

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, July 12, 1994, beginning with a Closed Session at 7:00 P.M., the Council Work Session at 7:30 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

COUNCIL CLOSED SESSION

7:00 P.M. Litigation

7:30 P.M. - COUNCIL WORK SESSION:


Fire Chief Replacement/Discussion
Roads Update-Lea Ann Adams
Discussion/Building Permits-Jim Nicolet
Utah Statehood Centennial Commission-Scot Sessions

8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Lot #18, Plat C/Reconsideration
8:20 4th of July/Financial Report-Scot Sessions
8:25 Parks/Financial Report
 1. Volunteers/Hours & Equivalent Value
 2. Machine/Equipment-Hours & Value
8:35 Utility Lines-Kent Haskell
8:45 Cellular Phone-Kent Haskell
8:50 Approval/Disapproval-Allowance of Building Permits
9:00 New Well
9:05 Expenditures:
 General:
 Approval/Prelim. List of Expenditures for June, 1994
9:15 Approval of Minutes of Previous Meeting
9:20 Adjournment

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.


Dated this 8th day of July, 1994.


Town Clerk

Council Agenda
7-12-94

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on July 8, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

JULY 12, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 12, 1994, with a Closed Session at 7:00 P.M., the Council Work Session at 7:30 PM, followed by the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 9, 1994.

CLOSED SESSION

ROLL CALL

Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, (Jim Nicolet, Scot Sessions, Absent), Janice Davis, Town Clerk.

AT 7:00 P.M., MAYOR JACOBSON OPENED THE CLOSED SESSION.

DISCUSSION OF LITIGATION

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO CLOSE THE EXECUTIVE (CLOSED) SESSION AND MOVE TO THE WORK SESSION. VOTE: YES-ALL(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

ELK RIDGE TOWN COUNCIL MEETING

JULY 12, 1994

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 12, 1994, with a Closed Session at 7:00, and the Council Work Session at 7:30 PM, followed by the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 9, 1994.

ROLL CALL Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, (Absent, Scot Sessions, Jim Nicolet), Don Mecham, Ernestine Folks, Rayburn Day, Hal Shuler, Kent Haskell, Dale and Jo Ann Bigler, Bill Pierce, Janice H. Davis, Town Clerk.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Don Mecham with the pledge of allegiance following.

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO:
1. MOVE THE 8:50 AGENDA ITEM TO 8:05
 (APPROVAL/DISAPPROVAL-ALLOWANCE OF BUILDING PERMITS)
2. MOVE THE ROADS UPDATE DISCUSSION FROM THE WORK SESSION TO 9:20
3. MOVE THE ADJOURNMENT TO 9:30.
VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

APPROVAL/DISAPPROVAL-ALLOWANCE OF BUILDING PERMITS Rayburn Day: Concerned about water levels vs. new homes being built.
Ernestine Folks: The Town's obligation is to the current residents and their investment in their property. How can this be done if the Town continues to allow more new building. Mr.s Folks questioned the reality of the New Well being on line this year...and whether the Town will continue to issue building permits.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

Mayor Jacobson:

In general:

1. Face to face negotiations have resumed with Loafer Recreation Association
2. The court case is still proceeding and movement in a positive direction has been made with the courts.
3. Options are being considered:
 - A. Booster station on the lower well to increase flow.
 - B. Develop well on the golf course
 - C. Contact has been made with Central Utah Project (CUP) for a long range plan to bring pressurized irrigation water to Elk Ridge.

The Mayor reviewed storage tank (water level) logs with the public present. With the present schedule, which allows the tank to refill on Sundays, we are maintaining a satisfactory level in the tanks. The watering restrictions will continue through the summer. The Mayor pointed out that any new building permits issued this year would not impact the Town's water system until next spring or summer. (Woodland Hills and Provo are having problems with wells pumping sand due to the level of the water table. The Mayor reported that according to the Engineer, the level of the aquifer of the lower well is probably dropping fairly low).

In the absence of Councilmember Nicolet, the Mayor read, aloud, his letter concerning this matter. Councilmember Nicolet expressed that, due to the water restrictions imposed on Elk Ridge residents, that a moratorium should be placed on the issuing of any new building permits until:

1. Water restrictions lifted for existing homes
2. Water Department can demonstrate with accurate facts that water can be delivered to all existing homes throughout 1994/1995.

Councilmember Nicolet stated that if the declaration of a moratorium is put to vote, that he would cast his vote, by proxy, in favor of placing a moratorium on the issuing of new building permits.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

Don Mecham: Suggested that builders be required to use dry compaction methods rather than running water to compact the soil.

Mayor Jacobson:

1. Does not want to impose a moratorium on building permits without the full Council in attendance.
2. Suggested postponing the vote to allow:
 - A. negotiations with Loafer Recreation to proceed to a possible conclusion
 - B. Court case to be concluded

Tony Searle: Councilmember Searle understands the point of view of most of the citizens in Town that no more building should be allowed; however, he still feels a hesitancy due to the financial impact a moratorium would have on the Town. Any proposed solutions to the ability to service the residents would be difficult if not impossible to fund without the additional revenue generated by development fees, as well as connection fees on the building permits. He further pointed out that the Water and Sewer Funds contribute to the General Fund of the Town, as well as the actual building permit fees and Plan Check fees. A moratorium would impact not only the functions of the Water and Sewer Departments; but, the General Administration of the Town would also be affected. In the hope that a conclusion can be reached as far as the New Well is concerned, he feels there should be a 2 week postponement for a vote.

Lea Ann Adams: She also feels the vote should have the full Council present and the decision should be on the agenda in 2 weeks.

Rayburn Day: Suggested not allowing landscaping until water capacity is improved.

Kent Haskell:

1. Homes without lawns are not exceeding 10 - 12,000 gals/mo.
 2. Some homes are using over 200,000 gals/mo. (peak months)
 3. Average = about 80,000/mo. (peak months)
- Many people are misusing the water supply.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

Ernestine Folks: 40 or 50 homes could impact the water system by next year. She questioned the reality of the New Well being on line when it has taken so long, to date. She requested information, in writing, which would demonstrate the financial impact of a moratorium. The Mayor did not feel the request was appropriate, and that any budgeting amendments would be public information.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO POSTPONE THE DECISION ON THE ALLOWANCE OF BUILDING PERMITS FOR 2 WEEKS. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

Tony Searle suggested having the attorney research water restrictions on building permits. Don Mecham commented that this procedure is done in California.

Ernestine Folks made a final comment that after 15 years of water restrictions, it would be nice to be able to use the water we all pay for. Mayor Jacobson agreed that this is the goal for the Council, as residents as well.

LOT 18
PLAT "C"/
RECON-
SIDERATION

There will be a simultaneous exchange of the release of title to Lot 18, to Suburban Land Corp. for the sale of the property for the cash sufficient to install the unfinished portion of Hillside Dr. around Lots 14 & 15. At the council meeting of 6-28-94, it was voted on to require 34' of paved road and curb/gutter for Hillside Dr.

The Town's attorney was asked to advise the Council whether they can require an already approved subdivision to conform to the current improvement requirements.

Legal Opinion: The Town cannot require the developer to put in greater improvements than was required at the time the plat was approved and recorded (1977).

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO RECONSIDER THE REQUIREMENTS IMPOSED ON THE TRANSFER OF LOT #18, PLAT "C", SALEM HILLS SUBDIVISION:

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

1. INSTEAD OF BID OPTION #2 (34' OF PAVEMENT), THAT BID OPTION #1 (28' PAVEMENT) BE ACCEPTED. 28' OF PAVEMENT WAS VALID AT THE TIME THE PLAT WAS RECORDED.

2. RESCIND THE REQUIREMENT TO BOND FOR CURB/GUTTER ON THE PORTION OF HILLSIDE DR. THAT EXTENDS AROUND LOTS 14 & 15, PLAT "C".

VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

* The Town Clerk was assigned to inform Jim Winterton of the Council's decision and to proceed with the transfer of the deed to lot #18.

4TH OF JULY
FINANCIAL
REPORT

Councilmember Sessions was absent.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO BYPASS THIS AGENDA ITEM. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

PARKS/
FINANCIAL
REPORT

No information.

Dale Bigler reported that wood chips (mulch) will line the park area where the swings are located. \$250 of the Park's budget is needed for this purchase.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE \$250, FROM THE CAPITAL PROJECTS/PARKS, TO OBTAIN THE MATERIALS NECESSARY FOR THE INSTALLATION OF THE SWINGS. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

UTILITY
LINES

Kent Haskell was present to seek approval to require the utility companies to bury their lines a minimum of 3'.

Problem:

Shallow lines are in danger of breakage. Utility companies are burying the lines at various depths, all of which are too shallow. Breakage is very costly to repair.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

Strawberry Electric buries their lines about 5', sand it, and they don't feel that it cost anymore. TCI will install fibre-optics in Elk Ridge next year, this is not hundreds to repair; but, thousands! Mr. Haskell requests not only 3' depth, but to be contained within a conduit, 6" of sand (with a warning tape).

Mr. Haskell would like a Town policy passed immediately to be able to require this of the utility companies. An ordinance is needed so that a penalty can be assigned to any violation.

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE A POLICY OF THE TOWN OF ELK RIDGE ENTITLED: "BURIED UTILITY LINES WITHIN THE TOWN LIMITS". VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

The Town Clerk will retype the document to be signed and posted by 7-13-94.

Kent Haskell is to submit copies to all utility companies installing lines.

APPROVAL/
DISAPPROVAL
BUILDING
PERMITS

Even though this agenda item had been moved forward, many citizens were present to discuss the matter.

Mayor Jacobson reviewed the prior discussion with the additional public present. Dale Bigler commented that perhaps the court, deciding on the matter of the New Well, would raise the priority of the case if they know that the water situation is so critical. Councilmember Searle has presented this information to our attorney.

CELLULAR
PHONE-
KENT HASKELL

Kent Haskell feels a cellular phone, to be able to contact him regardless of where he might be, would benefit the Town.

Cost: (U.S. West)

\$135 - phone, \$35-hook up, \$60-strap, \$27.50 for 2 hrs/mo.

Lea Ann Adams suggested: 1. checking the rates with "Cellular 1" 2. Considering a 2-way radio.

Kent Haskell is to gather cost comparisons and present the information at the next Council Meeting.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

NEW WELL

The Mayor conducted an "update" for those citizens present to hear information about the New Well. Confidential information, discussed in the Closed Session, cannot be reviewed. The condemnation process is proceeding in a favorable direction in the courts.

Anticipated:

1. It is anticipated that right of entry for the water line will be granted within the next 2 weeks
2. Water line has been engineered
3. Negotiations with Loafer Recreation Association have resumed to attempt an "out of court settlement"
4. Perhaps within 4-6 weeks, bids can go out for the construction of the water line.
5. Undecided as to type of power
(1 phase or 3 phase)

Kent Haskell reported that currently the Town is pumping 350 gpm - 100 gpm less than is ordinarily pumped. This indicates a "draw down" on the lower well, currently running at 250 gpm. (as compared to 300 gpm 2 weeks ago). All wells are running a full force and about 2 ft/day is being lost in the tank. Options were discussed:

1. New Well
2. Booster station on lower well
3. Pressurized Irrigation water (CUP) long range

EXPENDITURES

MOTION WAS MADE BY TON SEARLE TO APPROVE THE LIST OF EXPENDITURES FOR JUNE, 1994. VOTE: YES-(3), NO-NONE(0), ABSENT-(2) JIM NICOLET, SCOT SESSIONS.

ROADS

1. Parking lot repair (Town Hall) 11,110 sq. ft.
Bids:
 - A. 1,587 (.15/sq. ft.)
 - B. 1,263 (.12/sq. ft.)

Councilmember Searle cautions that any contractor be bonded.
The roads will be repaired before the parking lot is improved.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-12-94 CONT.

2. Road Repair

1 bid for costs is in, 2 other bids have not been returned. (Are they necessary?).

Mayor Jacobson is to contact the attorney to get advise as to the necessity of more than one bid.

Work is to begin August 1, 1994

1. Park Dr.
2. Escalante Dr.
3. South end of Salem Hills Dr.

Councilmember Adams and the Clerk are to meet to discuss the budget for road repair.

Escalante should be surveyed before being replaced.

APPROVAL OF
MINUTES OF
PREVIOUS
MEETING

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA AN ADAMS, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTLY CONSTITUTED. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), JIM NICOLET, SCOT SESSIONS.

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO ADJOURN. VOTE: YES-(3), NO-NONE(0), ABSENT-(2) JIM NICOLET, SCOT SESSIONS.


Town Clerk


NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, July 26, 1994, beginning with a Joint Public Hearing with the Planning Commission at 7:00 P.M., a Public Hearing at 7:45 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

- 7:00 P.M. JOINT PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO THE DEVELOPMENT CODE:
1. ALLOWING THE APPROVAL OF "FLAG LOTS" WITHIN THE RR-1, CE-1 AND CE-2 ZONES
 2. MODIFYING STANDARDS FOR DEVELOPMENT ON PRIVATE WATER SYSTEMS
 3. REGULATING THE LONG TERM PARKING OF CONSTRUCTION EQUIPMENT IN RESIDENTIAL ZONES
- 7:45 P.M. PUBLIC HEARING REGARDING:
1. A PROPOSED ORDINANCE REGULATING THE BURIAL OF UTILITY LINES WITHIN THE BOUNDARIES OF ELK RIDGE
 2. A PROPOSED AMENDMENT TO THE ELK RIDGE NUISANCE ORDINANCE 82-3
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
- 8:00 Invocation & Pledge of Allegiance
- 8:05 Approval of Agenda Time Frame
- 8:10 Water Update
1. Options
 2. Status-New Well
- 8:20 Approval/Disapproval-Allowance of Building Permits
- 9:00 Adoption of a Proposed Amendment to the Development Code:
1. Allowing the Approval of "Flag Lots" within the boundaries of RR-1, CE-1 and CE-2 zones
 2. Modifying Standards for Development on Private Water Systems
 3. Regulating the long term parking of Construction Equipment in Residential Zones
- 9:15 Adoption of a Proposed Ordinance Regulating the Burial of Utility Lines within the Boundaries of Elk Ridge
- 9:20 Adoption of a Proposed Amendment to the Elk Ridge Nuisance Ordinance 82-3
- 9:25 Road Repair-Lea Ann Adams
- 9:35 Budget Discussion
- 9:45 Expenditures:
- General:
- Cellular Phone-Kent Haskell
- 4th of July Financial Report
- 10:00 Approval of Minutes of Previous Meeting
- 10:05 Adjournment

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

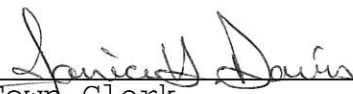
Dated this 22nd day of July, 1994.



Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on July 22, 1994.



Town Clerk

PUBLIC HEARING

JULY 26, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, July 26, 1994, with a Joint Public Hearing with the Planning Commission at 7:00 P.M., a Public Hearing at 7:45 P.M., followed by the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 22, 1994.

JOINT PUBLIC
HEARING

Amendment to Development Code: Flag Lots; Development Standards; Parking of Commercial Equipment.

ROLL CALL

Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, (Jim Nicolet, Absent); Mark Farr, Matt Dastrup, Hal Shuler, Janice Davis, Town Clerk.

AT 7:00 P.M., MAYOR JACOBSON OPENED THE PUBLIC HEARING TO RECEIVE COMMENT ON THE FOLLOWING ISSUES RELATED TO THE PROPOSED AMENDMENT TO THE DEVELOPMENT CODE:

1. Flag Lots/ RR-1, CE-1, CE-2 Zones
The Planning Commission recommended that this matter go to Public Hearing. (Amendment to Section 10-5-6.5)

Flag lot development will be subject to the following:

- A. Planning Commission recommendation
- B. Access requirements of the zone, permit flag lots
- C. Town Council approval
- D. Driveway connecting building site with street must meet standards
- E. Lots size must meet zone requirements, excluding the driveway
- F. Any residual lot created by the action shall conform to the minimum zone requirements
- G. No change in set backs

MINUTES OF PUBLIC HEARING - 7-26-94 CONT.

- H. No change in fire hydrant requirements
- I. Detailed site plan submitted/approved by Planning Commission
 - A. Fire break may be required where necessary
- 2. Modifying standards for development on private water systems (Amending Section 10-3-3-22)

The Amendment would not allow building on a water system inadequate for both culinary and fire fighting purposes. The Planning Commission has recommended this change.

Discussion:

Hal Shuler commented that building in the Goosenest area should not be held up due to lack of fire flow. He feels that people build in the area knowing that there are no fire hydrants, and they are still allowed to exercise their right to build a home. He feels Hydrants could be connected to the existing system.

Mark Farr - With fire hydrants on the Goosenest System the water line would collapse with a good sized pumping truck. Suggested a collapsible tank for trucks to tap into (short-term solution).

Tony Searle - Questions if the Town would be liable to insure the upgrade of the Goosenest System?

Mayor Jacobson - The passage of this amendment does not preclude development in the area, if a line were run from the existing Elk Ridge System, then development could occur.

- 3. Storage of Commercial Vehicles/Prohibited (Amending Section 10-3-3.29)

This amendment would prohibit the storage of commercial or construction type vehicles/equipment over 1 1/2 tons, in residential zones, except during building, not to exceed one year.

Discussion:

Councilmember Searle questioned how the 1 1/2 tons was decided upon. What do people do who use a commercial vehicle to make a living? He suggested changing the weight allowance to 2 tons. (Woodland Hills has a 2 ton limit).

MINUTES OF PUBLIC HEARING - 7-26-94 CONT.

The Planning Commission has not considered this change. Mayor Jacobson explained that this section had been included in the prior Development Code, and was inadvertently left out.

Councilmember Adams advised that 1 1/2 tons or greater is considered a commercial vehicle.

Matt Dastrup - a residential zone should not allow commercial vehicles.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO CLOSE THE PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE DEVELOPMENT CODE. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) JIM NICOLET.

The Planning Commission adjourned to reconvene in another room and to submit a recommendation on the proposed amendment.

PUBLIC HEARING/BURIED UTILITY LINES

MAYOR JACOBSON OPENED THE PUBLIC HEARING

There exists a problem of various utility companies burying lines at a shallow depth. They are in danger of exposure or breakage, which is costly. This Ordinance would require:

1. All utility lines within the Elk Ridge boundaries to be buried at least 36" (inches)
2. Fiber Optic lines to be encased within plastic tubing or conduit, with 6" of sand above/yellow warning tape on top of sand.
3. Lines which cannot be detected are to have a metal wire buried with the lines. This will be applicable to newly installed lines.
4. Violation - Class C misdemeanor

Discussion:

Mark Farr - There should be a limit to the time it takes to actually bury the cable line after the company initially installs it. (This Ordinance will not address this issue).

