

PAYSON CITY  
CITY COUNCIL MEETING, REDEVELOPMENT AGENCY, AND WORK SESSIONS  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, December 6, 2023

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  
Michael Bryant, Planner II  
Tracy Zobell, Parks & Golf Director  
Karl Teemant, Community Services Director  
Shawn Black, Power Director  
Shelby Bohling, Communities That Care Coordinator

OTHERS Lance Wilson, Dewain Cluff, Patrick Kirby, Bart Wilson, Tahira Carroll, Susan Lester, Senator Mike McKell, Representative Doug Welton, Anne Moss, Mark Beauchamp – Utility Financial Solutions, Jillian Jurczyk – Utility Financial Solutions

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 5:02 p.m. The meeting was properly noticed.

A. WORK SESSION

1. Moderate Income Housing and Accessory Dwelling Units

Staff Presentation:

Robert Mills stated the City has allowed internal accessory dwelling for a number of years. In 2021, the State Legislature allowed internal accessory dwellings in owner-occupied structures throughout the state. Payson City is compliant with the state code regarding internal accessory dwellings but does not currently allow them in detached structures. One of the moderate income housing strategies selected by Payson was “create or allow for, and reduce regulations related to, internal or detached accessory dwelling units (ADUs) in residential zones.” Tonight, he would like to evaluate some of the requirements necessary to allow detached ADUs in residential zones, which the City doesn’t have to allow. He reviewed some illustrations of different ADUs. Stand-alone detached and over the garage are not currently allowed in the City. Attached and basement ADUs are currently allowed in the City. An internal connection is no longer required, and there can be a separate external entrance. He asked for thoughts on the following:

- Setbacks

- Accessory structures aren't allowed in the front setback and must be at least 5 feet from the side and rear property lines.
- Is this an appropriate distance for an accessory dwelling?
- Discussion: Ensuring access and not building on a public utility easement.
- Building Height
  - Accessory structures cannot exceed 18 feet in height.
  - The current height limitation could eliminate an accessory dwelling from being built over a detached garage.
- Parking
  - Currently, three parking spaces are required for a dwelling with an interior accessory dwelling unit.
  - Would additional parking be required?
  - Discussion: These are off-street parking spaces including the garage and in the driveway. Currently, there are issues in the City where parking is occurring in the front yard not in the driveway.
- Size
  - Currently, the size of structures on a lot is only limited by the maximum lot coverage (40%-50%), depending on the size of the lot.
  - Discussion: A 10,000 square foot lot could only cover 45% of that lot in a structure, which is anything with a roof and doesn't include hard surface.

He asked if detached ADUs were allowed in the City, what would the requirements be. He noted that moderate income housing, affordable housing, housing affordability, housing attainability, and starter homes. Those terms are not interchangeable; they are different things that get lumped into one big group. It comes out that a \$450,000 house or dwelling is an affordable house, which is affordable to someone but not the majority of people in Payson. In Utah County, the livable wage for a household is \$104,000 to afford housing at 30% of gross income, basic food, utilities, and transportation. About 55% of the residents of Payson would fall in moderate income housing, which is 80% of area medium income (\$96,000 Utah County). It is a big issue when you start putting numbers to it; the City needs to consider and concentrate on it.

To make the process easier, communities are providing preapproved building plans, if sited correctly on the property, to make the process easier if this were a direction the City would want to go. He asked how the Council feels about detached ADUs.

Discussion:

Councilmember Christensen stated he would personally limit the lot size to 1/3 or 1/2 acre for external ADUs. He sees exterior ADUs opening a can of worms for tiny houses. He questioned if an exterior ADU qualifies as a tiny house.

Councilmember Beecher disagreed with requiring a certain lot size. He likes the 40% to 50% maximum lot coverage scenario. Exterior ADUs are a good way to help with our range of housing. He doesn't see that much difference between exterior and interior ADUs.

Robert Mills clarified customarily only one ADU is allowed per lot; beyond that it's considered multifamily. An ADU can offset a mortgage and provide affordable rent.

Councilmember Hiatt questioned the issue with tiny houses. She doesn't have a problem with them. In St. George, there are all these mother-in-law apartments, which are basically a tiny house.

Councilmember Christensen noted he thought the issue with tiny houses was firefighting and ingress/egress.

Robert Mills clarified there is nothing to say a city can't impose a size minimum on a dwelling.

