

1 PAYSON CITY
2 CITY COUNCIL MEETING, REDEVELOPMENT AGENCY, AND WORK SESSIONS
3 Payson City Center, 439 W Utah Avenue, Payson UT 84651
4 Wednesday, December 6, 2023
5

6 CONDUCTING William R. Wright, Mayor
7

8 ELECTED OFFICIALS Kirk Beecher, Brett Christensen, Linda Carter, Taresa Hiatt, Bob
9 Provstgaard, William R. Wright
10

11 STAFF PRESENT David Tuckett, City Manager
12 Cathy Jensen, Finance Director
13 Kim E. Holindrake, City Recorder
14 Jason Sant, City Attorney
15 Brad Bishop, Police Chief
16 Robert Mills, Development Services Director
17 Travis Jockumsen, Public Works Director/City Engineer
18 Michael Bryant, Planner II
19 Tracy Zobell, Parks & Golf Director
20 Karl Teemant, Community Services Director
21 Shawn Black, Power Director
22 Shelby Bohling, Communities That Care Coordinator
23

24 OTHERS Lance Wilson, Dewain Cluff, Patrick Kirby, Bart Wilson, Tahira Carroll,
25 Susan Lester, Senator Mike McKell, Representative Doug Welton, Anne
26 Moss, Mark Beauchamp – Utility Financial Solutions, Jillian Jurczyk –
27 Utility Financial Solutions
28

29 William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at
30 5:02 p.m. The meeting was properly noticed.
31

32 A. WORK SESSION

33 1. Moderate Income Housing and Accessory Dwelling Units
34

35 Staff Presentation:

36 Robert Mills stated the City has allowed internal accessory dwelling for a number of years. In 2021,
37 the State Legislature allowed internal accessory dwellings in owner-occupied structures throughout the
38 state. Payson City is compliant with the state code regarding internal accessory dwellings but does not
39 currently allow them in detached structures. One of the moderate income housing strategies selected by
40 Payson was “create or allow for, and reduce regulations related to, internal or detached accessory
41 dwelling units (ADUs) in residential zones.” Tonight, he would like to evaluate some of the
42 requirements necessary to allow detached ADUs in residential zones, which the City doesn’t have to
43 allow. He reviewed some illustrations of different ADUs. Stand-alone detached and over the garage are
44 not currently allowed in the City. Attached and basement ADUs are currently allowed in the City. An
45 internal connection is no longer required, and there can be a separate external entrance. He asked for
46 thoughts on the following:
47

- 48 • Setbacks

- 49 ○ Accessory structures aren't allowed in the front setback and must be at least 5 feet from
- 50 the side and rear property lines.
- 51 ○ Is this an appropriate distance for an accessory dwelling?
- 52 ○ Discussion: Ensuring access and not building on a public utility easement.
- 53 ● Building Height
- 54 ○ Accessory structures cannot exceed 18 feet in height.
- 55 ○ The current height limitation could eliminate an accessory dwelling from being built
- 56 over a detached garage.
- 57 ● Parking
- 58 ○ Currently, three parking spaces are required for a dwelling with an interior accessory
- 59 dwelling unit.
- 60 ○ Would additional parking be required?
- 61 ○ Discussion: These are off-street parking spaces including the garage and in the
- 62 driveway. Currently, there are issues in the City where parking is occurring in the front
- 63 yard not in the driveway.
- 64 ● Size
- 65 ○ Currently, the size of structures on a lot is only limited by the maximum lot coverage
- 66 (40%-50%), depending on the size of the lot.
- 67 ○ Discussion: A 10,000 square foot lot could only cover 45% of that lot in a structure,
- 68 which is anything with a roof and doesn't include hard surface.
- 69

70 He asked if detached ADUs were allowed in the City, what would the requirements be. He noted that
 71 moderate income housing, affordable housing, housing affordability, housing attainability, and starter
 72 homes. Those terms are not interchangeable; they are different things that get lumped into one big
 73 group. It comes out that a \$450,000 house or dwelling is an affordable house, which is affordable to
 74 someone but not the majority of people in Payson. In Utah County, the livable wage for a household is
 75 \$104,000 to afford housing at 30% of gross income, basic food, utilities, and transportation. About
 76 55% of the residents of Payson would fall in moderate income housing, which is 80% of area medium
 77 income (\$96,000 Utah County). It is a big issue when you start putting numbers to it; the City needs to
 78 consider and concentrate on it.