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO CLOSE THE PUBLIC HEARING ON PROPOSED ORDINANCE #94-7-26-4. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) JIM NICOLET.

MINUTES OF PUBLIC HEARING - 7-26-94 CONT.

NUISANCE ORDINANCE

Mayor Jacobson opened the Public Hearing on the proposed Amendment to Ordinance # 82-3.

3 items to be added:

1. Disturbance of peace
2. Construction work during specified hours
3. Containment/Rubbish, Debris
 - A. Dumpster required
 - B. Bond \$250.00 - to be added to newly issued building permits - bond to be refunded after final inspection.
4. Violation - Class C misdemeanor

Discussion:

This Ordinance mirrors the Provo ordinance on the same matter. It is mainly directed at noise from construction workers.

Councilmember Searle expressed concern that the law could be taken to the extreme and complaints registered against harmless activity.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO CLOSE THE PUBLIC HEARING ON THE AMENDMENT TO THE NUISANCE ORDINANCE # 82-3. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), JIM NICOLET.

ELK RIDGE TOWN COUNCIL MEETING

JULY 26, 1994

TIME & PLACE OF MEETING

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Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on July 22, 1994.

ROLL CALL

Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, (Absent, Jim Nicolet), Nelson & Wanda Santiago, Mark Farr, Ray Day, William & Carol Harding, Jo Ann Bigler, Joe Lengal, Karen Taylor, Don Mecham, Matt Rutter, Hal Shuler, David Tuckett, Pat Jacobson, Janice H. Davis, Town Clerk.

INVOCATION & PLEDGE OF ALLEGIANCE

Prayer was offered by Lea Ann Adams with the pledge of allegiance following.

APPROVAL OF AGENDA TIME FRAME

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE AGENDA TIME FRAME AS WRITTEN.

WATER UPDATE

Mayor Jacobson informed those present of the status of the water situation in Elk Ridge.

1. Courts have granted Right of Entry for the water line from the New Well

Steps to be taken:

- A. Close on the rest of the loan
- B. Obtain easements from property owners
- C. Bids to go out for the installation of the line
- D. Decision on power to the Well
- E. Build Well house

The line will go to the upper tank and flow to the lower tank.

2. Mayor Jacobson and Tony Searle are to meet with Loafer Recreation Association 7-27-94 to further negotiate a settlement.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

Options:

1. Booster Station on line from the lower well (#4) would increase flow.
2. Develop Golf Course Well
 - A. Elk Ridge owns the hole (well), not the land it's on.
 - B. Payson owns the land
 - C. Estimate of \$110,000 - \$120,000 to develop

1st Goal - New Well on line

2nd Goal - Booster Station

Discussion:

Mark Farr - Water level should be measured

Ray Day - How long to install booster station?

Councilmember Searle - No option will help the water situation for this summer - restrictions will continue.

The Mayor presented 1993/94 fiscal year end figures regarding revenue brought in by building permits.

General Fund - 34,000 + 600 for Contractor water

Water Fund - 35,000

Sewer Fund - 17,000

Total 86,600

Discussion:

Don Mecham, in an effort to increase the water in Elk Ridge, is willing to bond with the Town (40,000) to install a booster station. this would be done as the New Well is still being pursued. Mr. Mecham pointed out the disadvantages of declaring a moratorium. Revenue from development and building generates revenue to use in upgrading the System. He pointed out that land must be usable to be of value.

Karen Taylor - resident

Not against the development of Elk Ridge, but, would like to see controlled growth.

Concerns:

1. Master Plan?
2. Following the plan?
3. Are development fees, building permit fees the main source of revenue for the Town? If so, where will it end?

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

4. Long term plan to service the homes?
There must be a balanced program to allow growth and be able to adequately service the Town.

Wanda Santiago - Feels current residents must be considered as well as future residents. The Town has survived "no building" in the past.
Proposes - Temporary Moratorium

Carol Harding - future resident
Asks that the actions of the Town should create an atmosphere where people are made to feel welcome.

Mark Farr - 1) Questions the number of permits issued this year so far. 2) Questions bonding on booster pump.

Mr. Mecham, based on the approval of Phase 2 of Oak Bluff Estates, would bond with the Town for the funds necessary to install the booster station. this would be paid back over a period of time.

Mayor Jacobson -

1. No new development since January 4, 1994, when the new Council took office.
 - A. Stopped selling water rights or granting water rights to those who have purchased them else where and seek transfers. This action stopped development.

Hal Shuler - All approved lots have had the development fees for water paid for.

Councilmember Lea Ann Adams -

A moratorium now would not have an impact on the water system at this time. Building permits issued at this time would not have homes on line until next year.

Councilmember Tony Searle -

The Town would survive a moratorium, financially, from a budgetary point of view.

Issues of concern:

1. Current residents must be protected
2. Property owners of lots want to be able to use the property and have rights

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

3. A moratorium will affect values
 - A. Proposes - allow building - no landscaping until restrictions are lifted, or the water problem is resolved.
 1. New Permits
 2. Dave Tuckett says it is legal

Joe Lengal -

1. No water in Western United States is historical
2. Master Plan - Business professionals should be consulted
 - A. Expensive to insure the Town will prosper
 - B. Doesn't happen quickly

Nelson Santiago - Feels the Town is progressing too fast. It will cost too much to service lots and will destroy the quality of life.

Harding - Good people moving in will enhance the area.

Mark Farr - Issue is, the water restriction is a now problem. Agrees with Councilmember Searle: Building permits with no landscaping and allow Don Meham to assist with the booster pump.

Don Meham -

1. Planning is taking place:
 - A. New pump on lower well/increased capacity
 - B. New Well is being pursued
2. As a developer, I am preserving the atmosphere for the residents as well as the wildlife. One person cannot dictate what happens on another's property.

Jo Ann Bigler - 19 year resident - has been hearing the same thing for years.

Questions:

1. If well doesn't come on?
2. When will booster go on?
3. Long range?

Scot Sessions -

1. Water is an on-going problem in the West
 - A. After the New Well is on line, other sources will be sought

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

2. Obligation to current residents and property owners, as well.
3. Moratorium can go for a maximum of 6 months. It is a time to correct problems. He feels a moratorium would be detrimental to all.

MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT SESSIONS, TO CONTINUE WITH CURRENT POLICY UNTIL THE WATER SITUATION IS RESOLVED BY THE TOWN COUNCIL;

1. NO NEW SUBDIVISION LOTS APPROVED
2. BUILDING PERMITS ISSUED AFTER 2-27-94 WILL NOT ALLOW LANDSCAPING

POLL: VOTE - YES-(4), MAYOR JACOBSON, LEA ANN ADAMS, TONY SEARLE, SCOT SESSIONS, ABSENT-(1), JIM NICOLET.

ADOPTION/
PROPOSED
AMENDMENT
TO THE
DEVELOPMENT
CODE

Recommendation from the Planning Commission;
to adopt:

1. Flag lots
2. Standards for development on Private Water Companies
3. Regulating long term parking for commercial vehicles (2 ton limit)

Hal Shuler - By not allowing building without fire fighting capability, it infringes on property owner's rights to develop the property. People build with full knowledge that there are no fire hydrants.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE THE AMENDMENT TO THE DEVELOPMENT CODE ON THE FOLLOWING ISSUES:

1. ALLOW FLAG LOTS
2. PROHIBIT LONG TERM PARKING OF COMMERCIAL VEHICLES OR CONSTRUCTION EQUIPMENT OVER 2 TONS (CHANGE FROM 1 1/2 TONS)
3. ALL APPROVED DWELLINGS/OTHER BUILDINGS USED FOR HUMAN OCCUPANCY MUST CONNECT TO A WATER SYSTEM CAPABLE OF PROVIDING AND DELIVERING ADEQUATE FLOW FOR BOTH CULINARY AND FIRE FIGHTING PURPOSES.

POLL: VOTE: YES-(4), MAYOR JACOBSON, TONY SEARLE, LEA ANN ADAMS, SCOT SESSIONS, ABSENT-(1), JIM NICOLET.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

ADOPTION - MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT
ORDINANCE/ SESSIONS, TO ADOPT ORDINANCE # 94-7-26-4,
BURIED ENTITLED BURIED UTILITY LINES. POLL: VOTE: YES-
UTILITY (4), MAYOR JACOBSON, SCOT SESSIONS, TONY SEARLE, LEA
LINES ANN ADAMS, ABSENT-(1), JIM NICOLET.

ADOPTION - MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY MAYOR
AMENDMENT TO JACOBSON, TO ADOPT ORDINANCE #94-7-26-5, AMENDING
NUISANCE NUISANCE ORDINANCE 82-3 WITH REFERENCE TO THE
ORDINANCE 82-3 FOLLOWING ISSUES:

1. DISTURBANCES OF THE PEACE
2. CONSTRUCTION WORK DURING SPECIFIED HOURS
3. CONTAINMENT OF RUBBISH, DEBRIS, TRASH, GARBAGE,
BUILDING MATERIAL REFUSE.

POLL: VOTE: YES-(4), MAYOR JACOBSON, LEA ANN
ADAMS, TONY SEARLE, SCOT SESSIONS, ABSENT-(1) JIM
NICOLET.

ROAD REPAIRS \$21,000 is available in the 1994/95 budget for
Asphalt Repair. Councilmember Adams is expecting
bids back from 3 companies. 21,000 takes care of
approximately 1/4 of what was planned for the main
arteries. Working on a 5-year plan to maintain Elk
Ridge roads.

BUDGET Sewer Administration fee needs to be changed. Loan
DISCUSSION figures for the New Well will be reflected by actual
figures. Some changes to the budget will take
place after consulting with Kim Peterson. Question
- How long can the Town keep cash in lieu of an
improvement being installed? Dave Tuckett is
researching.

Tax Increase Discussion

EXPENDITURES

CELLULAR No new information

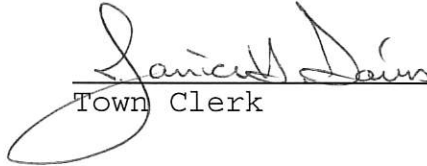
MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT
SESSIONS, TO MOVE TO THE NEXT TOWN COUNCIL MEETING.
VOTE: YES-(4), NO-NONE(0), ABSENT-(1), JIM
NICOLET.

4TH OF JULY Councilmember Sessions reported:
REPORT Total deposited (Revenue) = \$1,646.37
Total expenses = 656.79
Profit = 989.58
Less Breakfast money - 820.17
Profit to Park = \$169.41

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 7-26-94 CONT.

APPROVAL OF MINUTES OF PREVIOUS MEETING MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), JIM NICOLET.

ADJOURNMENT MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) JIM NICOLET.


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, August 2, 1994, at 7:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

7:00	Invocation & Pledge of Allegiance	
7:05	Approval of Agenda Time Frame	
7:10	Discussion/Approval-	
	Tentative Agreement/Loafer	Recreation
	Association/Elk Ridge	
7:45	Adjournment	

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 28th day of July, 1994


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on July 28, 1994.


Town Clerk

PUBLIC HEARING

AUGUST 9, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, August 9, 1994, beginning with a Public Hearing at 7:00 P.M., followed by the Work Session at 7:45 P.M., with the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on August 5, 1994.

PUBLIC
HEARING

At 7:00 P.M., Mayor Jacobson opened the Public Hearing on the following issues;

1. The Proposed Property Tax rate increase for 1994
2. The Proposed Budget for the fiscal year 1994/95

ROLL CALL

Mayor Jacobson, Councilmembers: Scot Session, Jim Nicolet, Tony Searle, (Lea Ann Adams, absent); Ernestine Folks, Don Mecham, Hal shuler, Pat Jacobson, Alisha Jacobson, Dennis Jacobson, Kent Haskell, Don Weishar, Jo Ann Bigler, Janice H. Davis, Town Clerk.

PROPOSED
PROPERTY TAX
INCREASE
FOR 1994

Mayor Jacobson explained the proposed tax rate increase to those present.

1. Suggested Certified tax rate - .002990
2. Proposed tax rate - .003068 (same rate as in 1993)
3. The additional funds, particularly from new growth, would be used to assist the General Fund in meeting the following financial obligations:
 - A. ADA Requirement - expand restrooms (\$5,000)
 - B. Caselle - General Ledger - (\$5,000_
 1. CPA's fees have doubled
 - C. Roads will receive a portion of this

Discussion:

Ernestine Folks -Stated that the Tax rate increase process is understood. Concerned with budget items:

1. Fire Truck purchase:

Having served on the fire dept., questioned why the proposed purchase of a new truck.

MINUTES OF PUBLIC HEARING - 8-9-94 CONT.

- A. Fire Dept. - well equipped
- B. Firemen not advanced enough to the point where there is enough "man power" to adequately man the equipment the Town already has.
- C. The Firemen aren't available when the alarm goes off

Scot Sessions - The Fire Dept. is preparing to be 1st response

- 1. Feels that the Town is moving towards more independence
- 2. Response to training is good

Jim Nicolet - Suggested: in recruiting process, availability should be considered. He would like to see a more realistic view of available man power.

Mayor Jacobson -

- 1. Brush Truck, not effective for fighting a large fire
- 2. Present Pumper Truck, limited capacity
- 3. An additional Pumper truck would put a 2nd truck, with a larger capacity, on a fire.

Ernestine Folks - Better fire protection should be a short-term goal.

Question:

Water Dept.: (Water Sales) How is a \$27,000 increase feasible from the actual figure of \$62,380 to a projected figure of \$89,962?

After consideration, Councilmember Searle suggested adjusting the projected figure for Water Sales down \$20,000.

The budget was adjusted to reflect the lower figures for Water Sales, interest earned, and Water Administration fees to the General Fund. (The "unreserved Fund Balance" will increase).

Mayor Jacobson reviewed the increases in the property tax - a good portion of the increase is from Nebo School District.

Don Mecham - Suggestion for Road Repair:

Measure asphalt by tonnage rather than by the foot, - less expensive. Councilmember Adams should consider this.

MINUTES OF PUBLIC HEARING - 8-9-94 CONT.

Ernestine Folks: Asked if the repair of Escalante is budgeted for

Mayor Jacobson: Master plan for roads includes the repair or replacement of Escalante, perhaps not this year.

The Public Hearing was closed and moved to the regular Work Session of the Meeting.

ELK RIDGE TOWN COUNCIL WORK SESSION

AUGUST 9, 1994

FIRE DEPT.
UPDATE

Councilmember Scot Sessions reported that the Fire Engine that the Town proposes to purchase won't be available until mid October. The Downey, California Fire Dept. won't get their new truck until the end of August. It will take them until October to outfit the new truck. Councilmember Sessions is working with Chief Farr on a Master Plan for the Fire Department. Short/long-range plans. A Full-time Fire Department is not a likely option for Elk Ridge, but, as growth occurs, a full-time fireman may be considered.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO CLOSE THE WORK SESSION. VOTE: YES-(4), NO-NONE, ABSENT-(1), LEA ANN ADAMS.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-9-94 CONT.

The Mayor cautions that, with a lower rate, it would be difficult to raise the rates again.

Councilmember Searle reviewed a comparison of rates from other cities.

Councilmember Jim Nicolet would like to see a written distribution curve on usage. A decision on the water rates will be postponed until the next Council Meeting.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO SET THE DATE FOR THE PUBLIC HEARING ON WATER RATES FOR THE 13TH OF SEPTEMBER, 1994, AT 7:00 P.M. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

ROAD REPAIR

Councilmember Lea Ann Adams was not present to discuss information on road repair. The Mayor will meet with Councilmember Adams to review her plans and the bids. Kent Haskell suggested stubbing out vacant lots prior to major road repair to avoid cutting the road.

EXPENDITURES:
GENERAL:

1. "CASH IN LIEU OF" BONDS:

The question has been raised if cash bonds for the improvement of water lines in the Goosenest area should be returned to the property owners. The Mayor commented that in the previous Council Meeting, it was decided not to allow building without adequate water for fire protection. If the water line is upgraded in the Goosenest area, it will probably be done with a grant or by creating an SID.

After consulting the Town's attorney, the Mayor advised that the Town has no legal obligation to return the "cash in lieu of" money to the property owners who have posted that bond money, however, there has been a request for the return of the funds. According to the attorney, if an SID were created, the property owners who have already paid a portion of the funds may feel they are exempt from further payment, therefore, recommends returning the money to the 4 property owners on Goosenest.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-9-94 CONT.

The question was raised if cash bonds for road improvements would be refunded to property owners on Loafer Canyon Road. It was felt that these are separate issues by Councilmember Sessions.

Mayor - other Cities/Towns do not take cash in lieu of installation of improvements, bonds should be refunded.

Councilmember Searle, expressed his feeling that money should not be refunded; that improvements should be installed.

Mayor - Goosenest:

1. Sees no opportunity to improve the system
2. Water lines should be engineered as a whole and not installed piecemeal
3. Feels the "Cash in lieu" policy should be eliminated

Much thought and planning has gone into the matter of road assessments and other "cash in lieu of" issues. It should not be eliminated until after consideration.

This matter will receive further discussion at the next Council Meeting, with Rod Despain present.

2. CELLULAR PHONE:

Kent Haskell discussed cost comparisons with U.S. West.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE A CELLULAR PHONE FOR THE PUBLIC WORKS SUPERVISOR. VOTE: YES-(3), NO-(1), TONY SEARLE, ABSENT-(1), LEA ANN ADAMS.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE LIST OF EXPENDITURES FOR JULY, 1994. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

APPROVAL OF
MINUTES OF
PREVIOUS
MEETING

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-9-94 CONT.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO CLOSE THE REGULAR SESSION OF THE TOWN COUNCIL MEETING AND MOVE TO THE CLOSED (EXECUTIVE) SESSION FOR THE DISCUSSION OF LITIGATION MATTERS. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.


MAYOR JACOBSON OPENED THE CLOSED SESSION AT 10:00 P.M.

DISCUSSION OF LITIGATION

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSION, TO CLOSE THE EXECUTIVE SESSION. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

ADJOURNMENT

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) LEA ANN ADAMS.



Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, August 23, 1994, the Council Work Session at 7:00 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. -

COUNCIL WORK SESSION:

Road Repair-Lea Ann Adams
Parks/Financial Report-Scot Sessions
Elk Ridge Sign (Hwy 6)
Resolution/Water Fees-Discussion
Development fees, Connection fees, Water rights, Water rates


8:00 P.M. -

REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Proposed Amendment/Section 10-3-3.18 of Dev. Code
Debra Fawson (Home Occupation)
8:20 Approval-Resolution/Water Fees
Set Date/Time for Public Hearing
8:40 Proposed Amendment/Animal Control Ordinance
Domestic animals..Discussion/Set public Hearing
8:50 New Well Progress/Available Funds
Reserve Funds (Water/Sewer)
9:05 Stop signs/Speed Control
9:10 CUP/Joint Meeting with Payson (9-7-94)
9:15 Water Members Approval-Tony Searle
9:05 Expenditures:
General:
Sewer Dept./Waste Water Repair (Roads)
Approval/Repair on Fire Truck-Kent Haskell
9:20 Cash Bonds-Rod Despain
1. Goosenest Water line
2. Loafer Canyon Road
A. Cash Bonds
B. Improvements
C. Ownership
9:50 Oak Bluff Estates, Plat B/Final Approval
10:15 Approval of Minutes of Previous Meetings
10:20 Adjournment

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

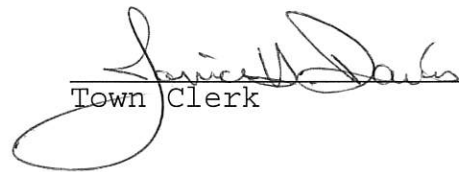
Dated this 19th day of August, 1994.


Town Clerk

Council Agenda
8-23-94

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on August 19, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL MEETING
WORK SESSION

AUGUST 23, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, August 23, 1994, with the Council Work Session at 7:00 P.M., followed by the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on August 19, 1994.

ROLL CALL

Mayor Jacobson, Councilmembers: Scot Session, Jim Nicolet, Tony Searle, Lea Ann Adams; Don Mecham, Joe Marrott, Hal Shuler, Dan Weishar, Joe Langal, Dale and JoAnn Bigler, Janice H. Davis, Town Clerk.

ROAD REPAIR
LEA ANN ADAMS

Lea Ann Adams - \$21,000 is budgeted for asphalt repair for 1994/95. there are funds available in the Sewer Dept., Councilmember Adams reviewed the history of repairs on Park Dr. and Escalante Dr. Issues for consideration:

1. Overlay/Petromat
 - A. Strengthens the overlay
 - B. 1 1/2" overlay - estimated 3-5 years
1 1/2" with Petromat - estimated 8-10 years
2. Drainage - involving road shoulders
 - A. Extra funds in Sewer Dept. Usable on roads due to erosion of roads caused by lack of drainage. (This would increase funds for road repair)

Options:

1. 1 1/2" Overlay/Park Dr
Estimate - \$38,688 (3-5 years)
 - A. Park Dr./With Petromat
Bids: Valley Asphalt - \$14,880 additional
Geneva Rock - \$10,000
 - B. Best Bids: \$49,028 (Overlay & Patromat)
2. Recycle the road (2 1/2" asphalt)/ S. Escalante
Estimate - \$11,826 (8-10 years)
 - A. Overlay Park Dr. - no Petromat

MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION - 8-23-94 CONT.

3. 1 1/2" overlay with Petromat/Park Dr., So Escalante -
Estimate - \$60,934. (\$63, 000 with shoulders)

Councilmember Adams Proposed: Using additional funds in the Sewer Dept. (as a transfer, contribution or loan) for road repair.

Comments Councilmember Tony Searle: Much of the damage to the roads is due to lack of drainage.

Hal Shuler questions whether funds can be legally transferred between departments. He cautioned using development fees in sewer development.

The Mayor will consult:

1. Hall Engineering
2. Dave Tuckett

Councilmember Jim Nicolet commented that part of the damage to the roads is due to cuts in the asphalt because of sewer lateral excavation.

Councilmember Searle - Adding all the excess funds in the Sewer Dept. (as of fiscal year end 6/94), there is approximately \$72,000 which is available for use. (as verified by the CPA). Some of these funds may be restricted.

Proposes: (Suggested including this in the motion later in the Council Meeting)

1. Use approximately 1/2 to repair roads which have been damaged by drainage problems and sewer excavation
2. Use the other 1/2 in a transfer to the Water fund, after public hearing, as a contribution. This would be done to meet the financial obligations of installing the New Well.

Councilmember Sessions asked if the companies bidding for the job of repairing the roads can bid by tonnage rather than by square footage.

Councilmember Adams assured the Council that the bids are as low as possible.

Mayor Jacobson summarized:

1. Check on the legalities of transfers from the Sewer fund

MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION - 8-23-94 CONT.

2. Proposes Option #3
 - A. If funds are not sufficient to include the replacement of South Escalante, then it will be patched this year.

PARKS/
FINANCIAL
REPORT
SCOT SESSIONS
ELK RIDGE SIGN

Councilmember Scot Sessions reviewed the expenditures for the:

1. Capital Project/Parks...totalling \$8,100, 1994/95 budget year begins with a balance of \$3,951.
2. Donated labor = 327 hours / 80 donated hours from National Guard / Equipment = 48 hrs at \$75/hr./Grader 16 hrs at \$75.00
 - A. Donated labor matches the expenditures
3. Swings will be installed when the ground is ready
4. Horse shoe pit, will be done as an Eagle Project. (The project should be written up and the council approached).

Councilmember Sessions reported that the Elk Ridge sign is in possession of Randy Hanks. "Break away" posts are being added and it will be back up in 2-3 weeks.

RESOLUTION/
WATER FEES-
DISCUSSION

Councilmember Searle explained that all proposed increases are for the future improvement of the system, not for the New Well.

1. Water Rates

Water Board Recommendation:

The members feel that the low-end users subsidize the high-end users. They suggest raising the high-end users' rate.

"Bell Curve" Study - revealed that approximately 50% of the residents use 50,000 gal/month and under; 23% 50,000 - 80,000 gal/month. (3 months "peak" times).

Proposed rates (Councilmember Searle):

Base rate - \$20/12,000 gals

12,001 - 50,000 gals - .60/1,000 gals

50,001 - 100,000 gals - .70/1,000 gals

100,000 - above - .80/1,000 gals

Councilmember Nicolet feels that Base rate should increase, as well, to disburse the increase among all residents.

MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION - 8-23-94 CONT.

2. Water Rights
Proposes: \$1,200 to \$1,500 + \$200 transfer fee
 \$1,500 = current market value
 \$ 200 = Administrative costs for
 transfers to take place
3. Connection Fees:
Proposes: \$1,000 to \$1,500
4. Development fees:
Proposes: \$1,000 to \$2,000

Mayor Jacobson - Proposes additional amendment to Section #10-7-8.10 of the Development Code, which would require: 1) Any granting of rights to connect to the water system, as a result of water rights being transferred to the Town from a developer, to take place after the transfer has taken place at the State. 2) Only transfer the number of water rights equivalent to the number of lots on the proposed Plat.

Public Hearing is set for the 2nd Tuesday in September (9-13-94).

ELK RIDGE TOWN COUNCIL MEETING

AUGUST 23, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, August 23, 1994, with the Council Work Session at 7:00 PM, followed by the regular Council Meeting at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on August 19, 1994.

ROLL CALL

Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, Jim Nicolet; Mark Johnson, Hal Shuler, Parker Fawson, Debra Fawson, Dan Weishar, Joe Marrott, Don Mecham, Dale Bigler, Jo Ann Bigler, Joe Lengal, Janice H. Davis, Town Clerk.

INVOCATION &
PLEDGE OF
ALLEGIANCE

Prayer was offered by Scot Sessions with the pledge of allegiance following.

APPROVAL OF
AGENDA
TIME FRAME

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY LEA ANN ADAMS, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED WITH THE FOLLOWING CHANGES: MOVE 9:05 ITEM TO 9:20, MOVE 9:20 ITEM TO 9:30. VOTE: YES-ALL(5), NO-NONE(0).

PROPOSED
AMENDMENT/
SECTION
10-3-3.18
DEV. CODE
DEBRA FAWSON
HOME
OCCUPATION

Debra Fawson, having obtained a business license from Elk Ridge Town, seeks an amendment to the Development Code, Section #10-3-3.18B which would allow other people to work in the dwelling besides members of the residing family. She feels that individuals should be allowed to share a common facility to reduce traffic and congestion. The proposal is based on another business in Town which has had many employees at one time. Mrs. Fawson does not feel that the community has suffered because of this. (The question arose as to whether this other business is "grandfathered". This needs to be researched).

Councilmember Nicolet, suggested seeking advise as to the regulations establishing a zone as "residential".

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

ANIMAL
CONTROL/
PROPOSED
AMENDMENT

The Sheriff's Dept. has requested that the Town defines, more clearly, "Household pets" in our current Development Code, Section 10-11-2, also reflected in the uses for Zone R-1-15,000 (#10-5-2.2)

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO PUBLISH THE PROPOSED AMENDMENT AS FOLLOWS:

22. HOUSEHOLD PETS - ANIMALS OR FOWL CUSTOMARILY PERMITTED WITHIN THE HOME AND/OR ON THE PREMISES AND KEPT FOR THE COMPANY OR PLEASURE OF THE OCCUPANTS, NOT TO EXCEED THREE (3) EACH, IN NUMBER, SUCH AS DOGS, CATS, CANARIES, HAMSTERS, GUINEA PIGS, RABBITS; BUT NOT INCLUDING DOMESTICATED LIVESTOCK SUCH AS SWINE, CATTLE, SHEEP GOATS, LLAMAS, OSTRICHES, CHICKENS, TURKEYS, DUCKS, GEESE, POISONOUS SNAKES, A SUFFICIENT NUMBER OF DOGS TO CONSTITUTE A KENNEL, NOR ANY OTHER ANIMAL WHICH COULD BE DEEMED A NUISANCE TO THE RESIDENTS. VOTE: YES-ALL(5), NO-NONE(0).

The Public Hearing is set for 9-13-94 at 8:30 P.M.

NEW WELL
PROGRESS/
AVAILABLE
FUNDS

1. A preliminary agreement was signed by Loafer Canyon Recreation Association and the Mayor. The agreement will be reviewed by Mr. Carlile and written up in legal form, after which, it must be signed by both Elk Ridge and Loafer Canyon Recreation Association. (Settlement price for well site property = \$80,000)
2. Hall's approval/Don Cole's descriptions:
 - A. Power line easement
 - B. Well site property
3. The various property owners are reviewing the agreements to sign for the water line easements.
4. After the Town has title to the easement deeds, bids will go out for the installation of the water line.
5. Letters from Hall Engineering were reviewed.

STOP SIGNS/
SPEED CONTROL

- Stop signs recommended for the following places:
1. Elk Meadows Drive and/or Club House Way (as traffic comes down the hill)
 2. Park Dr./Cortez
 3. Park Dr./Salem Hills Dr.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

Discussion

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE TWO (2) STOP SIGNS FACING EAST AND NORTH ON ELK MEADOWS DR. AND CLUB HOUSE WAY. VOTE: YES-ALL(5), NO-NONE(0).

MOTION WAS MADE BY JIM NICOLET SECONDED BY LEA ANN ADAMS, TO APPROVE THREE (3) STOP SIGNS ON THE INTERSECTION OF PARK DR./CORTEZ. VOTE: YES-ALL(5), NO-NONE(0).

CUP/
JOINT MEETING
WITH PAYSON
(9-7-94)

The Mayor reports that Elk Ridge is invited to attend Payson City's Council Meeting on 9-7-94 to discuss future opportunities to obtain water from CUP and the costs involved. (a pressurized irrigation system, at no cost until actually utilized).

WATER MEMBERS
APPROVAL-
TONY SEARLE

Tony Searle reported that he contacted the board members to see if they wish their individual status as board members to be renewed:

1. Ron Thomas and Lee Ryan would like to retire and allow others the opportunity to serve.
 2. Lynn Wilson and Cory Ruward will remain.
- Councilmember Searle proposed:
Lue Giddings and Karen Taylor

MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT SESSIONS, TO APPOINT LUE GIDDINGS AND KAREN TAYLOR AS WATER BOARD MEMBERS. VOTE: YES-ALL(5), NO-NONE(0).

Kent Haskell (Water Master) is also included as part of the Water Board, with Kent Crawford used as a consultant.

EXPENDITURES

GENERAL

1.MOTION WAS MADE BY TONY SEARLE SECONDED BY JIM NICOLET, TO APPROVE \$35,000 FROM THE SEWER FUND TO BE USED TO ASSIST IN ROAD REPAIR WHERE WASTE WATER EROSION HAS OCCURRED, CONTINGENT UPON:

1. LEGAL COUNCIL, ARE THE SEWER FUNDS AVAILABLE FOR USE ON ROADS?

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

2. LEGAL COUNCIL, CAN THE OTHER HALF OF THE AVAILABLE FUNDS IN THE SEWER DEPARTMENT BE USED AS A CONTRIBUTION TO THE WATER DEPARTMENT? IS A PUBLIC HEARING NECESSARY? VOTE: YES-ALL(5), NO-NONE(0).

2. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO APPROVE \$350 FOR REPAIR OF THE BRAKES ON THE PUMPER TRUCK. VOTE: YES-ALL(5), NO-NONE(0).

CASH BONDS
1. GOOSENEST
WATER LINE

4 property owners have paid cash in lieu of installing a water line in front of their property, as required for development. Question - Should the cash be returned? (One of the property owners has requested the cash back).

Rod Despaigne; Theory was:

1. Goosenest Water System was recognized as having inadequate flows for fire protection.
 - A. Town water line could be extended by:
 1. All new subdivisions would be required to install adequate water lines
 - A. If building permits were sought, with no subdivision required, a bond (cash payment) would be required of the property owners for the cost of the water line across their property.

The Town has decided not to allow any further building on a system without the flow for fire protection; until such time that the system is upgraded, this, in essence, creates a "moratorium" on building in the Goosenest area. Why keep the funds collected when there is no intent to improve the system in the near future?

Recommendation: To return the funds to the property owners.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO REFUND TO THE PROPERTY OWNERS ON GOOSENEST, THEIR ORIGINAL PAYMENT PLUS 3% INTEREST. A LETTER OF EXPLANATION IS TO ACCOMPANY EACH REFUND. VOTE: YES-ALL(5), NO-NONE(0).

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

2. LOAFER
CANYON ROAD

- A. The situation with these cash bonds (collected as Road Assessment fees) is different:
 - 1. Road Improvements have been determined
 - 2. The money is not a "bond", the property owners "cashed out" of their obligation to install improvements.
 - A. A bond is held to secure the performance of someone else.
 - B. This money is being collected to build up enough to install as much of the road as possible at one time.
- B. Ownership
 - 1. Portions have been dedicated to the Town with subdivision
 - 2. A portion has been deeded to the Town from Hal Shuler
 - 3. Don Mecham owns the southern portion of the road

This matter is to be referred to the Planning Commission with a current County map of Loafer Canyon Road

- 1. Ownership of road
- 2. A recommendation is needed from the Planning Commission as to the continued acceptance of cash vs. the actual installation of the improvements.

Surveying of the west side of the road along the Peterson property has been done by Art Jueschke. Easement descriptions could be obtained from him.

OAK BLUFF
ESTATES,
PLAT B/
FINAL
APPROVAL

Don Mecham was present to seek approval of Plat B. As a result of his directive from the council to locate sources of water if further development is to occur...Mr. Mecham proposes the installation of a booster pump/station on Well #4 to increase the capacity. In conjunction with his development, he would bond \$40,000 (the estimated cost of a booster station) for the installation of a booster station in exchange for approval of Phase II of Oak Bluffs Subdivision. (The bond would be subject to reimbursement to Mecham Development as development occurs). Mr. Mecham reminded the council of the additional water provided by upgrading Well #4 associated with the development of Plat A of Oak Bluff Estates. Mr. Mecham feels he has done as the Town requested and offers a solution to the present water problem.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

Hall Engineering recommends that a booster station should be included in a master plan for the Town.

Well #4 - Well log was reviewed:

Mr. Mecham stated that 3 Engineering firms confirmed that, at 610 gal/min with only a 24 ft. draw down, this is an unbelievable amount of water. 282 gpm is currently being pumped.

Mayor - Pump is limited due to the casing and the water flow around the pump through the casing.

Mr. Mecham - Engineer has proposed: with a "surface pump" that 550-600 gpm is a conservative estimate.

Water Rights: Mecham Development has a transfer of a possible 20 acre ft. Rod Despain checked with the State Engineer and it appears the transfer has been approved with 17 acre ft.

Councilmember Tony Searle:

1. Mr Mecham has sought water source options
2. \$15,000 to clean Well #4 and replace the pump did help the Town
3. New Well is not a panacea to all the Town's water problems
 - A. If well goes down during peak months, there would be difficulty in adequately servicing residents
4. Questions all legal ramifications of \$40,000 bond & reimbursement

Councilmember Jim Nicolet:

Concerned with the fact that so many subdivision are waiting to develop, should Oak Bluff - Plat B be approved.

Councilmember Lea Ann Adams:

1. Agrees with the Booster Station
2. Funding is difficult to obtain
3. She has been hesitant to accept funds from any contractor/developer, but feels the Town can resolve a bond for the booster station in a legal manner.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 8-23-94 CONT.

APPROVAL OF MINUTES OF PREVIOUS COUNCIL MEETING MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE MINUTES FROM 8-2-94 AND 8-9-94, AS PRESENTLY CONSTITUTED. VOTE: YES-ALL(5), NO-NONE(0).

ADJOURNMENT MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT SESSIONS, TO ADJOURN. VOTE: YES-ALL(5), NO-NONE(0).