Councilmember Provstgaard stated the City needs to be proactive, or the state will mandate. He prefers having a choice than being told. The city residents, as a whole, aren't ready for the picture that was shown with the exterior ADU. Payson residents understand there are more and more family members living with family. An AUD makes sense rather than people standing on top of each other in a home. This allows some synchronicity with parking that the City can legislate and control. Setbacks are very critical for the future. He doesn't have a problem encroaching on a PUE because some are 10 feet. If the PUE isn't encroached upon, he's in favor of increasing the building footprint. Less landscape and larger footprint. Setbacks make good neighbors.

Councilmember Beecher recommends staying outside of the PUE. It's a lot easier to not have it on the PUE than it is to get it out of the PUE.

Robert Mills stated if exterior ADUS are allowed, there could be an 18-foot-tall dwelling ten feet from the next one on someone else's lot. Some areas such as planned unit developments are allowed a five-foot setback.

Mayor Wright stated he would like to allow exterior ADUs if done the right way creating good neighbors and fire access. If the City doesn't allow them, the state will make the decision.

Robert Mills asked if a ten-foot setback is more appropriate.

Discussion: Yes, if the footprint is increased. The ADU building height shouldn't be over 18 feet and no two-story buildings used as an ADU. Parking needs to increase to two additional spots for an exterior ADU.

Anne Moss stated there are several factors to address before making the decision. People already don't follow the parking requirements in the City. This could limit how many people want to do it. If they can use their garage for parking and not fill it with junk. Eighteen feet high is a lot. She has been watching tiny home videos, and there are many different kinds with lofts depending on the pitch of the roof.

Robert Mills stated he has a fairly good direction.

## 2. Discussion of Main Street Project

Dave Tuckett stated the Main Street Project was put out to bid. About 15 contractors attended the pre-bid meeting but only one bid was received from Red Pine Construction, which was more than budgeted. There is about \$7.7 million available to spend. The bid covers SR-198 to 700 South at \$12.7 million. Staff went through the costs block by block. To do the two blocks, Historic Main Street, is about \$6 million and doesn't include the parking lots. The bid documents included string lights along

144 Main Street, but the bid is charging \$70 per foot for these lights at almost \$200,000. The cost of the  
145 water feature is \$250,000. If the City can save half a million, it still isn't enough to do another block.  
146 With the bid, the project can go from SR-198 to 300 South and replace everything on those blocks.  
147

148 Discussion:

149 The infrastructure must be rebuilt during the project. The City will need to find funds each year to go  
150 from 300 South to 700 South in phases. The library parking lot needs to be done and isn't part of this  
151 bid. It could be done next year by allocating about \$300,000 and using storm drain funds because of  
152 Petetneet Creek. The staff needs to let Red Pine Construction know and award the bid so they can  
153 plan for next year. Staff will meet with the lobbyist next week to see if the City can get additional  
154 funds because costs have gone way up.  
155

156 Councilmember Provstgaard stated he had the opportunity to tear the bid apart. He agrees with  
157 removing the string lighting to save \$100,000. Any savings would be for the parking lot. Pavers are  
158 \$70 per square foot for a total of \$400,000. Red colored or stamped concrete will save \$200,000.  
159

160 Travis Jockumsen suggested just colored concrete because stamped concrete causes issues if there is a  
161 need to dig through it. Sidewalk is \$18 square foot.  
162

163 The consensus of the Council is to keep the water feature. It is a sense of hometown.  
164

165 The consensus of the Council is to eliminate all pavers.  
166

167 B. PRAYER & PLEDGE OF ALLEGIANCE

168  
169 Prayer offered by Kirk Beecher.  
170

171 Pledge of Allegiance led by Taresa Hiatt.  
172

173 C. CONSENT AGENDA

- 174 1. Approval of the November 15, 2023, City Council Meeting Minutes  
175 2. Resolution – City Council 2024 Annual Meeting Dates and Times  
176 3. Resolution – Recertification of Payson City Justice Court  
177 4. Resolution – Payson Power Project (Nebo) Prepay Commodity Agreement and Tax Certificate  
178

179 **MOTION: Councilmember Hiatt – To approve the consent agenda as presented.** Motion  
180 seconded by Councilmember Provstgaard. A roll call vote was taken as follows and the motion carried.  
181

182 Yes - Kirk Beecher  
183 Yes - Linda Carter  
184 Yes - Brett Christensen  
185 Yes - Taresa Hiatt  
186 Yes - Bob Provstgaard  
187

