

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, July 5, 2023

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Kirk Beecher, Brett Christensen, Linda Carter, Taresa Hiatt, William R. Wright

EXCUSED: Bob Provstgaard

STAFF PRESENT David Tuckett, City Manager
Cathy Jensen, Finance Director (online)
Kim E. Holindrake, City Recorder
Jason Sant, City Attorney
Brad Bishop, Police Chief
Robert Mills, Development Services Director
Scott Spencer, Fire Chief
Jill Spencer, City Planner
Tracy Zobell, Parks & Golf Director
Melanie Marsh, HR Director (online)
April Jones, Recreation

OTHERS Adeline Hansen, Amanda Johnson, Lexie Mellen

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 Scott Spencer.

Pledge of Allegiance led by Linda Carter.

B. CONSENT AGENDA

1. Approval of the June 21, 2023, Regular City Council Meeting Minutes
2. Resolution – Utah County Interlocal Agreement – Communities That Care
3. Resolution – Utah Main Street Project Support
4. Resolution – Nebo School District Notice for Purchase of Wilson Elementary School

MOTION: Councilmember Carter – To accept 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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Introduction of Miss Payson Royalty

April Jones introduced the Miss Payson Royalty; Adeline Hansen, Miss Payson; Amanda Johnson, First Attendant; and Lexie Mellen, Second Attendant. It was an exciting pageant with many talented candidates.

Adeline Hansen stated her community service initiative is partnering with the Boys and Girls Club in Payson and expanding to other schools in the area. She sang for her talent.

Amanda Johnson stated her community service initiative is It's Happening Here that focuses on abuse in the community specifically to women and children. She partnered with a shelter in Provo to put kits together for the women and children staying there. She played piano for her talent.

Lexie Mellen stated her community service initiative is Your Mind Is Your Best Friend and is to spread mindfulness by implementing into our everyday lives to improve the communities. She danced for her talent.

Mayor Wright stated these ladies are very talented, and he is excited for them to represent the City.

2. Yard of the Month

Linda Carter announced the Yard of the Month to Wally and Cindy Buhler for the month of June and Daniel Fatai for the month of July. They will receive a \$100 certificate to Olsen's Garden and a certificate of recognition.

3. Public Forum

No public comments.

4. Staff and Council Reports

Staff Reports

PARKS & GOLF - Tracy Zobell thanked Wes Barney and Todd Reynaud who cleaned up the fallen trees at the cemetery on the holiday following the windstorm. Six trees were lost, which will be replaced. On Monday, the golf course had 430 starts/players, which is a record by 27 people. The course gets busier and busier.

ADMINISTRATION – Dave Tuckett gave a shout out to the employees. The Power Department staff worked on restoring power from the windstorms. Several employees hadn't slept for 20 hours. The City received help from other cities as well. The free week at the landfill was implemented from today to next week to help with cleanup from the windstorms.

FIRE AND AMBULANCE – Chief Spencer stated Monday, the City and Utah County received over 20 calls where trees had fallen into homes and power lines from the windstorms. Fireworks have gone well with staff out patrolling a few nights. Tonight is the last night for fireworks until July 22. There were no fires, and some illegal fireworks were confiscated.

Council Reports

Councilmember Christensen stated it was great to have the employees out working after the windstorms. Other communities were out of power and had to wait. He lost a couple of tall trees himself. The free landfill is a good idea. There were home damages as well.

Councilmember Carter appreciates the staff for all they have done. After the storm, she drove to the cemetery and was amazed at those trees. She received several calls wanting to know what the City is going to do with the “P” on “P” mountain. The high school used to take care of it. It would be neat to put an article in the newspaper asking for citizens to help.

Mayor Wright stated Richard Gray and Bonnie Valdez contacted him and are working to do something with the “P”, which is currently rock and cement. Additional people will be on the committee. He contacted the Forest Services who gave the okay to do what is needed to fix the “P” and use the access road. The high school did have the agreement, but he wants the City connected to it as well. Engineering needs to be done to cure the erosion problem, which goes through the middle of the “P”. He complimented the staff, Police Department, Fire Department, and Power Department for helping with the windstorm issues. Santaquin staff came and helped as well. The power was out until about midnight with Provo and Lehi assisting with the electrical supply. About 15 homes were still out of power the next morning.