Town Clerk

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, September 13, 1994, beginning with a Public Hearing at 7:00 P.M. on the following issues: Proposed Amendments to the Development Code and Fees Resolution concerned with Town Water Fees...Facility, Construction & Improvement Fees, Water Rights Fees, Connection Fees; at 7:45 P.M. a Joint Public Hearing will take place with the Planning Commission/Town Council concerning the Proposed Amendment to the Development Code concerned with Water Right Transfers to the Town; at 8:30 P.M. a Public Hearing will be held on a Proposed Amendment to the Development Code concerned with the Definition of "Household Pets". The regular Council Meeting will begin at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

- 7:00 P.M. PUBLIC HEARING REGARDING THE PROPOSED AMENDMENTS TO THE DEVELOPMENT CODE & FEES RESOLUTION, ON THE FOLLOWING ISSUES:
FACILITY, CONSTRUCTION & IMPROVEMENT FEES, WATER RIGHTS FEES, CONNECTION FEES, WATER RATES.
- 7:45 P.M. JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION/TOWN COUNCIL ON THE PROPOSED AMENDMENT TO THE DEVELOPMENT CODE CONCERNED WITH WATER RIGHT TRANSFERS TO THE TOWN FROM DEVELOPERS
- 8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:
- 8:00 Invocation & Pledge of Allegiance
- 8:05 Approval of Agenda Time Frame
- 8:10 Allen Nelson Subdivision, Plat A/Final Approval
- 8:20 Water Rights Acquisition/Allocation
- 8:30 PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE DEVELOPMENT CODE CONCERNED WITH THE DEFINITION OF "HOUSEHOLD PETS"
- 8:45 Adoption/Proposed Amendments to Development Code/Fees Resolution concerned with the Town Water Fees:
1. Facility, Construction & Improvement Fees
 2. Water Rights Fees
 3. Connection Fees
- Planning Commission Recommendation
4. Water Rights Transfers
- 9:00 Adoption/Proposed Amendment to Development Code concerned with definition of "Household Pets"
- 9:05 New Well-Tony Searle (Bruce Hall Invited)
- 9:25 Booster Pump Status-Tony Searle
- 9:45 Well #2/Pump Repair Update
Approval of Funds
- 9:55 Discussion/Home Occupation
Wording for Publication

Town Council Agenda
9-13-94
Page 2

10:10 P.M. Road Repair Update
Transfer of Funds from Sewer Dept.
10:20 Approval/SESD Board Member-Kent Haskell
10:25 Approval/Planning Commission Member
10:30 Approval/Board of Adjustment Member
10:35 Expenditures:
General:
Approval/List of Expenditures for August, 1994
Cash Refunds/Goosenest
10:45 Elk Ridge Sign Update-Scot Sessions
10:50 Approval of Minutes of Previous Meeting
10:55 Adjournment

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 9th day of September, 1994.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on September 9, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL: PUBLIC HEARING - 9-13-94 CONT.

Suggested a possible alternative:

\$20 Base rate for 0 water (fixed costs)

.60 - .80/1,000 gal

1. All users pay the same
2. Unless a flat rate is charged, the billing will not be equitable
 - A. In a business, the volume buyer always gets a better price.

Consideration - High-end users create a green, lovely Town, are we willing to sacrifice the appearance of our Town?

The Mayor reviewed the proposed rates:

Summer - Base Rate: from \$20 to \$21/12,000 gal
12,000 - 50,000: from .60 - .65/1,000 gal
50,001 - 100,000: from .60 - .75/1,000 gal
100,001 & above: from .60 to .85/1,000 gal

Winter - Base rate \$21/12,000 gal
.65/1,000 over the 12,000 gal.

Proposed changes in the Development and Connection Fee:

Facility, Construction and improvement fees:
\$1,000 to \$2,000

Connection fees: \$1,000 to \$1,500

Water Rights: \$1,200 to 1,500 plus
\$200 transfer fee

Hal Shuler commented that all Towns don't have both the development fees and the connection fees. But, that most Towns have a Commercial Tax base, which Elk Ridge does not have, for needed revenue. He does not object to raising development fees.

Mrs. Bigler and Mrs. Folks suggested Councilmember Sessions idea. Mrs. Folks questions if the base rate actually does cover all the fixed costs, and if increases will make a difference in revenue.

The Mayor replied that in the winter, it does.

Mr. Creek asked where the revenue from increases would go.

ELK RIDGE TOWN COUNCIL: PUBLIC HEARING - 9-13-94 CONT.

Mayor: The Water Board is to plan solutions to problems:

1. Additional storage (tanks) needed for fire protection
2. Pressure zones throughout the system
3. CUP system for irrigation water
4. Development fees to assist in paying back bond for booster pump

Joe Lengal would like to see more research done to come up with the user charges.

Mr. Creek wanted to know if the proposed increases are based on estimated costs of the various future water projects.

Councilmember Searle proposed rates: (only for equity in charges)

Base Rates	\$20/12,000 gal
12,001 - 50,000 gal	.60/1,000 gal
50,001 - 100,000 gal	.65/1,000 gal
100,001 & over	.75/1,000 gal

Mr. Creek -

1. Supports increases in development & connection fees
2. Supports lower increases in monthly rates
3. Supports Councilmember Searle's

proposal

Mrs. Folks: If new development does not occur, will the needs of the Town be met?

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO CLOSE THE PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE DEVELOPMENT CODE CONCERNING DEVELOPMENT FEES, CONNECTION FEES, WATER RIGHT FEES AND WATER RATES. VOTE: YES-ALL(5), NO-NONE(0).

7:45 Mayor Jacobson opened the Public Hearing on the proposed Amendment to the Development Code concerned with Water Right Transfers to the Town from Developers (Section 10-7-8.11)

PUBLIC HEARING
ROLL CALL

Mayor Jacobson, Councilmembers: Scot Session, Jim Nicolet, Tony Searle, Lea Ann Adams; JoAnn & Dale Bigler, Hal Shuler, Kirk Denning, Bob Denning, Clayton Creek, Joe Lengal, Debbie Fawson, Ernestine Folks, Janice H. Davis, Town Clerk.

ELK RIDGE TOWN COUNCIL: PUBLIC HEARING - 9-13-94 CONT.

Proposing:

1. Transfers of Water Rights from developers to the Town, as required by the Subdivision process, to take place after the Transfer is completed at the State level.
2. The number of Water Rights accepted by the Town will correspond with the number of lots in the proposed Plat.
 - A. The Town cannot sell any excess Water Rights
 - B. The Town will not possess unusable Water Rights should the transfer be declined by the Engineer.

Councilmember Tony Searle, commented that the adoption of this proposal could cause development to be postponed due to lack of usable Water Rights, since the Transfer process takes months.

Mayor Jacobson added that a developer can plan ahead and begin the transfer process early.

JoAnn Bigler requested a definition of "Water Right".

Mayor - WATER RIGHT = the right to pump 1 acre foot of water for one dwelling.

No further comments.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO CLOSE THE PUBLIC HEARING ON THE TRANSFER OF WATER RIGHTS TO THE TOWN OF ELK RIDGE.
VOTE: YES-ALL(5), NO-NONE(0).

ELK RIDGE TOWN COUNCIL MEETING

SEPTEMBER 23, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, September 13, 1994, beginning with a Public Hearing at 7:00 P.M. on the following issues: Proposed Amendments to the Development Code and Fees Resolution concerned with Town Water Fees...Facility, Construction & Improvement Fees, Water Rights Fees, Connection Fees; at 7:45 P.M. a Joint Public Hearing will take place with the Planning Commission/Town Council concerning the Proposed Amendment to the Development Code concerned with Water Right Transfers to the Town; at 8:30 P.M. a Public Hearing will be held on a Proposed Amendment to the Development Code concerned with the Definition of "Household Pets". The regular Council Meeting will begin at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on September 9, 1994.

ROLL CALL

Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, Jim Nicolet; Kirk Denning, Dale & JoAnn Bigler, Hal Shuler, Susan Barrett, Kent Pudry, Mr. & Mrs. Allen Nelson, Lucretia Thayne, Bruce Hall, Janice H. Davis, Town Clerk.

INVOCATION &
PLEDGE OF
ALLEGIANCE

Prayer was offered by Dale Bigler with the pledge of allegiance following.

APPROVAL OF
AGENDA
TIME FRAME

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED WITH THE FOLLOWING CHANGES: 10:25, 10:30, 10:45 AGENDA ITEMS TO BE STRICKEN. VOTE: YES-ALL(5), NO-NONE(0).

ALLAN NELSON
SUBDIVISION,
PLAT "A"/
FINAL
APPROVAL

Mr. Nelson's subdivision was approved by the Planning Commission prior to the council decision of setting the Water Right allocation for 1994 at "0".

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-13-94 CONT.

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, TO GRANT FINAL APPROVAL TO THE ALLEN NELSON SUBDIVISION, PLAT "A". VOTE: YES-(4), MAYOR JACOBSON, JIM NICOLET, SCOT SESSIONS, TONY SEARLE, NO-(1), LEA ANN ADAMS. (Councilmember Adams feels the Town does not have the capability to service any new subdivisions at the present time.

WATER RIGHTS
ACQUISITION

Mayor - Review of negotiations to purchase Water Rights for the Town at the price of \$30,000, to be paid for by the sale of Town acquired rights already applies for. The seller wants the payment immediately. The cash is not available, in total, at this time from the Town. The Water Rights will probably not be purchased at this time. The \$1,000 deposit will be returned after the situation is resolved.

PUBLIC HEARING/
"HOUSEHOLD PETS"

ROLL CALL

Mayor Jacobson, Jim Nicolet, Scott Sessions, Lea Ann Adams, Tony Searle, Kirk Denning, Joe Lengal, Mark & Heidi Farr, Hal Shuler, Susan Barrett, Kent Purdy, Lucretia Thayne, Bruce Hall, Dan & Susan Daley, Janice H. Davis, Town Clerk.

At 8:30, Mayor Jacobson opened the Public Hearing on the Proposed Amendment to the Development Code concerned with the Definition of "Household Pets". (Section 10-11-2). In an effort to enforce the law and back up complaints by residents against neighbors housing too many animals, and that the animals are destructive to the property of others; the Sheriff's Department suggested the Town redefine "Household Pets" in our current ordinance, and limit the number and species of pets.

Public Comments:

Mark Farr (Fire Chief) - Who proposed the amendment?

Mayor - The Sheriff's Dept.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-13-94 CONT.

Councilmember Searle - Options:

1. Negotiate
 - A. Councilmember Searle to work with Ken and Tom Hall to see if terms decided upon are agreeable
 - B. Farnsworth (Elmer) - Crossing her portion of Loafer Canyon Road. (Is it a public road?)
2. Condemn the property
3. Renegotiate with Loafer Canyon Recreation Associates

Bruce Hall recommends staying with Loafer Recreation Association property (this was not engineered). It would be possible to bypass the Farnsworth property and go through Hall property, it would be a steeper grade.

Recommends:

1. Negotiate easement with Loafer
2. Talk with Ken Hall
3. Talk "reality" with Mrs. Farnsworth
 - A. Road is public thoroughfare?
 1. Councilmember Searle should talk with Dave Tuckett about this.

Councilmember Searle to speak with

1. Dave Tuckett
2. Ken/Tom Hall
 - A. Water Line actually crosses Tom Hall's property
3. Elmer (Farnsworth)

Mayor Jacobson to speak with Loafer Recreation Associates.

NEW WELL

Bruce Hall reviewed the status on the Lower Well:

1. Well produce approximately 600 gpm
2. Is now producing less than 300 gpm
3. Engineering is in process for the booster pump

Mayor:

1. Reviewed the well log from 1985 to present. The well pumps a consistent amount with little "draw-down".
2. Hal Shuler donated a section of greenbelt property from Plat B, (Salem Hills Subdivision) to the Town for the Pumping Station
 - A. What remains unused goes back to Hal Shuler to sell to Alsops if desired.
 - B. Appreciation was expressed to Mr. Shuler

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-13-94 CONT.

3. The Town has a radio frequency. It will be needed for the radio transmission for the Booster Pump.
4. Bruce Hall estimates 3 weeks to begin construction and 6 weeks to order the pump. (Approximately December to be on line).

WELL #2/
REPAIRS

Mayor Jacobson informed the council as to repairs on Well #2:

The pump may have been struck with lightening, the line was destroyed and down for 10 days.

1. Repairs - a. new pipe b. new pump (10 horse) c. well tested at 100 gpm/set at 60 gpm.
2. Costs - a. labor \$1,000 b. pipe \$1,500 c. Pump with "Serge Protection" and "Lightening Arrestor", plus other costs \$3,500.00, Totalling about \$8,000.

It was back on line 9-14-94.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE FUNDS FOR REPAIR OF WELL #2 (APPROXIMATELY \$8,000) VOTE: YES-ALL(5), NO-NONE(0).

HOME
OCCUPATION/
DISCUSSION

Question: Should the Development Code be amended to allow additional employees?

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO

1. REFER THE MATTER BACK TO THE PLANNING COMMISSION FOR RECOMMENDATION
2. RESCHEDULE THE PUBLIC HEARING FOR THE 1ST TOWN COUNCIL MEETING IN OCTOBER. VOTE: YES-ALL(5), NO-NONE(0).

ROAD REPAIR/
UPDATE

Councilmember Tony Searle clarified that there is:

1. No transfer of funds
2. No loan

Funds from the Sewer Dept. is going to repair roads. No development fees will be used for this.

Dates for repair:

1. 5-10 days from this date 9-13-94
2. Roads Scheduled for repair:
 - A. Park Dr. with Petromat
 - B. Escalante to be replaced (Allan Nelson is to be contacted to install his water line prior to the overlay on Park Dr.).

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-13-94 CONT.

APPROVAL/
SESD BOARD
MEMBER
KENT HASKELL

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE KENT HASKELL AS THE SESD BOARD MEMBER. VOTE: YES-ALL(5), NO-NONE(0).

EXPENDITURES:

Approval of the list of expenditures for August, 1994 postponed until the next Council Meeting because July's list was mistakenly placed in the packets.

APPROVAL OF
LIST OF
EXPENDITURES
FOR AUG. 1994

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS, TO POSTPONE APPROVAL UNTIL THE NEXT TOWN COUNCIL MEETING. VOTE: YES-ALL(5), NO-NONE(0).

CASH REFUND/
GOOSENEST

In a previous Council motion, 3% interest was to be included with refunds to property owners who paid cash in lieu of installation of a water line in the Goosenest area. This money was not held in an interest-bearing account. Dave Tuckett was consulted and advised the Town not to refund with interest.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE THE REFUNDS WITHOUT INTEREST. VOTE: YES-ALL(5), NO-NONE(0).

NON AGENDA
ITEM -
MAYOR
JACOBSON

1. Water Conservancy meeting will be held in conjunction with the South End Mayor's Meeting to be held 9-19-94, at the Elk Ridge Town Hall, at 6:00 p.m. Water Board members and Council invited.
2. CUP has been contacted requesting application for pressurized irrigation water system.
3. Strawberry Water Users Association Meeting - Tuesday Oct. 4, 1994 (7:00 p.m.), at Payson council Chambers, Elk Ridge Town Council is invited.

APPROVAL OF
MINUTES OF
PREVIOUS
COUNCIL
MEETING

MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT SESSIONS, TO APPROVE THE MINUTES FROM 9-23-94 AS PRESENTLY CONSTITUTED. VOTE: YES-ALL(5), NO-NONE(0).

NOTICE & AGENDA

Notice is hereby given the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, September 27, 1994, the Council Work Session at 7:00 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. -

COUNCIL WORK SESSION:

Halloween/Haunted Woods-Scot Sessions
 Loafer Recreation Association Agreement/Discussion
 Road Repair Update/Discussion-Lea Ann Adams
 Local Crime Problems/Discussion-Mayor Jacobson
 Graffiti Abatement/Discussion-Mayor Jacobson
 CDBG Grant/Discussion-Mayor Jacobson

8:00 P.M. -

REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00	Invocation & Pledge of Allegiance
8:05	Approval of Agenda Time Frame
8:10	Approval/Halloween Haunted Woods
8:15	Approval/Loafer Recreation Agreement
8:20	Approval/Graffiti Abatement
8:25	Marrott Subdivision, Plat A/Final Approval
	1. Loafer Canyon Road Assessment Decision
8:40	Planning Commission Meeting Recommendations
	Jim Nicolet
	1. Proposed Zone Change/Hansen
	Council Determination: Non-conforming lot
	2. Home Occupation/Proposed Amendment
	3. Household Pets/Proposed Amendment
	4. Transfer of Water Rights/Proposed Amendment
9:10	New Well-Tony Searle
9:20	Well #4/Improvements
	Discussion/Approval
9:30	Impact Ordinance-Jim Nicolet
	Discussion/Approval
9:40	CUP-Setting Up A Water Conservancy Board-Mayor
	Discussion/Approval of Task Force Membership
9:50	CUP-Application for Water-Mayor
	Discussion/Approval
10:00	Expenditures:
	General:
	Approval/List of Expenditures-August, 1994
	Approval/Fire Hydrants-Tony Searle
	Approval/Road Repair
10:10	Approval/Board of Adjustment Member-Jim Nicolet
10:15	Approval/Planning Commission Chairperson
10:20	Approval of Minutes of Previous Meeting
10:25	Adjournment

Town Council Agenda
Page 2

The times listed for each item and the agenda may be accelerated if time permits. All interested persons are invited to attend.


Dated this 23rd day of September, 1994.



Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on September 23, 1994.



Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

SEPTEMBER 27, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, September 27, 1994, beginning with a Council Work Session at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on September 23, 1994.

ROLL CALL

Mayor Lynn Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, Jim Nicolet; Joe Marrott, Hal Shuler, Michelle & Jeff Curtis, Jon & Rebecca Argyle, Lyle Williams, Phillip Thout, Joe Lengal, Shari Dixon, Janice H. Davis, Town Clerk.

HALLOWEEN/
HAUNTED WOODS-
SCOT SESSIONS

Councilmember Sessions reported that the Parks committee of Elk Ridge wants to sponsor a Haunted Woods for Halloween weekend, for youth and families. Any proceeds will go to the Parks/Recreation Committee for the beautification of the Park. This will be on a volunteer basis. A tentative agenda for the activity was submitted. Activities Planned: Haunted Woods, Fortune tellers, stories, videos, concessions. The General theme is "The Mysterious".

LOAFER
RECREATION
ASSOCIATION
AGREEMENT/
DISCUSSION

The Mayor met with Craig Carlile on 9-26-94. the Town has a formal agreement, from Mr. Carlile, to be proposed to Loafer Recreation Association. The proposed agreement was read and reviewed by Mayor Jacobson to those in attendance. Loafer Recreation Association was given a copy on 9-26-94. Mayor Jacobson will meet with Jerry Fuller 9-28-94. Mr. Carlile will give the attorney for Loafer Recreation Association a copy of the proposed agreement for review. As Mayor Pro Tempore, Councilmember Lea Ann Adams, is authorized to sign the agreement, in the Mayor's absence.

ROAD REPAIR
UPDATE/
DISCUSSION-
LEA ANN ADAMS

Road repairs are scheduled to begin on 9-29-94, including replacement of Escalante and to begin leveling Park Drive preparatory to the planned overlay.

Prior to repairs:

1. Installation of water line on Park Dr. for Allen Nelson Subdivision.
2. Installation of laterals on Escalante
 - A. Kent Haskell to install

MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION 9-27-94, CONT.

- B. Property Owners to be contacted
 - 1. If paid for now it will be less expensive
 - 2. If they choose to pay later, they will be charged the current price at the time of payment
- C. If laterals are not installed at this time, an ordinance could be passed prohibiting cutting into the road for a period of time; 3-5 years.

