

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, February 7, 2024

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Taresa Hiatt, Brian Hulet, Anne Moss, Ryan Rowley, 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
Karl Teemant, Community Services Director
Shawn Black, Power Director

OTHERS Wendy Osborne – Tabitha’s Way, Sarah Ogden, Dr. Grace MacDowell

A. CALL TO ORDER

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 5:30 p.m. The meeting was properly noticed.

B. ADJOURN TO CLOSED SESSION

MOTION: Councilmember Hulet – To adjourn to closed session to discuss the purchase, exchange, sale, or lease of real property and a personnel matter. Motion seconded by Councilmember Rowley. A roll call vote was taken as follows and the motion carried.

Yes	-	Brett Christensen
Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

1. Discussion regarding the purchase, exchange, sale, or lease of real property
2. Discussion regarding the character, professional competence, or physical or mental health of an individual

C. ADJOURN FROM CLOSED SESSION

MOTION: Councilmember Christensen – To adjourn from Closed Session. Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Anne Moss
Yes - Ryan Rowley

(Councilmember Christensen excused.)

D. PRAYER & PLEDGE OF ALLEGIANCE (6:15 p.m.)

Prayer offered by Brian Hulet.

Pledge of Allegiance led by Anne Moss.

E. CONSENT AGENDA

1. Approval of the January 17, 2024, City Council Meeting Minutes
2. Approval of the January 20, 2024, City Council Budget Retreat Meeting Minutes
3. Quit Claim Deed for Villages at Arrowhead Park Plat F Trail
4. UTOPIA Easement at approximately 100 South and 100 East
5. Resolution – Southern Utah Valley Power Systems Board Appointments
6. Resolution - Amendments to the Payson City Fee Schedule
7. Resolution – Agreement with Alder Construction regarding the Sewer Plant Upgrade

Michael Bryant clarified the recorded plat for the Villages is slightly off from what is on the ground so the cleanest way is to quit claim the property back to the developers, and then the new plat will be recorded giving the trail property back to the city.

Cathy Jensen stated because of the sales tax changes January 1, 2024, Tracy Zobell wanted to change fees so when the tax is assessed whole numbers are created. The RV park wanted a \$5 increase on the weekend and weekday price.

Travis Jockumsen noted the state gave permission to award the contract for the wastewater plant, which was awarded to Alder Construction. The contract was modified to meet all the federal requirements, which were required by the state. The cost went up some, but Alder Construction dropped some of the contingencies. Adoption of the agreement will allow construction to begin immediately. Originally, there were three or four contractors that bid on the project.

MOTION: Councilmember Hulet – To approve the consent agenda adding the golf fees with the RV park fees. Motion seconded by Councilmember Rowley. A roll call vote was taken as follows and the motion carried.

Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Anne Moss
Yes - Ryan Rowley

F. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. CTC: Mayor's Youth Recognition

Mayor Wright and Karl Teemant presented Mayor's Youth Recognition Awards to Nailah Cid, Mt. Nebo Middle School, Moses Mortensen, Payson Junior High, and Chelsie Farnsworth, Payson High School.

2. Presentation by Tabitha's Way (6:28 p.m.)

Wendy Osborne thanked the city and residents for their support. She asked the city to support Tabitha's Way in bringing a mobile pantry to Payson, which is in conjunction with the Utah Food Bank and the LDS Church. The function of a mobile food pantry is for emergency access to food for the community. Tabitha's Way has a location in Spanish Fork, but traffic patterns and population has changed in the area. There isn't a location in Payson or the surrounding communities for people to get food assistance, and some people have a challenge getting to Spanish Fork. This area has been identified as a food desert meaning food access is difficult. It is estimated with the populations of Payson and Santaquin that 7,500 individuals need access to this mobile food pantry. When the surrounding areas are included, it is closer to over 8,200 individuals needing food assistance. Tabitha's Way served over 63,000 individuals, which is a jump from around 45,000 the year prior. The need continues to grow, and this provides a solution. The pantry in Spanish Fork provides staples such as fruit, dairy, and meats. The intent and goal are to have a full satellite pantry in this area, which depends on funding but is the ultimate goal. Tabitha's Way is working with the LDS Church and the Utah Food Bank to find a location, and two site locations have been identified.

