

PAYSON CITY
CITY COUNCIL MEETING AND WORK SESSION
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, November 15, 2023

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Kirk Beecher, Brett Christensen (online), 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
Jill Spencer, City Planner
Michael Bryant, Planner II
Tracy Zobell, Parks & Golf Director

OTHERS Easton Brady, Tyler Moore, Jim Rowland – Payson/Santaquin Chamber of Commerce, Lincoln Hubbard, Lance Wilson, Quinn Kellis, Dewain Cluff, Curt Lester, Fernando Carroll (online), James Samuels, Noreen Lerwell, Bob Rasmussen, Harrison Oldham, Suzanne Kellis, Patrick Kirby, Patti Hollenbeck Dial (online), Abbie Finlinson, Justin Hill

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 Easton Brady.

Pledge of Allegiance led by Tyler Moore.

B. CONSENT AGENDA

1. Approval of the November 1, 2023, City Council Meeting Minutes
2. Resolution – Bureau of Reclamation License Agreement

MOTION: Councilmember Beecher – To approve the consent agenda. 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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Chamber Business of the Quarter

Jim Rowland announced the Chamber Business of the Quarter is ERA Brokers Consolidated with Diane Jensen is the managing broker. They opened their doors in Payson on historic Main Street in October 2022. Diane Jensen stated she loves serving in this community and it's fun to be involved and serving on the committees.

2. Public Forum (6:09 p.m.)

Lincoln Hubbard stated he works with Spanish Fork Hospital. They appreciate the city council's support. They delivered over 100 babies from Payson residents last year as well as over 300 surgeries and 1,000 ER visits. The hospital is about 2.5 years old, and they are looking to expand already. He asked if the council had any concerns in the community.

Councilmember Provstgaard questioned why the clinic was pulled by Walmart, which was a great convenience for the Payson citizens and outlying areas.

Lincoln Hubbard stated there is a clinic right next to the hospital that provides family services, dermatology, and other clinic type services. He made a note. A physician's plaza will open soon next to the hospital. It's further to travel for outlying regions, but people know where the services are located.

3. Staff and Council Reports (6:15 p.m.)

Staff Reports

PARKS & GOLF - Tracy Zobell stated Christmas lights are up at Peteetneet and Main Street is about three-quarters complete. The trees at Pioneer Square will be started on Monday, and then the spotlights at Memorial Park are last to go up.

CHAMBER OF COMMERCE – Jim Rowland thanked the City for its partnership and collaboration this year and for working closely on many topics and events. He appreciates the staff and elected officials for all they do to make our hometown such a great place to live and work. The annual awards gala is Thursday, January 11, 2024, at the Benion Veterans Home, and Nathan Osmond is the special guest.

Council Reports

Mayor Wright stated the Payson High School students have invited the Council to the musical Footloose on November 16 at 6:00 p.m. The students have been trying to get Kevin Bacon to come to the City next year because of the 40-year anniversary of Footloose.

Councilmember Provstgaard reported one of the major power sources several communities were looking forward to in the future has died. Utah Associated Municipal Power Systems (UAMPS) sent a press release, and he attended a zoom meeting explaining the particulars. This was a new generation of nuclear power that generates about four times the power for about 1/10 of the cost. It was to be built in

Idaho Falls, and Payson bought into it. The threshold was not met for the construction phase even though 80% of the approvals were met. They felt it was in the best interest to cut the losses due to regulations and lack of subscriptions. UAMPS is the major power supplier of Utah. UAMPS said they will immediately go after for more wind and solar. Payson will receive back 100% of the funds for participation. Payson Power is working on additional power sources. He thanked staff, Kent Fowden, and Travis Jockumsen for taking care of the street construction issue mentioned at the last meeting. The property owner has accepted the work.

D. ACTION ITEMS

1. Public Hearing/Ordinance – Request to extend the municipal boundaries to encompass the property included in the proposed R&C #2 Annexation containing 40.5 acres located at approximately south of 900 North (9600 South County) and west of 400 West (3550 West County) (6:21 p.m.)