Councilmember Beecher gave a kudos to the staff.

Councilmember Hiatt stated the staff is awesome.

D. ACTION ITEMS

1. Ordinance – Amendments to the Payson City Code, Chapter 13.34 relating to Home Occupations (6:32 p.m.)

Staff Presentation:

Robert Mills stated these text amendments relate to home occupations, which is a business license to operate out of a home. Home occupations are to be innocuous. They are good for the economy and the residents for a place to do business and allow economic support. The guiding principle of a home occupation is that a neighbor shouldn't know it's going on in a residential community. There are examples in Payson that clearly exceed what they are allowed to do so they are invited to move to a commercial zone. Home occupations should have no impact on the community, but a little signage is allowed and no lighting or huge deliveries. These amendments were staff initiated to address home occupations extending to accessory structures, which is applicable in all zones where home occupations are permitted. The proposed amendments allow the area to be extended to 600 square feet and the percentage was removed. The substantive amendment is to allow accessory buildings to be used for the home occupation and allow customers in an accessory structure. The accessory structure must still comply with the building code and zoning regulations. The proposed changes also include some grammar corrections. We live in interesting economic times, and this gives residents a way to be more self-reliant in using their skills and talents. The Planning Commission met and held a public hearing. Following discussion, the Planning Commission forwarded a positive recommendation. Staff recommends adopting the proposed amendments.

Council Discussion:

Councilmember Christensen disclosed that he has a home occupation. He stated this is a good opportunity for residents.

Robert Mills noted staff will ensure residents understand from the beginning what they can and cannot do. The house is a dwelling first and foremost.

MOTION: Councilmember Beecher – To approve (ordinance) the recommendations made by staff to Chapter 13.34 relating to home occupations. 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

2. Ordinance – Amendments to the Payson City Code, Title 13 to provide water efficiency standards for landscaping and to amend landscaping requirements (6:40 p.m.)

Staff Presentation:

Robert Mills stated Central Utah Water Conservancy District (CUWCD) issued a letter late last fall to encourage people to consider the way they are landscaping and using water. CUWCD operates a program called Flip Your Strip that allows a rebate for residents to flip the park strip area in front of the residence to be more water conserving and use better landscaping. As part of the program, CUWCD requires cities to adopt these requirements and standards for landscaping, which are listed as item #4 dealing with lawn width in a park strip and the front yard of residential, commercial, or industrial properties. For existing residents to qualify for the rebate program to Flip Your Strip, a city must adopt the standards. The requirements are for new construction only. The proposed amendments include the requirements along with design considerations and recommendations to design property to be water conscious. The requirements would not allow grass and other items in a planter strip. The new landscaping requirements are as follows:

- Lawn shall not be less than 8 feet wide at the narrowest point.
- Lawn shall not exceed 35% of the Total Landscaped Area. *Discussion: Payson only requires front and front/side yards to be landscaped so this doesn't apply to backyards in Payson. Hardscape is not landscape. The driveway and sidewalk are not counted in the area that can be landscaped. It does not prevent a resident from having turf in the backyard from property line to property line.*
 - Small residential lots, which have no backyards, the Total Landscaped Area is less than 250 square feet, and the front yard dimensions cannot accommodate the minimum 8-foot wide lawn requirement, are exempt from the 8-foot minimum lawn width requirement and maximum of 35% lawn requirement. *Discussion: These are not yet seen in Payson.*
- Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas. *Discussion: Baseball fields would not be subject to these requirements, but the landscaping around the fields would be required to follow these requirements.*

These four specific requirements are the nuts and bolts of the amendments.

Council Discussion:

Councilmember Christensen voiced concern that only 25% of the yard is allowed to be grass, yet the community is pushing for larger lots. He questioned what can be done with a third-acre lot. Then the Beautification Committee is on their case because it's weeds. Rocks have to be maintained because of weeds, leaves, grass, etc.

