert Mills, Development Services Director
Travis Jockumsen, Public Works Director/City Engineer
Scott Spencer, Fire Chief
Jill Spencer, City Planner
Michael Bryant, Planner II

OTHERS Jim Rowland – Chamber, Carey Pierce – Forebay Committee Chair, Bronco Hunter – Utah Recreation & Parks Association, Greg Wall, Avenue Consultants

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 5:07 p.m. The meeting was properly noticed.

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

1. Discussion regarding Infill Development

Robert Mills stated the discussion will address why the City should encourage infill development, what type of infill development is desirable, and where is infill development appropriate. The General Plan has a statement entitled Encourage Infill that states infill revitalizes neighborhoods and corridors by locating new employment and housing in existing areas and filling gaps in a streetscape. He showed a view of the City with previous infill projects and areas of infill opportunity. One area shows a larger block area where the block was split with a road to allow infill development. Why should the City encourage infill development in this area?

Councilmember Provstgaard stated it doesn't cost the City a dime because city services are already there.

Mayor Wright noted as long as high density isn't built. Aesthetics and fire issues can be resolved because many areas are weed patches.

Robert Mills stated the traditional theory is utilities are already connected to an existing system, and space is available to accommodate additional density. Multi-family may not be accommodated by the utilities.

Councilmember Christensen understands the need for infill. He purchased his home in this area, and many new homes have been built over the last 15 years. One owner wants to do high-density housing, which will never happen because it just doesn't work. Overall, the City needs to look at what keeps the hometown feel. There is an issue where a flag lot is right next to a cul-de-sac when the access should have been from the cul-de-sac. This isn't proper infill; the City needs to fight to make it better. These are nice new homes with revitalization including curb, gutter, and sidewalk. A proposal is up tonight for an overlay for a twin home. He questioned if filling areas with twin homes keeps the hometown feel. He also has concerns about the type of product used in infill areas. The Council needs to come to a consensus on what is possible with infill or stick to the current zoning. He doesn't mind infill and sold a piece of his property for infill.

Mayor Wright stated it has to do with the type of infill. Sometimes people relate a small-town feel to a weed patch.

Councilmember Carter noted she has a neighbor through the block and over a lot who wants to put a house in the back. She doesn't want a house in her back yard. She didn't think flag lots were okay and doesn't like them.

Robert Mills stated the ordinance discourages flag lots. Single-family detached dwellings can be in the R-1-20, R-1-15, R-1-12, R-1-10, R-1-9, R-1-7.5, and R-2-7.5 Zones. Two-family dwellings can be applied to the R-1-9, R-1-7.5, and R-2-7.5 Zones with an approved RMO-1 Overlay. He reviewed the zoning of the core area of the City.

Councilmember Provstgaard sees four or five flag lot homes going up right now, particularly on the west side. These are nicer homes and have their place. These are long narrow properties where nothing else can happen and could be an option.

Robert Mills noted flag lots are in the tool box and have a specific purpose. Neighbors can attend the public hearing and make comment. When does infill become appropriate? The R-2-7.5 Zone interests him because traditionally R-2 means two-family dwelling and a permitted use. In Payson, it still goes through the process. Is this the process the City wants to continue to go through? Infill makes a lot of sense when it's connected to transit opportunities. He viewed a map showing the bus stops in Payson with a 1,000-foot radius. Does it make sense to make infill easier in that radius? (The consensus of the Council was yes.)

Councilmember Provstgaard stated it keeps the hometown feel because the traffic is in the corridor.

Robert Mills stated a row could be added to Appendix A that properties within 1,000 feet of a bus stop don't have to go through the entire process.

Councilmember Christensen is fine with infill; it's the duplexes and triplexes that seem to be popping up more and more. This is his concern. He likes the single-family homes. Multi family needs to be located in the nodes. If not in a node, then only single-family homes should be allowed.

Robert Mills noted this is the direction staff is giving applicants as per the nodal areas. Next, what type of infill development is desirable? Staff receives several requests and inquiries for twin homes in single-family neighborhoods. Is the City okay with that?

Councilmember Hiatt said no. She sees too many townhomes bought and then rented.

Councilmember Carter said no.

Councilmember Provstgaard stated it depends. Yes, if owned and not rented.

Mayor Wright noted a twin home is the equivalent of two single-family homes that are connected.

Jason Sant noted the Legislature created an ADU (Accessory Dwelling Unit) stating anyone in most zones above a 5,000-square-foot lot could have an ADU without a city approving it. Every year the Legislature argues moderate and low-income housing. Utah has a housing problem; it's not what everyone claims it is. The Legislature thinks it's the city's problem to regulate and fix the problem. Payson does a good job with moderate income housing, but neighboring cities do not. He likes the idea of putting it in the transit areas.