188 D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

- 189 1. CTC: Mayor's Youth Recognition (6:05 p.m.)  
190

191 Mayor Wright and Shelby Bohling presented Mayor's Youth Recognition Awards to Brylee Bennett,  
192 Mt. Nebo Middle School, Anaya Nielson, Payson Junior High, and Martina Lucero, Payson High  
193 School.  
194

195 2. Public Forum (6:08 p.m.)  
196

197 Lance Wilson stated in the audience today we have Senator Mike McKell and Representative Doug  
198 Welton. He is exited and anxious to have them see how laws passed on the state level affect people on  
199 the local level. In May 2023, a law was passed that to protest an annexation you must be a rural  
200 resident property owner that is defined as owning 1,000 acres of land. It's discouraging for residential  
201 property owners to protect their property rights from annexation. Responses he has received from  
202 county and state levels is that they are trying to address the housing crisis by preventing delay of  
203 annexation and growth in cities. Property owners can't protest the current city annexation because they  
204 don't own 1,000 acres. His point is it is working in the opposite way by paving the way for industrial  
205 development. He hopes tonight the state representative can see this discussion and recognize that this  
206 law needs to be addressed. He understands there have been some changes to the zoning for this area  
207 that may be annexed, and the City contacted the Lerwells and Carrolls to discuss how to maintain  
208 residential zoning for them. His hope is they will have the opportunity to share their feelings. He is  
209 disappointed that the council is voting on this because they asked last month that it be delayed.  
210

211 Dewain Cluff stated he was not born in Utah and has lived in Payson less than one year. He read about  
212 incorporation and annexation, and there is a slight unbalance when it's determined by the state that an  
213 area is eligible for incorporation. With incorporation, the residents have the opportunity to vote and  
214 decide to be a town or city. With an annexation, the residents in the area don't all have the ability to  
215 choose or make the decision and are not asked whether or not they want that to happen to their area or  
216 community. It is an unbalanced manner of annexing properties in our state, and he hopes the state  
217 leaders here tonight can see a way to remedy the situation. He is grateful to the mayor and city council.  
218 They are fine citizens; dedicated and motivated. He moved here because of the atmosphere and  
219 community and wants to see it stay that way.  
220

221 Patrick Kirby stated he wants to address the use of land already in the City by Olson's Greenhouse,  
222 Liberty Safe, Schwans, Depot, Wendys, and continuing to that development where there is a lot of  
223 open land not being used and the farmland is useless as farmland. Roadway safety is another topic. He  
224 often goes to a friend's house south of the City and passes through the 4-way stop by Wendys. He  
225 hasn't been able to take that road for a long time because it's not safe. People go 40 mph in a 25-mph  
226 zone and now there is new development. Roadway safety wasn't planned with this development. Now,  
227 more is going into this area, which is fine because land will be developed, but what is the long-term  
228 plan? There are a number of school buses that go down these roads with bus stops. Road safety is a big  
229 concern. Next, landowners purchase land and are tied into what is there. If want to change that, I have  
230 the right and ability to push for change, and he respects that. He also must respect the right of someone  
231 to say I don't want someone else making my choices. He wants to make sure as the City develops and  
232 grows, it develops and grows into a city where families can live, grow, and develop. We all don't need  
233 to work within the city limits. Thank you for your time and think about the rights of all the landowners.  
234

235 Bart Wilson agreed with Lance Wilson. He drives up and down the I-15 corridor and cities are  
236 becoming concrete buildings. Payson is a home-grown city. He hopes when the Council votes, you  
237 vote with common sense and think about the things you really want Payson to be. We all live in a  
238 drought. There are water issues, and the aquifer is dropping. Think about how Payson was brought up,

developed, and founded with close net people and farming. These concrete buildings make Payson look just like the Wasatch front. He questioned if we really want that; he doesn't.

Tahira Carroll stated she lives in the house that will be affected by the possible annexation. We moved here from the city because we wanted our children to have a farm life. It has been amazing and beautiful. They were one of the few people from Payson to attend the hunter jumper shows. This year in November in Las Vegas was the United States Hunter Jumper Championship, and there were about ten kids from Payson who attended and represented Payson. Her daughter is now a national champion. This is why we moved here, for that lifestyle. The Council will vote what they vote, and she understands the process happens. Payson is a small town. We value small town families, going to 4-H, and riding. You lose that when certain changes are made. The road in front of her house can't handle industrial traffic. If the City moves ahead, then the streets need to be widened. If the City is talking about progress, then there needs to be the money to back it up.