LOCAL CRIME
PROBLEMS
DISCUSSION/
MAYOR JACOBSON

Mayor Jacobson attended the Conference for the Utah League of Cities and Towns. One of the classes was on Gang activities. The problem exists in Utah County and extends to the south end of Utah Valley, including Payson. A flier on Gang awareness will go out to residents with the utility bill.

Incidents in Town reported:

- 1. Window Peeking
- 2. Break-ins
- 3. Pornography found
- 4. Suspected Satanism

The Mayor has written an article for the newsletter with suggestions for becoming more aware of life patterns, to avoid being a target for crime. There is also information on "Gangs" to be sent out. The Mayor supports the idea of neighborhood watches. Councilmember Adams said that Utah county has information on setting up "neighborhood watch" programs. There were several residents present to address this issue.

Rebecca Argyle expressed concern that the County Sheriff's Dept. is slow to respond to calls. Can the Town increase the patrol time with the Sheriff's Dept.?

Mayor - Budget is a problem, the Town has nearly tripled the budget for police protection from 93/94 to 94/95.

Mrs. Argyle suggested more obvious exposure when patrol cars are in Town.

The Mayor informed those present of the mutual arrangement we have with the Sheriff's Dept.

They have a station at our Town Office, at no charge, for added exposure in Town. The residents are concerned for their own safety due to the slowness of the response time.

Suggestions:

- 1. Can budget be increased through increased taxes?
- 2. Could the Town Sponsor a full-time officer?
The liability insurance is prohibitive.

MINUTES OF ELK RIDGE TOWN COUNCIL WORK SESSION 9-27-94, CONT.

3. Ask the residents if increased taxes for additional protection would be agreeable
4. Publish curfew times in the newsletter again.

Councilmember Adams summarized that a small Town, with no commercial tax base, is limited as to solutions. She, and the other Councilmembers, strongly encourage "neighborhood watch".

CDGB GRANT/
DISCUSSION-
MAYOR JACOBSON The Mayor informed the Council that obtaining the CDBG Grant money, by Elk Ridge, is not favorable. The requirements are extensive.

GRAFFITI
ABATEMENT/
DISCUSSION-
MAYOR JACOBSON Provo City has donated equipment to Utah county for a Graffiti Abatement Committee. If Towns join the organization, facilities are available for clean up of public buildings, as well as private residences, (within 48 hours). The contract cost is based on population. For Elk Ridge to join, it would cost approximately \$500.

ELK RIDGE TOWN COUNCIL MEETING

September 27, 1994

TIME & PLACE
OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, September 27, 1994, beginning with a Council Work Session at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on September 23, 1994.

ROLL CALL Mayor Jacobson, Councilmembers: Lea Ann Adams, Tony Searle, Scot Sessions, Jim Nicolet; Joe Lengal, Phillip Thout, Lile Williams, Hal Shuler, Janice H. Davis, Town Clerk.

INVOCATION &
PLEDGE OF
ALLEGIANCE Prayer was offered by Jim Nicolet with the pledge of allegiance following.

APPROVAL OF
AGENDA
TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED WITH ONE CHANGE: STRIKE THE " APPROVAL" FROM THE 9:30 AGENDA ITEM. VOTE: YES-ALL(5), NO-NONE(0).

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

MARROTT
SUBDIVISION
PLAT "A"
FINAL

Mr. Marrott presented his plat as it was presented to the Planning Commission. The Planning Commission gave Final Approval on 9-19-94. 1. The road assessment will be paid on the entire frontage. 2. The Plat was not cut down. It was determined that the Subdivision Plat cannot be approved until the Town is capable of delivering additional water (New Well on line or Booster Pump on Well #2). Mayor Jacobson suggested not bonding ahead of time, and that Mr. Marrott will be informed when additional water can be delivered to the Town. Mr. Marrott was in agreement.

PLANNING COMMISSION
RECOMMENDATIONS

1. PROPOSED ZONE CHANGE/
HANSENS The Hansens were present to request Council approval of their lot (on Hillside Dr.) as a non-conforming lot in the CE-1 Zone.

Brief History:

Hansens purchased the lot on Hillside Dr. in 1991, from Boyd Winterton, as a long term investment project. The purchase took place when zone was considered residential, it has since changed to CE-1. The Hansens took the advise of Mr. Winterton to not record the plat in order to retain "greenbelt" status for tax purposes. Boyd Winterton attempted a zone change for this area in July, 1993.

The Planning Commission denied him this zone change, due to the steepness of the entire area. The Hansens' lot is the most level portion of the property owned by Boyd Winterton. All utilities are accessible on Hillside Dr. The Planning commission and Rod Despain recommend approval of the property as a non-conforming lot within the current CE-1 zone.

Action:

1. Town Council to physically look at the lot and the surrounding topography.
 2. Bill Pierce to inspect the property and give recommendation as to possible positioning of a home.
 3. Consult Dave Tucket about non-conforming lots ("spot zoning"). Is it legal?
 4. Place on the next Town Council Agenda after receiving further information.
2. HOME OCC./
PROPOSED AMENDMENT The Planning Commission recommended allowing 1 employee besides the residents of the dwelling. Business owners will have to re-apply annually and declare any significant changes and the number of employees.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

Councilmember Searle recommended no change from the current ordinance. If the Town allows 1 outside employee, why not more?

MOTION WAS MADE BY JIM NICOLET SECONDED BY MAYOR JACOBSON, THAT THE TOWN PUBLISH THE PROPOSED WORDING AS WAS SUBMITTED TO THE PLANNING COMMISSION WITH THE FOLLOWING CHANGES:

1. 1 EMPLOYEE, BESIDES THE RESIDENT, BE ALLOWED AS PART OF THE HOME OCCUPATION.
2. DEFINITION OF HOME OCCUPATIONS CHANGED TO READ: "ANY OCCUPATION CONDUCTED WITHIN A DWELLING".

VOTE: YES-(4), NO-NONE-(0), ABSENT-(1), SCOT SESSIONS.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO SET THE PUBLIC HEARING FOR THE 2ND TOWN COUNCIL MEETING IN OCTOBER, 1994. VOTE: YES-(4), NO-NONE-(0), ABSENT-(1), SCOT SESSIONS.

3. HOUSE-HOLD PETS/ PROPOSED AMMEND-MENT
The Planning Commission recommends no change to the current ordinance. Animals that are nuisances can be picked up under the ordinance as it is. Councilmember Adams cautions that dog owners could feel discriminated against, since dogs are limited to 3.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO MAINTAIN THE PRESENT ORDINANCE WITH NO CHANGE. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

4. TRANSFER OF WATER RIGHTS/ PROPOSED AMMEND.
Planning Commission Recommendation:
 1. Water rights be conveyed to the Town only after the transfer takes place at the State.
 2. Town should accept only the amount of water rights corresponding to the number of lots on the proposed plat.

Hal Shuler advised that Towns can acquire water rights, without having to "prove up" annually. To purchase a bit at a time is not economical for an individual.

Rod Despain is checking into the legality of transferring more water rights than necessary.

Mayor suggested dividing the issue.

1. MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE CHANGE IN THE DEVELOPMENT CODE TO NOT ACCEPT WATER RIGHTS FROM DEVELOPERS UNTIL THE TRANSFER HAS TAKEN PLACE AT THE STATE. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

2. MOTION WAS MADE BY MAYOR JACOBSON TO TABLE THE MATTER FOR FUTURE CONSIDERATION.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

MOTION WAS MADE BY MAYOR JACOBSON (RESTATED), SECONDED BY LEA ANN ADAMS, THAT THE NUMBER OF WATER RIGHTS TRANSFERRED TO THE TOWN BY DEVELOPERS BE REFERRED BACK TO THE PLANNING COMMISSION FOR FURTHER ACTION AND RESOLUTION OF THE PROBLEM. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

NEW WELL/
IMPROVEMENTS
DISCUSSION/
APPROVAL

1. Mae Farnsworth was asking \$50,000 for the water line easement across her property. She has changed her mind and submitted a proposed agreement to the Town which is feasible.

A. Dave Tuckett to review

2. Tom Hall was approached and is willing to work out the problems with the terms of the agreement.

3. Dean/Peay, Terms of the agreement should be equal for all property owners.

Hal Shuler feels there would be many advantages in placing the water line on Loafer property. The tanks would be higher.

The booster pump will go in at the well site, to be able to pump better volume of water.

1. Agreement with Don Mecham is signed

2. Agreement with James Armstrong for the water line easement is signed.

3. Cost for the booster pump increased from an estimated \$40,000 to \$60,000 (due to rebuilding the pump house).

A. Don Mecham will cover the increase/must be paid back

B. Mr. Mecham will help install the pump; the cost could be less than the estimated amount

IMPACT
ORDINANCE-
JIM NICOLET
DISCUSSION/
APPROVAL

Elk Ridge needs an "Impact Ordinance" (as per current legislation) to meet legal requirements and which is defendable in court.

Assignment: Jim Nicolet/Rod Despain to develop the ordinance, with input from:

1. Water Board

2. Engineers

(Mountainlands will assist in developing the Impact Ordinance)

CUP-SETTING
UP A WATER
CONSERVANCY
BOARD-MAYOR

Mayor Jacobson reported that the Mayors in the South end of Utah Valley discussed setting up a Water Conservancy Board to control water delivered to the County by CUP. Task Force Meeting to be held 9-28-94. The Mayor seeks approval to be a member of the task force.

MOTION WAS MADE BY TONY SEARLE SECONDED BY LEA ANN ADAMS, TO APPROVE MAYOR JACOBSON AS A TASK FORCE MEMBER FOR THE WATER CONSERVANCY BOARD. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

CUP-
APPLICATION
FOR WATER-
MAYOR

To obtain future CUP water, application must be made by November, 1994.

The Mayor reviewed figures from 93/94 on usage of water/acre feet:

1. Water usage/mo x .80 (about 80% of water will be irrigation water)

Usage of irrigation water in Elk Ridge = approximately 140 acre ft. (present time/population.

2. CUP water costs \$250/yr./acre ft.

150 acre ft. x \$250 = \$37,500.00 per year

3. Pressurized system would have to be installed.

1. Citizens would vote on a bond to install the system.

The Mayor seeks approval to make application for the CUP water. He feels this will be the future of Elk Ridge's water problems.

Councilmember Searle reminded those present that he applied for CUP water in the past.

4. There would be no financial obligation until 1996/97.

Hall Engineering would be paid when system is installed. The Mayor seeks approval to make application for the CUP Water. The council advised getting Elk Ridge listed with CUP water (from 200 - 225 acre feet.)

EXPENDITURES:
GENERAL:

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE \$2,800 (1/2 OF THE COST) FOR PURCHASE OF CASELLE'S GENERAL LEDGER. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

APPROVAL OF
LIST OF
EXPENDITURES
AUG., 1994

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS TO APPROVE THE LIST OF EXPENDITURES FOR AUGUST, 1994. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

APPROVAL/
FIRE HYDRANTS-
TONY SEARLE

Councilmember Searle reported that the Town is in need of 6 additional fire hydrants. There is enough in the budget to cover one and most of two hydrants.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE TWO (2) FIRE HYDRANTS WITH THE FIRE CHIEF'S RECOMMENDATION AS TO PLACEMENT. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

APPROVAL/
ROAD REPAIR

Mayor Jacobson suggested a sump on the corner of Park Drive/Golf Course Road to handle run-off. Councilmember Searle questioned if run-off could be diverted by culvert towards the Golf course. (If homes eventually go into that area, water would be diverted onto private property).

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

Even though Councilmember Searle has designated funds from the Sewer Dept. for road repair from waste water damage, the future roadwork must be protected from similar damage.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE FUNDS TO INSTALL THE SUMP ON PARK DR./GOLF COURSE RD; AND TO INSTALL THE NECESSARY LATERALS ON ESCALANTE, THIS INCLUDES A LIEN ON THE PROPERTIES INVOLVED UNTIL THE MONEY IS PAID BACK. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

Lea Ann Adams will contact property owners on Escalante prior to installation. If they pay now, they will recognize a savings; if they choose to wait, they will be responsible for the current installation price.

APPROVAL/
BOARD OF
ADJUSTMENT
MEMBER-
JIM NICOLET

MOTION WAS MADE BY JIM NICOLET SECONDED BY TONY SEARLE, TO APPROVE CATHERINE OGDEN AS A BOARD OF ADJUSTMENTS MEMBER. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

Pam Knight has agreed to be the secretary of the Planning Commission.

APPROVAL/
PLANNING
COMMISSION
CHAIRPERSON

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE MATTIS DASTRUP AS CHAIRPERSON OF THE PLANNING COMMISSION. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

APPROVAL OF
MINUTES OF
PREVIOUS
COUNCIL
MEETING

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE MINUTES FROM 9-13-94 AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

NON-AGENDA ITEM

GOOSENEST
SUBDIVISION,
PLAT "B"

The "durability retainer" was released prematurely to Brian Smith (developer) by Far West Bank (Escrow Agent). Oak Ridge Drive has been inspected and a letter of corrections has been issued by Hall Engineering. A letter was sent to Mr. Smith requesting responsibility of payment for the corrections. Mr. Smith responded in writing and feels he is not responsible for the replacement of asphalt or the reconstruction of the shoulder, as recommended by Hall Engineering. He feels the damage was done by Mike Johnson's subcontractors in the installation of Ridge View Meadows.

MINUTES OF ELK RIDGE TOWN COUNCIL MEETING - 9-27-94 CONT.

Mayor Jacobson and Kent Haskell, after inspecting the road damage, agree that Tadd Waite, as subcontractor for Mike Johnson, caused the road and shoulder damage.

The Mayor did express his disfavor in the method used by Brian Smith to close out the escrow account for Goosenest Subdivision, Plat "B". The Mayor said Mr. Smith admitted a knowledge of the condition of the road, and withdrew the money prematurely and inappropriately from Far West Bank, to avoid having it drawn on to repair the road. Far West Bank should not have released the money to him. A packet of information should be sent to the bank to demonstrate the problem incurred in mistakenly releasing the durability retainer. The Mayor is authorized to write a letter to the bank. Councilmember Searle asked if the bank is liable for the repairs, if Brian Smith is not liable?

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.


Town Clerk

AMENDED NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, October 11, 1994, with the Council Work Session at 7:00 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. -

COUNCIL WORK SESSION:

Halloween/Haunted Woods-Scot Session
 Service Project-Scot Sessions
 Road Repair Update-Lea Ann Adams
 CUP Update-Mayor Jacobson
 Graffiti Abatement Update-Mayor Jacobson
 New Well Update
 Well #4 Update/Booster
 Chief Mark Farr:
 Elk Ridge Fire District/Structure Fire Dept.
 Youth Council-Mary Meyers

8:00 P.M. -

REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
 8:05 Approval of Agenda Time Frame
 8:10 Chief Mark Farr/Fire Dept.
 Approval/Travel Funds (Fire truck)
 Approval/Funds-Radio Frequencies
 Fire Break
 8:25 Loan/Fire truck
 Approval/Authorize Mayor Jacobson to sign
 8:30 Hansen Property/CE-1 Zone-Discussion
 8:40 Stop Signs/Park Dr. & Cortez
 Request for Reconsideration
 8:50 Ririe Subdivision, Plats A & B
 Final Acceptance/Release/Durability Retainer
 8:55 Ririe Subdivision, Plat C
 Final Approval of Subdivision
 (Beginning date of Durability Retainer)
 9:05 New Well
 9:10 No Hunting/Discussion
 9:20 Expenditures:
 General:
 Approval/List of Expenditures-Sept., 1994
 Approval/Preliminary Financial Report-6/94
 9:30 Approval of Minutes of Previous Meeting
 9:35 Approval/Road Repairs
 9:40 Approval/Youth Council
 9:45 Adjournment

ELK RIDGE TOWN COUNCIL WORK SESSION

OCTOBER 11, 1994

TIME & PLACE OF MEETING	<p>The regular meeting of the Elk Ridge Town Council was held on Tuesday, October 11, 1994, beginning with a Council Work Session at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.</p> <p>Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on October 11, 1994.</p>
ROLL CALL	<p>Mayor Pro-Tempore Lea Ann Adams, (Mayor Lynn Jacobson - absent), Councilmembers: Scot Sessions, Jim Nicolet, (Tony Searle - absent); Fire Chief Mark Farr, Jeff Barnes, Joe Lengal, Mary Meyers, Debra & Parker Fawson, Laura Deichman, Kathleen Ogden, Tracy Grover, Kevin Hansen, Janice H. Davis, Town Clerk.</p>
HALLOWEEN/ HAUNTED WOODS- SCOT SESSIONS	<p>Scot Sessions reported that, due to lack of participation, the Halloween Haunted Woods activity is cancelled. Councilmember Jim Nicolet suggested that this would be a good project for a Youth Council.</p>
SERVICE PROJECT	<p>Councilmember Sessions asked if the 2nd Ward Elder's Quorum could spread the remainder of the chips in the ball park area as a service project. the council supported the request.</p>
ROAD REPAIR UPDATE	<p>Janice Davis reported on a phone conversation with Greg Magleby (Hall Engineering) on 10-7-94. The notes of the conversation were submitted to the Council. Mr. Magleby strongly advises that the issue of drainage on North Park Dr. be considered now, prior to costly road repairs. The problem will increase with more development.</p> <p>Suggests:</p> <ol style="list-style-type: none"> 1. Culvert across Park Dr. (intersection with Golf Course Rd.) North/South direction 2. Ditches or culverts down East side of Park Dr. to a "holding area" 3. Sump <p>Recommendation (Greg Magleby)</p> <ol style="list-style-type: none"> 1. That the Town consider the planned road work: <ol style="list-style-type: none"> A. Overlay less of Park Dr. now B. Plan ahead/increase the life of the road work <ol style="list-style-type: none"> 1. Culverts, shoulder work, holding areas 2. Doing the work up front avoids cutting into a newly repaired road

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

1. ELK RIDGE FIRE DISTRICT
 2. ELK RIDGE TO BE 1ST RESPONSE TO STRUCTURE FIRES
 3. TO BE COMPLETED BY JAN. 1, 1995.
- VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE

Availability of the Elk Ridge firemen was discussed. They all have pagers - Chief Farr feels this is sufficient for now.

3. FIRE BREAK

Jeff Barnes (fireman) points out the need of a fire break along the southern boundaries of Elk Ridge. There are dirt roads that could serve as firebreaks between the Town and the wooded area. The Fire Dept. seeks permission to grade those roads once or twice per year. (The National Guard will do the grading at no cost). Councilmember Sessions, Mark Farr and Jeff Barnes will meet to inspect the roads in question. (Councilmember Nicolet suggested including Hall Engineering)

- A. Road Ownership must be determined to be able to gain permission to grade
- B. Councilmember Nicolet cautions that grading those roads could create a drainage problem due to erosion.