Staff Presentation:

Michael Bryant reviewed the location of the R&C #2 Annexation off 9600 South and 3550 West. Annexations are legislative actions of a city council, and a useful tool for cities to grow in a smart manner. Annexations should follow adopted city plans for growth and expansion, and are typically accompanied by an annexation agreement, which may require infrastructure improvements and other amenities and assign zoning, density, and other conditions of approval. This annexation includes 40.5 acres and eight properties with two property owners not signing the annexation petition. The petitioner is asking for the I-1, Light Industrial Zone, which matches the land use map in the General Plan. The annexation agreement will require ensuring the transportation network, all parcels comply with the zoning and development ordinances when developed differently, and the requirement to reimburse the City for connections to South Utah Valley Electric Special Service District of \$15,500 per connection, which there are six connections. The Planning Commission recommended approval as proposed as well as staff. Staff recommends the I-1, Light Industrial Zone and that the sponsor agrees to all the terms with the annexation agreement including the SESD price.

Jason Sant clarified the SESD payment only applies to new annexations.

MOTION: Councilmember Beecher – To open the public hearing. 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

Public Comment:

Lance Wilson stated he is very passionate about this topic. He received a letter from Payson City about the annexation, which explained a written protest could be filed no later than September 14, 2023. He and several neighbors drafted such letters of protest. On September 6, he and many residents came and voiced concerns and expressed opposition to this annexation as well as the master plan of Payson City. A few weeks later, he received a letter from the Utah County Attorney's Office stating his letter of protest was rejected under the recently passed Utah State legislation, UCA 10-2-407, which prevents any protest to be valid unless the property owner owns property and at least 1,000 acres within the

proposed annexation. This is a very hypocritical law. How can someone protest the annexation of this land when it is only 40 acres, and the derelict law requires 1,000 acres to have a voice? The irony is that the City invites property owners to protest the annexation knowing the law doesn't allow anyone to protest. He asked Mayor Wright how can this be, how can they have a voice of change in this process? Mayor Wright's response was, where were you when this area was being zoned under the Master Plan? You and your neighbors should have voiced your concerns then. Now that the Master Plan has been made, the process is too far down the road. He has thought about this comment a lot, and it hasn't set well with him. Last week he attended the Payson City Planning Commission meeting where the Spring Creek Area Specific Plan was included and where residents should have had a voice at the grassroots level. What he observed was not so at all as he watched resident after resident plead with the Planning Commission to reconsider where roads would be built and develop industrial business parks and high-density housing. The Planning Commission said these people don't understand government and asked them to write a letter of protest. The Utah law prohibits them from protesting, and the City won't give residents a voice at the grassroots level. The City approves plans with complete disregard for the property owners affected. Do you see the insanity of this whole process? He has encouraged Mayor Wright and Robert Mills to consider amending the Master Plan and redrawing the boundaries for industrial zoning to prevent illegitimate annexations like this. He has been told that some city councilmembers are opposed to any discussion about changing the Master Plan and any zoning changes for our area. Why are you opposed and who are you representing? You are certainly not representing the majority. Your allegiance seems to be in the pockets of the developers and the minority individuals who have the sway of the field before the public even knows. Government is created to protect the property of people. This annexation directly affects four residential homeowners who will now have industrial structures in their back yard. What about the next annexation? How many residents will it affect? Currently, the Master Plan has approximately 60 single-family homes within the zone for future industrial development. We are not talking about 100-year-old homes in disrepair, but homes built in the last 10 to 20 years with families who have no plans to sell. If the City has its way, our homes and farms will be surrounded by two and three-story warehouses. Inside this proposed annexation as well as the Master Plan, many homes are a significant investment to their owners. It makes no sense for developers to annex land and buy these properties at top dollar and then figure out how to get the infrastructure paid for to industrialize this area. Lastly, he is aware that one of the applicants is a relative of a city council member. This alone should necessitate a recusal from voting by Councilmember Provstgaard on this issue. He and his neighbors also ask that the City wait until the three seats on the city council are filled at the current election. Please give this matter more thought and allow those new council members a chance to be included in this decision.

Quinn Kellis stated he appreciates the work that has gone into this and the opportunity to speak. It's easy to make decisions when everyone agrees and understands when the overwhelming voice of people conflicts with government interests. Other than the petitioner, no one is asking the City to urbanize these rural communities. Other than the petitioner, no one is asking the Council to convert the landscape that currently exists to industrial. Payson is a special place. Everywhere you go, people say it's a beautiful community because of the current landscape and rural community. Please listen to the unified voices on this matter and do not approve the petition.

Dewain Cluff stated he is a new addition to the community. He is a 28-year veteran and has seen a lot of the country and the world. He now has a dream house and property in a peaceful community. He is feeling a little threatened by the current plans and wants to see it remain a peaceful residential community.

