

PAYSON CITY  
CITY COUNCIL MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, January 17, 2024

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Taresa Hiatt, Anne Moss, Ryan Rowley, William R. Wright

EXCUSED: Brian Hulet

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  
Tracy Zobell, Parks & Golf Director  
Karl Teemant, Community Services Director  
Shawn Black, Power Director

OTHERS Ben Probst – Gilbert & Stewart,

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:02 p.m. The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Bill Wright.

Pledge of Allegiance led by Taresa Hiatt.

B. CONSENT AGENDA

- Approval of the January 3, 2024, City Council Meeting Minutes
- Resolution - Library Board Appointments
- Resolution – Appointment of director, alternate director, and technical committee to South Utah Valley Municipal Water Association (SUVMTWA)
- Resolution - Annexation Agreement for the R&C #2 Annexation

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

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

**MOTION: Councilmember Christensen – To allow Mayor Wright to adjust the agenda.** Motion seconded by Councilmember Moss. Those voting yes: Brett Christensen, Taresa Hiatt, Anne Moss, Ryan Rowley. The motion carried.

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

2. Payson/Santaquin Chamber of Commerce Quarterly Report (6:05 p.m.)

Diane Jensen stated 2023 brought a lot of changes, activities, and accomplishments. This included hiring a new market director, new chamber website, new back office system, cost cutting, updated membership records, developed new marketing materials, increased social media presence, worked on increasing value to members, increased value of chamber in the community by displaying booth at 20 different events, welcomed 43 new chamber members, distributed about 400 welcome bags, held three meet the candidates night (Payson, Santaquin, Genola), planned and held 14 other events including a first small business Saturday, held 15 ribbon cuttings, attended monthly city council meetings, held general and executive board meetings, and got the financial records and books reconciled. The Chamber is looking forward to accomplishing much more in 2024. The upcoming Gala is on Thursday, February 8.

3. Public Forum (6:09 p.m.)

No public comments.

4. Staff and Council Reports (6:10 p.m.)

Staff Reports

**PARKS & GOLF** - Tracy Zobell noted a big pine tree was removed at the cemetery three weeks ago because it had a beetle. Sometime people get inquisitive about it and ask the council members. The tree will be replaced with a comparable tree.

**DEVELOPMENT SERVICES** – Robert Mills stated the Main Street renovation began this week. The staff is working closely with the contractor, and the first two blocks are closed. Businesses are still accessible via the walkway and sidewalk. Please let residents and people know the businesses are open and parking is available in the rear. He gave a shoutout to Travis Jockumsen and Jill Spencer who fielded a lot of calls this week regarding the renovation and the façade grants. Businesses can contact any staff member in Development Services for information on the façade grants. Jonathan Knight created a website for additional information and updates. Mayor Wright noted there have been delivery issues to some businesses that are being resolved as well as signage placement.

**RECREATION** – Karl Teemant reported the Forebay Committee met last night and are gearing up for the upcoming season and to follow the management plan. Taresa Hiatt questioned that property owners in Elk Ridge are wanting to develop in the area. Robert Mills clarified staff has been in contact with Elk Ridge City for several months and are discussing a joint development and preservation plan for the golf course, Forebay, and Elk Ridge area. The upcoming budget will include funds for this plan. It will be an all-inclusive plan for development, preservation, trails, etc.

ADMINISTRATION – Dave Tuckett reminded the council of the retreat this Friday and Saturday. He asked the Council to come prepared to take a few minutes to present their goals and priorities. He handed out the council assignments.

### Council Reports

Councilmember Christensen stated he attended the Forebay Committee meeting, and many things were discussed. He is excited about the development on Main Street; it will be tough for businesses over the next six months. He hopes business will be able to recoup any losses over the last six months of the year. He gave a shoutout to Travis Jockumsen for quickly getting signs moved and access open to Main Street even though he was on vacation.

Councilmember Rowley reported he attended the Utah League of Cities and Towns meeting today at the State Capital along with Mayor Wright and Dave Tuckett. It was good to remind State Legislatures that power needs to remain with the cities. He is excited about the Main Street renovation; it's a long time overdue. It will be tricky for businesses over the next six months, but it's been tricky since Payson was founded. This will be a huge improvement because it's the gateway to Payson.

