

## January 15, 2014 Payson City Council Minutes

Minutes of the Payson City Council Meeting held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, January 15, 2014 at 6:00 p.m.

ROLL CALL: Mayor Rick Moore; Councilmembers: JoLynn Ford, Kim Hancock Larry Skinner, and Mike Hardy. City Manager Dave Tuckett, City Attorney Mark Sorensen, and Deputy City Recorder Amanda Baker. Councilmember Scott Phillips joined by conference call.

Mayor Rick Moore presiding.

### PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Troop 1549 Trevor Wilcox and Thomas Schack of Troop 1549 led the Pledge of Allegiance.

### CONSENT AGENDA

*MOTION by Councilmember Hancock to approve the Consent Agenda. Motion seconded by Councilmember Ford. Motion carries.*

### PUBLIC FORUM

Mr. Brent York stated he is not happy with the rate increases for his utilities here in Payson. He feels that Payson's utilities are the highest in Utah. He stated his bill on other properties with Rocky Mountain Power are four times less than what his Payson utility bill is. He mentioned the largest increases are the base rates which have an immediate effect on the most restricted people in Payson, including those in poverty and widows.

Mayor Moore asked if the bills he is comparing are for his house bill or his barn

Mr. York stated he stated he noticed the bill on his barn. He stated that he rarely uses any electricity. Mr. York stated he uses almost no power, and that these high utility rates will have a significant effect on economic development for the city, and will have a negative result on future business.

Mayor stated a lot of the city's revenue comes from the power. He would like to see an actual usage for street lights broken out on the bill and have it be more transparent.

Mr. York stated the electrical department shouldn't subsidize the other city departments. He cautioned the council about using department funds to pay for other departments.

Councilmember Skinner asked about the comparison of the rates.

Power Superintendent Ron Crump stated the rate design was meant to keep in line with other cities.

Mr. York stated that Kaysville is part of UAMPS and the public is concerned about these rates in Kaysville as well.

Public forum closed at 6:20.

### COUNCIL AND STAFF REPORTS

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Golf Pro Tracy Zobell stated Utah Broadband would like to put a cell tower new the pro shop at the golf course. He stated they need power to it and that it can only go in a couple of directions for the tower to work. He suggested that we do not allow a freestanding tower up there. He stated it isn't worth the money.

The consensus of the Council was they do not want the tower there.

Chief Runyan reported on various cases.

Public Works Director Travis Jockumsen gave an update on the proposed well up the canyon and the snow totals.

Councilmember Skinner asked if we are expecting to drill a well.

Director Jockumsen stated it will depend on the cost.

City Manager David Tuckett stated the estimate that we took to the stated included 1800 feet of pipe., which will get us around the golf course area.

Councilmember Skinner asked if we would be able to use the water by this summer.

Director Jockumsen said that is what they are working towards.

Recreation Director Karl Teemant reported that Milt Freidli is back to work. Judy Reynolds is doing well. He reported that she is home and doing really well. She can walk and talk. He stated we are taking registrations for Little Miss Payson Pageant.

Chief Scott Spencer said the council should have received a letter from Utah Valley Dispatch regarding the building of a new facility. He stated the meeting is tomorrow night. He mentioned he would vote not to build a new building. He said that Spanish fork and Payson are the highest taxed and he is concerned about that cost and mentioned that Utah Valley Dispatch has a fund balance of 2.5 million dollars; he would like to know where that balance came from.

City Manager Tuckett stated we recently sent a letter sent to an e-cigarette business indicating that we would not renew their license when it expires. He stated the owners lease expires in November 2016 and staff feels that it would be fair to allow them to continue with their business until the end of their lease date.

Councilmember Skinner asked if we would carry a liability with the state in allowing them to continue.

City Manager Tuckett stated we wouldn't. There may be some changes in the legislation by then which could be of their benefit but regardless they would like to wait until the end of the lease.

Councilmembers Hardy, Ford and Phillips all said they were fine allowing them to stay until the end of their lease.