Mayor Wright stated he met with Wendy Osborne a couple times to discuss this mobile pantry and gives his full support. We do have a place that would be very accessible to citizens. We now need to get everyone on board and the necessary approvals. He hopes it will happen in the next couple of months.

Councilmember Moss thinks it's a great idea, and this area has a serious need. She questioned if formula, rice cereal, and food for babies and toddlers is provided. Some people are hesitant to come to a food pantry, and asked if people are questioned to gain food.

Wendy Osborne confirmed that baby food is available at the satellite pantry but not sure if it is available at the mobile pantry. What is available at a satellite pantry is different than what is available at a mobile pantry because it has to do with logistics and refrigeration for food safety. Questions are asked for identification, but it doesn't matter what that identification is. With their address, a food pantry account can be created. Other questions identify what the root causes of food insecurity are so resources that can be provided.

Councilmember Rowley supports this organization and has worked with Tabitha's Way through various calling in the Church of Jesus Christ of Latter-Day Saints. We live in the greatest country in the world, and we need to increase our ability, so no one is hungry. Driving through creates anonymity and dissolves some barriers. He questioned the timing and location of the mobile pantry.

Wendy Osborne stated the mobile pantry will come Friday mornings, twice a month, typically from 7:30 a.m. to about 12 p.m.

Councilmember Hulet is very supportive of this. He questioned how word will get out to the area and what other programs are available for long-term users to help them move forward.

Wendy Osborne stated word goes out via social media and by identifying and contacting those who currently drive to the mobile pantry in Benjamin. Tabitha's Way will work with its network of other agencies such as WIC, the LDS Church, and school district. She relayed a story of a woman who was able to finish nursing school because she received help and food from the pantry. Tabitha's Way works with many agencies that offer other resources for individuals and those agencies work together.

Councilmember Hiatt questioned if this is done in other states. Utah is a great state that helps other people.

Wendy Osborne stated many states do have similar programs and some states have better networks than others. Tough times always exist. Tabitha's Way is working to build no hunger zones. The bulk of funding is from private organizations, foundations, and individuals. Business owners can go to tabithasway.org to donate.

3. Public Forum (6:47 p.m.)

Sarah Ogden stated she noticed a lot of dogs roaming around and wants to help solve the animal homeless issue because the shelter is full. The issue of goats on smaller lots was brought up a couple of years ago, which she supports. The road is bad at 700 West and 200 South with a full pond in the road.

Dr. Grace MacDowell stated during the campaign she was very supportive of using the acquisition of the elementary school for a youth drop-in center and asked the council to pursue that idea to give the youth the support they need.

4. Staff and Council Reports

Staff Reports

RECREATION – Karl Teemant reported there was about \$70,000 remaining from last year in the PARC Tax fund. Three projects were identified: the sidewalks in Memorial Park, Spring Lake dredging, and cemetery roads. The cemetery roads are done, and the dredging is complete. The PARC Tax Committee is supportive of completing the sidewalks/asphalt in Memorial Park by this spring. Councilmember Hulet questioned if this needs to be approved by the City Council. Dave Tuckett clarified that it was addressed in the previous list, and there was positive support for it. Jason Sant stated it doesn't need to come back to the Council.

