

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

50  
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.

55  
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.

61  
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.

65  
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.

85  
86 Councilmember Hiatt stated she will miss the council members leaving and has enjoyed working with  
87 them and getting to know them.

88  
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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94  
95 D. ACTION ITEMS

96 1. Resolution – Canvass of the November 21, 2023, Payson City Municipal General Election  
97 (5:25 p.m.)  
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99 Staff Presentation:

100 Kim Holindrake stated with the required ballot recount, today is the last day for the Council to canvass  
101 the election returns for the November 21, 2023, Municipal General Election. The Utah County  
102 Elections Office called today around 2 p.m. and stated they would have the election returns in 10 to 15  
103 minutes. She waited and waited and tried calling without any answers. At 4:55 p.m. she finally  
104 received minimal information. She reviewed the information on how each seat was filled using ranked  
105 choice voting. The first seat was filled by Ryan Rowley, second seat by Brian Hulet, and third seat by  
106 Anne Moss. The County was unable to get her any ballot statistics for the precincts. Tonight, the  
107 Council needs to approve and sign an Election Results Report, which will contain the information she  
108 just provided as well as the ballot statistics once received. The Election Results Report is then attached  
109 to the resolution, which states Ryan Rowley, Brian Hulet, and Anne Moss are elected to the city  
110 council. There are some election requirements she will take care of once the Election Results Report is  
111 signed.  
112

113 **MOTION: Councilmember Provstgaard – Being convinced by the County that the ballots that**  
114 **are missing will not affect the outcome of the election, I move that the council canvasses and**  
115 **approves the election as it is currently, knowing it will not change the outcome of the three top**  
116 **candidates.** Motion seconded by Councilmember Beecher. A roll call vote was taken as follows and  
117 the motion carried.  
118

119 Yes - Kirk Beecher  
120 Yes - Linda Carter  
121 Yes - Brett Christensen  
122 Yes - Taresa Hiatt  
123 Yes - Bob Provstgaard  
124

125 2. Resolution - Appointments to the Forebay Committee (5:30 p.m.)  
126

127 Staff Presentation:

128 Mayor Wright stated he and staff interviewed nine of ten candidates noting one candidate decided not  
129 to participate. He proposed the two current members, Devin Weaver and Carry Pierce, be retained; and  
130 Kevin Crook and Allison Booth be appointed as members.  
131

132 **MOTION: Councilmember Beecher – To approve the (resolution) appointments to the Forebay**  
133 **Committee as outlined by Mayor Wright.** Motion seconded by Councilmember Christensen. A roll  
134 call vote was taken as follows and the motion carried.  
135

136 Yes - Kirk Beecher  
137 Yes - Linda Carter  
138 Yes - Brett Christensen  
139 Yes - Taresa Hiatt  
140 Yes - Bob Provstgaard  
141

142 3. Resolution – Payson Fruit Growers Agreement (5:33 p.m.)  
143

144 Staff Presentation:  
145 Dave Tuckett stated the City supported Payson Fruit Growers in applying for a grant for the  
146 wastewater treatment plant. The State of Utah cannot award grant funding to private organizations, so  
147 the State increased the city's grant funds by \$2 million on behalf of Payson Fruit Growers. Staff  
148 reviewed keeping Payson Fruit Growers in compliance for BOD to the wastewater treatment plant and  
149 \$2 million wouldn't cover it. Staff talked to Payson Fruit Growers about putting in its own  
150 pretreatment program because the City wants to resolve the issue permanently. Currently, Payson Fruit  
151 Growers is working with an engineer on a pretreatment program to treat wastewater before it gets to  
152 the city's plant, which will cost \$4 to \$5 million. The City will contribute \$2 million towards the  
153 Payson Fruit Growers pretreatment program. This agreement was sent to the State, which is  
154 comfortable with it; and Payson Fruit Growers is good with the agreement also. This agreement is fair  
155 and helps to avoid violations in the future at the wastewater treatment plant. The staff is working with  
156 the State to get all the approvals in place.

157  
158 Council Discussion:

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

161  
162 Dave Tuckett stated he will add language as such. Different options were addressed, but this helps put  
163 cleaner water into the wastewater treatment plant. This will alleviate programs in the future.

164  
165 **MOTION: Councilmember Beecher – To approve the resolution with the addition of the funding**  
166 **required by Payson Fruit Growers and authorize Mayor Wright to sign.** Motion seconded by  
167 Councilmember Provstgaard. A roll call vote was taken as follows and the motion carried.

168  
169 Yes - Kirk Beecher  
170 Yes - Linda Carter  
171 Yes - Brett Christensen  
172 Yes - Taresa Hiatt  
173 Yes - Bob Provstgaard

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175 E. ADJOURNMENT

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

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

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Kim E. Holindrake, City Recorder