Susan Lester stated she lives on 9600 South. On way to work, two big trucks were trying to turn on 9600 South and she got caught between them. She went off into the weeds because the second truck driver didn't see her. We take our lives in our hands to get onto Benjamin Road. She was a 911 dispatcher for Provo for 15 years and two times a problem was predicted at an intersection and both times someone died. She questioned what's the rush, does someone have to die. She would like to see the problems fixed first before looking at building industrial that will be weeds and fences.

### 3. Staff and Council Reports (6:28 p.m.)

#### Staff Reports

ADMINISTRATION – Dave Tuckett stated the annual council dinner will be December 18 here in the council chambers. He appreciated all the help with the employee hams and turkeys yesterday. He appreciates the council's support.

#### Council Reports

Councilmember Hiatt stated the Grinch at the event last night was awesome. He was great with the kids.

Councilmember Provstgaard thanked the inside staff that the Council depends on week in and week out for the information and documentation. He read a prepared letter. *Dear citizens, neighbors, and friends of Payson City. I have been truly blessed and rewarded serving as a Payson City Council Member. Together we have accomplished great things with more to come. Recently while considering various developments and proposals, public comment and discussions were taken. During those comment periods, negative and defaming comments were noted, of which I made my own comments. I am not proud of them, and I apologize if I offended anyone. I conclude that when we attempt to vilify, demean, or make unfounded accusations of each other, staff, and those petitioning the Council for consideration, we do an injustice to our own integrity and character. Growth is inevitable, we can take the adage of keeping our "heads in the sand" or we can be part of the way we grow. I am proud of our staff, Planning Commission, City Council, and citizenry in being proactive in the growth discussions by preparing for growth that is to come. I invite all to become active participants as our General Plan and other decision-making documents are updated and created. May we all exercise civility and*

286 *respect as we move forward as a city and neighboring friends. Thank you for your consideration. Bob*  
287 *Provstgaard, Payson City Councilmember.*

288  
289 Councilmember Carter stated if she had a letter to read, it would be the same as what Bob Provstgaard  
290 just read. She is so thankful for the opportunity to get to know all the employees. She is the old lady  
291 here, but everyone has treated her so kindly, and she appreciates everyone. She will still be around.  
292 Thank you.

293  
294 Councilmember Beecher stated dido and thanked everyone for putting up with him. He thoroughly  
295 enjoyed working with staff.

296  
297 Councilmember Christensen apologized for not being here in person at the last meeting, but it doesn't  
298 mean that the things that were said and discussed didn't strike close to home. He understands everyone  
299 is passionate about bringing up problems when the solution to some of those problems is to move  
300 forward with development. The resolution to it (9600 South road) is to take property by eminent  
301 domain and put the road in where it belongs because the road that belongs is a five-lane highway west  
302 of there about a quarter of a mile. People complain the city isn't moving forward in the direction  
303 needed. The City has bills to pay, sewers to fix, power that needs to come in. The only way to move  
304 forward and fix the roads is through development. Developers put in the roads adjacent to their  
305 property and development. The City follows the plan (General Plan) that was put together by  
306 professionals over the last six years and cost almost \$500,000. The City was prepared and identified  
307 the best use for land and development. To have our names slandered and told we aren't doing what is  
308 needed is painful. We must come to a balance somewhere in the middle where progress can move  
309 forward. He sees headshaking but that is where it's at. He apologized if anyone if offended or upset.  
310 The City Council has done its best; it pulls at our heartstrings.