DEVELOPMENT SERVICES – Robert Mills stated the second public hearing for the Spring Lake incorporation will be held Tuesday, February 13 at 6 p.m. at Spring Lake Elementary. There are unanswered questions as to how things will move forward once incorporated. Payson has good relationships with its neighboring communities and plan well together. The Downtown Gateway Plan open house focusing on north Main Street from 100 North to I-15 will be held Thursday, February 22 at 5:30 p.m. at the City Center. He was invited to be on the Utah Valley Home Builders Government Affairs Committee, which met today. He distributed a list of bills from this legislative session that the Committee is following. He doesn't agree or disagree with any of the information but wants the

Council to see the perspective. The Utah League of Cities and Towns (ULCT) also provides great information. Councilmember Hiatt questioned the purpose of LIDs. Robert Mills stated LIDs are similar to PIDs as an infrastructure financing tool to allow property owners access to the bond market to overcome infrastructure costs. A LID can become a taxing entity. A large difference is there is an assessment on each lot that has to be paid prior to receiving a certificate of occupancy, which is very concerning to him because only certain requirements allow a certificate of occupancy such as health, welfare, and safety. Jason Sant stated the ULCT has a vote against this bill. Discussions have been held to move the payment up to building permit. Something may pass, but it's unsure of how it will read. Robert Mills noted the creation of a LID doesn't excuse the community from adhering to regulations, but the creation doesn't require council approval.

Council Reports

Councilmember Moss stated she met with Dona Gay and toured the library. The library staff has done an amazing job with old building. She attended the Library Board meeting and learned about the Onion Days book sale where over \$3,000 was made. They are gearing up for library months and are getting two more self-check kiosks for a total of four. They are getting new security cameras and discussing acquiring funding for a story walk around Spring Lake. She would like to get a feasibility study done for a new library. It was an honor to meet with Tammy Evans who is over the Senior Center and who will be retiring. She toured the Senior Center where they have puzzles, books, an art center, and wood shop; it's a great resource for the senior community. She met with Jim Rowland with the Chamber and attended their retreat. She encouraged local businesses to join the Chamber. The Chamber offers scholarships to high school students.

Councilmember Rowley reported he attended the SUVPS power meeting where they are moving forward to apply for a bond to update transmission lines and substations to provide power to the area. He will get the figures on the portion for Payson. Payson is fortunate to collaborate with neighboring cities to provide power. Some residents reached out about graffiti; he thanked Chief Bishop for getting it cleaned up.

Councilmember Hulet thanked Linda Carter, Bob Provstgaard, and Kirk Beecher for their service and the opportunity to serve with them. Payson is working on a survey to dive deeper into some capital expenditure, which the library was one of the items. He's excited about the historic downtown project and the new streetscape. The historic downtown is an entity that received \$13,000 from the State to help administer the downtown as a liaison between the businesses, contractor, and city. Someone was found who worked with Mountainland Association of Governments and a contract should be in place in a couple of days. Another person has offered to volunteer to help the businesses with Facebook and to become a tier 2 downtown. He's excited to help the businesses be successful. There is a National Main Street Program, and people are coming out to tour Payson on June 12. The state has a conference on June 13 with the 17 Main Street Programs, which will be hosted here in Payson.

G. ACTION ITEMS

1. Resolution – Real Estate Purchase Contract with Brokers Investments LC for property located at approximately 37 West 100 North (7:17 p.m.)

Staff Presentation:

Dave Tuckett stated while working on the downtown project, the city looked at purchasing the parking lot (.37 acres) for a storm drain facility, which is the big hole between the First Security Bank building and the Chinese restaurant. This will also provide additional parking for the downtown.

Council Discussion:

Councilmember Rowley questioned section 9, Revocation, of the parking agreement and backing out in 180 days.

Dave Tuckett stated this has been updated. One of the conditions of approval is a parking agreement. The current language is that it could be revoked upon agreement of both parties. The language reads, Declarant and the Brokers Investments, LC expressly understand and agree that this License and the rights stated herein may be revocable by mutual agreement of the parties. Also, a provision was added that there is no overnight parking unless with a permit.

Jason Sant stated the parking agreement is still being worked on and will become an addendum to this purchase contract. The parking agreement will come back to the council for approval.