Councilmember Christensen stated the owner has to reside in the twin home.

Jill Spencer stated much of it depends on what is considered affordable housing. She believes the City meets the mandate as far as the 80% of median income. The challenge has been the focus on the 80%, and there are needs for all the percentages. Those at 60% or 40% are at poverty level. There is always room to improve and provide a mixture of housing for all income levels. Payson is not seeing the deed restriction affordable housing.

Councilmember Hiatt noted Payson is not getting any of the lower rent housing. It needs to be state wide and not per city.

Robert Mills reviewed examples of infill projects i.e. Peteetneet Cove, Iron Horse, and Elm Hollow.

Councilmember Christensen stated Peteetneet Cove is a different feel and pushes toward the single-family homes. There are issues with congestion for garbage trucks and fire trucks. Another issue is private streets, and there were some topography issues. With Iron Horse, the driveway lengths are a concern; trucks are hanging over the sidewalks.

Councilmember Provstgaard stated there needs to be a balance. Utilities are all there in Peteetneet Cove including roads. There has to be a balance; this doesn't cost the City. It's a win, win financially. Compatibility is up to Development Services to make sure it fits. It needs to be a case by case basis. With Iron Horse, the setbacks are troubling, but the overall look is good. Elm Hollow allowed two-story dwellings when there were no two-story dwellings in the area.

Mayor Wright stated there are other ways to keep the hometown feel. It's not just housing. There will never be a point where everything fits just right so there are negotiations between the City and neighbors.

Councilmember Carter remembers the night the Council met on the Peteetneet Cove development and all the neighbors were here and upset. It was a big area and feels it worked out.

Robert Mills noted it's important to have sufficient driveway space between the garage door and back of the sidewalk and implementing the porch-forward design to bring the human interaction of the home closer to the street. Staff will come back with context design standards.

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

Prayer offered by Bob Provstgaard.

Pledge of Allegiance led by Taresa Hiatt.

C. APPOINTMENT OF CITY COUNCIL MIDTERM VACANCY AND OATH OF OFFICE

Staff Presentation:

Mayor Wright asked if there was any discussion and a motion to fill the council vacancy. He appreciates those who have applied. The City needs participation and good people not only on the Council.

Council Discussion:

Councilmember Christensen stated this is a big decision for the Council. He appreciates those who applied and are willing to serve the City. It's tough to go through the public interview process. It's important to remember that the Council is grateful for everyone's application. It was a tough decision to narrow down to someone who will do the best for Payson.

Councilmember Provstgaard stated all candidates brought strengths to the table. He did a lot of homework and reviewed his notes. There were strong points on each candidate.

MOTION: Councilmember Provstgaard – To appoint Kirk Beecher as a new councilmember finding he is a member of the Planning Commission that is under a lot of heat and dealing with the heartbeat, which each candidate referred to as the number one problem or challenge of Payson. He is probably the best prepared to deal with the issues at this time and with his background as a civil engineer. 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	-	Bob Provstgaard

Kim Holindrake administered the oath of office to Kirk Beecher as a member of the city council.

D. CONSENT AGENDA

1. Approval of the June 8, 2022 Special City Council Meeting Minutes
2. Dedication Plat approval of Jones Land Company, Plat A, located at 1305 W Utah Avenue

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

Yes	-	Kirk Beecher
-----	---	--------------

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

E. PETITIONS, REMONSTRANCES & COMMUNICATIONS (

1. CTC: Mayor's Youth Recognition

Mayor Wright and Karl Teemant presented Mayor's Youth Recognition Awards to Ava Faust, Payson Junior High.

2. Chamber Business of the Month

Jim Rowland announced the Chamber Business of the Month is Lance Group Homes.

3. Yard of the Month

Dave Tuckett asked the Council to table this item. The June and July yard of the month will be announced in July.

MOTION: Councilmember Provstgaard – To table item #3, Yard of the Month. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

4. Public Forum

April Jones invited the Council to the Scottish Festival and to be in the parade on Saturday, July 9, which begins at 11:45 a.m. at the old Wells Fargo building. They have a newly designed retro T shirt and will get one for each councilmember. The Miss Payson scholarship is Friday, June 24 at the Payson High School at 7 p.m. The Council is invited to attend. Miss Payson receives a \$3,000 scholarship. The City does not supplement Miss Payson if she wants to participate in the Miss Utah Pageant but is provided a dress allowance. Mayor Wright would like to explore finding funds for Miss Payson to participate in the Miss Utah Pageant. April Jones noted there were two parades on Saturday, and Payson received the award for most original float at the Springville Parade.