#### 311 312 4. Reports from House Representative Doug Welton and Senator Mike McKell

313  
314 Mike McKell is glad to be here. This time of year, there are always changes with elections and  
315 elections matter. He thanked those council members who are not coming back. He wanted the public to  
316 know that every year this City Council engages on Capitol Hill. He doesn't remember a time when he  
317 didn't see Mayor Wright and the Council on Capitol Hill. He appreciates the comments tonight  
318 regarding the annexation law. He found the bill (HB 406) that was worked on for a year. He didn't see  
319 opposition to the bill, which was a fifth substitute. It's important for people to be involved in the  
320 legislative process. The bill passed unanimously; he and Doug Welton voted for it. People ask him  
321 what the challenge is in south Utah County and his answer is always the same, growth and how to do it  
322 responsibly. The Legislature constantly looks for corridor preservation to ensure it is done responsibly  
323 as growth occurs. As background, he has four kids and hopes they will be able to live in Utah. He  
324 looks at the cost of housing, and it's scary. He also has a farm and grew up super rural on 100 acres.  
325 Years ago in Spanish Fork, he bought the farms by his dads and granddads farms. He understands the  
326 pressures of growth. He raises horses and races horses. Last weekend, he lost his very best mare from  
327 blunt trauma to her neck. He lives right on the river trail where there is tremendous growth. He  
328 believes the horse got startled and ran into something causing extreme hemorrhaging. His point is  
329 growth impacts all of us; it's personal for him and residents here. As a legislature, the question is how  
330 do we grow responsibly? He knows the Payson City Council, Mayor Wright, Doug Welton, and  
331 himself care deeply, and they take your call. The big issue in south Utah County is growth; it's the  
332 same with all the south Utah cities. We are doing the best we can. He wishes there was a scenario  
333 where we could live the same. He asked anyone to reach out to him. We have a team and work well.

He thanked everyone for being here. He thanked those council members who are leaving and those who will be new.

Dave Tuckett questioned if there is anything other than growth the City needs to be aware of.

Mike McKell stated he is fighting all sorts of things including children's mental health, social media, and can children read.

Doug Welton appreciates the public input; it's a difficult job. He thanked anyone who throws their hat into the ring and makes difficult decisions. Whether he agrees or disagrees, there were nine candidates who ran for Payson city council; it takes a lot of courage. He thanked Kirk Beecher, Linda Carter, and Bob Provstgaard who are leaving; he appreciates their service. Anne Moss, Brian Hulet, and Ryan Rowley will do great jobs. When he was on the city council, it was found that several plans weren't updated so the big issue was getting those in place because of coming growth. Growth is difficult to figure out. One reason he ran for the Legislature was because he saw the growth coming and felt there needed to be a good partnership with state and local level. Growth is coming to south Utah County and Cedar Valley. Not to throw them under the bus, but we don't want to look like Lehi. He agreed with the comment, we live here because we like the lifestyle, the open space, and the Payson way of life. He has four kids and wants them to have a place to live as well. These are difficult tasks we try to address. He noted bills haven't been published yet so he isn't aware of them himself. He has heard rumors that there are a lot of education bills and voter integrity bills. When bills come through, he tries to reach out to mayors, city managers, and people he knows; and there is a lot of work and compromise. He is working on a bill with Chief Bishop to get additional funding for forensics units for equipment to process crimes. He has an insurance damages bill and consumer protection bill because insurance companies are underpaying insurance claims. He has been working on recycling for a long time; and hopefully, residents are seeing the biannual recycling report on where materials are taken and used. He is working on bill dealing with the quarries on West Mountain and the traffic, which is difficult because of current protections in place. He's working on the issues on shooting hoaxes where schools were locked down causing a lot of stress. He wants to change behavior at the base level to support families with education and help.

Councilmember Provstgaard stated the City continues to deal with issues that are being taken from the City Council and our hands are tied. It seems you both have tied the city's hands, and I say that respectfully. The Council was told it will no longer make approval decisions once a zone is set. The Council has no further say, and the decision becomes a staff decision and approval. This is very concerning. Then the Council has mud on their face because 1,400 units are being built hypothetically. A development used to come before the Council based on merits of the project, and the Council could deny, approve, or make changes to fit the needs of the citizens and City. The Federal Government imposes on the state and then the state imposes on the city. He's worried about becoming a normal citizen with not much of a voice. The council's hands are tied more than ever before.

Doug Welton stated there was a bundle of six bills that came before the Legislature that Representative White worked on with the Utah League of Cities and Towns (ULCT), realtors, and homebuilders. At the end of day, the ULCT said these were negotiated to a place where the majority of the municipalities were comfortable. He did vote against one of those bills and received a lot of grief for it. He is a firm believer of government closest to the people. His perspective when he was on the council is it's pretty hard to tell someone no when the zoning is there. He can't tell a Mexican restaurant no when the zoning allows a restaurant.



Mike McKell stated this is a good point. There is a good interaction between the cities and the Legislature. He listens to the ULCT, and local control does matter. Progress moves forward. The Legislature doesn't come down and set general plans. If there are issues like this, always call us. He communicates with Cameron Diehl with the ULCT constantly on behalf of the cities.