4. TRAVEL FUNDS

Chief Farr submitted a cost break down of the funds necessary for Jeff Barnes and himself to travel to California to pick up the new fire truck and to drive it back to Elk Ridge. The cost to the Town= Approx. \$325.00.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY LEA ANN ADAMS, TO APPROVE \$325.00 FOR TRAVEL EXPENSES FOR CHIEF MARK FARR AND JEFF BARNES TO TRAVEL TO CALIFORNIA TO PICK UP THE NEW FIRE TRUCK. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

5. RADIO FREQUENCIES

In order for the Fire Dept. to take advantage of the new radio frequency Elk Ridge has obtained, there is a need to change the frequencies in our existing radios; and to buy new radios for the new truck.

Costs are itemized below:

Motorola Motrac -	\$190.00	(red truck)
Motorola Micor -	\$190.00	(brush truck)
Midland model 70-336b -	\$104.00	(base)
2 GE MID -	\$208.00	(hand held)

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

Councilmember Sessions suggested that Chief Farr itemize, according to priority, the list of necessary new equipment.

Chief Farr agrees to replace the already approved equipment list (at budget time) with a prioritized list for new equipment.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET, TO APPROVE THE UPGRADING OF THE TOWN'S EXISTING EQUIPMENT. THE COST WOULD BE \$692.00 FOR THE 5 PIECES OF EQUIPMENT LISTED. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

LOAN/
FIRE TRUCK

To secure the \$15,000 loan from Far West Bank, the Council must authorize the Mayor to sign on the loan, for the Town and approve the loan, itself.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET, TO APPROVE THE \$15,000 LOAN FOR THE PURCHASE OF THE NEW FIRE TRUCK AND TO AUTHORIZE MAYOR JACOBSON TO SIGN ON THE LOAN FOR THE COUNCIL AND THE TOWN OF ELK RIDGE. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

HANSEN
PROPERTY
CE-1 ZONE
DISCUSSION

1. David Tuckett's legal counsel:
In a conversation with the Town Clerk, Dave Tuckett expressed his legal opinion regarding the property owned by the Hansens. The Hansens are seeking Council action which would accept their lot as a non-conforming lot in the CE-1 zone. (the lot does not meet the size requirement for the zone)

Requirements for Non-conforming use:

1. Lot legally existed prior to current zoning
 - A. Hansen lot was not recorded
2. Lot was maintained for residential use since the time when the zoning changed.
 - A. Hansen lot is considered "green belt property".
3. Due to zoning change, lot does not meet the current zoning requirement

Mr. Tuckett said that the first 2 requirements are the biggest problem for the Hansen lot. He feels that the problem exists between the 2 property owners (Boyd Winterton, who sold the lot and the Hansens) and should be resolved between the two of them.

2. Bill Pierce/Opinion - Bill Pierce, as directed by the Council in the last Council Meeting, went up to Hillside Dr. to inspect the Hansen property...and to give a recommendation as to whether it is buildable or not.

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

Mr. Pierce feels that it is possible to put a house on the property, if the lot is deep enough. He expressed concern about future drainage problems, should the land directly above (west) the Hansen's property be developed.

By accepting the lot as non-conforming to the present zone, certain things should be considered:

1. Will this action be "letting Boyd Winterton off the Hook?"
 - A. The owner could still go back to Mr. Winterton and solve the problem of his lot not being "buildable".
 - B. This was a problem created by Mr. Winterton, not the Town.
 - C. Will Boyd Winterton expect the same "forgiveness" for his other lots in the area?
2. Before Bill Pierce can give a professional recommendation, he needs to see the land staked out from a survey.
 - A. Better able to see depth, width and layout of the lot
 - B. Better for the owners to be able to see what they really have (as opposed to dimensions on a flat piece of paper)
 - C. Necessary step for a one lot subdivision, anyway.

*These are the opinions of Bill Pierce, as told to the Town Clerk 10-6-94.

The memos to the Council were read and discussed. The Hansens claim that the lot was staked out, the back markers are there, the road took the front markers out. Councilmember Adams advised permanent survey markers in lieu of temporary stakes.

Mr. Hansen questioned if Boyd Winterton had been notified of the proposed zone change. He was informed that Towns may notify by: 1. Posting
2. Notification to each property owner or 3. by publication. Elk Ridge publishes its notices.

Council decision:

1. Hansens were directed to go back to the seller (Boyd Winterton) to attempt to re-negotiate the size of their lot to make it a "buildable lot".
2. Begin the subdivision process.

STOP SIGNS
PARK DR./
CORTEZ

The bus drivers and their supervisor were in to the Town Office to ask that the Council reconsider the stop signs on Cortez and Park Drive. (facing east...going up the hill on Park Dr.) and (facing south going from Cortez onto Park Dr.)

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

The complaint is that in the winter months, they would not be able to get the busses going again, after having to stop.

1. The residents who were present feel that: the speeding on Park Dr. endangers the lives of the children.
 - A. The safety of the children is more of a factor than the inconvenience of the busses in the winter.
2. The busses can reroute and go north (downhill) on Cortez.

After discussion:

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY SCOT SESSIONS, THAT THE REQUEST FOR RECONSIDERATION OF THE STOP SIGNS ON PARK DRIVE / CORTEZ BE DENIED. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

A local crossing guard was encouraged to assist in safeguarding the children and to write license plate numbers down of speeders.

RIRIE
SUBDIVISION,
PLATS A & B
FINAL
ACCEPTANCE
RELEASE/
RETAINER

Hall Engineering submitted a letter recommending release of the durability retainer subject to:

1. A water valve cover is missing at the intersection of Columbus Lane and Hudson Lane, it must be replaced.

MOTION WAS MADE BY JIM NICOLET SECONDED BY LEA ANN ADAMS, TO ACCEPT THE IMPROVEMENTS ON RIRIE SUBDIVISION, PLATS A & B AS COMPLETE, AS PER THE ENGINEER'S INSPECTION; AND TO RELEASE THE DURABILITY RETAINER, HELD IN ESCROW AT FAR WEST BANK, CONDITIONAL UPON VERIFICATION OF THE WATER VALVE COVER HAVING BEEN REPLACED AT THE INTERSECTION OF COLUMBUS LANE AND HUDSON LANE. VOTE: YES-(3), NO-NONE, ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

RIRIE
SUBDIVISION,
PLAT C
FINAL APPROVAL
OF SUBDIV.

Hall Engineering submitted a letter recommending approval of the subdivision subject to verification of the placement of 2 survey monuments: one at the intersection of Columbus Lane and Magellan Lane. The other approximately 220 feet south of the same intersection.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY TO POSTPONE THE ACCEPTANCE OF THE IMPROVEMENTS ON RIRIE SUBDIVISION, PLAT C, UNTIL THE OCCURRENCE OF THE FOLLOWING:

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

1. VERIFICATION THAT BOTH PERMANENT SURVEY MARKERS ARE IN PLACE, AS PER RECOMMENDATION OF HALL ENGINEERING.
2. ALL LIENS HAVE BEEN PAID AS PER THE PAYMENT REQUEST DATED 10-5-94.
3. ALL CLAIMS AGAINST THE TOWN HAVE BEEN REGISTERED WITH THE TOWN FOR DAMAGE TO PROPERTY DUE TO THE FAULTY INSTALLATION OF THE WATER LINE ON MAGELLAN LANE
4. THE TOWN COUNCIL WILL REVISIT THE ISSUE AFTER THE CONDITIONS HAVE BEEN MET. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

The residents on Columbus Lane, affected by the water line run off, will be given 3 working days from the time they receive written notification, to respond and file any claim with the Town. Mr. Ririe will be notified of this.

NEW WELL

Discussion

MOTION WAS MADE BY JIM NICOLET SECONDED BY LEA ANN ADAMS, TO TABLE ANY FURTHER DISCUSSION OR ACTION ON THE PROPOSED AGREEMENTS UNTIL THE FULL COUNCIL IS PRESENT. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

NO HUNTING/
DISCUSSION

Discussion - need for an ordinance.

Signs can be posted, but those are for no hunting closer than 600 ft. from a dwelling.

1. Fish & Game Dept. to be contacted by Councilmember Scot Sessions
2. Councilmember Nicolet is to contact Rod Despain about an Ordinance
3. Matter to be placed on the Planning Agenda

Commission

EXPENDITURES:
GENERAL

1. Spraying by Bryce Rawlings is costing more than anticipated. He will spray only when asked to do so.
2. Signs
 - A. Shuler Park sign \$ 3 2 5 (Capital Projects)
 - B. 3 directional signs \$150 (Parks-General Fund)
 - C. Elk Ridge sign (Parks-General Fund)
 1. Take down/re-hang \$100

APPROVAL OF
LIST OF
EXPENDITURES
SEPT. 1994

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY SCOT SESSIONS TO APPROVE THE LIST OF EXPENDITURES FOR SEPTEMBER, 1994. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

ELK RIDGE TOWN COUNCIL MEETING - 10-11-94 CONT.

APPROVAL/
PRELIMINARY
FINANCIAL
REPORT
JUNE, 1994


MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY JIM NICOLET, TO APPROVE THE PRELIMINARY FINANCIAL REPORT FOR JUNE, 1994 WITH THE AUDIT CORRECTIONS AS DISCUSSED WITH PETERSON & ASSOCIATES. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

APPROVAL OF
MINUTES OF
PREVIOUS
COUNCIL
MEETING

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY LEA ANN ADAMS, TO APPROVE THE MINUTES FROM 9-27-94 AS PRESENTLY CONSTITUTED. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.

ADJOURNMENT

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY JIM NICOLET, TO ADJOURN. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), MAYOR JACOBSON, TONY SEARLE.



Town Clerk

NOTICE & AGENDA

Notice is hereby given that on Tuesday, October 25, 1994, at 7:00 P.M., the Elk Ridge Town Council will hold a Public Hearing, in conjunction with the regular Town Council Meeting, at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, for the purpose of hearing public opinion on a proposed Amendment to the Development Code, Section 10-3-3.18, entitled "Home Occupations". The regular Town Council Meeting will begin at 8:00 P.M.

7:00 P.M. - PUBLIC HEARING on the proposed Amendment to the Development Code, Section 10-3-3.18, entitled "Home Occupation".

7:30 P.M. COUNCIL WORK SESSION

Road Repair Update-Lea Ann Adams
CUP Update-Mayor Jacobson
Well #4 Update/Booster
Parks/Recreation - Update...Elk Ridge Sign
Grants:
 Parks
 Fire Station

8:00 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Adoption/Proposed Amendment to Development Code,
Section 10-3-3.18, entitled "Home Occupation".
8:20 Acceptance:
 Ririe Subdivision, Plats A & B
 (Release of Durability Retainer)
 Ririe Subdivision, Plat C
 (Begin Durability Retainer)
8:30 New Well Update/Discussion
8:45 Expenditures:
 General:
 Council Christmas Party
 Approval/Financial Reports-7/94, 8/94
9:00 Approval of Minutes of Previous Meeting
9:05 Adjournment

Additions:

The times listed for each item and the amended agenda may be accelerated if time permits. All interested persons are invited to attend.


Dated this 21st day of October, 1994.

Town Clerk

Town Council Agenda
Page 2

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Amended Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on October 21, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION
PUBLIC HEARING

OCTOBER 25, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, October 25, 1994, beginning with a Public Hearing at 7:00 P.M., The Town Council Work Session began at 7:30 P.M., with the regular Council Meeting at 8:00 P.M. The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on October 21, 1994.

PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE DEVELOPMENT CODE, SECTION 10-3-3.18, ENTITLED "HOME OCCUPATION."

ROLL CALL

Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Tony Searle, (Lea Ann Adams, absent); Brian Smith, Linda Cooper, Treasurer.

Mayor Jacobson opened the Public Hearing at 7:00 P.M. In the absence of Councilmember Lea Ann Adams, her written statement was read:

"Dear Council,

Knowing I wouldn't be here this evening, I asked that my comments be read concerning home businesses.

We realize our ordinance is outdated, our question is; how do we keep control of our residential areas, and not let them become commercial? How can the ordinance be written to have home businesses comply with and meet future needs. Because this is the "90's" we are seeing more and more home businesses; because of networking, faxes & Fed Ex., technology will continue to make it more and more practical to work at home, especially for women who feel the need to do so. This means our ordinance should be changed to meet not only what people are currently doing, but to meet the needs of the future. There are other ordinances Elk Ridge has that will dictate and control the other concerns we have, for instance, our parking ordinance gives us control. I have checked with other cities to see how they handle this concern. A few still have an ordinance similar to ours, but most have made changes to update their ordinance, because of the need. Those that have made changes, basically changed it from immediate family and then put a limit on it. This is reviewed each year and specific questions asked when obtaining license and each year thereafter.

It is my opinion that not more than 3 employees at one time is a number sufficient for a long, term change, taking into consideration what a home office will be for the future, when in compliance with all other ordinances."

The proposed Amendment was reviewed, as published:

Section 10-3-3.18;

2-B. The Home Occupation is conducted entirely within a dwelling.

2-K. The physical appearance, traffic, parking space and other activities in connection with the home occupation are not contrary to the intent of the zone in which the home occupation is located and do not depreciate surrounding values, as determined by the Administrator.

Add Part 2-L:

Business activity may be conducted by the residing family and not more than one (1) person not residing in the dwelling where the home occupation takes place, subject to the following:

1. On an annual basis the individual holding the business license must make a statement on the business renewal application regarding the number of employees working in the home and if the nature of the business has changed in any manner. All business licenses are subject to this provision upon renewal.
2. The holder of a home occupation business license is responsible to comply with all County, State and Federal regulations such as, but not limited to, fire codes, building codes, OSHA safety requirement, EPA, FICA, the Disability Act, etc. which are applicable to their business.

Councilmember Jim Nicolet said that other surrounding cities' ordinances are more restrictive on home occupation.

Councilmember Scot Sessions feels that there are ways around the parking ordinance.

Mayor Jacobson restated the Planning Commission recommendation of allowing one (1) employee not residing in the home.

Councilmember Tony Searle expressed the opinion that the number should remain at 0 or be changed to a number to include future needs.

ELK RIDGE TOWN COUNCIL - PUBLIC HEARING - 11-25-94, CONT.

According to legal counsel from Dave Tuckett, the Town can legally and defensibly set a number.

Linda Cooper expressed concern about parking and losing the residential atmosphere.

Councilmember Searle said that allowing 3 additional employees may not become a problem for years, should it become so, adjustments may be required.

There were no further comments. Mayor Jacobson moved to other business.

ROAD UPDATE

The Mayor reported on Councilmember Adams' conversation with Geneva Rock (Kay Christofferson).

1. Grading on Escalante - Wed (10-23-94)
2. Patching Park Dr. - Wed (10-23-94)
 - A. Not at Elk Ridge's expense
 - B. Part of Allen Nelson's subdivision improvements.
3. Asphalt Escalante (10-24)
4. Asphalt Park Dr. (10-25)

CUP UPDATE

1. Mayor Jacobson disbursed to all Councilmembers, copies of a draft of a tentative agreement between South Utah Valley Water Task force and Strawberry Water Users, for council review. Elk Ridge has no input on this agreement.
2. The Task Force will meet again on 10-24-94 to discuss a proposed interlocal agreement for the following purposes:
 - A. Bargaining power with CUP
 - B. Bargaining power with Strawberry Water
 - C. Capability to be heard by the Federal Government
 - D. Authorize transfer of water "usage" (not rights)
 - E. Any agreement would be reviewed by the Town's attorney then brought before the Council for approval.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO CLOSE THE PUBLIC HEARING. VOTE: YES-(4), NO-NONE, ABSENT-(1), LEA ANN ADAMS.

ELK RIDGE TOWN COUNCIL WORK SESSION

OCTOBER 25, 1994

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Tony Searle, (Lea Ann Adams, absent); Brian Smith, Linda Cooper, Treasurer.

CUP CONTINUED Discussion of CUP Water continued.

WELL #4

1. The Mayor spoke with Greg Magleby (Hall Engineering) about the engineering for the Well house. The Mayor instigated a change to include a chlorinating area for future use.
2. A meeting is scheduled for 10-24-94 (10:00 am) with the Mayor, Don Mecham and Hall Engineering for a final review of the engineering. If there are no changes, then the specifications will be printed and Mr. Mecham will start construction.
3. The well will be unavailable for about 2 months during construction.
4. No building permits will be issued on Plat B, Oak Bluffs Subdivision until the booster pump is tested and on line.

PARKS/
RECREATION Sign: The Elk Ridge Sign has been re-installed
Letters are to be sent to:

1. Richard Davis from the Mayor
2. Dale Bigler from Scot Sessions

Grants:

1. Parks
The balance of the grant from the county has come to the Town. Councilmember Sessions reported that the Parks committee has met to decide what to do with the balance of the funds.
 - A. Ground cover between the areas of activity
 1. Sprinklers
 - B. Slag/Walking path area
2. Fire Station
 - A. Loan (15,000) has been signed (fire truck)
 - B. All 4 vehicles (snowplow & 3 fire trucks) will fit into the bay area, as a temporary solution to parking.
 - C. The Mayor suggested application for the same type of grant for a new garage, as was obtained for Parks.
 1. Councilmember Sessions was assigned to this task.

NON-AGENDA
ITEM Kidney Foundation flier (to tow cars off for a tax deduction and for donation) to go out with the newsletter.

ELK RIDGE TOWN COUNCIL MEETING

October 25, 1994

TIME & PLACE OF MEETING	The regular meeting of the Elk Ridge Town Council was held on Tuesday, October 25, 1994, beginning with a Public Hearing at 7:00 P.M., The Town Council Work Session began at 7:30 P.M., with the regular Council Meeting at 8:00 P.M. The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.
	Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on October 21, 1994.
ROLL CALL	Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Tony Searle, (Lea Ann Adams, absent); Brian Smith, Linda Cooper, Treasurer.
INVOCATION & PLEDGE OF ALLEGIANCE	Prayer was offered by Scot Sessions with the pledge of allegiance following.
APPROVAL OF AGENDA TIME FRAME	MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.
ADOPTION/ AMENDMENT TO DEV. CODE "HOME OCCUPATION"	MOTION WAS MADE BY TONY SEARLE SECONDED BY SCOT SESSIONS, TO ADOPT THE AMENDMENT TO THE DEVELOPMENT CODE, SECTION 10-3-3.18, ENTITLED "HOME OCCUPATION" AS WRITTEN IN THE PUBLISHED FORM, WITH THE FOLLOWING MODIFICATIONS: 1. 2ND PARAGRAPH, LAST LINE - "AS DETERMINED BY THE ZONING ADMINISTRATION." 2. 3RD PARAGRAPH, CHANGE "ONE (1) PERSON " (OUTSIDE THE FAMILY)" TO "THREE (3) PERSONS" 3. LAST PARAGRAPH, CHANGE "DISABILITY ACT" TO "ADA". VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS. POLL: TONY SEARLE-AYE, JIM NICOLET-AYE, MAYOR JACOBSON-AYE, SCOT SESSIONS-AYE.
ACCEPTANCE 1) RIRIE SUBDIVISIONS, PLATS A & B	The required valve cover is in place and the durability retainer will be released from the escrow account for Ririe Subdivision, Plats A & B.
2) RIRIE SUBDIVISION, PLAT C	The council revisited this issue since the conditions of approval have been met. 1. 2 survey monuments are in place (verified by Kent Haskell) 2. No claims against the Town, resulting from the improperly installed water line within the Ririe Subdivision, Plat C.