5. Presentation on Payson Canyon Trail Feasibility Study (6:25 p.m.)

Jill Spencer stated the City hired Project Engineering Consultants to evaluate the Payson Canyon corridor for potential future trails, and the study has been completed. The study was funded by Payson City and Utah County. The scope included purpose and need, site reconnaissance to identify potential impacts, safety deficiencies and traffic data, environmental resources, alternatives analysis of potential alignments, connectivity to recreation areas and other destination locations, and project elements including cross-sections. The study did not engage property owners, which would be the next step. Key

issues included to expand the city branding effort, the scenic byway (one of 8 national byways in Utah), connections to recreation and destinations, and to improve safety. The study addressed Hollow Park to the Maple Dell recreation area, which is about 4.4 miles. Currently, there is a corrugated metal pipe at hollow park used as a subgrade crossing, which doesn't go anywhere and is fenced off. Opportunities and guidance included possible destination points such as the Forebay Recreation area, Camp Maple Dell, Elk Ridge, and public lands. With safety improvements, there are a lot of blind corners, no shoulders, lack of drainage, and needed retaining walls and box culverts. Four potential alignments were addressed including benefits and disadvantages to each option along with road and driveway crossings and impacts to utilities, streams, and slopes. A preferred alignment has not been identified. Most of the alignments are within the canyon corridor with some on the east side and some on the west side. Next steps include funding, communication with property owners, partnerships, and design and construction. The estimated cost is \$6.5 Million. Communication with property owners may require use of alternative alignments.

6. Presentation by the Forebay Committee (6:43 p.m.)

Carey Pierce reported the Forebay Committee was formed this year with 11 members including citizens, cyclists, staff, councilmembers, and others. The city staff are all great to work with and support the Forebay area. The Committee applied for PARC Tax funds and received some funding to purchase benches and picnic tables, which will be installed along the trails, and to purchase tools to work on the trails. The Committee follows the management plan that was established a few years ago. A new trail section was approved this year, which is just over a half mile. It's a lot of work to build a piece of trail. He wanted the high school kids to see the area before it's finished because they come out and help. There have been a few organized events to work on the trail, and it's walkable and rideable but not completed. The Committee has monthly meetings and have met with other user groups such as the president of Back Country Horseman. Last fall, prep work was done for the cross-country skiing and then groomed in the winter. Work is done year-round. Currently, the Committee is cutting and trimming back grass and evasive plants from the trails. When factoring in two sides of a 9-mile trail, it becomes 18 miles of trail, which a company would charge \$2 to \$3 per foot to create a trail. The Committee would like to see the Forebay area changed to a conservation easement and not surplus property. Private property owners are fencing their properties and not allowing hiking in those areas. With the amount of work involved in the Forebay area, the City needs to look into seasonal staff to oversee the area.

Councilmember Christensen asked staff to look into changing the status of the property and getting it on a future agenda.

7. Presentation of Utah Parks and Recreation Association Outstanding Facility of the Year 2022 – Gene Hillman Recreation Complex (6:53 p.m.)

Bronco Hunter recognized the Gene Hillman Recreation Complex as the 2022 outstanding facility of the year. Payson City has strived to achieve its mission to support leisure and recreational activities and facilities that will enrich the physical, mental, and intellectual health of the citizens of Payson and beyond. This has been done through years of experience and thorough public feedback and analysis. Payson Recreation consistently strives to provide outstanding facilities for the community and continues to adapt and brace the growth of southern Utah County while keeping traditional values here. He appreciates Karl Teemant and his team for the work they have done.

8. Staff and Council Reports (7:05 p.m.)

Staff Reports

COMMUNITY EVENTS – Janeen Dean invited the Council to support the Miss Payson Pageant on June 24 and 25. The Rock Festival is also June 24 (2 to 10 p.m.) and 25 (9 a.m. to 10 p.m.) with food trucks and retail vendors. In and Out Burger is a sponsor for this event. Nominations for grand marshal will be accepted until June 23. The Salmon Supper has less than 700 tickets left.

CHAMBER OF COMMERCE – Jim Rowland reported this Saturday, June 18, at 12 p.m. Ashlyn’s Pet Parlor will have a ribbon cutting ceremony. J. Bonte Enterprises is a new printer and type setting services business in Payson and have jointed the Chamber. They will have a ribbon cutting on Thursday, June 30 at 12 p.m.