Curt Lester is concerned about the state of the roads, and the offramp is pitiful for the trucks. Going south to make the corner, the trucks swing into oncoming traffic and inch out into traffic. He's not blaming the truckers as they try to manage the streets. He's lived in this area for over 30 years and has seen many near misses. It becomes a discourse that doesn't need to be. Payson people are good people. He's not sure of the state's plan or the city's plan, but the issue needs to be resolved before more trucks are added. Please take this into consideration.

Fernando Carroll stated he is one of the non-petitioners. He is opposed to this annexation because it impacts his family and property. Thank you for consideration of the existing residential properties as you discuss and plan out the zoning. When he opposed the petition, one concern was the imposition of additional costs that would be imposed on him such as curb, gutter, sewer, and tying into city water. The city's response was it would depend on the annexation agreement, which he hasn't even seen but it impacts his property. He asked that the property owners impacted be notified of the annexation agreement and preferably consulted and given an opportunity to negotiate or agree to the agreement. It seems there are two parties negotiating what will impact a third party. He hopes to be given an opportunity to review the agreement and give input before it's signed. The SESD transfer cost is a concern because he is being forced into the City at a higher power cost for life. SESD is being compensated for losing a customer, but he is not being compensated for additional costs. The sponsor told him directly that he doesn't want industrial zoning but wants to preserve open space with single-family residential with large lots. His concern is that there were misrepresentations made at the time of the petition and neighbors may want to remove their signature. The City Council will make decisions that impact us but asked the City Council to put themselves in his shoes. He questioned if he will be able to sell his property as horse property or will it be industrial.

James Samuels grew up in the area and lives in his childhood home. He drives trucks for a living and delivers to the farms. Getting off the exists are a joke, and these things need to be addressed. He understands progress has to happen but doesn't like the idea close to home.

Noreen Lerwell is a non-petitioner. She has incredible neighbors and feels the pain. She lives across from Eversage Apartments. She feels they have no voice and it's pointless. It's like walking away from a game before the final inning. She feels threatened, placated, and not listened too. They weren't listened to when Eversage Apartments came in. She asked if it was a done deal years ago when they used the clickers. She asked the Council to look to their hearts, to slow down, and rethink.

Bob Rassmussen stated putting a light industrial zone in a rural area where the residents don't want to be part of Payson City right now and putting something in that the City doesn't want in its current city limits, is almost unspeakable. If the City wants more light industrial, put it in with the current residents. Don't put it in a rural area where we've created a lifestyle and built our dreams. He lived in Orem for seven years and Provo for 18 years. All those years, he would say he lives in Orem or Provo, but he is from Payson. Please don't make me ashamed by your actions of saying he is from Payson, and don't infringe on our property rights. Your responsibility as a city official is to protect the rights of property owners and not line the pockets of developers.

Harrison Oldham stated he was born and raised in West Mountain and does cutting and bailing of hay. He has a real job just to afford farming. It's not much, but it's a way of life. He has two young boys and would love nothing more than for them to have a similar upbringing. If this turns into a concrete jungle, they won't have it. People say he could move to another place, but other places don't have the water system or capacity like we do here to produce the agriculture here in Payson. He hopes it never

gets to that point that produce is shopped in here. Money comes and goes. Let's look at the big picture, at what's important; and keep this lifestyle.

Suzanne Kellis is fairly new to Utah and hasn't attended a meeting like this that was opened by prayer. It was beautiful, and she appreciated it. She came to Utah leaving a home she lived in for 30+ years and a community she helped build. She attended a meeting similar to this with 300 people in favor of her husband and his job. The council folded their arms and didn't listen to a single person there. Because of that, we left. One of the lessons she learned from that is having a deep hope that people can come to the table without folded arms and closed ears but a willingness to hear and support the will of the people and not business. She comes tonight with a desire for these people who have come here for a way of life to be heard.

Patrick Kirby questioned the sewer line that went down 9600 South and if it was passed through a committee such as this. He drives down 9600 South every day as many here do. You can make a plan and do the right thing; but if it's not a good plan, you get a horrible product. That sewer system is a horrible product. This shows him that a committee may think they know what they are doing, and they don't listen to the people and the product shows. It's an eyesore to Payson. Please think about the future of planning their lives and property.