Councilmember Sessions was unaware that the order had been made. Councilmember Searle fully supports the needs of the Fire Department; however, he questioned the need for T-shirts on the limited budget of the Town.

Expenditures should be budgeted for and pre-approved by the Council. Councilmember Sessions is to inform the Fire Chief of purchasing procedure.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE PAYMENT OF THE T-SHIRTS IN THE AMOUNT OF \$363, CONTINGENT UPON DETERMINATION OF THE FOLLOWING BY COUNCILMEMBER SESSIONS & FIRE DEPT.

1. WHY THIS HAPPENED
2. HOW IT HAPPENED
3. CAN BILL BE REDUCED?
4. PURCHASING PROCEDURES ARE COMPLETELY UNDERSTOOD FOR ANY FUTURE EXPENDITURES.
 - A. NO FUNDS RELEASED WITHOUT COUNCILMEMBER SESSIONS' APPROVAL, (UNDER \$300), PRIOR TO ORDER
 - B. COUNCIL APPROVAL (OVER \$300), PRIOR TO ORDER

VOTE: YES-(3), MAYOR JACOBSON, JIM NICOLET, SCOT SESSIONS, NO-(1), TONY SEARLE, ABSENT-(1), LEA ANN ADAMS.

CHRISTMAS
PARTY
(COUNCIL)

1. Mayor Jacobson wants to hold a Council Christmas Party in conjunction with a regular Council Meeting on Tuesday, Dec. 28, 1994. The Councilmembers agreed.
2. In an attempt to conserve costs, the party will be held at Linda Cooper's home.
 - A. The Town will pay for the meat
 - B. The rest of the meal will be "pot luck"


MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE FINANCIAL REPORTS FOR JULY AND AUGUST, 1994. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

APPROVAL OF
MINUTES OF
PREVIOUS
COUNCIL
MEETING

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY JIM NICOLET TO APPROVE THE MINUTES FROM 10-11-94 AS PRESENTLY CONSTITUTED.
VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO ADJOURN. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), LEA ANN ADAMS.

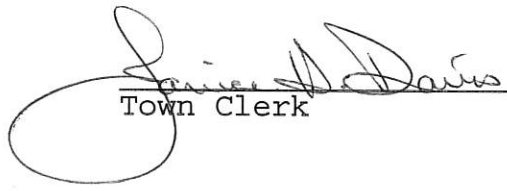

Town Clerk

NOTICE

Notice is hereby given that on Tuesday, November 8, 1994, the regularly scheduled Elk Ridge Town Council Meeting will be cancelled due to lack of business to be discussed and Voting will take place in the Town Council Room at the Elk Ridge Town Hall. The next scheduled Town Council Meeting will be held on November 22, 1994.

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Cancellation of the regularly scheduled meeting was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on November 3, 1994.



Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, November 22, 1994, with the Council Work Session at 7:00 P.M., followed by the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:00 P.M. -

COUNCIL WORK SESSION:

South Utah Water Association (SUWA)
Discussion
Municipal Committees
Proposed Ordinance-Road Cuts/Discussion
Fire Truck Update-Scot Sessions
Fire Dept. List of Equipment/Discussion
Chief Mark Farr

8:00 P.M. -

REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00 Invocation & Pledge of Allegiance
8:05 Approval of Agenda Time Frame
8:10 Chief Mark Farr/Fire Dept.
Approval of List of Equipment
8:20 Planning Commission Recommendations:
A. Cable TV Requirement
B. School Bus Service (Turn Arounds)
C. Camelot Properties (Lee Brown)
Deed Back-Proposed Salem Hills Dr.
D. Hunting/Fireworks Ordinances
E. Rutter/Proposed Zone Change
9:00 SUWA/Tentative Approval of Agreement
9:10 SUWA/Set Public Hearing-Agreement (12-13-94)
9:15 Approval/Proposed Ordinance on Road Cuts
9:30 Approval/Assistant Snow Plow Driver
Bryce Rawlings
9:35 New Well Update
9:45 Approval/Candy Machines-Bryce Rawlings
9:50 Expenditures:
General:
Discussion/Approval of Financial Reports
Town Clerk
Approval/List of Expenditures-Oct., 1994
9:55 Approval of Minutes of Previous Meeting
10:00 Adjournment

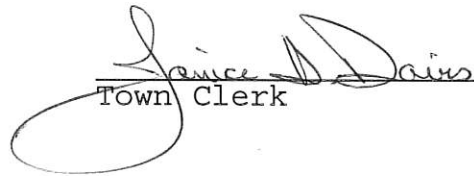
The times listed for each item which appears on the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 17th day of November, 1994.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on November 17, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL WORK SESSION

NOVEMBER 22, 1994

TIME & PLACE
OF MEETING

The regular meeting of the Elk Ridge Town Council was held on Tuesday, November 22, 1994, beginning with the Town Council Work Session at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on November 18, 1994.

ROLL CALL

Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Scot Sessions, Tony Searle, Lea Ann Adams, (Scot Sessions, absent); Mark Johnson, Mark Farr, Jeff Barnes, Janice H. Davis, Clerk.

SUVMWA

The Mayor discussed the proposed interlocal agreement for the South Utah Water Association. The organization is concerned with water for the South end of Utah Valley and would give the municipalities The capability to deal with both the Central Utah Project (CUP) and Strawberry Water Users.

- History:
1. CUP water, 11,000 acre feet - original amount to fill verbal requests.
 - A. Amounts requested were not in writing
 - B. M & I Water - must be treated, chlorinated, used for culinary purposes.
 - C. \$250/acre ft./year (expensive)
 - D. Town does not desire M & I Water (nor do other municipalities)
 2. SUVMWA is on the agenda for CUP meeting (12-10-94)
 - A. Every Town representative will be in attendance
 - B. A letter from SUWA will be submitted, giving notice that any prior commitments are null & void.
 3. SUVMWA has arranged for Sunrise Engineering (Fillmore) to calculate the amount of water needed for irrigation purposes for each of the 10 Towns.
 - A. The Town will be billed for this service.

- B. Only after the calculations are available, will the Cities/Towns commit to the amounts of water needed.
- C. If the Towns in South Utah Valley do not commit to water, there will be no CUP.
- 4. 25,000 acre ft. of irrigation water has been allocated to Strawberry Water Users.
- 5. Prices: (2 tiers)
 - A. M & I = \$250/acre ft./yr or higher
 - B. Irrigation = \$125/acre ft.
 - C. Pressurized Irrigation is not recognized in the CUP.
- 6. SUVMWA goal is pressurized irrigation water from 25,000 acre ft. (Strawberry Water Users)

Reasons for Proposed Agreement:

- 1. As a group, more impact on CUP
- 2. Establish a "pay as you use" type contract with CUP/
- 3. Agreement will cause the SUVMWA Task Force to become a legal entity, with a board of directors controlled by the Town Councils.

The Proposed Agreement was reviewed.

Lea Ann Adams -

- 1. Feels the Task Force is a step in the right direction
- 2. Would like to know the general overhead assessments for the Towns.
- 3. Builds a rapport with other Towns, needs known to one another.

Mayor -

- 1. Must go through a Public Hearing
- 2. Tentative approval of the agreement is needed to move forward.

Jim Nicolet -

More balance as a group than as individual communities

MUNICIPAL
COMMITTEES

The State has requested (from the municipalities) a list of representatives for several committees. It was felt that the Town does not have any suggestions at this time. The time and travel involved to Salt Lake City for meetings is a deterrent.

The Clerk is to respond that the Council has no recommendations at this time.

ELK RIDGE TOWN COUNCIL WORK SESSION - 11-22-94 CONT.

PROPOSED
ORDINANCE-
ROAD CUTS/
DISCUSSION

It has been suggested that the Town consider adopting an ordinance which would prohibit cutting into a new road for a period of time (3-5 years).

Rod Despain knew of no cities using such an ordinance; but, suggested that various Cities and Towns be called to get a sample ordinance to use as a model.

The Town Clerk contacted: Provo, Orem, Mapleton and the Utah League of Cities and Towns.

1. Most Towns have a "notification Policy"
 - A. Coordinates with utility companies
 - B. Notification of plans for road repairs/construction
2. St. George has an Ordinance
 - A. Unenforceable
3. ULCT - suggested:
 - 1) charging double for an excavation permit if within 1 year of when the road is laid, prior notification should have taken place at least 6 months before the repairs.
 - 2) Require standard specifications be followed for road restoration.

The Mayor would like the Planning Commission to submit a sample Excavation Policy.

FIRE TRUCK
UPDATE-
SCOT SESSIONS

Councilmember Sessions was not present, requested subject be moved to 9:30 of the regular session.

FIRE DEPT.
LIST OF
EQUIPMENT/
DISCUSSION
CHIEF
MARK FARR

Chief Mark Farr was present to review the revised list of expenditures to equip the new Fire Truck. It was anticipated to use \$5,000 from Capital Projects to equip the new truck. Chief Farr expected there to be more equipment on the truck. The list requires over \$10,000 to upgrade the new fire truck

Councilmember Searle expressed concern:

1. misjudgment of amounts needed
2. Where the funds will come from

Chief Farr still feels that the truck was a good deal at \$15,000, another truck exactly like the one the Town purchased sold for \$25,000. Fully equipped, the Town's truck will have cost about \$26,000.

Funding: (approximate)

- \$5,000 - Capital Projects
- \$5,000 - Prior year fund balance

ELK RIDGE TOWN COUNCIL WORK SESSION - 11-22-94 CONT.

Mayor Jacobson pointed out that without the proposed equipment, the new fire truck would be useless.

The Mayor will donate a chain saw (saves \$250). Air Compressor is listed as extra, but would be useful for Town jobs as well as to the Fire Dept. (particularly for air brakes) Suggests splitting the cost.

ELK RIDGE TOWN COUNCIL MEETING

November 22, 1994

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, November 22, 1994, beginning with a Council Work Session at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on November 18, 1994.

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Scot Sessions, Jim Nicolet, Tony Searle, Lea Ann Adams; Kent Haskell, Janice H. Davis, Town Clerk.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Tony Searle with the pledge of allegiance following.

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE AGENDA TIME FRAME AS PRESENTLY CONSTITUTED, WITH ONE CHANGE: MOVE THE 8:10 ITEM TO 9:35 TO ALLOW COUNCILMEMBER SESSIONS TO BE PRESENT. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SEARLE.

PLANNING COMMISSION RECOMMENDATIONS 1. Cable TV Requirement for Subdividers
A. Recommendation: to discontinue the requirement.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO LEAVE THE INSTALLATION OF CABLE TV AS AN OPTION TO THE DEVELOPERS. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) SCOT SESSIONS.

2. School Bus Service (Turn Arounds)
 - A. Recommendation: Consider turn arounds on a case-by-case basis.
 1. Perhaps involve Nebo School Dist. in the Planning stages of a subdivision.

Councilmember Nicolet and Rod Despain to propose an amendment to Subdivision Ordinance, to require paved turn arounds large enough for a school bus to turn around. (Nebo School District to fax the radius for a turn around large enough for a school bus).

3. Camelot Properties
 - A. Recommendation: To keep the deed to the proposed road (N. Salem Hills Dr.) until such time as the placement of the road is determined.

Mayor - (contacted Rod Despain)

1. Camelot Properties desires the property deeded back to them from the Town, to split among the owners.
2. Is isolated - North of Plat "G"
3. Does not lie in line with the plan to continue Salem Hills North to the new County line road. (Proposed collector type road)
4. The Town needs the easement to the water line which runs along the proposed road.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO DEED THE PORTION OF THE OLD PROPOSED NORTH SALEM HILLS DRIVE, LYING NORTH OF SALEM HILLS SUBDIVISION, PLAT "G", BACK TO CAMELOT PROPERTIES; WITH THE TOWN RETAINING TITLE TO THE WATER LINE EASEMENT. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) SCOT SESSIONS.

4. Hunting/Fireworks

Hunting within Elk Ridge boundaries takes place. The law states that there is no hunting within 600' of a dwelling, which is still dangerous. Elk Ridge is growing and in other communities there is no hunting permitted within city boundaries. Unless a "No Hunting" Ordinance is in place, only property owners may post "No Hunting" signs. Rod Despain suggested prohibiting the discharge of fire arms by zone (residential zones).

Planning Commission Recommendation: "Research needs to be done in regard to Utah State Laws" already in existence. Sample ordinances from other towns are needed to be able to better consider this issue.

5. Rutter/Proposed Zone Change

There was a field trip with the Planning Commission and Matt Rutter on 10-24-94 on Mr. Rutter's property where he is proposing a zone change from CE-1 to a residential zone, to allow for subdivision development.

Recommendation: Against Zone Change

1. Topography is too steep, in most areas, for development
2. Drainage would be a problem
3. A zone change would split the CE-1 zone down the middle.

NON-AGENDA ITEM

6. Loafer Recreation Associates were granted Concept Approval.

Mayor: Loafer has tentatively agreed to grant a water line easement along their proposed access road. Rod Despain advised that the water line easement could be included on the subdivision plat.

SUVMWA/
TENTATIVE
APPROVAL-
AGREEMENT

Councilmember Searle was absent from the Work Session when this item was discussed. He expressed certain concerns with the proposed agreement. He, generally, fears the use of tax money to create another government entity and is concerned with future costs.

Review of Councilmember Searle's comments on the proposed agreement. Further information is needed prior to the Public Hearing. The Mayor is to arrange a special meeting with the council, Mr. Lee Kapaloski (SUVMWA's attorney) and Dave Tuckett to review the proposed agreement. Tentative approval of the agreement is necessary to proceed.

MOTION WAS MADE BY LEA ANN ADAMS SECONDED BY TONY SEARLE, TO GRANT TENTATIVE APPROVAL TO THE PROPOSED SOUTH UTAH VALLEY MUNICIPAL WATER AGREEMENT. VOTE: YES-(4), NO-NONE(0), ABSENT (1), SCOT SESSIONS.

SUVMWA-
SET PUBLIC
HEARING/
AGREEMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO SET THE PUBLIC HEARING ON DEC. 13, 1994, AT 7:30 P.M. VOTE: YES-(4), NO-NONE (0), ABSENT-(1) SCOT SESSIONS.

APPROVAL/
PROPOSED
ORDINANCE-
ROAD CUTS

Referred to Planning Commission

APPROVAL/
ASST. SNOW
PLOW DRIVER

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO, APPROVE BRYCE RAWLINGS AS THE ASSISTANT SNOW PLOW DRIVER.

Discussion:

1. Were will salary come from?
 - A. Insurance coverage has been denied the Town Clerk, so the budget amount is not being used. It could be used for the Assistant Snow Plow Driver.
2. Bryce will help only when authorized by Kent Haskell, through the Mayor. Volunteer help will be used when possible.

AMENDED MOTION WAS MADE BY TONY SEARLE SECONDED BY JIM NICOLET, TO BUDGET \$1,500 AS THE ANNUAL FIGURE FOR THE ASSISTANT SNOW PLOW DRIVER. VOTE: YES-ALL(5), NO-NONE(0).

VOTE ON THE ORIGINAL MOTION: YES-ALL(5), NO-NONE(0).

The Assistant Snow Plow Driver will earn \$8.00/hr.

LIST OF
EQUIPMENT/
FIRE DEPT.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE \$11,000 FOR THE NECESSARY EQUIPMENT FOR THE FIRE DEPARTMENT, WITH THE UNDERSTANDING THAT THE AIR COMPRESSOR IS OWNED JOINTLY BY THE TOWN AND THE FIRE DEPARTMENT. VOTE: YES-ALL(5), NO-NONE(0).

NEW WELL
UPDATE

1. The Loafer Recreation Agreement has been reviewed by the lawyers and the Town is waiting for a copy of the Agreement to review.
2. Water line - Donald Dean (of Dean/Peay) is willing to work with the Town as far as the easement to the water line. Wants a mp of the water line through their property.
 - A. Devar Thatcher is a third person on the deed; it must be determined if his signature is necessary.
3. Water rights-
There will be a joint tenancy (between developers/Town) for water rights submitted to the State Engineer. Ron Ririe's agreement will be used as a model for future agreements.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO ACCEPT THE AGREEMENT FOR JOINT TENANCY OF WATER RIGHTS, BETWEEN THE TOWN AND RON RIRIE, AS IS CURRENTLY WRITTEN; AND TO USE IT AS A MODEL FOR FUTURE AGREEMENTS. VOTE: YES-(4), NO-NONE(0), ABSTAIN-(1) LEA ANN ADAMS.

APPROVAL/
CANDY MACHINE
BRYCE RAWLINGS

Bryce Rawlings has proposed placing a candy machine in the front office of the Town Hall.

Discussion:

As long as it does not become a problem with traffic, it is fine.

ELK RIDGE TOWN COUNCIL MEETING - 11-22-94 CONT.

MOTION WAS MADE BY TONY SEARLE SECONDED BY JIM NICOLET, TO ALLOW A CANDY MACHINE IN THE TOWN HALL OFFICE. VOTE: YES-(4), NO-NONE(0), ABSTAIN-(1) MAYOR JACOBSON.

EXPENDITURES:

GENERAL:

1. Financial Reports, The Council need not approve the monthly Financial Reports, as they are not truly correct and complete until after the Audit. They need only approve the monthly list of expenditures.

APPROVAL OF
LIST OF
EXPENDITURES
OCT., 1994

Correction on check #8350 "Steven Alt Water Rights" rather than "Ron Ririe Water Rights"

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE LIST OF EXPENDITURES FOR OCT., 1994. VOTE YES-ALL(5), NO-NONE(0).