Councilmember Provstgaard stated last year, the City received \$109 million from the State for the new freeway interchange. He thanked them for their efforts. Since January, the City has heard nothing. He questioned where we are on this; is more funding coming.

Robert Mills clarified staff is working closely with UDOT, and things are progressing and happening.

Dave Tuckett noted survey work is being done to determine the exact amount, which should be done by the first of January.

Mayor Wright stated he appreciates Representative Welton and Senator McKell very much.

#### E. ACTION ITEMS

1. 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) (7:00 p.m.)

#### Staff Presentation:

Michael Bryant reviewed the annexation expansion area and individual property owner parcels that encompasses 40.5 acres. There are two non-petitioners in the annexation. At the last council meeting, staff was asked to look at the future land use map, which identifies land uses as industrial (purple), business park (pink), commercial (salmon), and high density residential (gold). Staff's recommendation included two points, geographical changes coming to this area including the realignment of the Main Street interchange and present land use trends in the area suggesting it's most suited to being developed as proposed. The Council is welcome to zone these parcels in accordance with the General Plan and the Future Land Use Map but could also zone these parcels differently if the Council feels the area would be best served with another zoning designation. The surrounding areas to the annexation are zoned light industrial, commercial, high-density residential, and a lower-density residential. The discussion from the previous meeting was to modify the request to zone the Lerwell and Carroll properties to A-5 H, Annexation Holding Zone. All other properties are proposed as light industrial. Following the last council meeting, staff met with Lerwells and Carrolls and shared the proposed annexation agreement and proposed zone map. Staff feels this proposal is consistent with the General Plan, promotes prosperity, and facilitates orderly growth within the City. With these actions, the staff recommends approval of the annexation request with the conditions that the applicant sponsor pay the 421 transfers with SESD and consider the property to determine the most adequate zones of the parcels.

#### Council Discussion:

Councilmember Christensen feels sorry; it strikes home. He worries about everyone; it's tough. He feels better adding the A-5-H zoning.

Robert Mills wants to be very clear. He met with Mr. Lerwell and Mrs. Carroll. They didn't give any indication if it was great or not. Another reason for the A-5-H Zone is because there are significant tax

advantages. They enjoy where they live, their way of life, and their property. They want to continue that. This gives them the option to continue their lifestyle. If in the future they want to sell or change, the property use could change or be maintained.

Jason Sant stated everyone was given the chance to speak at the last meeting to express their feelings about the annexation. The public hearing was closed. Not all the property owners wanted to be in the light industrial zone. The two property owners who didn't want to be in the light industrial zone are being put in the A-5-H Zone. This allows those properties to be maintained as is if annexed.

**MOTION: Councilmember Beecher – To approve the (ordinance) R & C #2 Annexation with the proposed zone changes outlined by staff with everything as light industrial except the two parcels as A-5 H and finding this annexation meets the policy goals and objectives of the Payson City General Plan and promotes the General Plan of the City.** 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
Abstain-		Brett Christensen
Abstain-		Bob Provstgaard

2. Ordinance – Amendments to the General Plan specifically the Spring Creek Area Specific Plan  
(7:13 p.m.)

Staff Presentation:

Robert Mills stated he reviewed this item at the last meeting. He appreciates the efforts in this process, which has been long and important. A specific plan is not a zoning map, is not an annexation, is not changing the current zoning, and doesn't require property owners to change how they use their property. The future land use map was rehashed and rehashed, and this is the final map. If the map isn't the way some property owners wanted it, it doesn't mean they weren't heard. Initially, before he was here, the City Council and Planning Commission met to understand the direction, then a steering committee was formed, and an open house was held to gather public comments. The steering committee reviewed information and then another open house was held. Then additional steering committee members were added. The steering committee met several times, held a work session with the community, presented information, met three more times; and this is the result. A final open house was held last month and then a public hearing was held. He reiterated that this is the 500-foot level of implementation of the General Plan for this area, which the General Plan calls for a mix of housing types, expanded Business Park and light industrial area, neighborhood-scale commercial nodes, parks and greenways, and future roadways. The gross density is 1.78 units per acre with a net density of 2.54 units per acre. He reviewed infrastructure needs as development occurs. Since the last meeting, the City received a petition from property owners that shows passion in opposition of the plan, which doesn't represent everyone that lives there or in the area. Cited in the petition is the Agricultural Farmland Trust that recognizes every minute there is a loss of agricultural land. The City understands this and recognizes it. It's a decision people have to make. The Agricultural Farmland Trust is a way to guarantee agricultural preservation by putting an agricultural conservation easement on their land to ensure continued agricultural land. Staff's recommendation has not changed; This is a good place to start as with all planning efforts. The map represents the best effort to understand what needs to be

done to implement the General Plan. The staff recommends approval based on the findings of the staff report. The cost of the plan was about \$145,000.

