

PAYSON CITY
SPECIAL CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, December 13, 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
Kent Fowden, Streets, Landfill, Storm Drain Superintendent

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 5:07 p.m. The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Bob Provstgaard.

Pledge of Allegiance led by Linda Carter.

B. CONSENT AGENDA

1. Approval of the December 6, 2023, City Council Meeting Minutes

MOTION: Councilmember Beecher – To approve the consent agenda. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

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

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports

49 Staff Reports

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51 STREETS – Kent Fowden reviewed a safety sidewalk project along 500 West between 400 North and
52 600 North that was designed in house and built this summer. The project included curb, gutter, and
53 sidewalk as well as a waterline upgrade. There is the potential of installing storm drain along this
54 project as well as other areas of the City.

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56 Council Reports

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58 Councilmember Carter reported she is disappointed that she didn't hear any staff reports today that are
59 regularly reported because she didn't hear their voices and the funny things they say. She thanked all
60 the staff.

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62 Mayor Wright thanked Kirk Beecher, Linda Carter, and Bob Provstgaard; it's been a pleasure working
63 with them. He extended his thanks to Brett Christensen and Taresa Hiatt as they will continue to work
64 together. He is extremely excited to work with the new council members who are here tonight.

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66 Councilmember Provstgaard stated this is a bittersweet meeting after 34 years of sitting here in various
67 capacities. The only thing that's changed are the chairs and back wall. He's grateful for staff who have
68 always had our backs. He personally thanked Jill Spencer, Dave Tuckett, Scott Spencer, and Kent
69 Fowden who have been on this 34-year journey with him. They have always had his on the Planning
70 Commission and Board of Adjustment. The Board of Adjustment was the hardest responsibility
71 because of dealing with neighbor to neighbor. He's grateful to have served with a wonderful council
72 and excited for the new council coming on. He's excited for things planned that are coming and the
73 things that have the potential to come. He brought up a community concern that he took the Mayor to
74 last night, which he hoped would go away but hasn't. He is amazed at what is parked down by the
75 Eversage Apartments after 6 p.m. Last night, there was a truck and double trailer. The City needs to
76 address on-street parking for new developments. The big developments located on the four corners of
77 the City all have the same problem. Developers promise at approval that there will be no on-street
78 parking with their developments, and the Council swallows it hook, line, and sinker. Developers walk
79 away and at times an HOA takes over. Chief Bishop and the officers are then tethered with taking care
80 of the chaos. There is a trailer parked on street that is covered and winterized. Kids need to cross the
81 street, and he doesn't want any children, or a resident hurt. There are joggers, walkers, and bikers with
82 cars lining the streets. Now the other side of the street has been annexed. Somehow the City has the
83 authority to enforce the city ordinances. Mayor Wright stated he has talked with Dave Tuckett, the
84 street superintendent, city attorney, and police; we will find a solution.

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86 Councilmember Hiatt stated she will miss the council members leaving and has enjoyed working with
87 them and getting to know them.

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89 Dave Tuckett stated January 3 will be the last meeting for three current councilmembers and the new
90 councilmembers will be sworn in along with a reception. Also, the council Christmas dinner is next
91 Monday, January 18. He appreciates all the Council does and has done. He looks forward to the
92 incoming council. Payson is a great place to work.

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95 D. ACTION ITEMS

1. Resolution – Canvass of the November 21, 2023, Payson City Municipal General Election
(5:25 p.m.)

Staff Presentation:

Kim Holindrake stated with the required ballot recount, today is the last day for the Council to canvass the election returns for the November 21, 2023, Municipal General Election. The Utah County Elections Office called today around 2 p.m. and stated they would have the election returns in 10 to 15 minutes. She waited and waited and tried calling without any answers. At 4:55 p.m. she finally received minimal information. She reviewed the information on how each seat was filled using ranked choice voting. The first seat was filled by Ryan Rowley, second seat by Brian Hulet, and third seat by Anne Moss. The County was unable to get her any ballot statistics for the precincts. Tonight, the Council needs to approve and sign an Election Results Report, which will contain the information she just provided as well as the ballot statistics once received. The Election Results Report is then attached to the resolution, which states Ryan Rowley, Brian Hulet, and Anne Moss are elected to the city council. There are some election requirements she will take care of once the Election Results Report is signed.

MOTION: Councilmember Provstgaard – Being convinced by the County that the ballots that are missing will not affect the outcome of the election, I move that the council canvasses and approves the election as it is currently, knowing it will not change the outcome of the three top candidates. Motion seconded by Councilmember Beecher. 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

2. Resolution - Appointments to the Forebay Committee (5:30 p.m.)

Staff Presentation:

Mayor Wright stated he and staff interviewed nine of ten candidates noting one candidate decided not to participate. He proposed the two current members, Devin Weaver and Carry Pierce, be retained; and Kevin Crook and Allison Booth be appointed as members.

MOTION: Councilmember Beecher – To approve the (resolution) appointments to the Forebay Committee as outlined by Mayor Wright. Motion seconded by Councilmember Christensen. A roll call vote was taken as follows and the motion carried.

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

3. Resolution – Payson Fruit Growers Agreement (5:33 p.m.)

Staff Presentation:

Dave Tuckett stated the City supported Payson Fruit Growers in applying for a grant for the wastewater treatment plant. The State of Utah cannot award grant funding to private organizations, so the State increased the city's grant funds by \$2 million on behalf of Payson Fruit Growers. Staff reviewed keeping Payson Fruit Growers in compliance for BOD to the wastewater treatment plant and \$2 million wouldn't cover it. Staff talked to Payson Fruit Growers about putting in its own pretreatment program because the City wants to resolve the issue permanently. Currently, Payson Fruit Growers is working with an engineer on a pretreatment program to treat wastewater before it gets to the city's plant, which will cost \$4 to \$5 million. The City will contribute \$2 million towards the Payson Fruit Growers pretreatment program. This agreement was sent to the State, which is comfortable with it; and Payson Fruit Growers is good with the agreement also. This agreement is fair and helps to avoid violations in the future at the wastewater treatment plant. The staff is working with the State to get all the approvals in place.

Council Discussion:

Councilmember Provstgaard questioned if Payson Fruit Growers will come up with the additional amount to complete its pretreatment program. He asked that language be added to the agreement.

Dave Tuckett stated he will add language as such. Different options were addressed, but this helps put cleaner water into the wastewater treatment plant. This will alleviate programs in the future.

MOTION: Councilmember Beecher – To approve the resolution with the addition of the funding required by Payson Fruit Growers and authorize Mayor Wright to sign. Motion seconded by Councilmember Provstgaard. A roll call vote was taken as follows and the motion carried.

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

E. ADJOURNMENT

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

The meeting was adjourned at 5:40 p.m.

Kim E. Holindrake, City Recorder