APPROVAL OF
MINUTES OF
PREVIOUS
COUNCIL

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO APPROVE THE MINUTES FROM 11-8-94 AS PRESENTLY CONSTITUTED.
VOTE: YES-ALL(5), NO-NONE(0).

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO ADJOURN. VOTE: YES-ALL(5), NO-NONE(0).


Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a special Town Council Meeting on Tuesday, December 6, 1994, at 7:30 P.M. and a Closed Session at 7:45 P.M. The meeting will be held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

7:30 P.M. - SPECIAL COUNCIL MEETING AGENDA ITEMS:


7:30 Invocation & Pledge of Allegiance
 7:32 Approval of Agenda Time Frame
 7:35 Expenditures:
 General
 Well Repair
 Snow Plow Repair
 Christmas Bonuses
 7:45 Adjournment to Closed Session

7:45 P.M. - CLOSED SESSION:

Discussion of Legal Aspects of the South Utah Valley
 Water Association Agreement

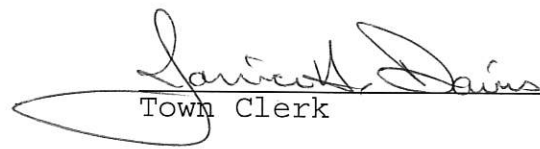
The times listed for each item which appears on the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 1st day of December, 1994.


 Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on December 1, 1994.


 Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

DECEMBER 6, 1994

TIME & PLACE OF MEETING A special meeting of the Elk Ridge Town Council was held on Tuesday, December 6, 1994, at 7:30 P.M., The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on December 2, 1994.

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Tony Searle, (Lea Ann Adams, Scot Sessions, absent); Dave Tuckett, Lee Kapaloski, Janice H. Davis, Clerk.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Janice Davis, with the pledge of allegiance following.

APPROVAL OF AGENDA MOTION WAS MADE BY TONY SEARLE
TIME FRAME SECONDED BY MAYOR JACOBSON, TO APPROVE THE AGENDA
TIME FRAME AS PRESENTED. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), LEA ANN ADAMS, SCOT SESSIONS.

EXPENDITURES:
A. GENERAL

Loan statements are due on the Water Parity Bond:
1. 1990 Bond (Dead Well) = \$6,722
2. New Well:
A. \$7,135.94
B. \$6,465.60

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE BOND PAYMENTS. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), LEA ANN ADAMS, SCOT SESSIONS.

B. WELL REPAIR

Well #2:
\$353.32 Breaker box
50.00 Wire

SESD did \$1,100 worth of work at no charge.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE EXPENDITURE FOR THE REPAIR OF WELL #2. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), LEA ANN ADAMS, SCOT SESSIONS.

C. SNOW PLOW REPAIR

Repair on the "Ram" as well as bent frame.
Cost = Approx. \$761.00

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO APPROVE THE SNOW PLOW REPAIR. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), LEA ANN ADAMS, SCOT SESSIONS.

D. CHRISTMAS BONUSES

Councilmember Searle - questioned paying part time employees as much of a bonus as the full time employees, and that employees should be reviewed prior to any "bonuses" given.

Councilmember Nicolet - at Novel bonuses are given at a percentage of salary.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY JIM NICOLET, TO APPROVE THE BONUSES AT \$100.00 FOR THOSE EMPLOYEES WHO HAVE WORKED AT LEAST 1 YEAR FOR THE TOWN AND \$50.00 FOR BONNIE HANSEN WHO STARTED IN JULY, 1994. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), LEA ANN ADAMS, SCOT SESSIONS.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY TONY SEARLE, TO CHANGE THE CLOSED SESSION TO AN OPEN SESSION LINE ITEM. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

SUVMWA
AGREEMENT

Discussion:

Mr. Lee Kapaloski (SUVMWA attorney) and Dave Tuckett were present to review the proposed agreement for South Utah Valley Municipal Water Association.

Councilmember Tony Searle: States that his concerns are conceptually. He, over all, agrees with the idea of the Association.

Objections:

1. Creating a new Government entity with taxes
2. Is membership voluntary, can a member choose to leave the organization?

Lee Kapaloski:

1. Why join?
 - A. Political power
10 cities carry more power than 1
 - B. Legally
Legal association - "pooling" power
2. Creating a Legal Entity
 - A. No new powers
Only the power of the cities
 - B. No new layer of government
 - C. Not a taxing entity
 - D. Only the ability to do projects

3. Termination
 - A. A member can terminate (withdraw)
 1. Answerable for financial obligations
 - B. Cannot be terminated without 2/3 vote
4. Budgets
 - A. Project Budget
 - B. General Budget for administration of the entities (members)
 1. Feeling to have a "weighted" budget (by population)

Review of Various Sections:

1. Revenue bonds - must be paid by projects income.
2. Town representatives
 - A) must be: trusted, exercise wishes of the citizens and Town Council, keep Council informed.
 - B) may be a Councilmember; but may be someone else, as well.

Areas of Concern:

Termination of assets
Members/ nonmembers -benefits, contracts
Voting on Projects
Direction to the Town's Representative
Condemnation Authority

Councilmember Searle requested an ordinance which requires the representative to get Town Council approval on certain issues:

1. Money issues
2. Projects to be entered into
3. Condemnation

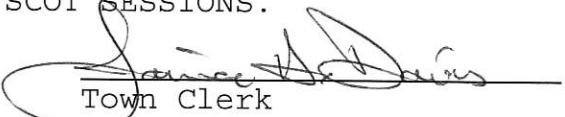
Mayor Jacobson feels condemnation should not be included. Councilmember Searle is to work with Dave Tuckett to create an ordinance which would direct the representative.

Mr. Kapaloski clarified the intent of the various points of discussion on the proposed agreement.

The Public Hearing/Approval of the SUVMWA Agreement is already set for December 13, 1994.

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS TO ADJOURN. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.


Town Clerk

NOTICE & AGENDA

Notice is hereby given that on Tuesday, December 13, 1994, at 7:30 P.M., the Elk Ridge Town Council will hold a Public Hearing, in conjunction with the regular Town Council Meeting beginning at 8:00 P.M., at the Elk Ridge Town Hall, 80 East Park Drive, Elk Ridge, Utah, for the purpose of hearing public opinion regarding a proposed Agreement for Joint and Co-operative action for the South Utah Valley Municipal Water Association.

7:30 P.M.

PUBLIC HEARING

PROPOSED AGREEMENT FOR JOINT AND CO-OPERATIVE ACTION
FOR THE SOUTH UTAH VALLEY MUNICIPAL WATER
ASSOCIATION

8:00 P.M. -


REGULAR COUNCIL MEETING AGENDA ITEMS:

8:00	Invocation & Pledge of Allegiance
8:05	Approval of Agenda Time Frame
8:10	Audit Presentation-Peterson and Associates
8:40	Audit Approval/Fiscal Year 1993-94
8:45	Asst. Public Works Supervisor-Tony Searle
8:55	Expenditures:
	General:
	Council Christmas Party
	Approval/List of Expenditures for Nov., 1994
9:05	Approval of Minutes of Previous Meeting
9:10	Approval/South Utah Valley Municipal Water Association Agreement
9:15	Adjournment

Additions:

The times listed for each item and the amended agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 8th day of December, 1994.



 Town Clerk

Town Council Agenda

12-13-94

Page 2

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Amended Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on December 8, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL PUBLIC HEARING

DECEMBER 13, 1994

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, December 13, 1994, beginning with A Public Hearing at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on December 9, 1994.

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Lea Ann Adams, (Tony Searle, Scot Sessions, absent); Gary Bowen, Scout Lane Bowen, Kim Peterson, Heidi Peterson, Janice H. Davis.

PUBLIC HEARING At 7:30 PM, Mayor Jacobson opened the Public Hearing
SUVMTWA for the purpose of hearing public comment on the
AGREEMENT Proposed Agreement for the Joint and Co-operative
Action for the South Utah Valley Municipal Water
Association.

The Agreement:

1. Sets forth the bylaws by which the Association will function;
2. Interlocal Agreement (10 communities in South Utah County)
3. Joint/Co-operative action by the public entities for Water Resources

On December 6, 1994 there was a special Town Council Meeting with Dave Tuckett and Mr. Lee Kapaloski present to review the proposed agreement with the Councilmembers.

There was no public comment.

The Public Hearing was kept open, but, there was a discussion of the Audit presentation to acquaint the council with the information to be presented later in the regular session.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO CLOSE THE PUBLIC HEARING ON THE PROPOSED AGREEMENT FOR SUVMTWA. VOTE: YES-(3), NO-NONE(0), ABSENT-(2), SCOT SESSIONS, TONY SEARLE.

ELK RIDGE TOWN COUNCIL MEETING

DECEMBER 13, 1994

TIME & PLACE OF MEETING The regular meeting of the Elk Ridge Town Council was held on Tuesday, December 13, 1994, beginning with A Public Hearing at 7:00 P.M., with the regular Council Meeting at 8:00 P.M. The meeting was held at the Elk Ridge Town Hall, 80 E. Park Drive, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on December 9, 1994.

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Lea Ann Adams, Tony Searle, (Scot Sessions, absent); Gary Bowen, Scout Lane Bowen, Kim Peterson, Heidi Peterson, Janice H. Davis.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Mayor Jacobson with the pledge of allegiance following.

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON
SECONDED BY LEA ANN ADAMS TO APPROVE THE AGENDA
TIME FRAME AS PRESENTED. VOTE: YES-(4), NO-NONE(0),
ABSENT-(1), SCOT SESSIONS.

1993/94
AUDIT
PRESENTATION Kim Peterson and Heidi Peterson, from Peterson & Associates, were present to present the Audit for the fiscal year 1993/1994. The Audit had been reviewed that morning (12-13-94) with the Mayor and Jan Davis. Mr. Peterson explained the audit report to those present:

1. "Clean Opinion" on the financial reporting for the fiscal year ending 6-30-94.
2. Expenditures were over in 2 areas:
 - A. Sanitation, the Auditors adjusted the final June billing back into the correct year, which totaled 13 months for 1993/94 rather than 12. (This has been off-track for some time).
 1. Results in \$52 overage
 - B. Capital Projects-Parks:
 1. Expenditures exceeded the budgeted amount by \$1462
3. Capital Projects-SID
There has been a negative (\$105) for 3 years (originally, expenditures exceeded budget by \$105). This will be corrected with the Town's final amended budget for 1994/95 by decreasing the General Fund Revenue amount by the \$105.
4. Findings:
 1. Lack of Separation of duties
(Unavoidable in a small office)

ELK RIDGE TOWN COUNCIL MEETING - 12-13-94 CONT.

2. 2 areas of non-compliance
 - a. Sanitation
 - b. Capitol Projects Parks
3. Negative Funds Balance in Capital Projects-SID (\$105)

There were changes to be done on pg. 4 of the Audit report (General Fund Revenues/Expenditures).

AUDIT
APPROVAL
(1993/94)

Postponed until charges are made in the report.

ASSISTANT
PUBLIC WORKS
SUPERVISOR

When Kent Haskell was initially hired, Kent Crawford was kept on the payroll as a consultant to Mr. Haskell, at \$250/month. Mr. Haskell feels this is no longer necessary. A back up to Mr. Haskell is still necessary. The question is how to pay him. Suggestion: 1. on call basis
2. \$8.00/hr. (minimum of \$25.00)
Mr. Crawford is to be contacted prior to any change.

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE CHANGING THE PAYMENT OF THE ASSISTANT PUBLIC WORKS SUPERINTENDENT FROM \$250 RETAINER TO A MINIMUM CALL OUT FEE OF \$25.00 AND \$8.00 PER HOUR FOR SERVICES RENDERED TO THE TOWN TO BEGIN JANUARY 1, 1995. VOTE: YES-(4), NO-NONE(0), ABSENT-(1) SCOT SESSIONS.

Councilmember Searle is to contact Mr. Crawford.

EXPENDITURES
GENERAL:

Councilmember Adams to check with Salem on Salt/Sand usage. Does the Town need to amend the budget amount for extra usage?

COUNCIL
HOLIDAY PARTY

The Council approved the purchase of a ham for the dinner on 12-27-94.

APPROVAL OF
LIST OF
EXPENDITURES

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO APPROVE THE EXPENDITURES FOR NOVEMBER, 1994. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

APPROVAL/
SUVMWA

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON, TO APPROVE THE AGREEMENT OF THE SOUTH UTAH VALLEY MUNICIPAL WATER ASSOCIATION WITH THE CONDITION THAT AN ORDINANCE BE DRAFTED WHICH REQUIRES THE TOWN'S DIRECTOR RESPONSIBLE TO THE TOWN COUNCIL. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.

ELK RIDGE TOWN COUNCIL MEETING - 12-13-94 CONT.

LAW
ENFORCEMENT/
FEDERAL GRANT

Federal money is available for Cities and Towns supporting law officers.

1. Would the money be available for contracted law enforcement:
2. Length of time grant money will be disbursed
3. Are there any conditions placed on the money?

Councilmember Adams was assigned to:

1. Call Joe Lengal for added information
2. Find answers to questions asked about grant money.

NON-AGENDA ITEM

WELLS
UPDATE

Hall Engineering provided the following:

1. Map of proposed water line easement through Dean & Peay property
 - A. Copies to both Mr. Peay and Mr. Dean
2. Blueprints for the well house for Well #2
3. The State sent information on Well Protection Zone. The Mayor and Rod Despain will draft an ordinance from the information.
4. Mayor Jacobson had a conversation with Loafer Recreation Association before the Council Meeting.

Loafer's Attorney's Concerns:

- A. Wants to see the prior easement, at the time of annexation of the Loafer property
 1. The Mayor has given them this information
- B. Problem with the Town having sole option on re-vegetation.
 1. Issue has been settled

Agreement is to be finalized this week.

Loafer's development plat will show the proposed waterline easement. Rod Despain advised an attached description when feasible to obtain the survey.

ADJOURNMENT

MOTION WAS MADE BY TONY SEARLE SECONDED BY MAYOR JACOBSON TO ADJOURN. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-(1), SCOT SESSIONS.


Town Clerk

NOTICE & AGENDA

Notice is hereby given that the Town Council of Elk Ridge will hold a regular Town Council Meeting on Tuesday, December 27, 1994, at 6:30 P.M. The meeting will be held at the home of Linda Cooper, 438 E. Hudson Lane, Elk Ridge, Utah.

6:30 P.M. - REGULAR COUNCIL MEETING AGENDA ITEMS:

6:30	Invocation & Pledge of Allegiance
6:32	Approval of Agenda Time Frame
6:35	Approval/Fire Chief
6:40	Financial Clerk Position
6:50	New Well
6:55	Expenditures: General
7:00	Adjournment

Addition: Approval/1993/1994 Audit Report

The times listed for each item which appears on the agenda may be accelerated if time permits. All interested persons are invited to attend.

Dated this 23rd day of December, 1994.


Town Clerk

CERTIFICATION

I, the undersigned, duly appointed and acting Town Clerk for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice and Agenda was hand carried to the Payson Chronicle, 12 S. Main, Payson, Utah and mailed to each member of the governing body on December 23, 1994.


Town Clerk

ELK RIDGE TOWN COUNCIL MEETING

DECEMBER 27, 1994

TIME & PLACE The regularly scheduled meeting of the Elk Ridge Town Council was held on Tuesday, December 27, 1994, at 6:30 P.M., at the home of Linda Cooper, 438 East Hudson Lane, Elk Ridge, Utah.

Notice of time, place and Agenda of this meeting was provided to the Payson Chronicle and to each member of the governing body by mailing a copy to each on December 23, 1994.

ROLL CALL Mayor Lynn Jacobson, Councilmembers: Jim Nicolet, Lea Ann Adams, Scot Sessions, (Tony Searle, absent), Linda Cooper, Annebel Meredith, Pat Jacobson, Kelly Adams, Anita Nicolet, Jennifer Sessions, Janice H. Davis.

INVOCATION & PLEDGE OF ALLEGIANCE Prayer was offered by Annebel Meredith with the pledge of allegiance following.

APPROVAL OF AGENDA TIME FRAME MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO APPROVE THE AGENDA TIME FRAME AS PRESENTED. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), TONY SEARLE.

APPROVAL/ FIRE CHIEF Chief Mark Farr is moving from Elk Ridge.

MOTION WAS MADE BY SCOT SESSIONS SECONDED BY MAYOR JACOBSON, TO APPROVE DAVE HANSEN AS THE ELK RIDGE FIRE CHIEF AND SETH WAITE AS THE ASSISTANT FIRE CHIEF. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), TONY SEARLE.

FINANCIAL CLERK Bonnie Hansen submitted her resignation to the Council 12-17-94, effective as of Jan. 31, 1995. She is unable to continue in her duties due to:

1. Baby-sitting problems
2. Unable to continue in 2 jobs and must retain the higher paying job.

Mayor Jacobson reported that he and the Town Clerk had gone back to the list of prior applicants for the position of Financial Clerk.

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY LEA ANN ADAMS, TO OFFER THE POSITION OF FINANCIAL CLERK TO JANIS MC GILL. VOTE: YES-(4), NO-NONE(0), ABSENT-(1), TONY SEARLE.

WELL REPORT 1. Well #4
Old well house is torn out.
Hall Engineering to inspect footing 12-27-94
Pouring 12-28-94

2. New Well
Draft of Final Agreement (Loafer/Elk Ridge)
Changes:
 - A. Re-vegetation
 1. Joint effort on sides of the road
 2. Rest is the Town's option
 3. Federal Grants are available for "tree planting" (Brent Bluthe to be contacted to help with the grant)
 4. Town agrees to restore main access road from well site down.
 5. New paragraph added: Well house brick/concrete construction with electric pump

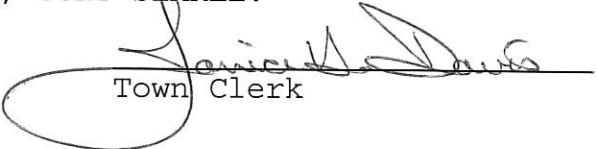
NON-AGENDA ITEM

Sheriff Department suggests adoption of a Town Ordinance modifying the holding time, for cats at the Utah County Animal Shelter (going from 3 to 1 day). The Town is charged for the time the animal is held at the shelter.

1. Mayor Jacobson has requested an extension of the present contract to 6/95. It is on a calendar year.
2. The Council feels the Town should leave the holding time at 3 days, as currently written.

ADJOURNMENT

MOTION WAS MADE BY MAYOR JACOBSON SECONDED BY SCOT SESSIONS TO ADJOURN. VOTE: YES-ALL(4), NO-NONE(0), ABSENT-(1), TONY SEARLE.


Town Clerk