Council Reports

Councilmember Provstgaard noted a concern with the property on Main Street between 100 and 200 North where the old church was removed and now the wind blows dust all over. Dave Tuckett stated no development has been submitted for the property, but he will reach out to the owner. Mayor Wright noted a possible farmers market has been discussed. Councilmember Provstgaard stated he is still pushing cleaning up the City with volunteers and church groups. Previously, he mentioned the old tires that need to be removed along the roadway to Parris RV. He would love to offer citizens an incentive to clean up their parking strips by getting some dump trucks of decorative rock for citizens to do their parking strips. The City is stretching its boundaries but the city nucleus needs attention. The flowers on Main Street look great but took a beating by the wind.

Councilmember Carter reported the Main Street flowers look so good. The 800 South construction completion will be so nice. She appreciates all those who work so hard for the City.

Councilmember Beecher thanked the Council for the confidence to allow him to serve and hopes to do a good job.

Councilmember Christensen appreciates the recreation award. He asked the Recreation Department to let the Council know when events are coming. The roads are being fixed, and everyone needs to be patient.

9. Legislative Updates

Jason Sant stated the themes this year included water/drought, moderate income housing, and the State taking over what cities have traditionally done. If cities don’t do what is best for the community, the legislature gets complaints. Utah league of cities and town works hard to get bills modified in support of cities.

- HB 22, Open and Public Meetings Act – A city must have a policy with regards to on line meetings. Payson City policy requires an anchor location, but staff is looking at some modifications. Roll call votes are generally required on everything, which is because of the online issues.
- HB 23, First Responder Mental Health Services (fire, EMS, police) – This requires agencies to provide mental health resources for employees, spouses, children, and retirees.

- HB 33, Instream Water Flows – This authorizes a temporary or permanent change of use of instream flows, which are beneficial to the maintenance of the Great Salt Lake.
- Hb 35, Economic Development (state control) – This gives the governor’s office more leeway to draw in companies such as filming. Most of the funding goes to rural Utah, which doesn’t include Payson.
- HB 37, State Water Policy - Expanded to include aquifer recharge. The State will work on plans to do this.
- HB 70, Public Safety Disability Benefits - Requires a Utah Retirement Systems participating employee to offer a benefit protection contract to public safety and firefighter employees who are injured in the line of duty.
- HB 96, Government records Fees - Modifies provisions of the Government Records Access and Management Act related to fees where a city can charge for the first quarter hour of staff time if a person has submitted a second or subsequent request within the preceding 10 days. Normally, the first quarter hour is not charged. The media is exempt.
- HB 118, Wetland Amendments - Defined terms, requires land use authorities to provide a copy of land-use permits that affect wetlands to the Utah Geological Survey and directs the Department of Natural Resources to publish those land-use permits.
- HB 132, Uniform Easement Relocation Act. Provides an easy way to relocate or move an easement.
- HB 146, Local Licensing – Cities lost control of food truck regulating including licensing. ATV businesses are now controlled by the State for rentals and sales.
- HB 168, Preferences of Water Rights. If a drought, the Governor can require the water for specific uses such as emergency, drinking, sanitation, generation of electricity, and fire suppression.
- HB 151, Retail Facility Incentives - Narrows the ability of cities to use economic development incentives i.e. sales or property tax revenues for retail business. Exceptions include purpose based (infrastructure) and recipient based (low-income housing).
- HB 180, Off-Road Safety Education – If an individual is under 18 or doesn’t have a driver’s license, they must take an online safety course.
- HB 232, Utah Lake Authority - Enacts provisions relating to the Utah Lake Authority defining the status of the Authority as to purposes, powers, duties, policies, and objectives.
- HB 238, Juneteenth State Holiday – Observation of National Freedom Day.
- HB 240, Utah Lake – Modified provisions of the Utah Lake Restoration Act with respect to the disposal of Utah Lake state land and requires approval by the Legislature and Governor.
- HB 242, Secondary Water Metering – Full metering is required by January 1, 2030.
- HB 264, Municipal Alternative Voting Methods – Replaces the term canvassing phase with ballot-counting phase and includes provisions for determining a voter’s intent on an instant voting ballot.
- HB 269 – Capital Assets Related to Water – This is water conservation related to adopting a capital asset management plan.
- HB 282, Water Wise Landscaping – Cities and counties may not prohibit water wise landscaping or require a property owner to install or maintain lawn or turf in an area with a width less than eight feet.
- HB 303, Local Land Use – A county or city may not require a developer to provide a certain number of moderate-income housing units as a condition of a land use approval unless incentives are provided. It also sets a new rule for noticing public meetings and public hearings to include a summary of the effect of a proposed modification.