Councilmember Hiatt asked that when Main Street is done, the people living in the apartments be required to park in the back instead of the front.

Dave Tuckett stated we want them to park in the back, which will require a permit. It was brought to the City Council a few years ago that there is no overnight parking without a permit for those living there. With the completion of the Main Street Project, which will be cleaned up and enforced. Signage will also be added so the apartment residents aren't parking on Main Street.

Councilmember Hulet thanked ERA for being cooperative with this tough situation. He wants to make sure the contract addresses that once signed the City is able to continue to work on the project, so it isn't slowed down. This was a large mistake with a lot of departments working on this big project; it's been a challenge. We've discussed solutions that can be learned from this. He suggested a written policy to manage these types of situations.

MOTION: Councilmember Rowley – To approve the (resolution) Real Estate Purchase Contract (REPC) with Brokers Investments LC for the property located at approximately 37 West 100 North for Payson City to purchase approximately .37 acres of the parking lot and move forward with that purchase and approval of this REPC is contingent on the City being able to expedite and continue construction through contract period. Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Ryan Rowley
No	-	Anne Moss

2. Resolutions – Appointment to the Board of Trustees of Red Bridge Public Infrastructure District No. 1 and Red Bridge Public Infrastructure District No. 2 (7:28 p.m.)

Staff Presentation:

Jason Sant stated Joe Spencer is no longer on the Board of Trustees for Red Bridge PID No. 1 and No. 2. The council has the power to appoint someone to the Board. Once residents move in, the power will change over to them to control the Board. One applicant, Mr. Michael Crandall, was submitted. Staff have ensured that he has sufficient connection and property ownership, so he meets the requirements by law to be on the Board. Staff recommends approving Michael Crandall to the Board of Trustees.

Michael Crandall stated he works at Provo Abstract Company, which has been working with the developers. He noted PID 3 was terminated.

MOTION: Councilmember Moss – To approve the resolutions appointing Michael Crandall to the Board of Trustees of Red Bridge Public Infrastructure District No. 1 and Red Bridge Public Infrastructure District No. 2. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

3. Payson View Estates Plat I PRD (Phase 4) located at approximately Main Street and 1850 South (7:32 p.m.)

Staff Presentation:

Michael Bryant stated this comes to the council because it's a planned residential development that requires preliminary approval by the council. The public hearing was held with the Planning Commission. He reviewed the location of the proposal from 1800 South to 1900 South along Main Street. This subdivision was part of the Mower Annexation Specific Planned area that allowed for a variety of densities and lots that can vary if consistent with plan. The subdivision included a variety of densities with low density from 2 to 3 units per acre and medium density from 3 to 4 units per acre. This subdivision includes 22 lots varying from .20 to .39 acres. The applicant is proposing a bridge across the canal but wants to defer construction until the fall, which staff suggests an agreement. Staff feels this request is consistent with the General Plan and the Mower Annexation Specific plan and recommends approval.

Council Discussion:

Members of the council questioned the cul-de-sac continuing through and the irrigation pond on the property. The cul-de-sac will not continue because of the trail to the north. There are multiple irrigation ponds in the area. Developers are required to work with the irrigation company or private landowners to relocate or pipe these facilities. This requirement needs to be specifically addressed.

MOTION: Councilmember Hulet – To approve the (resolution) preliminary plan for Payson View Estates Plat I PRD (Phase 4) located at approximately Main Street and 1850 South. Motion seconded by Councilmember Rowley. A roll call vote was taken as follows and the motion carried.

Yes	-	Taresa Hiatt
Yes	-	Brian Hulet
Yes	-	Anne Moss
Yes	-	Ryan Rowley

H. ADJOURNMENT

MOTION: Councilmember Hiatt – To adjourn. Motion seconded by Councilmember Moss. Those voting yes: Taresa Hiatt, Brian Hulet, Anne Moss, Ryan Rowley. The motion carried.

The meeting was adjourned at 7:43 p.m.

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