Mayor Wright stated the youth court also went to the State Capital and listened to Governor Cox. He's grateful to have the interaction with the State Legislatures. Main Street is narrow but an attribute that is positive for the City. Very few cities have a quaint street like Payson's Main Street. He received a letter from the State Library Board announcing the Payson Library received the Outstanding Library Award, which is the fourth or fifth time. The letter stated the library is part of the community and interacts with adults and children in an intelligent way. This is a great accomplishment.

Councilmember Moss is also excited for the Main Street renovation and is curious to see what is found under the road. She gave a shoutout to Kim Holindrake and Melanie Marsh, who helped her to get set up as a councilmember. She thanked all the staff as well who are very knowledgeable. She is excited to be assigned to various groups and committees and excited to learn and explore the trails, library, and other areas of the city.

Councilmember Hiatt is thankful for the snow plowing.

#### 1. Presentation of Financial Audit for Fiscal Year 2022-2023 (6:25 p.m.)

Presentation:

Ben Probst stated the Fiscal Year 2022-2023 Audit is complete. Time was spent collecting data and information, verifying with third parties, and compiling the financial independent audit report, which is on page 16. He read the second paragraph from the report. *In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of Payson City, as of June 30, 2023 and the respective changes in financial position and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.* This is the best opinion that can be received. In the back are other reports including internal controls and the compliance report that is required by the State Auditor's Office. He ensured the City is in compliance with the state audit guide by looking at the budgetary compliance, fund balance, fraud risk assessment, restricted taxes and related revenues, government fees, and the Open and Public Meeting Act. Some items are tested every three years. He

submitted a letter to the City stating there were no findings through the audit procedures, so nothing needs to be reported or disclosed. The City is doing very well maintaining its financial records.

Council Discussion:

Mayor Wright thanked Mr. Probst and Cathy Jensen for their work.

#### D. ACTION ITEMS

No action items.

#### E. OTHER

1. Annual Training - Open and Public Meetings Act and Municipal Officers' and Employee Ethics Act (6:30 p.m.)

Jason Sant reviewed the following items.

##### Open and Public Meetings Act (OPMA).

- Discussions and actions are to be done in an open meeting.
- Meetings are noticed according to state law with at least 24-hour notice.
- A quorum is three councilmembers.
- Public clamor during a public hearing. The best protocol is to let people state what they want and let them sit down. The council shouldn't try to respond.
- Electronic meetings are conducted according to Payson City Code.
- Closed meetings are only for land transactions, litigation, and competency of an employee.

##### Municipal Officers' and Employees Ethics Act.

- If a member of the council is directly involved in a business transaction with the city or influenced, it's a crime in the state of Utah.
- A councilmember's job may have something to do with the city via a contract. Mayor Mike Mendenhall with Spanish Fork City was a councilmember when a development came through and his bank funded the project. It wasn't disclosed, and Spanish Fork City had to rescind the vote and revote.
- Sometime the disclosure requires a sworn statement. He asked the council to please see or call him if they ever have a question. If a councilmember has a conflict of interest, that councilmember needs to state the conflict and then may choose to vote or abstain from voting. It is completely up to the council members to vote or abstain. It takes three affirmative votes to pass a motion.
- A gift is limited to \$50.

Council Discussion:

Councilmember Moss stated she has attended Planning Commission meetings because she likes to hear the public comments.

Jason Sant stated the Planning Commission is a recommending body. Councilmembers should not make comments or influence the Planning Commission. Staff will provide the planning commission information to the council. He doesn't want the council members to make up their minds ahead of time. Something may change slightly after a planning commission meeting. The Legislature took subdivision approvals from the council, which some haven't liked. Everyone needs to be given due

process and not have minds made up at the planning commission level. You may come up with questions but ask them at the council level.

Councilmember Christensen noted some items don't come before the council. He subdivided his property, and it never came to council for a vote.

Robert Mills noted as a councilmember, you don't want to be seen as influencing the Planning Commission. When in attendance, it can be construed as influencing them.

Jason Sant asked the Council to be careful when logging in to a Zoom meeting for the Planning Commission unless you are the applicant. Subdivisions will no longer go to the Planning Commission but will be decided by staff. Other land uses such as annexations, zone changes, and the General Plan are the big ones. The video can be watched afterwards and then discussed with staff.

#### F. ADJOURNMENT

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

The meeting was adjourned at 6:55 p.m.

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Kim E. Holindrake, City Recorder