Council Discussion:

Councilmember Provstgaard noted all this property isn't in Payson City. The City is not asking people to annex. The City is just trying to respectively plan for the future at the 500-foot level. With citizens who just left regarding the annexation, the City now has come to agreement with Santaquin City on our southern border at 12400 South. With some adjustments with Salem City, the City knows the east boundary line. The City knows the proposed boundary line to the north. He had asked Senator McKell to get him the projected growth of southern Utah County, which is greater than previously told. A news article today stated Utah grew 56,000 more this year than anticipated, which is double Payson. This planning by staff and the generosity of the City spending Payson taxpayer dollars to plan for the future is well beyond trying to work with everybody. His point is we can put out head in the sand and say leave me alone; but at some point, we have to get a ring around Payson and say this is how we are going to develop. He's concerned that if density is too small, the City doesn't have the tax base to benefit Payson City. Hopefully, property taxes will take care of it. He thanked staff and those who were on the steering committee.

Councilmember Christensen stated as we talk about planning ahead and the future, this was 30 years out. The City wanted to work on the east side, but the west side came into play. He's hoping this area is still 20 to 25 years out. The City must address the UDOT road (800 South) to the west and make it all work, so the infrastructure isn't torn out unnecessarily. It's always good to remember the City is trying to make sure roads are there to carry the populous. He likes the rural and open areas; he hates to see little Payson grow, but it is coming.

**MOTION: Councilmember Provstgaard – To approve the (ordinance) amendments to the General Plan specifically the Spring Creek Area Specific Plan as charted and mapped with the text changes and finding that this is not annexation or telling property owners what they can do. It's just a plan.** 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

Councilmember Christensen abstained because he has family members who own property in the area and doesn't want to show favoritism.

Councilmember Hiatt stated she owns property in this area; but this is just a plan, and the plan can change. The plan protects what will happen in the area.

3. Resolution – Canvass of the November 21, 2023, Payson City Municipal General Election  
(7:33 p.m.)

**MOTION: Councilmember Beecher – To postpone the canvass to December 13, due to a recount by the County.** Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Staff Presentation:

Jason Sant stated the next city council meeting is scheduled for December 20. The staff proposes conducting a special meeting on December 13 for the canvass and cancelling the December 20 meeting. The canvass can be postponed seven days per state code. The County will not provide the recount information until next Tuesday.

Kim Holindrake explained the election was held on November 21 with 10,804 registered voters and 2,825 ballots cast. During the process of filling seat 1, at phase 4, there were two candidates separated by only one vote. Because of this, state law requires a recount. She received a call from the Utah County Elections Office explaining the situation, and they had already contacted the Lt. Governor's Office.

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

(Councilmember Hiatt was excused at the time of the vote.)

4. Public Hearing/Resolution - Amendments to the Fiscal Year 2023-2024 Budget (7:37 p.m.)

Staff Presentation:

Cathy Jensen reviewed the proposed amendments to the Fiscal Year 2023-2024 budget.

Revenue		
Youth Sports	Additional revenue – rentals	\$24,700
Golf Tournament	Donations	\$10,500
Public Works	Inspections	\$150,000
Use of Fund Balance		\$216,800
Expenditures		
L96 10 Wheel Dump	From previous year	\$220,000
Fireworks	Additional amount	\$4,000
Parks	Utilities adjustment	\$54,000
Infield Groomer and Gator	Utility Vehicle	\$28,500
Golf Tournament	Expenses	\$10,500
Professional Services	Inspector	\$79,000
Automobile	Allowance	\$6,000

**MOTION: Councilmember Provstgaard – 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

558 Yes - Taresa Hiatt  
559 Yes - Bob Provstgaard  
560

561 Public Comment:  
562 No public comments.  
563

564 **MOTION: Councilmember Provstgaard – To close the public hearing.** Motion seconded by  
565 Councilmember Beecher. A roll call vote was taken as follows and the motion carried. ALL  
566