79
 80 To make the process easier, communities are providing preapproved building plans, if sited correctly
 81 on the property, to make the process easier if this were a direction the City would want to go. He asked
 82 how the Council feels about detached ADUs.

83
 84 Discussion:

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

88
 89 Councilmember Beecher disagreed with requiring a certain lot size. He likes the 40% to 50%
 90 maximum lot coverage scenario. Exterior ADUs are a good way to help with our range of housing. He
 91 doesn't see that much difference between exterior and interior ADUs.

92
 93 Robert Mills clarified customarily only one ADU is allowed per lot; beyond that it's considered
 94 multifamily. An ADU can offset a mortgage and provide affordable rent.

95

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

98
99 Councilmember Christensen noted he thought the issue with tiny houses was firefighting and
100 ingress/egress.

101
102 Robert Mills clarified there is nothing to say a city can't impose a size minimum on a dwelling.

103
104 Councilmember Provstgaard stated the City needs to be proactive, or the state will mandate. He prefers
105 having a choice than being told. The city residents, as a whole, aren't ready for the picture that was
106 shown with the exterior ADU. Payson residents understand there are more and more family members
107 living with family. An AUD makes sense rather than people standing on top of each other in a home.
108 This allows some synchronicity with parking that the City can legislate and control. Setbacks are very
109 critical for the future. He doesn't have a problem encroaching on a PUE because some are 10 feet. If
110 the PUE isn't encroached upon, he's in favor of increasing the building footprint. Less landscape and
111 larger footprint. Setbacks make good neighbors.

112
113 Councilmember Beecher recommends staying outside of the PUE. It's a lot easier to not have it on the
114 PUE than it is to get it out of the PUE.

115
116 Robert Mills stated if exterior ADUS are allowed, there could be an 18-foot-tall dwelling ten feet from
117 the next one on someone else's lot. Some areas such as planned unit developments are allowed a five-
118 foot setback.

119
120 Mayor Wright stated he would like to allow exterior ADUs if done the right way creating good
121 neighbors and fire access. If the City doesn't allow them, the state will make the decision.

122
123 Robert Mills asked if a ten-foot setback is more appropriate.

124
125 Discussion: Yes, if the footprint is increased. The ADU building height shouldn't be over 18 feet and
126 no two-story buildings used as an ADU. Parking needs to increase to two additional spots for an
127 exterior ADU.

128
129 Anne Moss stated there are several factors to address before making the decision. People already don't
130 follow the parking requirements in the City. This could limit how many people want to do it. If they
131 can use their garage for parking and not fill it with junk. Eighteen feet high is a lot. She has been
132 watching tiny home videos, and there are many different kinds with lofts depending on the pitch of the
133 roof.

134
135 Robert Mills stated he has a fairly good direction.

136
137 **2. Discussion of Main Street Project**

138
139 Dave Tuckett stated the Main Street Project was put out to bid. About 15 contractors attended the pre-
140 bid meeting but only one bid was received from Red Pine Construction, which was more than
141 budgeted. There is about \$7.7 million available to spend. The bid covers SR-198 to 700 South at \$12.7
142 million. Staff went through the costs block by block. To do the two blocks, Historic Main Street, is
143 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 Prayer offered by Kirk Beecher.
169