Patti Hollenbeck Dial stated she wishes she could be surprised by the council's decision. Unfortunately, she's not. There is a part of her that hopes the meetings she's attended with the City Council and at Lance Wilson's house really were true that their voices could be heard. She knew the decisions had already been made, but she had faith in democracy. She's so disappointed in the Payson City Council and Planning Commission. She feels they were strung along, pretending they had a right and a voice. She's not trying to be mean; these are her sincere feelings. This world is evil, and it's all about money, power, and control. She hoped the Council had the foresight and vision she had when she moved here where people could drive along the freeway and see a beautiful place for people to move with land, families, and community. A safe place where people could raise their children in freedom, love, and good values. She never thought she would see cement, buildings, and industrial along the freeway. She had hope and faith in the Council that we wanted a banner along the freeway that said Payson is a city of families, education, parks and recreation, and people matter more than concrete and money. She's so disappointed and disheartened. She doesn't feel listened to and misled. She loves her neighbors and the fight they have led. She hopes Payson thinks about the future and not about the moment. Noreen Lerwell had a good point; what's the rush.

Abbie Finlinson noted her property butts up against her brothers. Her family has had this property for over 100 years, and she planned to pass it on to her children and grand children. If this goes through, it will be industrial to the back of her property. She can stay there but can't sell her home because it can't be industrial and residential. It will be zoned industrial. Her uncle was a mayor, and her ancestors founded this city, and that property has been in the community of family for 100 years. This is the biggest reason she opposes this annexation.

Councilmember Provstgaard stated he will recuse himself. He has been reminded by wonderful people that he has a sister and brother-in-law that's involved. He has received viral texts reminding him that he has family involved in it. He will recuse himself from the vote but will speak as a citizen of Payson.

Bob Provstgaard stated he is a life-long resident of Payson City. He was born in 1956 in two offices behind this room in this very building. He graduated from Payson High School in 1974. As he

graduated, several friends moved away. He left on a mission; and when he came home, all his best friends had moved away. He had the opportunity to talk to them and ask why they moved. They said there were no jobs in Payson, and there was nothing to keep them here. He wanted to make a difference and stop families from leaving and find a way to keep them here. In late 80's, he was appointed to the Planning Commission. He took upon himself the opportunity to take some classes and be educated in urban, rural, and city development. He served with some of the greats such as Brent Tuttle, who is a land engineer, and John Cowan, who was a regular citizen of Payson that just wanted the best for Payson City residents. In the early 90's, he was elected to the City Council and served. Immediately work began to update the General Plan. For years, he sat here for public hearings to take public input and maybe one, two, or three people showed up and maybe two or three written comments. Notice was posted in city buildings and everywhere to take public input. Three years ago, this Council took public input on updating the Master Plan. He represents 25,000 people and understands there is a neighborhood here. The mentioned protest laws are state laws. In a recent experience, the City has been forced by the State Legislature with diminished power on subdivision approvals. He gets the pain. He is offended by some of the comments. He and Mayor Wright are not on the take. We are good Payson City residents and have lived here our entire life. He has known Bill (Mayor Wright) and Linda (Councilmember Carter) his entire life of 67 years. He believes them to be of the upmost integrity; never to do a backroom deal. The Master Plan was updated a few years ago. When the truck lane (9600 South) went in, it became the truck route, which comes from Utah Avenue around and up to the freeway. The freeway is very outdated, but the City received \$110 million for the new interchange, which will begin shortly. He had the opportunity to travel and pay his own way to visit Knack in Chicago, Illinois. We were lucky to bring Knack to Payson. He has seen Payson High School graduates work there. He had made a way for his family to stay here. Since that time over the past 30 years, He has continued to serve the City. Recently, the City announced that Utah Valley University and MTECH were coming to Payson. Through hard negotiations, we found a way to educate our children. The City invested \$1 million with MTECH for space to allow anyone with a startup business to receive training. Over 50 percent of our growth is our families. Where will you put them; growth is inevitable. He looks at a different perspective. Our families want to stay in Payson or come back to Payson. Where will they live and work? The industrial boundary and truck route was made in the 90's and hasn't changed. Why suddenly are we panicking? A comment was made that they couldn't believe they would wake up in the morning and look at a concrete building. Half of you made your living in those concrete buildings elsewhere. Another comment, they could believe the City would take farmland and pave and concrete it. Some of you who spoke the other night have paved more farmers land then he dares to count. We don't want to take on the nimby affect meaning you can have it in Provo and Orem but not in my backyard. My grandkids want places to live around me. The greatest accomplishment of the City has been managing the growth. We are not Spanish Fork or Springville; we are Payson. We've kept the Payson hometown feel. The City has new ways to bring citizens together such as Adventure Days. The City is trying to do everything it can for families to come and enjoy the community spirit. He is proud of what he's done over the last 30 years. Some of you have told him it's time to step down; and he is. But he will leave with his head held high because businesses and developments brought to Payson have benefited 25,000 people. Now speaking of it in your backyard, in the late 90's, new legislation required affordable housing. This allowed more housing on the same property such as a duplex. The first project built was next to him; an addition from one duplex to another duplex. While he wasn't really happy with it, he has had the most wonderful neighbors. The City is going to grow; help us grow for our families to come here, supply the jobs, maintain the hometown feel, and be a community that takes care of our own.

