

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, October 6, 2021

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Brett Christensen, Linda Carter, Taresa Hiatt (via Zoom), Brian Hulet, Bob Provstgaard (via Zoom), William R. Wright

STAFF PRESENT David Tuckett, City Manager
Cathy Jensen, Finance Director
Kim E. Holindrake, City Recorder
Brad Bishop, Police Chief
Travis Jockumsen, Public Works Director/City Engineer
Scott Spencer, Fire Chief
Jill Spencer, City Planner
Chris Van Aken, Planner II
Tracy Zobell,
Janeen Dean,
Kim Lefler, Communities That Care

OTHERS Christopher Riley, Alan Riley, Jim Rowland – Chamber of Commerce,
Thor Mongie, Daniel Bolz, Loretta Gale – Info Bytes President, April
Jones – Miss Payson Pageant Director, Abby Woodland – Miss Payson

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:05 p.m. The meeting was properly noticed.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Christopher Riley.

Pledge of Allegiance led by Alan Riley.

B. CONSENT AGENDA

1. Approval of the September 15, 2021 City Council Meeting Minutes
2. Resolution – Interlocal cooperation agreement with Utah County regarding the 600 North and SR-115 traffic signal light project
3. Resolution – Interlocal agreement with Utah County regarding funding for Payson Canyon Trail Feasibility Study
4. Resolution – Quail Mountain (Double A) Annexation Agreement
5. Resolution – Valo Development Agreement
6. Resolution – Lease agreement for Vactor Truck for Storm Drain

Councilmember Hulet questioned the trail feasibility study and whether Elk Ridge would be participating.

Dave Tuckett stated the main trail is going up Payson Canyon to Kiwanis Park to Maple Dale. To make the system more regional, the study will look at connections to Forebay. Staff didn't approach Elk Ridge. The City Council approved to pay for the entire study and Utah County said it would pay half.

MOTION: Councilmember Hulet – To approve the consent agenda. Motion seconded by Councilmember Christensen. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

Dale Herbert stated he has lived here a long time. He was the fire chief in Wales for 15 years and recently attended the dedication of the Wales new fire station. He has gone through the Payson fire station, and it's very inadequate. In actuality, Payson should have two fire stations. Payson is growing by leaps and bounds. The fire station needs to be adequate to take care of the public. He would like this to be considered. There are a lot of grants available.

Mayor Wright stated this is in the budgetary process. The City has property for a second fire station.

2. Staff and Council Reports

Staff Reports

POLICE – Chief Brad Bishop reported there were a couple incidents at the high school in the last couple days. The first was contained in 15 minutes. An incident today caused a lock down at the high school.

PARKS & GOLF - Tracy Zobell stated a new shade structure for the bandstand has been ordered. The refurbishing of the bandstand will be done by the end of November. Trino Zavala is retiring and the position will be noticed. He will be missed. Work has begun on the Peteetneet playground equipment. There have been issues getting in the items. The cemetery was down on burials for the first time in September. He thanked everyone who helped with the Economic Development Golf Tournament; it was a real success with positive feedback. There is a night of golf tomorrow night at about 7:45 p.m.

FIRE AND AMBULANCE – Chief Spencer stated medical calls have been busy, which is a challenge with COVID issues. At times, two ambulances are out on transfers. Santaquin and Salem help as needed. Date is being gathered for the Insurance Services Office (ISO) audit, which happens every five years. This sets the rates for fire insurance for commercial and residential. Payson is currently a level 4 and level 1 is the best. He is hoping to improve to a level 3. The Department has been testing hydrants and doing maintenance and repair. ISO also looks at construction, response times, and training. Once the report is done, a copy is sent to the mayor, city manager, and himself. The coloring contest was today; there were a lot of wonderful drawings. One student from every grade in each elementary school is picked up to have lunch at the fire station and do some training. The restrictions for Payson Canyon Park have been rescinded.

COMMUNITY EVENTS – Janeen Dean reported the annual Big Band Halloween Dance is October 29 from 7 to 9 p.m. at Petetneet.