Councilmember Phillips reported that Jeff Hiatt worked hard to repair a leak down at Rayloc. He thanked him for getting it fixed so quickly.

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Councilman Hancock reported the SUMVWA meeting is tomorrow which begins at 6:00 pm at the Mapleton city offices.

Councilmember Ford thanked the employees and said that we have some great employees.

### SCOUT ATTENDANCE CERTIFICATES

Councilman Hancock presented the following scouts from Troop 1549 with certificate of attendance

Thomas Schack  
Trevor Wilcox  
Jacob Montgomery  
Alex Bancroft  
Bridger Kilmer  
Braxton Kilmer  
Caleb Hayes  
Donovan Simmons

### INTERFAITH COUNCIL REPROT

Pastor Kent Boykin of Hope Baptist church reported they have been meeting as a council for about a year now. He reported their goal for this year was a helping hands coalition for the needy, which would help transients and other people that are in need. He stated a fundraiser will be held Friday February 21<sup>st</sup> 5:30-8:30pm. Tickets will be \$5 per person and will include some good entertainment.

Councilmember Ford suggested getting the high school performing groups to participate. She said getting the kids involved will bring the parents.

Pastor Boykin stated they are working with the police department and they really want to help those that need help.

Mayor Moore mentioned the interfaith council will be a great asset to Payson.

### APPOINTMENT OF THE CITY RECORDER AND TREASURER

***MOTION** by Councilmember Hardy to appoint Jeanette Wineteer as City Recorder and Elaine Openshaw as Treasurer. Seconded by Councilmember Ford. Motion Carries*

### AUDIT

Mr. Ben Probst, Auditor with Gilbert and Stewart Certified Public Accountants reported that in their opinion the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Payson City, as of June 30, 2013, 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.

Mayor Moore stated that earlier in the meeting Mr. York had cautioned transferring money from an enterprise fund to fund other departments. He asked Mr. Probst if we are ok on our transfers.

Mr. Probst stated Payson City is ok on the transfers as long as you have a public hearing on the budget transfers you are ok. He stated the general fund is paying for all the administrative services for all of the utility funds such as collecting, receiving, and invoicing. He stated you to have an appropriate range.

Councilman Hardy asked if we are advertising correctly.

City Recorder Jeanette Wineteer stated that even the council budgets are in the general fund. She stated that we do advertise the transfers. They are advertised in the paper as a public hearing and we send it out to the utility customers.

Mr. Probst said he has reviewed our practice and we are in compliance.

Councilmember Hardy asked if we are within our bound or are we close.

Mr. Probst stated it changes from year to year. Some years are more than others.

Mayor Moore asked if the audit is on the website.

Recorder Wineteer stated that it is on the state auditor's website and there is a link from our website.

Mr. Probst also reported the RDA is improving and the deficit balance will be gone in the next year or two. He reported the City was able to pay off a large amount of debt through the refinancing of some bonds which was very beneficial for the city. He stated it has been great to work with the staff.

#### PUBLIC HEARING FOR BUDGET AMENDMENT

***MOTION** by Councilmember Hardy to open the public hearing. Seconded by Councilmember Hancock. Motion carries.*

City Manager Tuckett presented information from the following budget amendment summary.

**Electrical Power Plant Department:** The Electrical Department needs to install Catalectic converters to each of the four power plant engines to comply with EPA air quality standards. The estimated cost is approximately \$200,000. The department also needs to increase power purchases by \$18,996; increase communication budget by \$1,000, travel by \$500 and chemicals by 500. Ron indicates that his revenues are above what was projected. Therefore, we are proposing increasing the revenue number in 53-37-15000 and 53-37-16000 by a total of \$220,996. This is less than a 2% increase. We would add that amount to the power plants repair and maintenance and additional power purchased.

**\$220,996.00 increased revenue to funds 53-37-15000 and 53-37-16000 and increase the power plant expenses by \$220,996.00.**

**Electrical Department:** The Electrical Department had budgeted in last budget year to pay for the Annexation Evaluation and for updating the Capital Facilities Plan. They only paid a portion of the bill before the end of the budget year. We just recently received an invoice. The funds had fallen to fund balance. We need to re-appropriate \$52,030 from fund balance

**\$52,030.00 from electrical fund balance**

**Peteetneet Amphitheater:** We have done a lot of work on the Peteetneet Amphitheater that past Fall. The electrical department has also installed security lighting. To complete a portion of the electrical work so that so that venues can easily connect into our lighting system, we need to make changes to the breaker panel. This will assist the lighting and sound connections. The estimated cost is \$15,000.  
**\$15,000 from fund balance.**

**Sewer Department:** The Sewer Department is in great need of a Camera Truck. The camera we have had is no longer functioning and cannot be repaired. We are under mandate with our insurance company to continue to clean sewer lines. The camera is essential. The quote we have from the vendor is \$151,652.11. We would like to move forward at this time to move forward.  
**\$155,000.00 from fund balance.**

**Court Department:** The police have been sponsoring a bailiff for court security. I would like to appropriate funds from the revenues of the Court to pay for the bailiff services. To pay for the part time employee to provide the services would cost approximately, \$10,000..  
**\$10,000 increase in revenue from the court and increase part time employee by \$10,000.**

**Legal Department:** We committed to pay Marcus Faust, legal counsel, \$2,000 per month plus expenses to assist in helping with our water needs. Specifically creating an organization for South Utah Valley to work together. To help us get to the end of the budget year, we will need approximately \$20,000.  
**\$20,000 from general fund balance.**

**Storm Drain Department.** We are in negotiations to purchase property from Lois Knuteson for a regional storm drain pond as well as the road realignment for the truck route. She has agreed to \$167,000 for the 3.54 acres.  
**\$167,000 from Storm Drain Fund Balance.**

**Police Department:** The police received a \$460.00 donation that they would like placed in the Drug Task Force account.  
**\$460.00 increased revenue and added to Drug Task Force expenditure account.**

**Payson Community Theater:** The community theater brought in excess revenues to cover the expenses. The Shrek expenses need to be adjusted to cover the actual costs. There are already revenues budgeted to cover the increase in expenses. The proposed expenses are:

Temporary employees increased	\$6,500
FICA increased	\$ 500
Professional Services	\$3,000
General Supplies	\$3,000

**Tour of Utah:** The City Council previously appropriated \$10,000 for the Tour of Utah. Revenues in the amount of \$5,500 were also raised to assist with the event. These revenues need to be appropriated. In a separate document, you will see the expenses generated by the Tour of Utah. With what the council appropriated and the revenue generated, we have covered all the costs and have approximately \$1,500 dollars left. We are proposing to purchase another belt buckle for Steve Miller of the Miller family as a gift. We are also proposing to frame the 3<sup>rd</sup> stage winners jersey to hang here at the city center. The approximate cost for both of those items will be approximately \$900. The remaining amount will fall back to fund balance.

**\$15,000 appropriated as additional revenue received.**

**Salmon Supper:** Revenues exceeded expenses this year for the Salmon Supper. We are required to install sheet metal on the serving areas. We are also building a couple of additional cooking racks. We are asking the council to appropriate \$1,500 to pay for these expenses.

**\$1,500 added to general supplies budget of the Salmon Supper**

Councilmember Hardy asked when we found out about the converters.

Superintendent Crump stated it was about November. When they first looked at the cost it was going to be around \$500,000 however they have been able to get the parts for about \$170,000 and installation fees of \$30,000.

Councilmember Hardy asked when we would do the work.

Superintendent Crump said we could order the equipment tomorrow and the work will need to be done by April.

City Manager Tuckett stated we need a little money to do a few upgrades to the Peteetneet amphitheater, we need at least \$15,000 dollars right now for a quick connect box to update the electrical on the amphitheater.

Councilmember Hardy asked what other items are needed to complete the remodel of the amphitheater.

City Manager Tuckett stated we would need \$250,000 dollars to install stands, lights and other items to make it a professional stage.

Councilmember JoLynn suggested that if you build it they will come.

Councilmember Hancock questioned if cities be in the business of having an entertainment center and a golf course.

Mayor Moore said it is an amenity.

Councilmember Skinner asked how vandal proof this would be.

Superintendent Crump stated there would be a box around it so we can secure it.

Councilmember Ford asked if that along get more people to come.

City Manager Tuckett stated the last artist required that we have the amphitheater that covered. And we have more lighting than we have ever had.

Councilmember Hardy stated there isn't an issue with this but if we start spending money we need to ask the community.

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Councilmember Ford stated we have a lot invested in the roof and if this will get us more people to come we could recoup the money over time.

Councilmember Hardy stated it is a good addition to onion days but if we go forward more we need to involve the public.

Golf Pro Zobell stated the reason cities decided to get into the golf business is because it provided the more opportunities for people who otherwise couldn't afford it.

City Manager Tuckett reported the Sewer department is without a camera truck the one they have has been limping along and because it is so old parts are no longer available. The request is for a camera truck.

Councilmember Skinner asked if we could put this in the revolving loan fund.

City Manager Tuckett stated there aren't any funds available.

Sewer Superintendent Jeff Hiatt stated if we had it while cleaning with the jet truck you could make sure that you get all the grease out of the lines.

Discussion was held regarding things that could be done to improve Salmon supper.

***MOTION** by Councilmember Hardy to close the public hearing. Seconded by Councilmember Hancock. Motion carries.*

***MOTION** by Councilmember Hardy to approve the budget amendments. Seconded by Councilmember Phillips. Motion carries.*

City Manager Tuckett mentioned he would like to start having some budget meetings in February.

## ELECTRONICS COMMUNICATIONS POLICY

City Manager Tuckett stated he wants a policy on how people interact with social media including connecting to Facebook, Twitter and other means of electronic communication.

Councilmember Ford said part of the problem is that things change so quickly. She mentioned MSN shows that media of choice for teenagers last year it was Facebook and one year later it was Instagram. We have to be aware that things change.

Councilmember Hancock stated he recognizes the need to do this and is a good start. He is concerned about what information could be requested through GRAMA.

City Attorney Mark Sorensen stated that your computer could be subpoenaed and imaged.

Superintendent Fowden questioned why the city doesn't provide the council iPad to use.

Discussion was held regarding records.

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***MOTION*** by Councilmember Ford to adopt the communications policy. Second by Councilmember Hancock. Motion carries.

Superintendent Teemant presented information regarding changes to the recreation fee schedule.

Councilmember Ford asked if the football program still growing.

Superintendent Teemant reported that it is a steady program.

Councilmember Ford is concerned that the fee increase will hurt the program.

***MOTION*** by Councilmember Hardy to approve the changes to the fee schedule. Seconded by Councilmember Ford. Motion carries.

Director Jockumsen presented information regarding a proposed pump station, up Payson Canyon.

Councilmember Skinner questioned if we would even have strawberry water available this year.

City Manager Tuckett stated Strawberry water has a contract to be the first to get water, however it could be restricted. He mentioned he feels that strawberry water is the best right in the state.

***MOTION*** by Councilmember Phillips approving staff to move forward on the pond and pump station. Seconded by Councilmember Hancock. Motion carries.

Attorney Sorensen presented information regarding the open and public meetings act, which included training on the following topics:

- Open and Public Meetings Act sections 52-4-101 - 52-4-305
- Municipal Officers and employees ethics act Sections 10-3-1301 – 10-3-1312
- Ethics commission

***MOTION*** by Councilmember Hardy to adjourn. Seconded by Councilmember Ford. Motion carried.

Meeting Adjourned at 9:10pm.