170 Pledge of Allegiance led by Taresa Hiatt.
171
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
196

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

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,

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

241
242 Tahira Carroll stated she lives in the house that will be affected by the possible annexation. We moved
243 here from the city because we wanted our children to have a farm life. It has been amazing and
244 beautiful. They were one of the few people from Payson to attend the hunter jumper shows. This year
245 in November in Las Vegas was the United States Hunter Jumper Championship, and there were about
246 ten kids from Payson who attended and represented Payson. Her daughter is now a national champion.
247 This is why we moved here, for that lifestyle. The Council will vote what they vote, and she
248 understands the process happens. Payson is a small town. We value small town families, going to 4-H,
249 and riding. You lose that when certain changes are made. The road in front of her house can't handle
250 industrial traffic. If the City moves ahead, then the streets need to be widened. If the City is talking
251 about progress, then there needs to be the money to back it up.

252
253 Susan Lester stated she lives on 9600 South. On way to work, two big trucks were trying to turn on
254 9600 South and she got caught between them. She went off into the weeds because the second truck
255 driver didn't see her. We take our lives in our hands to get onto Benjamin Road. She was a 911
256 dispatcher for Provo for 15 years and two times a problem was predicted at an intersection and both
257 times someone died. She questioned what's the rush, does someone have to die. She would like to see
258 the problems fixed first before looking at building industrial that will be weeds and fences.

259
260 3. Staff and Council Reports (6:28 p.m.)

261
262 Staff Reports

263
264 ADMINISTRATION – Dave Tuckett stated the annual council dinner will be December 18 here in the
265 council chambers. He appreciated all the help with the employee hams and turkeys yesterday. He
266 appreciates the council's support.

267
268 Council Reports

269
270 Councilmember Hiatt stated the Grinch at the event last night was awesome. He was great with the
271 kids.

272
273 Councilmember Provstgaard thanked the inside staff that the Council depends on week in and week
274 out for the information and documentation. He read a prepared letter. *Dear citizens, neighbors, and*
275 *friends of Payson City. I have been truly blessed and rewarded serving as a Payson City Council*
276 *Member. Together we have accomplished great things with more to come. Recently while considering*
277 *various developments and proposals, public comment and discussions were taken. During those*
278 *comment periods, negative and defaming comments were noted, of which I made my own comments. I*
279 *am not proud of them, and I apologize if I offended anyone. I conclude that when we attempt to vilify,*
280 *demean, or make unfounded accusations of each other, staff, and those petitioning the Council for*
281 *consideration, we do an injustice to our own integrity and character. Growth is inevitable, we can take*
282 *the adage of keeping our "heads in the sand" or we can be part of the way we grow. I am proud of our*
283 *staff, Planning Commission, City Council, and citizenry in being proactive in the growth discussions*
284 *by preparing for growth that is to come. I invite all to become active participants as our General Plan*
285 *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.

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

336
337 Dave Tuckett questioned if there is anything other than growth the City needs to be aware of.
338

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

341
342 Doug Welton appreciates the public input; it’s a difficult job. He thanked anyone who throws their hat
343 into the ring and makes difficult decisions. Whether he agrees or disagrees, there were nine candidates
344 who ran for Payson city council; it takes a lot of courage. He thanked Kirk Beecher, Linda Carter, and
345 Bob Provstgaard who are leaving; he appreciates their service. Anne Moss, Brian Hulet, and Ryan
346 Rowley will do great jobs. When he was on the city council, it was found that several plans weren’t
347 updated so the big issue was getting those in place because of coming growth. Growth is difficult to
348 figure out. One reason he ran for the Legislature was because he saw the growth coming and felt there
349 needed to be a good partnership with state and local level. Growth is coming to south Utah County and
350 Cedar Valley. Not to throw them under the bus, but we don’t want to look like Lehi. He agreed with
351 the comment, we live here because we like the lifestyle, the open space, and the Payson way of life. He
352 has four kids and wants them to have a place to live as well. These are difficult tasks we try to address.
353 He noted bills haven’t been published yet so he isn’t aware of them himself. He has heard rumors that
354 there are a lot of education bills and voter integrity bills. When bills come through, he tries to reach out
355 to mayors, city managers, and people he knows; and there is a lot of work and compromise. He is
356 working on a bill with Chief Bishop to get additional funding for forensics units for equipment to
357 process crimes. He has an insurance damages bill and consumer protection bill because insurance
358 companies are underpaying insurance claims. He has been working on recycling for a long time; and
359 hopefully, residents are seeing the biannual recycling report on where materials are taken and used. He
360 is working on bill dealing with the quarries on West Mountain and the traffic, which is difficult
361 because of current protections in place. He’s working on the issues on shooting hoaxes where schools
362 were locked down causing a lot of stress. He wants to change behavior at the base level to support
363 families with education and help.