- HB 357, Eminent Domain Appraisal – A new appraisal is required before making a settlement offer if more than 90 days have passed, which can be waived by property owner.
- HB 439, Elected Public Body Transparency – Requires votes be listed in the minutes.
- HB 449, Bereavement Leave Modifications – People, including spouses, who suffer from a miscarriage or still birth can now take time off to bereave.
- HB 462, Utah Housing Affordability – Counties and cities must update their general plan to include a moderate-income housing element and implementation plan., which is due October 1.
- SB 11, Local Elections - Allows election to be cancelled by passing a resolution 20 days before the scheduled election.
- SB 40, Utah Protection of Public Employees Act – The term adverse replaced with retaliatory. Local governments prohibited from taking retaliatory action against a public employee under specific scenarios.
- SB 66, Electric Assisted Bicycle Use – Requires consideration to accommodate persons with mobility disabilities on trails.
- SB 80, Real Property Recording - Letter required from a city with certain recorded documents.
- SB 89, Water - Clarifies the requirement for a water conservation plan.
- SB 110, Water as Part of General Plan – Adds water conservation to the general plan.
- SB 140, Housing and Transit Reinvestment Zone – Allows a housing and transit reinvestment zone with ¼ mile of a bus rapid transit station or a light rail station on up to 100 noncontiguous acres for a maximum of 15 years. The City will need to create a stationary plan for the interchange for the frontrunner station.
- SB 254, Government Records Access – Expands protected records status to plans to mitigate terrorist activity, plans for emergency and disaster response and recovery, risk assessment or security audit, drinking water or wastewater facility’s engineering or architectural drawings, and tools and processes detailing the facility uses to secure or prohibit access.

MOTION: Councilmember Christensen – To allow the Mayor to change the agenda per his discretion. Motion seconded by Councilmember Provstgaard. Those voting yes: Kirk Beecher, Linda Carter, Brett Christensen, Taresa Hiatt, Bob Provstgaard. The motion carried.

F. ACTION ITEMS

4. Final Plat approval of Arrowhead Ranch, Plat B (7:55 p.m.)

Staff Presentation:

Michael Bryant reviewed the property that includes approximately 28.08 acres with 100 dwelling units in the R-1-7.5, Residential Zone. The property was annexed in the DAE Annexation. There are 58 twin homes and 42 single-family, low and medium density homes. Staff recommends approval of only Plat B at this time.

Jill Spencer noted Plat B is consistent with the preliminary plan approval.

Applicant Presentation:

Greg Wall reviewed architectural renderings of the entrance to the project and the location of Plat B, which is within the entire Arrowhead Ranch project. Lots 1 through 58 are twin-home lots at 5,000 square feet. The single-family lots are at least 8,200 square feet. Setbacks are 25-foot front/back, 8-foot interior sides, and 20-foot corner street side. They are requesting the front setback on the twin homes be 10 feet to accommodate living space except the garages will be set back 25 feet with 5-foot interior sides, and 15-foot corner street side. The porch forward design narrows the drive access from the street

but then widens to the garage. This is an innovative design and is allowed with the new zone text amendment. The property line starts at back of sidewalk. He reviewed architectural renderings. The lots area wide enough for a three-car garage. The project is governed by the General Plan and Arrowhead Ranch Specific Plan. They have worked diligently with staff and made modification to make this project work. He noted the original wetlands delineation for the overall development included 126 acres, which has been updated to remove 17.2 acres of wetlands and will be submitted to the Army Corp of Engineers. The annexation agreement specified a target lot size so the lot sizes won't change.

Council Discussion:

Travis Jockumsen noted the sewer will always flow to the Salem Sewer Facility, which is for 1,500 units. Currently, 550 units have been used.

Councilmember Beecher stated the Planning Commission addressed this project a long time ago and made sure utility planning was in place to move through the plats in a manner that made sense.

MOTION: Councilmember Carter – To approve the final plat of Arrowhead Ranch, Plat B, with satisfaction of staff and redlines including the setback adjustment for the twin homes. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes	-	Kirk Beecher
Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Bob Provstgaard

5. Request for use of the RMO-1 Two-Family Residential Overlay to allow a duplex/twin homes associated with the Whatcott Subdivision, Plat B, Lot 2 located at 327 North 500 East (8:20 p.m.)

Councilmember Christensen disclosed this property is in his backyard.