Robert Mills noted there are many ways to landscape a yard without grass such as shrubs, mulch, bark, and rocks.

Councilmember Beecher disclosed he works for CUWCD. He stated it's 25% of the entire lot, which includes the house footprint.

Councilmember Hiatt stated residents will not get much money to redo their park strip, but it needs to be done. She attended the Planning Commission meeting, and the commissioners felt it was too restrictive. She can see it's trying to save water but wonders why CUWCD is making the restrictions. The City should be making restrictions along with the state and federal requirements. She questioned if other communities have agreed to do this.

Councilmember Beecher stated there are forty-six communities in the state that have already done this with seven in Utah County, which include Salt Lake City, North Salt Lake, Riverdale, Washington Terrace, Alpine, Vineyard, and Cedar Hills. These are not CUWCD restrictions; they are state restrictions. CUWCD is over this regional area, so CUWCD sent the letter. The money comes from a state grant for the reimbursement and is more this year than last year. These are state mandated regulations.

Robert Mills noted these regulations are not mandated yet. The rebate program is offered; and to be eligible for the rebate program, these standards have to be adopted. Do we feel these standards will one day be mandatory? It hasn't happened yet but most likely. We see the writing on the wall. There are some things to consider, which he went over with the Planning Commission. First, this is a rebate program not a reimbursement program for residents to flip their strip. As a matter of clarification not discouragement, it will cost more than the rebate they receive to flip their strip.

Councilmember Beecher noted there are other rebates for things such as smart controllers and low flow toilets and showers.

Robert Mills stated to Councilmember Christensen's point earlier, water efficient landscaping does not equate to "no maintenance" landscaping. It still has to be taken care of and weeded. The Utah Valley Home Builders Association (UVHBA) reviewed these proposed amendments and commented, which were forwarded to the council. Basically, UVHBA doesn't like this and suggested following Provo's program, which Provo came up with their own program. Staff feels the City needs to do something and water conversation needs to be a priority. Staff recommends adopting this and making the rebate program available.

Councilmember Beecher noted some of UVHBA's statements are scientifically inaccurate.

Councilmember Christensen questions how the City can guarantee new landscaping will use less water.

Councilmember Beecher stated he can't guarantee, but a park strip is a phenomenal water waster because most of the water goes down the gutter. A targeted drip goes into the soil. A drip irrigation system versus a spray irrigation system is 10 or 15 times better in use. This is the biggest difference.

Robert Mills noted the Planning Commission debated this a lot last week. At first, the Planning Commission wanted to table it but were informed the City Council really wanted to address it. In the end, the Planning Commission recommended denial but wanted it communicated that they 100% supports water conservation. They were concerned with the amount of regulation toward front yards.

Councilmember Hiatt noted if Councilmember Beecher had explained this to the Planning Commission, they may have felt differently as well. It's only new construction or current residents redoing park strips.

Robert Mills clarified this does change the way staff operates if adopted with additional review. Staff will require a landscape plan for new dwelling units showing the types of materials and location as well as a table of percentages. CUWCD has amazing plans and templates on its website to follow and use with step-by-step instructions. This by no means solves water conservation but is one piece of the puzzle.

Councilmember Beecher stated the CUWCD conservation staff will help as well.

Mayor Wright noted the cost of flipping a strip may be offset by the cost of water in the long term.

Councilmember Christensen stated he would like to push it to incentivize people, but the requirements are a little much. He would like it to be a recommendation to home builders and not a requirement. It should be a requirement for large scale construction. Not for small infill lots.

Councilmember Beecher clarified it is defined as new construction.

MOTION: Councilmember Carter – To accept the ordinance on the amendments to the Payson City Code, Title 13 to provide water efficiency standards for landscaping and to amend landscaping requirements on new development. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes	-	Kirk Beecher
Yes	-	Linda Carter
Yes	-	Taresa Hiatt
No	-	Brett Christensen

E. ADJOURNMENT

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

The meeting adjourned at 7:15 p.m.

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