364
365 Councilmember Provstgaard stated the City continues to deal with issues that are being taken from the
366 City Council and our hands are tied. It seems you both have tied the city’s hands, and I say that
367 respectfully. The Council was told it will no longer make approval decisions once a zone is set. The
368 Council has no further say, and the decision becomes a staff decision and approval. This is very
369 concerning. Then the Council has mud on their face because 1,400 units are being built hypothetically.
370 A development used to come before the Council based on merits of the project, and the Council could
371 deny, approve, or make changes to fit the needs of the citizens and City. The Federal Government
372 imposes on the state and then the state imposes on the city. He’s worried about becoming a normal
373 citizen with not much of a voice. The council’s hands are tied more than ever before.

374
375 Doug Welton stated there was a bundle of six bills that came before the Legislature that Representative
376 White worked on with the Utah League of Cities and Towns (ULCT), realtors, and homebuilders. At
377 the end of day, the ULCT said these were negotiated to a place where the majority of the
378 municipalities were comfortable. He did vote against one of those bills and received a lot of grief for it.
379 He is a firm believer of government closest to the people. His perspective when he was on the council
380 is it’s pretty hard to tell someone no when the zoning is there. He can’t tell a Mexican restaurant no
381 when the zoning allows a restaurant.

382
383 Mike McKell stated this is a good point. There is a good interaction between the cities and the
384 Legislature. He listens to the ULCT, and local control does matter. Progress moves forward. The
385 Legislature doesn't come down and set general plans. If there are issues like this, always call us. He
386 communicates with Cameron Diehl with the ULCT constantly on behalf of the cities.
387
388 Councilmember Provstgaard stated last year, the City received \$109 million from the State for the new
389 freeway interchange. He thanked them for their efforts. Since January, the City has heard nothing. He
390 questioned where we are on this; is more funding coming.
391
392 Robert Mills clarified staff is working closely with UDOT, and things are progressing and happening.
393
394 Dave Tuckett noted survey work is being done to determine the exact amount, which should be done
395 by the first of January.
396
397 Mayor Wright stated he appreciates Representative Welton and Senator McKell very much.

398
399 E. ACTION ITEMS

- 400 1. Ordinance – Request to extend the municipal boundaries to encompass the property included in
401 the proposed R&C #2 Annexation containing 40.5 acres located at approximately south of 900
402 North (9600 South County) and west of 400 West (3550 West County) (7:00 p.m.)
403

404 Staff Presentation:

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

423
424 Council Discussion:

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

427
428 Robert Mills wants to be very clear. He met with Mr. Lerwell and Mrs. Carroll. They didn't give any
429 indication if it was great or not. Another reason for the A-5-H Zone is because there are significant tax

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

433
434 Jason Sant stated everyone was given the chance to speak at the last meeting to express their feelings
435 about the annexation. The public hearing was closed. Not all the property owners wanted to be in the
436 light industrial zone. The two property owners who didn't want to be in the light industrial zone are
437 being put in the A-5-H Zone. This allows those properties to be maintained as is if annexed.