Council Reports

Councilmember Carter reported the Economic Development Golf Tournament was wonderful and fun. If you haven't been to the golf course, you need to go. She appreciates all the city employees; they are extremely busy.

Councilmember Hulet stated the Economic Development Golf Tournament started five years ago. At the beginning, there was no charge. Since that time, it's been really good and businesses in Payson have become great sponsors. There were a lot of sponsors this year and he thanked them. This year attendees included former Governor Herbert, a Utah County Commissioner, representatives from the Utah Governor's Office of Economic Development, EDC Utah, and many other groups and prominent businesses. It puts Payson on the map. He thanked Tracy Zobell and everyone who helped. He and Mayor Wright attended a dedication for the little white church on Main Street last Sunday for the Hope Community Church. The church building was built in 1882 and is very old. He's happy it's being used as a church. It will be open most of the time during the week for people to in and meditate. He asked if the newsletter could be mailed to others who do not receive a utility bill.

Mayor Wright stated the Economic Development Golf Tournament spurs economic development in the City. Attendees are introduced to Payson City to see the community in hopes they might bring a business in the future. He remembers as a young man growing up hearing the bell ring at the little white church. It was very nostalgic.

Councilmember Hiatt stated thanked Tracy Zobell for the Economic Development Golf Tournament and his staff. The course looked great; it takes a lot of work

Councilmember Provstgaard reported interviews have been conducted for the new Development Services Director. There were about 12 candidates with candidates from . The interview panels included staff from Lehi City and Midvale City. He appreciated their input. The candidates were narrowed down to two and interviewed them today. Hats off to staff for the prepared questions and those interviewed. Candidates were from Kentucky, Texas, and Arizona; and six had master degrees in planning.

3. Scout Attendance Certificates

No scouts present.

4. CTC: Mayor's Youth Recognition

Mayor Wright and Kim Lefler presented Mayor's Youth Recognition Awards to Ben McKenna, Mt. Nebo Middle School, and Lauren Bakker, Payson Junior High.

5. Chamber Business of the Month

Jim Roland announced the Chamber Business of the Month is Balanced Health. Balanced Health treats the body holistically with many treatments and processes for overall good health. Its mission is

to improve patient health to achieve goals on this earth. Dr. Thor Mongie stated he practiced in Las Vegas 15 years and attended BYU. He loves Payson, is involved in the community, and is honored for the award. He loves helping people improve their health.

6. Presentation regarding the Payson royalty photographs

Daniel Bolz stated in 2014 he stood before the City Council and proposed this project that all the royalty photographs at Peteetneet be digitized and put on the Payson City website. The project is complete with 161 photos including captions and dates. It's been a labor of love. His oldest daughter was Miss Payson in 1998 and his youngest daughter in 2011. He and Russell Brown, photographer for the Miss Payson Pageant, began taking pictures of the photographs and making notes. Now that it's on the city website, new Miss Payson photos will be added yearly.

Loretta Gale explained they were handed 400 photos and fell in love with the project. There is nothing like this across the country. In 1899, it was Miss Justice. She would love to include additional history on projects the royalty did for service in the community. Payson is an example of everyone pulling together. They notified the Utah Heritage Foundation and LDS Church and they will tie the presentation to their sites for ancestry work. Officially, there is a cliché that a picture is worth a thousand words. This project entails over 120 years of historical photos. It's not just a snapshot; it's a history of Payson's vibrant community, resilience, and hope.

April Jones stated she was astounded with the work. She thanked Loretta and Daniel for their hours of work. This is an addition to Payson's unique community.

Abby Woodland thanked everyone for the project. It's fun looking back at all the queens.