567 Yes - Kirk Beecher  
568 Yes - Linda Carter  
569 Yes - Brett Christensen  
570 Yes - Taresa Hiatt  
571 Yes - Bob Provstgaard  
572

573 **MOTION: Councilmember Hiatt – To approve the (resolution) amendments to the Fiscal Year**  
574 **2023-2024 budget as presented.** Motion seconded by Councilmember Carter. A roll call vote was  
575 taken as follows and the motion carried.  
576

577 Yes - Kirk Beecher  
578 Yes - Linda Carter  
579 Yes - Brett Christensen  
580 Yes - Taresa Hiatt  
581 Yes - Bob Provstgaard  
582

583 F. ADJOURN TO REDEVELOPMENT AGENCY (7:43 p.m.)  
584

585 **MOTION: Councilmember Beecher – To adjourn to Redevelopment Agency.** Motion seconded by  
586 Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.  
587

588 Yes - Kirk Beecher  
589 Yes - Linda Carter  
590 Yes - Brett Christensen  
591 Yes - Taresa Hiatt  
592 Yes - Bob Provstgaard  
593

594 1. Resolution – RDA 2024 Annual Meeting Dates and Times  
595

596 **MOTION: Director Beecher – To adopt the RDA (resolution) annual meeting dates and times as**  
597 **outlined in the packet.** Motion seconded by Director Hiatt. A roll call vote was taken as follows and  
598 the motion carried.  
599

600 Yes - Kirk Beecher  
601 Yes - Linda Carter  
602 Yes - Brett Christensen  
603 Yes - Taresa Hiatt  
604 Yes - Bob Provstgaard  
605

G. ADJOURN FROM REDEVELOPMENT AGENCY

**MOTION: Director Provstgaard – To adjourn from Redevelopment Agency.** 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

H. WORK SESSION (7:45 p.m.)

1. Power Rates and Impact Fees

Staff Presentation:

Dave Tuckett introduced Mark Beauchamp who will review the proposed power impact fees. A public hearing will be required before adoption, and the information will be sent to the Homebuilders Association.

Mark Beauchamp stated back in March, he was approved to do a cost of service, power cost adjustment, and impact fee study. This impact fee studies are changing in the electrical industry and in the State of Utah because of phenomenal growth. Utah allows protection of existing rate payers from increases in costs that would be incurred in making these investments, which is done through impact fees. An impact fee study aims to identify impacts caused by new customers so that growth pays for growth. Projected impact fee related projects from 2024 to 2029 include property for a substation, circuits from the east side substation, new power resources, Southern Utah Valley Power Systems (SUVPS) transmission project, and transmission line along SR-198. These projects correspond to a 2.4% projected growth rate each year for the next five years as identified by Utah Associated Municipal Power Systems (UAMPS).

Councilmember Provstgaard questioned with the cancellation of the nuclear power project, what is being identified or is this hypothetical. He questioned the SUVPS transmission project as well.

Shawn Black clarified he presented the new power resources to the Council about a month ago. This is as complete as possible at this time. Engineering studies of the area are being conducted to identify needed transmission lines, etc. This is a living document that will be updated in the future. The SUVPS transmission project has two parts: a true up between all the cities to the southern end of Utah County with the large substation at the south end of Springville (\$800,000) and a bond for a 138-transmission line between Spanish Fork Canyon and the Taylor Substation. This is an estimation of the money that will go out with this growth, which could change. This document will be updated moving forward as well as with growth. This needs to be done often to keep up with the growth so new customers pay their share, and it doesn't hurt current residents.

Mark Beauchamp noted some cities are updating impact fees annually. There is about \$8 million in impact-related expenses. How many additional customers will be added over time, which is where the 2.4% projected growth comes in. The \$8 million divided by the projected growth gives a cost of \$2,754. Less the \$978 identified contribution margin for a residential customer gives a net charge of \$1,766 as the impact fee. He took the current impact fee schedule and made it standardized. The

residential base installation is 100 AMP 120/240-volt service. The calculated impact fee is proportionate based on the amperage and voltage level of service. The methodology varies from the current fee schedule, which was not set based on level of service. He reviewed the proposed impact fee compared to seven other communities, which may be updated by those communities.

Jason Sant noted the adoption process takes about 30 days including notices, which will begin shortly based on this work session. The beginning of February is the adoption time.

#### I. ADJOURNMENT

**MOTION: Councilmember Christensen – To adjourn.** Motion seconded by Councilmember Beecher. 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.

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Kim E. Holindrake, City Recorder