438
439 **MOTION: Councilmember Beecher – To approve the (ordinance) R & C #2 Annexation with the**
440 **proposed zone changes outlined by staff with everything as light industrial except the two parcels**
441 **as A-5 H and finding this annexation meets the policy goals and objectives of the Payson City**
442 **General Plan and promotes the General Plan of the City.** Motion seconded by Councilmember
443 Hiatt. A roll call vote was taken as follows and the motion carried.

444
445 Yes - Kirk Beecher
446 Yes - Linda Carter
447 Yes - Taresa Hiatt
448 Abstain- Brett Christensen
449 Abstain- Bob Provstgaard

450
451 2. Ordinance – Amendments to the General Plan specifically the Spring Creek Area Specific Plan
452 (7:13 p.m.)

453
454 Staff Presentation:
455 Robert Mills stated he reviewed this item at the last meeting. He appreciates the efforts in this process,
456 which has been long and important. A specific plan is not a zoning map, is not an annexation, is not
457 changing the current zoning, and doesn't require property owners to change how they use their
458 property. The future land use map was rehashed and rehashed, and this is the final map. If the map
459 isn't the way some property owners wanted it, it doesn't mean they weren't heard. Initially, before he
460 was here, the City Council and Planning Commission met to understand the direction, then a steering
461 committee was formed, and an open house was held to gather public comments. The steering
462 committee reviewed information and then another open house was held. Then additional steering
463 committee members were added. The steering committee met several times, held a work session with
464 the community, presented information, met three more times; and this is the result. A final open house
465 was held last month and then a public hearing was held. He reiterated that this is the 500-foot level of
466 implementation of the General Plan for this area, which the General Plan calls for a mix of housing
467 types, expanded Business Park and light industrial area, neighborhood-scale commercial nodes, parks
468 and greenways, and future roadways. The gross density is 1.78 units per acre with a net density of 2.54
469 units per acre. He reviewed infrastructure needs as development occurs. Since the last meeting, the
470 City received a petition from property owners that shows passion in opposition of the plan, which
471 doesn't represent everyone that lives there or in the area. Cited in the petition is the Agricultural
472 Farmland Trust that recognizes every minute there is a loss of agricultural land. The City understands
473 this and recognizes it. It's a decision people have to make. The Agricultural Farmland Trust is a way to
474 guarantee agricultural preservation by putting an agricultural conservation easement on their land to
475 ensure continued agricultural land. Staff's recommendation has not changed; This is a good place to
476 start as with all planning efforts. The map represents the best effort to understand what needs to be

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

479
480 Council Discussion:

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

494
495 Councilmember Christensen stated as we talk about planning ahead and the future, this was 30 years
496 out. The City wanted to work on the east side, but the west side came into play. He's hoping this area
497 is still 20 to 25 years out. The City must address the UDOT road (800 South) to the west and make it
498 all work, so the infrastructure isn't torn out unnecessarily. It's always good to remember the City is
499 trying to make sure roads are there to carry the populous. He likes the rural and open areas; he hates to
500 see little Payson grow, but it is coming.

501
502 **MOTION: Councilmember Provstgaard – To approve the (ordinance) amendments to the**
503 **General Plan specifically the Spring Creek Area Specific Plan as charted and mapped with the**
504 **text changes and finding that this is not annexation or telling property owners what they can do.**
505 **It's just a plan.** Motion seconded by Councilmember Carter. A roll call vote was taken as follows and
506 the motion carried.

507
508 Yes - Kirk Beecher
509 Yes - Linda Carter
510 Yes - Taresa Hiatt
511 Yes - Bob Provstgaard
512 Abstain- Brett Christensen

513
514 Councilmember Christensen abstained because he has family members who own property in the area
515 and doesn't want to show favoritism.

516
517 Councilmember Hiatt stated she owns property in this area; but this is just a plan, and the plan can
518 change. The plan protects what will happen in the area.

519
520 3. Resolution – Canvass of the November 21, 2023, Payson City Municipal General Election
521 (7:33 p.m.)