7. Presentation by Bird Scooters

Kate Shoemaker stated their purpose is to improve our communities and the lives of those around us. Bird is a micromobility company with a focus in shared electric vehicles. Their mission is to get people out of cars and using more sustainable micromobility trips to get to and from a parked car, house, school, or work place. E-scooters are great for short trips and connecting people to transit. An average ride is 1 to 4 miles. Birds started in 2017 as the original dockless scooter provider. Bird is the most trusted micromobility provider in the world. Bird is active in over 300 cities globally and over 15 cities in Utah. It works by downloading the Bird app, signing the user agreement, verifying age, adding a credit card, reviewing education materials, and then kicking off and riding. The cost is \$1+ per minute with an average cost of \$7 a ride. Vehicles are dockless giving the freedom to choose where to pickup and drop off. Riders are asked to ride in bike lanes or roadways and to follow the rules of the road as a biker would. Bird is committed to safety with accident rates less than bicycles. Capabilities include geo-zone technology with all vehicles tracked with GPS. Slow speed and no ride zones can be created. Bird focuses on reducing clutter by integrating dockless micromobility into communities through education, desired behaviors, local presence, and leveraging data. There will be a local fleet manager that is responsible for repairing and charging vehicles. Bird has presented an MOU with the city attorney for a small fleet of 50 to 100 birds. Launch could occur in the spring, and no investment is required by the City. Dedicated account manager and data dashboard.

Councilmember Hulet stated in some cities, scooters are left all over the place and become unsightly. He questioned if there is a way in the MOU to have a trial period.

Kate Shoemaker explained scooters are soft on the eye in colors of black or silver. Scooters have anti-tip technology and unauthorized moves. Through education, users take a picture of the vehicle to enforce correct parking. An alert goes to the fleet manager if a vehicle is tipped or moved and will respond immediately to correct the issue. Community mode allows scanning of a vehicle for attention. Bird uses promotions to incentivize riders to complete correct actions and identify trouble area. The fleet managers are very active on the ground. The MOU is not binding. Out of respect of the local fleet manager, Bird hopes to make a success long term. If not a success, the vehicles can be moved to a new market.

Councilmember Provstgaard stated this is exciting. He also sees a bike is available. He wants to address both age groups.

Kate Shoemaker clarified bicycles are coming but backlogged because of global shipping issues. Bikes should roll out in 2022 and are in high demand. Bikes are allocated to larger cities with a current permit. She can't speak to immediate availability.

Councilmember Christensen questioned the financial benefit to Payson.

Kate Shoemaker stated the City will receive sales tax, and Bird pays a general business license.

D. ACTION ITEMS

1. Resolution – Appointments to the Parks, Arts, Recreation & Culture (PARC) Tax Committee

Staff Presentation:

Mayor Wright stated he and staff spoke to a number of candidates for the PARC Tax Committee. He is grateful for this Committee. The City sees the impact it brings to the community such as the shade cover on the playground in Memorial Park.

Dave Tuckett stated the recommendation is Tara Makin, Kenton Phillips, and Richard Fillerup be appointed to two-year terms. With the passing of Doug Cloward, Devin Weaver be appointed to serve a one-year term. The PARC Tax is a great asset. The Committee is a great help in reviewing applications and making recommendations to the City Council.

Council Discussion:

Councilmember Hulet asked the Council to submit ideas for these taxes. Taxes are even collected from outside the City when people shop in Payson.

Councilmember Carter stated a lot of the money has gone to certain groups repeatedly. We need to really think about some fun and new things to fund. Things that are useful for everyone such as the pickleball courts.

MOTION: Councilmember Hulet – To (resolution) appoint to the PARC Tax Committee Tara Makin, Kenton Phillips, and Richard Fillerup for two-year terms and Devin Weaver for a one-year term. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter

Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Bob Provstgaard

2. Request for use of the NC Neighborhood Commercial Overlay for Riley’s Taste of Sunshine located at 21 East 1176 South in the R-1-9 Residential Zone (7:12 p.m.)

Staff Presentation:

Chris Van Aken stated an overlay is a legislative function. The overlay is project specific for specific uses in residential zones, runs with the property with no entitlement for other uses, creates a legal conforming use, and must be implemented within one year. The proposed use is a farm stand with no food preparation on site. The hours of operation are 9 a.m. to 9 p.m. during the summer and 9 a.m. to 6 p.m. in the winter. Landscaping and parking areas will be created.

Council Discussion:

Councilmember Hulet questioned that items were being sold at this location previously, was it just nonconforming, and comments from the Planning Commission public hearing. He has a concern with it being close to the high school and doesn’t want it to become just a soda shop for the high school. Otherwise, he is in support of the project.