Staff Presentation:

Michael Bryant reviewed items 5 and 6 together. Currently, the property is in the R-1-7.5, Residential Zone, and the request is to allow the RMO-1, Two-Family Residential Overlay. The lot is approximately 0.285 acres. The request received a positive recommendation from the Planning Commission after a public hearing on May 25, 2022, and some negative comments were made at the public hearing.

Council Discussion:

Councilmember Christensen noted part of the concern is the typography of the area. The applicant is proposing a three-story house off the back and one story at the front because of the slope. It will tower over the existing home, which was built in early 1900's. There are a lot of twin homes in the area so it's hard to argue it can't be there. His concern is the height and width. As part of this development, the sewer draining issue will be resolved for the corner home.

Councilmember Provstgaard noted a single-family home could be just as high as well.

MOTION: Councilmember Provstgaard – To approve the RMO-1, Two-Family Residential Overlay, to allow a twin home associated with the Whatcott Subdivision, Plat B located at 327 North 500 East. Motion seconded by Councilmember Beecher. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Taresa Hiatt
Yes - Bob Provstgaard
Abstain- Brett Christensen

6. Amendments to the Whatcott Subdivision, Plat B, Lot 2, located at 327 North 500 East (

MOTION: Councilmember Provstgaard – To approve the amendments to the Whatcott Subdivision, Plat B, Lot 2, at 327 North 500 East with the note that they meet staff recommendations as noted. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Taresa Hiatt
Yes - Bob Provstgaard
Abstain- Brett Christensen

3. Resolution – Authorizing the City Treasurer to write off certain uncollectible debt (8:27 p.m.)

Staff Presentation:

Audrey Camp reviewed the uncollectible debt for utility billing. Accounts either go to collections or are deceased or bankrupt. Last year, the City wrote off \$19,686.94. This year the total is \$27,779.58, which is 41% higher with Eversage and Ridgestone accounting for 20%. It's partly because the City is growing, and there is more multifamily housing. The breakdown includes commercial renters at 11%, homeowners at 9%, landlords at 5%, and renters at 75%. The reason breakdown includes bankruptcy at 5%, collections at 92%, and deceased at 3%. The City was requiring a \$150 deposit regardless but it was changed to not required the deposit if the person signed up for direct deposit. There is a lot less collections and returns with direct deposit. Once a person has two direct pay returns, a deposit is required. The City does not do reference or credit checks.

Council Discussion:

Councilmember Provstgaard is not willing to see a 41% increase year over year; this needs to be addressed.

Jason Sant stated most of the write offs are related to power bills. Eversage and Ridgestone residents only pay for their own power. The HOA pays the other utilities. Renters often switch jobs frequently, have lower paying jobs, or are receiving housing assistance. This debt is the fact of being in business. The good landlord program is really designed for places that need to be cleaned up and have a lot of riffraff or criminals. Once the City received the notice of bankruptcy, a larger deposit can be charged.

Councilmember Christensen doesn't want to drive people out of the City but suggested pre-charging utilities. Actually, this number doesn't look bad from when he started in office.

Jason Sant stated a bigger deposit may be difficult for these residents.

Mayor Wright asked staff to research it.

Dave Tuckett stated the collection agency still tries to collect the funds.

Audrey Camp stated last year was significantly lower than previous years. Staff thinks it was because people received stimulus payments because of COVID and people couldn't be evicted. Currently, staff works with residents on inhouse payment arrangements before sending an account to collections, which has made a big difference.

MOTION: Councilmember Christensen – To authorize (resolution) the City Treasurer to write off these certain uncollectible debts as noted. Motion seconded by Councilmember Provstgaard. A roll call vote was taken as follows and the motion carried.

Yes	-	Kirk Beecher
Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Bob Provstgaard

7. Ordinance - Hiatt Creek, Plat C, zone change located at approximately 1130 South 1950 West from A-5-H, Annexation Holding Zone to RMF-10, Multi-Family Residential Zone (8:37 p.m.)

Staff Presentation:

Michael Bryant reviewed the project currently zoned A-5-H with a request to rezone to the RMF-10, Residential Multifamily Zone. The property was recently annexed and was also approved for a General Plan amendment to the South Meadows Area Specific Plan to increase the density from 3 units to 6 units per acre. Staff recommends a development agreement be implemented to only allow up to the 6 units per acre. A public hearing was held with the Planning Commission on May 25, 2022 and made a positive recommendation for approval. A previous request for the same zoning designation was made and approved for an adjacent parcel on March 2, 2022. Engineering staff has voiced concerns about utility capacities for future developments. Staff recommends the zone change with a development agreement at 6 units per acre.

MOTION: Councilmember Provstgaard – To approve the (ordinance) Hiatt Creek, Plat C, zone change located at 1130 South 1950 West from the A-5-H, Annexation Holding Zone to the RMF-10, Multi-Family Residential Zone based on the findings of staff, approval of the Planning Commission, and a development agreement at 6-units per acre. Motion seconded by Councilmember Beecher. A roll call vote was taken as follows and the motion carried.

Yes	-	Kirk Beecher
Yes	-	Linda Carter
Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Bob Provstgaard

1. Public Hearing/Resolution – Amendments to the Fiscal Year 2021-2022 Budget (8:41 p.m.)

Staff Presentation:

Cathy Jensen reviewed the proposed budget amendments.

<u>Account Description</u>	<u>Adjustment</u>
REVENUE	
B&C Funds	\$ 150,000
Misc. Revenue	178,000
Utility Fund, Fund Balance	3,400,000
Transfer In	3,400,000
Misc. Revenue	17,000
Surplus Equip	37,000
Sewer Fund Balance	300,000
Police Grants	3,500
Police Donations	550
Police Reimbursable Overtime	5,100
Police Lease Cancellation Funds	94,000
Pool Revenues	72,000
Utility Fund Balance	1,000,000
Redevelopment-Town Fund Balance	4,800
Recreation Fees	125,000
	<u>\$ 8,786,950</u>

EXPENDITURES		
Mayor's Economic Dev.	37,500	1
Police Misc.	2,600	2
Police Overtime	8,500	3
Repair and Maintenance	10,000	3a
Police Fuel	31,000	4
Leased Vehicle	60,500	5
K9	550	5a
Pool repair expenses	25,000	6
Pool Supplies	10,000	7
Rec Services	20,000	8
Youth Sports	80,000	9
Adult Sports	20,000	10
Backhoe Lease-Cemetery	9,000	11
Miss Payson Scholarship	2,500	12
Redevelopment-town professional services	4,800	13
Transfer	3,400,000	14
Transfer Fund Balance	1,000,000	15
Repair and Maintenance-Streets	150,000	16
Downtown \$5M Project	3,400,000	17
Equipment	37,000	18
Repair and Maintenance	178,000	19

Sewer Principal	300,000	20
	<u>\$ 8,786,950</u>	

- 1 Down payment on Dowdle puzzle project with additional \$112,500 due next year.
- 2 Police expenses offset by the redemption on leased vehicles.
- 3 Funds received for police overtime (Grant).
- 3a Safety equipment for drug box and front office.
- 4 Cancelation of police lease that will cover increased costs in fuel.
- 5 Cancelation of police lease that will cover new leased vehicle.
- 5a Donations made to K9.
- 6 Pool repair expenses, offset by revenues.
- 7 Additional pool supplies, offset by revenues (Chlorine).
- 8 Recreation overtime, trouble filling positions, requiring full-time employees to work.
- 9 Expanded programs is costing additional amounts, offset by program revenues. Youth Sports.
- 10 Expanded programs is costing additional amounts, offset by program revenues. Adult Sports.
- 11 Cemetery backhoe lease.
- 12 Miss Payson scholarship from last year, never claimed until this year.
- 13 Walgreens economic incentive, anticipating more due to Walgreens.
- 14 Transfer of Fund Balance for Main Street \$5M project.
- 15 Allow for up to \$1,000,000 of fund balance to be transferred to capital fund to follow Utah State Guidelines.
- 16 800 South mill and overlay. In conjunction with state road to save on mobilization.
- 17 Downtown \$5M Project.
- 18 Selling Van (\$23,000), Truck (\$13,000), and scrap metal (\$961) to replace Jessie's truck.
- 19 Power motor repair from insurance reimbursement.
- 20 Pay down of \$300,000 in sewer bond principal, some bond expense associated with expansion bond.

MOTION: Councilmember Beecher – To open the public hearing. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

Public Comment:
No public comments.

MOTION: Councilmember Beecher – To close the public hearing. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

MOTION: Councilmember Provstgaard – To approve the (resolution) amendments to the Fiscal Year 2021-2022 budget as presented. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

2. Public Hearing/Resolution – Amendments to the Payson City Fee Schedule including utility rates (8:57 p.m.)

Staff Presentation:

Cathy Jensen reviewed the proposed fee schedule amendments. She cautioned the Council that the comparison slides are for informational purposes and are the current rates of other cities. Other cities are currently addressing rate increases. The City should set its rates to meet the needs of our enterprise funds. As a reminder, the City does have an aging infrastructure as well as some pretty significant bonds and other capital needs coming up. The culinary water is proposed at either a 7% or 17% increase. The city's culinary water base rate (\$25.00) and usage at 6,000 gallons (\$31.66) compared to other cities at 7% falls around average and is just a little higher using 17%. The City is at the lower end on comparison for pressurized irrigation (19.00) and a rate increase is not proposed. The sewer base rate is proposed to have a 35% rate increase (\$48.84) due to the facility upgrade and bonding. This puts the sewer base rate at the high end on comparison. We know Provo City will be much higher and most sewer plants will have to be upgraded over the next couple years. The sewer tier comparison is pretty moderate, but the 6,000-gallon usage comparison (\$58.38) is high. Storm drain is proposed at \$6.74 with the comparison at average. Power is also at 7% increase as well as solid waste and the landfill. All the departments were asked to review their fees and refine them with increases to Development Services, Cemetery, Golf Course, Parks and Open Space, Recreation.

MOTION: Councilmember Provstgaard – To open the public hearing. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

Public Comment:

No public comments.

MOTION: Councilmember Provstgaard – To close the public hearing. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen

Yes - Taresa Hiatt
Yes - Bob Provstgaard

Council Discussion:

Councilmember Christensen noted these rate increases also help with the bond rating.

Councilmember Provstgaard stated the increase to water at 17% is \$2.12 more than the 7%, which is the most underfunded department. He took the time to talk to established citizen and didn't receive one negative comment. He is cognizant and concerned with set-income residents.

Dave Tuckett stated staff wanted to have this public hearing on the fees because on August 3, 2022, the Council will conduct a Truth in Taxation on the property tax. These fees will be implemented as of July 1, if adopted. This public hearing gives residents the opportunity to speak on these fees before the budget hearing and setting the budget. In any businesses, costs keep going up.

MOTION: Councilmember Provstgaard – To approve the (resolution) proposed rate fees with the inclusion of the 17% on culinary water and all other fees as presented. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

8. Resolution – Commissioned Painting Agreement (9:12 p.m.)

Dave Tuckett stated funds are now appropriated for this agreement, which includes the painting and a puzzle. Pleasant Grove sold 3,000 puzzles at \$25 in two weeks, which paid for the puzzle cost. It markets the City and gets the brand out there. Staff mentioned the movie Foot Loose to Dowdle and he said he may have a contact for Kevin Bacon, which could help support the puzzle. The Council can decide what goes in the painting, and other businesses could sponsor the project.

Council Discussion:

Councilmember Provstgaard stated this generates another hometown feel.

Mayor Wright noted it's \$75,000 is for the art work and another \$75,000 for 6,000 puzzles. If Kevin Bacon comes, we may need 10,000 puzzles. John Lithgow could also be contacted.

MOTION: Councilmember Provstgaard – To approve the resolution for the Mayor to sign the commissioned painting agreement with Dowdle Art. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

9. Resolution - Amendments to the Payson Personnel Policy – On-Call (9:17 p.m.)

Dave Tuckett stated he is trying to unify all the department for on-call pay. Certain department are required to be on call. He compared policies with other cities.

MOTION: Councilmember Christensen – To approve the amendments to the Payson Personnel Policy for on-call. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

G. ADJOURN TO REDEVELOPMENT AGENCY

MOTION: Councilmember Provstgaard – To adjourn to Redevelopment Agency. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

1. Public Hearing/Resolution – Amendments to the Fiscal Year 2021-2022 Budget

Reviewed during the city budget amendments (Item F1).

MOTION: Director Beecher – To open the public hearing. Motion seconded by Director Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

Public Comment:
No public comments.

MOTION: Director Beecher – To close the public hearing. Motion seconded by Director Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter

Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

MOTION: Director Provstgaard – To approve the amendments to the Fiscal Year 2021-2022 budget as presented. Motion seconded by Director Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Kirk Beecher
Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Bob Provstgaard

H. ADJOURN FROM REDEVELOPMENT AGENCY

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

ADJOURN TO CLOSED SESSION

MOTION: Councilmember Hiatt – To adjourn to closed session regarding the purchase of property. Motion seconded by Councilmember Provstgaard. Those voting yes: Kirk Beecher, Linda Carter, Brett Christensen, Taresa Hiatt, Bob Provstgaard. The motion carried.

Discussion regarding purchase, exchange, sale, or lease of real property

ADJOURN FROM CLOSED SESSION

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

I. ADJOURNMENT

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

The meeting adjourned at 9:35 p.m.

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