522

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

526

527 Staff Presentation:

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

532

533 Kim Holindrake explained the election was held on November 21 with 10,804 registered voters and
 534 2,825 ballots cast. During the process of filling seat 1, at phase 4, there were two candidates separated
 535 by only one vote. Because of this, state law requires a recount. She received a call from the Utah
 536 County Elections Office explaining the situation, and they had already contacted the Lt. Governor’s
 537 Office.

538

539 Yes - Kirk Beecher
 540 Yes - Linda Carter
 541 Yes - Brett Christensen
 542 Yes - Bob Provstgaard

543

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

545

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

547

548 Staff Presentation:

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

550

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

551

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

554

555 Yes - Kirk Beecher
 556 Yes - Linda Carter
 557 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

606 G. ADJOURN FROM REDEVELOPMENT AGENCY

607
608 **MOTION: Director Provstgaard – To adjourn from Redevelopment Agency.** Motion seconded by
609 Director Hiatt. A roll call vote was taken as follows and the motion carried.

- 610
- 611 Yes - Kirk Beecher
- 612 Yes - Linda Carter
- 613 Yes - Brett Christensen
- 614 Yes - Taresa Hiatt
- 615 Yes - Bob Provstgaard

616
617 H. WORK SESSION (7:45 p.m.)

618 1. Power Rates and Impact Fees

619
620 Staff Presentation:

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

624
625 Mark Beauchamp stated back in March, he was approved to do a cost of service, power cost
626 adjustment, and impact fee study. This impact fee studies are changing in the electrical industry and in
627 the State of Utah because of phenomenal growth. Utah allows protection of existing rate payers from
628 increases in costs that would be incurred in making these investments, which is done through impact
629 fees. An impact fee study aims to identify impacts caused by new customers so that growth pays for
630 growth. Projected impact fee related projects from 2024 to 2029 include property for a substation,
631 circuits from the east side substation, new power resources, Southern Utah Valley Power Systems
632 (SUVPS) transmission project, and transmission line along SR-198. These projects correspond to a
633 2.4% projected growth rate each year for the next five years as identified by Utah Associated
634 Municipal Power Systems (UAMPS).

635
636 Councilmember Provstgaard questioned with the cancellation of the nuclear power project, what is
637 being identified or is this hypothetical. He questioned the SUVPS transmission project as well.

638
639 Shawn Black clarified he presented the new power resources to the Council about a month ago. This is
640 as complete as possible at this time. Engineering studies of the area are being conducted to identify
641 needed transmission lines, etc. This is a living document that will be updated in the future. The SUVPS
642 transmission project has two parts: a true up between all the cities to the southern end of Utah County
643 with the large substation at the south end of Springville (\$800,000) and a bond for a 138-transmission
644 line between Spanish Fork Canyon and the Taylor Substation. This is an estimation of the money that
645 will go out with this growth, which could change. This document will be updated moving forward as
646 well as with growth. This needs to be done often to keep up with the growth so new customers pay
647 their share, and it doesn't hurt current residents.

648
649 Mark Beauchamp noted some cities are updating impact fees annually. There is about \$8 million in
650 impact-related expenses. How many additional customers will be added over time, which is where the
651 2.4% projected growth comes in. The \$8 million divided by the projected growth gives a cost of
652 \$2,754. Less the \$978 identified contribution margin for a residential customer gives a net charge of
653 \$1,766 as the impact fee. He took the current impact fee schedule and made it standardized. The

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

658
659 Jason Sant noted the adoption process takes about 30 days including notices, which will begin shortly
660 based on this work session. The beginning of February is the adoption time.

661
662 I. ADJOURNMENT

663
664 **MOTION: Councilmember Christensen – To adjourn.** Motion seconded by Councilmember
665 Beecher. Those voting yes: Kirk Beecher, Linda Carter, Brett Christensen, Taresa Hiatt, Bob
666 Provstgaard. The motion carried.

667
668 The meeting was adjourned at 8:10 p.m.

669
670
671 _____
672 Kim E. Holindrake, City Recorder

DRAFT