Councilmember Christensen

Chris Van Aken is not sure of the previous work. An overlay runs with the land, and they will have to meet all the parameters. A public hearing was held with the Planning Commission. There were no concerns with the impacts, and residents voiced no concerns. Staff will do a more comprehensive review with the building permit submittal.

MOTION: Councilmember Provstgaard – To approve the overlay zone in the R-1-9 Zone for Riley’s Taste of Sunshine. Motion seconded by Councilmember Hiatt. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

3. Resolution – Sunset Ranch Annexation petition for consideration of acceptance and further review located at approximately 11950 South 1950 West consisting of 56.2 acres (7:20 p.m.)

Staff Presentation:

Chris Van Aken stated this item is for acceptance of the Sunset Ranch Annexation for further review, which consists of three parcels. Utah County completed its process and provided certification to the City. The annexation doesn’t create an island or peninsula. The zone will be determined when staff completes further review. The land use map shows low density residential.

MOTION: Councilmember Christensen – To appoint Brian Hulet as Mayor Pro Tem. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

MOTION: Councilmember Christensen – To accept the resolution for the annexation of Sunset Ranch at approximately 11950 South 1950 West for a total of 55.11 acres. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Bob Provstgaard

4. Ordinance – Amendments to Title 19, Zoning (7:25 p.m.)

Staff Presentation:

Chris Van Aken stated some changes addressed by the Planning Commission will be refined and brought back later. The proposed changes tonight include making land use expirations more uniformed, eliminating phased site plans, and parking tabulations relative to assisted living.

Councilmember Provstgaard stated he works for a company that manages 21 assisted living properties. There are very, very few residents that have a vehicle. He has reviewed these requirements and other city requirements and questioned three beds. In the future, maybe assisted living, nursing homes, and convalescent centers aren't together because he sees where there can be a problem.

Chris Van Aken clarified that it's broader with assisted living and convalescent centers. It can be left at five beds. Continuing, proposed changes include mitigating the parking of large construction equipment for extended periods of time including screening,

Councilmember Christensen stated he doesn't want to discourage business so there needs to be a balance.

Chris Van Aken clarified that the language can be refined to differentiate on lot size or number of parking spaces. The language is fairly general.

Councilmember Hiatt questioned the commercial business by Olson's Greenhouse where big trailers are parked along the side of the road half way up the road in the early morning. Her understanding was that this wouldn't be allowed. Will these changes require them to find a place for this equipment? They don't have enough space to park all of their vehicles.

Chris Van Aken clarified that these amendments will further enforce this issue. Continuing, carports will no longer be required to have architectural features, bicycle racks are required in multi-family projects, and architectural features are required on all sides of the building.

Council Discussion:

Councilmember Hulet asked staff to look at multi-family having vehicle charging stations. He questioned requiring exterior materials with new state law in commercial areas.

Chris Van Aken clarified that this is single-family residential.

Councilmember Hiatt wants to make sure multi-units are providing parking and not charging for it.

Councilmember Hulet asked if the City can require a percentage of free parking.

Councilmember Christensen stated the curb could be painted red or add parking meters, but the City then becomes the bad guy.

Chris Van Aken stated parking standards for multi-family can be beefed up. Staff can look at other cities to see how they handle the situation.

MOTION: Councilmember Hulet – To approve the (ordinance) amendments to Title 19, Zoning, and remand staff to look into charging stations in multi-family projects. Motion seconded by Councilmember Hiatt. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Bob Provstgaard

E. ADJOURN TO CLOSED SESSION

MOTION: Councilmember Carter – To adjourn to closed session. Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Bob Provstgaard

1. Purchase, exchange, sale, or lease of real property

F. ADJOURN FROM CLOSED SESSION

MOTION: Councilmember Christensen – To adjourn from Closed Session. Motion seconded by Councilmember Provstgaard. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Bob Provstgaard. The motion carried.

G. ADJOURNMENT

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

The meeting adjourned at 7:50 p.m.

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder