

Notice is hereby given that the Payson City Council will hold a special meeting and a special joint meeting with Santaquin City Council on Wednesday, March 30, 2011 beginning at 5:00 p.m. in the Payson City Council Chambers at 439 West Utah Avenue, Payson, UT.

5:00 p.m.

- CONVENE
- AGREEMENT – RCL ECONOMIC STUDY

5:30 p.m.

- BREAK FOR DINNER

6:00 P.M.

- CONVENE JOINT MEETING WITH SANTAQUIN CITY COUNCIL
  - Informational Meeting to discuss a possible Interlocal boundary agreement
- ADJOURNMENT

I, Jeanette C. Wineteer, the Payson City Recorder do hereby certify that the above notice was posted in the Payson City Center and on the State Public Meeting Notice Website on this 24<sup>th</sup> day of March 2011. The press was duly notified.

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City Recorder

In accordance with the Americans with Disabilities Act, Payson City will make reasonable accommodations to participate in the meeting. Requests for assistance for this meeting can be made by calling the Payson City Recorder at 801-465-5200 at least 48 hours in advance of the meeting to be attended.

## March 30, 2011 City Council Meeting & Joint Work Session

Minutes of the special joint work session with Santaquin City Council on March 30, 2011 beginning at 6:00 p.m.

### CONVENE JOINT MEETING WITH SANTAQUIN CITY COUNCIL

Payson City Council convened with Santaquin City Council at 6:05 p.m. in the Payson City Center Banquet Hall.

ROLL CALL: Payson Mayor Rick Moore; Payson City Council members: Brad Daley, JoLynn Ford, Kim Hancock, Mike Hardy, and Scott Phillips; Payson City Manager Dave Tuckett, and Payson City Recorder Jeanette C. Wineteer. Santaquin Mayor James E. DeGraffenried; Santaquin City Council members: Filip Askerlund, James Linford, Rick Steele, and Brent Vincent.

### PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Santaquin Councilmember Jim Linford and Pledge of Allegiance led by Payson Councilmember Scott Phillips.

### DISCUSSION REGARDING A POSSIBLE INTERLOCAL BOUNDARY AGREEMENT

Mayor Moore welcomed those in attendance and outlined the meeting format and explained when public comment would be taken.

Mayor Moore described and explained that each City has a General Plan and an Annexation Plan, so when Payson and Santaquin sent those into the State, we found that lines overlap. He explained:

- Mayor More and Mayor DeGraffenried met with staff members (December 2010)  
Discussion points included:
  - Cities need to work together to benefit the area
  - Effect of past and current annexations on city budgets, county residents, planning practices has not been positive
  - How to create a “line in the sand” which is mutually beneficial
  - Get the two City Councils together to discuss the matter and take the issue to affected county residents
- Payson and Santaquin City Councils met to further discuss the annexation issue (January 2011)
- Discussion points included:
  - Cities need to work together to benefit the area
  - Effect of past and current annexations on city budgets, county residents, planning practices has not been positive
  - Annexations should be landowner driven not initiated by cities
  - Could a line in the sand impact property owners’ rights to chose?
  - Where an overlap occurs, the General Plan of both cities should be consistent so that future uses will be complementary
  - Possible 1-2 year moratorium on annexations within the overlap area and its impact on property owners’ rights to improve land

- The Council's need to understand the concerns of property owners and county residents.

Because public input is so important, no final decisions have been made.

He asked for public comment and explained that comments should be delivered at the podium. In order not to take up extra time, he would appreciate it if everyone would not repeat what someone else has said; just to mention that they agree. All comments will be recorded and should be kept to 3-5 minutes. He asked everyone to be courteous and keep in mind that we are working together to preserve and enhance the quality of life.

Mayor Moore described where some annexations in the area that have already been started are located. He explained that the West Meadows Annexation is going forward, but South Farms Annexation has some protests and will have to be heard by the County Boundary Commission.

Jim Saunders asked what the benefits were between the two cities. He would like an explanation of what the costs would be to build in each. He understands neither of the cities would charge a connection fee when annexed, but only as homes are connected. He said he owns property in this area and wondered what it would cost if his daughter wanted to build.

Santaquin Community Development Director Dennis Marker said they are discussing a policy that homes would not have to pay connection fees when annexed, but that is not policy yet. He explained that right now their impact fees are roughly \$11,000 for a new home. Their ordinances allow you to provide your own pressurized water, culinary water, and sewer. However if a development comes in and the sewer line gets within 300 feet of your property, by State law, you have to connect.

Payson City Planner explained that some of Payson's policies are similar. We have an ordinance called the "holding zone", that allows a property annexed to stay just like you are in the County until developed. Impact fees can be a little different depending on whether rural development or suburban development is occurring. In rural development there is an ability for landowners to utilize their own onsite services (water, sewer), but if it is urban development you would be required to extend water, sewer lines, etc. She explained that there would be no impact fees if it is rural development, because the whole basis of an impact fee is when you connect to the established systems there is an impact on that system and that is when you have to pay the impact fee.

Jim Saunders said there is a lot of open ground in this area and most of the properties have wells for culinary water and most don't have fire hydrants. He asked what the requirement was to get fire suppression in the area.

Payson Chief Scott Spencer explained there are different requirements for fire flows whether you live in the city or the county. With new development and limited water availability you could have an option to put in a fire sprinkling system. Some instances you would have to provide a fire hydrant, but for one home it would not be feasible. Our A-5 Holding Zone wouldn't require

anything different than is required in the county unless you are developing the properties for more housing.

Dennis Marker from Santaquin said they would look at the development standards and in an agriculture area you could provide fire suppression on your own properties as long as it meets the requirements. He said that Mont Depew is building a couple of homes and he is looking at his options right now for fire suppression. The cost would depend on how far you have to put in pipes so he couldn't give a firm cost at this point.

Mr. Saunders noted that we are not talking a couple hundred or a couple thousand dollars then.

Dale Saunders described an area that Santaquin annexed and only had one signature for the 263 acre annexation. He said he filed a dis-connect for some of this property today, but would like to see Oren Wall's property left in Santaquin. Because all the areas in Spring Lake have Payson addresses, phone numbers, and they shop in Payson and go to school in Payson they don't want to be in Santaquin.

Juana Viragos lives in Santaquin and she said she knows that everyone says that the final process will be determined by the landowners and has a problem with that because when the Santaquin sign went up, they all wondered when that happened. She also wondered about the water reclamation project in Santaquin and mentioned her sewer bill and felt like Santaquinites would have to keep paying for future costs. She needs more information before she can make a decision, like what the tax base of each city would be, and where the UDOT freeway exit is planned because that will impact the area. She felt like everyone wanted to know what Santaquin and Payson want to look like in the future.

Payson Mayor Moore said we would like to mesh the two cities as they come closer together so the zoning is something the two cities are each comfortable with. What we are trying to do is get away from annexations and try to just plan for the area. His hope is that we can all work through this, and keep any annexation development driven. He said this area is one of the prettiest areas we have in the county and believes everyone realizes that and wants to keep it that way. Farming is an important part of this area and he would like to keep it, but reality is growth is coming and our General Plans need to be updated and include what we all want.

Santaquin Mayor DeGraffenreid agreed that we want to play in the same sand box, just hope we can keep the cats out. As we go through the process, he wants to keep it like what it is like out there now. Santaquin has expressed the desire for people to come into their city if you want to. He doesn't want to see a road cut through properties, but growth will come and we need to prepare for it. He said they want to work with Payson and more importantly have a committee of staff members and people from the area.

Robert McMullin said he has two brothers and a sister that farm in the West Mountain area around 12000 S 5600 W and they want to continue to farm and have no interest to come to either city, but when that time comes (after he is gone) it will be up to those left to choose and they will go where the best deal is. He appreciates the mayors trying to work things out.

Joy Benson asked for clarification of meshing. She also said those people annexed already spoke and they want to be in Payson yet Santaquin doesn't want to allow them to and are protesting.

Mayor Moore clarified that we want to plan the area in both cities so that they will have compatible zoning. He explained that Payson did an interlocal with Salem similar to what we want to do with Santaquin and it seems to work out and gives everyone an idea to what the area is going to be like in the future.

Manager Tuckett explained where Payson's plan and Santaquin's plan overlaps and the reason we are having these discussions.

Mark Marvin still felt that Santaquin crossed over onto Payson's side because the natural barrier has always been the canal.

Residents stated that they prefer to stay in the County, but they fear that if they try to stay County it may be gobbled up by Santaquin in annexations.

Councilmember Daley understands everyone's frustration and that is the reason we are here tonight because both cities are frustrated. He explained that Payson City reacted because we had a lot of Spring Lake residents respond to the Santaquin annexation they didn't like and so we tried to get a petition to annex some property in that area. Santaquin didn't like that so they filed a petition, which makes us in a stalemate.

He then explained that there is a mechanism for properties to de-annex and Mr. Saunders is using that mechanism. Tonight was not intended to get people upset, but to just hear what you want. He said that Payson has an ordinance (the holding zone) so if you are annexed you can stay just as you are until you develop. He has heard Santaquin also say that they don't have an ordinance but that is their policy.

Marva Loy Eggett explained the history of the area and that the Spring Lake forefathers donated the lake to Payson because they felt that we would be part of Payson some day.

Councilmember Daley asked those in attendance where they would prefer the line to be located. And the majority indicated that they would like the line more south by the canal.

The audience noted that the politicians were taking most of the time and they want to have their time to speak.

Payson City Manager Tuckett said we want to hear your statements, but explained that the cities are trying to answer questions that have been asked and that are what is taking the time.

Ted Peacock said he lives at 5021 W 12400 S and wanted to put the Councils on notice that there is a small area on both sides of 12400 S that has established an agriculture protection area. He read the state statute regarding that. He felt the need for farm ground to be protected and suggested that the citizens that farm in the county, create that agriculture protection area. He then gave statistics of each city and said there is only 16% of the land in Santaquin that is developed,

so there is a lot of open area already in Santaquin and suggested that be developed before any new annexations. He said Payson is 63% developed. He said that if just those undeveloped areas are developed in each city it would give each city about 30,000 residents. If those areas are not developed first you look at urban sprawl and lose the farmlands.

Greg Callaway said he has dealt with the Santaquin Council a lot and felt that there have already been some meetings and would like to see the map that the city has already drawn. He also hopes that everyone is getting the jest that we all want to stay where we are at, in the county.

Roger Jensen said he lives on the south side of the 12400 S and he does not want to live in Santaquin, as long as he can remember the line was drawn in the sand by the highline canal and because of the annexation that has occurred you are putting neighbors as citizens of different towns. He feels like those residents should be allowed to vote and let them decide.

Greg Knap also lives in the same area and plans to live here the rest of his life and his zip code is 84651 and went to school in Payson and doesn't want to be Santaquin. He is in the County and when the time comes he believes it will be in Payson, but doesn't think the time is right now.

Ross Huff noted that everyone has children that will need a place to live. He feels it is a good idea to have this meeting to help decide where we want them to live.

Bill Harrison understands we came together to see what the citizens want in this area, and said that Mayor Degraffenreid should see clearly that we want that line regressed south.

Mayor Moore reiterated that we don't want bashing and hopes everyone respects what we are trying to do tonight.

Mark Marvin lives at 12840 S Spring Lake Road and has essentially heard a lot about how the annexation around him took place, he likes where he is at (county) and as soon as the time comes he wants to be in Payson. Our forefather's line was at the canal and I-15 is definitely a hard line.

Dale Saunders told the audience that citizens should attend more Council Meetings to see what is going on.

Juana Viragos hears that both cities cannot draw a line and they want the citizens to do that. Maybe every land owner should be surveyed and go with the majority.

Ross Williams said the only thing we can go by is the past track record, and we want to be able to trust both cities, but you have a job to do to build that trust.

Dave Gardner is working with the Bill and JoAnn Palmer trust at 12000 S and they want to be in Payson when the time comes.

Ms. Rowley owns and farms the very southwest corner of this area would like to leave it agriculture as long as possible and are under the agriculture protection. She said that Santaquin

is already knocking at their door and they have already proposed roads going through their property; they would just as soon wait for Payson to come that way.

Verlyn Ekins has asked to go into Payson and the petition was already signed, but she understands that because of this meeting, they cannot. She said Payson has all of the paperwork and begs Santaquin to lift their protest and help her out.

Bob Strebble at 12255 South has 6 acres and moved there because he wanted to live in farm land. Before that he lived in Santaquin for 9 years, and he wonders why Santaquin encroached on the property that wants to de-annex now.

Wade Menlove lives on 12400 S across from the highway in Spring Lake. His idea is that if people want out of Santaquin, let them out and draw the line at that place, because it sounds like that is where they want the line.

Richard Behling wanted to give one valid point regarding agriculture, Utah County is one of last places we can grow fruit. He asked that as both cities grow to remember that our children and children's children would like to be able to eat fresh fruit grown here in Utah. He seconded Mr. Jensen to go with a vote of the citizens or individuals out there and see where they want to be. There are plus and minuses of both cities.

Kenyon Farley lives on 12800 S and farms to the west on about 5950, and also in Genola. He would like the industry protected if possible and said it is a unique growing area. He had the opportunity to communicate with both cities and wanted to quote an old Payson City Councilmember Ray Hiatt who said some day maybe we would all become one community and call it Payspringaquin or something like that. He commended both cities on trying to work together.

Dick Saunders commended Santaquin on one of their projects; the homes south of Santaquin on the hill are beautiful. He felt they should put those homes out there not on the farmland. He would like to be in Payson one day but doesn't know when.

Kay Beddoes said if Santaquin does de-annex us, to take the sign down.

Mayor Moore thanked everyone for their comments and asked if anyone else wanted to say anything. He reiterated to please come to the council meetings and let us know what you want. Santaquin is a great community, Payson is a great community, and Spring Lake is a great community.

Mark Marvin asked if it was obvious what these residents want and Mayor Moore felt that it was.

Rick Taylor said he just came to listen, but gets a little disgruntled when people say what "the people" want. Now the majority might want to be in Payson, but he wants to stay in the county but if he had to choose today he would choose Santaquin. He doesn't want to drag anyone else or be drug into Santaquin, but he doesn't want his neighbors dragging him in somewhere he

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doesn't want to go either. When the time comes he will make that decision. All people never all want the same thing, so what you say might mean the majority but never all the people.

Mayor Degrafinreid said he thinks they heard what everyone has said, but he wanted to make one thing clear—he doesn't want to change agriculture. When he talked about roads going through property he was simply planning. He recommends every person that can, to go into an agriculture protection zone because he believes that is the best. We are the second leading State in the nation for growing cherries. We heard you and we'll work to make things work. He doesn't want any more annexations.

Rick Rowley asked when the two council's meet again if they would be public meetings. He thought the purpose tonight was to come and tell us what you would propose for us if we were annexed into each city. He would like to know what the master plan is for Payson for that area, and what the master plan is for Santaquin for that area. Most people want to stay in the county and if that time ever comes they will make the decision at that time.

Mayor Moore explained that every time any council meets they are open meetings. We need to figure out what we want and work on those master plans. He asked everyone to please give their contact information to Manager Tuckett and we will let you know when the next meeting will be.

A closing prayer was offered by Lois Davis.

Meeting adjourned at 7:55 p.m.