MOTION: Councilmember Hiatt – To close the public hearing. 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

Council Discussion:

Councilmember Christensen disclosed that Justin Hill is his uncle, so he leaves the decision to the three remaining council members. He agreed with the things Bob Provstgaard said. It is important to understand that the City needs those jobs and to move forward. The City tried to find the best locations for light-industrial areas. With access to the freeway and the railroad, it seemed the best place in the General Plan. Unfortunately, it does affect people, their dreams, and their heritage. He hopes it doesn't devalue property and maintains that there is value in everything. He will abstain from this vote.

Councilmember Beecher asked if the petitioners were here. A comment was made earlier that the petitioner thought the property would come in as low density residential.

Justin Hill stated he appreciates these meetings where we live in a free country and are allowed to speak. He appreciates those who have come out, whether for or against. On the other hand, this all started because he wanted to build a shop. The zoning has always been light industrial; he was never led it would be single-family homes. He has always been against high-density housing in this area.

Councilmember Hiatt agreed the road (9600 South) is an issue. Even though the road is widened at this location, it won't be widened up the road. It is getting bad. The City needs to look past this area, so it doesn't bottleneck. She is sorry about the protest issues; she thought protest could be submitted.

Councilmember Beecher agreed 9600 South is a concern.

(Councilmember Christensen excused)

Discussion that 9600 South will be annexed into Payson but will remain under the jurisdiction of Utah County because it's a corridor for the County and a truck route.

Jason Sant noted with two council members abstaining, a unanimous vote will be needed to pass any motion. If vote of 2 to 1, the motion fails, and the item is denied.

Robert Mills clarified that the zoning of the property will include 9600 South on a map but is considered a public facility. The General Plan shows the northeast corner of the property as commercial, the southeast corner is high-density housing, and office flex/industrial is the remainder. Staff's recommendation is that 400 West (3550 West) and 900 North (9600 South) create a really good buffer. It doesn't make sense to extend high density over 400 West. The commercial node may be something to consider in the future. Currently, staff feels the I-1 Zone makes more sense. The office flex/industrial is intended to be light industrial, internal uses. To be very clear, the Council has the opportunity to assign zoning at this point if approving the annexation. If the I-1 Zone doesn't make sense, then maybe for the Lerwell and Carroll properties the A-5-H zone (agriculture) makes more

sense. These are things to consider. Staff felt this created a good buffer because it connects to existing light industrial areas identified on the General Plan that are moving forward. This information can be included in the motion. A mix of uses is going to occur even if zoned light industrial. A home can exist as a legal nonconforming use. The point has also been made and is very true that the other properties have the ability to participate in light industrial uses. This is an area of transition, and this is how many cities continue to develop on the fringes. There are many other homes in the City that have transitioned over time to another zoning. The item can be tabled as well.

MOTION: Councilmember Hiatt – To remand back to staff and discuss further. 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
Abstain-		Bob Provstgaard

Jason Sant noted the public hearing has been held so the future meeting will not be a public hearing.

2. Ordinance – Amendments to the General Plan specifically the Spring Creek Area Specific Plan (7:40 p.m.)

Discussion that the agenda item should be Spring Creek and not Spring Lake. The public hearing was noticed correctly.

Staff Presentation:

Robert Mills asked that the Council hear the presentation and then maybe consider tabling the item. The Planning Commission held a public hearing with a lot of discussion and testimony. People are passionate about this area. This is the Spring Creek Area Specific Plan, and he has been involved in this process for a couple years now. The original area has been expanded to provide a more contiguous area. An area specific plan is an advisory document used to help guide future development of a specific area. It is a tool to help property owners, residents, staff, and elected officials make informed decisions about a future development request. A general plan is the 10,000-foot-level view, and a specific plan is the 500-foot-level view to include more detail and understanding. A specific area plan is not a new zoning map, annexation petition, or change to any current zoning ordinance, and it doesn't require property owners to change how they use their property. Property owners determine when land uses change, and the purpose of this is to anticipate that change and give guidance.

Previously, a steering committee was formed about a year before his involvement, which was expanded after he was involved. Steering committees are not formed to just agree on a certain consensus. They are created to hear everyone's voice and understanding but also to give guidance for implementing the General Plan. A result of this is the Spring Creek Area Plan - future land use map that provides a mix of housing use types for the area, neighborhood scale commercial nodes, expanded business park area, expanded light industrial use, additional parks and greenways, and future roadways that follow a grid pattern and provide improved access. The Planning Commission recommended removing "heavy" industrial uses. It is known that parks, churches, and schools come with the uses prescribed. The General Plan calls for 2 to 5 units per acre. The gross density calculated by the number of units and the area and subtracting the business areas is 1.78 units per acre with a net density (minus roads and parks) of 2.54 units per acre. It's possible because density is put in the right locations. There

are areas (brown) that could be up to 8 units per acre located along transportation corridors to allow buffering to lower-density areas. The green areas are a minimum of one acre per unit, and light yellow is up to two units per acre. The yellow dots identify existing single-family homes. Plans are impactful and represent possible change. He viewed neighborhood scale commercial pictures. Preservation of open space and addition of parks and greenways are included. The future expanded business park and light industrial uses are intended to be enclosed with associated traffic and employees. Future great access from the freeway along 800 South is anticipated. Infrastructure includes a lot of effort and planning with an additional water tank and possible well. The planning commission hearing received lots of public testimony in opposition to the plan as well as extensive planning commission discussion. Several planning commission motions were made including remanding back to staff to look at reducing density especially long the 800 South corridor. This motion was seconded but did not pass. A second motion was made to forward a positive recommendation to the City Council, which passed on a 4 to 2 vote. He appreciates everyone's concerns and coming out for the area. The most recent open house was held a few weeks ago. He suggested tabling the item to ensure the title is properly noticed.

Council Discussion:

Councilmember Beecher noted 800 South shows a proposed alignment and questioned if it is set in stone. When adopted, it doesn't change anything happening now in the area or on the properties.

Robert Mills stated it's important to point out that an 800 South Corridor Study was done and is an integral part of this plan to ensure there is a good connection from the freeway to 5600 West. The study went through several alternatives and a variety of factors with a steering committee that included Mountainland Association of Governments, Utah Transit Authority, and the Utah Department of Transportation (UDOT). This alignment represents the best alternative involving getting up and over the railroad crossings, land not significantly impacted by wetlands, and to create a good corridor straight west. Another alternative had a similar crossing; but at 690 South, it jogged back down to 790 South and continued to 5600 West. This was not preferred by UDOT because of the alignment issues. The City Council voted on this alternative and is part of the city's transportation plan. It is an official corridor, but no official engineering or EIS has been done.

Councilmember Provstgaard noted people selling property and doing development is what precipitates this. Staff was asked to work with the Finches on the property triangle issue.

Robert Mills stated the City hasn't received any active annexation petitions, but staff receives a lot of questions from those interested in selling or have put their property up for sale and potential buyers. Currently, all the City has now is the General Plan. The Finches were on the steering committee. The triangles create opportunities for corridor preservation, which are purchased and gives the property owner compensation. There could be other uses as well.

Councilmember Hiatt questioned if the red bridge is being knocked down.

Robert Mills clarified that this information was not available during the study. The consultants used the requirements of vertical clearance and horizontal right-of-way to design and determine the corridor location. If the bridge is gone, another bridge would probably need to be built there.

MOTION: Councilmember Beecher – To table until noticed correctly. Motion seconded by Councilmember Provstgaard. A roll call vote was taken as follows and the motion carried.

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

3. Ordinance – Amendments to Title 5, Storm Water (8:05 p.m.)

Staff Presentation:

Travis Jockumsen reviewed the amendments to Title 5, Storm Water. Based on the stormwater audit, updates were needed such as enforcement actions on stormwater or SWPP. The state requirements have been updated and inconsistent language corrected to match current engineering and guidelines.

MOTION: Councilmember Beecher – To approve the ordinance amendments Title 5 Stormwater 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 - Taresa Hiatt
Yes - Bob Provstgaard

E. WORK SESSION

1. Annexations

This item will be rescheduled.

F. ADJOURNMENT

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

The meeting was adjourned at 8:10 p.m.

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